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# *The law and legal considerations*

Under the mandate conferred on it by the community of nations, the ICRC not only monitors respect for and full implementation of international humanitarian law but, at the invitation of the States, also works to promote and develop this law.

Although the ICRC has undertaken various tasks connected with the development of humanitarian law and has actively contributed to research on the subject, the institution's primary concern today is to ensure greater acceptance of and respect for its provisions by all parties concerned.

Alongside its field operations, the ICRC has therefore pursued the following objectives:

- to promote the humanitarian law treaties, particularly the Additional Protocols of 1977, in order to obtain their acceptance throughout the world;
- to persuade States to enact domestic legislation or adopt practical measures to implement international humanitarian law and ensure its application;
- to foster greater knowledge and understanding of international humanitarian law through teaching and dissemination;
- to contribute to its development in order to remedy any omissions and adapt it to new requirements.

## *Promotion of the Conventions and Protocols*

### **Ratifications and accessions**

In 1989, **Kiribati** became party to the four **Geneva Conventions** by declaration of succession (registered on 5 January 1989), thus bringing to **166** the total number of States party to the Conventions of 1949 (*see tables, pages 120-123*).

During the year, 13 States ratified or acceded to **the two Additional Protocols of 8 June 1977** and one State ratified Protocol I only. This was a particularly high number of ratifications or accessions in the course of a single year. On 31 December 1989, 92 States were party to Protocol I and 82 States party to Protocol II.

Details of these ratifications or accessions are as follows (in chronological order):

- **Gambia** acceded to the two Protocols on 12 January 1989.
- **Mali** acceded to the two Protocols on 8 February 1989.
- **Greece** ratified Protocol I on 31 March 1989.
- **Hungary** ratified the two Protocols on 12 April 1989.
- **Malta** acceded to the two Protocols on 17 April 1989. Malta entered reservations in respect of both Protocols, and made a declaration accepting the competence of the International Fact-Finding Commission (Protocol I, Article 90).
- **Spain** ratified the two Protocols on 21 April 1989. It made interpretative declarations concerning Protocol I and a declaration accepting the competence of the International Fact-Finding Commission.
- **Peru** ratified the two Protocols on 14 July 1989.
- **Liechtenstein** ratified the two Protocols on 10 August 1989, with reservations in respect of both, and a declaration accepting the competence of the International Fact-Finding Commission.
- **Algeria** acceded to the two Protocols on 16 August 1989, with interpretative declarations concerning Protocol I and a declaration accepting the competence of the International Fact-Finding Commission.
- **Luxembourg** ratified the two Protocols on 29 August 1989.
- **Côte d'Ivoire** ratified the two Protocols on 20 September 1989.
- **Bulgaria** ratified the two Protocols on 26 September 1989.
- The **Soviet Union** ratified the two Protocols on 29 September 1989, and made a declaration accepting the competence of the International Fact-Finding Commission.
- The **Byelorussian Soviet Socialist Republic** ratified both Protocols on 23 October 1989, with a declaration accepting the competence of the International Fact-Finding Commission.

For each of these States, the Protocols enter into force six months after the dates indicated (date on which the instrument of ratification or accession was deposited).

On 31 December 1989, 17 States party to Protocol I had declared their acceptance of the competence of the International Fact-Finding Commission (Article 90).

It will be recalled that this Commission will be set up when 20 States party to Protocol I agree to accept its competence. Its task will be to conduct enquiries in the event of breaches of the Conventions and of Protocol I and, through its good offices, to help restore respect for humanitarian law.

On 21 June 1989, the Swiss Federal Department of Foreign Affairs received a letter from the Permanent Observer of **Palestine** to the Office of the United Nations at Geneva, informing the Swiss Federal Council (depository of the Geneva Conventions) "that the Executive Committee of the Palestine Liberation Organization, entrusted with the functions of the Government of the State of Palestine by decision of the Palestine National Council, decided, on 4 May 1989, to adhere to the four Geneva Conventions of 12 August 1949 and the two Protocols additional thereto". On 13 September 1989, the Swiss Federal Council informed the States that it was not in a position to decide whether this communication could be considered as an instrument of accession "owing to the uncertainty within the international community as to the existence or non-existence of a State of Palestine."

#### **Measures to promote acceptance of the Conventions and their Additional Protocols**

The year under review provided an excellent opportunity to remind States once again of the existence of the Geneva Conventions. For 1989 marked the 125th anniversary of the signing of the first international humanitarian law treaty of modern times, the Convention of 22 August 1864, concluded at the instigation of Henry Dunant.

The President of the ICRC referred to this occasion in a message sent to all States in March 1989, inviting those that were not yet bound by the Protocols to ratify or accede to them and encouraging others to support his efforts. He also stressed the importance of ratification of the Protocols by all States during two events organized to commemorate the 125th anniversary of the 1864 Convention: one in Bern on 22 August 1989, the other at United Nations headquarters in New York on 13 October 1989.

This subject was regularly raised by the President in his discussions with Heads of State, ministers and diplomats,

and by ICRC delegates in the field during their meetings with the authorities. The Legal Adviser to the Directorate also contributed by carrying out special missions to several countries.

#### **Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects**

In fact, if not in law, the Convention of 10 October 1980 on the prohibition or restriction of certain conventional weapons is an extension of Additional Protocol I of 1977 applicable in international armed conflicts. For this Convention and its Protocols explicitly state the principle reaffirmed by Article 35 of Protocol I, i.e., that "the right of the Parties to the conflict to choose methods or means of warfare is not unlimited" and that, in particular, they do not have the right to "employ weapons, projectiles and material as well as methods of warfare of a nature to cause superfluous injury or unnecessary suffering". The 1980 Convention was adopted under the auspices of the United Nations, which regularly calls on States to ratify it through resolutions of the General Assembly.

On 31 December 1989, 32 States were bound by the Convention: Australia, Austria, Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, China, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Finland, France (for the first two Protocols), the German Democratic Republic, Guatemala, Hungary, India, Japan, Laos, Liechtenstein, Mexico, Mongolia, Netherlands, Norway, Pakistan, Poland, Sweden, Switzerland, Tunisia, the Ukrainian Soviet Socialist Republic, the USSR and Yugoslavia.

ICRC delegates raise the subject of this Convention in their talks with government representatives whenever the opportunity arises. It is also mentioned in the context of dissemination of international humanitarian law.

### **Respect for international humanitarian law**

#### **Implementation measures at national level**

Despite the universal nature of the 1949 Geneva Conventions, to which 166 States are now party, there is a risk that these treaties may remain dead letters unless the necessary legislative and practical measures are adopted

at national level to guarantee their effective application. Fully aware of this fact, the ICRC has spared no effort to promote the adoption in peacetime of national measures to implement international humanitarian law.

Following the questionnaire sent out on 28 April 1988, further to the adoption of Resolution V of the Twenty-fifth International Conference of the Red Cross, entitled "National measures to implement international humanitarian law", the ICRC prepared an Interim Report in 1989 noting the number of replies received and the main points they contained. On 15 August 1989, this Interim Report was sent to States party to the Geneva Conventions, as well as to National Red Cross and Red Crescent Societies. In an accompanying letter the ICRC also reminded States and National Societies which had not responded to its initial request that it hoped to obtain information on any internal measures taken or planned to guarantee the effective application of international humanitarian law. At the same time, the ICRC requested additional information, where necessary, from governments and National Societies which had already replied.

By 31 December 1989 the ICRC had received 34 replies from governments and 23 from National Societies.

In addition to these formal approaches, the ICRC has continued to urge governments to adopt national measures to implement humanitarian law whenever the opportunity has arisen.

The role of the National Societies in preliminary measures for the implementation of humanitarian law was also studied by one of the two working groups set up during a Dissemination Day, organized jointly by the League and the ICRC on 22 October 1989 to coincide with the statutory meetings of the Movement. The report adopted by this group stressed that the setting up of interministerial committees, on which the National Society should be represented, was the most effective way of studying and arranging for the implementation of international humanitarian law.

### **Consultation of experts**

As it has done since 1984, the ICRC once again benefited from the advice of outside experts of various nationalities, who have agreed to take part in the institution's deliberations in a personal capacity and who meet twice a year in Geneva in a working group. The discussions provide the ICRC with opinions on its operations and on its work in the realm of international humanitarian law. In 1989, these meetings were held on 22-24 May and 18-20 December.

## ***Development of international humanitarian law***

In its Resolutions III (identification of medical transports) and VII (work on international humanitarian law in armed conflicts at sea and on land), the Twenty-fifth International Conference of the Red Cross requested the ICRC to follow developments in these areas and to keep it informed.

□ Pursuant to Resolution III (operative paragraph 4), the ICRC drew up a technical manual to facilitate implementation of the Second Geneva Convention of 1949 and Annex I to Additional Protocol I of 1977, which will be published in 1990.

In accordance with Article 98 of Protocol I, the ICRC consulted the States party concerning the necessity of revising Annex I to the Protocol. The results of this consultation showed that the majority of States which expressed an opinion were in favour of a revision of Annex I; none of them were opposed to it.

The ICRC consequently decided to convene the meeting of technical experts provided for in Article 98 of Protocol I in order to review Annex I and to propose such amendments as may appear desirable.

In preparation for this meeting of technical experts, which will be held in Geneva from 20 to 25 August 1990, the ICRC, with the help of the Swiss Army, carried out a series of tests in 1989 in order to determine the visibility of the emblem in different conditions. During these tests the visual range of the distinctive sign was measured by night and using modern techniques commonly used by practically all the armed forces of the world, such as passive infra-red observation (thermal imaging) and optical systems equipped with image intensifiers.

During the period under review, the ICRC continued to raise the problems involved in the marking and identification of medical transports in armed conflicts with specialized international organizations such as ITU, IMO and ICAO, which have always been most helpful and co-operative. With particular reference to the identification of medical aircraft, planes flying sick or wounded prisoners of war between Iran and Iraq were assigned a specific and exclusive radar code for the duration of the operation, thanks to the help and support of the ICAO.

□ In accordance with Resolution VII B of the Twenty-fifth International Conference of the Red Cross, the ICRC continued to follow new developments in small-calibre bullets and new weapons technologies.



From 19 to 21 June, the ICRC convened a round table of experts in order to obtain more information on the development and the effects of lasers as anti-personnel weapons. The experts, who took part in a personal capacity, were specialists in laser techniques: ophthalmologists, psychologists, members of the armed forces and lawyers specializing in international humanitarian law. The scientific experts confirmed that with existing technology it was already possible to produce anti-personnel laser weapons capable of causing permanent blindness.

The lawyers studied the legality of employing such weapons, bearing in mind the ban on the use of weapons of a nature to cause superfluous injury or unnecessary suffering. At the request of the participants, the ICRC drew up a Report on the meeting and will convene two working groups of experts in 1990 in order to obtain further information on various aspects of this matter.

□ From 10 to 14 November 1989, the ICRC took part in the *Round Table of experts on international humanitarian law applicable to armed conflict at sea*. This meeting was organized by the International Institute of Humanitarian Law, the Red Cross Society of the Federal Republic of Germany and the Institute for the maintenance of peace and international humanitarian law of the University of the Ruhr, Bochum. This Round Table was the first of a series of meetings provided for in the plan of action adopted in Madrid in 1989, under the auspices of the International Institute of Humanitarian Law. The discussions focused on the principles of distinguishing and defining military objectives in the law governing maritime warfare. The meeting adopted a document that reflected, among other things, the experts' opinions on the state of existing customary law applicable in this domain.

The ICRC continued to follow and contribute to the development of other areas of international law affecting the individual in periods of armed conflict.

□ On 20 November 1989, exactly 30 years after the proclamation of the Declaration of the Rights of the Child, the United Nations General Assembly adopted without taking a vote, by a unanimous show of hands, the *Convention on the Rights of the Child*. The ICRC had followed the preparation of this Convention from the beginning, but more actively since 1985, because in January of that year an article on children in armed conflict was introduced (Article 38).

Throughout the negotiations, the ICRC constantly insisted that this article should not weaken the protection afforded by existing provisions of international humanitarian law. Other organizations, such as Rädä

Barnen International and the Quakers, as well as the entire Red Cross and Red Crescent Movement, supported the ICRC in this, while UNICEF organized several consultations on the subject. It should also be noted that the 81st session of the Inter-Parliamentary Conference, held in Budapest from 13 to 18 March 1989 and attended by 450 members of parliament from 98 countries, unanimously adopted a resolution on the protection of the rights of the child which "stresses that the protection accorded by the Convention should be at least equivalent to that accorded by the Geneva Conventions of 1949 and the two Additional Protocols of 1977".

Nevertheless, there is no escaping the fact that Article 38 represents a step backwards in relation to Additional Protocol II of 1977 and, paradoxically, risks weakening the existing rules of international humanitarian law protecting children. From the legal viewpoint, it should however be noted that Article 38 contains a safety clause giving pre-eminence to the rules of international humanitarian law.

□ A new treaty was adopted concerning mercenaries. Article 47 of Protocol I rules that mercenaries do not have the right to the status of combatant or prisoner of war. On 4 December 1989, after nine years' work by an *ad hoc* committee, the United Nations General Assembly adopted the text of an *International Convention Against the Recruitment, Use, Financing and Training of Mercenaries*. The definition of mercenary in armed conflicts adopted by this Convention corresponds, in essence, to that outlined in Article 47, paragraph 2, of Protocol I. The Convention also contains a safety clause in favour of international humanitarian law, "including the provisions relating to the status of combatant or prisoner of war". In a statement made before the Sixth Commission of the General Assembly, the ICRC welcomed this safety clause and gave details concerning the fourth paragraph of Article 10 of the Convention, which reserves the right of the country of origin of an alleged mercenary to invite the ICRC to visit him. The ICRC stressed in particular that in such a case it retained its freedom of action; it would, if necessary, act in accordance with its own criteria and would not regard itself as acting on behalf of the requesting State.

□ Torture has probably never been the object of greater concern than it is today. Never before has it been so widely condemned, both by international law protecting human rights and by the various bodies actively engaged in enforcing the laws against it.

The ICRC naturally welcomes all efforts to strengthen protection against torture for people deprived of their freedom. It followed with keen interest the work on various

draft *conventions against torture*, which propose to set up a system of visits to places of detention, in the hope that such work will indeed result in an effective monitoring system to prevent and repress this inhuman practice.

It also began useful talks with the United Nations Committee against Torture on the specific tasks of the two institutions and their respective working methods in the effort to eliminate torture.

Finally, the ICRC had some very fruitful discussions with the European Committee for the Prevention of Torture, set up under the *European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment*, with a view to ensuring that the activities of the two bodies are complementary.

□ The ICRC continued to follow with keen interest the plans put forward in various quarters interested in the development of international law relating to humanitarian assistance in the wake of natural and technological disasters.

Since its mandate applies mainly to situations of armed conflict, the ICRC drew attention to the fact that humanitarian assistance in such situations is covered by detailed regulations in the various treaties of international humanitarian law. These rules lay down procedures and guidelines and, consequently, acknowledge the principle of humanitarian, that is to say impartial, assistance to a civilian population lacking the supplies essential for its survival.

## Co-operation with other institutions on international humanitarian law

The ICRC keeps in close touch with the International Institute of Humanitarian Law in San Remo (Italy) and, as in previous years, helped in the preparation and running of the courses and seminars it organizes. Listed below are some of the meetings in which it was involved during 1989.

- International courses on the law of war (see section on *Dissemination among the armed forces*).
- *14th Round Table on current problems of international humanitarian law* (San Remo, 12 to 16 September), attended by over 150 people from different walks of life (governmental authorities, academics, international organizations and the International Red Cross and Red

Crescent Movement). At this Round Table the rules of international humanitarian law concerning the conduct of hostilities in non-international armed conflicts were discussed; the conclusions will be published in the course of 1990. They stress in particular the validity in non-international armed conflicts of the principles of distinguishing between combatants and civilians, the immunity of the civilian population, the ban on perfidy, respect for the protected status of medical and religious personnel and medical establishments, the prohibition on causing superfluous injury, and the customary prohibition on employing certain weapons.

The Round Table included a day devoted to the protection of refugees in non-international armed conflicts, organized by the Institute in co-operation with the UNHCR.

As usual, the Round Table was followed by a Red Cross and Red Crescent Symposium which was devoted this time to the role of the National Societies in the event of non-international armed conflict (see chapter on *Co-operation within the Movement*).

The ICRC also took an active part in various courses, meetings and seminars organized by institutions and associations involved with international humanitarian law. The following were of particular interest:

- *83rd meeting of the American Society of International Law* (Chicago, 5-8 April). An ICRC representative addressed the Lieber Group on the results of work concerning the law applicable to war at sea, which had been carried out during meetings organized by the International Institute of Humanitarian Law.
- *21st teaching session of the International Institute of Human Rights* in Strasbourg, during which ICRC representatives gave introductory courses on international humanitarian law in French, English, Spanish and Arabic to students from all parts of the world.
- *seventh interdisciplinary course on human rights*, organized by the Inter-American Institute of Human Rights in San José, Costa Rica, during which ICRC representatives, as part of the "Jean Pictet Chair" programme, taught international humanitarian law to participants (senior civil servants, diplomats, judges, teachers and human rights activists) from various American countries.
- *seminar on international law* organized by UNITAR in The Hague, during which the ICRC also had the opportunity of speaking on international humanitarian law.

## **Relations with other international or regional organizations**

The ICRC keeps in touch with various international and non-international organizations, both governmental and non-governmental, and participates with them in meetings dealing with humanitarian matters related to its operations or with problems of international humanitarian law.

These meetings also provide opportunities for useful contacts with the representatives of the various countries, organizations and movements taking part.

Activities in this context are co-ordinated by the ICRC's International Organizations Division in Geneva and New York and involve the President's office as well as numerous ICRC staff members, particularly lawyers and delegates from the Department of Operations.

### **The United Nations system**

The ICRC attended the following annual meetings of various United Nations bodies and specialized agencies as an observer:

- *44th session of the United Nations General Assembly* (New York, September to December);
- *first and second sessions of ECOSOC* (New York in May and Geneva in July).
- *42nd World Health Assembly* (Geneva, May) and *83rd and 84th sessions of the WHO Executive Board* (Geneva, January and May). In conjunction with WHO and the Faculty of Medicine of the University of Geneva, the ICRC also organized the annual HELP (Health Emergencies in Large Populations) training course, which prepares specialized health workers to carry out emergency missions. In addition, the ICRC took part in the inter-regional seminar on orthopaedic technology which took place in Dakar in June.
- *75th International Labour Conference* (ILO, Geneva, June);
- *40th session of the UNHCR Executive Committee* (Geneva, October), as well as the international conferences on Central American refugees (Guatemala City, May) and Indo-Chinese refugees (Geneva, June);

- *45th session of the Commission on Human Rights* (Geneva, February — March) and *41st session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities* (Geneva, August);
- *35th, 36th and 37th sessions of the Human Rights Committee* (New York, March — April; Geneva, July and October/November);
- *59th session of the Council of the Intergovernmental Committee for Migration* (Geneva, November).

Throughout the year, the ICRC kept in close touch with senior members of the United Nations Organizations, particularly the Secretary-General, Mr. Perez de Cuellar, and his special representatives. In October, the ICRC President visited New York for the commemoration of the 125th anniversary of the signing of the original Geneva Convention (1864). Also present at the ceremony were Mr. Perez de Cuellar, Mr. René Felber, Head of the Swiss Federal Department of Foreign Affairs, and delegates from almost all the States represented at the United Nations General Assembly. President Sommaruga then opened an exhibition on the Geneva Conventions and ICRC activities. On this occasion he again had the opportunity to talk to Mr. Perez de Cuellar and to representatives of the Security Council and held a press conference for the United Nations Press Association.

It should be emphasized that most of the co-operation between the ICRC and the United Nations system undoubtedly takes place in the field, between ICRC delegates working from some 48 delegations throughout the world and officials from the UN, WHO, UNICEF, UNHCR, WFP, UNDP, UNRWA, UNDRO and UNBRO.

### **Non-Aligned Movement**

The ICRC attended the following meetings of the Non-Aligned Movement as an observer:

- *ministerial meeting of the Co-ordinating Bureau* in Harare in May;
- *Special Ministerial Conference on peace and international law* in The Hague in June, where the ICRC was represented by Mr. Jacques Moreillon, member of the Committee;
- *ninth summit of Heads of State and Government*, which was attended by the President of the ICRC, in Belgrade in September.

## Regional organizations and the Inter-Parliamentary Union

- *Council of Europe*: the ICRC took part in meetings of the Parliamentary Assembly and the Committee on Migration, Refugees and Demography.

The ICRC also took part in a symposium on "the universality of human rights in a pluralist world", organized by the Council of Europe in co-operation with the International Institute of Human Rights in Strasbourg in April.

- *Organization of African Unity (OAU)*: 25th Summit of Heads of State and Government of the OAU (Addis Ababa, July). The ICRC delegation was led by Mr. R. Jäckli, a member of the Committee.
- *Organization of American States (OAS)*: the ICRC attended, *inter alia*, the 19th General Assembly (Washington, November).
- *Inter-Parliamentary Union (IPU)*: the ICRC attended the 81st and 82nd Inter-Parliamentary Conference (Budapest in March and London in September). In London, the ICRC was represented by its Vice-President, Mr. M. Aubert.

## Dissemination of international humanitarian law and the principles of the International Red Cross and Red Crescent Movement

Dissemination of international humanitarian law and the principles of the International Red Cross and Red Crescent Movement is always one of the ICRC's primary objectives. The institution constantly strives to promote knowledge and understanding of the law and to foster awareness of the Movement's history, principles, ideals and activities. The ICRC's efforts in this respect are based in particular on the Third Programme of Action, adopted by the Twenty-fifth International Conference of the Red Cross for the period 1986 to 1990. Like those preceding it, this programme, which also involves the League and the National Societies, focuses on the following four objectives:

- to encourage ratification of the 1977 Additional Protocols;

- to analyse the legal implications and assess the implementation of these texts;
- to disseminate and spread knowledge of international humanitarian law in various circles (National Societies, governments, the armed forces, universities, etc.);
- to include dissemination of the principles in all the Movement's activities.

Most ICRC operations include a dissemination programme which is carried out in close conjunction with the National Societies. Dissemination forms part of the work of each ICRC delegation, but headquarters staff also go out on missions to organize or take part in seminars with the aim of strengthening relations with the National Societies and with governments. During the year under review, the ICRC also organized further training at its Geneva headquarters for people in a position to promote knowledge of international humanitarian law, mostly university professors and National Society representatives actively engaged in dissemination work. In 1989, these courses were given to 22 people from all parts of the world.

The dissemination activities of the ICRC are carried out in co-operation with not only the League, the National Societies and the Henry Dunant Institute, but also other bodies outside the Movement. The main target groups are the armed forces, National Societies, government authorities and academic circles.

General dissemination activities aimed at each of these target groups are described below; specific activities in each country are covered in the chapter entitled *Field operations*.

### Dissemination in the armed forces

In time of war, it is the armed forces that are responsible for the actual implementation of humanitarian rules. They are therefore one of the most important target groups for the ICRC, which endeavours to encourage the teaching of humanitarian law in military training schools and, above all, to make it an integral part of military instructions. Three specialized delegates are in charge of this task, which is carried out in conjunction with ICRC delegations around the world.

During 1989, there was a marked increase in the number of courses on the law of war organized especially for senior officers in their respective countries and conducted by the three ICRC delegates specialized in dissemination among the armed forces. A total of 779 senior officers from 42 countries (27 in Africa, nine in Latin America, one in North America, two in the Middle East and three in Europe) thus



benefited from training intended to introduce the elements of humanitarian law into the military decision-making process. Four of these courses were held on the regional level.

The central courses on the law of war, prepared and conducted by the ICRC with the help of class leaders from various countries, also continued. These courses have been held since 1976 and are organized by the International Institute of Humanitarian Law in San Remo (Italy). The 27th course (in French and Spanish) and the 28th and 29th (in English) brought together a total of 88 officers and 16 judges from 50 countries on all five continents.

From 19 November to 2 December 1989, the ninth course for military medical officers was held in Liège (Belgium). These courses are organized by the International Committee of Military Medicine and Pharmacy and conducted at its request by ICRC delegates. Twenty-two military medical officers from 13 countries and four continents attended this course, which is run along the same lines as the San Remo course but lays particular emphasis on medical duties and the needs of army medical services.

### Dissemination in National Societies

National Societies form a particularly important target group since they must in their turn disseminate knowledge of international humanitarian law. When they so wish, the ICRC helps these Societies to draw up and implement programmes of action and to train their staff.

In 1989 the ICRC organized regional seminars during which the dissemination officers of several National Societies received thorough training in international humanitarian law, as well as in the principles of the International Red Cross and Red Crescent Movement and its organization and operation. Participants in these seminars are thus prepared to organize courses or training workshops in their own countries.

The following regional training seminars were organized by the ICRC during the year:

- In conjunction with the Zimbabwe Red Cross, the first training seminar for leaders of English-speaking National Societies of southern Africa, East Africa and the Indian Ocean was held in Harare from 13 to 22 November and was attended by 32 participants from 15 National Societies.
- In conjunction with the League and the Mali Red Cross, a seminar on the dissemination of the fundamental principles as a contribution to peace was held for dissemination officers in Bamako from 7 to 10 March and was

attended by 25 participants from seven National Societies (Cameroon, Cape Verde, Mali, Senegal, Chad, Côte d'Ivoire and Guinea).

- In conjunction with the League and the Ethiopian Red Cross, a seminar of the same type was held for the National Societies of Djibouti, Somalia, Tanzania, Uganda, Kenya, Sudan and Ethiopia in Addis Ababa from 6 to 11 November, with about 20 participants.
- In conjunction with the Nigerian Red Cross, a seminar on international humanitarian law and the principles of the Movement was organized for 11 National Society leaders from Nigeria, Cameroon, Ghana, Sierra Leone and Equatorial Guinea. This seminar took place in Lagos from 28 to 31 March.
- In conjunction with the Tunisian Red Crescent, the ICRC organized the second North African symposium on international humanitarian law which brought together officials from various ministries in Tunisia, Morocco and Algeria and dissemination officers from the National Societies of Mauritania, Morocco, Algeria and Tunisia. This symposium took place in Tunis from 3 to 7 July with about 30 participants.
- The Honduran Red Cross was the host of the fourth course for dissemination officials from the National Societies of Costa Rica, El Salvador, Haiti, Honduras, Mexico, Nicaragua, Panama and the Dominican Republic. The course was organized jointly by the League and the ICRC and held at Tegucigalpa from 21 to 31 August with 28 participants.
- The Bahamas Red Cross Society hosted the third course for dissemination officers from English-speaking National Societies in Latin America and the Caribbean, which was held from 6 to 17 August in Nassau. This course, organized jointly by the League and the ICRC, was attended by participants from National Societies of the following countries: Bahamas, Barbados, Dominica, St. Vincent and the Grenadines, Trinidad and Tobago, Jamaica, Belize, Grenada, St. Kitts and Nevis and St. Lucia, and from the Virgin Islands branch of the American Red Cross.

### Dissemination in government and diplomatic circles

The ICRC regularly reminds governments of their obligation, clearly set out in the Geneva Conventions and their Additional Protocols, to make these texts widely known



in order to ensure their application. The ICRC itself is always ready to support efforts in this direction, particularly by raising the subject during meetings in diplomatic circles.

In this context, the ICRC, together with the New York University School of Law, organized the sixth seminar on international humanitarian law for diplomats accredited to the United Nations. Mr. Maurice Aubert, ICRC Vice-President, took part in this seminar, which was held in New York from 10 to 12 January and had a record attendance of 65 people.

The ICRC was also represented at the seminar on international humanitarian law organized on 1 June by the Washington College of Law, American University, and the American Red Cross, for diplomats accredited to Washington.

For the second consecutive year, the ICRC was invited to lecture on international humanitarian law as part of a UNITAR programme. This course was attended by 16 people — government officials, legal experts and teaching staff — and took place in The Hague in July.

In East Africa, the ICRC's regional delegation maintained close contact with the training centre for future diplomats attached to the University of Nairobi in Kenya.

### **Dissemination in universities**

The ICRC constantly endeavours to increase awareness and knowledge of international humanitarian law in academic circles, where those who will ultimately fill posts of responsibility in government and politics are trained.

In this connection, the ICRC and the Polish Red Cross have organized, over the last few years, summer courses

for advanced law students from Europe and North America. These courses are designed to train specialists in international humanitarian law and to study with them how best they can promote dissemination of this law in universities and government circles. The seventh summer course was held in Warsaw from 15 to 26 August and was attended by some 40 students from Austria, Bulgaria, Canada, Czechoslovakia, Denmark, the Federal Republic of Germany, Finland, Hungary, Ireland, the Netherlands, Poland, Sweden, Switzerland, the United Kingdom, the United States, the USSR and Yugoslavia. The teaching staff consisted of university professors from the Federal Republic of Germany, Poland, the Netherlands, Italy, Switzerland and the United Kingdom. The ICRC was represented by Mrs. Anne Petitpierre, a member of the Committee.

The second seminar on international humanitarian law for French-speaking law students was held in Végimont (Belgium) from 7 to 16 September. The seminar was organized by the Belgian Red Cross and the ICRC, whose Vice-President, Mr. M. Aubert, took part in the opening ceremony.

The ICRC also continued to contribute to the teaching of international humanitarian law at New York University and the University of Sofia.

In Zaire, an ICRC legal specialist conducted a seminar on international humanitarian law at the University of Kinshasa from 12 to 20 April. He went on to hold similar courses at the Universities of Burkina Faso and Rwanda. Finally, under the auspices of the University of Nairobi and the ICRC, a meeting took place in Kenya from 6 to 8 November between the 15 co-ordinators of a comparative study on African customary law and international humanitarian law.

**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1989

COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date
Afghanistan . . . . .	R		26.09.56								
Albania . . . . .	R	X	27.05.57								
Algeria . . . . .	A		20.06.60		A <sup>2</sup>	X	16.08.89		A		16.08.89
Angola . . . . .	A	X	20.09.84		A	X	20.09.84				
Antigua and Barbuda . . . . .	S		06.10.86		A		06.10.86		A		06.10.86
Argentina . . . . .	R		18.09.56		A	X	26.11.86		A	X	26.11.86
Australia . . . . .	R		14.10.58	X				X			
Austria . . . . .	R		27.08.53	X	R <sup>2</sup>	X	13.08.82	X	R	X	13.08.82
Bahamas . . . . .	S		11.07.75		A		10.04.80		A		10.04.80
Bahrain . . . . .	A		30.11.71		A		30.10.86		A		30.10.86
Bangladesh . . . . .	S		04.04.72		A		08.09.80		A		08.09.80
Barbados . . . . .	S		10.09.68								
Belgium . . . . .	R		03.09.52	X	R <sup>2</sup>	X	20.05.86	X	R		20.05.86
Belize . . . . .	A		29.06.84		A		29.06.84		A		29.06.84
Benin . . . . .	S		14.12.61		A		28.05.86		A		28.05.86
Bhutan . . . . .											
Bolivia . . . . .	R		10.12.76		A		08.12.83		A		08.12.83
Botswana . . . . .	A		29.03.68		A		23.05.79		A		23.05.79
Brazil . . . . .	R		29.06.57								
Brunei . . . . .											
Bulgaria . . . . .	R	X	22.07.54	X	R		26.09.89	X	R		26.09.89
Burkina Faso . . . . .	S		07.11.61	X	R		20.10.87	X	R		20.10.87
Burundi . . . . .	S		27.12.71								
Byelorussia (SSR) . . . . .	R	X	03.08.54	X	R <sup>2</sup>		23.10.89	X	R		23.10.89
Cambodia . . . . .	A		08.12.58								
Cameroon . . . . .	S		16.09.63		A		16.03.84		A		16.03.84
Canada . . . . .	R		14.05.65	X				X			
Cape Verde . . . . .	A		11.05.84								
Central African Republic . . . . .	S		01.08.66		A		17.07.84		A		17.07.84
Chad . . . . .	A		05.08.70								
Chile . . . . .	R		12.10.50	X				X			
China . . . . .	R	X	28.12.56		A	X	14.09.83		A		14.09.83
Colombia . . . . .	R		08.11.61								
Comoros . . . . .	A		21.11.85		A		21.11.85		A		21.11.85
Congo . . . . .	S		30.01.67		A		10.11.83		A		10.11.83
Costa Rica . . . . .	A		15.10.69		A		15.12.83		A		15.12.83
Côte d'Ivoire . . . . .	S		28.12.61	X	R		20.09.89	X	R		20.09.89
Cuba . . . . .	R		15.04.54		A		25.11.82				
Cyprus . . . . .	A		23.05.62	X	R		01.06.79				
Czechoslovakia . . . . .	R	X	19.12.50	X				X			
Denmark . . . . .	R		27.06.51	X	R <sup>2</sup>	X	17.06.82	X	R		17.06.82
Djibouti . . . . .	S		06.03.78 <sup>3</sup>								
Dominica . . . . .	S		28.09.81								
Dominican Republic . . . . .	A		22.01.58								

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I. Belgium's declaration of acceptance was made on 27.03.87.

<sup>3</sup> Djibouti's declaration of succession to the First Convention was dated 26.01.78 and not 06.03.78 as for the other three Conventions.

**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1989

COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date
Ecuador . . . . .	R		11.08.54	X	R		10.04.79	X	R		10.04.79
Egypt . . . . .	R		10.11.52	X				X			
El Salvador . . . . .	R		17.06.53	X	R		23.11.78	X	R		23.11.78
Equatorial Guinea . . . . .	A		24.07.86		A		24.07.86		A		24.07.86
Ethiopia . . . . .	R		02.10.69								
Fiji . . . . .	S		09.08.71								
Finland . . . . .	R		22.02.55	X	R <sup>2</sup>	X	07.08.80	X	R		07.08.80
France . . . . .	R		28.06.51						A	X <sup>3</sup>	24.02.84
Gabon . . . . .	S		26.02.65		A		08.04.80		A		08.04.80
Gambia . . . . .	S		20.10.66		A		12.01.89		A		12.01.89
German Dem. Rep. . . . .	A	X	30.11.56	X				X			
Germany (Fed. Rep.) . . . .	A		03.09.54	X				X			
Ghana . . . . .	A		02.08.58	X	R		28.02.78	X	R		28.02.78
Greece . . . . .	R		05.06.56	X	R		31.03.89				
Grenada . . . . .	S		13.04.81								
Guatemala . . . . .	R		14.05.52	X	R		19.10.87	X	R		19.10.87
Guinea . . . . .	A		11.07.84		A		11.07.84		A		11.07.84
Guinea-Bissau . . . . .	A	X	21.02.74		A		21.10.86		A		21.10.86
Guyana . . . . .	S		22.07.68		A		18.01.88		A		18.01.88
Haiti . . . . .	A		11.04.57								
Holy See . . . . .	R		22.02.51	X	R	X	21.11.85	X	R	X	21.11.85
Honduras . . . . .	A		31.12.65	X				X			
Hungary . . . . .	R	X	03.08.54	X	R		12.04.89	X	R		12.04.89
Iceland . . . . .	A		10.08.65	X	R <sup>2</sup>	X	10.04.87	X	R		10.04.87
India . . . . .	R		09.11.50								
Indonesia . . . . .	A		30.09.58								
Iran . . . . .	R		20.02.57	X				X			
Iraq . . . . .	A		14.02.56								
Ireland . . . . .	R		27.09.62	X				X			
Israel . . . . .	R	X	06.07.51								
Italy . . . . .	R		17.12.51	X	R <sup>2</sup>	X	27.02.86	X	R		27.02.86
Jamaica . . . . .	S		17.07.64		A		29.07.86		A		29.07.86
Japan . . . . .	A		21.04.53								
Jordan . . . . .	A		29.05.51	X	R		01.05.79	X	R		01.05.79
Kenya . . . . .	A		20.09.66								
Kiribati . . . . .	S		05.01.89								
Korea (Rep.) . . . . .	A	X	16.08.66 <sup>4</sup>	X	R	X	15.01.82	X	R		15.01.82
Korea (Dem. People's Rep.)	A	X	27.08.57		A		09.03.88				
Kuwait . . . . .	A		02.09.67		A		17.01.85		A		17.01.85
Laos . . . . .	A		29.10.56	X	R		18.11.80	X	R		18.11.80
Lebanon . . . . .	R		10.04.51								

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I.

<sup>3</sup> On accession to Protocol II, France made a declaration concerning Protocol I.

<sup>4</sup> Entry into force on 23 September 1966, Korea having invoked Arts. 62/61/141/157 (immediate effect).

**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1989

COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date
Lesotho . . . . .	S		20.05.68								
Liberia . . . . .	A		29.03.54		A		30.06.88		A		30.06.88
Libya . . . . .	A		22.05.56		A		07.06.78		A		07.06.78
Liechtenstein . . . . .	R		21.09.50	X	R <sup>2</sup>	X	10.08.89	X	R	X	10.08.89
Luxembourg . . . . .	R		01.07.53	X	R		29.08.89	X	R		29.08.89
Madagascar . . . . .	S		13.07.63	X				X			
Malawi . . . . .	A		05.01.68								
Malaysia . . . . .	A		24.08.62								
Maldives . . . . .											
Mali . . . . .	A		24.05.65		A		08.02.89		A		08.02.89
Malta . . . . .	S		22.08.68		A <sup>2</sup>	X	17.04.89		A	X	17.04.89
Mauritania . . . . .	S		27.10.62		A		14.03.80		A		14.03.80
Mauritius . . . . .	S		18.08.70		A		22.03.82		A		22.03.82
Mexico . . . . .	R		29.10.52		A		10.03.83				
Monaco . . . . .	R		05.07.50								
Mongolia . . . . .	A		20.12.58	X				X			
Morocco . . . . .	A		26.07.56	X				X			
Mozambique . . . . .	A		14.03.83		A		14.03.83				
Myanmar (ex-Burma) . . . . .											
Namibia <sup>3</sup> . . . . .	A		18.10.83		A		18.10.83		A		18.10.83
Nauru . . . . .											
Nepal . . . . .	A		07.02.64								
Netherlands . . . . .	R		03.08.54	X	R <sup>2</sup>	X	26.06.87	X	R		26.06.87
New Zealand . . . . .	R		02.05.59	X	R <sup>2</sup>	X	08.02.88	X	R		08.02.88
Nicaragua . . . . .	R		17.12.53	X				X			
Niger . . . . .	S		16.04.64	X	R		08.06.79	X	R		08.06.79
Nigeria . . . . .	S		09.06.61		A		10.10.88		A		10.10.88
Norway . . . . .	R		03.08.51	X	R <sup>2</sup>		14.12.81	X	R		14.12.81
Oman . . . . .	A		31.01.74		A	X	29.03.84		A	X	29.03.84
Pakistan . . . . .	R	X	12.06.51	X				X			
Panama . . . . .	A		10.02.56	X				X			
Papua New Guinea . . . . .	S		26.05.76								
Paraguay . . . . .	R		23.10.61								
Peru . . . . .	R		15.02.56	X	R		14.07.89	X	R		14.07.89
Philippines . . . . .	R		06.10.52 <sup>4</sup>	X					A		11.12.86
Poland . . . . .	R	X	26.11.54	X				X			
Portugal . . . . .	R	X	14.03.61	X				X			
Qatar . . . . .	A	X	15.10.75		A	X	05.04.88				
Romania . . . . .	R	X	01.06.54	X				X			
Rwanda . . . . .	S		21.03.64		A		19.11.84		A		19.11.84
Saint Kitts and Nevis . . . . .	S		14.02.86		A		14.02.86		A		14.02.86
Saint Lucia . . . . .	S		18.09.81		A		07.10.82		A		07.10.82
Saint Vincent & Grenadines . . . . .	A		01.04.81		A		08.04.83		A		08.04.83

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I.

<sup>3</sup> Instruments of accession deposited by the United Nations Council for Namibia.

<sup>4</sup> With the exception of Convention I, ratified on 07.03.51.

**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1989

COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date	Signature	A, R, S <sup>1</sup>	Reservations/ Declarations	Date
Samoa . . . . .	S		23.08.84		A		23.08.84		A		23.08.84
San Marino . . . . .	A		29.08.53	X				X			
Sao Tome & Principe . . . . .	A		21.05.76								
Saudi Arabia . . . . .	A		18.05.63		A	X	21.08.87				
Senegal . . . . .	S		23.04.63	X	R		07.05.85	X	R		07.05.85
Seychelles . . . . .	A		08.11.84		A		08.11.84		A		08.11.84
Sierra Leone . . . . .	S		31.05.65		A		21.10.86		A		21.10.86
Singapore . . . . .	A		27.04.73								
Solomon Is. . . . .	S		06.07.81		A		19.09.88		A		19.09.88
Somalia . . . . .	A		12.07.62								
South Africa . . . . .	A		31.03.52								
Spain . . . . .	R		04.08.52	X	R <sup>2</sup>	X	21.04.89	X	R		21.04.89
Sri Lanka . . . . .	R		28.02.59 <sup>3</sup>								
Sudan . . . . .	A		23.09.57								
Suriname . . . . .	S	X	13.10.76		A		16.12.85		A		16.12.85
Swaziland . . . . .	A		28.06.73								
Sweden . . . . .	R		28.12.53	X	R <sup>2</sup>	X	31.08.79	X	R		31.08.79
Switzerland . . . . .	R		31.03.50	X	R <sup>2</sup>	X	17.02.82	X	R		17.02.82
Syria . . . . .	R		02.11.53		A	X	14.11.83				
Tanzania . . . . .	S		12.12.62		A		15.02.83		A		15.02.83
Thailand . . . . .	A		29.12.54								
Togo . . . . .	S		06.01.62	X	R		21.06.84	X	R		21.06.84
Tonga . . . . .	S		13.04.78								
Trinidad & Tobago . . . . .	A		24.09.63 <sup>4</sup>								
Tunisia . . . . .	A		04.05.57	X	R		09.08.79	X	R		09.08.79
Turkey . . . . .	R		10.02.54								
Tuvalu . . . . .	S		19.02.81								
Uganda . . . . .	A		18.05.64								
Ukraine (SSR) . . . . .	R	X	03.08.54	X				X			
USSR . . . . .	R	X	10.05.54	X	R <sup>2</sup>		29.09.89	X	R		29.09.89
United Arab Emirates . . . . .	A		10.05.72		A	X	09.03.83		A	X	09.03.83
United Kingdom . . . . .	R		23.09.57	X				X			
United States . . . . .	R	X	02.08.55	X				X			
Uruguay . . . . .	R	X	05.03.69		A		13.12.85		A		13.12.85
Vanuatu . . . . .	A		27.10.82		A		28.02.85		A		28.02.85
Venezuela . . . . .	R		13.02.56								
Viet Nam . . . . .	A	X	28.06.57	X	R		19.10.81				
Yemen (Arab Rep.) . . . . .	A		16.07.70	X				X			
Yemen (People's Dem. Rep.) . . . . .	A		25.05.77								
Yugoslavia . . . . .	R	X	21.04.50	X	R	X	11.06.79	X	R		11.06.79
Zaire . . . . .	S		20.02.61		A		03.06.82				
Zambia . . . . .	A		19.10.66								
Zimbabwe . . . . .	A		07.03.83								

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I.

<sup>3</sup> With the exception of the Fourth Convention, to which Sri Lanka *acceded* on 23.02.59. (Sri Lanka signed only the First, Second and Third Conventions.)

<sup>4</sup> Trinidad and Tobago's accession to the First Convention was on 17.05.63 and not on 24.09.63 as for the other three Conventions.