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LEGAL BASES

In law, the work of the ICRC is based upon the Geneva Conventions and their Additional Protocols, the Statutes of the International Red Cross and Red Crescent Movement, and the resolutions adopted by International Conferences of the Red Cross and Red Crescent.

It was at the prompting of the ICRC that governments adopted the first Geneva Convention in 1864. In the years since, the ICRC, with the support of the entire Movement, has put constant pressure on governments to adapt international humanitarian law to changing circumstances, especially developments in the means and methods of warfare, in order to provide more effective protection and assistance for the victims of armed conflicts.

Today almost all States are bound by the four Geneva Conventions of 12 August 1949, which, in times of armed conflict, protect wounded, sick and shipwrecked members of the armed forces, prisoners of war and civilians.

Two Protocols additional to these Conventions were adopted on 8 June 1977. They are intended mainly to reaffirm and develop the humanitarian rules governing the conduct of hostilities (Protocol I) and to extend the body of humanitarian law applicable in non-international armed conflicts (Protocol II). Almost two-thirds of the world's States are now bound by the Protocols.

The legal bases of any action undertaken by the ICRC may be summed up as follows:

- In the four Geneva Conventions of 1949 and Additional Protocol I, the international community gave the ICRC a mandate in the event of *international armed conflict*. In particular, the ICRC has the right to visit prisoners of war and civilian internees. The Conventions also confer on the ICRC a broad right of initiative.
- In situations *of armed conflict which are not international in character*, the ICRC also has a right of initiative recognized by the States and enshrined in the four Geneva Conventions.
- In the event of *internal disturbances and tension*, and in any other situation which warrants humanitarian action, the ICRC has a right of humanitarian initiative which is recognized in the Statutes of the International Red Cross and Red Crescent Movement and allows it to offer its services to governments without that offer constituting interference in the internal affairs of the State.