

# Principles and law

Objektyp: **Group**

Zeitschrift: **Annual report / International Committee of the Red Cross**

Band (Jahr): - **(1981)**

PDF erstellt am: **20.09.2024**

## **Nutzungsbedingungen**

Die ETH-Bibliothek ist Anbieterin der digitalisierten Zeitschriften. Sie besitzt keine Urheberrechte an den Inhalten der Zeitschriften. Die Rechte liegen in der Regel bei den Herausgebern.

Die auf der Plattform e-periodica veröffentlichten Dokumente stehen für nicht-kommerzielle Zwecke in Lehre und Forschung sowie für die private Nutzung frei zur Verfügung. Einzelne Dateien oder Ausdrucke aus diesem Angebot können zusammen mit diesen Nutzungsbedingungen und den korrekten Herkunftsbezeichnungen weitergegeben werden.

Das Veröffentlichen von Bildern in Print- und Online-Publikationen ist nur mit vorheriger Genehmigung der Rechteinhaber erlaubt. Die systematische Speicherung von Teilen des elektronischen Angebots auf anderen Servern bedarf ebenfalls des schriftlichen Einverständnisses der Rechteinhaber.

## **Haftungsausschluss**

Alle Angaben erfolgen ohne Gewähr für Vollständigkeit oder Richtigkeit. Es wird keine Haftung übernommen für Schäden durch die Verwendung von Informationen aus diesem Online-Angebot oder durch das Fehlen von Informationen. Dies gilt auch für Inhalte Dritter, die über dieses Angebot zugänglich sind.

Ein Dienst der *ETH-Bibliothek*  
ETH Zürich, Rämistrasse 101, 8092 Zürich, Schweiz, [www.library.ethz.ch](http://www.library.ethz.ch)

<http://www.e-periodica.ch>

---

# PRINCIPLES AND LAW

---

In 1981, the ICRC made many approaches to urge States which have not yet done so to ratify or accede to the 1977 Protocols to the Geneva Conventions. It intensified its efforts to encourage the dissemination of knowledge of the law in various circles, notably in the armed forces and in universities. In addition, 1981 was the year of the Twenty-fourth International Red Cross Conference, which dealt with several questions relating to the acceptance, respect for and teaching of international humanitarian law.

The Department of Principles and Law of the ICRC is concerned with problems connected with putting into effect, applying and propagating international humanitarian law and also with relations with the various Red Cross institutions. In addition, the department replied to legal questions from the outside or arising within the ICRC and worked out guidelines to assist the ICRC to maintain under all conditions a coherent policy in conformity both with international humanitarian law and with the principles of the Red Cross.

## International humanitarian law

### THE 1949 GENEVA CONVENTIONS

#### Approaches to successor States

In November 1980, the ICRC had made approaches to 19 "successor" States — and also to Bhutan — inviting them to become parties to the Geneva Conventions of 12 August 1949. The purpose in particular was to encourage these States to make declarations of continuity or accession to the Conventions in advance of the Twenty-fourth International Red Cross Conference, which was to take place at Manila in November 1981, since participation in the Conference was restricted to parties to the Conventions. In addition, only such States could have Red Cross or Red Crescent Societies that could be recognized by the ICRC and qualify for full participation in the International Conference.

In 1981, the ICRC continued its efforts to obtain such declarations, and six States formally became parties to the Conventions during the year, bringing to 151 the number of States bound by these instruments. Five of these States were bound by declarations of succession addressed to the Swiss Confederation, the depositary State. The countries were: Tuvalu, 19 February; Grenada, 13 April; Solomon Islands, 6 July; St. Lucia, 18 September; Commonwealth of Dominica, 28 September. The sixth of these States, St. Vincent and the Grenadines, made a declaration of accession which, received

on 1 April, entered into effect, in conformity with provisions in the Conventions, on 1 October 1981.

### 1977 PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS

#### Overtures to encourage ratifications

The two Protocols additional to the Geneva Conventions, designed to adapt to modern forms of conflict the rules protecting the victims of war, were adopted on 8 June 1977 by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts. The first Protocol was signed by 62 States and the second by 58, within the time specified, from 12 December 1977 to 12 December 1978.

In 1980, the ICRC had intensified its efforts to encourage States to ratify or accede to the Protocols (see Annual Report 1980, p. 68). The ICRC considers that it was vitally important for humanitarian reasons that the rules in the Protocols should be respected by all parties involved in armed conflicts, and that only the formal accession to these instruments by the great majority of States would assure such respect.

These efforts had lost none of their timeliness in 1981, the year of the International Red Cross Conference, and the ICRC accordingly persevered in its initiatives, publishing a Memorandum on the Protocols of 8 June 1977, which summarizes the essential elements of the Protocols, mainly for governmental and diplomatic circles. On 19 February, it communicated with the governments of all States which were not yet parties to the Protocols, asking to be informed on the status of ratification or accession procedures in their countries, and expressing the hope that a large number of instruments of ratification or accession would be deposited before the Twenty-fourth International Red Cross Conference.

Pursuing the course it had followed in 1980, the ICRC sent missions to various countries to encourage the ratification of the Protocols. Such missions visited Australia and New Zealand, Austria and France, Africa (Benin, Cameroon, Egypt, Ethiopia, Ivory Coast, Kenya, Nigeria, Senegal, Togo and Upper Volta), Latin America (Colombia, Costa Rica, Mexico, Nicaragua, Panama and Peru), Asia (Indonesia, Japan, Malaysia, Papua-New Guinea, Philippines, Singapore and Sri Lanka) and the United States. Carried out at various levels, these missions generally made it possible to have talks either with the Foreign Ministers or high officials in these ministries, and, as appropriate, with the Ministries of Defence or Justice.

Apart from these visits specifically devoted to the Protocols, members or delegates of the ICRC had numerous talks on the subject with high officials during missions devoted to other subjects (notably in Turkey, the Soviet Union and Nepal), or on the occasion of regular contacts by ICRC delegations in different parts of the world.

These missions, as a whole, indicated that few States had any unsurmountable objections to the Protocols and that slowness in ratification or accession procedures was most often due to the heavy work loads of administrations or parliaments. The ICRC is convinced that it must assume the responsibility for the indispensable task of reminding States regularly of the great importance of these texts and of preventing them from fading into oblivion.

The Twenty-fourth International Red Cross Conference provided an occasion to revert to the question. The ICRC expressed its concern over the small number of countries which had become parties to the Protocols and the slowness of ratification procedures in numerous countries. Some governments represented at the Conference announced that ratification procedures were about to be completed in their countries; others said that the complexity of the Protocols necessitated detailed and time-consuming study. Several delegates stressed the importance of Article 90 of Protocol I, providing for the establishment of an International Fact-Finding Commission, expressing the hope that governments bound by the Protocols and those which were about to become parties to them would accept the competence of this Commission, as specified in the same Article. In its Resolution VII the Twenty-fourth International Red Cross Conference reaffirmed its will to do everything in its power so that the two 1977 Protocols would be as universally accepted as the Geneva Conventions; it invited the States which had not yet done so to ratify or accede to the Protocols; it invited the ICRC, in co-operation with the National Societies, to pursue its efforts to promote knowledge and universal acceptance of the Protocols.

Together with the Swiss Red Cross, the ICRC also organized an information day on the Protocols at Berne on 25 May, in connection with the publication of a message by the Swiss Federal Council recommending ratification. The purpose of the day was to call the attention of the Swiss circles concerned with international humanitarian law — among them representatives of the National Council and the Council of States, high officials in the Federal and Cantonal administrations and representatives of university circles — to the importance of ratification of the Protocols by Switzerland and the problems involved in putting them into effect.

The ICRC also established relations with some major regional organizations, such as the Council of Europe, urging them to take up the cause of the Protocols and encourage their members to ratify them.

#### **Status of ratifications and accessions to the 1977 Protocols**

All of the foregoing are clearly long-term undertakings, and the ICRC is undiscouraged by the modest results

obtained in 1981, during which only two States deposited their instruments of ratification: Vietnam, which ratified Protocol I on 19 October, and Norway, which ratified both Protocols on 14 December.

As of 31 December 1981, 19 States were parties to Protocol I and 17 to Protocol II: Bahamas, Bangladesh, Botswana, Cyprus (Protocol I only), Ecuador, El Salvador, Finland, Gabon, Ghana, Jordan, Laos, Libya, Mauritania, Niger, Norway, Sweden, Tunisia, Vietnam (Protocol I only) and Yugoslavia.

## **PROHIBITION OF CERTAIN WEAPONS**

### **Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, of 10 April 1981**

Convoked pursuant to Resolution 22 of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts (1974-1977), the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Deemed to be Excessively Injurious or to have Indiscriminate Effects met in Geneva in 1979 and 1980. This Conference adopted a Convention and three Protocols, relating respectively to non-detectable fragments, mines and booby traps and incendiary weapons. The 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 was signed at New York on 10 April by 34 governments. The text of the Convention and its three Protocols was published in the January-February 1981 edition of *International Review of the Red Cross*.

Previous Annual Reports of the ICRC (1979, p. 68; 1980, p. 69) manifested the interest of the institution in this matter. The Twenty-Fourth International Red Cross Conference invited the ICRC to continue to follow the question of prohibitions or restrictions on the use of certain conventional weapons and to keep the International Conference of the Red Cross informed. In the same resolution, it invited States to become parties to the Convention and Protocols, to apply them and to study the possibility of developing them further. At the end of 1981, 46 States had signed the Convention: Afghanistan, Argentina, Austria, Belgium, Bulgaria, Byelorussia, Canada, China, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, German Democratic Republic, Federal Republic of Germany, Hungary, Greece, Iceland, India, Ireland, Italy, Japan, Luxembourg, Mexico, Mongolia, Morocco, New Zealand, Nicaragua, Norway, Philippines, Poland, Portugal, Sierra Leone, Spain, Sudan, Sweden, Switzerland, Togo, U.K., Ukraine, U.S.A., U.S.S.R., Vietnam and Yugoslavia. None has so far ratified it.

## THE ICRC AND VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

It is the responsibility of the States themselves to respect international humanitarian law. The Geneva Conventions specifically require the States to respect and ensure respect for this law, but they do not provide for any international jurisdiction qualified to compel States to recognize and repress violations.

In the event of violations of international humanitarian law, the ICRC, which has no judicial authority, decides the character of its intervention mainly on the basis of the interest of the victims. So that its attitude toward violations of international humanitarian law in armed conflicts will be better understood, the ICRC has developed various guidelines on this subject, which were published in *International Review of the Red Cross*, March-April 1981.

It may be well to recall briefly that the ICRC generally makes all appropriate interventions confidentially, to put an end to or report violations of international humanitarian law and does not make a public statement unless these interventions have failed, and only if doing so is in the interest of the persons affected or threatened and if the violations have been witnessed by ICRC delegates or have been confirmed by reliable and verifiable sources. The ICRC, which is qualified to take cognizance of complaints regarding alleged violations of the humanitarian Conventions – under the terms of the Statutes of the International Red Cross – does not transmit complaints from one party to a conflict to the other party unless there is no other means of transmission; it does not transmit complaints by third parties. The ICRC does not carry out investigations of violations of humanitarian law; it may however assist in setting up procedures for such investigations, if it has received a mandate to do so by a special convention or the agreement of all the parties concerned. Finally, if the ICRC is called upon to record the results of violations, it will only comply with such a request if it considers that the presence of its delegates can facilitate its humanitarian tasks and if it has received assurances that no publicity will be given to their presence.

Alarmed by the development of violence and contempt for human rights in the world, and by the numerous cases of violation of the Geneva Conventions – which have often impeded the activities of the ICRC – the Twenty-fourth International Red Cross Conference made a solemn appeal that the rules of international humanitarian law and universally recognized humanitarian principles be safeguarded at all times and in all circumstances and that the ICRC be granted all the facilities necessary to discharge its humanitarian mandate.

## PARTICIPATION IN INTERNATIONAL MEETINGS

ICRC personnel participated in a variety of meetings dealing with questions related to the Geneva Conventions and

the additional Protocols, or with other subjects connected with international humanitarian law and international public law, including:

– *The nineteenth seminar on international law of the United Nations International Law Commission at Geneva in June.* The ICRC was invited to present a paper on international humanitarian law as a branch of international law. The communication was presented to the annual seminar, organized for the past 19 years on the occasion of the meetings of the International Law Commission, the United Nations organ charged with the codification and development of international public law. The seminars are arranged for jurists, diplomats and professors. President Hay received both the members of the Commission and participants in the seminar at ICRC headquarters.

– *The nineteenth study course of the United Nations Information Service at Geneva in July.* The purpose of this course was to inform university students, civil servants and diplomats about international activities. ICRC staff members took part in a round table on the problem of refugees and also gave a lecture on international humanitarian law in the modern world.

– *The twelfth session of the International Institute of Human Rights at Strasbourg, from 16 to 24 July.* Once again, the ICRC was invited to participate actively in the courses organized by the International Institute of Human Rights at Strasbourg, organized every year for persons who wish to advance their knowledge of human rights and international humanitarian law. ICRC staff members gave a course on international humanitarian law and took part in a meeting on methods of teaching this law.

– *The seventh round table on present problems of international humanitarian law at San Remo, from 8 to 12 September.* Organized by the San Remo International Institute of Humanitarian Law, this round table was attended by about 150 participants, mostly from diplomatic, university and military circles and the Red Cross world – from all five continents. The ICRC was represented by the President, Mr. Alexandre Hay, and by Mr. Aubert, Mr. Huber, Mr. Schindler and Miss Weitzel, members of the Committee, and by several administrative officers.

The round table, organized every year, started with a Red Cross symposium which provided an opportunity to discuss several subjects which were to be dealt with later by the Twenty-fourth International Red Cross Conference, such as the image of the Red Cross in the modern world, the prohibition or restriction of certain conventional weapons, disarmament, the dissemination of knowledge of international humanitarian law, disappearances, torture and relief operations for refugees. The round table then took up subjects of a more specifically legal nature: application by a party to a conflict of the provisions of the 1977 Protocol I to its own citizens, the results of the United Nations conference on the

prohibition or restriction of certain conventional weapons, international humanitarian law and the internationalization of internal armed conflicts, human rights and the 1977 Protocol II and lastly the protection of refugees in the event of armed conflicts.

## **Dissemination of knowledge of international humanitarian law and the principles and ideals of the Red Cross**

In 1981, a second Red Cross action programme for the dissemination of knowledge of international humanitarian law and the principles of the Red Cross was developed for the period 1982-1985. This followed the initial programme for 1978-1981, and took over from that programme plans which were still under way or not started, in addition to new plans. The second programme had the same general objectives as the first — four in number — which should guide both the ICRC and the League in the dissemination of knowledge of international humanitarian law, as follows:

- to encourage States to ratify or accede to the 1977 Protocols additional to the Geneva Conventions;
- to analyze the legal and practical consequences of the provisions of the Protocols;
- to disseminate and stimulate dissemination of knowledge of international humanitarian law among National Societies, governments, armed forces, universities, international organizations and other institutions and groups concerned;
- to integrate the dissemination of the principles and ideals of the Red Cross into all the activities of the Red Cross movement, among National Societies, youth, the general public and international institutions.

These four objectives, distinct in nature, are divided into three separate parts:

- accession to the Protocols (Objective 1);
- research (Objective 2);
- dissemination, education, training (Objectives 3 and 4).

The activity of the Red Cross to disseminate knowledge of international humanitarian law and of the principles and ideals of the Red Cross is provided for in the Statutes of the International Red Cross, of the ICRC, of the League and of many National Societies. Its importance was emphasized in the Report on the re-appraisal of the role of the Red Cross by Mr. Donald Tansley. It was the subject of a resolution by the Diplomatic Conference on the Reaffirmation and Devel-

opment of International Humanitarian Law Applicable in Armed Conflicts and of several resolutions by International Red Cross Conferences. The Twenty-third International Red Cross Conference in particular confirmed that dissemination should be an essential concern of the Red Cross, even though it was a duty of governments; that it should be a part of the general concept of the responsibilities of individuals vis-à-vis their fellow human beings and should not be dissociated from the promotion of a spirit of peace. Resolution No. 10 of the Twenty-fourth International Red Cross Conference declared that the States parties to the Conventions and Protocols had the obligation of disseminating knowledge of international humanitarian law among their armed forces, ministries, academic and medical circles and the general public. It asked National Societies to assist in training national officials to be responsible for dissemination and to co-operate closely with their respective governmental authorities to that end. It asked the ICRC and the League to support these efforts of the National Societies.

The ICRC and the League have the support of the joint working group of experts on the dissemination of international humanitarian law and the principles and ideals of the Red Cross. Created in 1979, mainly for the purpose of advising the two institutions in implementing their Programme of Action and assist in obtaining finance for various plans in the programme, the working group, in 1981, met on 26 April in Geneva and on 8 November in Manila. It consists of representatives of the ICRC, the League, the Henry Dunant Institute and the National Societies of Finland, Libya, Malaysia and Spain and, since 1981, of Hungary, which has taken the place of Czechoslovakia. The Chairman of the group is Mr. Kai Warras of the Finnish Red Cross.

The working group was mainly occupied with devising the second Programme of Action of the Red Cross in the field of dissemination, analyzing the comments of National Societies to which a draft of this programme had been submitted and preparing a report on its activities for the Twenty-fourth International Conference. It also studied the draft for a "Guide for National Societies on methods for the dissemination of international humanitarian law and the principles and ideals of the Red Cross", developed by the ICRC and the Henry Dunant Institute, and the draft for a manual, "Rights and Duties of Medical Personnel in Armed Conflicts". It studied the problem of centralizing data on the work accomplished at the national and international levels in the field of humanitarian law and recommended that the ICRC co-ordinate the various activities undertaken for the promotion of this law both by the Red Cross as a whole and by other organizations and constitute an "information bank".

For dissemination the ICRC and League are assisted by the Henry Dunant Institute and other organizations, such as the International Institute of Humanitarian Law at San Remo, the International Institute of Human Rights at Strasbourg and the Medico-Legal Commission of Monaco. In the teaching of international humanitarian law, the ICRC also co-operates with UNESCO. Participants in the regional sem-

inar at Amman (see below) stressed the importance of this co-operation and recommended that it be strengthened.

## **DISSEMINATION TO NATIONAL SOCIETIES AND GOVERNMENTS**

### **Regional seminar at Amman**

Concluding the series of major regional seminars organized by the ICRC since 1977, at Warsaw (1977), Mombasa (1978), Kuala Lumpur (1978), Bogota (1979) and Tunis (1979), the first seminar of Arab countries in the Middle East on the dissemination of international humanitarian law took place at Amman from 5 to 13 April. The seminar was organized by the Jordan Red Crescent and the ICRC.

Like the earlier seminars, the meeting at Amman was designed to make better known the fundamental principles of international humanitarian law and, with the participating National Societies, to seek the best means to assure dissemination in different circles, taking into account the particular situation in each country. The National Societies of Saudi Arabia, Iraq, Jordan, Kuwait, Lebanon, Oman, Somalia, Syria, the Yemen Arab Republic, the People's Democratic Republic of Yemen, the "Palestinian Red Crescent" and, as observers, the "Eritrean Relief Association" and the "Eritrean Red Cross and Crescent Society" took part. The ICRC delegation was led by President Hay and included the Director of the Department of Principles and Law and several members of that department and of the Operations Department. The League and the Henry Dunant Institute were also represented.

The Amman seminar dealt with the following subjects: the history and nature of international humanitarian law, the law of The Hague and the Geneva Conventions, the Protocols additional to the Geneva Conventions, the legal mechanisms for putting international humanitarian law into effect, international humanitarian law and Islam, the treaty and extra-treaty activities of the ICRC, humanitarian law and human rights, and the Action Programme of the Red Cross for the dissemination of international humanitarian law. The seminar was also an occasion for the National Societies to present reports on the measures taken in their respective countries to disseminate international humanitarian law and to discuss in working groups the best means to accomplish this.

### **Missions for the dissemination of international humanitarian law and participation in various seminars**

ICRC staff members visited a number of countries to give talks on international humanitarian law to members of National Societies and/or to discuss with the heads of these Societies the drafting or development of national programmes for dissemination. The countries visited were: Aus-

tralia, Colombia, Costa Rica, Mexico, New Zealand, Nicaragua, Panama, Papua-New Guinea, Peru, Singapore, Sri Lanka and the United States (Hawaii). In addition, relations were established with the Indonesian permanent committee for international humanitarian law.

The ICRC was invited to a seminar organized by the Colombian Red Cross at Cartagena, in northern Colombia, in March, as part of its general programme for information and dissemination for its local sections. This seminar, attended by sixty participants, was a follow-up to the regional seminar at Bogota, organized by the ICRC in 1979 to examine with the National Societies of Latin America the problem of dissemination of international humanitarian law. The ICRC representative at the Cartagena seminar presented a general review of the subject and presided over a round table.

In his mission to New Zealand in November, President Hay participated in a national seminar on the dissemination of international humanitarian law, organized by the National Society at Wellington.

## **DISSEMINATION IN THE ARMED FORCES**

In 1981 new efforts were made to encourage and facilitate the dissemination and teaching of international humanitarian law in the armed forces. Visits were made to several countries and lectures on the law were given to military audiences. It will be recalled that since 1979, the ICRC has had a special delegate to the armed forces, whose activities are backed up by the Commission for the Armed Forces, under the chairmanship of Miss Andrée Weitzel, a member of the Committee and former head of the women's auxiliary service of the Swiss Army. The Commission and the delegate to the armed forces also continued the preparation of a manual on international humanitarian law for the use of the armed forces.

The Twenty-fourth International Red Cross Conference recognized the importance of arriving at uniform interpretations and applications of the Geneva Conventions and of other rules of international law applicable in armed conflicts and of familiarizing members of the armed forces with the provisions of these texts. It stressed the role of the ICRC in this respect. Resolution No. XI of the Conference invited the ICRC to conduct and/or sponsor international courses on the law of war, in which all States were asked to co-operate by sending legal officers and commanders and by providing corresponding courses in their own service schools.

It may also be noted that on 25 and 26 May, military attachés accredited to Switzerland were invited to the ICRC to familiarize themselves with the activities of the institution and with international humanitarian law. Sixteen attachés from 14 countries attended these information sessions, from Austria, China, France, Gabon, the German Democratic Republic, the Federal Republic of Germany, Hungary, Israel, the Republic of Korea, Poland, Romania, South Africa, Sweden and the United Kingdom.

## Courses on the law of war

The delegate to the armed forces was assigned to direct the international courses on the law of war, organized as a rule twice each year by the International Institute of Humanitarian Law at San Remo for commanders of land, sea and air forces, general staff instructors and officers responsible for teaching the law of war.

In 1981, the 10th and 11th courses in this series took place at San Remo, in French and English, respectively. The 10th course was attended by 9 officers, from Belgium, Canada, Ecuador, the Ivory Coast, Tunisia and Zaire. The 11th course was attended by the largest number thus far, 42 high-level officers from 17 countries: Australia, Canada, Denmark, Finland, Federal Republic of Germany, Ghana, Greece, Indonesia, Italy, Jordan, Kuwait, Netherlands, South Africa, Sweden, United Kingdom, United States and Zambia. Lasting two weeks, these courses are intended to familiarize the participants with the texts of certain international treaties (especially the Hague and Geneva Conventions and the additional Protocols), studying them in close conjunction with military needs and realities. After an introduction to international humanitarian law applicable in armed conflicts, the rules for the conduct of military operations and then the attitude to observe vis-à-vis civilian and military victims of the conflicts are studied from a practical point of view, on the basis of fictitious but realistic tactical data.

## Missions for the dissemination of international humanitarian law among the armed forces

As part of the task of disseminating international humanitarian law among the armed forces, missions were carried out in a number of countries — mainly in Latin America — by members of the Department of Principles and Law, notably by the head of the Documentation and Dissemination Division and the delegate to the armed forces. These missions provided opportunities to discuss programmes for dissemination and methods of teaching international humanitarian law with high officials of the ministries of defence and armed forces. In addition, the ICRC representatives in a number of the countries visited gave lectures on international humanitarian law applicable in armed conflicts, on the integration of this law into military life and on methods for instruction to members of the armed forces, especially commanders and general staff officers, and in military schools and other establishments. Visits were made to the following countries: Colombia, Costa Rica, El Salvador, Malaysia, Mexico, Nicaragua, Panama and the United States (Hawaii). A special effort was made in El Salvador, where two specialists in dissemination, during April and May, made a tour of military establishments and gave talks on the international Red Cross, the fundamental principles of international humanitarian law and the rules which combatants should respect. In addition, the delegate to the armed forces gave

several talks to officers of the general staff, departmental commanders and the heads of security units.

Mrs Bindschedler-Robert, a member of the Committee, took up the question of the dissemination of international humanitarian law among the armed forces during a mission to the Soviet Union, and proposed in particular that the USSR participate in the international courses at San Remo.

The Director of the Department of Principles and Law had discussions in Washington with representatives of the Inter-American Defence School with a view to introducing the teaching of international humanitarian law into its regular programme; the delegate to the armed forces presented a teaching method in the form of a practical exercise.

Relations were also established with the Inter-American Bar Association. The delegate to the armed forces took part in the Congress of the Military Law Committee of this association at Quito, Ecuador, where he spoke on the subject of the teaching of international humanitarian law to the armed forces and directed a practical exercise.

ICRC delegates stationed in various countries or on temporary missions also spoke on the subject to military groups (see section *Activities throughout the world*).

## DISSEMINATION IN UNIVERSITIES

ICRC jurists, as usual, took advantage of their missions abroad to establish contacts with universities in the countries visited and also welcomed educators visiting Geneva. In 1981, several missions were devoted to dissemination in universities. In addition, the ICRC participated in numerous seminars on this theme.

### Warsaw course

Organized jointly by the Polish Red Cross and the ICRC, in co-operation with the League and the Henry Dunant Institute, the first course in international humanitarian law for advanced law students from Europe and North America was held in Warsaw from 29 September to 9 October. This course, the first in a series, was a follow-up to the Cracow seminar in 1979, the aim of which was to interest professors of international public law in European and North American universities in international humanitarian law (see Annual Report, 1979, p. 73).

Thirty-one students took part in the course, from Canada, Denmark, Finland, the Federal Republic of Germany, Hungary, Norway, Poland, Sweden, Switzerland and the United Kingdom. Mrs. Bindschedler-Robert and Mr. Fleiner, members of the Committee, participated in the instruction, together with Polish professors and the Director of the Henry Dunant Institute. The Warsaw course provided teaching of the fundamental principles of international humanitarian law and of the Red Cross, in addition to which there were

discussions with the students on the means whereby they could promote the dissemination of this law in their own universities, their National Societies and in governmental circles.

#### **Participation in other courses on international humanitarian law**

The ICRC took part in preparing and/or presenting several courses on international humanitarian law for university circles:

– *Seminar for the dissemination of international humanitarian law for university professors, Lima, 27 February.* Organized by the Peruvian Red Cross, this seminar originated in the objectives adopted by the participants in the regional seminar conducted by the ICRC at Bogota in 1979, to examine in conjunction with the National Societies of Latin America the means for disseminating international humanitarian law in different circles. ICRC representatives spoke on the origin and nature of this law and on its relationship with human rights.

– *Seminar for professors of international public law at the American University in Washington, in March.* The Director of the ICRC Department of Principles and Law directed a seminar on this occasion for professors of international public law who might wish to teach international humanitarian law. The seminar was attended by some fifty professors and military jurists of the Judge Advocate General's School.

– *Seminar for professors of international public law, Buenos Aires, 11, 12 May.* This seminar was held under the auspices of the Faculty of Law of the University of Buenos Aires, with the co-operation of the Argentine Red Cross and the ICRC, on the subject of international humanitarian law. It was attended by about fifty participants (professors, diplomats and members of the armed forces). This seminar was also an outcome of the Bogota regional seminar.

– *Seminar for professors, Milan, 15 to 17 May.* In co-operation with the Institute of International Law, the Institute of Political Sciences of the University of Milan and the Italian Red Cross, the International Institute of Humanitarian Law of San Remo organized this seminar, the second of its kind, for professors and assistant professors. A seminar of the same kind had been held in Florence in 1980 (see Annual Report 1980, p. 74). About sixty participants from the principal universities of northern Italy were in attendance. Mr. Jean Pictet, member of the Committee and Chairman of the Assembly of the Henry Dunant Institute, spoke on the principles of international humanitarian law for the protection of the victims of armed conflicts.

– *UNITAR course at the Academy of International Law of The Hague, July.* The ICRC was invited for the first time to participate in the course on international law organized every year by the United Nations Institute for Training and

Research (UNITAR) at The Hague. The ICRC presented papers on the history and evolution of international humanitarian law and of the ICRC, on the Geneva Conventions and on the activities of the ICRC in the event of internal disorders and tensions. The UNITAR seminars are organized for national officials and professors of international law.

#### **Missions for the dissemination of international humanitarian law in university circles**

Numerous missions were carried out in 1981 to meet the heads of faculties of law to discuss the possibilities for integrating the teaching of international humanitarian law into the curricula or of developing this teaching. These missions often provided opportunities for ICRC delegates to give lectures on this law in university circles.

In Africa, representatives of the ICRC had interviews with deans and professors of law at the universities of Dakar (Senegal), Abidjan (Ivory Coast), Lagos (Nigeria), Yaoundé (Cameroon), Nairobi (Kenya), Addis Ababa (Ethiopia) and Cotonou (Benin) and with officials of the Cameroon Institute of International Relations. In these countries, the ICRC also explored the possibilities for creating specialized centres for the teaching of international humanitarian law and human rights, a project which had been studied jointly with UNESCO (see Annual Report 1980, p. 71). The ICRC had the assistance of Prof. Dietrich Kappeler, of the Nairobi Faculty of Law, who visited Malawi, Tanzania and Zambia to look into the possibilities for integrating international humanitarian law into university curricula. The ICRC also assisted in arranging for lectures on international humanitarian law at the University of Salisbury (Zimbabwe). The lectures were given in April by Prof. Austen, of the Faculty of Law of London University.

A mission to Latin America for the same general objectives served to maintain and strengthen relations with university circles, notably in Costa Rica, Nicaragua, Peru and El Salvador.

In the United States, lectures were given at universities in Hawaii and at Northfield, Minnesota.

Visits were also paid to Australia and New Zealand to encourage the introduction of courses in international humanitarian law into university programmes. This was also done in several Asian countries, including Japan, Malaysia, Papua-New Guinea and Singapore. In Japan, lectures were given at the universities of Kyoto, Nagoya and Tokyo. All these countries had taken part in the regional seminar organized by the ICRC at Kuala Lumpur in 1978 to promote the dissemination of international humanitarian law in various circles.

In Belgium, an ICRC delegate gave a series of talks on international humanitarian law and the activities of the ICRC to students of the universities of Namur, Brussels, Louvain and Liège. The mission was sent in response to an invitation by the Belgian Red Cross, which has established a



commission for the dissemination of international humanitarian law in university and other circles.

From 30 November to 9 December, Mrs Bindschedler-Robert, a member of the Committee, carried out a mission to the Soviet Union, together with the ICRC delegate-general for Europe. She gave a series of lectures, followed by discussions, on international humanitarian law to students of the universities of Moscow, Leningrad and Kiev.

## DISSEMINATION AMONG YOUNG PEOPLE

The ICRC took part in a meeting of the directors of the Junior Red Cross in French-speaking Africa, organized by the League, at Porto-Novo, Benin, from 26 to 31 March. The participants drew up an action plan for dissemination of the *Manuel de l'instituteur et de l'animateur Croix-Rouge* in the schools of their countries and discussed the best means for dissemination among young Africans. The ICRC also followed a series of seminars organized in Vienna in April by the city's Pedagogic Institute in co-operation with the Austrian Junior Red Cross, designed for secondary school teachers, especially teachers of history. The purpose of the seminars was to consider integration into history courses of material about the Red Cross.

In co-operation with the League, the ICRC prepared an introductory brochure for the film "Pax", for teachers and Junior Red Cross leaders.

New versions of the *Teacher's Handbook*, prepared jointly by the ICRC, the League and the Cameroon Red Cross, published in French in 1979 and in English in 1980, were issued in Spanish, by the National Societies of Colombia, Costa Rica, Nicaragua and Peru, and in Polish, by the Polish Red Cross. Publication of this work in the various languages was financed by the Swiss Confederation.

## PUBLICATIONS

ICRC publications in 1981 were:

- *Annual Report 1980* (English, French, Spanish, German and Arabic);
- *Summary of Annual Report 1980* (English, French, Spanish and German);
- *International Review of the Red Cross*, a bimonthly publication (English, French and Spanish with an abridged issue in German - see also p. 83);
- *Prohibitions or Restrictions on the Use of Certain Conventional Weapons*, by Yves Sandoz, together with the Final Act of the United Nations Conference on prohibitions or restrictions on the use of certain conventional weapons, reprinted from *International Review of the Red Cross* (English, French and Spanish);

- *Action by the ICRC in the event of breaches of international humanitarian law* - reprinted from *International Review of the Red Cross* (English, French, Spanish, German);
- *International solidarity and protection of political detainees*, by Jacques Moreillon, reprinted from *International Review of the Red Cross* (English, French, Spanish);
- *The Red Cross* (Hebrew);
- *Bibliography of international humanitarian law applicable in armed conflicts* (published in co-operation with the Henry Dunant Institute);
- *Kampuchea: Back from the brink* - Report on 15 months of joint ICRC-UNICEF action in Kampuchea and Thailand (English and French);
- ICRC presence in Africa (English, French, Spanish);
- Forum Helveticum: *L'action du CICR dans le monde et les problèmes qu'il rencontre*: Alexandre Hay; *Le Comité international de la Croix Rouge et son implantation en Suisse*: Richard Pestalozzi; *Le CICR, sa signification pour la Suisse dans le monde d'aujourd'hui*: François-Charles Pictet (French, German);
- *The International Committee of the Red Cross*, by André Durand (English, French, Spanish);
- *The International Committee of the Red Cross and the protection of political detainees*, by Jacques Moreillon, reprinted from *International Review of the Red Cross* (English, French).

## Relations with Red Cross institutions and National Societies

### THE TWENTY-FOURTH INTERNATIONAL RED CROSS CONFERENCE

#### Preparations

The preparations for the Twenty-fourth International Red Cross Conference (establishing the programme and the agenda, drawing up the list of participants and observers) was the main item in the meetings of the Standing Commission of the International Red Cross and the joint meetings of the League and the ICRC. It was likewise the principal subject of the meeting between the 'Big Three' - Sir Evelyn Shuckburgh, Chairman of the Standing Commission, Justice J.A. Adefarasin, Chairman of the League, and Mr Alexandre Hay, President of the ICRC - held in London on 29 August. The general organization of the Conference was undertaken by the Philippine Red Cross, the host Society, with the help of the Philippine Government.

## Meetings preceding the Conference

The Twenty-fourth International Red Cross Conference, held in Manila, was preceded by several preparatory meetings of various committees, of the League Executive Council, the General Assembly of the League and the Council of Delegates.

The League General Assembly (second session) elected the new President of the League, Mr Enrique de la Mata Gorostizaga, President of the Spanish Red Cross, and appointed a new Secretary General, Mr Hans Hoegh, a former President of the Norwegian Red Cross, to succeed Mr Henrik Beer. In recognition of the long and fruitful service rendered by Mr Beer, the Conference conferred on him the title of Secretary General Emeritus.

The Council of Delegates, which comprises all Red Cross and Red Crescent institutions, met on 6 November. Its agenda included the report of the Commission on the Red Cross and Peace and the report of the working group on the emblem (these items are dealt with in special chapters devoted to them, below); the problem of torture and the action the Red Cross might undertake to combat it; the financing of the ICRC by National Societies – the last two subjects were taken up by the Conference – and information on the three joint ICRC-League working groups set up during the re-appraisal of the role of the Red Cross to deal with the development of National Societies, with assistance and with information.

## The Conference

The Twenty-fourth International Red Cross Conference was held in Manila, from 7 to 14 November. It brought together, as it has done every four years, the governments parties to the Geneva Conventions and the member institutions of the Red Cross and Red Crescent movement (ICRC, League, National Societies) to form the supreme governing body of the International Red Cross.

The Manila Conference was attended by more than 800 delegates representing 121 National Red Cross and Red Crescent Societies and 83 governments. The ICRC and the League sent a number of their permanent staff members. The ICRC delegation, led by President Hay, was composed of Miss Andrée Weitzel, Mr Maurice Aubert, Mr Athos Gallino, Mr Harald Huber, Mr Rudolf Jäckli and Mr Marcel Naville, all members of the International Committee. Eight National Societies in the course of formation and representatives of 26 governmental and non-governmental organizations also took part as observers.

On 7 November, the opening ceremony of the Conference began with the solemn reading of the fundamental principles of the Red Cross by Professor P.E. Marcos, Vice-President of the Philippine Red Cross. General Romeo C. Espino, President of the Philippine Red Cross Society, Sir Evelyn Shuckburgh, Chairman of the Standing Commission, Mr Alexandre Hay, President of the ICRC, and Mr Enrique de

la Mata, President of the League, then addressed the assembled delegates. The ceremony terminated with a speech by the head of state, President Ferdinand Marcos.

The Conference was chaired by General Romeo C. Espino. Three commissions were set up to deal with the various items on the Conference agenda, which, in contrast to the previous one, had no central theme, but was principally concerned with respect for international humanitarian law and the attitude of the Red Cross in regard to important current problems such as disarmament, torture, refugees, etc.

The *Commission on Protection and Assistance* was chaired by Mr D.G. Whyte, of the New Zealand Red Cross. It noted the report on ICRC activities, subsequent to which it put forward several resolutions: recommending that identity discs should be worn by members of armed forces; condemning any acts leading to forced or involuntary disappearance and asking that the ICRC or some other impartial body be granted all facilities to act effectively in this sphere; reaffirming the applicability of the Fourth Geneva Convention in favour of the Arab civilian population in the territories occupied by Israel; demanding that the ICRC be able to fulfil its mandate for the victims of armed conflicts in the Western Sahara, in the Ogaden and in Afghanistan; urging that effective measures be taken against piracy; and reminding the States parties to the Conventions of the necessity to respect, and ensure respect for, international humanitarian law.

The Commission debated the questions of the emblem, disarmament and the campaign against torture. Concerning the emblem, in application of Resolution XI of the Twenty-third International Red Cross Conference requesting the ICRC to continue its efforts to oppose the abuse of the red cross and red crescent emblems, the ICRC consulted, on 26 January, all the National Societies on the state of national legislation aiming to prevent and eliminate abuse of the emblem (this consultation was intended to supplement and augment that carried out in September 1977). The documentation received by the ICRC encouraged it to draft a document entitled *Use and Protection of the Emblem: an Explanatory Guide*, to replace the *Model Law for the Protection of the Red Cross Emblem and Title*, which the ICRC had drawn up in 1951. The Twenty-fourth International Conference provided the occasion for the ICRC to invite governments and National Societies to show the greatest vigilance to prevent abuses of the emblem, which were becoming increasingly numerous.

The Commission proposed a resolution asking the ICRC, in collaboration with the League and the National Societies, to produce a preliminary revised draft of the *Regulations* on the use of the emblem by National Societies, adopted in 1965, and to submit this draft to the next meeting of the Council of Delegates, after consulting signalling systems experts. On the subject of torture, the ICRC had issued a report for the Council of Delegates and the International Conference, restating the legal situation and giving concrete examples of how the Red Cross, in particular the ICRC, might take

action against torture. The ICRC pointed out that it combated torture principally by visiting places of detention. The Commission presented two resolutions: one urged the Red Cross movement to continue to support the campaign against torture and requested the United Nations to speed up the adoption of an international convention against torture; the other supported the United Nations plan to create a fund in favour of victims of torture. (The question of disarmament is dealt with in the chapter "Other matters", below.)

On the matter of international humanitarian law, the Commission studied the question of ratification of the additional Protocols and the follow-up of several resolutions of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law dealing with the identification of means of transport, emergency radio communications and the prohibition or limitation of the use of certain conventional weapons; it drafted new resolutions on these subjects.

Finally, it also proposed two resolutions on the dissemination of knowledge of international humanitarian law (see the chapter on dissemination) and it examined the follow-up by the League of three resolutions adopted by the Twenty-third International Conference dealing with famine and emergency assistance.

The *Commission on General and Organizational Matters* met under the chairmanship of Mr Mohamed Abdoulaya Diop, President of the Senegalese Red Cross. It noted the reports on the activities of the League and of several National Societies, before proceeding to discuss the following main items: the attitude of the Red Cross – and chiefly the ICRC – with regard to the taking of hostages; the special activities of the League and the ICRC concerning information (creation of a joint audio-visual centre); the activities of the joint ICRC-League committee on the statutes of National Societies; the financing of the ICRC by National Societies and by governments; the study in progress on relief programmes and the protection of the human person in natural disasters; voluntary work in the Red Cross movement; the role of the Central Tracing Agency in the creation or development of tracing services within National Societies. It proposed resolutions on a number of these subjects.

The Commission also considered the action of the International Red Cross in favour of refugees, on the basis of a joint League-ICRC report drawn up in consultation with the HCR. It stressed the obligations, not only of the host countries, but also of the international community towards refugees. It laid down a code of conduct for the International Red Cross on this matter. The code states, in particular, that the Red Cross must at all times remain ready to help and protect refugees, displaced persons and repatriated persons – in their quality as protected persons within the meaning of the Fourth Geneva Convention or as refugees covered by Article 73 of the 1977 Protocol I, or by virtue of the Statutes of the International Red Cross – most especially when these victims are in fact devoid of any other protection or assistance.

The Commission revised the amendments to the principles and rules governing Red Cross relief operations in the event of disaster, and the regulations for the award of the Henry Dunant Medal and the Florence Nightingale Medal.

The *Commission on community services and development* was chaired by Mr V. Semukha, President of the Central Committee of the Byelorussian Red Cross, and chiefly considered medical and social questions. It reaffirmed the importance of primary health care as the principal factor for achieving the WHO objective "health for all by the year 2000", and emphasized the necessity for close co-operation between National Societies and governments on the subject. It took note of the "strategy for the development of National Societies" worked out by the League, and invited governments and other organizations to co-operate with the Red Cross movement in the area of development. The Commission drew attention to the need for each National Society to be prepared to undertake emergency medical action in the event of armed conflict or natural disaster, and to the role in this context of the ICRC and the League in preparing and supporting the National Societies. It put forward resolutions on these subjects, on the role of volunteers in Red Cross medico-social services to the community, and on aid to handicapped persons (1981 being the International Year of Disabled Persons). It further suggested that the Red Cross movement should approve the International Blood Transfusion Society's Code of Ethics for blood donations and transfusions.

In addition, the Commission took note of the follow-up to the Resolutions adopted by the Twenty-third International Conference dealing with the environment, youth and children.

In *plenary sessions*, the assembled participants listened to reports on the work of the Council of Delegates and the Standing Commission. They adopted the reports of the Conference's three commissions and ratified – usually by consensus – the resolutions proposed by these commissions, with minor amendments. (The texts of these resolutions and decisions of the Conference and of the Council of Delegates were published in *International Review of the Red Cross*, November-December 1981).

The Conference elected five members to the Standing Commission (the ICRC and the League each designate two representatives, the number of members of the Standing Commission being nine): those elected were Dr Ahmad Abu Goura (Jordan) – elected Chairman of the Commission – Mr Janos Hantos (Hungary) – elected Vice-Chairman – Mr Soehanda Ijas (Indonesia), Mr R. James Kane (Canada) and Mr Kai J. Warras (Finland).

Finally, the Conference approved the proposal made by the Standing Commission that the next Conference should be held only after a period of five years instead of four, so that International Conferences would no longer coincide with the League's General Assemblies during which the statutory elections took place; and it accepted the invitation of

the Swiss Red Cross, which means that the Twenty-fifth International Red Cross Conference will be held in Geneva in 1986.

## RELATIONS WITH THE LEAGUE OF RED CROSS SOCIETIES

The League and the ICRC maintain close relations. A high-level joint meeting takes place usually once each month. In addition, there are several joint League-ICRC committees and working groups, permanent and temporary. The ICRC, moreover, was invited to attend as an observer during some of the items on the agenda of the VIIth and VIIIth sessions of the League Executive Council, held respectively in Geneva at the end of April and in Manila at the end of October, and also the second session of the League General Assembly which took place in Manila from 2 to 5 November.

### Joint League-ICRC meetings

In application of Article 8 of the Statutes of the International Red Cross, the ICRC and the League meet regularly to deal with problems of common interest and to co-ordinate their activities. In 1981, these meetings were particularly concerned with the preparation of the Twenty-fourth International Red Cross Conference and, at year's end, with the Conference results. Apart from the practical arrangements for the Conference, the meetings dealt with the finalization of the document to be submitted to the Conference concerning: the Red Cross policy towards refugees; the progress of the three working groups on assistance, information and the development of National Societies; the award of the Henry Dunant Medal and its regulations; etc. One of the objects of these meetings was to prepare the sessions of the Standing Commission of the International Red Cross, which in its turn concentrated almost entirely on the preparation of the Twenty-fourth International Conference (see below).

The joint League-ICRC meetings also examined a draft of the *International Red Cross Handbook*.

### Joint League-ICRC Commission on National Societies Statutes

This joint League-ICRC Commission met seven times in 1981 (on 18 January, 25 May, 7 July, 4 August, 22 September, 13 October and 16 December), under the chairmanship of Professor Patrnoic. In 1973, the Twenty-second International Red Cross Conference had asked the National Societies to keep the ICRC and the League regularly informed of the amendments which they wished to make to their statutes, and to bear in mind the comments made by these two institutions (Resolution No. VI). The Commission, created in application of this Resolution, examined draft amendments to statutes submitted by ten National Societies.

It likewise studied the situation of seven National Societies in the course of formation and undertook the required action to enable them to satisfy the conditions for recognition by the ICRC and admission to the League (see also the chapter on "Recognition of new National Societies"). The Commission considered several special cases of National Societies suffering from internal organization problems.

The Commission presented a report on its activities since 1973 to the Twenty-fourth International Red Cross Conference, which adopted a Resolution referring to the one adopted in 1973 and requesting the Commission to continue its work, taking into account the Strategy for the Development of National Societies in the 80's, which had been defined by the League in the second session of its General Assembly.

### Co-ordinating body

Wishing to improve the co-ordination of their respective activities, the ICRC and the League had reached an agreement in 1969 setting out the spheres of competence of the two institutions under the Statutes of the International Red Cross. The agreement had been supplemented in 1974 by an interpretative text accepted by both institutions. Under the 1969 agreement, provision had been made for the establishment of a co-ordinating body responsible for ensuring a two-way flow of information between the League and the ICRC on operations, to allow the Red Cross to intervene immediately and to carry out relief programmes promptly, as well as to determine which of the two institutions should accomplish a given task. In 1981, this body met four times – on 30 January, 7 July, 5 October and 23 December – under the chairmanship of Mr Hay. The ICRC was represented mainly by members of the Operations Department.

The meetings discussed various operational problems relating to the Kampuchea conflict, the war between Iran and Iraq, the Afghan refugees in Pakistan, piracy in South-East Asia, and events in the Horn of Africa, Uganda, Angola, El Salvador and Poland.

### Participation in statutory meetings of the League

The *SECOND REGIONAL CONFERENCE OF RED CROSS AND RED CRESCENT SOCIETIES OF ASIA AND THE PACIFIC* took place from 4 to 11 February in Djakarta, Indonesia. It was organized by the Indonesian Red Cross and the League, represented chiefly by the President and the Secretary General. About 76 delegates from 27 countries attended, together with an ICRC delegation headed by Mr Richard Pestalozzi, Vice-President of the ICRC. Twenty or so observers were invited from National Societies in Europe and America, as were also the representatives in Djakarta of the United Nations specialized agencies and of non-governmental organizations.

The Conference dealt with subjects as varied as the development of the National Societies in Asia and the Pacific, the

relief programmes undertaken in the region, the role of Red Cross Youth in the Societies, the question of the emblem and the specific problems of National Societies in small island countries. Two seminars preceded the Conference, one on protection, conducted by the ICRC, the other on assistance, by the League. The seminar on protection afforded an opportunity to make a closer study of the following subjects: the action of protection properly so called (the beneficiaries of protective action, relation between protective and assisting actions, role of the National Societies); the ratification of the 1977 Protocols; respect of international humanitarian law and the ICRC's attitude towards violations of this law; and National Society preparation in time of peace for situations of conflict (support for government services; dissemination of international humanitarian law). The seminar on assistance dealt in particular with the development of National Societies and the role of the Red Cross in favour of refugees. As a follow-up to the seminars, the Conference adopted three Resolutions on ratification of the 1977 Protocols, the diffusion of knowledge of international humanitarian law and the preparation of National Societies for situations of conflict.

Apart from providing the opportunity to examine in detail important points of Red Cross principles and action and to align points of view (several of the subjects discussed were to be taken up by the Twenty-fourth International Red Cross Conference), the Regional Conference in Djakarta was the scene of helpful contacts among participants which made for the greater mutual knowledge necessary to Societies belonging to the same universal movement but each having its individual character.

The *THIRD REGIONAL CONFERENCE OF EUROPEAN RED CROSS AND RED CRESCENT SOCIETIES* was held from 4 to 7 May in Budapest, Hungary. It was preceded by a ceremony commemorating the centenary of the Hungarian Red Cross. The Conference, for which the Hungarian Red Cross and the League provided the secretarial services, was organized by a committee which also included the ICRC, the Henry Dunant Institute and the five National Societies of Finland, France, the Federal Republic of Germany, Spain and Yugoslavia.

Over one hundred persons attended the Conference, representing 24 European National Societies (Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Great Britain, Greece, Hungary, Italy, the Netherlands, Norway, Poland, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, the USSR and Yugoslavia), the League, the ICRC and the Henry Dunant Institute. The ICRC delegation was led initially by President Hay, then by Mr Harald Huber, Vice-President of the ICRC.

The principal theme of the Conference was the growth of co-operation between the European National Societies. Taking this as the focus, three committees set up by the Conference studied various subjects and enabled participants to

exchange ideas. The subjects examined included the implementation in Europe of the "Action Programme of the Red Cross as a Factor for Peace", the dissemination of knowledge of international humanitarian law in Europe since the Warsaw regional seminar in 1977, solidarity of European National Societies with Societies in developing countries, voluntary service in the Red Cross, participation by National Societies in health and social services in their own countries, and activities for young people.

The Conference adopted seven recommendations, three of which particularly concerned the ICRC: a recommendation on the Red Cross and peace called for the continuance of the work of the Commission on the Red Cross and Peace; another asked the European National Societies to pursue and expand their work for the dissemination of knowledge of international humanitarian law, which is in itself a contribution to peace; a third recommendation proposed that more voluntary workers be enabled to take part in devising and organizing their work and be associated with the activities of their National Societies, including management and decision-making.

### Development of National Societies

On 10 October 1980, the ICRC had confirmed to the League Secretary General that – in the specific field of preparation for the duties devolving on National Societies in the event of armed conflict – it wished to make a contribution to the efforts undertaken by the League for the development of Red Cross and Red Crescent Societies.

On 2 and 3 March 1981, staff members of the ICRC and the League met to draw up a list of activities in which the ICRC could work jointly with the League or in consultation with it to enhance the operational capacity of National Societies. The ICRC contribution would consist particularly in technical and legal assistance for the creation or reorganization of National Societies, in encouragement and support for their programmes of dissemination of knowledge of international humanitarian law, in help with the implementation of certain provisions of the Conventions – especially those referring to the use of the emblem – the preparation of National Societies for their duties in the event of armed conflict, and the training of officers and delegates to carry out missions for the International Red Cross. The participants in this meeting acknowledged that permanent collaboration between the two institutions was vital in the sphere of aid towards development, from the initial stage of planning at national level.

The conclusions of the March meeting on the role of the ICRC in the development of National Societies were ratified by the second session of the League General Assembly in November 1981, which approved the League's Strategy for the Development of National Societies in the Eighties.

## RELATIONS WITH NATIONAL SOCIETIES

### Recognition of new National Societies

In response to a proposal by the joint League-ICRC Commission on National Society Statutes, the ICRC announced the formal recognition of the Red Cross of Tonga, on 15 October 1981, and of the Red Crescent Society of Qatar, on 26 October 1981. It informed the National Red Cross and Red Crescent Societies of this decision by circular letters dated 20 and 30 October 1981. By the end of 1981, the number of recognized National Societies totalled 128.

Founded in 1961 as a branch of the British Red Cross, the Red Cross of Tonga was recognized by the country's government in 1972. The Red Crescent of Qatar was founded in 1978.

### Information and consultation session at the ICRC with leading officers of National Societies

As it has done since 1978, the ICRC, on 29 April, held a session of information and consultation for the leading officers of National Societies who were in Geneva for the VIIIth session of the League Executive Council. Forty-three persons representing 30 National Societies took part in the meeting. After a general report on ICRC activities, the discussions dealt with the use of the emblem and the prevention of abuses of the emblem, a matter on which a number of National Societies feel concern, and on which they had previously received a questionnaire.

### Participation in regional meetings and seminars

The ICRC took part in several Red Cross and Red Crescent meetings, the most important being mentioned below. The meetings and seminars dealing more particularly with dissemination have been described in the chapter entitled "Dissemination of knowledge of international humanitarian law".

The fourth conference of Red Cross and Red Crescent Societies of the Balkan countries was held in Izmir from 15 to 18 March. The conference, which takes place every two years, was attended by the National Societies of Bulgaria, Greece, Romania, Turkey and Yugoslavia and by representatives of the League and the ICRC. The ICRC delegation was led by Mr Marcel Naville, a member of the International Committee. The conference discussed the social work performed by the National Societies, the dissemination of Red Cross principles, and co-operation between National Societies on disaster preparedness.

In Asia, the ICRC was represented at the fourth conference of National Societies of the ASEAN countries, held in Bangkok in May, by the Director of the Operations Department and the delegate-general for Asia.

In the Middle East, the ICRC again attended, as an observer, the conference of Red Crescent and Red Cross Societies of the Arab countries (13th in the series), in Manama, Bahrein, from 24 to 26 October 1981. More than 70 participants from Arab National Societies were present, in addition to observers from Iran, Pakistan, Indonesia, Brazil and some European countries. The conference dealt with numerous items, among them questions relating to the emblem, recognition of new Arab Societies, the development of existing National Societies, and relief to refugees. Two recommendations of direct interest to the ICRC were adopted: one calling on the National Societies of countries not yet parties to the 1977 Protocols to urge their governments to decide in favour of ratification of or adherence to the Protocols; and the other recommending National Societies to continue their efforts for the dissemination of knowledge of international humanitarian law in accordance with the proposals made at the seminar in Amman, in collaboration with the ICRC, the League and the Henry Dunant Institute.

### President's missions to National Societies and governments

President Hay visited Hungary in May, accompanied by the Vice-President, Mr Harald Huber, to take part in the Third Regional Conference of European Red Cross and Red Crescent Societies and in the centenary celebrations of the Hungarian Red Cross. In Italy, between 25 and 28 September, the ICRC President attended the inauguration of the exhibitions arranged by the Italian and Spanish Red Cross Societies at Castiglione, Mantua and Solferino. He headed the ICRC delegation to the first seminar of the Arab countries of the Middle East on the dissemination of knowledge of international humanitarian law, held in Amman in April, as well as the delegation to the Twenty-fourth International Red Cross Conference at Manila in November.

To discuss questions relating to the operational activities of the ICRC, or legal problems or matters concerning the financing of the ICRC, President Hay also carried out missions in the following countries, where he met government representatives and leading members of National Societies: Iraq (April and October), Iran (June), United States (September), Australia and New Zealand (November). Most of these missions have been mentioned in the section "Activities throughout the world" or under other headings in the section on "Principles and Law" in this report. The same applies to missions carried out by members of the International Committee.

### STANDING COMMISSION

The Standing Commission of the International Red Cross, composed of two representatives of the ICRC, two League representatives and five members elected by the Twenty-third

## THE TEN CONDITIONS FOR RECOGNITION OF NATIONAL SOCIETIES BY THE ICRC

*Under the Statutes of the International Red Cross, the ICRC in particular has the role of recognizing any newly created or reconstituted National Society. In order to be recognized, the applicant Society must:*

- 1) be constituted on the territory of an independent State where the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick of August 12, 1949, is in force;
- 2) be the only National Red Cross Society of the said State and be directed by a central body which shall alone be competent to represent it in its dealings with other members of the International Red Cross;
- 3) be duly recognized by its legal Government as a Voluntary Aid Society, auxiliary to the public authorities, in particular in the sense of Article 26 of the First Geneva Convention of 1949, or, in States which do not maintain armed forces, as a Voluntary Aid Society auxiliary to the public authorities and acting for the benefit of the civilian population;
- 4) be an institution whose autonomous status allows it to operate in conformity with the fundamental principles of the Red Cross, as formulated by the International Red Cross Conferences;
- 5) use the title and emblem of the Red Cross or the Red Crescent;
- 6) be so organized as to enable it to deal effectively with the tasks incumbent upon it. Become prepared in time of peace for wartime activities;
- 7) extend its activities to the entire country and its dependencies;
- 8) not withhold membership from any of its nationals, whoever they may be, on grounds of race, sex, class, religion or political opinions;
- 9) adhere to the Statutes of the International Red Cross, share in the fellowship which unites its members – the National Societies and the international bodies – and keep in close touch with them;
- 10) honour the fundamental principles of the Red Cross as defined by the International Red Cross Conferences: impartiality; political, religious and economic independence; the universality of the Red Cross and the equality of all National Societies; and be guided in all its work by the spirit of the Geneva Convention and the Conventions which complete it.

International Red Cross Conference, met on 13 January and 29 April at the ICRC headquarters and in Manila on the occasion of the Twenty-fourth International Conference, each time under the chairmanship of Sir Evelyn Shuckburgh (British Red Cross). In Manila it also met for the first time under its new Chairman, Dr Ahmad Abu Goura (Jordan Red Crescent).

Preparations for the Council of Delegates and the International Conference were the central theme of the deliberations of the Standing Commission (establishment of the agenda, list of members and observers, practical organization, etc.). In addition, the Commission studied a report on the structure and organization of future International Conferences.

The Standing Commission examined the nominations for the Henry Dunant Medal. This Medal, intended to recognize and recompense exceptional services or acts of outstanding devotion to the Red Cross cause by a member of the movement, was awarded in 1981 to Mrs Alexandra Issa el-Khouiry, President of the Lebanese Red Cross, to Mr Ismael Reyes Icabalceta, President of the Nicaraguan Red Cross, to Mr Melchior Borsinger, former ICRC delegate, and, posthumously, to Mrs Krista Djordjevic, honorary life member of the Yugoslav Red Cross. The medal was presented to the first two recipients by Sir Evelyn Shuckburgh, outgoing Chairman of the Standing Commission, on 6 November in Manila. The President of the Yugoslav Red Cross received the Medal awarded to Mrs Djordjevic, and President Hay

received that awarded to Mr Borsinger, which was later presented to him in a ceremony at the ICRC headquarters on 9 December. The first award of the Henry Dunant Medal had taken place in 1969 in Istanbul, at the Twenty-first International Red Cross Conference. In all, thirty-two Medals have been awarded to date, eleven of them posthumously.

Another subject dealt with by the Standing Commission was the revision of the regulations for attribution of the Henry Dunant Medal, the revised text being ratified by the Twenty-fourth International Conference. In particular, a new provision in the revised regulations requires that the exceptional services and self-sacrifice taken into consideration for the award should, in principle, be of an international character.

The Commission reported on its activities to the Twenty-fourth International Conference, which elected the members of the new Standing Commission (see the chapter above relating to the Conference).

## COMMISSION ON THE RED CROSS AND PEACE

Created by the Council of Delegates in 1977, the Commission on the Red Cross and Peace – whose mandate was renewed in 1979 – has the task of promoting the implementation of the “Action Programme of the Red Cross as a Factor for Peace” drawn up by the World Red Cross Conference on Peace in Belgrade in 1975. It is composed of representatives of the ICRC, the League, the Henry Dunant Institute and twelve National Societies (Australia, Canada, Egypt, El Salvador, France, the German Democratic Republic, Indonesia, Mauritania, Philippines, Senegal, Yugoslavia, Zaire), and is chaired by Mr Harald Huber, Vice-President of the ICRC.

The Commission held its 7th session at ICRC headquarters on 24 April and its 8th session at Manila on 29 October, just before the Council of Delegates. It discussed the draft of its report for 1979-81 for presentation to the Council of Delegates; in specific terms, the work of the Commission had resulted in three studies on the Red Cross contributions to peace: the protection of health, the promotion of international understanding among young people, and the development of solidarity in relief programmes. The Commission also considered its own future: noting that it had not completely fulfilled its mandate, it included in its report a request to the Council of Delegates for a renewal of its mandate until the next meeting of the Council in 1983, with the composition of the Commission remaining the same. The Third Regional Conference of European Red Cross and Red Crescent Societies, already mentioned, adopted in Budapest a recommendation on the same lines. Finally, the Commission's report suggested that the Council of Delegates should devote a whole day of one of its forthcoming meetings to a new debate on the Red Cross contribution to peace.

The Council of Delegates, which met in Manila in November 1981, immediately before the Twenty-fourth Interna-

tional Conference, adopted the report of the Commission on the Red Cross and Peace and decided that the Commission should continue its work in accordance with its mandate and with its present composition, and that it should report to the Council of Delegates in 1983, with proposals concerning its own future. Moreover, the Council of Delegates decided to devote one day in 1983 to the subject of the contribution of Red Cross Youth to peace; it asked the Commission to make preparations for this one-day debate (Decision No. 1 of the Council of Delegates).

## WORKING GROUP ON THE EMBLEM

The working group on the emblem was formed by the Council of Delegates at the Twenty-third International Red Cross Conference, to study all questions relating to the emblem. The group included representatives of the ICRC, the League, the Henry Dunant Institute and the National Societies of Iran, Malaysia, Niger, Spain, Switzerland, Syria, Turkey, the United States and the USSR.

In 1981, the working group held one meeting at ICRC headquarters on 24 April. It examined and adopted the draft report on its work, prepared for the meeting of the Council of Delegates in November 1981. Briefly, the members of the group did not reach a consensus on a recommendation to be put before the Council, either on basic principles or on procedure. A majority stated that it favoured the status quo in relation to the emblem and the dissolution of the working group, while a minority, considering that the present situation had grave drawbacks, advocated continuance of the discussions.

The ICRC had expressed its position on the basic question of the emblem in a letter dated 8 April 1980 to the working group (see Annual Report 1980, p. 77). At the meeting of the Council of Delegates in Manila, the ICRC declared itself in favour of maintaining the working group, since it considered that the problem of the emblem had not been resolved. The Council, however, decided by a majority to terminate the activities of the working group on the emblem.

## SHŌKEN FUND

The joint League-ICRC committee responsible for distributing the income from the Empress Shōken Fund met on 26 March 1981 in Geneva, in the presence of Ambassador Fumihiko Suzuki, representing the Japanese Red Cross. After examining requests submitted by nine National Societies, and bearing in mind the criteria for allocation, the committee decided to divide the total sum of 175,000 Swiss francs between the five beneficiaries of the 60th distribution, i.e. the National Societies of Bangladesh, Egypt, Laos, Mauritius and Panama. The sums allocated would enable these five Societies to improve the equipment for their national activities, especially in relation to medical work and blood transfusions.



Created in 1912 on the initiative of the Empress Shôken of Japan, the Fund is intended to support the relief work undertaken by National Red Cross and Red Crescent Societies in time of peace. Since its inception, the Fund has benefited by numerous gifts from the Japanese Imperial Family, the Japanese Government and the Japanese Red Cross.

*(For the balance sheet and accounts of the Shôken Fund, and details of the allocations, see International Review of the Red Cross, September-October 1981.)*

After the International Conference in Manila, Mr Maurice Aubert, member of the International Committee and chairman of the Shôken Fund joint commission, visited Japan from 15 to 19 November. He had talks with representatives of the Japanese Red Cross, and expressed to them the gratitude of the movement for the financial contributions made by Japan to the Fund, as well as discussing various matters relating to the use of income from the Fund.

### **FLORENCE NIGHTINGALE MEDAL**

After most careful examination of the 49 nominations presented by 23 National Societies, the ICRC, on 12 May, awarded the Florence Nightingale Medal to 36 nurses and voluntary aides of 21 National Societies. It was the 28th distribution of this Medal to honour nurses and voluntary aides who have shown exceptional devotion to the sick or wounded in time of peace or of war.

Moreover, the Commission on General and Organizational Matters of the Twenty-fourth International Red Cross Conference, at its meeting in Manila in November, accepted an ICRC proposal to make certain amendments to the Regulations for the Florence Nightingale Medal. The amendments increased the maximum number of Medals to be distributed every two years from 36 to 50 and broadened the definition of potential beneficiaries so as to include nurses and voluntary aides who had distinguished themselves by exceptional services in the field of preventive medicine.

### **RELATIONS WITH THE HENRY DUNANT INSTITUTE**

The ICRC, the League and the Swiss Red Cross are all members of the Henry Dunant Institute. Mr Jean Pictet, a member of the International Committee, was appointed Chairman of the Institute's Assembly in 1981. The ICRC closely follows the activities of this body and takes an active part in many of the courses and seminars organized by the Institute for Red Cross and other groups.

For example, ICRC staff members were among the lecturers in the sixth course of introduction to the international activities of the Red Cross, given in English in Geneva in

May and attended by members of 15 National Societies of Africa, Asia and Europe. These courses are intended to make the international activities of the Red Cross better known to officials and voluntary workers of National Societies who have responsibilities at national level or who may possibly carry out missions for the ICRC or the League.

The delegate-general for Africa represented the ICRC at the regional seminar on international humanitarian law organized by the Institute for the third time at Yaoundé, in collaboration with the Cameroon Institute for International Relations. The Yaoundé seminar, like other regional seminars, brought together representatives from different backgrounds: leading officials from foreign and defence ministries, officers of the armed forces, university professors, judges, lawyers, etc. – about sixty participants from about 30 countries of Africa.

The ICRC also took part in two seminars organized for non-Red Cross participants, on the subjects of international humanitarian law and on the role and structure of the International Red Cross: one of these was given for the members of diplomatic missions in Geneva, in January (21 persons took part); the other was for Spanish journalists, in September (12 persons).

With the League and the Swiss Red Cross, the ICRC was represented in the working group set up in 1979 following a decision by the Council of the Henry Dunant Institute, to study the question of voluntary service within the Red Cross. The object of the study was to reach practical conclusions aimed at facilitating the recruitment of volunteers by the Red Cross and Red Crescent Societies for their community services and to lay down guidelines on Red Cross voluntary service for the next twenty years. The Twenty-fourth International Red Cross Conference was given details concerning the first phase of the study, and debated the question of voluntary service. In Resolution No. IX, the Conference recommended that the Henry Dunant Institute, in close collaboration with the League and the ICRC, should help to ensure better adaptation of voluntary service to the present needs of society.

## **Other matters**

### **THE ICRC AND DISARMAMENT**

The problem of disarmament and that of weapons of mass destruction has been a constant and grave preoccupation of the ICRC, which had attended the special session of the UN General Assembly on this subject in 1978. At that time the ICRC had appealed to the participating governments to transcend their individual interests in order to reach agreement on disarmament.

The President of the ICRC spoke at length about this problem when he addressed the opening session of the Twen-

ty-fourth International Red Cross Conference. He reminded his hearers that the Red Cross movement, if it were to contribute to peace in the world as it wished, could not remain indifferent to the humanitarian problems raised by the arms race, by the huge consignments of weapons being delivered all over the world and by the difficulties encountered by those trying to work for disarmament. He pointed out that the Red Cross movement would continue to call on States to end the arms race, as it had done repeatedly in the past. However, President Hay stressed the limited scope of this kind of intervention and the two major obstacles it was up against: on the one hand, it had no experts on disarmament and could not become involved in costly analyses by experts, in view of the existing difficulties in gathering the funds necessary for its traditional activities; secondly, for the Red Cross to go beyond general appeals and broach the delicate question of procedures to be followed to achieve disarmament would be impossible without entering the political sphere and therefore departing from its fundamental principles. He said that it was nevertheless important to explore all avenues which might enable the Red Cross movement to act more effectively in relation to disarmament. Finally, he reaffirmed very specifically the readiness of the ICRC to respond to any demands which the Powers might make upon it if they all considered that the International Committee might contribute, however modestly, to genuine progress on disarmament.

The Twenty-fourth International Conference debated the question of disarmament and that of weapons of mass destruction in the Commission on Protection and Assistance. It then adopted a Resolution in which, recalling the limited means of intervention of the Red Cross, it nevertheless exhorted the parties to armed conflicts not to use methods and means of combat which could not be directed against a specific military target or whose effects could not be kept within limits. It also associated itself fully with the appeal launched by the ICRC in 1978 on the occasion of the Special Session of the UN General Assembly on disarmament.

In 1981, the ICRC was represented at the 8th seminar on chemical weapons, held in Geneva from 2 to 4 April by the Pugwash Conferences on Sciences and World Affairs. The seminar made a special study of the negotiations in progress for a convention on the production and storage of chemical weapons. As an observer, the ICRC also took part in the first conference on nuclear war in Europe, convened by the Center for Defence Information, Washington, and the Polemological Institute of the University of Groningen, The Netherlands, from 22 to 24 April. This conference examined the questions of the outbreak, conduct and effects of a nuclear war and of ways to prevent it. A staff member of the ICRC attended a seminar of the Harvard Medical School on the threat of nuclear war, held in Boston on 1 and 2 December.