

The Emblem of the Red Cross

A brief history

II

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4. The 1929 Conference

Soon after the First World War the ICRC proposed that the Geneva Convention be revised on the basis of experience of that conflict. It had the question included on the agenda of the Tenth and Eleventh International Conferences of the Red Cross in Geneva, in 1921 and 1923.

A draft convention was discussed article by article. The question of the emblem seems not to have been discussed in 1921 but in 1923 the delegate of the Turkish Red Crescent said:

The Red Crescent is following attentively the whole debate on the revision of the Geneva Convention. Indeed, whenever the name "Red Cross" is pronounced or written we consider it is accompanied by the words "Red Crescent". The red crescent, which has been displayed alongside the red cross on ambulances and other places where care and help was given to military wounded and other victims of the disaster of war, is the emblem in Turkey and the Moslem countries for the same ideal as the Red Cross. We therefore consider the Red Crescent to be written into the Convention.⁸⁹

⁸⁹ Onzième Conférence internationale de la Croix-Rouge, Geneva, 1923, *Compte rendu*, pp. 143 and 181-183.

Nevertheless, the Turkish Red Crescent did not propose any amendment, so that the draft convention approved by the International Conferences of 1921 and 1923 repeated article 18 of the 1906 Convention word for word.

Not until 1929 did the Federal Council convoke a Diplomatic Conference to revise the Geneva Convention of 6 July 1906 and to draw up a convention on the treatment of prisoners of war.⁹⁰

The Conference split into two committees. Committee I, assigned to the revision of the 1906 Convention, adopted the 1923 draft as a basis for discussion. The sign was considered during the tenth meeting on 13 July 1929.⁹¹

The discussion was opened by the delegate for Persia, who expressed surprise that the 1923 draft made no mention of the red lion and sun. He proposed an amendment mentioning that sign in the convention. The Turkish delegate did likewise for the red crescent.⁹²

Professor Riad, the delegate for Egypt, then spoke at length on the history of the question. He affirmed that the red crescent and the red lion and sun had not been adopted for religious reasons but because they symbolized for the countries which had adopted them the same ideal as the red cross. He said also that these signs had already been recognized through the system of reservations:

*Turkey, Persia and Egypt declared a long time ago that they would use their own emblems, and since 1907 the Federal Council has accepted that reservation, no State having raised any objection. Now it is a fait accompli.*⁹³

The delegates of France, Italy, Japan and the Netherlands were in favour of adopting the two new emblems, so were those of Australia and New Zealand who referred to the work of the Ottoman Red Crescent Society during the Great War.⁹⁴

⁹⁰ See: *Actes de la Conférence diplomatique convoquée par le Conseil fédéral suisse pour la Révision de la Convention du 6 juillet 1906 pour l'Amélioration du Sort des Blessés et Malades dans les Armées en Campagne, et pour l'Elaboration d'une Convention relative au Traitement des Prisonniers de Guerre, réunie à Genève du 1^{er} au 27 juillet 1929*, Geneva, Imprimerie du Journal de Genève, 1930 (hereafter referred to as *Actes 1929*).

⁹¹ *Idem*, pp. 247-254.

⁹² *Idem*, pp. 247-248.

⁹³ *Idem*, pp. 248-249.

⁹⁴ *Idem*, pp. 248-250.

The British delegate, Mr. Warner, then delivered a lengthy address which had the merit of clarifying the whole issue:

You are no doubt aware, gentlemen, of all the circumstances in which the red cross emblem was adopted as the distinctive sign for the medical services: it was chosen as a tribute to Switzerland, the birthplace of the humanitarian work of the Red Cross, and by no means as a religious emblem of any sort. In my opinion it would be highly desirable for that emblem to be adopted generally by all countries of the world. However, all the views which have been expressed here clearly show that in Moslem countries the idea prevails that religious significance is attached to it. In these circumstances the question is one for each country to appreciate for itself. The British delegation appreciates all the opinions which have been expressed on this subject, but I would point out that if several different emblems are admitted there is likely to be a danger of confusion. If religious significance is attached to this sign it might happen that countries which have so far adopted the red cross will say: "It is not our religious emblem, we intend to change that by substituting another in its place". I therefore believe that, from a practical point of view, there will be serious inconvenience. For that reason I frankly support the opinion which has been expressed, in particular in the form of the proposal submitted by the Egyptian delegate. If I have understood it correctly, that proposal is intended to limit the change as much as possible to the countries which have so far used the crescent or the red lion and sun. It is for that reason, and to avoid any confusion, that I have the honour to associate with the proposal by the Egyptian delegate.⁹⁵

Professor Riad then said that, in his opinion as well, the number of emblems admitted should be as few as possible, for which reason he had proposed the following wording: "Nevertheless, in the case of countries which already use the crescent in place of the cross . . ." ⁹⁶

Only the delegations of Rumania and Chile asked for the maintenance of the unity of the sign.⁹⁷

What could the ICRC do in these circumstances ?

⁹⁵ *Idem.* p. 250.

⁹⁶ *Ibid.*

⁹⁷ *Idem,* pp. 251 and 253.

It could only yield to the almost unanimous decision of the States.⁹⁸ It did so with good grace through its representative, Mr. Paul Des Gouttes, but nevertheless expressed its feelings:

You will perhaps allow the veteran of 1906 to say a word of thanks to those who took up the cudgels in favour of the unity of the sign. The unity of inspiration manifest in the adoption of a single and general sign of neutrality was evidently a fine principle, a great idea, in 1906. And it was made clear too that the red cross on a white ground had no religious significance whatsoever. I am well aware that one may declaim from the rostrum of a conference that an emblem has no religious significance; nevertheless, if the population of a country does attach such significance to it there is no gainsaying its belief. Yet I realize and hasten to say that the situation is no longer as it used to be. Already in 1907 the Hague Conference permitted reservations and I admit that the International Committee of the Red Cross was pleased to recognize the societies which had made the red crescent their emblem because of the unquestionably humanitarian and charitable activity in which those societies were engaged. While I bow to your decision, I feel I must stress, like previous speakers, that the breach in the unity of the sign—a breach which is necessary, has already been admitted and was prompted by a general feeling of gratitude—must be as limited as possible and derogations must really be exceptional. It is essential for something of the unity of the sign to remain in order to show that it is meant to be a sign of neutrality or, in other words, of respect for the wounded. Let us find a compromise which will provide what we all want: maximum safety, protection and relief for the wounded and the sick; but let us strive to maintain the unity of the red cross sign as much as possible.”⁹⁹

The issue was by then decided. The rest of the discussion dealt only with the wording.

It was in this way that article 19 of the Geneva Convention of 27 July 1929 was evolved:

⁹⁸ It is true that the ICRC was not entirely free from responsibility. On the basis of the tolerance displayed at the 1906 and 1907 Conferences, it had recognized the Egyptian Red Crescent and the Persian Red Lion and Sun in 1924. Our research has revealed no reason for that decision which, to some extent, was a departure from the line of conduct previously followed by the International Committee.

⁹⁹ *Actes 1929*, p. 251.

As a compliment to Switzerland, the heraldic emblem of the red cross on a white ground, formed by reversing the Federal colours, is retained as the emblem and distinctive sign of the medical service of armed forces.

Nevertheless, in the case of countries which already use, in place of the red cross, the red crescent or the red lion and sun on a white ground as a distinctive sign, these emblems are also recognized by the terms of the present Convention.¹⁰⁰

The Rapporteur of Committee I, commenting on this article, summarized the proceeding of the Committee:

The first paragraph of this article is copied from the 1906 Convention.

The second paragraph is new. By adopting it, the Committee complied with a wish expressed by several delegations and gave sanction to a situation which in fact already existed in some countries.

The emblems on a white ground, the red cross, the red crescent, and the red lion and sun, have henceforth the same significance of active and charitable neutrality.

This situation, moreover, had been considered in 1907 by the Hague Conference which accepted the reservations which some States had made concerning the general unity of the neutrality symbol. Nevertheless, the Committee desired the unity of the Convention sign to be maintained as far as possible and the derogation it has just admitted to be and remain exceptional in order to avoid any confusion which might undermine the principle and moral value of the emblem of the Convention. To that end it adopted a wording providing maximum protection for the wounded and the sick while maintaining as far as possible that unity of the symbol which is characteristic of the ideal sought by the promoters of the work in 1864.¹⁰¹

So a further step was taken in the erosion of the unity of the emblem. The exceptional signs whose use had been tolerated since 1906 through the reservations system were mentioned in the Convention. The 1929 Conference thereby gave its sanction to a factual situation which had existed for half a century and confirmed the legal situation created by Turkey's, Persia's and Egypt's reservations to the 1906 and 1907 Conventions.

¹⁰⁰ *Actes 1929*, p. 666; *The Laws of Armed Conflicts*, p. 252.

¹⁰¹ *Actes 1929*, p. 615.

But at the same time the Conference was unanimously in favour of limiting as much as possible the number of exceptions to the universality of the sign. Hence the first few words of the second paragraph: "Nevertheless, in the case of countries which already use..."

So Turkey, Persia and Egypt obtained satisfaction, half a century after the first attempt by the Sublime Porte.

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What can we conclude from the 1929 proceedings? The Conference reached a decision which was hardly logical. It opened the door to the emblems proposed by Turkey, Persia and Egypt, and then quickly slammed it shut.

The decision, which might have been justifiable only on the hypothetical grounds that the circumstances would not be repeated—a hypothesis which was soon proved wrong¹⁰²—was intended to settle the thorny problem which had existed for fifty years as a result of the stand taken by Turkey, Persia and Egypt. But the Conference had not looked beyond that particular problem. It satisfied three countries and affirmed that no similar requests would be accepted. In fact, the Conference decision was no solution: it was a compromise deferring the day of settlement, but an unfortunate compromise because it made the real solution to the emblem problem even more difficult.

Moreover, the juxtaposition in the same article of the general rule of emblem unity which it was hoped to maintain and the two exceptions to that rule made the contradiction flagrant.

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What was the ICRC attitude to this new situation? Obviously it could not declare invalid a decision approved almost unanimously by the States parties to the Geneva Conventions. As had been the case in the First Committee, it could only accept the decision.

¹⁰² Only six years later, Afghanistan asked the ICRC to recognize the Red Archway Society (*Mehrab-e-Ahmar*); see chapter II below.

Moreover, in May 1931, the Society of the Red Shield of David applied to the ICRC for recognition, but as it was not constituted on the territory of an independent State the ICRC could not do so. It replied to that effect on 28 July 1931, drawing the attention of the Society to the fact that the emblem chosen would be an obstacle to its recognition later on. There the matter rested until 1948. See Chapter II below.

It did, nevertheless, manifest its attachment to the principle of unity of the sign. In this connection we might quote from Mr. Paul Des Gouttes' *Commentaire* to the 1929 Geneva Convention. Referring to the 1863, 1864 and 1906 Conferences, he wrote:

*The unity of the sign seemed unquestionably essential. The Red Cross was a great international family founded to alleviate the suffering engendered by war. A single sign was to distinguish it for all. The legislators of 1864 and 1906 attached considerable importance to it, and the two conferences gave it their blessing.*¹⁰³

On the next page he qualified the adoption of the red crescent by Turkey as a "regrettable deviation".¹⁰⁴

Des Gouttes underlined the danger of adopting a national emblem as a protective sign:

*It was by no means wished to leave each country discretion to choose its emblem, imposing only the colours red and white. That would have underlined the nationality, whereas the emblem ought in fact to show that nationality retires to the background in the work of relief to the wounded.*¹⁰⁵

Since the Russo-Turkish war, the ICRC's stand has hardly changed.

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The dangers arising from this new situation were not long in making themselves felt. In 1935 Afghanistan demanded the recognition of a further exception in its favour and of a fourth emblem: the red archway. The 1929 decision seemed to be taken as a precedent leading to the continuous break-up of sign unity.

Moreover, after the wars of Chaco, Abyssinia and Spain, it seemed necessary to revise the Geneva Convention again. The ICRC therefore

¹⁰³ Paul Des Gouttes: *La Convention de Genève pour l'amélioration du Sort des Blessés et Malades dans les Armées en Campagne du 27 juillet 1929, Commentaire*, Geneva, ICRC, 1930, p. 144.

¹⁰⁴ *Idem*, p. 145.

¹⁰⁵ *Ibid.*

convoked a conference of experts in 1937¹⁰⁶ and on that occasion proposed the return to a single sign by the deletion pure and simple of the second paragraph of article 19 of the 1929 Convention.¹⁰⁷

Nevertheless, the National Societies of Turkey, Persia and Egypt did not respond to the ICRC's invitation. In the absence of these Societies, those most concerned, the Conference could hardly advocate the abandonment of the signs in use in their countries. It did, however, take the following stand in respect of the second paragraph of article 19:

The International Committee had asked whether this paragraph should not be deleted.

The Commission was unanimous in expressing regret that the unity of the emblem should have been destroyed, and in thinking that it would be most desirable to restore it. The Red Cross is an international emblem, without any national or denominational meaning, and for which it is illogical to substitute particular symbols. Moreover, the result is to create a risk of confusion with national flags, especially in the case of States whose national emblem is a red symbol on a white ground; this risk is heightened if other countries invoke such precedents and claim similar rights.

However, the Commission did not decide to amend the wording of the Convention on this point. It was of opinion that the matter should first of all be taken up with the parties concerned, namely the countries employing the Red Crescent or the Red Lion and Sun, and who were not represented on the Commission.

*It expressed the wish that, in any case, the wording of the Convention should not be amended so as to allow of other exceptions to the unity of the emblem than those now mentioned in Article 19.*¹⁰⁸

¹⁰⁶ See: XVIth International Red Cross Conference, London, June 1938, Doc. No. 11a: ICRC: *Report on the Interpretation, Revision and Extension of the Geneva Convention of July 27, 1929*. See also *Revue internationale de la Croix-Rouge*, No. 231, March 1938, pp. 193-244.

¹⁰⁷ *Report on the Interpretation....*, p. 24 and *Revue....*, 1938, pp. 215-216. See also P. Des Gouttes: "Projet de révision de la Convention de Genève du 27 juillet 1929 présenté aux Sociétés nationales de la Croix-Rouge par le Comité international de la Croix-Rouge". *Revue internationale de la Croix-Rouge*, 19th year, N. 223, July 1937, pp. 645-681, especially p. 658.

¹⁰⁸ *Report on the Interpretation....*, p. 24. *Revue....* 1938, pp. 215-216.

This draft was submitted to the sixteenth International Red Cross Conference in London in 1938. The Conference urged the ICRC to take steps to convene a new diplomatic conference.¹⁰⁹

The Federal Council convoked such a conference for the beginning of 1940. War broke out; the conference could not meet, and the 1929 Convention remained unchanged.¹¹⁰

5. The 1949 Conference

The ICRC did not wait for the Second World War to finish before it started revising the Geneva and the Hague Conventions and drafting a new convention to protect civilians in time of war.

In a memorandum of 15 February 1945,¹¹¹ it made known its intention to start consultations for that purpose and asked governments and National Societies to help in compiling the necessary documentary material.

In July 1946, the ICRC convoked a preliminary conference of National Red Cross Societies.¹¹² The ICRC restated the stand it had adopted in 1937 and said that it was convinced that efforts should be made to return to a single sign and name.

This proposal was supported by the Conference but was opposed by the representative of the Egyptian Red Crescent who, like other delegates, was of the opinion that the red cross sign could not for the time being be introduced into Moslem countries as it would offend the religious feelings of the population.¹¹³ In view of the opposition of those most concerned

¹⁰⁹ See Sixteenth International Red Cross Conference, Resolution No. X in *Compte rendu de la Seizième Conférence internationale de la Croix-Rouge*, London, 1938, p. 103.

¹¹⁰ The 1937 draft remained a dead letter. Nevertheless, the incident was not insignificant. Since 1949 the ICRC has often been accused of partiality because of its opposition to the admission of new signs, especially of the red shield of David as requested by Israel. Documents prove that the stand taken by the ICRC in 1937, when the question of the Red Shield of David had not officially been raised, was the same then as now.

¹¹¹ Memo sent by the ICRC to the governments of States parties to the Geneva Conventions and to National Red Cross Societies, Geneva, 15 February 1945, for which see *Revue internationale de la Croix-Rouge*, No. 314, Feb. 1945, pp. 85-89.

¹¹² See: *Report on the Work of the Preliminary Conference of National Red Cross Societies for the Study of the Conventions and of various problems relative to the Red Cross*, Geneva, ICRC, 1947.

¹¹³ *Idem*, pp. 43-44.

the preliminary conference decided not to refer the question of the return to the unity of the sign to the next International Red Cross Conference.¹¹⁴

In April 1947, the ICRC convoked a conference of government experts with a view to the study of the conventions for the protection of war victims.¹¹⁵ That conference did not consider itself qualified to change the legal situation then existing.¹¹⁶

On the basis of the preliminary consultations, the ICRC drew up four drafts of revised or new conventions. These were submitted to the Seventeenth International Red Cross Conference in Stockholm in August 1948.¹¹⁷

The sign was the subject of article 31 of the draft Convention for the protection of the wounded and sick in armed forces in the field. It repeated without change article 19 of the 1929 Convention. The ICRC had, nevertheless, added a comment: it considered that it was desirable for Iran to renounce the use of the red lion and sun, leaving the red crescent as the only exceptional sign.¹¹⁸

The Stockholm Conference maintained article 31, adding the following comment on the second paragraph:

*The Conference decided not to delete this paragraph for the time being; it expressed, however, the wish that the Governments and National Societies concerned should endeavour to return as soon as possible to the unity of the Red Cross emblem.*¹¹⁹

Moreover, in a document entitled *Revised and New Draft Conventions for the Protection of War Victims, Remarks and Proposals submitted by*

¹¹⁴ *Idem*, pp. 44.

¹¹⁵ See: *Report on the Work of the Conference of Government Experts for the Study of the Conventions for the Protection of War Victims*, Geneva, ICRC, 1947.

¹¹⁶ *Idem*, pp. 47-48.

¹¹⁷ See: XVIIth International Red Cross Conference, (Stockholm, August 1948); Document No. 4a: *Draft Revised or New Conventions for the Protection of War Victims*, Geneva, ICRC, May 1948.

¹¹⁸ *Idem*, p. 23.

¹¹⁹ See: "Draft International Conventions for the Protection of War Victims as approved by the XVIIth International Red Cross Conference in Stockholm, August 1948" (taken as basis for discussion at the Diplomatic Conference), reproduced in *Final Record of the Diplomatic Conference of Geneva of 1949*, Berne, Federal Political Department, vol. I, pp. 47-143, and particularly p. 53.

the International Committee of the Red Cross,¹²⁰ sent to all Governments invited by the Swiss Federal Council to attend the Diplomatic Conference in Geneva, the ICRC stated that it was firmly in favour of the return to the unity of the sign or, at least, of a solution which would provide a fair limitation to exceptions.

To that end it submitted four definite proposals to the Diplomatic Conference.¹²¹

The "Stockholm draft" was the basis for the proceedings of the Diplomatic Conference convoked by the Swiss Federal Council to draw up international conventions to protect war victims. That Conference met in Geneva from 21 April to 12 August 1949.¹²²

The emblem was discussed by the First Committee for the revision of the 1929 Geneva Convention for the protection of the wounded and sick and the 1907 Hague Convention No. X. Article 31 was considered during the Committee's seventeenth and eighteenth meetings.¹²³

Three proposals were submitted to the Committee:

- (a) a proposal by the Netherlands for the adoption of a new single sign,
- (b) the Stockholm Conference recommendation for the return to the unity of the red cross sign,
- (c) an Israeli draft amendment for the recognition of the red shield of David as the fourth emblem.

The Netherlands proposal was first discussed. The Netherlands delegate underlined the inconvenience arising from the existence of several emblems and said that the only solution seemed to be the adoption of a new and genuinely neutral symbolic sign. Charity being the basis of Red Cross work, he suggested that the sign might be a stylized red heart in the form of an inverted equilateral triangle.¹²⁴

¹²⁰ *Revised and New Draft Conventions for the Protection of War Victims, Remarks and Proposals submitted by the International Committee of the Red Cross*, Geneva, ICRC February 1949.

¹²¹ *Idem*, pp. 15-17. For these proposals and their discussion see p. 240 below.

¹²² See *Final Record of the Diplomatic Conference of Geneva of 1949*, Berne, Federal Political Department, 4 volumes (hereafter referred to as *Final Record 1949*).

¹²³ On 16 and 17 May 1949. See *Final Record 1949*, vol. II A, p. 89-92.

¹²⁴ *Idem*, p. 89.

Objection was raised by Mr. Pictet, the ICRC expert, and by the Swiss delegate. Both insisted that the proposal came too late, that a sign of more than eighty years' standing known to everyone the world over as the universal symbol of impartial assistance to those who suffer could not be discarded without detriment to the wounded and the sick.¹²⁵

In fact, no one favoured the Netherlands proposal; even its sponsor gave it only perfunctory support and it came to nothing.

The argument for the return to the unity of the red cross was then developed by Mr. Pictet. After reviewing the history of the sign and the causes of its break-up, he put forward some possible solutions with a view to the return to a single sign:

(a) *The Convention to cease in the future to recognize special emblems otherwise than temporarily, and to fix a period during which all such signs were to disappear. Populations should not be asked to adopt a Christian symbol, but should be made to understand that the Red Cross had no religious significance.*

(b) *The Red Cross emblem to be used by all States, certain countries being authorized to add a small distinctive emblem in one corner of the Red Cross flag.*

(c) *A single, entirely new, sign to be devised, acceptable to all countries, the use of which would be authorized besides the Red Cross emblem.*

(d) *Iran to agree to forgo her special emblem, leaving the Red Cross and the Red Crescent as the only authorized emblems.*¹²⁶

These proposals met with lively opposition from the delegates of Turkey, Egypt and Afghanistan. The Afghan delegate in particular made a long speech in which he contested the claim that the red cross was not a religious symbol. He quoted three mediaeval documents which, in his opinion, proved the Christian origin of the cross on the armorial bearings of the Canton of Schwyz. He stressed that the red cross sign was closely linked to the Christian message of charity; the same applied

¹²⁵ *Idem*, pp. 90-92.

¹²⁶ *Idem*, p. 91. These proposals had already been set forth and developed by Jean S. Pictet in: *The Sign of the Red Cross*, Geneva, ICRC, 1949, and in: *Revised and New Draft Conventions for the Protection of War Victims, Remarks and Proposals submitted by the International Committee of the Red Cross*, pp. 15-17.

to the crescent, the symbol of the Islamic faith and of the same message of love and charity for the Moslem peoples.¹²⁷

The third proposal was made by the Israeli delegation. Israel had acceded without reservation to the 1929 Convention on 3 August 1948 when war was raging in Palestine,¹²⁸ but its army medical service and its National Society were using the sign of the red shield of David. The Israeli delegation therefore tabled an amendment for recognition of that emblem.¹²⁹

The proposal was developed by Mr. Najar, the Israeli delegate. He first pointed out that no formal amendment for the unification of the sign had been put forward, so that the basis for discussion was still the 1929 Convention which admitted three distinctive signs. The red shield of David had been in use in Palestine for twenty years and he therefore could hardly imagine that the army medical service could replace it by another sign. The red shield of David was a sacred symbol dating back three thousand five hundred years and, after having marked the Jewish victims of Hitlerism, had become the symbol of life and charity: few emblems were so ancient and so widely known.¹³⁰

The proposal was seconded by the Hungarian delegate and opposed by that of Belgium who underlined the danger of increasing the number of protective signs. If the red shield of David were adopted, it would be sufficient for a country to start using a new emblem at the end of one conference in order to have it accepted at the next.¹³¹

Only the Israeli delegation tabled a draft amendment. After a roll-call vote, it was rejected by 21 votes to ten, with eight abstentions; nineteen delegations were absent.

Article 31 was then adopted.¹³²

The debate was reopened during the 32nd meeting of the Committee.¹³³ The Indian delegate submitted a draft resolution which it was

¹²⁷ *Final Record 1949*, vol. II A, p. 91. The address by Mr. Bammate, Delegate for Afghanistan, is reproduced in full in: Paul de La Pradelle: *La Conférence diplomatique et les nouvelles Conventions de Genève du 12 août 1949*, Paris, les Editions internationales, 1951, Annex VIII, pp. 406-410.

¹²⁸ *The Laws of Armed Conflicts*, p. 257.

¹²⁹ *Final Record 1949*, vol. III, p. 40.

¹³⁰ *Final Record 1949*, vol. II A, p. 92.

¹³¹ *Ibid.*

¹³² *Ibid.*

¹³³ On 23 June 1949. See *Final Record 1949*, vol. II A, pp. 150-151.

hoped would reconcile the various points of view on the distinctive emblem. In his opinion only a new sign devoid of all religious significance could be used as a universal protective sign acceptable to everyone. The emblems in current use would then be only descriptive signs. The draft resolution was:

Committee I urges the Conference to set up suitable machinery for devising an emblem, as the protective sign of the Medical Service of the armed forces, which shall fulfil the following conditions :

- (1) *it shall have no religious significance in any part of the world, nor be popularly associated with any religious, cultural or other organization;*
- (2) *it shall be of red colour on a white background;*
- (3) *it shall possess maximum visibility;*
- (4) *it shall be a simple geometrical pattern which can be easily executed with minimum materials and labour;*

*it being intended that, with effect from the date of adoption of the new protective emblem as mentioned above, such a new emblem shall alone be entitled to protection under the terms of the present Conventions, and that the protective emblems now in force shall be used as distinctive emblems only.*¹³⁴

The delegates of Switzerland, USA, Mexico, the Holy See, Italy, Venezuela, Canada and Australia opposed this proposal on the grounds that the red cross sign could not be discarded without seriously undermining the Geneva Conventions.¹³⁵ Referring to what Mr. Pictet had previously said, the Apostolic Nuncio asserted that the red cross sign was free of any religious significance.¹³⁶

The delegate for Burma, supporting the draft resolution, pointed out that the oriental countries were gradually taking an increasing part in international life and wanted an emblem which offended neither their nor other nations' religious convictions. If more signs were admitted, the oriental countries could be expected to adopt an emblem of their own.

¹³⁴ *Idem*, p. 150.

¹³⁵ *Idem*, pp. 150-151.

¹³⁶ *Idem*, p. 150.

The Indian proposal was the expression of a sincere desire to solve the problem. This point of view was shared by the representative of Iran.¹³⁷

The draft resolution was rejected by 16 votes to 6, with 13 abstentions.¹³⁸

The First Committee's report to the plenary assembly contained, under the heading "Markings", the following remarks which summarize the discussions:

To ensure that the protection accorded by the Conventions shall be thoroughly effective, personnel, vessels, material and supplies must all bear a distinctive emblem, easily recognizable by the enemy. It was therefore highly desirable that there should only be one distinctive emblem for all nations, and Committee I expressed the hope that this solution would be adopted as soon as possible. Unfortunately, however, whether rightly or wrongly, the red cross which has been used for this purpose for the last 80 years no longer seems to give all countries a guarantee of absolute neutrality. Some regard it as an allusion to the symbol of Christian religion, and are unable for that reason to induce their people to adopt it. The Diplomatic Conference of 1929 did, in fact, agree to other emblems' being used, such as the red crescent and the red lion and sun.

In view of the reluctance of certain countries to use the red cross, Committee I decided to confirm established custom, while voicing the hope that a solution would ultimately be adopted establishing a unified system.

It was for this reason, and solely to avoid creating fresh obstacles to the adoption of a single emblem, that the Committee refused to recognize new symbols, such for instance as the Shield of David proposed by the State of Israel, while recognizing that this emblem, which is several thousand years old, has been used in a purpose of protection for twenty years and is well known and respected in those parts of the world where it is used. But the Committee felt unable to accept this de facto situation, owing to the risk of establishing a new precedent and rendering the desired unification still more difficult.¹³⁹

¹³⁷ *Idem*, pp. 150-151.

¹³⁸ *Idem*, p. 151.

¹³⁹ *Idem*, p. 187.

Consequently, the question was referred to the plenary meeting. The main debate took place during the ninth plenary meeting.¹⁴⁰

The plenum had three proposals before it:

- (a) the Israeli draft amendment;
- (b) a proposal by the delegate of Burma who asked the meeting to reconsider the draft resolution submitted by the Indian delegation.¹⁴¹ In case the Indian proposal were rejected, the Burma delegation proposed amending article 31 to admit all duly notified red signs on a white ground;
- (c) a variant on the Indian draft resolution, basically identical to the draft examined by the Committee but with a rewording of the procedure.¹⁴²

However, before the meeting discussed these three proposals, Mr. Ruegger, President of the ICRC, expressed the ICRC's attachment to the principle of unity of the sign and said:

The International Committee of the Red Cross would like to warn the Governments represented at this Conference against the putting into effect of plans which would sooner or later inevitably entail the risk of a multiplication of protective symbols, which would, in turn, diminish the value attached to them. The protective emblem cannot be fully efficacious unless it is universally known, unless it is the symbol which is automatically and universally recognizable by all of the protection given to war victims. Any infringement of this principle of universality can only undermine the value of the symbol and hence increase the dangers incurred by those whom it is designed to safeguard.

Our view is based on the fullest respect for all national emblems. But what we must avert at all costs is the possible confusion between these emblems and the neutral symbol of fraternal and mutual aid in time of war. Under the emblem of the Red Cross, men are treated simply as human beings, whether they are prisoners, wounded or refugees, irrespective of origin. If the present Conference were to adopt new symbols, it would open

¹⁴⁰ On 21 July 1949. See *Final Record 1949*, vol. II B, pp. 223-232.

¹⁴¹ See above, pp. 241-242.

¹⁴² *Final Record 1949*, vol. II B, p. 223.

the way to other exceptions in the future. The progressive weakening of the symbol of aid to war victims would be a positive disaster, since the protection of human lives is here at stake.

It is in the light of this principle that the International Committee of the Red Cross would not only deprecate any increase in the number of symbols of protection, but even emphasize the advantages of the single symbol of the Red Cross if a return to the past were envisaged.¹⁴³

Quoting statements made a short time previously by Muhammed Ali Jinnah, the Pakistan Head of State, and by Mahatma Gandhi, he expounded on the universal nature of the Red Cross ideal and emblem, pointing out that the emblem had been adopted and defended by the leaders of great communities having no connection with Christianity.

He went on to state that no one had objected to the name "Red Cross" to designate the movement as a whole and that the multiplication of exceptional signs would in the long run make the name incomprehensible.

In conclusion, he said:

Everyone, today, whatever his opinions, whatever his religious convictions, can recognize in the Red Cross the symbol of the neutral protection of war victims, of fraternal aid and mutual assistance between nations. A kind of mysticism has grown up around the Red Cross, and innumerable lives have been sacrificed in the service of the idea which it represents.

The Red Cross is borne by vast spiritual forces and invisible legions. May our precarious world neither uproot nor weaken one of the rare symbols, one of the rare words, perhaps the only symbol and the only word, which still unite it in a common ideal.¹⁴⁴

The Israeli delegate, Mr. Najar, then reminded the meeting that the Israeli relief society had been displaying for more than twenty years the red shield of David which had been respected during the war of independence.

He added that no formal proposal to restore the unity of the sign having been submitted, the basis of discussion was still the 1929 Convention, which admitted three protective signs.

¹⁴³ *Ibid.*

¹⁴⁴ *Idem*, p. 224.

Referring to what the ICRC President had said, he affirmed that to say that one symbol was as good as another was a strange confusion of values:

*A symbol is not a mere geometric figure. It is deep-rooted in the hearts of men, it is a living thing, and in the course of the centuries acquires a human content from which it becomes inseparable.*¹⁴⁵

He then reviewed the long history of the emblem of the shield of David and the reasons for which the Israeli people were attached to it. He also reminded the meeting what the emblem had meant only a few years earlier, saying that “thousands and thousands of Jews were killed under the Hitler régime, marked with this symbol to distinguish them”.¹⁴⁶

He asserted that the sign was universally known. The Israeli delegation had deliberately refrained from describing the sign in all the documents submitted to the Conference, yet no delegation had asked for an explanation.

He did not believe multiplication of emblems was really a danger. It would be hard to find an emblem so ancient and so universally significant which had already triumphantly stood the test of war. For that reason his delegation would vote against the draft amendment proposed by Burma, for one could not subscribe to a sort of blanket authorization for new emblems of any kind whatsoever.

The situation in the Middle East, he said, had to be borne in mind: it would not be possible for the Israeli Government to ask its population to relinquish the symbol of the red shield of David while their neighbours were authorized to display the red crescent. The Israeli Government could not compel the people to give up the red shield of David for another sign.

Mr. Najar concluded by appealing for that equality and enlightened tolerance which underlie any quest for humane universality.¹⁴⁷

The representative for Burma, General Oung, referring to what had been said by the President of the ICRC and the Israeli delegate, underscored the disadvantages of a variety of emblems and offered to withdraw the second part of his delegation’s proposed amendment.

¹⁴⁵ *Idem*, p. 225.

¹⁴⁶ *Ibid.*

¹⁴⁷ *Idem*, pp. 224-227.

However, he was opposed to the emblems which were already in existence.

*There is a lot to be said against national emblems in the international field. The same remark applies equally strongly to religious signs.*¹⁴⁸

He therefore hoped for the adoption of a universal emblem with no national, racial, religious or regional significance. In his opinion the Conference proceedings had shown the red cross sign to be religious in character, so that a new and truly universal emblem should be adopted.¹⁴⁹

The Syrian delegate then undertook to refute the arguments advanced by Mr. Najar and insisted on the risk entailed by a multiplicity of protective signs.¹⁵⁰

The French delegate, Mr. Lamarle, spoke in favour of the Israeli amendment. While recognizing the value of emblem unity, he said that it should not be attained at the cost of legitimate national or religious pride. The motivation for the Israeli request being the same as that which had justified recognition of the signs of the red crescent and the red lion and sun, the question should be solved in the same way.¹⁵¹

The Swiss delegate, Mr. Bolla, attempted to bring the discussion back to the question of the effectiveness of protection:

... The best sign will be that which has the greatest protective value.

What we have to decide today is whether it would be in the interests of those persons whom we wish to shield as far as possible from the turmoil, the wounded, prisoners and internees, to abandon the Red Cross emblem or to weaken it by continual inroads on its character as a single and universal emblem. We do not think it possible to reply in the affirmative.

The sign of the Red Cross has a tradition of eighty years, in which the most widespread and ruthless wars in history were fought. It is known to hundreds of millions of men, women and children, it is for them the unequivocal and eloquent voice of charity prevailing over violence; it is for many of them the memory of one of those rare glimmers of light in the darkness

¹⁴⁸ *Idem*, p. 227.

¹⁴⁹ *Ibid.*

¹⁵⁰ *Idem*, pp. 227-228.

¹⁵¹ *Idem*, pp. 228-229.

of sombre years. It is therefore all the more priceless a human heritage in that it rests on spiritual values. It would be no easy matter to replace the red cross by a sign which would be both simple and free of all religious, national or other implications. Even at best, we should have to wait several decades before such a sign attained a significance in the minds of men comparable in beneficent power to that of the present emblem—and the name—of the red cross...¹⁵²

Historical circumstances had led to two exceptions but the current trend was unquestionably to make of the red cross a neutral symbol of fraternal assistance in time of war, in the name of that respect for human dignity which was a principle common to all faiths. That was a desirable trend and no one had any right to impede it by increasing the number of exceptions. The Swiss delegation was therefore in favour of maintaining the *status quo*.¹⁵³

The Turkish delegation had no objection to the adoption of a new single sign but, pending a decision to that effect, hoped that the *status quo* would be maintained.¹⁵⁴

The Argentine delegation was in favour of maintaining the red cross as the sole sign but felt that since some exceptions had already been admitted there was no reason to reject the Israeli request.¹⁵⁵

The Mexican delegate also favoured the red cross as the sole sign but admitted that it was difficult to turn back by cancelling the exceptions which had been allowed. Consequently, his delegation could support neither the Israeli amendment nor the *status quo*; it would therefore abstain from voting.¹⁵⁶

Discussion on the question was then closed and the Israeli delegation asked for a roll-call vote. However, at the suggestion of the Australian delegation, voting was by secret ballot, with the following result:

the Israeli proposal was rejected by 22 votes to 21 with 7 abstentions;

Article 31 was adopted by 40 votes to 1 with 7 abstentions;

¹⁵² *Idem.* p. 229.

¹⁵³ *Idem*, pp. 229-230.

¹⁵⁴ *Idem*, p. 230.

¹⁵⁵ *Ibid.*

¹⁵⁶ *Ibid.*

the Indian draft resolution was rejected by 16 votes to 9 with 20 abstentions.¹⁵⁷

The question of the sign arose again during the twelfth plenary meeting in connection with the marking of hospital ships.¹⁵⁸

The Israeli delegation submitted a draft amendment similar to the one previously discussed. The Egyptian delegation's point of order that the Israeli draft was not admissible was overruled after a lengthy debate on procedure.¹⁵⁹ The discussion which followed was along the same lines as at the ninth plenary meeting¹⁶⁰ and the Israeli amendment was rejected by 24 votes to 18, with 3 abstentions.¹⁶¹

Again the sign was discussed during the 24th and 25th plenary meetings,¹⁶² in connection with the Convention for the protection of civilians in time of war.

The delegation of Burma had introduced an amendment with a view to the adoption of a red circle on a white ground as the sole sign for the protection of civilian hospitals and medical convoys. The amendment was designed to serve three purposes, namely: to limit the risk of abuse of the sign for the protection of military medical convoys; to avoid any confusion between military and civilian hospital establishments; and to prepare the ground for the return to a universal sign. The Conference rejected the proposal, however, so that the same distinctive signs were adopted for the protection of both military and civilian units.¹⁶³

Contrary to its announced intention, the Israeli delegation refrained from again presenting its case for recognition of the red shield of David, in order not to delay the proceedings of the Conference. On the other hand, it did state that so long as there was no unity of distinctive signs Israel would continue to use the red shield of David.¹⁶⁴

¹⁵⁷ *Idem*, pp. 231-232.

¹⁵⁸ On 25 July 1949. See *Final Record 1949*, vol. II B, pp. 255-262.

¹⁵⁹ *Idem*, pp. 255-258.

¹⁶⁰ *Idem*, pp. 258-262.

¹⁶¹ *Idem*, p. 262.

¹⁶² On 2 August 1949. See *Final Record 1949*, vol. II B, 393-395.

¹⁶³ *Idem*, pp. 394.

¹⁶⁴ *Idem*, pp. 394-395.

During the 35th plenary meeting¹⁶⁵ the Nicaraguan delegate withdrew the draft resolution which a few days earlier he had submitted with a view to reaching a compromise along the following lines: the universal emblem would be either a red cross as usual or, if desired, a red cross with a central white square or circle in which each State could insert a sign of its choice.¹⁶⁶

However, this proposal having been submitted too late, it was not discussed.¹⁶⁷

The various meetings left the legal situation created by the 1929 Conference unchanged: article 38 of the First 1949 Convention repeated word for word article 19 of the 1929 Convention.¹⁶⁸

As a consequence, the Israeli delegation abstained during the final vote on the First, Second and Fourth Conventions because the Conference had rejected its demand for recognition of the red shield of David without, however, adopting a single sign devoid of religious significance.¹⁶⁹

During the official signing ceremony, the Israeli delegate qualified his signature to the First, Second and Fourth Conventions with the following reservation:

*Subject to the reservation that, while respecting the inviolability of the distinctive signs and emblems of the Convention, Israel will use the Red Shield of David as the emblem and distinctive sign of the medical services of her armed forces.*¹⁷⁰

The Lebanon delegate stated that his Government considered this reservation to have no value for the States signatories to the Conventions since the Conference had definitively rejected the Israeli request.¹⁷¹

¹⁶⁵ On 9 August 1949. See *Final Record 1949*, vol. II B, pp. 518-519.

¹⁶⁶ For the Nicaraguan draft resolution and accompanying sketches, see *Final Record 1949*, vol. III, pp. 177-179.

¹⁶⁷ *Final Record 1949*, vol. II B, pp. 518-519.

¹⁶⁸ See *supra* p. 171 (*Review of April*); *Final Record 1949*, vol. I, p. 213; *International Red Cross Handbook*, pp. 43-44; *The Laws of Armed Conflicts*, p. 310.

¹⁶⁹ *Final Record 1949*, vol. II B, pp. 519-520 (the Third Convention for the protection of prisoners of war does not mention the distinctive sign).

¹⁷⁰ *Idem*, p. 534; for the Israeli reservation see *Final Record 1949*, vol. I, p. 348.

¹⁷¹ *Final Record 1949*, vol. II B, p. 534. However, so far as we know, Lebanon did not confirm its opposition when Israel deposited its instruments of ratification.

The Israeli reservation to the First, Second and Fourth Conventions was confirmed when the instruments of ratification were deposited on 6 July 1951.¹⁷²

*

What conclusions can we draw from the proceedings in 1949 ?

It has often been considered that the whole discussion was no more than the examination and rejection of the Israeli demand. This, in our opinion, is due to an error in perspective. Although it is true that the question of the red shield of David was discussed with more feeling than any other, it was certainly not all that was at stake. We must therefore try to educe an overall appreciation.

The 1949 Conference inherited a difficult situation created in 1929; we have already expressed our opinion on that subject:¹⁷³ in our view the 1929 decision was incoherent, admitting exceptions to the universal emblem principle while claiming to limit their number in order to preserve the principle itself. That solution might have been justified in the political situation of the time but its weakness became apparent when the situation changed. In fact, what decision should be taken in the event of circumstances similar to those which caused the crescent and the lion and sun to be admitted ?

Since 1945 circumstances had radically changed. The end of the war marked the beginning of a phenomenon which was perhaps even more far-reaching than the war itself: the dismemberment of the colonial empires. What would the attitude of the new States be towards the sign ?

For some of those countries the choice of emblem seemed preordained, whilst for others it was uncertain. What, for instance, would India, Burma or Ceylon choose?

Such is the historical context in which we believe the 1949 discussions must be assessed.

What alternatives were available to the Conference? They were many, but only three were considered:

¹⁷² Département Politique Fédéral: *Procès-verbal du Dépôt de quatre instruments portant ratification par Israël*, Berne, 6 July 1951; and *The Laws of Armed Conflicts*, pp. 494-495.

¹⁷³ See p. 234 above.

- (a) the return to the single sign;
- (b) the possibility for each State to adopt the sign of its choice;
- (c) a compromise between these two options, by admitting a limited number of exceptions to the single sign.

A brief analysis of each of these possibilities would not be out of place here.

The first possibility suggested another alternative: the single sign could be the original emblem or it could be entirely new.

The ICRC favoured the return to the red cross as the only sign. It could argue that during the world war the work carried out under the red cross had extended in unprecedented fashion throughout the world. Nevertheless, this proposal was not followed up and the reasons for this seem clear: the Moslem States were not prepared to forgo the exceptions which had been granted in their favour and the other States did not deem it expedient to reach a majority decision for the elimination of those exceptions.

Moreover, the Netherlands and India proposed the adoption of a completely new sign. The proposal was rejected by the Western Powers in the name of tradition, and by some Moslem States for religious considerations.

So the "unitary solution"—the only one in our opinion which would have achieved the protective sign objective—was rejected essentially because of tradition and rights already acquired.

The second solution—for each State to choose whatever sign it wished—was proposed in the second part of the Burma amendment. It would have had the advantage of being equitable, all States being on the same footing. But it would have led to utter confusion and, in our opinion, to the pure and simple disappearance of the sign and the treaty system of protection—at least in fact if not in law. The soldier can hardly be expected to go into battle with a catalogue of emblems for consultation. This solution met with unanimous opposition.

Thus the Conference rejected two solutions which would have laid down a rule identical for all.

Under the circumstances, the Conference had to resort to the compromise allowing, but limiting, exceptions to the single sign principle.

This was a repetition of the 1929 decision, with the same disadvantages. In view of the diversity of faiths, cultures and national characteristics, it was necessarily illogical and unfair. Whether the number of exceptions allowed were two, three or ten there would always be some country left out.

This lack of logic had been obvious in the 1929 discussions: the representatives of Turkey, Persia and Egypt demanded recognition of the red crescent and of the red lion and sun, but they came to the Conference determined to oppose the admission of a fourth sign at any future time.¹⁷⁴

The same inconsistency was clearer still in the stands taken by some delegates at the 1949 Conference. The delegations which most strongly objected to the admission of the red shield of David were those of the very countries for which exceptions had already been admitted.¹⁷⁵

The inconsistency appeared in Mr. Najar's statement as well. While demanding recognition of the red shield of David, he opposed the multiplicity of emblems:¹⁷⁶ in other words, he urged the recognition of a fourth emblem but objected in advance to the admission of a fifth.¹⁷⁷

The Israeli proposal was defeated by one vote and the Conference maintained the two exceptions which had been admitted in 1929 without allowing another.

The number of votes against the admission of the red shield of David was much in excess of the number of States in conflict with Israel. It therefore seems that the determining factor in the rejection of the Israeli motion was the fear of clearing the way for a succession of States to adopt new emblems after each conference and demand at the next that those signs be admitted.¹⁷⁸ Yet the Conference did not wish—or did not dare—to rescind privileges already granted.

¹⁷⁴ See, for example, the statement made by Prof. Riad to the 1929 Conference: *Actes 1929*, p. 250.

¹⁷⁵ This contradiction was mentioned by the Syrian delegate: *Final Record 1949*, vol. II B, pp. 227-228.

¹⁷⁶ *Final Record 1949*, vol. II B, pp. 226-227.

¹⁷⁷ This was pointed out by the Burma delegate. See *Final Record 1949*, vol. II B, p. 227.

¹⁷⁸ See statement by the Belgian delegate: *Final Record 1949*, vol. II A, p. 92.

No doubt many delegations then considered the 1929 solution a mistake; but while not going so far as to remedy it, they baulked at repeating it.¹⁷⁹

The Conference decision has often been taxed with running counter to the principle of equity: not without reason. The circumstances of the Israeli request being similar to those which gave grounds for earlier exceptions, it should in equity have been conceded also.¹⁸⁰

However, we might equally well ask whether the contrary decision would have been any more consistent with equity. Israel would have been satisfied, but its success would have incited other applications for exceptions which a subsequent conference would have had to reject.

It was claimed that the fear of multiplicity of emblems was groundless. That this is not so can plainly be seen in the statement by the Burma delegate to Committee I:

*Oriental countries were taking an increasingly active part in international life; they wanted an emblem which did not offend either their own religious convictions or those of other nations. If, on the other hand, the principle of a multiplicity of symbols was accepted, oriental countries must be expected to adopt an emblem of their own.*¹⁸¹

In our opinion, once the Conference considered the compromise of allowing exceptions while limiting their number, it was committed to an inequitable solution.

It would have been possible to seek a compromise on different lines, not by admitting exceptions but by admitting certain variants of the single sign. This was the purport of the Nicaraguan proposal to allow each State to place a badge of its choice in the centre of the cross; however, this proposal was put forward when the Conference was approaching the end of its work and was therefore not examined.

Nevertheless, the idea was ingenious and might have reconciled the conflicting aims of universality of the protective sign and respect for religious, cultural and national peculiarities.

¹⁷⁹ See statement by the Mexican delegate: *Final Record 1949*, vol. II B, p. 230.

¹⁸⁰ See statement by the French delegate: *Final Record 1949*, vol. II B, pp. 228-229.

¹⁸¹ *Final Record 1949*, vol. II A, pp. 150-151.

We believe this solution would have had the merit also of being in harmony with the essential structure of the Red Cross movement which is both national—because of the service each National Society renders to its own nation—and international—because of that solidarity which, transcending frontiers, unites the National Societies.

6. Recent Development (1949-1976)

The 1949 Diplomatic Conference was confronted with two conflicting trends: one for the return to the unity of the emblem, the other for more exceptions. It finally opted for the *status quo*, thereby satisfying the protagonists of neither cause which, not surprisingly, cropped up again.

We shall mention here only the main aspects.

In the matter of the return to a single emblem, there are two elements.

The ICRC, despite the defeat of its proposals in 1949, continued to advocate the return to a single emblem. Overtures to that end were made to various Moslem States, and particularly to the Iranian authorities and National Society in the hope that Iran would abandon the recognized emblem which it alone displayed. However, negotiations did not succeed, even though an approach was made to the Iranian Monarch.¹⁸²

Moreover, during the World Red Cross Conference on Peace at Belgrade in June 1975, the delegate of the Ethiopian Red Cross proposed the adoption of a new single sign, the red heart, in place of all existing emblems.¹⁸³ The Conference did not adopt this proposal. Nevertheless, it does show the uneasiness felt by National Societies in countries where there are several religions.

Several proposals have been put forward for the recognition of new emblems. Most of them did not go beyond the stage of a tentative approach. They are reviewed in the next chapter.

Only Israel has steadfastly maintained its stand on the use of an emblem which is not recognized by the Conventions. The ICRC, the

¹⁸² Letter from President of the ICRC to H.I.M. Mohammed Reza Pahlevi, Shahinshah of Iran, dated 25 October 1962.

¹⁸³ See International Red Cross Council of Delegates, agenda item 5: *Report on the World Red Cross Conference on Peace*, Doc.CD/5/1, p. 10, and also: World Red Cross Conference on Peace, agenda item 3.1.a: *Report submitted by the Ethiopian Red Cross*.

Israeli Government and the Society of the Red Shield of David have over the years had conversations to explore the possibilities of regularizing the situation. However, so far, no satisfactory solution consistent with the law has been found.

In 1971 and 1972, the ICRC convoked in Geneva a Conference of Government Experts to prepare the development of humanitarian law. The aim was not to revise the Geneva Conventions but to draw up draft protocols to supplement them. In both sessions, the Israeli delegates proposed the insertion of an article granting recognition to the sign of the red shield of David.¹⁸⁴

Following the work carried out by the Conference of Government Experts, the Federal Council convoked for 1974 a Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts. During the second session, the Israeli delegation proposed the following amendment:

*Where the Red Shield of David on a white ground is already used as a distinctive emblem, that emblem is also recognized by the terms of the Conventions and the present Protocol.*¹⁸⁵

This is expected to be discussed during the fourth session of the Conference, to be held in Geneva from April to June 1977.

(continued)

¹⁸⁴ Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, First Session, *Report on the Work of the Conference*, Geneva, ICRC, August 1971, paras. 67, 68, 280 and 281, and Second Session, *Report on the Work of the Conference*, ICRC, July 1972, vol. I, paras. 1.62, 2.381 and 2.382.

¹⁸⁵ Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Second Session, *Table of Amendments* (mimeo.), Doc. CDDH/225, 15 Dec. 1975, p. 6 (original: English).