

the delegates had dinner at the Prater park at which the Mayor of Vienna spoke. "After a session lasting several hours", according to the minutes of the Conference, "the guests of honour all proceeded to "Venice in Vienna" where the giant wheel, in particular, aroused the keenest interest."

On Thursday morning a visit was made to the first Viennese Society of public kitchens, followed by a reception in the afternoon at the Town Hall of Vienna.

The guests visited the city's art collections. They then went to the Great Festival Hall for a collation at which Clara Barton made an entrance on the Mayor's arm. In the evening, the Archduke Ludwig Viktor received the participants at the Hofburg in the Secret Council Chamber and in the Marble Hall. A buffet-supper had been prepared in the Hall of Knights.

On September 24, the Conference met for its closing session. Amongst others, a resolution was adopted by which the National Red Cross Societies were to intervene with their respective governments, for the latter to conclude a Convention relative to naval warfare. Other resolutions dealt with the storage of medical equipment, with activities in time of peace and the aid which National Societies should give each other. Similarly, it was recommended that misuse of the protective emblem, which the Red Cross represents, should be avoided, the States having promulgated the necessary ordinances to that end.

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## GERMANY

This is our first opportunity to mention a special and original side of the German Red Cross in the Federal Republic of Germany, that is to say, the annual meeting called "Justitiartagung" which, since 1957, has been attended by the legal advisers to the National Society's "Länder" sections. These counsellors and voluntary workers, judges, lawyers, and legal consultants thus meet once a year alternately in the North and South of Germany to discuss problems of mutual interest at meetings lasting from three to four days

## IN THE RED CROSS WORLD

under the chairmanship of Mr. W. von Starck, President of the Red Cross of Schleswig-Holstein.

The work of these meetings, which in general consists of lectures followed by group discussions, does not only concern internal legal problems, for on several occasions the organizers have had the excellent idea of including papers on humanitarian law in general. The 1960 meeting, for example, considered the topic "Guerilla Warfare and International Law"; that of 1963 considered "The Legal Position and Tasks of the Red Cross in the event of armed conflict, with special reference to work in enemy occupied territory". Last year, one of the staff members of the ICRC, Mr. R.-J. Wilhelm, Adviser in the Legal Department, was invited to discourse on "Development of Humanitarian Law prior to the XXth International Conference of the Red Cross".

As an illustration of these meetings, we might give an idea of the 1964 "Justitiartagung" which was held in Kiel from September 4 to 6; it was attended by some hundred participants including the President of the German Red Cross in the Federal Republic of Germany, Mr. Ritter von Lex, and the heads of the Central Secretariat, Mr. Schloegel and Mr. Ritgen.

Two aspects of internal law were on the agenda; they showed both the interest of these meetings of legal consultants and the types of problem which were discussed and which might also confront National Societies in other countries.

One of these two topics, *The Legal Aspect of Welfare Work incumbent on the German Red Cross* was dealt with in a paper by Dr. H. P. Mehl, Director of the Red Cross College of Social Studies<sup>1</sup>. As a result of federal legislation on social services, there are a number of problems in this field confronting the Red Cross, for it is no longer a question of providing assisted persons with subsistence; they are entitled to a degree of well-being appropriate to the development of their personality.

This was the subject of a lively debate concerning the connection between voluntary social welfare organizations and public institutions working in the same field. The group appointed to

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<sup>1</sup> We would recall that the *International Review*, in December 1964, published an article summarizing the gist of a monograph by Mr. H. P. Mehl, which appeared in the review *Deutsches Rotes Kreuz*.

examine the question noted that under the relevant national legislation the activity of private associations in this sphere, such as the German Red Cross, was closely linked to the activity of the government welfare services. The group considered it necessary to avoid making an issue of prerogatives as this would merely have undermined mutual confidence, whereas the main objective was to achieve smooth co-operation between the private and the public sectors, for the welfare of people in need. Consequently, the German Red Cross should examine closely what tasks its resources in finance and personnel enable it effectively to undertake in the field of social welfare.

The second exposition on internal law concerned *Arbitration within the German Red Cross*. Dr. Walther Bergmann, Chairman of the German Red Cross Arbitration Tribunal, dealt at length with the reasons for which arbitration tribunals within the Society have been set up and he described the experience of these tribunals. Their task is to settle, by arbitration, any disputes arising among the regional sections or between members and sections in respect of a whole series of issues.

Although the group appointed to consider this question proposed several amendments to the regulations governing the Society's arbitration procedure, it was definitely in favour of maintaining arbitration. It considered that this procedure ensured the settlement within the Society of disputes which would no doubt weaken its prestige if they were brought to the notice of the public ; such settlements were also quicker and cheaper than recourse to ordinary courts.

The third subject, as we have already mentioned, was *The Development of Humanitarian Law prior to the XXth International Conference of the Red Cross*. In his introduction, the speaker, Mr. Wilhelm, stressed how the Red Cross, unlike many other relief institutions, had always endeavoured to have the main aspects of its development sanctioned by international law. After having stressed the importance of disseminating the 1949 Geneva Conventions, the speaker dealt with problems to be submitted to the XXth International Conference and which reflect the development of humanitarian law ; he first described, from a socio-juridical

point of view, present conditions in the international community within which this development should come about. In particular he raised four points: the extension of the international community, the "crisis" in the law of nations, the resurgence of the idea of a just war linked to aggression, and the physical limits to the application of humanitarian law as a result of developments in waging war. Whatever obstacles these circumstances at present comprise, they do not constitute a reason to abstain from humanitarian law; quite the contrary, efforts must be doubled.

With respect to the questions affecting such development, to be raised at the XXth Conference, Mr. Wilhelm placed them in two categories: on the one hand, the protection of civilian populations against the effects of hostilities — a field calling for a declaration of principles confirming the respect due to non-combatants and for regulations which would facilitate the work of civil defence organizations — and, on the other hand, questions relating to "internal conflicts" — particularly the observance of indispensable humanitarian principles and the strengthening of guarantees in favour of civilian medical personnel carrying out their mission in such conflicts.

The speaker concluded by saying: "During the Centenary of the Red Cross much was said of its past achievements. But the present situation with regard to the development of humanitarian law might be compared to that which confronted the founders of the Red Cross for several months prior to the success of their undertaking. Although they were fully determined, these men did not then know whether they would be successful or if their efforts would founder. At that time it was the courageous and enlightened support given by citizens of a number of countries and several ruling sovereigns, some of them of German nationality, which helped the promoters of the Red Cross to overcome all difficulties.

Let us hope that efforts being made for the development of humanitarian law will be given like support by the National Societies and governments".

Several points in this exposition were thoroughly discussed by the working group under the chairmanship of Dr. F. Wendl of the Austrian Red Cross. With respect to socio-juridical conditions affecting future developments, the group felt that in general the

“ crisis ” in the law of nations should not be allowed to impede efforts to develop humanitarian law and that the application of humanitarian law should not be prevented by the designations which States give to armed conflicts. It also recognized that the use of weapons of mass destruction considerably increased the danger of reaching that limit beyond which it would no longer be possible to apply humanitarian law.

Of the questions to be submitted to the XXth International Conference, the working group gave particular attention to those referring to the protection of civilian populations. It again asserted its interest for the standards to be submitted by the ICRC to the XXth International Conference of the Red Cross and expressed the hope that work in this field would be continued. It also took a lively interest in the drawing up of draft regulations on the status of civil defence personnel.

The meeting was concluded by a remarkable talk by Dr. H. Schlegelberger, Minister of the Interior of Schleswig-Holstein, on the organization of civil defence in the German Federal Republic. This aroused the more attention, as the changes at present being introduced into this organization have induced the German Red Cross to reconsider how it might the most effectively participate in civil defence whilst retaining at least the essential minimum degree of autonomy.