

HUMANITARIAN ACTION AND NATIONAL SOVEREIGNTY

In its August 1975 issue, International Review published an article on the International Meeting on Humanitarian Law which had been held at Turin some weeks previously. It quoted the resolution adopted concerning the protection of refugees.

Mr. H. G. Beckh, President of the Association for the Study of World Refugee Problems (AWR), and formerly a delegate of the ICRC, has sent us the following article in which he mentions one of the main problems discussed at that meeting and the lessons which he considers should be drawn. Another resolution adopted at Turin referred to international relief actions in the case of armed conflicts and the assistance provided under the Geneva Conventions. The text of this resolution is reproduced below.

It is a sad fact that some international humanitarian actions, initiated with the aim of saving people's lives, have suffered delays or have even been called off because the authorities of the very country in need of assistance, or those of a country through which the relief would have to pass, objected.

It seems that this coolness on the part of the authorities was due to an exaggerated fear for their country's national sovereignty. Has not the time come for the re-appraisal of an excessively rigid notion of sovereignty? Is not such a reassessment desirable in the case precisely of a truly neutral and non-political international relief action, the smallest details of which would be communicated to the authorities who would thus have the opportunity to appreciate its humanitarian character for themselves? Moreover, it is important that governments should act with understanding, by scrutinizing in the shortest possible time the proposal put forward and swiftly communicating a reply, especially where human lives are at stake. Far from being prejudicial to the

interests of States, this would strengthen their government's prestige, not only within their boundaries but also abroad.

The International Meeting on Humanitarian Law, at Turin, attended by some fifty experts from about a dozen countries, adopted two resolutions, one of which referred to international relief actions. Although no mention was made of relief actions in the case of natural disasters, it is self-evident that the motives underlying the resolution apply just as much to international relief actions in time of peace.

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“The International Meeting on International Humanitarian Law at Turin, 21 and 22 June 1975, under the auspices of the International Institute of Humanitarian Law,

Stresses the great importance of relief actions in international and non-international armed conflicts,

Underlines that all actions, if they are undertaken impartially and carried out without any adverse distinction, do not entail any form of pressure on the State in the territory of which the actions take place, and therefore do not in any way affect the sovereignty of that State,

The Meeting therefore expresses the wish:

- that States observe scrupulously the obligations regarding relief actions provided for by the fourth Geneva Convention of 12 August 1949, by accepting without delay the relief deemed necessary to save human lives,
- that new forms of aid, namely in the event of non-international conflicts, be the subject of provisions on the basis of the proposals made in the draft Protocols to the Geneva Conventions which are in the course of elaboration and that States accept these new provisions without reservations,
- that States which are not bound by Conventions dealing with these matters or in cases not expressly provided for in the Conventions, be willing to accept the relief offered by the Red Cross and/or other international organisations, as appropriate,
- that States enact appropriate measures ensuring effective international co-operation in this field and facilitating relief actions.”