

# M I S C E L L A N E O U S

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## COLLOQUIUM AT THE INTERNATIONAL INSTITUTE OF HUMANITARIAN LAW

Two subjects were on the agenda of the colloquium organized at San Remo by the International Institute of Humanitarian Law from 28 to 30 June 1973.

### I

#### **Reuniting of dispersed families**

In its concern to contribute to seeking a solution to the tragic problem of families whose members were still separated, the Institute invited jurists from a number of countries as well as representatives of humanitarian institutions, including the ICRC, the League and the Italian, Norwegian and Swedish National Red Cross Societies, to examine the various aspects of this problem, from the legal as well as from the sociological standpoint.

Papers were presented by Col. G.I.A.D. Draper on "Sovereignty, Human Rights and Family Life in Contemporary International Law", and by Professor J. Patrnoic on "Problématique humanitaire du regroupement de familles", while the role of the Red Cross was mentioned by several other speakers. In this respect, Mr. H. G. Beckh outlined the different phases of the operation carried out by the ICRC in co-operation with National Societies, to bring families together in Europe after the end of the Second World War.

Miss M. Katz, representing the ICRC, spoke of the work undertaken by the Central Tracing Agency in Geneva and in other parts of the world during the last few years in connection with its efforts to reunite members of dispersed families. She reviewed the essential tasks of the Agency: the assembly of card-indexes, transmission of family messages, personal enquiries, etc., in which operations, very often the necessary preliminaries to the actual task of bringing

a family together again, the National Societies co-operated. The representative of the Swedish Red Cross described the work carried out in Sweden in this field. The round-table meeting closed its deliberations with the following resolution:<sup>1</sup>

*Referring* to the basic principles of human rights and of international humanitarian law,

*Recalling* the resolutions adopted by the United Nations and International Conferences of the Red Cross in the field of the respect for and the effective application of basic human rights and of rules of humanitarian law,

*Recalling* the rules of existing international instruments concerning the protection of the human person in all circumstances,

*Considering* that those rules have retained their full value in spite of obstacles preventing their full application,

*Recognizing* the significance of the heartening results obtained in the field of the reuniting of families in several countries,

*Recognizing* the significance of the efforts undertaken by international and national institutions in the field of the reuniting of families, in particular by the United Nations High Commissioner for Refugees, by the International Committee of the Red Cross and National Red Cross Societies, and by the International Union for Child Welfare,

*Considering* that the teaching of knowledge of human rights and of international humanitarian law should form an integral part of education at all levels of the population as only a full and clear understanding of those rights can widen the scope of the possibilities of their employment and effective application,

*Notes* that, in accordance with article 16 of the Universal Declaration of Human Rights, "the family is the natural and fundamental group unit of society and is entitled to protection by society and the State",

that, in accordance with principle 8 of the Declaration of the Rights of the Child, "the child shall in all circumstances be among the first to receive protection and relief",

that, as a result of armed conflicts, disturbances and other critical situations occurring in different parts of the world, large numbers of families are dispersed and the reuniting of their members is hindered by major obstacles, and that no one should remain indifferent to the ensuing suffering, and

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<sup>1</sup> Our translation.

## MISCELLANEOUS

that it is indispensable that existing humanitarian rules be strengthened and developed in order to ensure more effective protection by specifying:

- (a) categories of protected persons in their widest possible sense;
- (b) humanitarian and social criteria by which it might be possible to establish ways and means for the reuniting of families ;

*Requests* Governments to take all possible measures for facilitating the reuniting of families and for granting intergovernmental, non-governmental and voluntary international organizations, as well as their appropriate national organizations, all possible assistance in their efforts to promote the reuniting of families ;

*Suggests* that a conference of experts contribute towards the drafting of effective solutions to be brought to the problems of the reuniting of dispersed families.

## II

### **Humanitarian Law and Telecommunications**

In the second part of the colloquium, Professor de la Pradelle gave a very full account of the general problems, in respect of the development of humanitarian law, raised by telecommunications, where space matters in particular were concerned. Mr. Smith, of the International Telecommunication Union, drew up a list of the various possibilities made available by the technical regulations in force, while, at a more practical level, the representative of the ICRC, Mr. de Mulinen, explained what were the benefits derived from telecommunications for the strengthening of the protection provided for civilian and military medical transports in armed conflicts.

The following resolution was adopted : <sup>1</sup>

*Having in mind* the resolutions adopted by the United Nations General Assembly on the peaceful uses of outer space, in particular Section D in respect of satellites of resolution 1721 (XVI) of 20 December 1961, stating the principle that communication by means of satellites should be available to the nations of the world on a global and non-discriminatory basis,

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<sup>1</sup> Our translation.

*Having in mind* the resolution adopted by the 1962 Unesco General Conference, recalling the boundless prospects opened up through the tremendous advances made by technical progress, for the free circulation of information, education and the universal dissemination of knowledge which are its major objectives.

*Recalling* the resolutions adopted by International Conferences of the Red Cross on telecommunications, in particular resolution XXVII of the XXIst International Conference on the utilization of scientific data for the co-ordination of international relief actions,

*Paying* tribute to the work carried out by the International Telecommunication Union for drawing up rules and preparing plans regarding the security of telecommunications of a humanitarian nature, as well as to the work undertaken by the International Committee of the Red Cross with the object of adapting international law to the technical means available for the amelioration of the treatment of victims of conflicts, in particular in the field of medical transports, by its proposal, in a special Protocol, to protect such transports by a system of identification utilizing telecommunication devices,

*Desiring* to co-operate, as far as its means allow it, with governments and international intergovernmental and non-governmental organizations in the work they have undertaken to utilize the advanced techniques of telecommunications to relieve situations of danger and distress affecting human lives and to effect a general improvement in the lot of human beings,

*Insists* that international humanitarian law, considered as being that section of the law evolved for the safeguard and amelioration of the lot of human beings, should not be improperly deflected to other ends ;

*Emphasizes* its determination to spread the rules of international humanitarian law by constantly seeking further to improve technical means, including telecommunications, as well as the legal instruments relating to them.