

THE RED CROSS AS A FACTOR OF PEACE

by J. Patrnoĝic

In its number of November 1967, the International Review published an article on the work of the Round Table devoted to the relations between the Red Cross and Peace which was organized by the ICRC in The Hague in August 1967. Basing himself on the discussions at that meeting, at which he was a participant, and also on his own experience and reflections, Professor Jovica Patrnoĝic, has attempted in a recent study to present in a systematic manner the various aspects of Red Cross activity in favour of peace.

We now have pleasure in producing this study which we consider to be a valuable contribution to the general examination of the theme "The Red Cross, as a Factor in World Peace"¹. This theme which is increasingly preoccupying the great movement, created from Henry Dunant's thinking, will be precisely the subject of discussion at a second Round Table which will meet this September. With this end in view, the ICRC sent a detailed report in May on the work of the first meeting at The Hague to all National Red Cross Societies. We will have occasion to publish some passages of this report which on many points extends and completes the present study. (Ed.)

There is no doubt or dilemma, today, that peace is one of the basic aims of the Red Cross. Efforts and strivings to reach this aim are obvious from numerous resolutions of the International conferences and other bodies of the International Red Cross. Also, peace has been stressed as an aim of the Red Cross action within the framework of the first principle of the Red Cross and is clearly connected with that principle.

¹ The ideas expressed therein naturally only engage the author.

THE RED CROSS AS A FACTOR OF PEACE

However, much as we verbally agree that the Red Cross strives for peace, it seems to us neither that its contribution to peace has been thoroughly examined, nor that everything that the Red Cross as a whole can do in this direction has been fully put to use. The maintenance or re-establishment of peace are such important tasks that all the world's efforts should be directed to that end. The Red Cross, no doubt, can and ought to play a role in these efforts.

The initiative given by the International Committee of the Red Cross that the role of the Red Cross as a factor of peace should be discussed was welcome. In this instance, the ICRC has acted as a guardian of the Red Cross principles.

A number of persons, from several national societies, have started seriously and systematically to consider this problem at a Round Table meeting.¹

The time has come to consider what further aims and ways should be put to consideration. The aim of the Round Table talks could be twofold. On the one hand, it could consider in detail the Red Cross' contribution to peace, it could analyze the forms of such contribution, draft a document which would shed light on the problem as a whole. On the other hand, and that is my opinion, the Round Table should draft a resolution to be submitted to the XXI International Conference of the Red Cross. Numerous resolutions dealing with peace, adopted by International Red Cross Conferences as well as by other bodies (The Council of Delegates, The Board of Governors of the League) are incomplete in their contents; they deal only with some aspects of the problem "the Red Cross and peace", or they simply repeat generally known attitudes to that problem. What is missing is a resolution or some other act, perhaps a declaration, which will systematically and succinctly deal with all basic elements that serve to define the attitude of the Red Cross towards peace, all main sectors of activities and all aspects of the problem. On that basis, englobing all former resolutions, the new one should fix the stand taken by the International Red Cross as a whole, as well as that taken by its constituent parts. The discussion held at the Round Table meeting, as well as at other meetings, should point to the basic problems, shed light

¹ See *International Review of the Red Cross*, November 1967.

on them from various standpoints, make clear the points of controversy, even through a confrontation of views, in order to reach unanimity or, if that is not possible, general consent. That is the least requirement for the drafting of such a resolution.

It would be useful to enumerate, without pretending to be exhaustive, some themes that fall within the framework of the problem of the Red Cross as a factor of peace.

First theme:

The Geneva Conventions and peace

Indubitably, we can view the part of the Red Cross as a factor of peace, its contribution to peace, primarily through the Geneva Conventions, which were created thanks to the Red Cross, and which contain the very doctrine of the Red Cross. Therefore, this theme deserves our full attention.

The Geneva Conventions should be considered as a specific kind of protest against war. The Conventions regulate the protection of some basic human rights. War is a negation of the rights of a human being, so fixing of obligations contained in the Conventions, the detailed regulation of the protection of elementary human rights for such large categories of people, as it is done in the Conventions, represents something that stands against the conception of the annihilation of humans.

The Geneva Conventions do not impede the struggle for peace. The opinion exists, although not very widespread, according to which the Geneva Conventions hamper the struggle for peace, because they tolerate the existence of war and only tend to regulate it, to channel it, to "humanize" it to a certain extent. According to that view, the Conventions, their very existence and propagation in time of peace—create a war psychosis.

Although such views are clearly untenable, we ought to oppose them actively, to prove their falseness.

The practical contribution to peace achieved through activities based on the Conventions is considerable. The cooperation of national societies can be practised on a wide plan; it is precisely in time of war, while the combats continue, that National Societies,

THE RED CROSS AS A FACTOR OF PEACE

often from opposing camps, cooperate in solving immediate practical questions. Such contacts point to the possibility of international cooperation during the course of an armed conflict, they point to the common interests of the warring parties to a conflict at that moment. This certainly represents an element which facilitates the restoration of mutual confidence and paves the way to the establishment of peace.

The traditional, manifold and versatile activity of the ICRC is carrying through specific tasks based on the Geneva Conventions or, in the absence of Protecting Powers, by undertaking certain humanitarian tasks normally devolving on those Powers. The accomplishment of these various functions without doubt makes an important contribution . . . to the application of the Conventions and one of the important elements in the evaluation of the part of the Red Cross as a factor of peace.

Practice has shown, however, as for instance in the period following the Middle East 1967 cease-fire, that the League can carry through certain activities to the benefit of the victims of war, and therefore its part in such actions should not be neglected.

There is another aspect of the Geneva Conventions to which often insufficient attention is paid and on which it is necessary to dwell for a while.

The Geneva Conventions are a part of the system of the protection of human rights. In this International Year for Human Rights it is necessary to bear in mind that the Geneva Conventions are a constituent part of the universal legal system regulating the protection of elementary human rights. They are, to be precise, an instrument for the protection of human rights which is defined both regarding the situation in which it is applied and regarding the persons it covers, so with regard to the rights it regulates. However, this very limitation, this concentration upon specific rights, makes the Conventions very elaborate documents, a very developed legal code of basic human rights in situations where people are exposed to specific dangers and sufferings. By regulating one sector of the international protection of human rights, and the most delicate one—for the violations of human rights in time of war have most severe consequences—the Geneva Conventions fit into a general system of human rights. That system is still only in the

making but certain of its parts, such as the Geneva Conventions, are already quite elaborate.

There are in existence, nowadays, some general instruments for the protection of all basic human rights; these are the two Covenants, relative to human rights approved by the UN General Assembly in December 1966. However, they are brief, do not go into detail in regulating specific rights. In this respect we should examine the regulation between these general instruments and the specific instruments, made for special situations, as for instance the Geneva Conventions.

It is of paramount importance to understand that the maintenance of peace and respect of human rights stand in very close connection; it is equally obvious that massive and serious infringement of human rights stand in close connection with the breaches of peace.

While we view the Geneva Conventions as an instrument of protection of human rights, we cannot disregard the fact that these Conventions are incomplete in many respects; therefore, the need to eliminate these deficiencies, to complete the Conventions in order that they may become more effective, is self-evident. Hence, the endeavours to find out the shortcomings and to remedy the deficiencies, as well as endeavours to further elaborate the Geneva Conventions, represent a specific contribution to peace. Within the framework of the problems of the Geneva Conventions, the struggle for their strict observance is of the greatest importance. The fight against breaches of the Conventions, pointing to such breaches, demands for their observance, also contribute to the maintenance of peace; by mobilizing the appropriate factors and public opinion in the struggle against violation of the Conventions, we strive for the full implementation of the Conventions as an instrument of protection of human rights and a protest against war.

Second theme:

The development of rules of international humanitarian law

These rules cover certainly the Geneva Conventions, which are popularly known as Geneva Rules, but they are not limited to that.

The concept is ever more accepted that international humanitarian law covers basic human rights in all kinds of situations, in times of peace as well as in times of war, and that they center upon the application of the principle of humanity. In accordance with this, it is obvious that these rules, thus conceived, demand to be treated separately, as a separate discipline of law, as Humanitarian Law, which is of paramount importance for the Red Cross. It is understandable that studies in this direction have been indicated and conducted precisely within the Red Cross, and that even some theoretical analyses have been done. Therefore, competent bodies of the International Red Cross should give some thought to a definition of this law and they ought to influence its development and application. In addition to the Geneva Conventions, a considerable part of that law remains within the realm of the immediate interest of the Red Cross. On the other hand, it concerns problems arising from armed conflicts. Primarily, it calls for a struggle to establish the full values of the rules of international law on the protection of the civil population from indiscriminate warfare, then, the uses of humanitarian law for the protection of victims of internal conflicts. In addition to these, a number of other questions can be cited, which fall both within and outside the framework of the Geneva Conventions. That entire realm is a field for activities which, through the struggle for men, for human values, represents a protest against war and a policy of total annihilation of the population, a protest against aggression. In this respect, these efforts can be treated as a part of general endeavours of the international community to outlaw, or at least check, the use of force as a means of solving disputes.

On the other hand, this law, in its widest extent, regulates numerous problems of the protection of human rights in times of peace. In this connection, the Red Cross should direct itself to the consideration of some of the basic acts in this field, such as the Universal Declaration of Human Rights, the Declaration of Rights of the Child, the Declaration of Granting Independence to Colonial Countries and Peoples, the Declaration on Elimination of all Forms of Racial Discrimination, as well as some conventions within the realm of human rights, and especially the Covenants of which mention has already been made. These acts, which contribute to the

struggle for peace and for a new international order which is to ensure peace, also regulate the rights for which the Red Cross stands; the Red Cross must examine what part it is to play and what place it is to occupy in that framework.

Third theme:

The Red Cross and Politics

It is often said that the Red Cross is non-political, that it must not engage in politics. It is often forgotten, though, that sometimes one can hardly draw a clear line delimiting the political and non-political aspects of a case, and that diverging opinions in any given case may exist. It should also not be overlooked, for example in connection with relief actions on the international level, that it fairly often happens that a National Society, whilst carrying out a task in accordance with the movement's fundamental principles, finds itself at the same time contributing towards the realization of some governmental political action. The main task is not to draw the line which the Red Cross must not overstep, because the field beyond is "political"; it is essential that the Red Cross should clearly define its aims and methods of work, that it should endeavour to achieve these aims and to adhere to principles established, regardless of whether a subject is political, according to some, or non-political according to others.

Fourth theme:

The Principles of the Red Cross

In its fight for peace the Red Cross must stick to its principles, which have been adopted and solemnly proclaimed at the XX International Conference. It may be said, however, that these principles have not been adequately examined from the standpoint of the struggle for peace. Many of these principles are certainly of great importance for the strengthening of the foundations of world peace, and they make it possible that specific Red Cross actions which directly serve peace can be taken. All this should be examined more closely.

THE RED CROSS AS A FACTOR OF PEACE

In addition to the study of the relations between the principles of the Red Cross and peace as such, it is necessary to increase our efforts to the effect that these principles should be observed. They also ought to be spread and disseminated by all means. In this way the Red Cross will give its specific contribution to peace.

Fifth theme:

International relief actions

Without disparaging other activities of the Red Cross, it may be said that international relief actions are an outstanding example of how the Red Cross specifically serves peace. These actions help to develop cooperation among nations on a very wide scale. On the basis of the rules that the Red Cross has developed in its practice, a work has evolved which contributes to international understanding and solidarity more than many other activities. These actions facilitate the mobilization of large masses of the population in extending aid and relief. All this ought to be borne in mind when principles and rules of international relief actions are elaborated for the next International Conference.

Sixth theme:

Aid to developing countries

There is no doubt that help and assistance to developing countries constitutes a program of action contributing to peace. This is true in all sectors of international life and, hence, it is true for the Red Cross as well. In this respect the Red Cross does not lag behind many other bodies: in addition to the special development program of the League, the developing countries are given assistance in various other ways so that the policy of helping these countries is reflected in almost all activities of the Red Cross. This is not only direct help but also a general course of orienting Red Cross activities in those directions which especially suit the developing countries, countries which are newly independent from colonial slavery and which are backward.

In view of the importance of this activity, in view of the fact that it is reflected and ought to be reflected in all other fields of Red Cross work, and taking into account that this is a long term task, it may be useful to introduce some new institutional solutions into the organizational set-up of the International Red Cross, perhaps through the creation of some permanent advisory body which would concern itself with this problem.

Seventh theme:

Strengthening of ties among National Societies

The ties among National Societies are very close. They spread out in all sectors of Red Cross activities and they are practiced not only by the means of contacts of central bodies but also through contacts of local bodies of neighbouring countries. Still, we think that the ties should be further strengthened and directed so that they should contribute maximally to friendship and peace. In the first place, it is desirable that the contacts should be established more often, that they should become more numerous, and to include a greater number of individuals. It is especially necessary to strengthen ties through joint work; National Societies should work jointly on certain tasks. In that respect, regional conferences should be encouraged.

It is possible to do much more in this field than hitherto, particularly among newly created societies. While most old developed National Societies have their international ties and contacts very ramified, there are many new Societies whose foreign contacts are almost non-existent. One of the reasons of this is the lack of means, but this is not the only reason to which inadequate foreign relations of developing countries should be attributed; many unexplored possibilities still exist and all opportunities should be used to establish and promote contacts and cooperation among National Societies.

It is of paramount importance that ties among National Societies should develop on the basis of the principle of universality. It is understandable that each Society's foreign ties are particularly close with those of neighbouring countries, and one cannot expect from each country to maintain permanent contacts with all other

countries, for this is clearly impossible in view of distance, expenses, etc. It is essential, however, that foreign relations should be universal *in principle*, not depending and not limited to a specific group of countries if such limitations adversely affect relations with countries outside the group. All opportunities should be used for the spreading of contacts with all National Societies. That is the application of one of the essential principles of the Red Cross.

In addition to cooperation in time of peace the possibilities of cooperation in time of war ought to be examined. Ties between neutral countries and those taking part in an armed conflict, as well as between neutral countries, are obviously possible and desirable, and most tasks can be carried through these channels. Direct contacts between National Societies of conflicting countries are obviously very difficult to establish and maintain for all National Societies naturally tend to respect the policies of their respective governments. Relations between such societies are usually maintained through the mediation of a national or international Red Cross body accepted by all parties to the conflict.

However, the possibility of direct contacts between National Societies of warring countries should not be completely neglected. Here, the ICRC could play a major part. That part could also be played by National Societies not belonging to any of the blocks. Taking into consideration the provisions of the Geneva Conventions concerning the activity of National Societies, and bearing in mind especially some experiences dating from the period after World War II, it may be concluded that serious consideration should be given to the problem of cooperation between National Societies in time of war. Following up detailed analyses, concrete proposals may be drafted. The Geneva Conventions do not contain explicit provisions concerning such cooperation, but this does not mean that the Red Cross cannot adopt rules in the spirit of the Conventions.

Eighth theme:

Publicity and information

The conviction that the peoples are interdependent, that they have common aims, that the activities of the Red Cross are a

contribution to peace, certainly does exist. However, there is a feeling that the means of publicity and information are not sufficiently used to maintain, develop, spread this conviction and to hand it over to the coming generations. In this respect it is necessary and possible to increase the efforts of National Societies with the assistance of the League and the ICRC.

In this field, too, all aid should be given to newly created National Societies, technical and other assistance necessary so that they may develop their information and publicity services which, through their activities, shall be in the service of peace.

Publicity and information ought to mobilize not only the membership of the Red Cross but also to attract children, youth, all men of good faith, for the realization of the aims of the Red Cross. This is a complicated and delicate task, especially from the aspect of the Red Cross relation to peace. Impartial analyses are desirable in this field of activity.

Ninth theme:

Connections with other organizations

There is a great number of international and national organizations, both governmental and non-governmental in character, with which the Red Cross cooperates. There are common points of interest, problems, some identical or similar principles and aims. With these organizations cooperation ought to be strengthened; the struggle for such common principles, if these can be considered as a foundation of peace is a contribution to peace. A survey of the existing ties might perhaps discover some unexploited possibilities to establish new contacts or to strengthen the existing relations.

The question of permanent and systematic cooperation between the Red Cross and the United Nations should be seriously considered. It is of vital importance that all United Nations member countries should be fully acquainted with efforts of the Red Cross to maintain peace. This will be an opportunity to enlist the support of the paramount world organization for Red Cross activities. We believe that the moment has come when the question of sending a permanent delegate of the International Red Cross should be

THE RED CROSS AS A FACTOR OF PEACE

considered. Such a delegate would contribute towards a concretization of ties between the United Nations and the Red Cross.

*

The question of the contribution of the Red Cross to peace, of its part as a factor of peace, is certainly a very complex and delicate one. There are many aspects of that question and none should be neglected. I have mentioned only a few themes which, I believe, can serve as starting points for the study of that problem.

Coming back to the idea that, after adequate study and discussion, we should prepare the elements for a resolution or declaration on peace, may I suggest that such an act should contain the following elements:

A. Peace is one of the basic aims of the Red Cross. There is a conviction about that which has been expressed in many resolutions of various bodies of the International Red Cross.

B. The contribution of the Red Cross to peace, direct and indirect: the main activities and actions through which the role of the Red Cross as a factor of peace can be seen, the elements which reflect this.

C. Future tasks: What should the Red Cross do in order to increase its contribution to the strengthening of peace in the world.

It is desirable that an open discussion about this problem of Red Cross and peace should continue. In this way the organizations of the Red Cross should pay greater attention to this problem in the current International Year for Human Rights. In this way new solutions and new ideas could arise, so that the Red Cross could concretize its part and establish its place within the framework of the general struggle for peace; the Red Cross would really increase its efforts in the materialization of this noble aim.

Prof. Dr. Jovica PATRNOGIC
General Secretary
Yugoslav Red Cross