

## RECOGNITION OF NETHERLANDS COASTAL RESCUE SOCIETIES

*The Second Geneva Convention of 1949 for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea contains a new provision, Article 27 which offers protection, in time of war, to craft employed by lifeboat institutions and to their fixed coastal installations. These institutions should have officially been recognized by the State.*

*In order to give effect to this provision of international law a Royal decree has recently been promulgated in the Netherlands, the text of which has been sent to us by the Netherlands Red Cross and is now published below. We believe that it will be of interest to other countries which are faced with a similar problem.*

*The decree is not so much of interest for giving effect to provisions of the Convention as for the fact that it fills an important gap in that Convention.*

*Article 27 in fact affords protection to the personnel of lifeboat institutions which are members of the crews of rescue craft or of fixed coastal installations. The Convention however does not stipulate how this personnel should show its right of protection : in other words it does not expressly confer upon it the use of the armlet bearing the red cross on a white ground nor of the identity card as laid down in article 42 for medical and hospital personnel of hospital ships.*

*The Netherlands decree, which repairs this omission in the text of the Convention, authorizes this personnel to wear the distinctive emblem and the use of the identity card. Although this authorization is given within clearly defined limits, that is to say, in time of war only and whilst on active operations either on board rescue craft or in fixed coastal installations, it constitutes nevertheless a wide extension of the Convention. Such an interpretation could however appear to be reasonable since the protection which is accorded, under certain conditions, to personnel of life-boat institutions cannot be fully effective unless it is able to justify its privileged status. This could even be considered as giving an important guarantee to the adverse party. The latter would thus be given proof that no unauthorized persons would be found in craft or installations, seeking to take advantage of immunity to which they have no right.*

*Besides, this is not the only gap in the Second Geneva Convention regarding coastal rescue craft which has been filled. If fixed coastal installations used exclusively as bases for coastal rescue craft have been given protection since 1949, the Convention however has not expressly conferred the use of the red cross emblem. In the Commentary on the Convention<sup>1</sup> it was put forward as a reasonable interpretation that these fixed coastal installations could be admitted as being justified in displaying the emblem, since, as the Convention stipulates, this must be in a position to be identified at a distance for it to be respected by the adverse party.*

J. P.

ROYAL DECREE NO. 168 OF 16 APRIL 1960<sup>2</sup>  
GIVING RECOGNITION TO COASTAL RESCUE SOCIETIES

*Article 1:* 1) The “Koninklijke Noord en Zuid Hollandse Reddingmaatschappij” in Amsterdam and the “Koninklijke Zuid Hollandse Maatschappij tot redding van Schipbreukelingen” in Rotterdam—hereafter termed “societies”—are recognized rescue societies as applicable under Article 27 of the Geneva Convention (of August 12, 1949) for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea—hereafter termed “the Convention”.

2) The societies shall carry out their tasks by observing the provisions of the Convention and the regulations as prescribed by the present decree, and also in accordance with instructions which may be given by our Minister of Public Works, by the Commander-in-chief of the Netherlands naval forces or by those which may be given on behalf of these authorities in application of the Convention and of the present decree.

<sup>1</sup> Commentary published under the general editorship of Jean Pictet, Director for General Affairs of the International Committee of the Red Cross, Geneva, 1960.

<sup>2</sup> Published in the *Journal Officiel* on May 10, 1960.

MISCELLANEOUS

*Article 2 :* 1) The necessary number of special identity cards and armlets stamped by the military authority shall be made available to the societies by our Minister of Public Works or by those acting on his behalf.

2) The identity card made out by our Minister of Public Works shall be, as far as possible, similar to the model annexed to the Convention. Identity cards shall be held by the societies so that they may be completed and issued when required to their personnel without delay.

3) Armlets shall bear the distinctive emblem of the red cross on a white ground. These and the stamp of the military authority shall be water-resistant.

4) Societies will inform our Minister of Public Works and the Commander-in-Chief of the naval forces of the Netherlands where identity cards and armlets are held.

*Article 3 :* 1) Our Minister of Public Works shall be responsible for supervising the commissioning and the putting into service of new craft which the Societies may employ.

He will also be responsible for issuing to these vessels a document declaring that they have been built or equipped specially and solely with a view to assisting the wounded, sick and shipwrecked. The model of this document shall be made out by our Minister of Public Works.

2) Craft which are already in commission shall also receive the document mentioned in the preceding paragraph, after submitting to one inspection.

*Article 4 :* 1) In the event of the threat of armed conflict or of armed conflict having already broken out, in which the Kingdom may be involved and which foreshadow acts of war in Europe, societies shall take all the necessary measures as laid down in the Convention to ensure, as far as possible, the protection of their personnel, craft and coastal installations.

2) In any case, measures as laid down in the preceding paragraph shall be taken as soon as the societies receive instructions from our Minister of Public Works.

*Article 5 :* 1) During the conflict to which article 4 refers, or after receiving instructions as mentioned in the second paragraph of the said article, personnel of the societies shall carry identity cards and wear, affixed to the left arm, the armlet when on board vessels used by the societies or when in fixed coastal installations used exclusively by these vessels.

2) The use of identity cards and armlets as well as the red cross emblem as laid down by the Convention shall be controlled by the Commander-in-Chief of the Netherlands naval forces.

In connection with this control, the societies shall inform the Commander-in-Chief of the Netherlands naval forces immediately of the issue and withdrawal of identity cards.

*Article 6 :* Our Minister of Public Works or the Commander-in-Chief of the Netherlands naval forces may give additional instructions relative to the execution of the present decree.

Given at Soestdijk, 16 April 1960

Signed :  
JULIANA