

INTERNATIONAL COMMITTEE
OF THE RED CROSS

**THE APPLICATION OF THE GENEVA CONVENTIONS
BY THE ARMED FORCES PLACED AT THE DISPOSAL
OF THE UNITED NATIONS**

The ICRC has recently sent to the Governments of all States party to the Geneva Conventions and to members of the United Nations Organization the following communication :

Geneva, November 10, 1961

Sir,

I have the honour to draw your attention to the Memorandum attached hereto, which the International Committee of the Red Cross is addressing to the Governments of States party to the Geneva Conventions and members of the United Nations.

This memorandum is relative to the application of the Geneva Conventions by the military units, placed at the disposal of the United Nations Organization, and to the instruction of the members of these armed forces in the humanitarian principles which the Conventions contain.

I should be grateful if you would be so good as to forward this message to the competent authorities, with your recommendation.

I have the honour to be,

Sir,

Your obedient servant

Leopold BOISSIER
President

Memorandum

On August 12, 1949, the four Geneva Conventions were concluded for the protection of the victims of war. These fundamental agreements constitute the most recent and the most complete standards assuring to the human person the essential guarantees for his protection in the case of armed conflict. Having been signed and ratified by nearly all States, the Geneva Conventions form part of the heritage of all peoples. The International Committee of the Red Cross has been their promoter since 1864, and it considers it to be one of its primary duties to ensure that these are respected and made widely known.

Since 1956, the International Committee has drawn the attention of the Secretary-General of the United Nations to the necessity of assuring the application of the Geneva Conventions by the Emergency Forces which have been placed at their disposal. It made further representations when the United Nations Organization intervened in the Congo.

In reply to these communications, the International Committee of the Red Cross received assurances that the United Nations Organization would respect the principles of the international humanitarian Conventions and that instructions to that effect had been given to the troops placed under its command. It was pleased to place these assurances on record.

However, in view of the overwhelming importance of the interests involved, the International Committee judges it to be necessary that the matter should be very seriously considered, not only by the United Nations Organization, but also by each of the States bound by the Geneva Conventions.

In fact, the United Nations Organization is not, as such, party to the Geneva Conventions. Consequently, each State is personally responsible for the application of these Conventions, when supplying a contingent to the United Nations.

It would therefore be highly desirable that such contingents receive, before leaving their own countries, instructions to conform to the provisions of the Geneva Conventions in the event of their finding themselves having to use force. It seems to us no less desirable that the troops receive, in their own countries, appropriate instruction so that they may acquire a sufficient knowledge of these Conventions. This instruction could quite easily be included within the framework of study which the States, by virtue of Article 47/48/127/144 of the Geneva Conventions, have pledged themselves to incorporate in their programmes of military and, if possible, civilian instruction in such a manner that the principles are made known generally to their armed forces and to the civilian population.

Finally, the International Committee wishes to remind States, which might supply contingents to an Emergency Force of the United Nations, that under the terms of Article 1 common to the four Geneva Conventions, the High Contracting Parties are bound not only to respect, but also "to have respected" the provisions of these Conventions. It therefore expresses the hope that they will, each one, in case of necessity, use their influence to ensure that the provisions of humanitarian law are applied by all contingents engaged, as well as by the United Command.

The International Committee of the Red Cross remains at the entire disposal of Governments which might consider its assistance to be useful, especially by supplying them with the requisite documentary material for assuring instruction in the Geneva Conventions.

One copy of this memorandum has been forwarded to the National Red Cross Society of each country.

FOR THE INTERNATIONAL COMMITTEE
OF THE RED CROSS

Léopold BOISSIER

President