

RED CROSS UNITY IN THE WORLD

by Walter Bargatzky

The President of the German Red Cross in the Federal Republic of Germany addressed the assembly of the Lower Saxony chapter of that Society, held at Goslar on 22 June 1974. He has kindly sent us a copy of his address, which is partly published below for information. The views expressed are solely those of the author. (Ed.).

When we consider the cohesion and spiritual unity of the 121 recognized Red Cross (Red Crescent, Red Lion and Sun) Societies whose activities extend practically throughout the world, we can still affirm that the international unity of the Red Cross is a reality. Yet is it, in fact, as strong and unshakable as the national solidarity and feeling of national unity with which most Red Cross Societies are imbued? Or are there dangers—recent ones maybe—that threaten the international solidarity of the Red Cross? I must admit that I see such dangers ahead. I have therefore decided to bring them into the open. It is only by discussing them in straightforward fashion that we can hope to dispel those dangers.

I shall base myself on the principles of the Red Cross as defined at the XXth International Conference of the Red Cross in Vienna in 1965, those well-known principles of *humanity, impartiality, neutrality, independence, voluntary service, unity and universality*. But the meaning which is here lent to «unity» is quite different from the one to which I refer, namely the principle that there can be only one Red Cross Society in one and the same country. There is no mention anywhere in

the Red Cross principles of the fact that, transcending the multiplicity of National Societies, members of the International Red Cross should regard themselves as a coherent whole. And a literal interpretation of the wording of those principles might encourage the belief that the existence of certain blocs was also consistent with the essence of the great international Red Cross community. While the wording of those principles does not seem to conflict with the formation of such blocs, their spirit does.

The statement embodied in those principles — and particularly in the principle of universality—that the Red Cross is a universal institution in which all Societies enjoy the same rights and must help one another, implies that these Societies must, for the specific purpose of mutual aid, also maintain inner solidarity, a community of ideas and organization virtually equivalent to unity of thought and action, and which forbids the formation of conflicting blocs. As far back as 1956, Mr. Jean Pictet, now Vice-President of the International Committee of the Red Cross, in a study entitled *Red Cross Principles*, showed that the concept of universality necessarily implied some degree of uniformity and that the Red Cross, though unable to constitute material unity, had nevertheless achieved such unity in regard to its ideal.

And it is precisely when I consider unity of ideal rather than uniformity that I must admit that some recent events fill me with disquiet. Obviously, in a community of 121 Red Cross Societies there will always be differing views. This is something which not one of the International Conferences of the Red Cross has been spared. Nor is it surprising that there should sometimes be deep conflicts, disputes that go to the very foundations of that unity of ideal, particularly in warfare, and recent Red Cross history has given us enough examples of this. So far, however, it has always been possible, if not immediately at least over the years, to settle such conflicts and achieve a common platform and a procedure approved by all. The Red Cross is, after all, a community of human beings, not saints. Like all communities, its existence is attended by frank and sometimes harsh discussion as well as by a readiness to compromise.

Recently, however, some differences seem to have arisen which cannot be settled by discussion or resolution, or by a compromise on this or that matter, but only by everyone concerned studying the historic contribution made by the Red Cross and its basic ethical fabric, and

considering the unwritten principle of unity of ideal, since it is nothing less than the continuance of this unity which is at stake. The disturbing extent of differing opinions would seem to call for quick and intelligent action, not by Red Cross leaders alone but also by governments, if the Red Cross family is not to split into different camps, not to say blocs. Here are a few examples from the past few years:

1. The Vietnam war prompted worldwide Red Cross assistance. The belligerent parties and their Red Cross Societies received a large amount of relief, not only from the International Committee of the Red Cross and the League of Red Cross Societies, but direct from a great many National Societies, who often provided personnel—as in the case of our hospital ship “ Helgoland ”. Yet up to the very end some of the belligerents prevented the ICRC from sending its delegates to the theatre of operations and, as the custodian of the Geneva Conventions, exercising its traditional role for the benefit of war victims, even though the Geneva Conventions expressly lay down that the ICRC is authorized to offer its humanitarian services in a war regarded by one or more of the belligerents as civil war, just as in an international conflict.

2. The same situation arose in the civil war in Nigeria. The services which the ICRC offered both parties were at first accepted, and for a long time Red Cross aid was rendered on either side of the front. One day, however, one of the parties to the conflict forbade the ICRC to continue its assistance to the population under the control of the other side, and called upon it to cease its relief activities. Only a few individual Red Cross Societies were still able to render aid to that section of the population.

There can be no doubt whatever that the obstacles encountered by the ICRC in Vietnam and Nigeria—which amounted to its being excluded from part of the theatre of operations—considerably diminished its authority and started many people in different parts of the world wondering whether the great work begun at Solferino could continue if belligerents felt they could prevent the International Committee from carrying out its humanitarian tasks.

3. During the 1971 war between Pakistan and India, some 100,000 prisoners of war fell into the hands of one of the belligerent parties.

Despite the efforts made by the ICRC and the fact that hostilities had already ceased, the repatriation of those prisoners, contrary to the provisions of the Third Geneva Convention, was made contingent on political conditions, particularly that the opponent should recognize the independence of part of its former territory. The exchange of prisoners of war took place only when the governments of the States parties to the conflict finally agreed on this and other political demands. The moral authority of the International Committee of the Red Cross was thus further impaired, and its humanitarian mission limited.

4. Recently, the same thing happened in the Middle East war. When the guns were silent, the ICRC reminded the belligerents that under the Geneva Conventions the opponent must be unconditionally supplied with lists of prisoners of war, and that those prisoners must be exchanged as early as possible. Here, too, the appeal came up against political demands on which that humanitarian duty was made contingent, e.g. respect for given ceasefire lines or the establishment of some buffer zone. It was precisely in the Middle East conflict, again at the cost of Red Cross prestige, that world opinion learnt that humanitarian matters could no longer be solved by the Geneva institution but, if at all, by political bodies, namely the governments of the Big Powers.

I think these four examples, however much they may differ, allow of only one conclusion, which is to be deeply regretted: that political considerations prompted the governments concerned and their National Societies to reject ICRC aid or not to accede to its wish to see the Conventions applied. Not that I presume to judge whether or not those political considerations were justified. But the undeniable result has been that, in the eyes of the world, the traditional strength of the Red Cross has been considerably reduced, and that encouragement has been given to those who, in government and elsewhere, propose to evade action by the International Committee as custodian in future cases.

Politics come before humanity. Unfortunately there is no other way of describing the situation. It is easy enough to add further examples to those I have mentioned. I am thinking of the negotiations between two Asian Red Cross Societies on the reuniting of millions of families separated by war, negotiations which have been conducted solely on the basis of international resolutions of the Red Cross and which are again jeopardized by accessory political conditions. Nor should one

overlook the wretched quarrel about racism which developed at the last International Conference of the Red Cross and roused so much passion. In view of the heavy responsibility that we ourselves bear for racial persecution, there can be no doubt that we Germans must fight racism with every possible means. In my opinion, the cause of unity in the International Red Cross is not served by wrangling at public gatherings or voting resolutions which amount to outlawing some Red Cross Society. The outcome is that the Society must either bear the stigma of condemnation or take the initiative of leaving the international Red Cross family. Humanity, unlike mere ideology, can be defended only by practical action. In respect of racism, too, the cause of Red Cross unity in the world would be better served by refraining from specious resolutions and sweeping denunciations of specific countries or Red Cross Societies, and by endeavouring, by private and if need be harsh discussion, to find ways and means of rendering not merely moral but practical aid to those suffering under racial discrimination.

Please do not misunderstand me. Even if these examples — and I shall give no more—show that political considerations have appreciably affected the cohesion of the Red Cross, its unity of ideal, the effectiveness of its international institutions, particularly the ICRC, I am far from asserting that these events alone imply that the Red Cross has become political. In the course of its history, which dates back more than a century, the International Red Cross has through steadfastness and skill constantly eluded the danger of being caught in the undertow of political dispute. Far be it from me, too, to speak of the formation of political blocs, of fronts which in the long run would split the international community of the Red Cross and paralyse its activities for an incalculable length of time.

My apprehension is borne out rather than allayed by a situation which arose recently and which would indicate that political influences are trying to sap Red Cross unity, in a sphere which is fundamental to the Red Cross, namely that of the Geneva Conventions. I am referring to the Diplomatic Conference held early this year to confer regarding two Protocols drafted by the ICRC, additional to the 1949 Geneva Conventions. The Conference is one of the most outstanding events of our time in the field of international law, and the decision to convene it was taken at the International Conference of the Red Cross in Istanbul, in 1969. It will pursue its discussions at a second session next year and,

if need be, a third session in 1976, which I trust will achieve the final objective. Its purpose—the two draft Protocols submitted by the ICRC—is in fact to provide two entirely new Geneva Conventions designed to afford the civilian population better protection in international and civil war. The history of the International Committee will always be marked by the fact that, regardless of differing political views and the extraordinarily explosive nature of the subject, it endeavoured to produce a new Magna Charta on human rights, in an age of total and ever more barbarous warfare.

What, then, happened at the Diplomatic Conference which gave me cause for additional disquiet?

(a) Protocol I deals with protection in case of an international war, Protocol II in case of civil war. In their concern about sovereignty, many States have long opposed any rules governing civil war. However, the draft is at last complete. It is composed of more than forty articles, which should alter the present legal situation. They would constitute an enormous step forward in the sphere of humanitarian aid, even if protection in civil war—which comprises the protection of rebels—can never be so far-reaching as protection in international war, precisely because governments are worried about their sovereignty.

In one of the committees of the Diplomatic Conference, a majority of the governments affirmed that “armed conflict against colonial domination and alien occupation and against racist regimes” should be regarded as international conflict, and that those engaged in such fighting should have the same privileges as soldiers in an international war. This would mean that the idea of a special Protocol applying to civil wars would virtually have to be abandoned, and that in the case of armed conflicts occurring within a country and which cannot be regarded from the standpoint of internationalization, the old illegal situation would persist. Thus extensive Red Cross help in the event of civil war, help which seemed at last capable of attainment, would again be made impossible, and indefinitely.

(b) Worse was to be feared. If, among civil wars, certain types are selected for special privileges, it is not only the wars that are placed in different categories, but the victims too. In fact, each motion was based on the argument that there are wars called “just” and others

called “ unjust ”; from this it was claimed that the Geneva Conventions should apply solely in favour of parties waging a “ just ” war. To the others—and therefore also to the populations they controlled—the protection of the Geneva Conventions should be refused, a radical reversal of the elementary Red Cross principle that no questions should be asked as to the motives of a war, but that suffering should be relieved wherever it occurs.

If these proposals were to obtain a majority at the second session of the Diplomatic Conference next year, the Red Cross would have to face an entirely new and momentous situation: in future, before undertaking any relief action in war, it would be obliged to find out whether, in the opinion of the belligerents, the war was a just one or not. Since the belligerents would be unlikely to agree on the subject, the International Red Cross would run the risk — even more frequently than in the past — of seeing its humanitarian aid in a specific territory, regarded by the adversary as the theatre of an unjust war, considered illegal and possibly prevented by force. This would be likely in civil wars and, as experience has shown since the end of the Second World War, in the overwhelming majority of modern wars. In other words, the humanitarian aid of the International Red Cross would be tied to a previous decision of a political nature, on the just or unjust character of a war. And this previous decision would mean no less than a choice, according to purely political criteria, among the victims of a war, whether they belonged to the armed forces or to the civilian population, before giving them help.

Needless to say, this requirement would be contrary to the Red Cross principle of impartiality, the basic ethical concept of Dunant at Solferino. In 1949, with memories of the Second World War and its hideous inhumanity still fresh in people’s minds, it would have been unthinkable that discussions on the four Geneva Conventions could give rise to ideas such as those expressed in the Diplomatic Conference. But since then, it seems, times have changed, and there is every reason to fear that the noble projects of the ICRC will be eroded by this and similar demands and distorted by the majority of governments, so that this will mean a step backward in relation to the Geneva Conventions, not a reform but a regression.

It must be borne in mind, of course, that the Diplomatic Conference, which is to meet again next year, is a conference of governments and not

of the Red Cross. It is therefore not surprising that it produces proposals and opinions that we have come to know from the deliberations of the United Nations, and that have led to the sad situation where, in cases of armed conflict (whether international wars or civil wars), attempts to make peace are repeatedly paralysed by the formation of political blocs. Supposing that the ICRC — through the resolutions of the Diplomatic Conference, i.e. by the decision of the majority of governments — were placed under the necessity of making its future relief activities in civil wars or in international conflicts dependent on political criteria, on a previous selection, contrary to Red Cross principles, of those to be helped? Supposing such a decision by the majority of governments at the Diplomatic Conference were to be supported in some countries, not only by the government but also — and there were signs of this at the last Red Cross Conference in Teheran — by the National Red Cross Society, would there not be a danger that the International Red Cross might be confronted by political influences not only from outside but from inside, from within the Red Cross family itself?

But enough of these pessimistic speculations. For the moment, there have been no more than isolated incidents, votes on one subject or another and, though they require our greatest vigilance, they have fortunately not yet led to a total change, not even to the preliminary steps towards such a change. Yet I believe that the time has come for the Red Cross, not only the international organizations in Geneva, but every National Society in the world, to think hard about the way to counter the growing danger that the Red Cross will be made into a political instrument and thus lose the unity of its idealist aims. The Red Cross is not so totally lacking in effective moral weapons that it cannot sustain and win such a combat. But certain things must be done to remind us that these weapons exist; I have in mind the following.

First of all, the National Societies should remember, more than they did during the International Conference of the Red Cross in Teheran, their obligation to be politically independent. This independence is one of the basic principles of the Red Cross. When a Society is required to co-operate with the government and the authorities of its country, it must endeavour to retain its independence. It can, if necessary, place the principles of the Red Cross above the political demands and political programme of the country.

In practice, this means, to mention one example, that a Red Cross Society must advocate the immediate exchange of lists of prisoners of war, even if the government of the country is unwilling, for political motives, to agree to such an exchange. It is always to the credit of a Red Cross Society if it votes differently from the representatives of its government when it believes that otherwise it would be failing in its humanitarian duty.

Then, in international practice, each Red Cross Society must be governed by the thought that it must never, in any circumstances, jeopardize the cohesion, the shared ideal, of the universal Red Cross family; indeed, it has a duty to defend this unity, when required, by all available means, above all by being ready to make compromises with other National Societies, even with the Society of a country politically hostile to its own. The universality of the Red Cross, the principle by which it is a worldwide institution in which all the Societies must help each other, expressly forbids the formation of any kind of political bloc within the International Red Cross, which is also forbidden by the principle of neutrality. We should not flinch from any effort, any personal attack on us, in protecting the Red Cross against penetration by political notions — for example, that of just and unjust wars — into its actions or into the practical application of the Geneva Conventions. Such notions may be put forward in a political association such as the United Nations, but have no place whatever in a politically neutral humanitarian organization. Any National Society that infringes this rule of the worldwide unity of principle of the Red Cross should in future stand in danger of losing its status as the National Society of its country.

Moreover, the National Societies should take care that certain majority groups, such as have developed in Red Cross Conferences over the past few decades, do not tend to become consolidated and lead to the formation of fixed majorities and minorities. It is a source of sure pleasure that in the second half of this century, since the signing of the Geneva Conventions in 1949, so many National Societies have been created and have joined the worldwide Red Cross family.

I am thinking especially of the new Societies of the Third World which only recently won their independence. Yet the addition of these new Societies has brought about a shift in the weight distribution in the Red Cross. In the International Red Cross, every National Society,

small or large, long-established or newly formed, has the same voting rights — there could be no other system. However, these new Societies from the Third World now have the greatest weight of numbers, and this has meant that when votes have been taken the old Societies have been more and more often outvoted. This is of course not a disaster, as long as the voting is according to Red Cross principles and free of political considerations. But not if the representatives of the Third World countries were to allow themselves to be driven by feelings derived from memories of colonial times or thoughts of the economic disadvantages of their countries in comparison with industrialized lands. In such a case, it could happen that in fact, over a long period of time, fixed positions would build up and Red Cross Societies would suffer the temptation to transfer negative impressions from their political past into the debates and resolutions regarding humanitarian matters. And this despite the fact that, in more than a century of Red Cross history, the industrialized nations of today, who were often the founders or pioneers of the Red Cross, were never guilty of colonial abuses when it was a question for the Red Cross to provide assistance to the populations of the regions now independent.

Therefore I appeal urgently to these young Red Cross Societies not to let themselves be motivated by resentment about the past but to approach the old Red Cross Societies, outnumbered as they are, without prejudice, and not to be afraid to vote *with* these Societies if Red Cross principles require it. If, with the development of the Third World, blocs came to be formed of what benefit would that be? The first and second generation of Red Cross Societies, even though today they are in a minority for voting, are still the only ones with sufficient means available to provide large-scale help in emergencies, whether in war or peace, precisely to the new Red Cross Societies in the Third World. Would it not be a disaster for all parties, but mainly for the International Red Cross as a whole, if those Societies lost their interest in the international bodies of the Red Cross, in particular in the League of Red Cross Societies, and restricted themselves to occasional bilateral aid with a few other Societies?

Finally, the Red Cross, if it is to retain its unity of ideals and withstand the threat of becoming a political organization, should give far more attention to its obligation of neutrality. After developments in the last few years, it cannot be denied that the influence of the International

Committee of the Red Cross in Geneva, composed exclusively of Swiss citizens, has diminished in the field historically its own, work in time of war, and that it is here increasingly threatened by groupings of National Societies. Such groups, however good their intentions to remain politically neutral, are more easily drawn into the wake of international or even national politics than is a wholly Swiss organization, one that is directed exclusively by citizens of a neutral State under international law. It is true that Switzerland itself has not escaped occasional accusations of political partisanship. However, thanks to its centuries of political neutrality, it remains, as before, the safest ground for a humanitarian organization which hopes to keep unharmed its freedom from party affiliations and its neutrality in our politically divided world. I am therefore convinced that we should appeal vigorously to National Societies to give their strongest support to the International Committee of the Red Cross as their very honourable and thoroughly experienced leading body, not only in its relief activities in time of war but in its efforts to develop the Geneva Conventions, and also in its attempts to rescue the non-partisan spirit of the two draft Additional Protocols at the next session of the Diplomatic Conference.

It would be a significant step in this direction if the Diplomatic Conference could see its way to improving the role of the ICRC as a Protecting Power. This was provided for in the first draft Additional Protocol in case it were not possible to appoint other Protecting Powers. And if in fact the plan for a special Additional Protocol to apply to civil wars were rejected, one should consider whether the ICRC could at least act as Protecting Power in civil wars not in the nature of international conflicts, in order to safeguard human rights and to carry out non-partisan relief operations, obviously without this in any way implying legal recognition of insurgent groups. Such reinforcement of the legal status of the International Committee of the Red Cross would serve to remind the public that this organization has always been the unparalleled example of neutral and effective aid in case of war.

To conclude: if we are able in this way to save the cohesion and the unity of the Red Cross throughout the world from being broken up by political considerations — and I do not doubt for an instant that we will succeed — the consequence will be that the Red Cross will henceforth be able to help *all* victims, not merely all victims of natural dis-

asters but all victims of war, whether, in the eyes of one party or the other, or of one country or another, it is a "just" war or not. For that is the lesson of the long history of the Red Cross: that because of its unity and its universality it has found its way into all political spheres, to all military fronts. So I believe that the only clear and irrevocable criterion for the future of the Red Cross must be:

Help for all means a universal Red Cross.

A universal Red Cross means a united Red Cross.

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