

## REUNITING OF DISPERSED FAMILIES

In co-operation with the Italian Red Cross, the International Institute of Humanitarian Law called a *Conference of Experts on the Reuniting of Dispersed Families*, in Florence from 13 to 16 June 1974. The aim was to consider—in the context of the reaffirmation and development of international humanitarian law and particularly in view of the second session of the Diplomatic Conference scheduled to meet in Geneva next year—to what extent the action taken so far in reuniting dispersed families had already established custom in humanitarian law, and to contribute, if possible, to drawing up provisions additional to existing international instruments.

Leading figures from fifteen countries as well as representatives of various international institutions, including the ICRC, the League and the Henry Dunant Institute, took part in the discussions. Papers and reports were submitted by a number of them, and Professor F. de la Pradelle made a statement on “State Sovereignty and Humanitarian Actions”.

Two committees were set up, one dealing with the problem of migration, particularly of workers, and the second with questions relating to armed conflicts. We should like to draw attention to the proceedings of the latter. It was presided over by Mr. H. G. Beckh, President of AWR (Association for the Study of the World Refugee Problem) and a former ICRC delegate, and comprised some thirty experts who were members of Red Cross and Red Crescent Societies or of various other organizations. In the discussion which followed the reports (including those of Mrs. E. Tekusch of the Austrian Ministry of Foreign Affairs, on the difficulties of refugees separated from their families by events, and Mr. H. G. Beckh, who stressed the important part played by the ICRC in

reuniting families in Europe after the Second World War), reference was made to favourable world reaction to humanitarian activities on behalf of dispersed families. Custom would therefore seem to have been established by action of this kind, that of the ICRC for example. It should nevertheless not be confined to the duration of a conflict, but extend beyond.

The Conference adopted a number of resolutions, and we reproduce below one which mentions the ICRC and its work in reuniting families :

### **Resolution II**

*The Conference on the "Reuniting of Dispersed Families" held in Florence by the International Institute of Humanitarian Law in cooperation with the Italian Red Cross, June 13-16, 1974,*

*Basing its deliberations on the broad considerations contained in the Resolution of the Round Table of the Institute on the same topic held in Sanremo, June 28-30, 1973, as to the basic principles, texts, and practices of humanitarian law resulting from international conventions, conferences, and activities of persons and organizations concerned with the reuniting of dispersed families,*

*Mindful particularly of the experiences of the International Committee of the Red Cross and of other international organizations active in this field, which have been reported in part to the Conference,*

*Considering the texts of Article 26 of the Fourth Geneva Convention of 1949 and of Articles 32 and 69 of the Draft Additional Protocols submitted to the Diplomatic Conference in Geneva in 1974,*

*Recognizing that the problem of dispersed families continues to be of paramount humanitarian concern to the international community,*

*1. RESOLVES that the following text be recommended for adoption:*

*(a) The High Contracting Parties recognize that the reunion of dispersed families constitutes a grave problem that should be solved through concerted humanitarian efforts;*

*(b) Parties to the conflict shall take all measures at their disposal with a view to keeping the family unit intact in the course of hostilities;*

*(c) High Contracting Parties, whether or not parties to the conflict, shall facilitate the reunion of families dispersed before, during or after hostilities, due regard being given to the expressed desire of individual members of the family as to the reunion and its place;*

*(d) In case of disagreement between High Contracting Parties as to the implementation of these paragraphs, the good offices of the International Committee of the Red Cross or any other impartial humanitarian organization should be solicited and utilized;*

2. COMMENDS *the text to the attention of the International Committee of the Red Cross, as well as other international humanitarian organizations and National Red Cross Societies;*

3. REQUESTS *the International Committee of the Red Cross to circulate the text to all Contracting Parties to the 1949 Geneva Conventions;*

4. PROPOSES *that the text be inserted in both Additional Protocols to the Geneva Conventions of 1949 in the appropriate context.*