

YOUTH AND THE GENEVA CONVENTIONS

The International Congress of French-speaking doctors took place in Montreal in September 1967. The theme of the meeting was Médecine des Hommes and the International Committee for the Neutrality of Medicine submitted several papers on problems closely affecting the Red Cross and the dissemination of humanitarian conventions such as that by Professor Paul de la Pradelle entitled Responsabilité et sécurité collectives dans l'application des Conventions de Genève.

What we would like to do here, however, is to bring out the particular interest of two papers dealing with youth and the teaching of humanitarian law, in other words, the Geneva Conventions. Both authors showed not only that all men today must know the provisions of the Geneva Conventions but also that there is even more reason for youth to be aware of them and influenced for life by these incontrovertible truths. Youth will thus, in its turn, be able to safeguard the values which are essential to humanity and which throw light on concrete problems.

Mr. Raymond de Geouffre de La Pradelle, a Paris lawyer, shows that if we are aware of what individual responsibility to the international community implies, we feel that the Geneva Conventions are of concern to us, for in an international community torn by conflicts they can protect us. He concludes his paper as follows :

How can young people feel unconcerned by the modern law of war? This law imposes disobedience on those who would be faithful to it, it may sometimes mean that obedience to the established

hierarchy will lead to condemnation, perhaps to capital punishment, by a court in the capturing country which, after the event, will enact punitive *ex post facto* legislation without, however, apparently stretching the rule of non-retroactivity of penal law, because it would be administrative legislation adapted to a basic antecedent international law.

When youth knows that war today includes the risk not only of death or disability but also dishonour, he takes an interest in the Geneva Conventions; he will assimilate the lesson to be drawn therefrom and it will be his ideal to respect and ensure respect for them.

But to convey this to youth, the message must be brought to them wherever they are, in the home, particularly through parents' associations; at school and youth groups; the university, the army.

The message must be vivid, illustrated by example, and connected as closely as possible with reality. So numerous are the wars shedding blood in our world that news bulletins can hardly fail to bring a daily crop of examples of breaches and applications of humanitarian law regulations.

In the armed forces practical exercises should be organized by commanding officers to train youths, and compel army staffs, to conceive of military operations in correlation with the rectitude of the laws and customs of war.

In this respect, a word of praise is due to the authors of the new code of discipline in the French army; it has given food for thought to many and has the merit of being faithful to international law.

Humanitarian law is not utopian. No law is more realistic, more concrete, more necessary. It is perhaps because it is so frequently transgressed that it is important for it to be better known. No law has greater chance of being respected, as it is universally recognized, but the essential principles of the Geneva Conventions should be known to all and considered as the ineluctable truth and taboos which are not to be transgressed.

It is up to all of us, doctors and lawyers throughout the world whose constant efforts are dedicated to man's welfare, to influence the authorities of our respective countries so that the teaching of the Geneva principles may be extensive and may result in a genuinely humanitarian training for youth.

Mr. Alain Piedelièvre, Professeur agrégé of the French Faculties of Law, considered, for his part, that considerable effort was still called for in the dissemination of knowledge on the Geneva Conventions. No doubt Red Cross youth throughout the world has achieved results, one example of many being the particularly effective work undertaken in Japan, about which the International Review published an article which aroused considerable interest.¹

What is at stake is the future, for coming generations must be awakened both to their duties and to their rights. We therefore think it of interest to reproduce below extensive passages from this second paper in which the author stresses the importance which should be attached to international humanitarian law in teaching programmes for youth :

It would appear that humanitarian protection must become general. To achieve this the whole population will have to be educated accordingly. In this connection, instruction in the humanitarian law contained in the Geneva Conventions is essential. Efforts will have to be made in this direction and it is of course among youth that they will best bear fruit due to youth's propensity to retain knowledge and its greater intellectual absorbant capacity. Although the need for such education can be assessed with ease, we must still find appropriate techniques.

1. — The need to teach the humanitarian law embodied in the Geneva Conventions.—The need for this teaching can be determined from two points of view: the theoretical and the practical.

In theory a number of reasons may lead us to think such education necessary.

First of all, there is a decisive legal argument. International law treaties ratified by Parliament must be applied on the national territory: consequently, the Geneva Conventions must be so applied by all signatory States. It is equally as binding on them as their own national laws, and in certain countries even more so. Consequently, from the legal point of view, the Geneva Conventions are an obligation just as much as an act of Parliament. It will therefore be

¹ See *International Review*, December 1961, S. Hashimoto : " What the Japanese Junior Red Cross is doing about disseminating the Geneva Conventions ".

readily understood that knowledge of these Conventions, in view of their overriding humanitarian interest, is essential to the population as a whole. It is not something which does not concern them; it is a genuine obligation.

In addition, we know that legal regulations in general have a moral foundation which, moreover, facilitates intellectual understanding by those subject thereto and it is precisely to this moral aspect of such education that youth is so receptive. This aspect is moral because it is a feature of a law which is humanitarian: respect for man should be one of youth's beliefs; a means of ennobling the spirit and of becoming aware of the humanity of fellowmen. It is a means of knowing mankind. But we must remember also that inwardly such teaching could inculcate the young with a deep and lasting sense of their responsibilities. It is often said today that youth is unprincipled, that its only objectives are purely material. But teach them to respect their fellowmen, show them that every person is deserving of respect, whether friend or foe, and this will endow them with a sense of responsibility. As members of the human race we each have some responsibility towards others.

Of course such work will be more effective among young people.

This is because the impressions and teaching received in childhood and adolescence are very profitable in that they have greater impact than those received during maturity, for at a young age the mind is more malleable; this is a fact which educators know well. But it is not only for that reason that instruction in humanitarian law should be applied to youth; it is necessary also in order to awaken youthful consciousness to itself, to prepare youth for the essential human rôle which it will have to play eventually in society. It may therefore be said without risk of error that such teaching would be particularly effective as it would enable the individual to take cognizance not only of others but also of himself. It may therefore be asserted that in theory such work would be necessary. Now let us consider the practical aspect.

The practical objective is easy to see, namely to diminish as much as possible and perhaps eliminate entirely, by education, the frightful horrors engendered by war. It is not true that war is "fresh and gay"; it is always a source of suffering both to people and to

individuals. In this respect it is necessary to know the humanitarian law of the Geneva Conventions and the fundamental consequences of this idea of respect for man. War is a hateful thing and if it cannot be avoided, the unfortunate consequences thereof must be reduced to a minimum.

It is of course easy to object that these are utopian ideas which cannot be put into practice. War has always existed, it may be said, and with it its ghastly consequences; deaths, casualties and even torture. But must we take a pessimistic view and do nothing on the pretext that the horrors of war have always existed? It is certain that such a standpoint cannot be adopted and that a try must be made, for if at first success is not fully achieved, the chances of progressing will increase.

There is a fairly convincing argument: primitive people settled differences by force; evolution over a long period has led to the avoidance of force between individuals and to recourse to arbitration by the State. At present civilized people no longer resort to force in case of disagreement, except in fortunately rare cases and here too the use of force is punishable. Why could similar evolution not be possible in inter-state relations? It may of course be objected that this is not the same thing; that this is a question of collective psychology which differs from individual psychology. But that is not decisive. If individual psychology has been changed, collective psychology can be too. And this necessary change can be brought about precisely by teaching humanitarian law. Widespread education would certainly enable the key ideas of the Geneva Conventions to be put into practice; this seems therefore to be a higher necessity. The techniques of such teaching still have to be determined.

II. Possible techniques for teaching the humanitarian law contained in the Geneva Conventions.—This question of teaching techniques is all-important; it implies determining the greatest efficiency of the education to be given to youth. In this respect a distinction must be made between standards of education and the means which may be used to achieve this.

In the first place we must find out at what level this teaching should be given. Of course the first thing that comes to mind is the

individual's scholastic standard. But this is not the only stage where this teaching can be given: military service too can be used for the same purpose.

School age is of course the best time for several simple reasons. In the first place because schooling is compulsory in most countries, although school age varies from country to country. Consequently, it should be possible to reach all children in primary school since all should be given this compulsory education. Teaching at this stage is of considerable interest therefore, as it is widespread and applicable to the entire young generation of a country. There are of course a number of practical difficulties. To start with, plans must be made for training teachers so that they may instruct on humanitarian law rules as effectively as possible. Time must also be found for this teaching without over-burdening the general school programmes which are already concentrated. But these practical difficulties are not insuperable and in view of the importance of such instruction they must be overcome.

Although teaching produces its best results at the primary school level, due to its being widespread, it must not be limited to that level. It would also be essential at secondary and higher level, for it would be intended to reach those who have an important part to play in the conduct of the nation's affairs and these people, because of their future responsibilities, should be the more imbued, if possible, with the spirit of humanitarian law. Such teaching at school would be particularly effective but it would be useful to continue it during military service.

Where military service is compulsory it is easy to see the advantage of giving instruction at that level. All men, or nearly all, will then be available and particularly receptive. There is no paradox in receiving military instruction at the same time as instruction in behaviour as a human being towards one's fellowman in all circumstances.

From a purely practical point of view, it would seem that there are few difficulties. The time required for such teaching can readily be found and army officers can readily be trained to give instruction. From this point of view, the instruction would be a practical proposition and well worthwhile.

But whatever the level at which instruction is given, the means of doing so have still to be decided.

In the first place, teaching would be done orally and the only special problem in this respect would be the training of teachers, which presents no great difficulty. But it would be necessary to complete this education through books and audio-visual material.

It would be relatively easy, in the first place, to publish books, varying according to the level at which instruction is to be given, which would acquaint youth with the problems and with humanitarian law. We believe this would not involve explaining the regulations in minor detail but the arousing of conscience by the exposition of the key ideas of the Geneva Conventions. Of course, as has been said, the content and details given in printed matter must be varied to suit the standard of education of those it is intended for, but the final objective should be identical, namely to ensure that youth is made aware of its responsibilities to the community.

The use of audio-visual material would also be desirable. Recent research in these media has demonstrated their considerable impact. There are no doubt practical difficulties in the way, but the cinema and television could be used the better to show the existence and importance of humanitarian law.

As can be seen there are practical teaching difficulties; however, they are not insuperable and it must be hoped that they will be overcome, so great is the humanitarian interest intrinsic to the Geneva Conventions.

In conclusion, we must earnestly hope that this teaching will rapidly become established practice. Youth must be awakened to the essential problems facing humanity. It is therefore essential that all men of goodwill of all nations do their utmost to bring home this necessity to their authorities. The latter will then introduce this teaching of humanitarian law. It may perhaps be a long job demanding patience, but it has to be undertaken if one has faith in the individual.