

## BOOKS AND REVIEWS

---

W. VON STARK: "INTERNATIONALE UND NATIONALE  
RECHTSSTELLUNG DES ROTEN KREUZES"

The President of the Schleswig-Holstein Branch of the Red Cross (Federal Republic of Germany), Landesgerichtsdirektor W. von Stark, has written a study<sup>1</sup> on the creation and constitution of the International Red Cross, the ICRC, the League of the National Societies. He also gives an analysis of the Red Cross of France, Federal Republic of Germany, Netherlands, Switzerland and the United States.

As regards the International Red Cross the author rightly states that generally speaking people are ill-informed. The publication's interest lies in showing how the present Constitution of the International Red Cross, which seems complicated to the uninitiated, originates both through historical evolution and from practical necessity. The ICRC, initiator and founder of the movement, has been developed as a result of two main ideas. In the first place it was a question of establishing a link between newly created Societies and giving them the principles of the Red Cross as a common base. At the same time the ICRC was impelled to undertake fresh tasks: care of the wounded and sick, prisoners of war, civilians and internal disturbances. The ICRC's responsibilities thus encompassed recognition of all new National Societies and also every sort of intervention in conflicts, as well as the creation of humanitarian law.

In their development, however, some National Societies aspired to free expansion in time of peace including social work based on international unity in cases of disaster. In this way the League was created.

It was then a question of co-ordinating the activities of the two large international bodies, the Committee and the League, and of defining the position of National Societies in relation to each other. From this sprung the Board of Governors of the League which convenes meetings of the leaders of the National Societies,

---

<sup>1</sup> "Jahrbuch für Internationales Recht", Vol. 13, 1967, Institute of International Law, University of Kiel. Now published as an off-print.

whilst the Council of Delegates remained the general representative body of the ICRC, League and the Societies. When these meet, together with representatives of Governments parties to the Geneva Conventions, this is then the International Conference of the Red Cross, the supreme but not necessarily the superior authority. Decisions made by the Conference are in fact but resolutions, not categorically binding and which do not either restrict the field of action of those comprising it. In between the Conference's sessions, which in principle meet every four years, a Standing Commission, consisting of five representatives appointed by the Conference, takes over in the interval and makes preparations for the next Conference. Finally, the Meeting of the Three Presidents, of the Standing Commission, of the ICRC and the Board of Governors, covers the interval between sessions of the Standing Commission.

A distinction must be made between the International Conference and the Diplomatic Conference, the latter being the meeting of government representatives, with full powers in this case, of creating a diplomatic instrument, in other words a Convention with binding effect on its adherents. It should be pointed out that only governments are convened to this Conference, with the Red Cross only participating as an observer even if its rôle is of prime importance.

Mr. von Stark analyses this complex system, its mechanism and history. He brings out that, with such a structure, paralysis of the international Red Cross movement can be practically excluded whatever the circumstances may be and this fact by itself would justify the entire construction. It would be wrong to forget, in fact, that the work of the Red Cross is the most necessary where situations are the most difficult.

This is a most useful account of the subject which is not well known and which is therefore often misunderstood. The essential, moreover, is not for the system to be simple but that it indeed functions and this the author has been able to show.

*J. d. P.*