

ROUND TABLE ON THE STATUS OF PERSONNEL AND VOLUNTEERS OF INTERNATIONAL AND NATIONAL ORGANIZATIONS IN HUMANITARIAN ACTIONS

The San Remo International Institute of Humanitarian Law, the Red Cross of Monaco and the Monaco Medico-Legal Commission organized a Round Table in Monaco from 22 to 24 April 1987 on the status of staff and volunteer workers in international and national organizations engaged in humanitarian work.

Some 40 participants from National Red Cross and Red Crescent Societies, the ICRC, the League, governmental and non-governmental organizations and universities discussed this subject, which has assumed particular importance at a time when humanitarian work is continually increasing throughout the world.

The Round Table was opened by H.R.H. Prince Albert of Monaco, President of the Red Cross of Monaco; speeches were delivered by Dr. A. Abu-Goura, Chairman of the Standing Commission of the Red Cross and Red Crescent, Mr. E. de la Mata, President of the League, Mrs. M. Fanfani, Vice-President of the League, Mr. J.-C. Marquet, President of the Monaco Medico-Legal Commission, and Professor J. Patrignic, President of the International Institute of Humanitarian Law. The ICRC was represented by Mr. J. D. Biéler, Mr. A. Bouvier, Mr. J. Meurant, Dr. R. Russbach and Mr. Y. Sandoz. Mrs. Y. Camporini and Mr. J. Vittani were present for the League.

In his introductory report, *Professor E. Suy*, former Director-General of the United Nations Office at Geneva, stressed the problems encountered in providing protection for people from humanitarian organizations engaged in assistance operations, both in time of conflict and in peacetime. After reviewing the various legal instruments and procedures which could provide safeguards, the speaker demonstrated that international protection was still inadequate and that it did not cover every type of situation. He went on to suggest various possibilities for solving these problems.

Although the participants reaffirmed the usefulness of conferring a precise legal status on both personnel and volunteer workers, they also recognized that such a status would not guarantee the effectiveness of the aid given; this is especially true since the question is closely bound up with complex and much debated problems concerning the right to humanitarian assistance, the right to undertake humanitarian activities and to offer such assistance, as well as the obligation to undertake humanitarian work.

Mr. Y. Sandoz, head of the ICRC's Principles and Law Department, dealt with the question of the status of staff in times of armed conflict, referring in particular to existing law and ICRC practice. He recalled the circumstances in which this law may be applied and noted the difficulties encountered in practice. In any case, humanitarian activities must be impartial and neutral and have government approval; it is of primary importance for non-governmental organizations to enter into and sustain a dialogue with the authorities concerned, to demonstrate their capability and thereby show they can be relied upon in assistance operations.

Mr. G. Saab (Lebanese Red Cross) and *Mr. T. Buruku* (Uganda Red Cross) then went on to relate the experiences of volunteers from their respective National Societies.

These experiences had shown that respecting the principles of impartiality and neutrality was every bit as important as abiding by legal doctrine, the tenets of which were frequently little known. Hence the need for teaching the armed forces, the police and government officials about humanitarian law.

The participants keenly stressed the value of principles and rules as regards humanitarian work in situations of conflict; however, such principles and rules must not only be clarified, they must also be respected. On this depended both the credibility and the acceptability of the organizations concerned. Turning to the problem of official exposure of serious violations of the law, the participants as a whole felt that denunciation was not compatible with effective action: the latter must be based on proper relations between non-governmental organizations and the authorities. Abuses must be denounced but this should be left to specialized bodies such as Amnesty International.

Following reports presented by *Mr. J. Meurant*, *Mr. J. Vittani* and *Mr. B. Jakovljević*, the participants examined the status of personnel and volunteers in peacetime, particularly in case of natural disaster. Rules governing humanitarian operations in such circumstances were manifestly inadequate and that made the work of the staff involved all the more difficult. As for volunteer workers, their status was practically nonexistent.

The participants came to the conclusion that it was necessary to adapt existing regulations (such as the Principles and Rules for Red Cross and Red Crescent Disaster Relief) so as to improve the legal standing of staff and to improve their training; ways should be found to improve the co-ordination of international relief work.

Thanks to the fruitful discussions that took place during this Round Table, the main problems were identified and existing law was reaffirmed; shortcomings in the law and obstacles in the way of its application were also examined. The International Institute of Humanitarian Law declared its willingness to continue studying problems connected with humanitarian aid and the status of the personnel and volunteer workers of the organizations involved.
