

INTERNATIONAL COMMITTEE OF THE RED CROSS

Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts

CONFERENCE OF RED CROSS EXPERTS

GENEVA, 28 OCTOBER 1970

Circular No. 481

*To the Central Committees of Red Cross, Red Crescent and Red Lion
and Sun Societies*

Ladies and Gentlemen,

In its circular No. 478 of 15 April 1970, the International Committee of the Red Cross had the honour to inform you of its work since the XXIst International Conference of the Red Cross with a view to the reaffirmation and development of international humanitarian law applicable in armed conflicts, consistent with several resolutions adopted by that conference.

The International Committee stressed also its desire to associate closely, as usual, the National Societies in this important undertaking and its readiness, if National Societies giving special attention to these problems so desired, to convene them to a conference at which they might exchange views among themselves and with it.

The International Committee is pleased to inform you that, in view of the favourable response from many Societies, it has decided

to organize, for the beginning of next year, a conference to which Societies specially interested in these problems may delegate experts. In addition, as it had the pleasure of stating at the informative meeting it held last September, during the meeting of the League Executive Committee, the Netherlands Red Cross, in keeping with the active interest it has always shown for this work, has kindly offered to welcome the conference in the Peace Palace (at the premises of the International Law Academy), in The Hague. It will therefore be in that town that the conference, which the International Committee will convene in agreement with the Netherlands Red Cross, will take place from 1 to 6 March 1971.

The results of the meeting, which will be of a purely Red Cross character, may be communicated to the Conference of Government Experts which will take place three months later in Geneva, from 24 May to 12 June 1971, and which some forty government experts will attend.

As customary for such meetings, travel expenses and the cost of staying in The Hague will be borne by the delegations. The Netherlands Red Cross will shortly send all National Societies relevant information on arrangements for the meeting and accommodation in The Hague.

The main purpose of the meeting will be to proceed to a wide exchange of views on the matters dealt with in several of the International Committee's reports on the reaffirmation and development of international humanitarian law to the XXIst International Conference and which are, *inter alia*, the subject matters of that Conference's resolutions XIII to XVIII. A list of these subjects is attached hereto. In the framework of this exchange of views, National Societies may raise problems which are of increasing concern to the International Red Cross by reason of the armed conflicts and tensions which have arisen in the last few years and which often place heavy responsibility for practical action upon the shoulders of National Societies.

The International Committee should be grateful to National Societies if they would let it have their suggestions concerning the enclosed list of subjects for discussion. A more detailed provisional programme—for which the International Committee will take into consideration suggestions received—will in due course

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be sent to National Societies. They will also receive a copy of the documentary material, accompanied by concrete proposals, which the International Committee is preparing for the meeting of governmental experts and which it will send to the governments concerned at the beginning of next year.

As mentioned in its aforesaid circular, the International Committee is maintaining close liaison with the United Nations, particularly its Secretary-General. Consistent with the co-operation recommended by the UN General Assembly resolution 2597 (XXIV), it has periodically supplied the UN Secretary-General with documents and information on the legal studies under way and it is following with attention the work of the twenty-fifth session of the General Assembly, particularly that relating to its agenda item 47: " Respect for Human Rights in Armed Conflicts ".

In order to make the necessary arrangements for the organization of the meeting, in co-operation with the Netherlands Red Cross, the International Committee asks National Societies which intend to delegate one or more experts to the meeting to advise it thereof as soon as possible and not later than the end of November 1970.

Yours sincerely,

For the International Committee
of the Red Cross

Marcel A. NAVILLE
President

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ANNEX

I. List of subjects for discussion

In the following list, the indications between brackets under each chapter-heading are not exhaustive and are mentioned chiefly as examples. The list does not prejudice that the International Committee of the Red Cross will suggest that the Conference should examine these items in the order given.

1. *Measures intended to reinforce the implementation, in armed conflicts, of existing international humanitarian law*
(Dissemination of humanitarian principles and rules, national legislation for their application and instructions to be given to the armed forces—reinforcement of rules relative to the supervision of the regular observance of existing law and to the sanction of violations—Protecting Powers and their substitutes—problem of reprisals).
2. *Strengthening of the protection of civilian populations against dangers of hostilities*
(Reaffirmation of the immunity of the civilian population as such—distinction to be observed between non-military elements and military objectives in case of attacks—precautions to be taken as to fighting methods or the choice between different means of combat in order to spare the population—precautions to be taken by the authorities of the State to which it belongs—creation of zones or localities enjoying a particular status in view of their special protection—guarantees to be afforded to the personnel of non-military civil defence bodies).
3. *Humanitarian rules relative to behaviour between combatants*
(Reaffirmation and determination of the rules limiting needless forms of suffering and prohibiting certain methods of warfare: treatment of an enemy who surrenders—quarter—prohibited ruses—violation of protected emblems—problem of parachutists).
4. *Protection of victims of non-international armed conflicts*
(Notion and qualification of non-international armed conflicts—effective observance and development of rules applicable in these conflicts and which concern the treatment of victims and the conduct of hostilities—possible extension of certain rules to situations of internal disturbances and tensions).
5. *Status of combatants and the problem of guerrilla warfare*
(Possible definition and development of humanitarian rules with regard to the qualification of combatants, as well as the status and treatment of prisoners—rules relative to the conduct of hostilities in guerrilla warfare and duties incumbent upon parties to the conflict to spare the civilian population).
6. *Protection of the wounded and sick*
(Strengthening of existing guarantees—protection and marking of civilian medical personnel—strengthening of the safety of civilian medical transports and the problem of marking them—extension of certain rules to non-international armed conflicts).

**II. XXIst International Conference of the Red Cross—
Reports and Resolutions on Subjects for Discussion
by the Conference**

A. Reports submitted by ICRC to XXIst International Conference of the Red Cross (Istanbul, September 1969)

- Reaffirmation and Development of Laws and Customs Applicable in Armed Conflicts (Geneva, May 1969) D.S. 4a,b,e
- Protection of Victims of Non-International Conflicts (Geneva, May 1969) D.S. 5a,b
- Implementation and Dissemination of the Geneva Conventions (Geneva, April 1969) D.S. 3/1 a & b
- Status of Civil Defence Personnel (Geneva, May 1969) D.S. 4c
- The Protection of Civilian Medical and Nursing Personnel in Time of Conflict (Geneva, February 1969) D.S. 4d/1
- Respect of the Geneva Conventions—Measures taken to Repress Violations (Geneva, March 1969) D.S. 3/3

B. Resolutions of the XXIst International Conference of the Red Cross (Istanbul, September 1969)

- Resolution XIII Reaffirmation and Development of the Laws and Customs Applicable in Armed Conflicts
- Resolution XIV Weapons of Mass Destruction
- Resolution XV Status of Civil Defence Personnel
- Resolution XVI Protection of Civilian Medical and Nursing Personnel
- Resolution XVII Protection of Victims of Non-International Armed Conflicts
- Resolution XVIII Status of Combatants in Non-International Armed Conflicts