

Outside advisers to the ICRC

Comments by the ICRC

Almost all National Societies and States consider the independence, neutrality and impartiality of the ICRC to be essential for the performance of its tasks, and to be important factors in the cohesion and unity of the Red Cross Movement. In the main, that independence, neutrality and impartiality are based on three special characteristics of the ICRC:

- its members are co-opted, thereby excluding any kind of external influence;
- its members are all of the same nationality, thereby preventing governments from influencing the ICRC in reaching its decisions;
- being Swiss, its members are citizens of a country which is bound by neutral status in perpetuity.

The Statutes of the International Red Cross give expression to the determination of National Societies and of States that the ICRC shall be Swiss, hence uninational, and of co-opted membership.

Nevertheless, as the Tansley Report points out, the question has been raised in some quarters whether it would not be more suitable to *internationalize* the ICRC, not only to make it more *representative*, but because, according to those same quarters, *an international body would be more aware of the world and responsive to its problems* (p. 112). The Report examines this argument and concludes that the International Committee should continue to be constituted as in the past.

The ICRC shares the view that to internationalize the Committee would mean to introduce political controversies in its midst and hence put an end to an impartial protection, the only valid protection, for victims of conflicts. The Committee therefore realizes that its members must continue to be co-opted and all Swiss. It realizes that that is the wish of almost all States which entrust it with duties under the Geneva Conventions.

However, the Tansley Report adds that *at the Assembly level, there is no guarantee that its members will have a background or experience which will ensure a knowledgeable and realistic view of the world beyond European borders* (p. 113).

This inconvenience can be circumvented, explains the Report: *Another approach to improving the Assembly's understanding of events would be consciously to seek out sources of advice from around the world. If it is studying a problem of a general nature, it could seek one or more non-Swiss consultants. It could meet at regular intervals with certain groups of an international character—the proposed Executive Council of the League would be a good example of such a group* (p. 113).

The ICRC should certainly counterbalance the fact that it is not internationally representative by taking all the more heed, for that very reason, of ideas, facts and men of other nationalities. It has, in fact, had such an approach for several years, particularly in its efforts to codify humanitarian law, by consulting experts from all countries for advice in the drawing up of such law. It has shown the same spirit in other spheres, notably in its operations. It agrees with the Tansley Report that it has everything to gain by yet more frequent consultations with non-Swiss specialists in the regions or in matters in respect of which it has to reach decisions.

The semi-annual meetings of the future Executive Council of the League could be excellent occasions for such consultations. In addition to the general information meetings and individual consultations which are already current—but which could be improved and more thorough—topical problems or questions of general interest could be discussed by small groups of persons best qualified to deal with the subjects involved.

More frequent meetings between members of the International Committee and of the Standing Commission, when it meets in Geneva, could also be arranged.

In the last few years, the ICRC has on several occasions asked National Society Presidents to express their opinions to the plenary meetings of the ICRC General Assembly. This practice will be continued and ICRC exchanges of views with National Societies will increase at all levels.

Further opportunities for meetings and consultations will be provided by the seminars which the ICRC organizes on the dissemination of knowledge of the Geneva Conventions and of the Red Cross principles, and on any other subject within its province.

The ICRC will continue consulting all experts—whether of the Red Cross or not—who are able to advise it in one field or another. Such consultations, if organized systematically, would further its work and improve its efficiency.

To conclude, the ICRC takes the view that to counterbalance the need for its uninationality, it can and should seek the advice of authorities judiciously chosen in situations or problems confronting it. It would not thereby lose anything of its essential independence but would be better prepared to act for the greatest benefit of the victims whom it is its mission to protect.
