

The Fundamental Principles of the Red Cross

COMMENTARY

by Jean Pictet

(continued)

(b) Military neutrality

The principle goes on to state that the Red Cross *may not take sides in hostilities*. This refers to neutrality in the military domain, and this is indeed the initial understanding of neutrality.

The affirmation is an obvious one, but it is nonetheless essential. Some people have found it too laconic, even curt. It is true enough that the expression should apply to all forms of conflict and not only to military operations in the narrow sense. Furthermore, it should cover not only conflicts between nations but also civil wars and internal disorders. It might accordingly be better to say, *the Red Cross may not take sides in armed conflicts of any kind*.

We do not need to discuss here the neutrality of States, that is, the position adopted vis-à-vis countries at war by another country, described as neutral, which takes no part at all in the conflict. We are discussing instead what is meant by the neutrality which the Red Cross must observe in times of conflict.

Under the Geneva Conventions, persons caring for the wounded and sick, who may belong either to the military medical services or to the National Red Cross Society, are protected even on the battlefield.¹

¹ In the first Geneva Convention, of 1864, there is specific reference to the *neutrality* of medical personnel. This term has not been kept, since it may give rise to confusion, and the successors to the 1864 Convention have referred instead to the protection of such military medical personnel, but the concept of neutralization has persisted and is still meaningful in common parlance.

Such personnel must be respected; so must hospitals and ambulances. They may not be attacked. It is natural as a counterpart to this neutrality that such personnel must abstain from any interference, direct or indirect, in war operations. Regarded by the enemy as neutral, in the interest of the victims, these persons are required to conduct themselves as such, unswervingly. Being placed above the conflict, they must not commit acts which the Conventions refer to as *harmful to the enemy*, that is to say, acts which by favouring or interfering with the hostilities are injurious to the adverse party. One example, among the most serious, would be tolerating a military observation post on the roof of a hospital.

In major armed conflicts, members of the medical personnel in enemy-occupied territory have sometimes engaged in "resistance" and in so doing have committed or encouraged acts of espionage or sabotage. They were assuredly acting on the basis of the highest and most honourable motives of patriotism. They were nevertheless violating the laws of the Red Cross and in doing so running the risk of sanctions which might harm many innocent persons. If, in the general interest of everyone, we wish to have Red Cross institutions continue their work in occupied territories, their agents must, through irreproachable conduct, continue to maintain the full confidence of the authorities. One cannot, at the same time, serve the Red Cross and fight. One must choose.

Military neutrality also applies to all spheres of Red Cross action in time of war. For example, a National Society should refuse to take part in the collection of money for national defence.

Reciprocally, in terms of both the letter and spirit of the Geneva Conventions, the authorities must not place any obstacle in the way of Red Cross relief activities, for humanitarian assistance must never be regarded as interference in the conflict, or in other words as a violation of neutrality.

(c) Ideological neutrality

The Proclamation goes on to specify that the Red Cross may not *engage at any time in controversies of a political, racial, religious or ideological nature*. This is the second sense of neutrality. The term is used to characterize the reserve which the whole Red Cross must maintain with regard to any doctrine except its own, the distance it maintains between itself and controversies which are foreign to it and which would compromise its universal character. The Red Cross responds to the

needs of all men and acts in accordance with principles accepted throughout the world. In doing so, perhaps without even knowing it, it places itself in the vanguard of civilization. The neutrality of the Red Cross is a sign of its serenity, of fidelity to its ideal. Any ideology to which the Red Cross might attach itself could only serve to diminish its freedom of action and reduce its objectivity.

This kind of neutrality is not the same as military neutrality, though it is coming more and more to resemble it in our age of "cold wars". If, as was once said, war is politics carried on by other means, we could reverse the terms in our time and say that politics is war carried on by other means.

Neutrality manifests itself above all in relation to politics, national and international, and Red Cross institutions must beware of politics as they would of poison, for it threatens their very lives. Politization undoubtedly constitutes the greatest danger now confronting the Red Cross.

The Eighteenth International Red Cross Conference in 1952, taking note in a Resolution that questions of a political nature had been put before it, *expresses its determination not to allow such issues to undermine the work of the Red Cross at any time and declares its unabated faith in the Red Cross as a movement concerned solely with humanitarian activities which help to promote mutual understanding and goodwill among nations whatever their political differences.*

Such an attitude is now however being challenged in some quarters. Certain schools of thought maintain that everything, in the existence of a nation or even of an individual, is subordinate to political or ideological requirements. The demand is made that everyone "commit himself" and anyone refusing to do so is accused of cowardice. The Red Cross is not exempt from this pressure, and more and more demands are made upon it to enter the sphere of politics.

It must resist this trend with every ounce of energy. Once it entered this field in which powerful forces are running wild, the Red Cross would be creating dissension within its own ranks; it would be divided against itself and head towards inevitable disaster. It would also be abandoning its own essential and unique character, which distinguishes it from all other national and international organizations and enables it to accomplish what no other institution or person can achieve. The Red Cross must make it clear to those concerned that it constitutes an exception, at a time when, throughout the world, things are becoming more and more politicized.

We are not suggesting by this that politics in itself is evil. It has its value, to the extent that it contributes to the establishment of an order which will be beneficial to the largest number of people, by placing power in the hands of justice, and to the extent that it maintains at least a minimum degree of objectivity. The carrying out of such plans however is difficult, and goes beyond the means available to the Red Cross. The world of politics is characterized by struggles which reach the pitch of savagery; it is not only rival interests which are in conflict, but even sincere advocates of social progress, of this, that or the other party.

The Red Cross cannot compromise itself in this wild turmoil. It has therefore confined itself to fields of action in which there are no such disputes, or at least should not be, and aims at carrying out tasks which rally virtually unanimous support. If anyone presents the Red Cross with the well known and destructive dilemma embodied in the phrase, "whoever is not with me is against me", may it always reply, "I am with all those who suffer, and that is sufficient".

Reserve does not in any sense imply disdain or hostility however. It is clear indeed that the Red Cross Society in a country under an authoritarian regime cannot serve as a centre for opposition to the regime or to any party or faith. It can thus display an attitude of benevolent neutrality towards temporal or spiritual authorities, maintain good relations with them and co-operate with them in humanitarian activities, since the National Societies are called upon to serve as auxiliaries to governmental institutions.

All that can be asked of the Societies is that they do not militate for projects or ideas which do not have an essential connection with the Red Cross mission; that they do not adhere to a political party, even the governmental party. In the same way, Red Cross leaders, as far as possible, should refrain from performing any prominent public function and from being politically identified. Only in this way will the National Societies be able to maintain the confidence of every part of the population and not only act impartially but be recognized as doing so, no matter what happens, especially in the event of civil war or domestic disturbances. By conducting themselves in this manner, it is to be hoped, they will win the right to give assistance to all who are in need of it, including the people viewed with disfavour by the ruling class and therefore in danger of receiving nothing.

The National Red Cross Societies should be more open to contacts with their opposite numbers abroad, known by the delightful and

appropriate name, "sister Societies". At international Red Cross gatherings, delegates fraternize with one another and friendships are established, but these are something like holiday friendships. What is left of them after everyone goes home? It is enough for a crisis to arise, or even a difference of opinion between two countries, for these precious ties of friendship to vanish with the wind, a sad occurrence we have seen more than once. The National Societies however constitute an ideal intermediary for helping, outside the field of diplomacy, to resolve the acute humanitarian problems which are especially likely to arise at the time of an impending conflict, a fact recognized by the Twenty-first International Red Cross Conference, which urged such contacts between Societies in its Resolution XXI. A further question arises. How can the Red Cross play a role in the development of a spirit of peace if its national branches do not maintain among themselves relations of peace, mutual confidence and friendship? They must make a beginning by reaching out to one another across the boundaries which divide nations and coalitions of nations—otherwise all work in this field will be in vain.

The Proclamation goes on to speak of religious neutrality. This requirement has been a dominant one in the institution since its birth and has never since been disputed. At the very beginning, though the founders of the Red Cross were themselves motivated by the spirit of Christianity, they were determined to establish a purely laical organization. One cannot indeed conceive how it could be otherwise, since it was intended that the institution should by its very nature be universal. Likewise, the emblem of the red cross on a white background has no religious significance. This was proclaimed by the conferences which created this emblem in deliberately chosen terms, so that it would forever be universal and neutral, an emblem for peoples of all nations and of all beliefs.

It is self-evident that the ICRC must also observe, and with particular strictness, complete ideological neutrality. The ICRC nevertheless is unceasingly confronted by political events. Indeed, like a swimmer, it is in politics up to its neck. Also like the swimmer, who advances in the water but who drowns if he swallows it, the ICRC must reckon with politics without becoming a part of it.

Having arrived at this point in our analysis, we can see that in two of the meanings given to neutrality—military neutrality and ideological neutrality—and in these alone, the principle of neutrality as set forth in

the Proclamation has a universal character and is valid for the Red Cross as a whole.

Other aspects of neutrality

Neutrality however does have further connotations for the Red Cross, into which we do not have to enter in detail here, since these concern particular cases not mentioned in the Proclamation and mainly refer to the Red Cross body which is the very embodiment of neutrality, the ICRC. It is thanks to the fact that its members and principal staff members belong to a country whose neutrality is permanent and traditional that the ICRC, in times of war and turmoil, has a solid base for its mission as an intermediary. This neutrality, reinforced by ideological neutrality, offers belligerents an added guarantee of its independence.

Neutrality also is the attitude observed by the ICRC in its relations with governmental entities, treating them on the basis of equality, not expressing itself on their legitimacy, not considering whether they are recognized, not judging their politics. If it acts in this way, it does so not in order to waste its energies in idle diplomatic procedures but so as to gain access to victims in need of help, and these victims are in the power of the States. It is therefore necessary to obtain the required authorization from States and to maintain the relations of confidence essential for continuing co-operation.

This is also the reason why, as a general rule, the ICRC abstains from making public pronouncements about specific acts committed in violation of law and humanity and attributed to belligerents. It is obvious that insofar as it set itself up as a judge, the ICRC would be abandoning the neutrality it has voluntarily assumed.¹ Furthermore, in the quest for a result which would most of the time be illusory, demonstrations of this sort would compromise the charitable activity which the ICRC is in a position to carry out. One cannot be at one and the same time the champion of justice and of charity. One must choose, and the ICRC has long since chosen to be a defender of charity.

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(To be continued)

¹ This does not of course in any sense prevent the condemnation of inhuman practices such as torture.