

# Documents of the Manila Conference

*In the following pages we publish a number of documents relating to the Manila Conference. It appeared desirable to make them available to International Review readers without delay, in view of the importance of the subjects dealt with and of their lasting interest. Moreover, because of the very full agenda before the Council of Delegates and the International Conference itself, the time devoted to some items and to their preparatory projects was too short for examination with all the care they deserved. That is why the Review is publishing them now.*

## **THE QUESTION OF THE EMBLEM <sup>1</sup>**

### **Statement by Mr. Alexandre Hay, in his capacity as Chairman of the Working Group on the Emblem**

Ladies and Gentlemen,

It is in my capacity as Chairman of the Working Group on the Emblem that I have the privilege of addressing you, to draw some conclusions on the four years of work done by this Group, which was set up by the Council of Delegates in Bucharest in 1977. In Report CD/5/1, submitted by the ICRC and the League of Red Cross Societies, is an account of the various stages in the Working Group's discussions and the results of the questionnaire sent to National Societies. My purpose therefore is only to remind you, very briefly, of the essential issues you must bear in mind before coming to any conclusion about the question submitted to you in the Report: "Does the Council of Delegates

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<sup>1</sup> Council of Delegates.

wish the Working Group to continue its study of the emblem question? If so, can the Council of Delegates indicate to the Working Group in what direction its study should be oriented?"

The Working Group, composed of nine National Societies, the ICRC, the League and the Henry Dunant Institute, was given the task of studying all questions relating to the emblem and reporting to the Twenty-fourth International Red Cross Conference. The Council of Delegates, meeting in Bucharest, decided that the recommendations of the Working Group should be adopted by consensus.

Our Group has met six times. After determining the shortcomings of the present situation, it decided to use as a basis for its discussion the four proposals put forward by Mr. Tansley, namely:

- to return to the original symbol;
- to adopt a single new symbol;
- to use the original symbol as the dominant one, and permit each National Society to add its own in conjunction with the original symbol;
- to admit further symbols without limitation up to the number of National Societies.

After discussion, the Working Group decided to focus on the idea of a combined emblem and to submit to National Societies of the movement several variants to this solution. It was also suggested that the status quo be maintained, which some members of the Group preferred to any other option.

The consultation of National Societies carried out in 1979 showed a divergence of views within our movement on the question of the emblem. Although admittedly the replies came in before the Islamic Republic of Iran decided to discard the red lion and sun and adopt the red crescent, they nevertheless reflect a variety of opinions, which you will find in the Working Group's report.

As you no doubt realized in reading this document, the Working Group itself is divided. The majority of its members is in favour of the status quo and of dissolving the Working Group, considering that it would be not only useless but dangerous for the unity of the movement to continue along the same course. A minority within the Group wishes to pursue its work, because it considers that the present situation, even though the number of emblems in use is less than before, is unsatisfactory, and the Group should not give up trying to reach a solution.

The Working Group has not succeeded in reaching a consensus agreement on a recommendation, either as regards the substance or the procedure. It is now up to the Council of Delegates to decide whether or not it wishes to renew the mandate of the Working Group. This is a major decision, and before it is taken, I invite all delegations who so wish to express their opinion on the matter. I shall be taking the floor again later, in my capacity as President of the ICRC, to explain to you the position adopted by the International Committee.

Before concluding my statement, I should like to thank all the members of the Working Group for the constructive spirit in which they undertook the extremely delicate task entrusted to them. For four years now we have been openly discussing and reflecting on the question of the emblem, which touches the sensitive chord in all of us and is extremely important not only for our movement but for the safety of all persons protected by the Geneva Conventions.

I hope that during the discussion I shall now open, we shall bear in mind the fact that the emblem worn by each of us is not the privilege of any one State, people or religion, but a sign of respect for wounded and defenceless victims and a token of solidarity with human beings in distress.

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### **Address by Mr. Alexandre Hay, in his capacity as President of the ICRC**

Ladies and Gentlemen,

Please allow me to add a few words, as President of the International Committee of the Red Cross, to my introductory speech as Chairman of the Working Group on the Emblem. In my first speech I described the proceedings of the Working Group and the deadlock it had reached. I should now like to explain the position of the ICRC itself on the question posed to the Council of Delegates.

At the suggestion of the ICRC and the League, the Council of Delegates decided, in Bucharest in 1977, to establish the Working Group on the Emblem. Both institutions, confronted directly by the problems raised by the state of the emblem issue in the Red Cross movement, considered it essential to urge the Red Cross as a whole to undertake at last and for the first time a thorough study of this highly delicate and important question.

Since that time there has been one change: the Islamic Republic of Iran decided in 1980 to adopt the red crescent instead of the red lion

and sun. This is a step towards the unity of the sign; we appreciate that step, the importance of which we recognize.

There is no denying, however, that it does not entirely settle the question of the emblem; there are, in particular, three fundamental reasons for this:

- First, although it is better for our movement to have two emblems rather than three, two is still too many for a movement that aims to be universal and whose unity should be reflected by a single symbol. Every one of us has surely been struck, when trying to explain that our movement uses two emblems, by the surprise and bewilderment on the faces of our public. The plurality of signs seems to show that the movement has had a setback and been unable to transcend religious, ideological and philosophical differences.
- Secondly—and this is particularly true since the use of the red lion and sun was discontinued—the coexistence of the two emblems of the red cross and the red crescent may give the false and unfortunate impression that our movement has two poles, a Christian one and an Islamic one, and that all other religious or lay modes of thinking are ruled out. Fortunately, many countries do not attach religious significance to the red cross. Nevertheless, the religious connotation attributed by some to the red cross and the red crescent remains a problem: it weakens the protective value of the emblem, and it may appear to favour two religious communities.
- Thirdly, the ICRC and several National Societies are concerned about the situation of the Magen David Adom in Israel. That Society cannot be recognized by the ICRC, and thus become a member of the International Red Cross, since it uses an emblem which is not recognized by the first Geneva Convention of 1949, the red shield of David.

I mentioned to you earlier that the ICRC considers that a single symbol should reflect the unity of the movement. While this is not possible in present circumstances, we must realize that it may seem discriminatory to some and contrary to our principles that the Magen David Adom is not recognized. Indeed, that Society in a member State of the international community which has signed and ratified the Geneva Conventions of 1949 and which has not been spared by conflict, that Society, as I was saying, is not a member of our movement because at least part of its people feel they cannot identify with the emblems we like to consider and actually call universal.

Our movement does not serve the interests of any one State or people, but those of suffering human beings. It therefore should be present in all countries and benefit all mankind.

For the three reasons I have mentioned, the *status quo* is not good enough and the ICRC may not be satisfied with it on the assumption that it is the lesser evil. The Committee therefore wishes the Working Group to continue its work. It is aware of the difficulty of the task assigned to the Group and of the fact that to continue discussion does not offer only advantages, but it retains the hope that a solution acceptable to all will eventually be found. I stress the "acceptable to all" for, as you know, the ICRC is not trying to impose a solution on the movement. It has the greatest respect for the existing signs and for the attachment to them demonstrated by the National Societies and people of the countries where they are displayed. It made this clear in its letter of 8 April 1980 to the Working Group. That letter is quoted in the report you have before you.

Let us therefore take the time to try to find together a solution transcending the differences between us. Let us not leave for future generations the burden which weighs on our shoulders. Let us have the courage to continue the thinking we have begun, conscious of the responsibility we bear. Such is the opinion of the International Committee of the Red Cross.

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## **HUMANITARIAN ACTIVITIES FOR VICTIMS OF ARMED CONFLICTS <sup>1</sup>**

### **Extract of the report on ICRC activities by ICRC President A. Hay**

I am not going to try to detail what the Red Cross has done during the past four years to bind up the physical and moral wounds, to feed the starving, to house the homeless, and to comfort the families that have been split up: our annual reports and the half-yearly report for 1981 (copies of which you have received) adequately cover these matters. Instead, I am going to put the emphasis on what we were not able to accomplish: the major obstacles that thwarted us, the blockages that barred our way, and the failures we sustained—failures which, in the

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<sup>1</sup> International Conference, Commission I.

last analysis, should be felt by the very powers that invested the ICRC with the authority it exercises in protecting, defending and aiding victims of armed conflicts, which is to say by virtually all of the countries of the world: the 150 States parties to the 1949 Geneva Conventions.

As matters stand, the situation now prevailing in Afghanistan, following upon the upheavals which are shaking that country, continues to be a matter of deep concern to the ICRC. In spite of constantly renewed appeals to all the parties engaged in the military conflict, in spite of the repeated assurance that it wished to act on behalf of all of the victims—both civilian and military—the ICRC has not been authorized since June 1980 to exercise from Kabul its activities of protection and assistance. On the other hand, we are carrying on our medical aid to Afghan refugees in Pakistan.

When it comes to the conflict in the western part of the Sahara, where the ICRC has been involved since 1975, there has been a suspension, for much too long a time, of our activities under the Geneva Conventions. In spite of the fact that all the parties involved were contacted many times, the ICRC has not been allowed to visit the Moroccan and Mauritanian prisoners held by the Polisario Front since 1976; and it has not been able to visit Algerian and Polisario Front prisoners held by the Moroccans since 1978.

The ICRC faced unsurmountable obstacles in the Ogaden conflict, too, as well as in its consequences. All the initiatives attempted since 1977 in Somalia to develop protection and tracing activities have had absolutely no results so far.

In the Eritrean conflict too, the ICRC is unable to work: it is not permitted to visit any prisoner captured by either party, most of whom it has not visited for several years...

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### **Address by Mr. Anders Wijkman, of the Swedish Red Cross Society**

Mr. Chairman,

It is within the Statutes of the International Conference that it—and I quote—“may not deal with political matters nor serve as a forum for a political debate”. I am in full agreement with these Statutes. Yet it is also a tradition for the Conference to adopt, when it considers it necessary, resolutions on specific situations in which the Geneva

Conventions apply, namely in armed conflicts—whether of an international or an internal character—or even, what is more and more often the case today, in what is called “internationalized non-international armed conflicts”. In other words, traditionally, any situation in which the Geneva Conventions apply may be the object of a resolution from this Conference. But the matter should be dealt with in a non-political way, concentrating on the humanitarian aspects of the situation discussed.

From reading the ICRC reports since the last Conference in Bucharest and from listening to the impressive speech given here in Commission I by President Hay, one can see that there are three situations of armed conflicts where the ICRC has been unable to act for a long time. This is the Western Sahara, the Ogaden and Afghanistan. In other similar situations, we see from the reports that the ICRC has been able to exercise at least partially its humanitarian action. However, in Western Sahara, the Ogaden and Afghanistan, the Committee has not been able at all to carry out its traditional tasks.

As already mentioned, Mr. Chairman, there is one common denominator in all these three situations. They are armed conflicts. We do not want, from our delegation, to qualify in detail whether they are solely international, internal or mixed armed conflicts. But one cannot deny that they are, in terms of the Conventions, armed conflicts. Whether all or part of the Conventions apply in these situations, we also wish to leave open. We wish to stay on strictly humanitarian grounds.

Being confronted with this evidence of three armed conflicts in which the ICRC cannot at all exercise the humanitarian mandate which the Geneva Conventions have entrusted to it, we ask ourselves: Can this Conference stay silent? Can it avoid expressing its concern? Our answer is: We do not think so. We think that we owe it to the dignity of our movement and, more than anything, we owe it to the victims of these conflicts, not only to express our concern but also to encourage all interested parties to let the ICRC do for these victims its traditional and conventional work of protection and assistance. In all these three conflicts large numbers of people are being wounded, killed or detained. No protection or assistance has been extended to all these people. We know that there are prisoners on both sides in each of the three situations. These prisoners cannot be visited today and most of them have not been visited before. Some of them have been detained for more than five years. Still worse, most of the families of these prisoners do not know today anything about their fate. They do not know whether they are alive or whether they are dead, simply because information has not been given on who is kept in detention.

This is, Mr. Chairman, the background for submitting a draft resolution to the Conference through this Commission. The draft resolution reads as follows:

*“The XXIVth International Conference of the Red Cross,*

*noting the persistence of international or non-international armed conflicts, in which the ICRC is partially or totally unable to fulfil its humanitarian tasks in situations covered by the Geneva Conventions,*

*deploring in particular the fact that the ICRC is refused access to the captured combatants and detained civilians in the armed conflicts of Western Sahara, Ogaden and later Afghanistan,*

*urges all parties concerned to enable the International Committee of the Red Cross to protect and assist persons captured, detained, wounded and sick and civilians affected by these three conflicts.”*

As everyone will have noted, Mr. Chairman, this text avoids qualifying the armed conflicts as international or not. It avoids naming the parties which are militarily engaged. It avoids blaming anyone specifically. It only notes that humanitarian law applies to these situations. It states the fact that the ICRC is unable to do its work and that this should no longer be the case. It is a “victim oriented” resolution, which points at no one except at those who, in these conflicts, suffer without the protection and assistance which the Geneva Conventions invite the ICRC to bring to them.

Previous to this discussion, I have been approached by a number of delegates and specifically by someone from West Africa who said that the concept “Western Sahara” may be looked upon as not totally acceptable to them. They would have liked to have the wording “Western Sahara and South Morocco”. Mr. Chairman, by naming Western Sahara, of course, we refer to the conflict in this area and for clarification, I would be willing to accept to add “South Morocco”.

Lastly, to us in the Swedish Red Cross Society, it is evident that if we want governments, armed forces and soldiers as well as the general public to respect the Geneva Conventions in the future, we have to react when these Conventions are not respected. We cannot sit idle, because then the Conventions would not be worth the paper they are printed on. The same can of course be said for other humanitarian oriented conventions such as the UN Convention on Human Rights.

It is a fact, however, that in many cases when there do exist allegations that the respective Conventions are not being respected, we cannot



verify the correctness of these statements. This is not the fact in these three situations. The ICRC's reports as well as Mr. Hay's speech the other day speak for themselves.

Last, Mr. Chairman, it is our sincere hope that this resolution will be adopted by unanimity. Thank you very much.

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## **RED CROSS AND PEACE <sup>1</sup>**

*Draft Resolution :*

### **Red Cross and Peace**

The National Red Cross Societies of Finland, France, German Democratic Republic, Federal Republic of Germany, Hungary and Yugoslavia,

*hoping* that the discussions of the International Red Cross Conference on the Red Cross and Peace will lead to unanimous agreement,

*considering* that the Third Regional Conference of European National Red Cross and Red Crescent Societies, held in Budapest in May 1981, unanimously adopted a document on the Red Cross contribution to peace,

*propose* that Recommendation No. 1 of that Conference be accepted by Commission I, under its agenda item No. 6, as a draft resolution for the plenum of the International Conference.

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### **Third Regional Conference of European Red Cross and Red Crescent Societies**

*Budapest, May 1981.*

*Recommendation No. 1*

### **Red Cross and Peace**

The participants in the IIIrd Regional Conference of European Red Cross and Red Crescent Societies have exchanged their experiences relating to the implementation of the Programme of Action of the Red

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<sup>1</sup> Council of Delegates.

Cross as a factor of Peace adopted in its final form at the Council of Delegates, at Bucharest in 1977.

The IIIrd Regional Conference of European Societies therefore declares that:

- by the implementation of the Programme of Action of the Red Cross as a factor of Peace, the Red Cross can contribute to comprehension between peoples, to the preservation of peace, to the progress of international understanding, to disarmament and to the prevention of war;
- the work of the Commission on the Red Cross and Peace will contribute to increase the efficacy of the Red Cross as a factor of peace;
- the Commission should carry forward its work in a spirit of tranquility, free from any considerations alien to the principles governing the Red Cross.

The Conference also reaffirms that:

- the Red Cross fulfils its mission in the service of peace through dissemination of the ideals and the principles which inspire it and through its continuing action throughout the world;
- the Red Cross is a pacific, active, efficient, and thus, pacifying organization. By its principles, by its humanitarian action, and by other interventions foreseen in its statutes, and all international agreements, it thus contributes to the maintenance of peace;
- the Red Cross must stand aside from disputes and rivalries between States;
- the direct, unshakable and irreversible relationship which exists between respect for Red Cross principles and the reconciliation of man with man, reaching beyond any contradictions or divergences which may divide them, is a powerful factor for peace and the preservation thereof.

Therefore the Conference:

- expresses the wish that the Commission on Peace continues its work, with the same mandate and composition;
- supports the Red Cross Commission on Peace in its efforts to take into consideration the experience of National Red Cross Societies, the League of Red Cross Societies and the International Committee of the Red Cross in the implementation of the Programme of Action, so that, on that basis, it may devise practical initiatives to further encourage the action to promote peace.

Finally, the Conference expresses the wish that the entire International Red Cross movement support with its moral authority the efforts made by States in the field of disarmament in relation to both conventional weapons and weapons of mass destruction.

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## Draft resolution submitted by the Government and the Red Cross of Yugoslavia

### **Peace and disarmament**

The XXIVth International Conference of the Red Cross,

*Considering* that the present acceleration of the arms race, in particular nuclear arms, threatens peace and security in the world,

*Having in view* world efforts in particular in the United Nations in which a "World Disarmament Campaign" has been launched, for ceasing the arms race and achieving disarmament,

*In view of* the Final document of the special session of the General Assembly of the United Nations on disarmament, which in points 104 and 106 invites non-governmental organizations concerned to make their contribution to efforts for disarmament in the field of dissemination of information and education for disarmament and peace,

*Recalling* that in the Programme of Action of the Red Cross as a Factor of Peace it was stressed that the Red Cross movement should strongly support efforts to limit the arms race and to promote disarmament,

*Considering* that the Red Cross, in conformity with its fundamental principles of humanity, can help to bring about the necessary climate for further progress in the field of disarmament,

*Considers* that the Red Cross movement, in conformity with all its fundamental principles and specific role, should participate actively in the efforts of the world community to achieve genuine and effective disarmament, and to safeguard peace,

*Requests* the International Committee of the Red Cross and the League of Red Cross Societies to direct the Commission on the Red Cross and Peace to study and to submit to the Council of Delegates proposals for a programme of Red Cross activities in favour of disarmament.

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