

APPLYING THE FUNDAMENTAL PRINCIPLES OF THE RED CROSS AND RED CRESCENT:

A SUBJECT FOR CONTINUED THOUGHT

The Fundamental Principles of the Red Cross and Red Crescent are the cornerstone of the doctrine of the International Red Cross and Red Crescent Movement. The Movement's mission and its activities are built on the Principles, which are binding on all its components in all circumstances. The members of the Movement are under the obligation to spread understanding and knowledge of the Principles, the better to ensure respect for them.

Knowledge and understanding of the Principles inside and outside the Movement are without doubt still insufficient, and the subject calls for serious thought. Could it be, as Donald Tansley suggested in his reappraisal of the Red Cross, that the Principles are poorly drafted? Author of *An Agenda for Red Cross*, Tansley felt that the Principles could not be easily understood or transmitted, and so suggested that they be restated in "a language and in a form which can be easily understood".¹

The question of form bears investigation but is not the crux of the matter. Already in 1977, in Bucharest, the League of Red Cross Societies and the ICRC stated, "... its fundamental principles are the most valuable asset of the Red Cross, they constitute a binding force, a set of guidelines, a programme of action, the source and expression of an ideal, and a guarantee of universality. There is no need to re-formulate them; the main thing is to live up to them, and make them known and respected".²

¹ Tansley, Donald. *Final Report: An Agenda for Red Cross — Re-appraisal of the Role of the Red Cross* (hereafter *Tansley Report*); Geneva, 1975, p. 35.

² *The ICRC, the League and the Tansley Report*. Considerations of the ICRC and the League on the Final Report on the Re-appraisal of the Role of the Red Cross; Geneva, 1977, p. 49.

More recently, in 1986, the Principles proclaimed in 1965 were made part of the Movement's new Statutes, the Preamble to which reaffirms that "in pursuing its mission, the Movement shall be guided by its Fundamental Principles".

The essential thing is really to disseminate knowledge of the Fundamental Principles, to bear witness to their abiding nature, not only by proclaiming them, but also explaining their content, by proving that while open to interpretation they are the common denominators of universal thought and constitute an inseparable whole.

The Principles are a human invention subject to the shifts and fluctuations in the values of our societies, one more reason to reflect on their application. In the face of the world's different ideologies, cultures and living conditions, the Principles have been taken to mean different things. Moreover, the Movement is not a static entity. It is a dynamic force working in a political, economic and social context which can change from one day to the next. This implies that its humanitarian tasks must be constantly reassessed and adapted.

To think about the Fundamental Principles of the Red Cross and Red Crescent in 1989 is not to challenge their wording, even less to rethink and restate Red Cross philosophy, as Tansley suggested.³ It amounts to giving each Principle a meaning that will ensure and strengthen the Movement's cohesion, for no less than that is at stake: the Movement's unity, its credibility and efficiency.

Pursuant to a suggestion by Dr. Janos Hantos, Chairman of the Executive Committee of the Hungarian Red Cross and member of the Standing Commission of the Red Cross and Red Crescent, in 1986 the ICRC set up an internal working group chaired by Mr. Pierre Keller, a member of its Executive Board. After consulting with several members of the Movement, the group pinpointed a number of questions worthy of closer examination. An intermediary report on respect and dissemination of the Fundamental Principles was submitted by the ICRC to the Council of Delegates at its meeting of 27 October 1989. In Resolution No. 7, the Council of Delegates accordingly "...requests the ICRC to continue the study in consultation with all the National Societies, the League and the Henry Dunant Institute; invites the components of the Movement to collect any material they consider useful for promoting understanding and dissemination of the Principles and to forward it to the ICRC".

³ Tansley Report, p. 35.

In this issue, the *International Review of the Red Cross* therefore begins a series of thought-provoking articles on the Fundamental Principles. By asking members of the National Societies and the League, both theoreticians and those called on to implement the Principles, to express their views on the subject and by publishing the studies planned at the ICRC, the *Review* wishes to contribute to the Movement's far-reaching reflection of the past three years and help with the constitution of true dossiers of scholarly and practical information on the means of applying the Principles

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In 1979, Jean Pictet wrote, "Modern humanitarianism... is not only directed to fighting against the suffering of a given moment and to helping particular individuals, for it also has more positive aims, designed to attain the greatest possible measure of happiness for the greatest number of people. In addition, humanitarianism does not only act to cure but also to prevent suffering, to fight against evils, even over a long term of time".⁴

Humanitarianism today must take into account the fact that current problems, as concerns both armed conflicts and economic and social development, can be tackled and solved only at a planetary level. Yet at the same time today's world is characterized by its great diversity. We thus have the contradictory phenomena of growing unity born of respect for differences and unity endangered by the diversification of societal problems.

The Movement has not been spared this contradiction. Its work to protect and assist the victims of armed conflicts has too often been challenged and even flouted by infractions and breaches of basic humanitarian rules, as ideologies have become more radical and violence more commonplace. Cultural and religious crises have helped undermine the fundamental humanitarian principles by contesting their universality. Humanitarian action has suffered as a result.

How then is the humanitarianism of the Movement as a whole, laid down in its Fundamental Principles, to meet the requirements of a world in search of unity but wrestling with contradictions? How is Red Cross and Red Crescent humanitarianism to be defined on the eve of the twentieth century, and how is it to maintain its specificity? In his

⁴ Pictet, Jean. *The Fundamental Principles of the Red Cross-Commentary*: Henry Dunant Institute, Geneva, 1979, p. 21.

analysis of the *meaning of the word "humanitarian" in the light of the Fundamental Principles* (see pp. 507-515), Jean-Luc Blondel, referring to humanitarian law, to "hard core" human rights, demonstrates that Red Cross and Red Crescent humanitarian action depends on respect not only for the principle of humanity, but indeed for all the Fundamental Principles. In the case of humanitarian assistance provided in the event of an armed conflict or natural disaster, "impartiality, neutrality and independence on the part of the donor... are essential if the assistance given is to qualify fully as humanitarian".

Such is to this day the specific nature of Red Cross and Red Crescent humanitarianism. It focuses on the human being; the protection of his life, health and dignity is its ultimate goal. Thanks to the principle of humanity, which when implemented helps strengthen the ties between individual human beings and thereby between peoples, thanks to the principle of universality, which implies solidarity between National Societies, and thanks to the principle of neutrality which, when understood correctly, means openness to others and the firm resolve to remain available, the Movement's doctrine rejects violence and defeatism to call for dialogue and concerted action.

There is a general consensus that modern humanitarianism is an indivisible whole which requires not only that suffering be alleviated, but also that the cause of that suffering be examined and if possible eradicated.

According to some schools of thought, the Movement, while it must continue to protect and assist the victims of armed conflicts, must also act to eliminate the causes of war and of banes of society such as racial discrimination and torture.

This is not the first time the Movement has faced this challenge. It was viewed with foreboding by that alert scholar Max Huber, who was aware that the principle of humanity was open to dangerous misinterpretation and was concerned that vaguely broadening the concept could plunge the Red Cross headlong into the political arena.⁵

Of course the position of the Red Cross and Red Crescent may differ from the requirements of a humanitarianism which seeks the satisfaction of basic and lasting solutions. But the Movement has not turned its back on the problems of the modern world, it cannot and does not wish to ignore them. It has simply decided to set itself certain limits which it could not transgress without jeopardizing its *raison d'être*. The Movement has set its priority: the victims. It undertakes preventive

⁵ Huber, Max. *La pensée et l'action de la Croix-Rouge*, ICRC, Geneva, 1954, pp. 243-247.

work in the fields of activity which have for decades been specific to it: health care, social welfare, protection of the environment, education for peace, strengthening of international fellowship. Is this enough? Could the Movement work in other fields without losing its specificity? How is the relation between alleviating suffering and preventing it to be established? These are all subjects which merit consideration.

Not content to invoke a legal right—its entitlement to protect the victims of armed conflicts—the Movement invokes the principle of humanity to intervene in all situations not covered by the law. We cannot say it often enough: the ICRC's recognized right of humanitarian initiative is one of the essential factors of modern Red Cross humanitarianism.

The Movement has decided to speak out against aggression, torture and political disappearances, to express its deep concern about the arms race and more recently to deal with subjects related to the protection of human rights, all issues with possible political connotations. Not, however, to bow to pressure or follow a trend, but to help safeguard the moral heritage of humanity, without taking sides, bringing to bear the full authority of its neutrality.

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The Movement's universally applied humanitarian activities tend to overcome the contradictions in our societies through the principle of impartiality, which is the very negation of feelings of superiority or inferiority. Through the principle of neutrality, the Movement identifies totally with the person who suffers. But there must be general agreement on the meaning of these two concepts, which are often poorly understood or confused.

There are many basic questions on the subject. How can a National Society which is an auxiliary to the public authorities be said to be neutral? Is neutrality not at times synonymous with passivity, or indifference? Can the ICRC consider itself to be neutral when it draws public attention to violations of international humanitarian law? Does impartiality imply equal sharing of relief supplies between the victims of both parties to the conflict? Can assistance be provided to only one party without violating the principles of neutrality and impartiality? To what extent can National Societies from a third country work with the ICRC in an internal conflict?

In their articles, Frits Kalshoven ("*Impartiality and Neutrality in Humanitarian Law and Practice*", page 516) and Marion Harroff-Tavel ("*Neutrality and Impartiality. The importance of these principles for the International Red Cross and Red Crescent Movement and the difficulties involved in applying them*", page 536) attempt to analyse the relationship between the principles of impartiality and neutrality and to show the practical implications of these questions of concern to the members of the Movement.

The sometimes differing points of view presented in both articles fortunately give further food for thought. Witness the debate which was held in September 1989 in San Remo on "The Role of National Societies in Non-International Armed Conflicts", organized in the framework of the *Round Table of the International Institute of Humanitarian Law* (see page 593). The participants realized that it was necessary to strengthen the role of the National Societies in internal conflicts, but emphasized that the responsibilities and mandates of the Movement's components, which were complementary, had to be clearly defined and that co-operation, the key to effective Red Cross and Red Crescent action, had to be placed to the fore.

We invite our readers to peruse these pages and express their views on the new challenges represented by the application of the Fundamental Principles in our troubled times.

The Review