

### **Meeting of technical experts for the possible revision of Annex I to Protocol I Additional to the Geneva Conventions of 12 August 1949**

Article 98, paragraph 1, of Protocol I provides for a periodic review by technical experts of the *Regulations concerning identification* (Annex I to Protocol I), to ascertain whether the Annex should be amended. After consulting the States party to the Protocol, the International Committee of the Red Cross must convene such a meeting not later than four years after the entry into force of the Protocol and then at intervals of not less than four years.

Protocol I came into force on 7 December 1978 and, in accordance with Article 98, the ICRC consulted the States party to the Protocol in December 1982 as to whether such a meeting of experts should be held. The ICRC concluded from the replies that the time was not yet ripe for such a meeting as there were still too few States party to the instrument.

By August 1988 there were 76 States party to the Protocol (there are today 97), and the ICRC decided to consult the States once again. At the end of that month, the ICRC sent a memorandum to the States party to Protocol I and to the States party only to the Geneva Conventions outlining the questions currently raised by the content of Annex I. It was mainly a matter of including new provisions that the International Civil Aviation Organization, the International Maritime Organization and the International Telecommunication Union had adopted since 1977 further to resolutions addressed to them by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts.

The ICRC asked the States party to Protocol I to study these questions and indicate whether they felt it necessary to amend Annex I. This survey of the States was completed in July 1989. The results showed that there was a majority in favour of amending Annex I; none of the States actually opposed such amendment. In accordance with its mandate, therefore, the ICRC convened the meeting of technical experts provided for in Protocol I, Article 98, to review Annex I and propose appropriate changes.

From 20 to 24 August 1990, almost 120 government experts representing some 60 States party to Protocol I or to the Geneva Conventions alone gathered in Geneva. The former conferred on what changes should be made to the

rules governing the identification of and communications with hospital ships and medical aircraft in wartime, while the latter attended as observers.

The meeting was opened by Mr. Cornelio Sommaruga, President of the ICRC, and chaired by Mr. Yves Sandoz, an ICRC Director. During their five days of deliberations, the experts made a detailed study of the provisions of Annex I and prepared the amendments they considered necessary to adapt them to modern means of warfare. In order to become law, the amendments will have to be adopted by a diplomatic conference.

Discussions focused on rules governing the use of the flashing blue light, the content of radio messages for the identification of medical ships and aircraft and the use of electronic means of identification such as radar transponders and underwater acoustic devices. The meeting took place in a most constructive atmosphere and was marked throughout by a desire for co-operation.

A final report will be drawn up by the ICRC and sent to the meeting's participants as well as to the other States party to Protocol I and those party only to the Geneva Conventions.

Following the meeting, the ICRC contacted the Swiss Federal Council, the depositary of the Geneva Conventions and their Additional Protocols. The Swiss Government has already indicated that it is prepared to convene a conference of the States party to Protocol I as provided for in Article 98, paragraph 2.

The ICRC has always done its utmost to update and develop international humanitarian law to keep pace with the realities of modern warfare. The recent meeting of technical experts is a further step in that direction.

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#### *WORKING FOR A HUMANITARIAN DIALOGUE*

### **The International Institute of Humanitarian Law celebrates its twentieth anniversary**

On 26 September 1990, the International Institute of Humanitarian Law celebrated the twentieth anniversary of its founding. This is therefore a good time both to review the activities of what is commonly called the "San Remo Institute" and, in the light of what is thus revealed, to look to the future.