

## II. PROCEEDINGS OF THE COUNCIL OF DELEGATES

The meeting of 29 November began with elections. Mr. Cornelio Sommaruga, President of the International Committee of the Red Cross (ICRC), and Mr. Mario Villarroel Lander, President of the International Federation of Red Cross and Red Crescent Societies, were elected Vice-Chairmen of the Council of Delegates. Mr. Jean-Louis Cayla (ICRC) and Mr. William Cassis (Federation) were elected Secretaries of the Council.

The Council of Delegates then took up its agenda and discussed the following items:

### 1. The future of the Movement

The Council of Delegates held a general debate on the postponement of the 26th International Conference and its implications. It then discussed the position, the image and the unity of the Movement in a changing world and its mandates for the future, with particular reference to its contribution to peace and to the protection of human rights.

#### a) The postponement of the 26th International Conference

*Dr. Ahmad Abu-Goura*, after mentioning the mandate of the Standing Commission he chairs, described the difficulties raised by Palestinian participation in the Conference and explained why the latter had had to be postponed. The decision to defer the Conference had finally been taken after several meetings and many moves and initiatives, when it became clear that it was going to prove impossible to resolve the matter before the Conference opened and thus avoid the danger of controversy during the Conference itself.

On behalf of the ICRC, *Mr. Yves Sandoz*, Director and member of the Executive Board, outlined the institution's position following the postponement, which he qualified as a failure that could not be overlooked. Noting that political problems relating to participation were inherent in the International Conference, he felt that the Movement should immediately consider whether there were ways of guaranteeing that such matters were resolved beforehand, so as to prevent disputes of an essentially political nature from poisoning the atmosphere of the Conference, interfering with calm consideration of the major humani-

tarian issues due for discussion and undermining the Movement's neutrality and public image.

How could such guarantees be provided? The Standing Commission, bound by the principle of neutrality, was not competent to decide political issues; it therefore had to encourage the community of States to resolve any political difficulties arising in the run-up to the Conference. On that point, the speaker drew attention to the intensive efforts of the Standing Commission members and the parties directly concerned to resolve the differences which had emerged in the international community with regard to the form that Palestinian participation should take.

Mr. Sandoz added that various procedures might be envisaged, for example, the setting up of a group of government representatives before the Conference, or agreement among components of the Movement to abstain from participating in debates and votes on controversial political issues; although it was doubtful that such measures could fully guarantee avoidance of the adverse effects mentioned above.

Hence, the real question was whether the Movement was sufficiently committed to dialogue with governments in the context of the International Conference to take the risks which, even if they could be mitigated, were inherent in the situation. Clearly, the Movement could not go on claiming to have an exceptional forum for dialogue with governments unless it was willing from the outset to take the risks involved and *follow them through to the end*: what had happened in Budapest must not be repeated.

The ICRC felt that, given its special mandate with respect to international humanitarian law, such dialogue with the governments was essential. Did all the National Societies feel the same way?

In the coming months what had to be done was to work out, both with governments and within the Movement, forms of future dialogue with a view to setting a new date for the 26th International Conference of the Red Cross and Red Crescent, or to establish the bases of some other form of dialogue.

The Secretary General of the Federation, Mr. Pär Stenbäck, said that the Movement had to learn to function in a political environment while maintaining its independence. Doubting that most governments were really interested in the International Conference, he felt that some means had to be found of pursuing less formal and more frequent talks with them, perhaps through regular contacts between National Societies and their respective governments or through other procedures yet to be devised.

*Dr. János Hantos* of the Hungarian Red Cross, a member of the Standing Commission, expressed the opinion that the Council of Delegates should become the supreme body of the Movement. The Movement had for some time been experiencing a conflict between its principle of independence and the position adopted by States, which had a statutory right to vote at the International Conference. Dealing with subjects relating to international humanitarian law called for contacts and exchanges of views with governments, he said, and it would therefore be appropriate to maintain dialogue in a forum similar to the International Conference of the Red Cross and Red Crescent. However, the name of the Conference was misleading and should be changed.

## **b) The work, image and unity of the Movement**

For the first time in the Movement's history, and at the request of a group of National Societies, the members of the Federation's Executive Council and of the ICRC Assembly met on 31 August and 1 September 1991 in Yverdon-les-Bains, Switzerland, to consider measures to promote confidence-building among components of the Movement, to consolidate their activities and to enhance the image of the Red Cross and Red Crescent in the face of current challenges.

The Council of Delegates was informed of the discussions held at the meeting, which had taken place in an atmosphere of frankness and openness already dubbed "the spirit of Yverdon".

*Mr. Pierre Keller*, a member of the ICRC Assembly, stated in his report that a number of common concerns had emerged in the discussions conducted in three working groups. It had been recognized that tensions arising from the division of work between the components of the Movement and from its complex structure were harmful to the way the public perceived it. Similarly, there was agreement on the need to improve communication and working relationships and to foster better coordination within the Movement.

The debate which followed clearly showed that there was a pressing need for the Movement to adjust rapidly to a changing world and to find solutions to present-day problems. Emphasis was laid on the competition arising among the growing numbers of public and private humanitarian relief agencies. That was of course an incentive to greater effort but meant that the Movement had to be ready and willing to meet the challenge.

Finally, it was stressed that the diversity of the Movement's various components and the dissensions among them were creating some confusion in the public mind, undermining public support and proving harmful to the principles of unity and universality which were the Movement's major assets.

The Council of Delegates therefore decided to set up a Study Group on the future of the Movement, whose role would be to "advise on and recommend to the Council of Delegates a strategy for the Movement in response to emerging trends and evolving humanitarian issues".

The Study Group's terms of reference:

"1. To review, study, research and discuss current and future trends and issues in the humanitarian field with a view to achieving common positions on matters of concern to all components of the Movement.

2. To study governing and operating structures of the Movement and to suggest appropriate courses of action which will enable the Movement to carry out its humanitarian mandate with the utmost effectiveness and cohesion".

The Group was to be composed of five members from National Societies, appointed in their personal capacity by the President of the Federation, two members from the Federation and two members from the ICRC.

### **c) The Movement's contribution to peace**

The Council of Delegates then heard the report of the Commission on the Red Cross, Red Crescent and Peace, which had met on 3 November under the chairmanship of Mr. Alan McLean, Secretary General of the Australian Red Cross. Mr. McLean was temporarily replacing the late Mr. Alexander Hay, who had chaired that Commission from April 1987 to August 1991.

The Commission had essentially pursued and completed its study on its own future role, activities and membership.

The exchanges of views among its members had led to a broad consensus on the need to maintain the Commission as a forum for deliberation and a special platform for dialogue within the Movement.

Similar agreement had been reached on the role of the Commission, which was to promote the implementation of the Programme of Action of the Red Cross and Red Crescent as a factor for peace and

the Fundamental Guidelines for the Movement's contribution to true peace in the world.

By consensus, the Commission had broadened its mandate to cover the following matters:

- dissemination and promotion of respect for international humanitarian law and the principles and ideals of the Movement;
- the Movement's role in promoting respect for human rights and the rights of refugees and minorities, and in situations not covered by international humanitarian law;
- humanitarian mobilization for respect of the fundamental rights of the individual;
- specific Red Cross and Red Crescent action to foster greater understanding between different cultures, ethnic, social and cultural groups.

The Commission would also fulfil any other task assigned to it by the Council of Delegates which fell within its mandate, and could submit proposals to the Council on studies to be undertaken.

The Commission then submitted a proposal on its composition, taking into account the principle of fair geographical distribution, the interest expressed by National Societies and the need to strike a balance between experienced and new members. So as to ensure a constant input of fresh ideas, it was further proposed that members should be regularly replaced.

The Council of Delegates adopted the conclusions of the Commission as to its role, tasks and working methods; it also decided that the future Commission would have sixteen members instead of the current fourteen, and that in order to increase National Society representation a quarter of its membership would be replaced every two years. Furthermore, the Chairman of the Commission would henceforward be elected by the Council.

The Council then elected *Mr. Maurice Aubert*, Vice-President of the ICRC, as Chairman of the Commission and appointed as members the National Societies of the following countries:

Australia	Korea (Dem. People's Rep.)
Brazil	Korea (Rep.)
Colombia	Malaysia
Egypt	Nigeria
Ethiopia	Paraguay
France	Sudan

Greece  
Hungary

Sweden  
Tunisia

Finally, the Council took note of the report on the World Campaign for the Protection of Victims of War introduced by *Mrs. Christina Magnuson*, Vice-President of the Swedish Red Cross. She stressed the success of the 8 May 1991 event *Light the darkness*, in which National Societies had played a particularly active part. Despite underfunding, the results of the Campaign could in general be considered positive.

The Council of Delegates adopted a resolution expressing appreciation for the worldwide effort in carrying out the World Campaign for the Protection of Victims of War and encouraging governments and the ICRC, in cooperation with the Federation and the National Red Cross and Red Crescent Societies, to take advantage of the impetus given by the campaign to intensify efforts to promote better understanding and knowledge of the situation of war victims and of international humanitarian law.

## **2. Regulations on the use of the emblem of the red cross or the red crescent by the National Societies**

The Council of Delegates adopted the revised text, submitted by the ICRC, of the Regulations on the use of the emblem of the red cross or the red crescent by National Societies. These Regulations lay down the various ways in which the emblem may be used by National Societies, in accordance with the provisions of international humanitarian law and the Fundamental Principles of the Movement. They also provide answers to the many questions arising in National Societies as to the lawful and unlawful uses of the emblem.

The new Regulations emphasize the strict distinction drawn between the use of the emblem for purposes of protection and of identification. In its protective role it is intended to indicate medical and religious personnel and property, which must be respected and protected during armed conflict. Use of the emblem for identification serves to show that individuals or property have a connection with the Movement. Any confusion between the two uses must be avoided, particularly in wartime.

The Regulations specifically mention that before using the emblem for protective purposes, the National Society must obtain the agree-

ment of its country's authorities, with whom procedures for such use must be worked out.

The articles in the Regulations relating to the use of the emblem for publicity and fund-raising purposes have been developed in precise detail. All references to the "red lion and sun" have been removed.

The Resolution adopted by the Council of Delegates invites the ICRC to submit the Regulations to the States party to the Geneva Conventions, encouraging them to endorse the Regulations and, where necessary, to authorize their National Societies to observe them. It recommends that National Societies comply with the new Regulations, in accordance with national legislation, at the earliest possible date and invites them "to assist their governments in meeting their obligations under the Geneva Conventions with regard to the emblem, in particular to prevent its misuse, and to support the activities of the ICRC in that respect".

It should be noted that these Regulations are important and many National Societies have been asking for them for several years. They are the outcome of extensive consultation within the Movement and have met with a very favourable response in the Council of Delegates. It is to be hoped that all governments will give the new Regulations their approval.

### **3. Information policy of the Movement**

A report on the Movement's Information Policy was submitted to the Council of Delegates by the Directors of the communications departments at the Federation and the ICRC.

In accordance with Council of Delegates Resolution 4 of 1989, the ICRC and the Federation had undertaken to create a framework conducive to the implementation of the Movement's Information Policy and Identity Programme. Significant progress had been made over the previous two years: a joint working group, the Public Support Group (PSG) with members from eight National Societies, the Federation and the ICRC, had been set up to:

- advise the ICRC, the Federation and the National Societies on any matters relating to communication and fund-raising;
- help the Movement to set priorities and select programmes to be carried out in those areas;

- propose guidelines for international fund-raising, for subsequent adoption by the Movement.

The PSG had produced a *Communicator's Guide*, drawn up mainly by the American Red Cross and designed to provide users with a compilation of theoretical and practical professional data, in relation to the Movement's Identity Programme. The Guide had several expository sections that defined the specific objectives of the Information Policy, and more practical sections that explained and illustrated ways and means of achieving effective communication regardless of the resources available to the National Society or institution concerned.

It was henceforth up to National Societies to adapt the Guide to their respective needs and make it an effective working tool for communicating the Movement's message.

Communication training workshops had been scheduled using the *Communicator's Guide*. The first regional seminar for National Societies' information officers in East and southern Africa had been held in Nairobi, Kenya, in September 1991.

*Red Cross, Red Crescent* magazine was also a vital support for the Information Policy. It needed a more solid foundation, however, one better suited to its expansion.

The Council of Delegates took note of these achievements; it recommended in particular that National Societies should contribute more to the financing and distribution of *Red Cross, Red Crescent*.

It was pointed out that *World Red Cross and Red Crescent Day* offered a particularly good opportunity for spreading the Movement's message. However, sound advance preparation was obviously needed for maximum impact on the public. The Council of Delegates approved the principle of a single general theme for a three-year period, with three annual sub-themes.

For 1993, 1994 and 1995, the overall theme chosen was "dignity for all". In 1993, the 8 May events would focus on "the vulnerable"; in 1994 on "our children's future" and in 1995 on "respect for women".

The Council of Delegates invited the ICRC and the Federation "to continue harmonizing their efforts in everything related to the conduct of information programmes of interest to the Movement, both regionally and internationally, so as to highlight more effectively the humanitarian work carried out throughout the world".

#### **4. The Movement's participation in the 1992 Universal Exposition in Seville**

The Universal Exposition due to be held in Seville from April to October 1992 affords an exceptional opportunity to explain and promote the message and activities of the International Red Cross and Red Crescent Movement.

A report was submitted to the Council of Delegates on the work undertaken in preparation for the Movement's participation in EXPO '92, which was approved by the Council of Delegates in 1989. *Mrs. Carmen Mestre*, President of the Spanish Red Cross and Pavilion Commissioner since October 1990, gave the Council technical details about the construction of the Movement's Pavilion, its cost and content. The Pavilion was three storeys high with a surface area of 3,000 square metres; building work was already well under way despite the financial problems which had beset the project since it was launched.

The project included two programmes. One, managed by the Spanish Red Cross, consisted in setting up first-aid services for visitors. The other involved international volunteers and was under the responsibility of the International Promotion Bureau. It would deal directly with the public, covering in particular the welcoming of visitors, public relations and dissemination of the Red Cross and Red Crescent message.

The President of the Spanish Red Cross called upon National Societies to finance the participation of young volunteers in the international teams working at EXPO '92.

#### **5. Dissemination**

##### **a) Respect for and dissemination of the Movement's Fundamental Principles**

In accordance with Resolution 7 of the 1989 Council of Delegates, the ICRC continued its study on respect for and dissemination of the Red Cross and Red Crescent Fundamental Principles in close association with the National Societies, the Federation and the Henry Dunant Institute. In particular, it consulted the National Societies on the practical implementation of each of the seven principles. The replies received appeared in a report submitted to the Council of Delegates in Budapest, which was accompanied by a number of recommendations.

The Council took note of this second interim report and asked “the ICRC, in cooperation with the Federation, to support the National Societies’ efforts in implementing the Principles and to help them in particular to counter any pressure to which they may be subjected”. It further requested “the ICRC, in cooperation with the Federation, to continue the ongoing study with a view to setting out, in an updated commentary, the Movement’s common interpretation of the Principles”.

#### **b) Guidelines for the dissemination of international humanitarian law and the principles and ideals of the Movement**

In a joint report submitted to the Council of Delegates, the ICRC and the Federation gave an overview and assessment of the dissemination activities carried out over the previous fifteen years in accordance with the three successive programmes of action launched since 1978. These programmes had four basic objectives:

- to encourage States to ratify or accede to the Protocols additional to the Geneva Conventions;
- to consider through studies and research the legal and practical consequences of the provisions of the Protocols additional to the Geneva Conventions;
- to promote the dissemination of international humanitarian law among six target groups: National Societies, the armed forces, government circles, universities, medical and paramedical personnel, the media;
- to include the dissemination of the principles and ideals of the Movement in every facet of the Movement’s activities.

Although the ICRC, the Federation and the Henry Dunant Institute had primary responsibility for implementing the programmes, the support and the input of the National Societies had proven decisive.

Over the previous fifteen years, dissemination efforts had successfully reached a broad spectrum of the public. But, as Council of Delegates participants stressed, international humanitarian law was all too often flouted or simply unknown. So in its resolution the Council, deeply concerned by the fact that humanitarian law was not universally applied in armed conflicts, urged States fully to discharge their treaty obligations so that international humanitarian law may be known, understood and respected at all times; it further invited the ICRC, in cooperation with the Federation, to maintain and if possible increase

its support for dissemination activities and national and regional dissemination programmes.

The *Guidelines for the '90s* were submitted to the Council of Delegates, which adopted them and recommended they be widely circulated. This document outlines the aims of dissemination and explains its content, namely international humanitarian law, the Fundamental Principles, the ideals of the Movement, its work and its history; it mentions those in charge of dissemination and lists the target groups, in particular the armed forces and other authorities responsible for applying international humanitarian law, the leadership, staff and volunteers of National Societies, young people and members of the teaching profession. The *Guidelines* also provide some simple advice as to methods of dissemination and the way in which the humanitarian message should be conveyed.

## **6. The Movement and refugees**

Since the founding of the Red Cross, the plight of refugees and displaced persons has always been among its humanitarian concerns. However, it was the 24th International Conference in Manila (1981) that for the first time clearly defined the role of the International Red Cross and Red Crescent Movement with regard to refugees, displaced persons and returnees. Since then, the Movement's work in this sphere has been regularly reviewed by the International Conference.

The report submitted to the Council of Delegates by the ICRC and the Federation first mentions the humanitarian role played by the Movement, in accordance with the provisions of humanitarian law, and the respective mandates of the ICRC and the Federation together with that of the United Nations High Commissioner for Refugees, then goes on to describe the main activities undertaken by the Red Cross and Red Crescent for refugees, asylum-seekers, displaced persons and returnees since the last International Conference in 1986.

The report finally expresses the Movement's concern in the face of new situations: lengthy exile of refugees and displaced persons, collapse of social and political structures in a good many countries, increasing numbers of persons displaced within their own countries as a result of armed conflict, violations of human rights, and also starvation used as a method of warfare.

Delegates considered that the Movement should mobilize to find urgently needed responses to the problems caused by these mass refugee movements, and to help the most vulnerable among the victims.

The Council of Delegates adopted a resolution calling upon the components of the Movement to act vigorously in favour of refugees, asylum-seekers, displaced persons and returnees; and to focus attention on the psychological problems encountered by most refugees, asylum-seekers, displaced persons and returnees, and on the care needed for the most vulnerable among them, giving due support to children through activities such as community-based health services and assistance in psychological and social readjustment.

Components of the Movement are also invited actively to seek governments' support in order:

- to permit the Movement to assist those who are deprived of any suitable protection or assistance;
- to address first and foremost the causes of people fleeing their homes, and to promote peace and respect for human rights;
- to ensure that, in all circumstances, refugees, asylum-seekers and displaced persons receive humane treatment and decent material conditions;
- in the search for durable solutions, to see that the voluntary character of repatriation and the safety of returning refugees in their countries of origin are fully ensured;
- to support the development of refugees hosting areas in the event of mass influxes of refugees;
- to ensure that a decision to deny asylum is taken only within the framework of fair and proper procedures and that the principle of return in safety and dignity of rejected asylum-seekers is reaffirmed.

The resolution also emphasizes the need to strengthen cooperation with the United Nations High Commissioner for Refugees; to draw the attention of host communities to the problems of humanitarian concern encountered by refugees; and to fight xenophobia and racial discrimination.

## **7. Women in Red Cross/Red Crescent Development**

Referring to the Plan of Action on Women in Red Cross/Red Crescent Development, the Council of Delegates called upon the National Societies and the Federation to pay greater attention to the position of women in Red Cross/Red Crescent development programmes. It expressed concern about the vulnerability of women and children, stressing that the hard life they endure in the countryside and urban slums, together with the continued use of traditional practices which endanger the lives of women, is not only a question of basic injustice but also an impediment to economic and social development.

In its resolution on women in Red Cross/Red Crescent development, the Council urged the National Societies to ensure that literacy and other training schemes for women are linked to their daily concerns; to put emphasis on community-based health care, including child spacing, family planning, and clean water supply, in order to meet some of the most urgent needs of women and children; to promote income-generating activities for women; and to take account of the role of women in disaster situations.

## **8. International humanitarian law**

### **a) Protection of the civilian population against famine, and humanitarian assistance in situations of armed conflict**

For some years now, ensuring that the civilian population has adequate supplies in situations of armed conflict has become one of the major problems in the implementation of international humanitarian law.

So as to explore solutions, the ICRC submitted two reports to the Council of Delegates. The first focuses on the causes of famine in wartime, and the other discusses the problems involved in getting the supplies through.

During a seminar entitled "Famine and War" held in Annecy, France, in March 1991, experts in humanitarian aid demonstrated the links between failure of parties to a conflict to observe international humanitarian law, particularly with regard to the protection of civilians against the effects of hostilities, the disruption that such violations cause in access to food supplies, the subsequent impoverishment of the civilian population, the emergence of situations where humanitarian

relief becomes essential for survival and, only too often, the obstacles placed in the way of such relief operations.

Famine, with all the inroads it makes upon health and dignity, is intolerable according to the letter and the spirit of international humanitarian law. The disruption and collapse of the social and economic order create risks of famine that cannot be staved off solely by observance of international humanitarian law. Hence, humanitarian assistance must be provided. Assistance for victims of armed conflict, international or internal, obviously has to reach those for whom it is intended; it must be impartial and be provided without discrimination; it must also be regulated in a manner appropriate to the victims' needs.

The legal provisions that give rise to the right to humanitarian assistance take due account of the prerequisites and the constraints to which such assistance is subject in times of armed conflict. These constraints are not only of a political nature. The realities of war include blockade and siege, control by the armed forces over populations cut off from the outside world, the destruction of means of communication, insufficient energy supplies, in sum, a whole range of highly practical difficulties which humanitarian assistance operations can overcome only through greatly increased efficiency.

Impartiality, non-discrimination, supervision and efficiency are the key words for humanitarian assistance operations conducted in conformity with international humanitarian law and designed to meet its general aims. However, the support of the international community is essential, as is cooperation with National Red Cross and Red Crescent Societies. There is in any event a need for consultation and harmonization of activities between the ICRC and intergovernmental and non-governmental organizations which pursue similar aims.

The Council of Delegates adopted two resolutions on this topic. The first, relating to humanitarian assistance in situations of armed conflict, calls upon parties to such conflicts to respect and ensure respect for the rules of international humanitarian law; to allow free passage of supplies essential to the survival of the civilian population, and to agree to cooperate in relief actions which are exclusively humanitarian, impartial and non-discriminatory in character, within the meaning of the Fundamental Principles of the Movement.

The second, concerning the protection of the civilian population against famine in situations of armed conflict, reminds the States of their treaty obligations towards the civilian population in periods of armed conflicts, in particular the obligation to avert or limit famine;

and urges the parties to armed conflicts to maintain conditions enabling civilians to provide for their own needs.

#### **b) Child soldiers**

In many armed conflicts, children continue to take part in hostilities despite the existence of international treaties such as the United Nations Convention on the Rights of the Child, and the special provisions of humanitarian law.

The Council of Delegates adopted a resolution designed to ensure better protection for children in wartime, appealing to States and other parties to armed conflicts to observe the rules of international humanitarian law in this regard, and inviting them to strengthen the protection of children in armed conflicts through unilateral declarations or bilateral or regional instruments setting at eighteen the minimum age for participation in hostilities.

Furthermore, the resolution invites the National Societies to do everything possible to protect children during armed conflicts, particularly by ensuring that their basic needs are met and by organizing peaceable and educational activities for them. The Council requested the Henry Dunant Institute to undertake a study, subject to financing, on the recruitment and participation of children as soldiers in armed conflicts and on measures to reduce and eventually eliminate such recruitment and participation.

#### **c) Information about work on the development of international humanitarian law**

*Mr. Yves Sandoz*, speaking on behalf of the ICRC, gave a brief overview of the work under way on the development and implementation of international humanitarian law, a priority area which should have been discussed by Commission I at the 26th International Conference.

On the subject of the effects of weapons, Mr. Sandoz expressed regret that the United Nations Convention on certain conventional weapons was little known and, above all, seldom observed: mines killed or maimed thousands of civilians in current conflicts every year.

Technological advances had led to the development of appalling means of warfare and constant vigilance was vital: the ICRC's attention had been drawn in particular to the possibility that weapons might be produced that would leave soldiers permanently blind. Mr. Sandoz said that the ICRC had completed a round of talks with international experts so as to be able to go to the international community with a

clear and comprehensive definition of the problem and appeal for preventive action.

Turning to the mechanisms for monitoring the implementation of international law, he mentioned the recent establishment of the International Fact-Finding Commission (Article 90 of Protocol I) and asked National Societies to encourage their respective governments to accept its competence.

Mr. Sandoz also mentioned the work undertaken to review the law of war at sea (which has remained almost unchanged since the beginning of the century) and to enhance, using technological standards appropriate to current technology, the protection of medical transportation in times of armed conflict.

In the context of the conduct of hostilities in non-international armed conflicts, Mr. Sandoz said that it was "unacceptable for States to authorize the use, against their own population, of methods whose use they prohibit against foreign soldiers".

Another subject requiring due reflection was the impact of war on the environment. The recent Gulf War had again highlighted the devastating effects on the natural environment of certain means and methods of warfare. There was therefore a pressing need to review the scope of the rules of humanitarian law in this regard and to find ways of ensuring better implementation of the rules, or perhaps to develop them. The ICRC intended to convene a meeting of experts on this topic in 1992.

Mr. Sandoz concluded by appealing to all National Societies to encourage their governments to comply more closely with international humanitarian law and to facilitate the work of the ICRC; he thanked them for their support during the proceedings in Budapest.

After a lively debate, the Council of Delegates unanimously adopted a resolution expressing the Movement's concern about the postponement of the 26th International Conference of the Red Cross and Red Crescent and stating that as a result the development of international humanitarian law, to which the Movement makes an essential contribution, has been set back. The resolution "requests governments and other political entities to make sure that their future relations with Red Cross and Red Crescent bodies do not jeopardize the latter's compliance with the principles of impartiality and neutrality, with a view to enabling the 26th International Conference to meet as soon as possible in order to advance and develop international humanitarian law".

## 9. Coordination and conduct of emergency relief operations

The Council of Delegates considered developments in humanitarian assistance in the event of natural disasters, the attendant problems of coordination and preventive measures, and what all this meant for the Movement, particularly the National Societies. As *Mr. Pär Stenbäck*, Secretary General of the Federation, pointed out, any major natural disaster immediately assumed an international dimension. Media coverage and the interest aroused in the public translated into an appreciable increase in funds, but also prompted action by many agencies of varying levels of competence, with all the attendant risks of confusion and duplication of effort.

The Council of Delegates first adopted a resolution on the coordination of non-governmental disaster relief in time of peace, recommending among other things that the National Societies, in cooperation with the Federation, take steps to facilitate the coordination of NGO efforts in disaster relief or to assist other appropriate national NGOs in so doing. The Federation was urged to assist the National Societies in fulfilling this role, particularly with regard to pre-disaster preparedness, assessment of damage and needs, and the formation of relief action plans.

In another resolution, the Council of Delegates called upon governments and multilateral bodies to re-examine their existing arrangements for delivering relief with a view to making these structures function effectively rather than creating new, possibly short-lived, fractionated arrangements; it appealed to governments to demonstrate a clear commitment to funding and carrying out disaster preparedness programmes aimed at reducing people's vulnerability to disasters and increasing agencies' ability to respond to disasters.

The Federation for its part was called upon to continue to increase its competence in disaster response, thus increasing its viability as an operational partner for major government and multilateral donor institutions while maintaining its independence.

In a third resolution, on humanitarian assistance in situations of natural and technological disasters, the Council asked the Federation, in consultation with the main relief organizations, to set up a group of experts to study the possibility of elaborating a Code of Conduct on humanitarian aid in such situations.

## **10. Henry Dunant Institute**

The Council took note of the report on the work of the Henry Dunant Institute introduced by its President, *Mr. Hubert Bucher*, Secretary General of the Swiss Red Cross.

Several National Societies expressed support for the Institute and the activities it proposed to carry out in four areas over the next few years: development of the Movement, human rights and protection of the individual, armed conflicts and violence, protection of disaster victims.

## **11. Financing of the ICRC**

The Council of Delegates, after taking note of the report of the Commission for the Financing of the ICRC, welcomed the increase in the number of staff seconded by National Societies to take part in the ICRC's field operations, and the rise in the overall amount of contributions made by National Societies and governments to the ICRC's field budgets.

It decided in a resolution to renew the mandate of the Commission for four years. It appointed as new members the National Societies of the following countries: Australia, Costa Rica, Finland, Libya and Sierra Leone; and renewed the mandate of those of the following countries: Algeria, China, Colombia, France, Germany, Japan and Mauritania. It also set as the Commission's objective to increase by 10% at least the number of National Societies that contribute to the ICRC budgets.

## **12. National Society Statutes**

Since 1986, the Joint ICRC/Federation Commission on National Society Statutes has examined cases concerning 64 National Societies. Of these, 25 cases arose from emerging National Societies, 29 related to amendments of Statutes and 10 to National Societies in difficulties of one kind or another.

The Council of Delegates approved the report of the Commission, stressed the need for the Federation and the ICRC to have the current statutes of all National Societies on file and called on govern-

ments to respect at all times the commitment of the Movement's components to observe the Fundamental Principles.

### **13. Empress Shôken Fund**

The Council took cognizance of the report of the Joint Commission of the Empress Shôken Fund; it adopted a resolution approving a proposed amendment to the rules whereby: "a sum which shall not exceed twelve per cent of the annual interest on the capital shall be set aside to cover the cost of administering the Fund and of assisting National Societies concerned in the realization of their projects". The resolution invites the ICRC and the Federation to submit this amendment to the States party to the Geneva Conventions.

### **14. Florence Nightingale Medal**

The Council of Delegates took note of the ICRC report; it approved an amendment to the Regulations of the Florence Nightingale Medal, the highest international decoration that can be received by a nurse, whereby male nurses also became eligible. The Medal can henceforth be awarded to any person who has, among other things, distinguished him or herself in time of peace or war by showing exceptional courage and devotion to wounded, sick or disabled, or to civilian victims of an armed conflict or disaster. The ICRC was invited to submit this amendment to the States party to the Geneva Conventions.

### **15. Conflict in Yugoslavia; an appeal for "peace in people's hearts"**

The Council of Delegates considered the serious consequences in humanitarian terms of the current conflict in Yugoslavia.

The Red Cross of Yugoslavia painted a tragic picture of the situation in the country and described the action taken to help victims of the conflict by the National Society, the Red Cross in the various Republics and the ICRC.

The President of the ICRC, after mentioning the meetings convened under ICRC auspices in Geneva with the country's political leaders and Red Cross Presidents, read out a statement affirming the commitment of Red Cross members and volunteers in the country to conduct their relief activities for conflict victims in full conformity with the Movement's Fundamental Principles. He also recalled the solemn undertaking made at the Hague Conference on 5 November 1991 by the Presidents of the six Republics to comply with the rules of international humanitarian law providing for the protection of non-combatants and persons *hors de combat*, (civilians, prisoners, the wounded) and to respect the Red Cross emblem and all those engaged in humanitarian work.<sup>1</sup>

The Council of Delegates expressed its support for Red Cross action to help victims in that country by adopting a resolution of solidarity which had been put forward by the French and Italian Red Cross Societies and was entitled "Budapest Appeal: peace in people's hearts". Expressing the Movement's profound concern about the fratricidal battles going on just a few hundred kilometres from Budapest, the Council of Delegates assured the Red Cross of Yugoslavia and the Red Cross in the country's six Republics of its support and considered that "once the fighting is over, there must be peace in people's hearts before lasting solidarity and peaceful coexistence can be achieved".

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The Council of Delegates meetings ended on 30 November 1991. The President of the ICRC and the Secretary General of the Federation felt that the hallmark of this very special session of the Council had been one of dignity. Both institutions congratulated the Hungarian Red Cross warmly for organizing the meetings and expressed special thanks to *Mr. Rezso Sztuchlik* who, in his capacity as Chairman of the Council of Delegates, had conducted the meetings with competence and spirit.

The next Council of Delegates meeting will be held in the United Kingdom in October 1993.

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<sup>1</sup> See "Humanitarian meetings on conflict in Yugoslavia", *IRRC*, No. 285, November-December 1991, pp. 610-611.