

BEFORE, DURING, AND AFTER THE CRISIS

The importance of promoting knowledge of international humanitarian law has been recognized since its beginnings. Dissemination was made an obligation for States by the Geneva Conventions of 1949 and their Additional Protocols of 1977.

This measure stemmed initially from something quite self-evident: there is little likelihood of a body of law being observed unless those whose duty it is to respect and apply it are familiar with it. The aim was two-fold: first the practical aspect — to respect and ensure respect for the law, and thereby prevent violations of its provisions; and secondly the moral aspect — to contribute to the propagation of humanitarian ideals and a spirit of peace among peoples.¹

The international community gave the ICRC a mandate to assist in the dissemination efforts undertaken by States. The ICRC has accomplished this task with the support of the National Red Cross and Red Crescent Societies and their International Federation. Activities to spread knowledge of international humanitarian law have intensified and diversified considerably over the last twenty years; many programmes have been set up in peacetime by the components of the Movement and guidelines have been issued indicating the dissemination methods best suited to different target audiences, primarily the armed forces.²

The ICRC for its part has built up a specialized dissemination structure that has enabled it to raise awareness in the various parts of the world

¹ Resolution 21: "Dissemination of international humanitarian law applicable in armed conflicts", adopted by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in International Armed Conflicts, 1977.

² On the evolution of dissemination methods and objectives, see the historical overview given below: Jacques Meurant, "The 125th anniversary of the *International Review of the Red Cross*: A faithful record. II. Victories of the law", pp. 282-304, at pp. 292-295.

through its network of regional delegations, with the support of the National Societies and the Federation. Literally thousands of workshops, courses, seminars, and exhibitions have been organized at the regional and national level to reach sectors of the population ranging from soldiers and officers to politicians, academic circles and the media. By way of example, this issue of the *Review* gives an account of the proceedings of recent seminars held for diplomats and international officials.³ It also introduces the reader to an original form of teaching offered by the Jean Pictet Competition, which provides law students with the opportunity to test their knowledge of the law in real-life situations.⁴

These activities, which might be described as “traditional dissemination”, are in constant evolution, adapting to keep pace with circumstances, just as the objectives of dissemination, under the pressure of tragic events, have had to be expanded to include obtaining guarantees of the safety of staff engaged in humanitarian work, ensuring acceptance of ICRC delegates by all belligerents, and facilitating access to victims.

Dissemination can be effective only if a dialogue is established between the disseminating agency and the competent authorities, which has not always been the case. The situation in this respect has deteriorated sharply in recent years owing to the total anarchy prevailing in an increasing number of conflicts and to the collapse of government and military structures in a good many countries where armed force has disintegrated into arbitrary acts and banditry. Not to mention the unacceptable increase in violations of the fundamental rules of humanitarian law.

This situation has caused grave concern in the international community, with the United Nations in particular seeking new ways to manage such crises. The Round Table held by the San Remo International Institute of Humanitarian Law in September 1994 and entitled “Conflict prevention — the humanitarian perspective” considered several aspects of preventive action and arrived at conclusions that the *Review* reports on below.⁵ Notable among them is the observation that those responsible for international action must have the necessary political will to take appropriate

³ See below: “Geneva, New York, Washington — Dissemination of international humanitarian law to diplomats and international officials”, pp. 356-358.

⁴ See below: “The Jean Pictet Competition”, pp. 341-347.

⁵ See below: “Conflict prevention — the humanitarian perspective. XIXth Round Table on current problems of international humanitarian law (San Remo, 29 August-2 September 1994)”, pp. 348-355.

preventive measures. It is also desirable to obtain the support of the parties directly involved in a conflict. Finally, short-term preventive action, while producing immediate effects, may well fail to deal with the roots of the conflict because of the “emergency” factor; while long-term action may be more effective in addressing the underlying causes of the situation.

These new factors prompted the International Red Cross and Red Crescent Movement, and the ICRC in particular, to review its position and adopt a novel dissemination strategy focusing on preventive action, to be taken not only BEFORE the potential conflict, but also DURING the crisis and in its AFTERMATH, with a view to restoring peace.⁶ While the fundamental objective of dissemination remains constant — to limit the suffering of victims and prevent violations of the law — there is an aim specific to each situation as it arises: before the conflict, action to prevent the emergence of violence; during the conflict, action to limit the spread of violence; and, after the conflict, action to prevent any breakdown of the peace process.

In each of these three situations, the means used are tailored to the circumstances. Emphasis is placed on using local resources, as demonstrated by the initiatives taken by the ICRC and National Societies in setting up programmes appropriate to the customs and language of the target audience. It cannot be stressed too strongly that every dissemination operation must be closely linked with the ethical and cultural values of the region concerned. The intercultural approach, so essential in dissemination, “thus consists in seeking in local symbolism the sometimes forgotten traces of humanitarian traditions and juxtaposing this heritage with humanitarian law so as to show the universality of these values”.⁷

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The Movement tends to adopt the same strategic approach for operational crisis management. Each situation, BEFORE, DURING, and AFTER the crisis, calls for appropriate preventive measures. In this issue an ICRC staff member shows, on the basis of many field operations

⁶ See below the article by Jean-Luc Chopard: “Dissemination of the humanitarian rules and cooperation with National Red Cross and Red Crescent Societies for the purpose of prevention”, pp. 244-262.

⁷ *Ibid.*, p. 255.

corresponding to each of these three situations — and in the light of past mistakes — just how important it is to prepare the civilian population to cope with disaster situations and to give adequate training to delegates and personnel of the Movement's various components.⁸

In the midst of the crisis, the victims must be given the means to stay alive today and to survive tomorrow. Hence the importance of the multidisciplinary teams set up by the ICRC, comprising nurses, nutritionists, agronomists, sanitary engineers, logistics experts, and delegates with experience in a wide range of tasks.

But another major challenge is to prepare, during the crisis itself, for rehabilitation, which is the first step towards development. The combined approach of food aid plus emergency agricultural rehabilitation may have a preventive effect, tending to slow any further deterioration, promote food production systems and restore the dignity of the producers. It is up to the international agencies concerned to provide support for survival strategies when a population is subjected to a prolonged war. The ICRC therefore tries to safeguard agro-ecological systems, respect traditional practices, and set up emergency agricultural rehabilitation programmes based on indigenous knowledge and customary procedures.

Finally, after the crisis, partners must be found who are qualified to take over and continue rehabilitation work. The role of the National Societies, often the only structures in civilian society in a position to do this with the assistance of the Federation, is a vital one at this stage. Hence the need for the Movement to have strong and well-structured National Societies capable of setting up development strategies that tackle the root of the crisis. The "assistance-protection" model is increasingly being replaced by the "presence-dissemination-protection-assistance" approach, which is not yet fully appreciated but which will certainly be at the forefront of the Movement's concerns in the future.⁹

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As ICRC President Cornelio Sommaruga remarked in his closing address to the XIXth San Remo Round Table: "According to the proverb,

⁸ See below the article by François Grunewald: "From prevention to rehabilitation — Before, during, and after the crisis. The experience of the ICRC in retrospect", pp. 263-281.

⁹ *Ibid.*, p. 281.

'prevention is better than cure'. For the Red Cross, that means first and foremost taking action to help every victim, whether of conflict or of social ills, but it also implies rehabilitation, the constant endeavour to consolidate peace by positive action; secondly, it means undertaking, in complete neutrality and independence, a serious educational mission, through dissemination of international humanitarian law and human rights, the Fundamental Principles of the Red Cross and Red Crescent, and basic moral values centred around respect for human dignity".

The Review
