

*PREPARING FOR THE 26TH INTERNATIONAL CONFERENCE  
OF THE RED CROSS AND RED CRESCENT*

*(Geneva, 3-7 December 1995)*

**SECOND MEETING OF LEGAL ADVISERS  
OF NATIONAL RED CROSS  
AND RED CRESCENT SOCIETIES**

*(Geneva, 6-7 March 1995)*

A second meeting of legal advisers of National Red Cross and Red Crescent Societies, jointly organized by the ICRC and the International Federation of Red Cross and Red Crescent Societies, was held in Geneva on 6 and 7 March 1995.<sup>1</sup>

The advisers of some twenty National Societies, together with officials in charge of preparations for the 26th International Conference of the Red Cross and Red Crescent, devoted the first day of the meeting to examining the recommendations of the Intergovernmental Group of Experts for the Protection of War Victims which met on 23 to 27 January 1995.<sup>2</sup>

During this meeting which was chaired by Mr Yves Sandoz, Director of the ICRC's Department for Principles, Law and Relations with the Movement, the participants expressed satisfaction that the Movement's role not only as the custodian and promoter of international humanitarian law (IHL), but also as an adviser on the implementation of that law, had been reaffirmed. They also noted that the Group of Experts' eight recommendations allowed the Movement's components considerable scope for action and that it was up to them to sustain the States'

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<sup>1</sup> The first meeting of legal advisers of National Societies was held in Geneva on 12 and 13 September 1994. A summary of its work is to be found in the September-October 1994 issue, No. 302 of the *Review*, pp. 442-445.

<sup>2</sup> See *Review*, No. 304, January-February 1995, pp. 33-38.

efforts towards improved application of the law. In addition, the participants considered that action by the Movement need not be confined solely to the experts' recommendations. It could also undertake activities in spheres as yet inadequately explored, for example mandatory reporting systems on national measures for the implementation and dissemination of IHL.

From the discussions on the recommendations of the Group of Experts the following major points emerged:

- National Societies have an important role to play in the universal adoption of the instruments of IHL; they are fully entitled to advise their governments on the purpose and competence of the Fact-Finding Commission.
- The ICRC, with the help of the National Societies, the International Federation of Red Cross and Red Crescent Societies and academic institutions, must strengthen its capacity to provide advisory services to States in their efforts to implement and disseminate IHL. Such advice can be given only with the recipient's prior consent.
- As regards dissemination, the National Society experts considered that the ICRC could either become directly involved in promoting a better understanding of IHL among international organizations and UN bodies and agencies or urge them to develop such knowledge themselves. A major effort must in any case be made to train peace-keeping troops.
- The National Societies are the ICRC's obvious counterparts, and the support given to them by the Federation must be coordinated with the ICRC.
- With regard to the role of dissemination in preventing conflicts, the Movement's task should be to continue developing an approach based on the humanitarian values on which IHL is founded. It should seek the most suitable ways of making these values known in various parts of the globe and in different cultural contexts.
- The National Society experts reaffirmed the importance of national committees to facilitate and coordinate the implementation and dissemination of IHL. However, it was essential to ensure that the involvement of non-governmental organizations, whose working principles may be different from those of the Movement, did not cause governments to misunderstand the purpose of such committees and give rise to confusion.

- As depositary of the Geneva Conventions, the Swiss Government will organize periodic meetings of the States party to them to examine general problems of application of IHL. It is intended to hold the meetings alternately with the International Conference of the Red Cross and Red Crescent; they will deal exclusively with the application of the law. National Society experts specifically stressed the need for the holding of all these meetings to be coordinated.

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The second day was devoted to preparations for the 26th Conference, in particular proposals as to action the components of the Movement should take to ensure its success. The participants also reviewed the provisional agenda for the Conference and considered how the National Societies could become involved in preparations for it by mobilizing their members and approaching governments.

The provisional agenda for the Conference, as submitted by the ICRC and the Federation, contained the following main items:

(1) *Commission I*

- Report by the Swiss Government on the recommendations of the Intergovernmental Group of Experts for the Protection of War Victims.
- Protection of the civilian population during armed conflicts, and other topical issues.

(2) *Commission II*

- Principles and response in international humanitarian assistance and protection.
- Strengthening capacity to aid and protect the most vulnerable.

The experts put forward specific suggestions for an agenda which must simultaneously take into account humanitarian priorities and the interests of States. They especially emphasized how imperative it was for the Movement to present a united front in order to demonstrate that it can make a significant contribution to resolving humanitarian issues.

The chairman of the meeting endorsed their comments in his summing up, inviting National Societies to approach the Conference in a positive

and constructive manner and avoid giving States the impression that the Movement viewed the Conference as a venue for confrontation. It was essential that the Conference continue to be a major humanitarian forum where all the participants demonstrate their willingness to join together in defending the victims' interests.

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In a subsequent issue the *Review* will return to the preparations being made for the International Conference and in particular the agenda, which must be finalized by the Standing Commission of the Red Cross and Red Crescent when it meets on 1 and 2 May 1995.

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