

The International Committee of the Red Cross

par André Durand

In this issue International Review of the Red Cross commences the publication of a recent work, entitled "The International Committee of the Red Cross", by André Durand, former ICRC delegate-general and author of a history of the ICRC.

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"INTER ARMA CARITAS"

Philanthropy has not a good reputation. Born of individual initiative and exempt from obligations, it is at times accompanied by paternalism and self-satisfaction. The donor's act is not an entirely simple process. It is an expression of the inequality between the person who gives and the one who receives, underlining the condition of injustice, even while alleviating misfortune. Any kind of assistance, any kind of protection

against injustice and suffering, is inadequate if it treats only the effects without investigating the causes. To help is also to accuse.

Jean-Jacques Rousseau, wise from experience and sustained by pride, considered a gift to be a *contract presupposing the consent of both parties*.¹ It is only by the application of this rule that humanitarianism respects man's dignity.

The International Committee of the Red Cross chose, as proclaimed in its motto, to exercise charity amid the clash of arms.² Its primary aim was to provide greater assistance to the men wounded on the battlefield. Ever since, Red Cross action has been expanding to such an extent that anything related to assistance, care, relief operations, prevention of disease, is dealt with by one or other of the bodies operating under its emblem. But running through all those various activities one can discern a common thread binding them together, a single quality making for their close relationship to each other. Every ICRC action can be logically traced back to its original objective : to protect and assist every person bereft by circumstances of protection or assistance.

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The Red Cross was the result of the feelings to which a just and sensitive man was moved at the sight of the distress caused by war. Such misery was naturally known before the advent of Henry Dunant. But, all too often, wounds and death were accepted as the inescapable ransom of war, the grim toll behind the glory.

Every army had its surgeons and ambulance men. With limited means and with the science of medicine still not fully developed, these men at times accomplished great feats. But far too many of the wounded soldiers, abandoned by their comrades-in-arms marching on to further combats, were left to breathe their last on the battlefields. The general public gave thought only to victories and triumphal arches. True, Jacques Callot and Goya left us graphic portrayals of the horrors of war; but the official war artist accompanying the French army in the Lombardy campaign was Meissonier.

And there, Henry Dunant, deeply impressed by the scene on the battlefield of Solferino, was conscious that the medical services' resour-

¹ J.-J. Rousseau, *Ecrits biographiques*, Bibliothèque de la Pléiade, Œuvres complètes, t. I., p. 1190.

² *Inter arma caritas*, the ICRC motto, was suggested by Gustave Moynier.

ces were woefully inadequate for the huge number of victims. His reaction was immediate, in deed and in thought.

First, in deed. He provided all the comfort and care which it was within his power to give. No doubt, it was but a simple palliative, and insufficient at that, but the personal experience was enough to provide him with first-hand knowledge of the suffering he was to combat later.

Next in thought. Having identified the ill, he at once prescribed the remedy, namely, relief societies for the wounded, and the protection of the medical services by a universally acknowledged principle, that is to say by an international convention.

Three years were to elapse while the germ of Henry Dunant's project grew. He was resolved to present his scheme in a book, for Dunant's aspiration was to be a writer, and he expressed himself better in writing than in speech. He anticipated the impact of a carefully thought-out book on public opinion and it is thus with its publication that one can identify the historical origin of the movement which he created, and which had not yet received the name of the Red Cross.

Reviewers of *A Memory of Solferino* were not mistaken when they perceived in it the most lucid approach ever made at the time to the problem of war victims.

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Henry Dunant's striking idea was that equal attention and equal care must be bestowed on all the wounded alike, be they friends or foes.

It is not an easy thing to give medical care to a wounded soldier who is your enemy and such an act is impelled by a sentiment which is not very frequently encountered. This—we shall see later—could well be the sentiment of humanity. But humanity is not universally shared, and in the pursuit of war everything—propaganda, military training, fear, the hatred of one's adversary—is organized to throttle that feeling.

It is a more natural feeling to care for the wounded of one's own side. In order to survive, man must always form part of a group, be it clan, tribe, army or nation. Every person is bound to his own group by a sentiment of solidarity. By becoming a member, he takes part in its existence, and in return, his protection is ensured by the group.

This sentiment of solidarity is probably one of the most deeply rooted of man's instincts and it operates for his survival in the face of perils which he would not have the strength to withstand all alone. It need not necessarily be of an ethical character, since it may also be encountered in enterprises which have not been inspired by moral considerations.

But no one feels solidarity with an adversary, and all the less so as the source of solidarity is precisely the urge to unite in a company against some danger or against an enemy. To give care systematically and not only from time to time to an enemy who is no longer able to fight, in the same way that one would care for one's own comrades, calls for great self-restraint. It is not easy to change in an instant from extreme violence to deep compassion.

Henry Dunant bridged that gap by putting all the wounded and sick and those who care for them into a single world-wide class. Thereby all the antagonisms of nationality, of race or of party fade, giving way to solidarity with people of that category, who are separate from the class of combatants and distinguished from it by the emblem, which is also universal, and which protects them.

Furthermore, Dunant got people to take part in humanitarian work, through the institution of Relief Societies, whose voluntary members were recruited outside the armed forces. He thus made them conscious of the sufferings which others hid from their eyes, or of which they themselves might have preferred not to be told.

It was this global concept—some elements of which had already been apparent in past wars—which was new, and which not only was to prevail in combat, but was to grow through an extraordinary fulfilment.

This is not therefore mere skin-deep sentimentalism, but an orderly process, in which three successive stages may be observed:

- the perception of a tragic situation;
- the initiative leading to immediate action;
- the codification of rules in a treaty.

It is this "rule of three" which, when applied to the protection of the human person, later became a characteristic of ICRC procedure.

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Accordingly, when Gustave Moynier, the president of the *Société genevoise d'utilité publique*, set up a commission composed of himself, General Dufour, Dr. Maunoir, Dr. Appia and Henry Dunant, he found in Dunant's book a project that could be immediately translated into practical action. This was indicated in the decision taken on 9 February 1863 by that philanthropic society: "to take into serious consideration the idea put forward in the conclusions of *A Memory of Solferino*".

At its first-meeting on 17 February 1863, the five-member commission decided it would continue its work as a permanent international committee under the name of *Comité international de Secours aux blessés (International Committee to bring relief to the wounded)*, which later took the name of *Comité international de la Croix-Rouge (International Committee of the Red Cross)*.

This Committee at once drew up its objectives. Its principal aims were:

- the creation of national committees for the relief of the wounded;
- the adoption of an emblem that could be universally used to distinguish the voluntary relief workers;
- the adoption of a "Concordat agreed upon by governments" that should safeguard all official or non-official persons working in aid of war victims;
- the respect for and protection of relief workers.

In addition, Henry Dunant, who had already in mind an organization much wider in scope than the one he had proposed in "*A Memory of Solferino*", demanded on his own initiative that the military medical personnel and those attached to them, including recognized voluntary relief workers, "should be considered as neutral persons by the belligerent powers". This was indeed a bold project, since it required a change in the national status of the medical service personnel. It was however a necessary measure in order to ensure the safety of the whole of this personnel and it has remained ever since—although the term "neutralization" was abandoned—the fundamental factor on which the protection of wounded and sick soldiers has been based.

From that time, the International Committee's movement made rapid progress. A draft agreement and invitations to a meeting were

sent to a number of governments, while Henry Dunant assiduously approached the royal and princely courts of the principal countries in Europe to acquaint them with the scheme.

On 26 October 1863, the representatives of sixteen States met in Geneva and on 29 October adopted after four days of discussion, ten resolutions which constituted the founding charter of the Red Cross. This fundamental document defined the functions and powers of committees whose mandate consisted in co-operating, when necessary, in time of war, with the medical services of the armies, by all the means in their power; it established the uniform distinctive sign of the voluntary ambulance workers—a white armband marked with a red cross; it provided for international congresses where the committees and sections of the various countries would meet—this is the origin of the International Red Cross Conferences—and it laid down that communications between the various committees would be provisionally channelled through the Geneva Committee.

The resolutions were accompanied by the Conference's wishes—anticipating the programme of a congress of plenipotentiaries—addressed to the governments, and asking them to grant their protection to the relief committees thus constituted; to proclaim the neutralization in wartime of ambulances, hospitals, official medical staff, voluntary nursing personnel, local inhabitants going to the aid of the wounded, and the wounded themselves; and proposing the use of a distinctive sign and flag which would be the same for the medical corps of every army and for ambulances and hospitals.

Relief societies for the wounded were very soon constituted in Württemberg, the Grand Duchy of Oldenburg, Belgium, Prussia. But war again broke out, this time in Schleswig, between Prussia and Austria on one side and the Kingdom of Denmark. The International Committee, inaugurating a measure which was subsequently to become its principal method of action in time of war, sent two delegates to the scene of the fighting, with the authority of the specially created "Geneva section" of the "Committee to bring relief to the wounded".

On 8 August 1864, at the invitation of the Swiss Federal Council, 26 official delegates, representing sixteen States—the United States of America being the only non-European country represented at the meeting—gathered in what was to be called later the "Salle de l'Ala-

bama ”¹ in Geneva’s Town Hall, to deliberate on the “ Neutralization of the medical services of armed forces in the field ”. The outcome of their deliberations was a *Convention for the Amelioration of the Condition of the Wounded in Armies in the Field*—the first Geneva Convention—signed on 22 August 1864 by the representatives of twelve States. The wishes of the Geneva Conference of 1863 were satisfied on almost every point: ambulances, military hospitals, army medical personnel and chaplains, and inhabitants bringing help to the wounded were all declared to be neutral; the wounded and sick combatants were collected and cared for, whatever nation they belonged to, and were protected; and a distinctive flag and armlet, bearing a red cross on a white ground—the same sign which had been created for voluntary medical personnel—was adopted.

The voluntary medical personnel were not expressly mentioned in the first Geneva Convention. It was agreed that they would in practice be incorporated into the medical services of the armies and that the protective sign would be issued to them by the military authorities.

Thus, two years after the publication of *A Memory of Solferino*, the international institution to bring relief to the wounded was set up. The measures adopted, taken with the most commendable resolution, were to serve as a model for later Red Cross achievements. They included, in particular:

- the distinction between combatants and non-combatants, a concept which was extended to the protection of prisoners, civilian internees and all persons not taking part or unable to take any further part in the fighting;
- the use of the protective sign;
- the holding of International Red Cross Conferences at regular intervals;
- the convening of Diplomatic Conferences, in accordance with the procedure adopted in August 1864, with a view to extending the protection of humanitarian law;
- the despatch of delegates to the theatres of operations, to each of the parties involved in the conflict.

¹ In this chamber was arbitrated on 14 September 1872 the dispute between the United States and Great Britain over the confederate vessel, the “Alabama”.

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What explains the astonishing success obtained by a committee composed of private citizens, who did not possess any particularly great means of their own, no political or financial backing, and no appreciable experience of international relations? The determination of the Committee of Five, the wave of emotion generated by *A Memory of Solferino* and Henry Dunant's persuasive powers in his propaganda campaign—"agitation" it was called at the time—on his visits to several crowned heads of Europe, all no doubt played an important part in getting the scheme off the ground.

But it should not be forgotten, too, that the birth of the Red Cross movement coincided with a period which was favourable to its development. The spread of social and philanthropic ideas, which stemmed (as Gustave Moynier pointed out) from the writings of the eighteenth century philosophers, and from Jean-Jacques Rousseau in particular, the recollection of the Napoleonic Wars with all the devastation which they had brought in their train, the losses incurred by the armies involved in the Crimean War and the Lombardy campaign, all combined to create a widespread public apprehension, reinforced by the introduction of compulsory military service in most of the larger States, a measure which made every citizen and every family take a personal interest in the condition of combatants. The rulers of the kingdoms and grand duchies of Germany were open to new philanthropic ideas and in general entertained no belligerent schemes. The great military powers in Europe had not yet embarked upon their policies of rivalry which were to lead them to the war of 1870. The Emperor of the French, a friend of General Dufour (his former instructor at the Military Academy of Thun in Switzerland) was anxious to justify the adoption of the motto which linked the French Empire with peace, immediately signified his assent to a principle which some of his field-m Marshals yet hesitated to encourage. The Kingdom of Prussia, at that time in full military reorganization, devoted the greatest attention to the schemes put forward by the Geneva Committee and put them almost immediately into practice.

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The Geneva Convention was concluded during a brief period of peace in Europe; the war in Schleswig-Holstein had just ended and hostilities between Austria and Prussia broke out only in 1866. It was very swiftly ratified, and without the reservations that were made in respect of later conventions. Four years after the foundation of the Red Cross, twenty-two States were parties to the Convention.

In the meantime, war operations were taking place overseas. The conquest of Cochin-China began in 1859, the year of Solferino; in Mexico, French troops were engaged in a protracted war; in North America, the War of Secession had not yet ended. The International Committee was conscious of the fact that, to be truly efficacious, the movement would have to be extended to all the countries in the world. It expressed this conviction as early as in its second session, when it met on 17 March 1863, just one month after it had been constituted. If that conviction was tempered by some reserve, that was due, since no other Red Cross body existed, to the International Committee's intention to establish a solid base for itself before going on to further stages:

*“ The Committee agreed, first and foremost, that, in its opinion, no action should be contemplated during civil wars, and that the Committees should concern themselves only with European wars. After a few years' experience, the welfare scheme, once universally adopted and established, could of course be extended in various ways, but for the moment we should confine ourselves to the question of large-scale conflicts between European Powers. ”*¹

But six months later, conscious of the success of the first International Geneva Conference, Gustave Moynier stated in his closing address:

*“ You have come to lend support with your authority to the Committee's views, which under your auspices will spread all over the earth ”.*²

¹ Minutes of the International Committee for Relief to Wounded Combatants, meeting of 17 March 1863, in *International Review of the Red Cross*, 1963, p. 67.

² *Compte rendu de la Conférence internationale de Genève*, 1863, p. 145.

PROTECTION AND ASSISTANCE

The founders of the Red Cross lacked neither confidence nor imagination when they anticipated that their philanthropic institution would be "universally adopted and established". The universality of the Red Cross is indeed an undisputed fact and, as had been foreseen by the Committee of Five, the scheme "was extended in various ways", while remaining true to the line of thought which had been laid down by them. What would they see if they were to return today to study what had become of their enterprise?

They would find in practically every single country on earth National Red Cross and Red Crescent Societies, united in a federation, the League of Red Cross Societies; the ICRC, its composition enlarged and its resources amplified, continually engaged in protection and assistance operations; the Central Tracing Agency, an international body which has gradually built up a card index system containing 50 million cards and whose task it is to trace the persons whose whereabouts, because of the situations created by conflicts or disturbances, are unknown; the International Tracing Service at Arolsen, set up after the Second World War to collect all possible information on concentration camps; the Henry Dunant Institute, a research centre on the history, thought and law of the Red Cross, where persons interested in the Red Cross may receive advanced training; and, finally, the whole corpus of the Geneva Conventions, generated by the Convention on the protection of the wounded and sick in armed forces in the field, and extended in laborious stages to further areas of application, so that today six separate legal instruments elaborated by successive diplomatic conferences, provide more or less complete protection to the victims of maritime war, prisoners of war, civilian internees, the civilian population and combatants in civil wars and in wars of liberation.

The founders would, however, also find a world where wars and acts of violence have become a commonplace occurrence; where terror is the object of a delicate balance and the capacity to destroy hundreds of thousands of human beings is a potential political weapon; a world where human rights are increasingly affirmed but continually flouted;

where doubts are cast by some upon whether the centenary of the first Peace Conference, held at The Hague in 1899, will be celebrated at the end of the twentieth century in a world at peace or amid ruin and devastation.

It is however in such a world—and partly as a result of such circumstances—that the Red Cross has developed, and its evolution has taken such a form that there are few persons who have not somehow resorted to its services at some time or other. This development has, at the same time, produced such a proliferation of organizations, resolutions and treaties and has caused such an expansion of the ICRC's activities, that one could easily get confused if one sought to understand the structure of the ICRC without referring to the historical evolution which has shaped it.

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The ICRC's primary aim is to give protection and assistance to military and civilian victims in situations of armed conflicts and disturbances.

The purpose of protection is to guard human beings against measures that could do them harm: violence, deprivation of their basic rights, attacks on their physical or moral being.

Assistance provides people with what they lack to maintain a minimum level of existence: food, clothing, care, shelter, moral, intellectual and spiritual relief.

Those two actions nearly always go hand in hand. The first Geneva Convention bracketed them together when it laid down that ambulances and hospitals shall be *protected and respected* and that wounded combatants shall be *collected and cared for*. Medical care is inadequate if the wounded person is not protected, just as protection is insufficient if the wounded do not get medical treatment. Assistance and protection are the twin pillars of relief.

Similarly, the effect of the Central Tracing Agency's action in drawing up lists of detainees and missing persons is twofold: moral assistance, by providing captives with the means of communicating with the outside world, and protection, because a prisoner whose identity is established is less exposed to arbitrary measures.

Protection of prisoners of war, civilian internees and detainees implies assistance. Quite often, assistance can be provided only if protection is exercised. During the Second World War, the Powers exercising the blockade of Europe allowed the passage of goods by sea only to camps or regions where ICRC supervision was authorized. Where its protective action was not recognized—as, for instance, in the concentration camps in Germany—the blockade was not, in principle, lifted.

Reciprocally, an operation to provide assistance often opens the way to protective action. Historically, it was by putting into practice the resolutions which appointed the ICRC as the distributor of individual and collective parcels to prisoners of war that the ICRC began, at the beginning of the First World War, to send its delegates to visit camps.

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The history of the ICRC is tied to the history of peoples. It is determined by the events affecting them: wars, conflicts, disturbances, famines, population movements, family separations. The ICRC, which has often been a witness of dramatic circumstances, seeks to stop any recurrence of such events, or at least to minimize their effects. Thus, its development closely follows the march of political, military, economic and social events which form the canvas of history and which mould the ICRC to a certain extent. The periods marking the history of the world during the last one hundred and twenty years can also be seen as landmarks in the ICRC's progress in its effort to ensure the rule of humanitarian law in the face of escalating violence and of the technology of destruction. They may be likened to the five acts of a dramatic evolution, the final conclusion of which is still uncertain:

- from the foundation of the Red Cross to the First World War;
- the First World War;
- the period between the two World Wars;
- the Second World War;
- the post-war period.

The development of the ICRC, furthermore, cannot be separated from that of the Red Cross. The bodies which are a part of the Red Cross—the National Societies and the Leagues of Red Cross Societies—follow, like the ICRC, their own course and are free to make their own decisions. But they are all linked to each other like the liquid in communicating vessels, and any kind of movement by one or the other will affect the whole. That is why we must not overlook the part played by the various Red Cross bodies in the development and success of the movement, even while focussing our attention on the history and activities of the ICRC.

3.

FROM THE 1864 CONVENTION TO THE FIRST WORLD WAR

The International Committee's aim, after the success of the Diplomatic Conference of 1864, was not only to urge the creation of Relief Societies, but also to promote kinship and solidarity among them.

This was perhaps the most original aspect of the National Societies. Since they were to be auxiliary to the army medical services, bear the same emblem and be subjected in wartime to the military authorities, they might have given the impression that they were merely a reserve of extra medical personnel and medical supplies to draw upon in case of need. But the essential distinction between the Societies and the army medical services was that the former had a further objective, which was to entertain relations with each other. They were prepared to spring to the assistance of sister Societies, when asked to do so. Their function was twofold: to serve the nation to which they belonged, and to serve the international community.

The adherence to a community could not be established or maintained unless a central body could ensure the development and cohesion of such a relationship. It was in this that the ICRC found its calling. When it was given the function of an intermediary between the Central Committees, to provide them with information by publishing a bulletin, to ensure conformity of new members and notify the creation of new

committees, it became the prime mover of this rapidly expanding institution, the guardian of the doctrine and promoter of international law.

Not long after the conclusion of the Geneva Convention, the Franco-Prussian War had led the Relief Societies of several neutral countries to intervene. Twelve National Societies had sent assistance to the medical services of both belligerents, by providing medical teams, ambulances, relief goods and cash.

The International Committee was also active; it set up centres to provide information and forward relief goods, and it founded or lent its support to information agencies. Before the First World War, such agencies were successively set up in Basle (1870), Trieste (1877) and Belgrade (1912).

International humanitarian law was evolving rapidly. In Europe, many people were alarmed at the advances made in weaponry and at the threat of a large-scale conflict. The adoption of the Geneva Convention and the success of the Red Cross movement showed that it was possible to apply certain rules in the midst of the fighting. In 1899 and later in 1907, at The Hague, the Powers elaborated in a series of Conventions the regulations concerning the laws and customs of war. These included two texts which had a direct impact on the law of Geneva: one was the Convention for the Adaptation to Maritime Warfare of the Geneva Convention, and the other was the annex to the Hague Convention No. IV, known as the Regulations respecting the Laws and Customs of War on Land, which, for the first time, laid down a certain number of rules governing the treatment of prisoners of war and the rights of civilians in enemy-occupied territory.

At that time, the ICRC had not yet been given the mandate to provide assistance to prisoners of war or to visit prisoner-of-war camps. The problem had nevertheless arisen during the war of 1870. Could the ICRC undertake to forward relief supplies to the prisoners on both sides, under the cover of the Red Cross, as it was doing for the wounded? In its view, the emblem of the Convention was the exclusive sign of the army medical services and, therefore, should not be employed for activities which were not performed by those services. However, in its eagerness to extend the domain of benevolent aid without transgressing the law, the ICRC sponsored the creation of special committees which did not work under its own sign and could thus perform activities which did not fall within the ICRC's mandate. It therefore created, besides the Basle

Agency, a *Comité international de secours pour les prisonniers de guerre* ("International Committee for Aid to Prisoners of War") whose emblem was a green cross on a white ground, and for interned soldiers, the *Agence centrale de secours pour les militaires internés en Suisse* ("Central Relief Agency in aid of Soldiers interned in Switzerland"), thus clearing the way for the work which was later to be included in the ICRC's field of activity.

It was the Ninth International Red Cross Conference (Washington, 1912) which directed the ICRC to centralize relief for prisoners of war and to distribute relief parcels, "employing neutral delegates accredited to the Governments concerned". Six months later, in October 1912, the ICRC despatched two delegates to the scene of action in the Balkan War and set up in Belgrade an International Agency to bring information and relief to the wounded and the prisoners, thus inaugurating the best known activity of the ICRC: action in the field.

4

THE FIRST WORLD WAR

The real test for the Red Cross came with the outbreak of the First World War. All that it had built up during the past fifty years, all that it had gradually developed to meet needs arising in the small-scale conflicts which marked the pre-war period, in the unconstrained atmosphere of the international Conferences, was now to be assayed in the tough conditions of a violent, lengthy and widespread conflict, the like of which had never been met with previously.

The National Societies, which by now had solidly organized themselves, made preparations in the countries at war to collaborate with the army medical services and to perform the relief tasks expected of them to succour the wounded soldiers, prisoners and civilians. In the neutral countries close to the fronts, the National Societies got ready to bring relief to refugees and hospitalized soldiers.

In Geneva the ICRC lost no time in setting up the International Prisoners of War Agency. The Agency's tasks were to collect and file all available information on military and civilian prisoners, the wounded

and the missing, to forward news, exchange messages and despatch parcels and money.

The introduction of weapons of mass destruction and those whose effects are indiscriminate, and the hardships endured in captivity, led the ICRC to conduct permanent activities in the fields of the protection of prisoners of war and civilian internees, of submarine warfare and of the use of chemical means of combat.

The treatment of prisoners of war was at that time governed by the Regulations annexed to the Hague Convention, and we have already seen that the Ninth International Red Cross Conference had asked the International Committee to undertake the distribution of relief parcels to individual prisoners and collective relief to prisoner-of-war depots. Basing itself upon these provisions and stressing the advantages to the belligerents of a reciprocal exchange of facilities, the ICRC obtained their authorization to visit prisoner-of-war camps and distribute relief parcels to the prisoners. It moreover submitted draft rules for the treatment of prisoners of war and played a significant part in the conclusion of special agreements between belligerents, providing for equivalent treatment to prisoners and organizing their repatriation, when family reasons, age or health warranted it. The ICRC's efforts in this domain, at times hindered by reprisals taken by one or other of the belligerents, are at the origin of the improvements made in the treatment of prisoners and they herald the Prisoners of War Code adopted by the Powers in 1929.

Since that time, visits to prisoner-of-war camps have come to be considered to be one of the most vital functions of the ICRC. It shares that responsibility with the Protecting Powers who also began at that period to visit camps.¹ The two functions complement each other without overlapping. The Protecting Power, in visiting prisoners and bringing them assistance, exercises the mandate it has received from the prisoners' country of origin, while the ICRC's objective is to visit prisoners of all nationalities held by all belligerents. Moreover the Protecting Power ensures the protection of the prisoners in consular matters, which include the provision of registration services and legal and financial aid, besides material assistance, while the ICRC carries out mainly tasks that are

¹ The Protecting Power is a neutral State whose function in wartime is to represent the interests of a belligerent Power in the adversary's country.

more specifically humanitarian, save where, in the absence of a Protecting Power, it is designated to carry out the latter's functions.

For the first time, in the First World War also, the ICRC looked after the civilians in enemy or enemy-occupied territory, for whom protection was inadequate. It managed to have applied to civilian internees protection similar to that afforded to prisoners of war and it set up in the International Prisoners of War Agency a special section for civilian internees. The ICRC's initiatives in this domain anticipated the agreements relative to the protection of civilian persons in time of war, which were embodied in a specific convention only after the Second World War.

The extension of submarine warfare was a grievous development. Despite the protection recognised to them, hospital ships were torpedoed or bombed, either because only visual markings were employed and were not sufficiently visible, or else because those vessels had entered certain zones on the high seas which a belligerent had declared to be prohibited to all shipping. ICRC representations had very little effect on a practice which constituted one of the gravest breaches of the Conventions.

As for the use of chemical weapons, it was one of the dark episodes of this conflict. In its appeal of 8 February 1918 the ICRC called upon the belligerents not to resort to the use of poisonous gases. Its intervention and the campaign it conducted in the years immediately after the end of the war were at the origin of the Geneva Protocol of 17 June 1925, whereby the High Contracting Parties agreed not to use in war asphyxiating and other gases.

It was the first time that the ICRC intervened in matters concerning regulations on weapons, hitherto a field reserved to the law of The Hague. But the use of weapons with indiscriminate effects circumvents the law of Geneva, so that the purely academic distinction which was formerly made between these two aspects of humanitarian law got gradually more blurred after the Second World War.

(To be continued)

André Durand