

The International Conferences
of the Red Cross
as a factor for the development
of international humanitarian law
and the cohesion
of the International Red Cross
and Red Crescent Movement

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THE INTERNATIONAL CONFERENCE, ITS ROLE
AND PURPOSE

The 26th International Conference of the Red Cross and the Red Crescent will take place in Geneva in December 1995. This Conference, which meets every few years, is unquestionably the most important forum for addressing humanitarian issues. It is also a source of cohesion between States and the various components of the International Red Cross and Red Crescent Movement, whose history since its inception has been closely linked with Geneva. The 26th International Conference should have been held in Budapest in 1991, but was unfortunately postponed owing to political problems. As a result, nine years have passed since the last Conference in 1986, which was also held in Geneva.

The purpose of this article is to retrace the history of the International Conference and show what it has contributed to the development of humanitarian law and to the International Red Cross and Red Crescent Movement as a whole.

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From the outset, the Red Cross differed from other voluntary organizations that came into being during the second half of the nineteenth century in two basic respects, namely the permanent nature and the international aspirations of its component institutions.¹

In order to preserve the sense of solidarity required to unite them across national borders, the new Red Cross Societies had to be able to meet at regular intervals, as provided for by Article 9 of the Resolutions of 1863:

*“The Committees and Sections of different countries may meet in international assemblies to communicate the results of their experiences and to agree on measures to be taken in the interest of the work”.*²

To achieve the goals set, the various States had to be involved in the institution's activities. This was accomplished on both the national and the international level: each National Society had to establish a relationship of cooperation with the government of its country, and the States party to the Geneva Conventions were invited to participate in the International Conferences of the Red Cross, starting with the first such Conference in Paris in 1867.

In accordance with the Statutes adopted by the 13th Conference at The Hague in 1928, revised by the 18th Conference at Toronto in 1952 and then by the 25th Conference at Geneva in 1986,³ the International Conference is composed of the delegations from the International Committee of the Red Cross (ICRC), from the International Federation of Red Cross and Red Crescent Societies, from the more than 160 recognized Red Cross or Red Crescent Societies and from over 180 States party to the Geneva Conventions. Each of these delegations has the right to vote, with one vote each.

¹ François Bugnion, *Le Comité international de la Croix-Rouge et la protection des victimes de la guerre*, ICRC, Geneva, 1994, p. 415 (currently being translated into English with the title *The International Committee of the Red Cross and the Protection of War Victims*).

² Resolutions of the Geneva International Conference of 1863, Article 9, *International Red Cross Handbook*, 12th edition, ICRC-League, 1983, p. 548.

³ Statutes of the International Red Cross and Red Crescent Movement, adopted by the 25th International Conference of the Red Cross, Geneva, October 1986, in *International Review of the Red Cross* (hereinafter *IRRC*), No. 256, January-February 1987, pp. 25-44.

Observers may also attend the Conference, but without voting rights. They represent more than 60 governmental or non-governmental, regional or international organizations which have working relations with the Movement or a special interest in humanitarian law or related problems. National Societies which are not yet recognized are also invited with observer status.

The Conference is the supreme deliberative body for the Movement. It meets in principle every four years, at the invitation of a National Society, the ICRC or the Federation.

At the Berlin Conference in 1869, calls were made for the delegates of National Societies to be given precise instructions and adequate powers for the exercise of their right to vote.⁴

Government delegates likewise do not act in a personal capacity but as representatives of their respective State, whose official position they express in their statements and votes.⁵ The participation of State representatives gives the International Conference a combined private and public status. The composition of the Conference furthermore determines the bearing of the resolutions it adopts:

“Voting by States transforms the originally private act into a semi-private legal act of a composite nature: the Conference’s resolutions thus verge on the sphere of public international law by reason of the capacity of their authors, and any obligations they contain can be upheld vis-à-vis States to an extent to be specified later”.⁶

State representatives are also able to intervene in order to keep the resolutions within such bounds as they deem compatible with their government’s requirements. The fact that measures advocated by the Red Cross world are thus formulated in conjunction with government representatives is conducive to their eventual adoption by governments. Such was the case with the Geneva Conventions themselves.

⁴ Circulars from the Central Prussian Committee, 23 November 1866 and 1 March 1869, *Compte rendu des Travaux de la Conférence internationale tenue à Berlin du 22 au 27 avril 1869 par les Délégués des Gouvernements signataires de la Convention de Genève et des Sociétés et Associations de Secours aux Militaires blessés et malades*, printed by J.-F. Starcke, Berlin, 1869 (hereinafter: *Deuxième Conférence internationale*), pp. 7-9.

⁵ Richard Perruchoud, *Les Résolutions des Conférences internationales de la Croix-Rouge*, Henry Dunant Institute, Geneva, 1979, pp. 46-49 and 394-397.

⁶ *Idem*, p. 48.

After an opening ceremony, the International Conference meets in plenary session to elect its Chairman, Vice-Chairmen, a Secretary-General and two Assistant Secretaries-General. Delegates then split up into two commissions, each of which may propose resolutions for submission to the Conference as a whole. The resolutions themselves determine the policy which States and the Movement will pursue with regard to the humanitarian problems of the moment.

What powers does the Conference have? It takes decisions (recommendations and resolutions) which are binding on the statutory bodies of the Movement solely in respect of issues falling within the latter's exclusive competence, namely the interpretation and revision of the Statutes of the International Red Cross and Red Crescent Movement, its Rules of Procedure and disputes between its members. The Conference also ensures Red Cross *unity of effort* and respect for the Fundamental Principles.⁷ It may confer mandates on the ICRC and the Federation with their agreement, though without modifying their Statutes.⁸ On all other matters its authority is essentially a moral one and it can only issue recommendations. Those arrangements are in accordance with the spirit of the International Red Cross, one characteristic of which is the independence of its various components.

The International Conference's competence for handing down mandatory rules depends on whom those rules are intended for. It is broader in the case of the Red Cross or Red Crescent institutions than it is for States, and has greater implications for the ICRC and the Federation than for National Societies or States in that Conference resolutions concern the international aspect of the Movement as a whole. If adopted unanimously, however, such resolutions must be regarded as an expression of the international community's legal convictions.

Resolutions of the International Conference of the Red Cross therefore have some impact on international law which must be gauged on a case-by-case basis.

It is also through resolutions of the Conference that the Movement has set itself the Fundamental Principles which guide its work, and has branched out into new areas of activity.

⁷ Statutes of the International Red Cross and Red Crescent Movement, Article 10, *IRRC*, No. 256, January-February 1987, pp. 37-38.

⁸ *Idem*, p. 39.

Lastly, the Conference has left its mark on the development of international humanitarian law. Historically, all draft revisions of the Geneva Convention, as well as draft new humanitarian law treaties, have always been submitted to the International Conference, which has endorsed them for transmission with its recommendations to a Diplomatic Conference qualified to adopt them.

Indeed, the International Conference has prompted decisive advances in that respect, and humanitarian law would not be what it is today without the Conference's own contribution. Moreover, the Conference has been and still is a forum for dialogue on the implementation of and respect for humanitarian law. Through its resolutions it has often been able to exert real pressure to restore respect for humanitarian law and put an end to violations it has condemned.

Discussions at International Conferences have also helped strengthen cooperation between the Red Cross and Red Crescent institutions and States to respond to the new challenges the Movement has had to face ever since its inception in 1863.

The protection of war victims, the organization of the International Red Cross and Red Crescent Movement and the limitation of warfare are but a few of the fields on which International Conferences have left their mark.

PROTECTION OF WAR VICTIMS,
REVISION OF THE GENEVA CONVENTIONS
AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW

Wounded and sick in armed forces in the field

In 1863 the International Committee decided to take the lead and convene an International Conference in Geneva to consider ways of remedying the inadequacy of medical services of armies in the field.

That first International Conference of 1863 brought together 36 delegates, including representatives of 14 governments, and adopted as a basis for discussion the "Draft Covenant" prepared by the Geneva Committee. Its discussions concentrated on the organization of national committees — the future National Red Cross and Red Crescent Societies —

and, more particularly, on the possibility of sending voluntary nurses in the wake of armies.

The Geneva Committee's proposals were adopted in the form of ten resolutions and three recommendations addressed to governments,⁹ which paved the way for the organization of the Movement and were the source of its Statutes. The adoption of those resolutions and recommendations marked a milestone in the development of humanitarian law and the protection of war victims. As Pierre Boissier so aptly wrote:

*"The resolutions and recommendations adopted at the conference of October 1863 constitute the fundamental charter for the relief of persons wounded in war. They are among the few fundamental texts which have positively influenced the destiny of man. They have not eliminated war but they have diminished its hold over man and have deprived it of innumerable victims".*¹⁰

He considered that this must be recorded to its credit in the annals of mankind.

The resolutions and recommendations of the Conference in 1863 laid the foundations for what was to become the International Red Cross and Red Crescent Movement but, since they were adopted by a conference without recognized competence, they were not binding upon States. In the following summer the Swiss government, at the ICRC's suggestion, therefore convened a Diplomatic Conference which adopted the Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field, of 22 August 1864. That marked the beginning of contemporary international humanitarian law.

The Geneva Convention was revised for the first time in 1906 and again in 1929 to take due account of the lessons of the First World War. Another revision, far more fundamental than its predecessors, took place after the Second World War and gave rise to the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949, which is still in force today.

During each revision, the International Conference played an essential part by examining the drafts prepared by the ICRC and stressing the importance it (the Conference) attached to the new provisions.

⁹ See text in the *International Red Cross Handbook*, *op. cit.*, pp. 547-548.

¹⁰ Pierre Boissier, *From Solferino to Tsushima: History of the International Committee of the Red Cross*, Vol. I, Henry Dunant Institute, Geneva, 1985, p. 80.

Wounded, sick and shipwrecked members of armed forces at sea

It was also the International Conference that called for the principles of the Geneva Convention to be extended to war at sea. Consideration was given to the matter at the 1st, 2nd, 5th and 6th Conferences, held in Paris in 1867, Berlin in 1869, Rome in 1892 and Vienna in 1897 respectively,¹¹ and ultimately led to the Convention for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention, adopted at The Hague on 29 July 1899 and revised on 18 October 1907. This Convention, too, was revised in 1949 to incorporate the lessons drawn from the two World Wars. Thus came into being the Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of 12 August 1949, which protects the shipwrecked and hospital ships.

Prisoners of war

Was it not the mission of the Red Cross, which sought to bring help to wounded members of the armed forces, also to ease the moral sufferings entailed by captivity? Prince Demidoff made his convictions in that respect clear from the start and Henry Dunant himself, speaking at the 1st International Conference of Aid Societies for the Nursing of the War Wounded, held in Paris in 1867.¹²

Without actually going into the protection of and assistance to prisoners of war, the 2nd International Conference, held in Berlin in 1869, nonetheless adopted a resolution to the effect that in the event of war the International Committee should ensure the formation, at a suitably selected locality, of a correspondence and information bureau to facilitate

¹¹ *Conférences internationales des Sociétés de Secours aux Blessés militaires des Armées de Terre et de Mer, tenues à Paris*, 2nd edition, Commission générale des Délégués and Imprimerie Baillière & Fils, Paris, 1867 (hereinafter: *Première Conférence internationale, Compte rendu*), pp. 140-150 and 247-250; *Deuxième Conférence internationale, Compte rendu*, pp. 93-119 and 249-251; *Cinquième Conférence internationale des Sociétés de la Croix-Rouge tenue à Rome du 21 au 27 avril 1892, Compte rendu*, printed by Forzani, Rome, 1892, pp. 65-91, 214-229 and 409; *Sixième Conférence internationale de la Croix-Rouge, Vienne, 1897*, Austrian Red Cross Society, 1898, pp. 80-85, 175-181 and 247.

¹² *Première Conférence internationale, Compte rendu*, pp. 338-348.

by all means the exchange of messages between committees and the forwarding of relief.¹³

The scope of that resolution should not be underestimated, for it led to the creation of a body which has provided irreplaceable services, namely the Central Tracing Agency.

Indeed, ever since the Franco-Prussian War of 1870, the International Committee has been venturing along new paths, far beyond the tasks entrusted to the modest information bureau envisaged at the Berlin Conference. Moreover, the Basel Agency did not confine itself to assisting wounded and sick members of the armed forces but extended its activities to able-bodied prisoners of war.

This was no easy matter, however. Although the transmission of lists of able-bodied prisoners was an obvious humanitarian task which the Red Cross could not ignore, the new activity implied a reorientation of the Movement as a whole, for until then the Red Cross had dealt only with wounded and sick members of the armed forces and neither the resolutions of 1863 nor any subsequent resolution had called upon it to intervene on behalf of able-bodied prisoners.

The role of the Red Cross in assisting prisoners of war was broached at the 7th International Conference, held in St. Petersburg in 1902. It was discussed in the light of the Regulations relating to the Laws and Customs of War on Land, adopted by the First Peace Conference held at The Hague in 1899. Article 14 of the Hague Regulations provided for the setting up of national bureaux for information on prisoners of war, while Article 15 entrusted relief work on behalf of prisoners of war to voluntary institutions, the "Relief societies for prisoners of war" which, three years after the adoption of the Hague Convention, had still not been established!

The Central Committees in both Paris and St. Petersburg took the view that only the Red Cross was in a position to perform the tasks laid down by the Hague Regulations, since it alone could rescue prisoners of war from the abandonment and isolation that had always been part of captivity. To do so, a special commission should be set up within each National Society to take advantage of the Society's organization and contacts, but without drawing on the resources allocated to hospital care.¹⁴

¹³ Resolution IV/3, *Deuxième Conférence internationale, Compte rendu*, p. 254.

¹⁴ *Septième Conférence internationale de la Croix-Rouge tenue à Saint-Petersbourg du 16 au 22 mai 1902, Compte rendu*, Russian Committee of the Red Cross Society, St. Petersburg, 1902, pp. 46-51.

As that proposal would mean a fundamental reorientation of the Red Cross, the Conference decided to refer it to the next Conference for consideration.

The issue was therefore raised again at the 8th International Conference, held in London in 1907. In the meantime, however, there had been two new developments. On the one hand, the National Societies had been examining their conscience and most of them had decided to assume the responsibility of assisting prisoners of war. Then again, during the recent Russo-Japanese conflict, both the Russian and the Japanese Red Cross Societies had helped able-bodied prisoners as well as wounded and sick members of the armed forces. The national information bureaux provided for in Article 14 of the Hague Regulations had therefore operated on both sides.

The 9th International Conference, held in Washington in 1912, ultimately decided the issue. After lengthy discussions of a subject which had absorbed the attention of three International Conferences (St. Petersburg in 1902, London in 1907 and Washington in 1912), the Red Cross decided to take over the tasks entrusted to the phantom societies of the Hague Regulations. And since, foreseeably, no belligerent State would readily agree to delegates of the adverse party's National Society providing relief to prisoners of their own nationality detained within its territory, it was agreed to entrust that task to ICRC delegates. Such was the purpose of Resolution VI of the Washington Conference, proposed by the French Red Cross and adopted unanimously.¹⁵

Three International Conferences thus took place before the Red Cross could decide to do, on an official and regular basis, what it had already done so successfully during the Franco-Prussian War of 40 years before.

However, the scope of Resolution VI of the Washington Conference should not be underestimated, for it is undoubtedly the most important of all decisions taken by the Red Cross since 1863.

By acknowledging the competence of the Red Cross to assist prisoners of war, the resolution set the institution on a new course of action which was to assume an unprecedented dimension. In addition, it altered the

¹⁵ *Neuvième Conférence internationale de la Croix-Rouge tenue à Washington du 7 au 17 mai 1912*, The American Red Cross, Washington, 1912 (hereinafter: *Neuvième Conférence internationale, Compte rendu*), p. 318.

relationship between the associations gathered under the red cross emblem.

From the start, the Red Cross had been both national and international. Its success was largely due to the fact that it had been able to maintain a balance between those dual aspects and avoid the pitfalls both of nationalism, which would have severed the bonds of solidarity between the Central Committees, and of internationalism, which would have cut it off from its own national roots. Indirectly, Resolution VI shifted the balance somewhat, for whereas hospital care constituted first and foremost a national activity, as did peacetime activities, assisting prisoners of war required closer cooperation at the international level.

Under Resolution VI of the Washington Conference, the ICRC was made responsible for visiting servicemen in captivity and distributing relief supplies destined for them. Tasks were thus assigned to it that went beyond mere liaison. The Washington resolution made the International Committee the linchpin of assistance to prisoners of war.¹⁶

Resolution VI came just at the right time. Moreover it contained an emergency clause, calling upon the special commissions responsible for providing assistance for prisoners of war to contact the ICRC within one year.¹⁷ That one-year period was to prove too long; within five months, Resolution VI had to be put into initial effect when the Balkan Wars broke out. Europe was already headed for the First World War.

Since August 1914, the ICRC had been reminding all the National Societies of their commitments under Resolution VI of the Washington Conference and announcing the opening in Geneva of the International Prisoner-of-War Agency.

The expansion of ICRC activities during the First World War is well documented: the Agency communicated some 8 million items of information concerning prisoners of war, ICRC delegates carried out over 500 visits to prisoner-of-war camps and arranged for the transport and delivery of more than 1,800 wagonloads of relief supplies and, once the war was over, the ICRC played a decisive part in the repatriation of prisoners.¹⁸

¹⁶ Bugnion, *op. cit.*, pp. 80-87.

¹⁷ *Neuvième Conférence internationale, Compte rendu*, p. 318.

¹⁸ *Rapport général du Comité international de la Croix-Rouge sur son activité de 1912 à 1920*, Geneva, ICRC, 1921, 259 pages.

Over the same period, however, the Great War cruelly revealed the shortcomings of the Hague Regulations, which set out general principles rather than immediately applicable rules and did not provide for any control mechanism.

Immediately after the First World War, therefore, the ICRC began to prepare for revision of the Geneva Convention of 6 July 1906 and adoption of a new Convention to protect prisoners of war. Both items were entered on the agenda of the 10th International Conference of the Red Cross,¹⁹ held at Geneva in 1921, and again on that of the 11th Conference,²⁰ which met in Geneva in 1923. The draft Conventions that emerged from the Conference in 1923 were transmitted to the Swiss Federal Council which, in July 1929, convened a Diplomatic Conference to review the Geneva Convention and prepare a new Convention to protect prisoners of war.

The Prisoner-of-War Code of 27 July 1929 rendered incalculable services throughout the Second World War. For millions of prisoners it meant the difference between captivity — admittedly hard enough to bear — and death. Its revision was nonetheless considered necessary after the Second World War to take account of the lessons of that unprecedented conflict. The result was the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949.

Protection of civilians

The First World War had shown that war no longer took its toll among members of the armed forces alone, but that civilians were also being more severely affected than ever before. Territorial occupation, countless acts of violence and other excesses, internment and hostage-taking had created thousands of civilian victims who were not protected by the Geneva Convention of 1906.

¹⁹ Résolution XV, *Dixième Conférence internationale de la Croix-Rouge tenue à Genève du 30 mars au 7 avril 1921, Compte rendu*, Geneva, ICRC, 1921 (hereinafter: *Dixième Conférence internationale, Compte rendu*), pp. 218-221.

²⁰ XI^e Conférence internationale de la Croix-Rouge, *Code des prisonniers de guerre*, pp. 16-42; *Onzième Conférence internationale tenue à Genève du 28 août au 1^{er} septembre 1923, Compte rendu*, p. 198 (Resolution III).

Was it enough, once peace had been restored, to stigmatize practices which seemed to come from a bygone age, or was it better to work for a convention to protect civilians in the hands of the enemy, even if there was a risk of sanctioning, by regulation of them, forms of behaviour that were morally unacceptable but whose recurrence international law had proved powerless to prevent?

The ICRC resolutely opted for the second solution.²¹ The 10th International Conference, held in Geneva in 1921, likewise recommended that governments should adopt a diplomatic convention without delay to protect prisoners of war, deportees, evacuees and refugees, and called upon the ICRC to prepare a preliminary draft.²²

Convinced, however, that protection for prisoners of war and for civilian war victims had to be formulated in two separate texts, the ICRC submitted two draft conventions to the 11th International Conference, which took place in Geneva in 1923: one on prisoners of war, which eventually became the Convention of 1929 already discussed, and the other on civilians in enemy hands.

On the dubious grounds that the fate of civilians in enemy hands came under the laws of war and was not a matter for the Red Cross, the 11th Conference dismissed the draft Convention on civilians and simply adopted a recommendation without any practical significance.²³

The ICRC tried to address the subject again at the 12th International Conference, but equally unsuccessfully. The Conference adopted a resolution that was as well-intentioned as it was ineffectual.²⁴

Once more the ICRC raised the issue by submitting to the 15th International Conference, held in Tokyo in October 1934, a draft Convention on civilians of enemy nationality on territory belonging to or occupied by a belligerent.²⁵

²¹ *Rapport général du Comité international de la Croix-Rouge sur son activité de 1912 à 1920*, pp. 173-176.

²² Resolution XV, *Dixième Conférence internationale, Compte rendu*, pp. 218-221.

²³ Resolution VIII, *Onzième Conférence internationale, Compte rendu*, p. 200-201.

²⁴ Resolution XII, *Douzième Conférence internationale de la Croix-Rouge tenue à Genève du 7 au 10 octobre 1925, Compte rendu*, Geneva, ICRC, 1925 (hereinafter: *Douzième Conférence internationale, Compte rendu*), pp. 142-145 and 172-173.

²⁵ 15th International Conference of the Red Cross, *Draft Convention on the Status and Protection of Civilians of Enemy Nationality on the Territory of a Belligerent or on a Territory Occupied By It* (Document No. 9), Geneva, ICRC, 1934 (hereinafter: Tokyo Draft), 14 pages.

The draft contained general principles concerning *inter alia* permission to leave enemy territory and the banning of reprisals, deportation and the execution of hostages; it assured civilian internees of treatment at least equal to that of prisoners of war, and its provisions on the organization of monitoring were based on those of the Prisoner-of-War Code.²⁶

The *Tokyo Draft*, as it is commonly known, was not above criticism. Its provisions on occupied territories, among other things, could be construed as very timid given the experience gained during the First World War. However, it limited the rights of captor and occupier alike and prohibited the more arbitrary and cruel measures, thus offering an invaluable safeguard to civilian war victims; lastly, and maybe most importantly, it provided a basis for supporting the action of Protecting Powers and of the ICRC itself.

The Tokyo Conference recognized the value of the draft and asked the ICRC to do everything necessary to arrive at a Convention on the subject.²⁷ The ICRC therefore transmitted the draft to the Federal Council, which undertook to consult the governments most directly concerned; several governments expressed their doubts and, in the view of Federal Councillor Giuseppe Motta, the French government in particular sent "a firm and definite refusal".²⁸ In the circumstances, the Federal Political Department concluded that "the auguries were insufficiently favourable" for any real chance of success and refused to convene a diplomatic conference.

Had the project completely foundered? The ICRC thought not. Immediately after the 16th International Conference, held in London in June 1938, it attempted to gain approval for several draft conventions, including in particular the one on the protection of civilians in enemy hands.

However, the rationale of war prevailed. The Diplomatic Conference which the London Conference had called for was unable to meet owing to Germany's attack on Poland, which meant that those civilians who fell into the hands of the adverse party during the Second World War were deprived of any convention-based protection against the dictates of the

²⁶ Articles 1 to 25 of the Tokyo Draft.

²⁷ Resolution XXXIX, *Quinzième Conférence internationale de la Croix-Rouge tenue à Tokyo du 20 au 29 octobre 1934, Compte rendu*, Tokyo, Red Cross Society of Japan, 1934, pp. 202-209 and 262-268.

²⁸ André Durand, *From Sarajevo to Hiroshima: History of the International Committee of the Red Cross*, Vol. II, Geneva, Henry Dunant Institute, 1984, p. 292.

detaining or occupying power. Countless acts of persecution occurred, culminating in the horror of the concentration camps and genocide.

From the Geneva Conventions of 1949 to the Additional Protocols of 1977

The Second World War had amply demonstrated the need to supplement the humanitarian conventions, especially with a view to providing proper protection for the civilian population.

After sending a memorandum to governments and National Societies on 15 February 1945, the ICRC submitted its initial drafts to the Preliminary Conference of National Red Cross Societies for the study of the Conventions and of various problems relative to the Red Cross, convened in Geneva from 26 July to 3 August 1945, and then to the Conference of Government Experts for the Study of Conventions for the Protection of War Victims, held in Geneva from 14 to 26 April 1947.

The International Committee then prepared four draft conventions, based on the findings of those two preparatory conferences and other consultations, relating to the wounded and sick in armies in the field (revision of the Geneva Convention of 27 July 1929), the wounded, sick and shipwrecked members of armed forces at sea (revision of the Hague Convention of 18 October 1907), prisoners of war (revision of the Convention of 27 July 1929) and for the protection of civilian persons in time of war.

Those drafts were submitted to the 17th International Conference, meeting in Stockholm from 20 to 30 August 1948, which referred them to its Legal Commission for consideration. The Commission examined them article by article and approved them, subject to a few amendments. The Stockholm Conference further recommended "that all Governments meet at the earliest possible moment in Diplomatic Conference for the adoption and signature of the texts now approved".²⁹

Convened by the Federal Council, the Diplomatic Conference opened in Geneva on 21 April 1949³⁰ and completed its work on 12 August 1949

²⁹ Resolution XIX (Draft International Conventions), *17th International Conference of the Red Cross, Stockholm, 20-30 August 1948*, Report, Swedish Red Cross, Stockholm, 1948, pp. 92-93.

³⁰ In the presence of 277 delegates representing 59 States, the ICRC and League experts were able to take part in the deliberations of the Conference, whereas the United Nations and other specialized agencies were admitted with observer status.

after adopting four Conventions for the protection of war victims, including a new one extending protection to civilians. These were:

- the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention);
- the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention);
- the Geneva Convention relative to the Treatment of Prisoners of War (Third Convention);
- the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention).

Two conclusions must be drawn with regard to the role of the 17th International Conference in formulating the Geneva Conventions. First, the Conference adopted the drafts practically as they had been prepared by the ICRC, i.e. harmonizing in four separate Conventions the Geneva Conventions of 1929 and the Hague Conventions of 1907. Second, it followed the ICRC's proposals for the protection of civilians, which went far beyond the Tokyo Draft. The Conference thus did much more than pave the way for the Diplomatic Conference of 1949: it presented the draft texts of the four new Conventions in their final form.

After the Geneva Conventions of 1949, of which it had been the architect, and especially the Fourth Convention protecting civilians in wartime had been adopted, the ICRC was all too well aware that the rules governing the conduct of hostilities had remained unchanged since the Second Peace Conference, held in The Hague in 1907. The rules on aerial bombardment in particular dated from the days of airships, so the protection of civilians and of non-combatants in general could clearly not be guaranteed without an updating of the rules governing the conduct of hostilities.

To remedy the situation, the ICRC prepared two draft additional protocols and submitted them to the 22nd International Conference of the Red Cross, which was held in Tehran from 8 to 15 November 1973. The Conference approved them without amendment and recommended that the next Diplomatic Conference convened by the Federal Council should adopt them as a basis for discussion.³¹

³¹ Resolution XIII, *XXIInd International Conference of the Red Cross, Teheran 8-15 November 1973, Report*, Teheran, Red Lion and Sun Society of Iran, 1973, pp. 122-123.

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts met in Geneva in four sessions from 1974 to 1977. It was attended by representatives of 124 States and a number of national liberation movements, and the ICRC was associated with its work in an expert capacity. The Conference completed its work on 10 June 1977 after adopting two additional protocols:

- the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I);
- the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).

The Protocols additional to the Geneva Conventions came into force on 7 December 1978.³² By 19 September 1995,³³ 186 States had become party to the four Geneva Conventions of 12 August 1949, 140 to Protocol I and 131 to Protocol II.

The International Conferences held since 1977 have adopted a series of resolutions calling on States which have not yet become party to the Additional Protocols to do so and requesting the ICRC and the National Societies to make those instruments known and encourage their ratification.³⁴

Red Cross action in the event of civil war

The American Red Cross must be credited with having prompted the first international consideration of Red Cross intervention in cases of internal conflict, for it was that Society which submitted to the 9th International Conference of the Red Cross, held in Washington in 1912, a report on the role of the Red Cross in the event of civil war or insurrection.³⁵

³² *IRRC*, No. 207, November–December 1978, p. 336.

³³ Date on which Micronesia became party to the Geneva Conventions and the Additional Protocols.

³⁴ Resolution III (Geneva Conventions and Additional Protocols), *23rd International Conference, Bucharest, 1977*; Resolution VII (Protocols additional to the Geneva Conventions), *24th International Conference, Manila, 1981*; Resolution II (Protocols additional to the Geneva Conventions), *25th International Conference (Geneva, 1986)*.

³⁵ *Neuvième Conférence internationale, Compte rendu*, pp. 44–48.

The American Red Cross memorandum was a remarkable effort to reconcile the interests of victims, the impartiality and freedom of action of the Red Cross and the rights of the conflicting parties. The prerogatives of the legitimate government were also safeguarded. The draft moreover stressed that offers of service by National Societies of third countries must be of a philanthropic nature and could not be regarded as a recognition of belligerency, or even as a first step towards such recognition.

Although the draft nonetheless sparked a defensive reaction by several representatives of European governments, particularly that of Tsarist Russia, it was discussed within a Special Commission and then in plenary session. In order to avoid a vote which would have caused a rift within the Movement without enhancing the possibilities of Red Cross action, the Conference decided, however, not to express any opinion on the report submitted to it but merely to take cognizance of it.³⁶

What most National Societies lacked was experience of relief action on behalf of victims of internal conflicts. Rather than time, a precedent was needed. The upheavals that followed the First World War were soon to provide the occasion for it.

Nine years elapsed between the Washington Conference and the 10th International Conference in Geneva in 1921. This lengthy period was marked not only by the First World War but also by the Russian civil war, the Hungarian revolution and Spartacism in Germany, all civil war situations in which the Red Cross intervened without hesitation.

It was henceforth agreed as a matter of principle that the Red Cross was competent to assist victims of insurrections and civil wars. The inclusion of this item on the agenda of the 10th Conference was intended to prompt consideration of how, and not whether, such intervention should take place.

Reports were submitted to the Conference by several National Societies,³⁷ virtually all of which had been confronted by civil wars or internal disturbances. In addition, the ICRC had devoted a chapter of its General Report to its interventions in Russia and Hungary.

Although they referred to widely differing experiences, the reports submitted by the National Societies revealed many points of convergence,

³⁶ *Idem*, pp. 47 and 199-208.

³⁷ The National Societies of Finland, Germany, Italy, Poland, Portugal, Russia (former organization), Turkey and Ukraine.

including the fact that Red Cross competence for assisting the victims of war or civilian disturbances was considered self-evident.

Provided that the principle of impartiality was duly observed, the reports also expressed the view that the victims of a civil war should be assisted first and foremost by the National Society of the country concerned, though to do so with any chance of success it was essential that it retain complete independence, both from the political authorities and from the parties and factions involved.

It would, however, have been unreasonable to expect the National Society of a country disrupted by civil war to succeed indefinitely in dissociating itself from the struggle and carrying out its mission in a situation where the very State itself might disintegrate. Provision therefore had to be made for the intervention of a neutral international body capable of pursuing humanitarian action at the national level and, if necessary, preserving the independence and inviolability of the Red Cross vis-à-vis the respective parties. Lastly, assistance had to be organized at the international level. Presumably the ICRC would be requested to play this essential and natural intermediary role — a conclusion reached *inter alia* in the report by the German Red Cross.

The National Society reports thus gave the ICRC pride of place, stating the view that it should not only serve as the focal point for the organization of relief at the international level but also continue action at the national level if a National Society became paralysed. Those at least were the conclusions reached by the German Red Cross, the Italian Red Cross, the Ottoman Red Crescent and the Russian Red Cross (former organization).

The reports by the National Societies were submitted to the Conference's Third Commission, whose conclusions confirmed the analyses set out therein: on the one hand, the Red Cross had the right and duty to assist all victims of civil war; on the other, the National Society of a country stricken by civil war was primarily responsible for assisting the victims thereof; the independence and complete freedom of action of that Society should be respected; and, lastly, the ICRC was responsible for organizing relief at the international level.³⁸

The Third Commission's conclusions were adopted without discussion by the plenary Conference, which also adopted six resolutions; these

³⁸ *Dixième Conférence internationale, Compte rendu*, p. 159.

were grouped together in Resolution XIV, which bears the title "Civil War".

What conclusions may be drawn from Resolution XIV as adopted by the 10th International Conference in 1921? Three facts stand out:

First, the Russian civil war, which had just ended, had been one of the main concerns of the Conference; even though there were few direct references to it, the allusions were too transparent to be misunderstood.

Secondly, despite its clumsy drafting, Resolution XIV should not be underestimated. It is one of the most important texts in the history of the Red Cross, opening up a new field of action in a domain which international law had failed to codify. For over a quarter of a century, it was the only text on which the Red Cross could base its assistance to the victims of internal conflicts.³⁹

Lastly, Resolution XIV spectacularly confirmed the position of the ICRC, to which the Conference entrusted the mandate of intervening in relief work in the event of civil war. The ICRC thus emerges not only as the hub of relief action in the event of civil war but also as the authorized representative of the Movement as a whole.⁴⁰

During the Upper Silesian conflict and the Spanish war, however, the ICRC went far beyond the organization of relief as envisaged in Resolution XIV of the 10th International Conference and, in both those internal conflicts, endeavoured to gain respect for a minimum of humanitarian rules while actively helping to put them into practice. In a way, it transposed the operational pattern it had developed during conflicts between States and tried, often successfully, to cover the entire field of activity within the scope of the Geneva and Hague Conventions, which it constantly claimed should be applied by analogy.

It can thus be seen that the ICRC's policy and practical work are determined by its right to take any humanitarian initiative, for that is what comes into play here. It is even one of the factors which have contributed most directly to the development of contemporary humanitarian law.

³⁹ For instance, during the Upper Silesian conflict in 1921 and the Spanish civil war of 1936-1939.

⁴⁰ Bugnion, *op. cit.*, p. 301.

The 16th International Conference, held in London in June 1938 under ominously darkening skies,⁴¹ was to provide admittedly guarded support for the ICRC's new proposals regarding assistance in times of civil war.

Drawing on its experience in Upper Silesia, Ireland and Spain, the ICRC submitted a report to the Conference on the role and activity of the Red Cross in time of civil war. This report emphasized and enlarged on Resolution XIV of the International Conference of 1921 and drew attention to the diversity of the situations envisaged, which far exceeded situations of armed conflict alone. It was accompanied by a draft resolution designed not only to determine the possibilities and conditions of Red Cross intervention in the event of internal strife, but also to define guiding principles for the behaviour of combatants towards victims of conflict.

That draft resolution was certainly one of the most complete texts ever proposed to establish a legal regime applicable to internal conflicts in which there is no recognition of belligerency. It constituted a draft set of genuine regulations for the protection of victims of internal strife.

The fact that the ICRC report was sent in advance to all National Societies in February 1938 led the Spanish Red Cross in Madrid to publish a report on the same subject. On the basis of its experience during the civil war in its own country, the Spanish Red Cross demonstrated the need for the ICRC to intervene in the event of civil war as the sole neutral intermediary capable of taking effective action in such situations.

The reports by the ICRC and the Spanish Red Cross were submitted to the Conference's Legal Commission, which examined them in depth. Eventually, a compromise solution was reached. In Resolution XIV, which was voted without discussion and in plenary session, the 16th International Conference recalled Resolution XIV adopted by the 10th Conference in 1921 and invited the ICRC to continue its efforts to obtain the application of the two Geneva Conventions of 1929 and the Xth Hague Convention of 1907 to victims of civil wars. However, the resolution deferred the adoption of a more binding text and requested the ICRC, making use of its own practical experience, to continue its study of the problems raised by civil war as regards the Red Cross.⁴² It was thus a kind

⁴¹ The Sino-Japanese war, the annexation of Austria and the Sudetenland crisis were already foreshadowing the profound upheavals that led to the Second World War.

⁴² Resolution XIV, *16th International Conference of the Red Cross, London, 20-24 June 1938, Report*, The British Red Cross Society, London, 1938, pp. 85-87 and 104.

of exhortation in which the Conference paid tribute to the work spontaneously undertaken by the ICRC on behalf of victims of internal conflicts and encouraged it to continue its activity in that connection, but without giving it the legal basis it wished to have for that activity.

In short, rather than risk a split over a text more clearly defined in scope, the Conference opted for the unanimous adoption of one that was bland enough to pass unopposed. But the need for a codification of the law applicable to internal conflict could not be postponed for long. It fell to the Diplomatic Conference responsible for revising the Geneva Conventions after the Second World War to resolve the issue. It did so by adopting Article 3 common to the four Geneva Conventions of 12 August 1949.

ORGANIZATION OF THE MOVEMENT

The Movement's Statutes

Until the end of the First World War, the legal structure of the Red Cross was relatively slender, consisting of the resolutions of the founding Conference of October 1883, which the ICRC and the National Societies considered binding, a few resolutions of a regulatory nature adopted by International Conferences of the Red Cross, and a number of tacit rules imposed by the nature and aims of its work. Each International Conference adopted its own rules of procedure, using previous ones as a guide. Thus at the statutory level, the International Red Cross was governed by rules that were to a large extent customary.⁴³

With the founding of the League of Red Cross Societies arose the question of the Movement's organization at the international level, for the coexistence of two bodies at that level necessitated a rational sharing of tasks and responsibilities, as well as a clear demarcation between the position of the ICRC and that of the League within the Movement. The Red Cross as a whole had to adopt a statutory structure designed to safeguard the unity of the Movement and harmonize the activities of the National Societies, the ICRC and the League.

⁴³ Bugnion, *op. cit.*, p. 418.

This is no place for a detailed account of those difficult negotiations.⁴⁴ Once all possibilities of merging the ICRC and the League had been explored in vain, it was eventually concluded that both should continue to exist as mutually complementary organizations. No attempt should be made to amalgamate them into a single body; each of them should be assigned a well-defined field of activity and they should form part of a larger institution, the International Red Cross.

A set of draft Statutes drawn up by Professor Max Huber, then a member of the Committee, and by Colonel Draudt, Vice-President of the League, were adopted by the 13th International Conference at The Hague in October 1928.⁴⁵

Although for the most part the Statutes of the International Red Cross did no more than confirm the *status quo*, the delegates meeting in The Hague firmly believed that they had laid the foundations of a veritable international organization by giving the Red Cross statutory bodies vested with clearly defined powers.

The Statutes of the International Red Cross were revised at the 18th International Conference, held in Toronto in 1952. The main amendments were designed to give a more explicit definition of the respective competences of the ICRC and the League and to develop cooperation between the two institutions.⁴⁶

The Statutes were again revised at the 25th International Conference,⁴⁷ held in Geneva in 1986.

The basic tenor of the Statutes remained unchanged, although the Conference replaced the term "International Red Cross" by "International Red Cross and Red Crescent Movement" to reflect the principle of the National Societies' equality, a principle that had been recognized from the beginning.

It is not the purpose of this article to explain the content or offer an analysis of the Statutes.⁴⁸ It should, however, be noted that the Statutes

⁴⁴ André Durand, *op. cit.*, describes the history of these negotiations, pp. 139-194.

⁴⁵ The draft was adopted unanimously with five abstentions; four National Societies expressed reservations over one of the articles — *Treizième Conférence internationale de la Croix-Rouge, tenue à La Haye du 23 au 27 octobre 1928, Compte rendu*, Imprimerie nationale, The Hague, 1929, pp. 12-19, 48-75, 85, 101-114, 117-118 and 182-186.

⁴⁶ Frédéric Sordet, "La XVIII^e Conférence internationale de la Croix-Rouge", *Revue internationale de la Croix-Rouge* (hereinafter *RICR*), No. 405, September 1952, pp. 761-762.

⁴⁷ Resolution XXXI, *25th International Conference of the Red Cross, Geneva, 23-31 October 1986, Report*, Swiss Red Cross, Bern, 1986, pp. 121-122 and 166.

⁴⁸ See Bugnion, *op. cit.*, pp. 418-424.

adopted by the 13th International Conference of the Red Cross in 1928 and subsequently revised by the 18th and 25th International Conferences have stood the test of time. For more than three-quarters of a century they have provided and continue to provide the framework for the development of the International Red Cross and Red Crescent Movement, just as the Fundamental Principles have done in the moral sphere.

The Fundamental Principles

From the very start, the Red Cross was aware of following a number of fundamental principles dictated by the aims of the institution and the nature of its proposed activities. To a large extent these principles were expressed in the resolutions and recommendations of the Conference of 1863 and in the Geneva Convention of 1864.

In 1869, the Berlin Conference asked the International Committee to ensure that the principles were upheld and disseminated. But it was only in 1874 that Gustave Moynier, President of the ICRC, attempted for the first time to formulate the Fundamental Principles, namely *centralization* (only one Society in each country), *preparedness* (each Society should prepare for its activities in the event of war), *neutrality* (with regard to victims) and *solidarity* (between Societies).

When revising its own statutes after the First World War, the ICRC included the mention of four "*fundamental and uniform principles which are at the basis of the Red Cross institution, namely: impartiality, political, religious and economic independence, the universality of the Red Cross and the equality of its members*".⁴⁹

These principles are mentioned, in almost identical wording, in Article 10 of the "Conditions for the recognition of National Red Cross Societies" approved by the 17th International Conference of the Red Cross (Stockholm, 1948), and in Article VI, para. 2, of the Statutes of the International Red Cross, revised by the Toronto Conference in 1952.

To the four existing principles, however, the League's Board of Governors meeting in Oxford in 1946 (XIXth session) and Stockholm in

⁴⁹ Statuts du Comité international de la Croix-Rouge, 10 mars 1921, Article 3, *RICR*, No. 28, April 1921, pp. 379-380.

1948 (XXth session) added 13 others, in which the aims of the Red Cross, its fundamental principles and some rules of procedure were jumbled together.

The Toronto Conference endorsed this new statement of principles, while stressing that the four original principles remained “the corner-stone of the Red Cross” — a remark that only added to the confusion.

Universally acceptable wording nonetheless had to be found. The Standing Commission decided to set up a joint ICRC-League commission for the purpose. On the basis of the resolutions of past Conferences and, in particular, the work accomplished by Max Huber and Jean Pictet, the joint commission prepared a draft of seven articles which was sent to all National Societies and approved unanimously by the Council of Delegates, meeting in Prague in 1961. The draft was then submitted to the 20th International Conference (Vienna, 1965), where it was adopted unanimously under the title “*Proclamation of the Fundamental Principles of the Red Cross*”.⁵⁰

Since then, the Fundamental Principles — humanity, impartiality, neutrality, independence, voluntary status, unity and universality — have been solemnly read out at the opening ceremony of each International Conference and are recognized as the Movement’s basic charter.

The Fundamental Principles proclaimed by the 20th International Conference and reaffirmed by the 25th Conference are mandatory for all Red Cross and Red Crescent bodies. The representatives of the States party to the Geneva Conventions who attend the Conference must respect the principles in the same way as all the other delegations.⁵¹

Recognition of National Societies

Since 1876 the International Committee, as the founding body of the Red Cross and custodian of its principles, has applied a systematic procedure for the recognition of any new National Society wishing to become a member of the Movement.⁵²

⁵⁰ Resolution VIII, *20th International Conference of the Red Cross, Report*, pp. 51-52 and 99-100.

⁵¹ See Article 11 (4) of the 1986 Statutes of the Movement, *IRRC*, No. 256, January-February 1987, p. 38.

⁵² Dates of foundation and of recognition by the ICRC of the National Red Cross and Red Crescent Societies (internal document of the Division for Principles and Relations with the Movement), Geneva, ICRC, June 1994, p. 10.

By sending out circulars, the ICRC notified the National Societies of the foundation of any new Society, which became a member of the Movement after having met specific criteria: no equivalent and previously recognized Red Cross or Red Crescent Society already in existence (*criterion of unity*), sound management of the applicant Society and official recognition of it by the public authorities of its country (*criterion of independence*), and willingness of the applicant Society to take part in the activities of a universal Movement and respect its principles and ideals (*criterion of universality*).

On the basis of those provisions, in 1947 a joint commission of ICRC and League representatives prepared a draft confirming the previous practice and laying down the conditions that any new Society must meet to become a member of the Movement. The draft was adopted by the 17th International Conference of the Red Cross in Stockholm in 1948.⁵³

That resolution by the Stockholm Conference codified, within the framework of the Movement as a whole, a practice established by the ICRC as early as 1876. It also placed all National Societies on an equal footing, since all of them, even those already recognized, are required to meet the conditions for recognition.⁵⁴

Lastly, it should be noted that the 17th Conference did not challenge the ICRC's competence in the matter: the International Committee itself decides on the recognition of any new National Society, even though it does so on the basis of a prior examination carried out in close consultation with the International Federation of Red Cross and Red Crescent Societies.

Principles and rules in the event of disasters

The steady expansion of relief activities by the National Societies and their Federation during natural or technological disasters made it necessary to adopt rules for such operations in order to ensure mutual coordination of efforts and overall efficiency.

⁵³ Resolution XI (c) (Conditions for the recognition of National Societies), 17th International Conference, Stockholm, 1948. The *International Red Cross Handbook* may be consulted for the text of the ten conditions for recognition (pp. 497-498).

⁵⁴ The case arises, for instance, when a National Society amends its own statutes and submits the text to the Joint ICRC-League Commission for National Society Statutes.

The *Principles and Rules for Red Cross Disaster Relief* were adopted at the 21st International Conference of the Red Cross in 1969.⁵⁵ Since then, every International Conference has taken decisions revising the *Principles and Rules* in order to adapt them to new situations and strengthen cooperation between the Federation, the National Societies and the ICRC in that specific field.⁵⁶

The 1991 Council of Delegates, in its Resolution 17, furthermore approved the drafting of a *Code of Conduct* for the International Red Cross and Red Crescent Movement and non-governmental organizations. That *Code*, which seeks to set principles of conduct applicable to all organizations taking part in disaster relief, will be submitted to the 26th International Conference to be held in Geneva this December.

Other activities of the Movement covered by resolutions adopted by the International Conference

Besides the Movement's Statutes and general organization, the International Conferences have adopted many resolutions to encourage and develop the activities of the Red Cross and Red Crescent.

It is not possible to go into detail here on the diverse areas of activity discussed by the International Conferences; to cite only a few at random, they have included the financing of the ICRC and the Federation, youth, voluntary service, exemption from customs duties and other facilities accorded to Red Cross staff, regional conferences, funds and medals, the press, blood transfusions, the fight against drug and tobacco addiction and even environmental protection.

Limitations on warfare

Faced with the major conflicts of our times, the International Conferences could not remain indifferent to the devastation wrought thereby or,

⁵⁵ Resolution XXIV (Principles and Rules for Red Cross Disaster Relief), 21st International Conference, Istanbul, 1969.

⁵⁶ Decision I, 22nd International Conference, Tehran, 1973; Decision I, 23rd International Conference, Bucharest, 1977; Decision I, 24th International Conference, Manila, 1981; Resolution XXXIII, 25th International Conference, Geneva, 1986.

more particularly, to the pernicious effects of technological developments in weaponry.

The post-war Conferences have consequently adopted many resolutions, often at the initiative of the ICRC, to limit or ban the use of weapons of mass destruction (chemical, bacteriological and nuclear weapons) and highlight the terrible threat such weapons pose to mankind.⁵⁷

The 26th International Conference of the Red Cross and Red Crescent, to be held in Geneva early in December 1995, will pursue these efforts to ban certain such weapons and, in particular, the manufacture and use of anti-personnel mines.

These words on the limitation of warfare would not be complete without an unfortunately all too brief reference to the Red Cross contribution to peace. This subject, too, has been addressed by the International Conferences, which have adopted many resolutions to encourage peace initiatives, international rapprochement⁵⁸ and the struggle against racial discrimination and prejudice.⁵⁹

A SUMMING-UP

Any account of the International Conferences must include a mention of the political problems they have had to face in the past. They have, it is true, sometimes been beset by political quarrels which have poisoned the atmosphere and paralysed their work, a fact which can only be deplored.

⁵⁷ Resolution XXIV of the *17th International Conference of the Red Cross, Stockholm, 1948*; Resolution XXVIII of the *18th Conference, Toronto, 1952*; Resolution XVIII of the *19th Conference, New Delhi, 1957*; Resolution XXVIII of the *20th Conference, Vienna, 1965*; Resolution XIV of the *21st Conference, Istanbul, 1967*; Resolution XIV of the *22nd Conference, Tehran, 1973*; Resolution XII of the *23rd Conference, Bucharest, 1977*, and Resolution XIII of the *24th Conference, Manila, 1981*.

⁵⁸ See *inter alia* Resolution XXXVII (The Red Cross as a Factor for World Peace), *19th International Conference, New Delhi, 1957*; Resolution X (The Red Cross as a Factor in World Peace), *20th International Conference, Vienna, 1965*; Resolution XXI (The Red Cross as a Factor in World Peace), *21st International Conference, Istanbul, 1969*; Resolutions XXVI and XXVII (Role of the Movement and Peace), *25th International Conference, Geneva, 1986*.

⁵⁹ Resolution XXXIV (Campaign against Prejudice and Discrimination), *19th International Conference, New Delhi, 1957*; Resolution X (Elimination of Racial Discrimination), *22nd Conference, Tehran, 1973*.

There are various instances of this: the ideological controversies after the Korean war that emerged at the 18th Conference, held in Toronto in 1952, the question of Chinese representation at the 19th International Conference, held in New Delhi in 1957 and, more recently, the exclusion of the government delegation of the South African Republic from the 25th International Conference, held in Geneva in 1986, and the problem of Palestinian representation which led to the postponement of the 26th International Conference in 1991⁶⁰ are but a few of the setbacks which the International Conferences of the Red Cross have encountered and which have threatened the unity of the Movement.

However, those events — some of which were widely publicized — should not overshadow the many achievements of the Conferences themselves. Humanitarian law and action would not have become what they are today without the impetus given by the International Conference of the Red Cross and Red Crescent, which remains the prime international forum for addressing humanitarian issues.

The International Conferences provide a unique opportunity for alerting States to the needs of the victims whom the Movement seeks to help. Admittedly, the dialogue with States is not confined to those few days every four years, but the big difference between bilateral contacts and the Conference is that the latter takes decisions which have a bearing upon the international community as a whole.

The Conference also obliges the governments to state publicly where they stand on the general or particular problems put before them. Any move to develop humanitarian law or to strengthen its implementation must perforce be dealt with by the International Conference. It is also at the International Conference that the international community makes commitments on National Society matters, in particular the development of the weakest among them.⁶¹

Hopes placed in the 26th International Conference of the Red Cross and Red Crescent

The 26th International Conference thus hopes to resume such consideration at a more general level and examine what can be done to help the

⁶⁰ Only the Council of Delegates was able to meet and discuss some of the items on the Conference's agenda.

⁶¹ Yves Sandoz, "Apropos of the postponement of the 26th International Conference of the Red Cross and Red Crescent", *IRRC*, No. 286, January-February 1992, p. 6.

most vulnerable persons, to attenuate and prevent crises and, lastly, to strengthen the Movement and mobilize the public in support of its work.

To attenuate and prevent crises, the forthcoming Conference must secure greater respect for international humanitarian law during armed conflict, while remaining aware of the magnitude of the task and careful not to overreach itself.⁶²

But the Conference also enables our Movement to give evidence of the energy with which it intends to develop its member National Societies in order to assist victims more effectively and thus fulfil the ideals it has embraced ever since its inception in 1863. While promoting the network of National Societies as an essential tool for aiding the most vulnerable and thus for preventing crises, the Movement must also demonstrate its willingness to promote internal solidarity among its members.

Hence the importance of convincing all the participants in the Conference to make proper use of it as a forum for debate and for promoting humanitarian action and the protection of the world's most vulnerable people, and not as a sounding board for political causes.

As a humanitarian forum, what we can expect it to do is to highlight intolerable situations, identify appropriate short- and long-term measures for improving the lot of vulnerable people and, in such situations, make a firm commitment to provide the means necessary to implement those measures.

The Conference must therefore become a mobilizing force for all peoples, at the same time giving them an opportunity to express their solidarity with those who suffer and their wish to agree on specific commitments concerning areas where progress seems possible.

The success of the Conference, however, will depend most of all on the attitude of all the components of our Movement. They are the ones who must mobilize the public at large and the governments of every country worldwide by using the Conference to defend those whom they seek to help, and by creating support and approval for their action. They are also the ones who must imbue the Conference with the spirit of our Movement, making it a special event that stands apart from run-of-the-mill diplomatic meetings.

⁶² Yves Sandoz, "The 26th International Conference of the Red Cross and Red Crescent: Myth and Reality", *IRRC*, No. 305, March-April 1995, pp. 129-136.

Our Movement will meet this challenge if it presents a united front, not by masking its diversity but rather by making the strength of its complementarity evident. It will thus be able to approach the Conference with confidence, viewing it as a constructive and forward-looking event for every participant. If our Movement goes about its preparations in this frame of mind it will, together with the governments, contribute to the success of this meeting in which so much hope has been placed.

BIBLIOGRAPHY

In addition to the reports of the 25 International Conferences of the Red Cross held between 1867 and 1986, as well as notices in the *Bulletin international des Sociétés de la Croix-Rouge* (1869-1952, translated into English as from 1948) and the *International Review of the Red Cross* (1921-1995, published only in French until 1961, thereafter also in English), the following works may be consulted:

- BOISSIER, Pierre, *History of the International Committee of the Red Cross*, Vol. I: *From Solferino to Tsushima*, Henry Dunant Institute, Geneva, 1985, 391 pages.
- BUGNION, François, *Le Comité international de la Croix-Rouge et la protection des victimes de la guerre*. ICRC, Geneva, 1994, 1438 pages. An English-language edition, with the title *The International Committee of the Red Cross and the Protection of War Victims*, is currently being prepared.
- DURAND, André, *History of the International Committee of the Red Cross*, Vol. II: *From Sarajevo to Hiroshima*, Henry Dunant Institute, Geneva, 1984, 675 pages.
- HAUG, Hans, *Humanity for All, International Red Cross and Red Crescent Movement*, Editions Paul Haupt, Bern, Stuttgart and Vienna, and Henry Dunant Institute, Geneva, 1993, 682 pages.
- PERRUCHOUD, Richard, *Les Résolutions des Conférences internationales de la Croix-Rouge*, Henry Dunant Institute, Geneva, 1979, 469 pages.

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