

M I S C E L L A N E O U S

The Universality of the Geneva Conventions

There can be few international treaties which surpass the Geneva Conventions for their universality. In fact, it appears that there is no State in the world to which the "law of Geneva" is entirely unknown, whose origin goes back to the Geneva Convention of 1864, signed thanks to the initiative of Henry Dunant and his colleagues on the founding committee of the Red Cross.

The position at the present moment is as follows :

109 States are parties to the Geneva Conventions of August 12, 1949, the last being Honduras, whose accession dates from December 31, 1965. However, to these 109, one can add ten other States. In fact, the ICRC has always considered that a territory achieving independence remains bound by agreements of public or general interest signed by the Power formerly exercising sovereignty there. Then the Geneva Conventions remain in force, unless the new State expressly revokes these agreements signed by the State to which it has succeeded. The ten following States still find themselves in such a situation : Burundi, Republic of Central Africa, Gambia, Republic of the Congo (Brazzaville), Guinea, Kenya, Malawi, Malta, Tchad and Zambia.

However, the ICRC hopes that the governments of these States, following the example of many others which found themselves in the same position, confirm, either by a declaration of continuity or by accession, their participation in the Conventions, in order to avoid all misunderstanding.

Six States are still bound by the Conventions prior to those of 1949 : Burma, Bolivia, Ethiopia (Conventions of 1929), Costa Rica, Uruguay (Convention of 1906) and the Republic of Korea (Convention of 1864).

We would finally mention two special cases. One is Kuwait which formed part of those protectorates of the Arabian Peninsula in which the British Government declared its wish to apply the Geneva Conventions of 1949. However, it cannot be stated with certainty that this remains in force after Kuwait's becoming totally independent.

As for the Yemen, this country has until recently remained completely outside the "law of Geneva". However, in January 1963, shortly after the outbreak of the civil war, the Government of the Arab Republic of the Yemen, established at Sanaa, signed a declaration affirming its intention to respect the principal rules of the Geneva Conventions of 1949. The Imam, leading the struggle against the Republican forces, made a similar declaration. These two engagements have certainly only a moral value, but their effect is not to be ignored. Yemeni combatants on both sides have frequently put into acts their moral accession to the humanitarian principles of the Conventions, and their attitude has enabled the ICRC to carry out relief work, which has benefitted many victims of the events.

It evidently appears, at all events, that the Geneva Conventions do not belong to one race, one civilization or to one group of people. They in fact express an ideal common to all mankind.
