Three short essays in honour of the 150th anniversary of the *International Review of the Red Cross*

The Review is the oldest international publication devoted to international humanitarian law, policy and action, and it is now celebrating its 150th year. In honour of this momentous anniversary, the journal has invited three of its former editors-in-chief to reflect on their experience.

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**Memoire of a faithful witness**

*Jacques Meurant*

*Editor-in-Chief of the Review from 1986 to 1995*

It was a pleasant surprise to be asked to contribute to the *International Review of the Red Cross* on the occasion of its 150th anniversary, just as I did twenty-five years earlier in celebration of its 125th anniversary in 1994. I am grateful to have the opportunity to sift through my memory once more and reminisce about such a productive and rewarding period of my life.

During the ten years of my tenure, from 1986 to 1995, faced with an international community undergoing radical changes, I tried to remain true to the course charted by my predecessors, ensuring that the Review embodied and analyzed the work done by the International Committee of the Red Cross (ICRC) to protect and assist victims of armed conflict; promoted the norms and underlying values of international humanitarian law (IHL); and celebrated demonstrations of solidarity within the International Red Cross and Red Crescent.
Movement (the Movement) in the quest to protect people’s lives, well-being and dignity.

Throughout my time, I was fortunate to have the kind support of Jean Pictet, the great expert behind the Fundamental Principles of the Movement,1 as well as of Jean-Georges Lossier, the poet and champion of solidarity, who was editor-in-chief of the Review for nearly thirty years.

As the old Swiss maxim goes, small is beautiful. In 1986, the Review team was reduced to one editor and an assistant, huddled together within the ICRC’s vast communications department, although dependant on the legal department when it came to developing schedules and taking decisions. Our offices were small but became larger when they were made open-plan, which, although it tended to develop a capacity for eavesdropping, hardly helped concentration! It was not an editorial board but rather an interdepartmental committee that approved our proposed yearly plan. This “trial by fire” was in fact something of a safety net, given that I was granted a great deal of autonomy throughout the rest of the year. I took it as a show of confidence, for which I remain grateful to this day. As for my colleagues, I consider myself very lucky, as many of them – whether experienced legal experts or novices, theorists or practitioners – were among the core contributors to the Review.

Let us set the scene. The backdrop is bleak – the planet is ailing. At each of the Movement’s three major international meetings, in 1986, 1993 and 1995, the assessment was the same: a proliferation of internal conflicts, their repercussions spreading outwards like tentacles; the use of prohibited weapons and tactics; an unacceptable increase in violations of the most basic rules of IHL. As the then-president of the ICRC Alexandre Hay noted at the opening of the 25th International Conference of the Red Cross and Red Crescent in 1986, the ICRC’s mission was profoundly impacted by ideological radicalization and the normalization of violence, which steadily eroded core humanitarian principles. Worse still was the decision to suspend the South African government’s delegation to the Conference, which jeopardized the Movement’s principle of universality, and even that of unity. Humanitarian principles were coming up against political realities. The threat was serious and called for a considered response. As we said amongst ourselves at that time, this modern era required robust humanitarian diplomacy.

The ICRC understood that nothing worthwhile could be achieved without the willingness of all concerned with humanitarian action – States first and foremost – to respect, instruct and coordinate with each other, but also to take the initiative and try out possible solutions. It was a time when, as Gaston Bachelard wrote, “[t]he will must imagine too much to achieve enough”. 2 So, the ICRC drew on the experience of its delegates in the field to develop a global

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operational strategy that combined protection and assistance, two activities that are inextricably linked in emergency situations. This approach was essential to ensuring respect for a minimum standard of humanity in all circumstances. At the same time it became apparent that it was crucial to familiarize people with the activities and concerns of all parts of the Movement and to establish programmes to raise awareness of the norms and principles of IHL as well as the Movement’s Fundamental Principles, especially among armed forces and the staff and volunteers of National Red Cross and Red Crescent Societies (National Societies). The aim was to help people better understand the values of humanity, impartiality and solidarity, and ultimately to foster within them a spirit of peace.

From then on, the role of the Review was to be the primary messenger for what had become a humanitarian call to arms. The ICRC Assembly, during its meeting on 16 and 17 March 1988, clarified and reaffirmed the nature and objectives of the Review as the ICRC’s official mouthpiece at the service of the entire Movement, accurately reflecting the Movement’s policies and reporting on its activities to the outside world. Moreover, as Alexandre Hay’s successor as ICRC president, Corneliu Sommaruga, emphasized, it was increasingly important for the Review to echo the concerns of all the components of the Movement, to further open itself up to the pressing humanitarian issues of the day, to cover a more diverse range of topics and, finally, to encourage submissions from every corner of the globe.

How did these principles translate into action? The abundance of material and the complexity of current events made it possible to present topics from an array of angles and standpoints. And to inform and inspire different communities while respecting their habits and customs, the Review, already published in English, French, German and Spanish, broadened its audience by adding an Arabic-language edition, with Russian following shortly thereafter.

Of all that the Review did during those years, I will limit myself here to highlighting just a few achievements of which I was particularly proud. With the help of legal experts – including some of the big names of the 1974–77 Diplomatic Conference – and academics representing different schools of thought, the Review fulfilled its role as a forum for reflection by publishing several special issues dedicated to topics such as protection and assistance, and the implementation of IHL in light of escalating conflicts in the Middle East, Afghanistan and the South Caucasus. In certain cases, the journal published diverging opinions on contentious current events, the challenge being to start a discussion without avoiding controversy. One such topic was the right to intervene on humanitarian grounds,3 which introduced politics into humanitarian work in a somewhat underhanded way. The Review also broached new issues with a view to encouraging a debate within the ICRC, addressing, for instance, the types of violence committed in situations not covered by IHL.4 The journal

put out test balloons in the form of draft documents such as model declarations laying out the indispensable humanitarian principles to be applied in situations of internal conflict and codes of conduct recalling generally applicable norms. Finally, we created a new section titled “Humanitarian Policy and Operational Activities”, which contained a wide range of think pieces, analyses, case studies, narratives, experiences and first-hand accounts that looked at how the ICRC’s humanitarian policy was brought to bear in various elements of its operational activities. The aim was to help the reader better understand how the ICRC responded across operational contexts, how it prepared its legal interventions, diplomatic engagements and the logistics of its operations, and how it coordinated with other organizations.

Of the major themes that marked the Movement, particularly the International Federation of Red Cross and Red Crescent Societies (IFRC) and the National Societies themselves, the most important one can be summed up in a single word: solidarity. Gustave Moynier saw this as the motivation behind National Societies’ willingness to help one another. In an unstable international environment marked by, on the one hand, the severe disparity between needs and resources, and, on the other, by increasingly pronounced divisions in civil society, the concepts of development current in the 1970s and 1980s were called into question, and strategies had to be adjusted to prioritize aid to the most vulnerable communities – to women, children, refugees, displaced people and all those living on the fringes of society – who bore the brunt of the political, economic and social upset. The Review dedicated a special issue to the problem to mark the 75th anniversary of the IFRC.

The international community had tasked the ICRC with helping States to promote humanitarian law. “IHL dissemination” was the motto of that decade, the humanitarian rallying cry. This perhaps allowed the Review to further solidify its standing as a publication of reference by reinforcing its policy of openness. The Review was instrumental in publicizing the programmes set up by the components of the Movement already in peacetime and the guidelines drawn up to promote IHL, which were adapted to different target audiences, including armed forces. It also chronicled how the Movement, observing the proliferation of conflicts of all types, was led to adopt a new strategy for promoting the law, one that focused on the prevention of IHL violations not only before potential conflicts but also during crises and in their aftermath while peace was being re-established. Further, the Review reported on the output of numerous national and regional courses, seminars and other meetings for a wide range of audiences, from soldiers and officers to politicians, academics and media professionals. To make IHL understood is, after all, to show that its principles and rules are rooted in every civilization, religion and tradition. On many occasions, the Review published pieces on the origins of the respect for the human person in times of armed conflict found in Christianity, Judaism, Islam, Buddhism and traditional African religions. In

5 “Politique humanitaire et activités opérationnelles” in French.
pre-colonial Mali, for example, a sense of honour encouraged clemency towards prisoners. As the proverb went: “If God has spared you, the chief will spare you too.”

To close, I wish to pay tribute to the ICRC delegates who had to contend with increasingly perilous circumstances during that period. Many paid for their dedication with their lives. I would like to share with readers that one of the most wrenching experiences of my life as an editor was the death of Frédéric Maurice, an ICRC delegate sent to Sarajevo during the Bosnian War.7 A few hours before leaving for the field in May 1992, he gave me the final pages of an article meant for the Review titled “Humanitarian Ambition”. He wanted to go over his text again and polish it, but fate decided otherwise: he died in tragic circumstances on the outskirts of Sarajevo on 19 May 1992. The essay, published in the state he submitted it, was an off-the-cuff personal reflection on the problems of humanitarian relief in the late twentieth century.8 To my mind, it was one of the most beautiful pieces we published in my ten years as editor. It was absolutely representative of the mentality of ICRC delegates, who, not content simply to devote themselves to the humanitarian cause and to strictly carry out the duties inherent in that mission, strove to draw arguments from their experience in the field in order to overcome the obstacles to humanitarian action and find new ways to better aid affected populations. For the truth is that “humanitarian ambition” is sustained, above all, by hope.

May humanitarian ambition continue to inspire the Movement, and particularly the Review, to which I wish a long life.

Adapting in the spirit of tradition

Hans-Peter Gasser
Editor-in-Chief of the Review from 1996 to 2001

I joined the ICRC in February 1970 and was immediately posted to Jerusalem as a member of the delegation to Israel and the territories occupied by that State since 1967. During this assignment, it very soon became clear to me that the ICRC’s work is rooted not “only” in the Geneva Conventions, but also in other areas of law – particularly those relating to the international protection of human rights and of refugees – as well as in international politics in general and, above all, in the practice of actors at the international level. After my return to Geneva, I

served as the head of the Legal Division for several years and, subsequently, as a senior legal adviser with a comprehensive mandate.

When I was appointed editor of the *International Review of the Red Cross* in 1995 (at that time the title of editor-in-chief did not exist), I knew that I was taking on a difficult job with a great deal of responsibility. Although the *Review*, first published in 1869 by the newly founded International Red Cross and Red Crescent Movement, had adapted over the years to the demands of the times, at its core it remained true to its founding spirit. It is not an easy task to carry such a publication forward and to adapt it to current expectations, but the *Review* cannot stay locked away in an ivory tower – it must address the realities of the day.

During my time as editor, the *Review* was published in paper form and there was no electronic edition. Six issues appeared per year until 1997, and only four per year from 1998. Until 1998, each issue was published in French and in English; from 1999 onwards, a single bilingual issue was published. The editorial team consisted of one editor and one assistant; the *Review* had no editorial board.

The foreword to the first issue of the *Review* (October 1869) – or, as it was known then, the *Bulletin International des Sociétés de Secours aux Militaires Blessés* – described the goal of the national relief societies that then formed the Movement: “It’s not about doing away with what exists, but rather complementing it.” Given that the *Review* had started life as a publication dedicated to the Movement, it was designed to support the practical application of IHL and the work of the Movement. Also in that first edition, Gustave Moynier wrote in his “*Etude sur la Convention de Genève*”: “One feels a need for books that, in various ways, belonging to many classes of readers, spread the necessary understanding to ensure the full observation and efficacy of the [Geneva] Convention.”

Of course, Moynier was not referring only to books, but to all kinds of publications, including the *Review*. Today, he would doubtless have included electronic publications in that category. His target audience was vast:

> Officers, soldiers, medical personnel, neighboring populations as well as those far from the theater of war are all categories of people who men of letters should address to expose them, each in their own language, to the basic ideas and humanitarian sentiments that it is so urgent to push into minds and hearts.


11 “*Les officiers, les soldats, le personnel sanitaire, les populations voisines ou éloignées du théâtre de la guerre, forment autant de catégories de personnes auxquelles devraient s’adresser les hommes de plume, pour leur exposer, à chacune dans le langage qui les convient, ce fonds d’idées et de sentiments humanitaires qu’il est si urgent de faire pénétrer dans les esprits et dans les cœurs.*” *Ibid.*, pp. 9–10 (Review’s translation).
Here I would like to draw particular attention to Moynier’s observation that this awareness-raising work should be done to “each in their own language”.

I took these words to mean that the Review should correspond in both content and form to expectations relating to the practical implementation of IHL. This was expressed in the journal in a variety of ways, always relating to humanitarian thoughts (in particular as embodied in international law) on how to improve knowledge of and the respect for IHL. In particular, we tried to address people working within the Movement, academics interested or even specialized in IHL, people working in the media and, of course, the general public.

Listed below are some of the essays published in the Review under my editorship (1996–2001), and some of the overarching themes covered by individual issues of the journal. These examples illustrate how the Review sought to fulfil its mandate. They speak for themselves to demonstrate the challenges of the time.

1996
- Thematic issue on the 26th International Conference of the Red Cross and Red Crescent, with keynote addresses, resolutions and final address
- Denise Plattner, “ICRC Neutrality and Neutrality in Humanitarian Assistance”
- David P. Forsythe, “The International Committee of the Red Cross and Humanitarian Assistance: A Policy Analysis”
- André Durand, “Gustave Moynier and the Peace Societies”

1997
- Thematic issue on “Dissemination: Spreading Knowledge of Humanitarian Rules”
- Thematic issue on the 20th anniversary of the 1977 Additional Protocols
- Thematic issue on “International Criminal Jurisdiction and International Humanitarian Law: The Tribunals for the Former Yugoslavia and for Rwanda”
- Rupert Ticehurst, “The Martens Clause and the Laws of Armed Conflict”
- François Bugnion, “ICRC Action during the Second World War”
- Norman Farrell, “Dissemination in Bosnia and Herzegovina”

1998
- Marion Harroff-Tavel, “Promoting Norms to Limit Violence in Crisis Situations: Challenges, Strategies and Alliances”
- Toni Pfanner, “The Establishment of a Permanent International Criminal Court”
- Stéphane Jeannet and Joël Mermet, “The Involvement of Children in Armed Conflict”
1999

- "The ICRC Looks to the Future"
- "Council of Delegates, Seville, 25–27 November 1997"

1999

- Thematic issue on “Humanitarian Debate”
- Thematic issue on the 27th International Conference of the Red Cross and Red Crescent, with keynote addresses, resolutions and final addresses
- Thematic issue on “100 Years: Law of The Hague (1899) – 50 Years: Geneva Conventions of 1949”
- Paul Grossrieder, “Un avenir pour le droit international humanitaire et ses principes”
- Adam Roberts, “The Role of Humanitarian Issues in International Politics in the 1990s”
- Jean Pictet, “De la Seconde Guerre mondiale à la Conférence diplomatique de 1949”
- Dietrich Schindler, “Significance of the Geneva Conventions for the Contemporary World”
- Daniel Thürer, “The ‘Failed State’ and International Law”

2000

- Thematic issue on “The Kosovo Crisis and International Humanitarian Law”
- Thematic issue on “Humanitarian Action and Prevention”
- Djamchid Momtaz, “L’intervention d’humanité’ de l’OTAN au Kosovo et la règle de non-recours à la force”
- Pierre de Senarclens, “L’humanitaire et la globalisation”
- Fred Tanner, “Conflict Prevention and Conflict Resolution: Limits of Multilateralism”
- “Un nouveau Manuel de droit des conflits armés pour les forces armées françaises”

2001

- Thematic issue on “Asia and International Humanitarian Law”
- Thematic issue on “50th Anniversary of the 1951 Refugee Convention: The Protection of Refugees in Armed Conflict”
- Jean-Michel Monod, “The ICRC in Asia – Special Challenges?”
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- He Xiaodong, “The Chinese Humanitarian Heritage and the Dissemination of and Education in International Humanitarian Law in the Chinese People’s Liberation Army”
- “Asia and International Humanitarian Law – a Bibliographical Note”
- Luigi Condorelli, “La Commission internationale humanitaire d’établissement des faits: Un outil obsolète ou un moyen utile de mise en œuvre du droit international humanitaire?”

Limiting the effects of war in volatile times

Toni Pfanner
Editor-in-Chief of the Review from 2002 to 2010

The ICRC’s mandate, enshrined in the Geneva Conventions of 1949, is the backbone of the institution. Its ultimate goal is to alleviate the suffering of those affected by armed conflicts. The International Review of the Red Cross focuses on topics related to this goal and the mandate, and is closely linked to international humanitarian law. This branch of the law and its interpretation and possible future development form the anchor of the Review, and a majority of the articles published in the journal in the first decade of the third millennium dealt with the law of armed conflict.

The years from 2002 to 2010 had been marked by numerous terrorist attacks, including 9/11 in the United States, the Beslan hostage-taking in Russia, the Christmas massacre in Congo, indiscriminate attacks in the United Kingdom and Spain, and seemingly endless suicide attacks on civilians in Iraq, claiming thousands of victims. Asymmetric conflicts between unevenly matched parties and the so-called “war on terror” made headlines. The assumedly only remaining military superpower, the United States, became directly involved in both Afghanistan and Iraq. The concept of “unlawful combatants” reappeared, and Guantanamo and Abu Ghraib became infamous places. Religion as factor in war showed its ambivalent character, restricting warfare in some instances and fuelling it in others. On top of this, identity conflicts of an ethnic and economic character continued to rage, often forgotten, silently claiming ten or even a hundred times the number of victims as terrorist attacks, especially in the Kivu area in the heart of Africa.
International lawyers may have held different opinions on the balance between military interests and humanitarian considerations, but all agreed on the fundamental principles of humanitarian law. Despite this, many questions remained disputed, including the contours of the cardinal principle of distinction between combatants and civilians. The ambiguous reception by States of the ICRC study on international customary law in armed conflicts clearly showed this, as did the reaction to the ICRC’s interpretation of the notion of “direct participation in hostilities”, often linked to the edges of IHL and in particular the relationship between humanitarian and human rights law.

Diplomatic endeavours to regulate the use of particular weapons, namely anti-personnel mines and cluster munitions, culminated in newly adopted treaties to which major military powers did not become party, undermining the universal character of the law on the conduct of hostilities. New weapons to which no specific binding legal regulations exist, such as cyber weapons, autonomous combat systems, hypersonic missiles and long-range drones, appeared on the horizon.

However, the weak point of IHL lay, and still lies, in the field of its implementation. The current legal instruments would combat the worst excesses and alleviate the plight of the victims of armed conflict, but the mechanisms they provide for are not used or are even intentionally disrespected. The hope of combating impunity for war criminals through the creation of the International Criminal Court did not materialize. The lack of universality of the Rome Statute and/or unwillingness to cooperate with the tribunal hindered its development. Furthermore, political blockages in the United Nations Security Council prevented the international community from taking decisive action to stop even the most serious violations. The ICRC, as reflected in the content of the Review, retained its reluctance to speak out publicly and denounce violations of the law of war, giving priority to its operational activities through confidential interventions. The Review thus remained an academic journal, carefully illustrating general problematics without naming and shaming.

In the absence of political solutions and amid disrespect of IHL, humanitarian aid often remained the only means to help the victims of conflicts. Military actors and private security companies engaged in humanitarian activities appeared, especially in Iraq and Afghanistan. The articles published in the Review focused on humanitarian policy questions, mostly related to the fundamental principles governing humanitarian action. While the ICRC engaged in academic discussions about the most efficient delivery of humanitarian aid, priority was given to its own operational activities.

The creation of an editorial board with a multidisciplinary and multicultural composition facilitated the opening of the Review to non-legal and broader perspectives on armed confrontations, particularly in the historical, socio-psychological and humanitarian fields. Nevertheless, the stated aim of strengthening universality by a geographic and culturally balanced participation in the discussion largely failed. Humanitarian law and humanitarian action, and the reflections on it in the Review, remained essentially Western-oriented.

When I look to current events, I see that the global environment has changed significantly. If the conflictual landscape had previously been dominated by internal armed conflicts, often internationalized, and horrifying acts of terror, the beginning of the second decade of the twenty-first century is marked by the return of geopolitics. The United States no longer stands alone as a major military power; China and Russia are now main contenders. The “war on terror” of 2001 as an organizing principle in international relations has been given up, and the US administration now sees competition with China and Russia as the key challenge of US foreign policy. In Asia, in particular the South and East China Seas, Washington is entering into competition with China. Europe, with a focus on NATO’s “eastern flank”, seems to be another central venue of the confrontation, this time with Russia.

By contrast, regional conflicts – particularly in the Middle East, on which Bush’s “war on terror” focused, and Afghanistan – may have lost importance in this new politico-military scenario. Even the earlier turmoil originating from the Arab Spring was gradually considered to be contained. The value of allies and the strength of NATO States in this major strategy is measured by their ability to contribute to America’s success against its competitors. Similarly, China and Russia may reach out to influence States and non-State actors favourable to their cause. Armed confrontations in new geographic spheres, possibly fought with other means, may arise.

In this strategic setting, technological advances and unlimited access to arms may alter the face of armed conflicts, and even undisputed cardinal principles of humanitarian law may be put into question. In parallel, humanitarian activities may also be challenged and changed, becoming more complex and difficult to carry out as hybrid conflicts multiply.

In its 150 years of history, the Review has seen major developments and has adapted constantly to new environments. In the face of a changing world, it has remained committed to forwarding the ideals of the Red Cross in the midst of many tragedies. My hope is that going forward, the journal will continue to analyze and address the new challenges in humanitarian law and humanitarian action, and thus contribute to limiting the effects of warfare in the volatile future.