

International Humanitarian Law and the International Red Cross and Red Crescent Movement

International humanitarian law (IHL) is the branch of international law that encompasses both humanitarian principles and international treaties that seek to save lives and alleviate suffering of both combatants and noncombatants during armed conflicts. Its principal legal documents are the Geneva Conventions of 1949, four treaties signed by almost every nation in the world. As of 2006, the Geneva Conventions have been universally adopted by all 194 nations in the world.

The Geneva Conventions provide specific rules to safeguard combatants (members of the armed forces) who are wounded, sick, or shipwrecked; prisoners of war and civilians; as well as medical personnel, military chaplains, and civilian support workers of the military. The 1977 Additional Protocols supplement the Geneva Conventions and further expand those rights.

Under the rules of IHL during armed conflict—

- Torture, indiscriminate bombings, and the taking of hostages are prohibited.
- All wounded must be cared for, regardless of their loyalties in a conflict.
- Prisoners of war must be humanely treated.
- Medical personnel, establishments, mobile units, and materials are to be protected.
- Civilians are not to be the object of attack.

International humanitarian law does not ask why a conflict exists. Its primary concern is how to alleviate the human suffering brought on by war.

The International Red Cross and Red Crescent Movement is the encompassing term that symbolizes the unity of its members: the International Committee of the Red Cross (ICRC); the International Federation of Red Cross and Red Crescent Societies; and the 185 Red Cross and Red Crescent national societies including the Palestine Red Crescent Society and the Magen David Adom in Israel. The mission of this united worldwide network is to relieve human suffering, whenever and wherever it occurs, and to promote world peace. Its day-to-day activities are carried out by more than 97 million people.

The Relationship Between International Humanitarian Law and the International Red Cross and Red Crescent Movement

In 1863, Henry Dunant, founder of the Red Cross Movement, focused worldwide attention on the

horrors of war. He called for governments to respond to the humanitarian plight of victims of war. The response came in 1864 with the first Geneva Convention. This international treaty included provisions for the care of the wounded and sick on the battlefield by medical relief workers who would be identified and protected by the symbol of a red cross on a white background. This symbol (the reverse of the Swiss flag), was chosen in honor of the Swiss origin of this initiative. Today, the four Geneva Conventions of 1949 and three Additional Protocols represent the core of modern international humanitarian law.

The red crescent and red lion and sun emblems were also recognized by nations in 1929, although the red lion and sun is no longer in use. In December 2005, governments adopted a Third Additional Protocol, creating an optional emblem, known as the red crystal, equal in status to the red cross and red crescent emblems. Although not in the Geneva Conventions, the red shield of David, used by Israel, is also a respected emblem.

The Conventions and Protocols specifically name the ICRC and national societies as impartial humanitarian organizations with the right to carry out relief activities for victims of armed conflicts. The nations that have universally adopted the Geneva Conventions recognize the right of the ICRC to intervene on behalf of wounded, sick, and shipwrecked; prisoners of war; and civilians in conflict areas. While governments are responsible for enforcing the laws, the ICRC seeks compliance with the Geneva Conventions by working with all sides of a conflict to get access to POWs and detainees and providing humanitarian assistance to civilians.

The Movement's Roles and Responsibilities in International Humanitarian Law

The International Committee of the Red Cross (ICRC):

The ICRC is a private Swiss institution that acts as the “guardian” of the Geneva Conventions, and serves as a neutral intermediary to protect victims of armed conflict. Established in 1863 and based in Geneva, Switzerland, the ICRC is the founding member of the Movement. During armed conflict, the ICRC endeavors to—

- Protect and assist victims of armed conflict.

- Visit prisoners of war and civilian detainees.
- Transmit Red Cross Messages to and from family members.
- Establish hospital and safety zones for the civilian population.
- Participate in relief programs for displaced persons.
- Actively disseminate the rules and principles of IHL.

The International Federation of Red Cross and Red Crescent Societies: The Federation is an international coalition of national societies. Its primary activities include coordination of relief efforts for victims of natural disasters, advice and assistance in the development of national societies, and promotion and participation in ongoing peacetime IHL educational activities. Since its establishment in 1919, the Federation (formerly the League), has been based in Geneva, Switzerland. In the event of armed conflict, its role is to provide humanitarian assistance to individuals displaced outside areas of conflict in coordination with activities conducted by the ICRC and national societies.

Red Cross and Red Crescent National Societies: Nearly every nation has established its own national society. All of the 185 national societies offer a range of services to their communities, including health education, social welfare, safety instruction, and disaster relief. In the majority of countries the societies are known as the Red Cross. In most Muslim countries, they are known as the Red Crescent. In Israel, the national society is called the Magen David Adom (Red Shield of David).

During armed conflict, many national societies also—

- Support relief operations by channeling needed goods and monetary contributions.
- Provide medical and relief workers.
- Serve as the global link with ICRC efforts to locate separated prisoners of war and civilians, reestablish family communication and, when possible, reunite relatives.

National societies play a vital role in this emergency communication process, and are directly involved in tracing activities and the exchange of Red Cross Messages through the ICRC delegations working in conflict areas. Using the vast, growing resources of the ICRC's Central Tracing and Protection Agency—containing millions of records—national societies continue to bring together relatives separated by conflicts as far back as World War II.

Nations signatory to the Geneva Conventions are required to educate their military and the public about these laws. In many countries, the responsibility for public education (called *dissemination*) has been placed upon the Red Cross. General audiences among the public include — among others — youth, government officials, legal and medical professionals, high school and university students, the academic community, and the media. Informing and educating the military and the public about the rules and principles of IHL is fundamental to help ensure respect and adherence to the law. Greater public awareness worldwide helps save lives and reduce suffering.

The International Conference of the Red Cross and Red Crescent: The International Conference is the highest decision-making body of the Movement. It meets on an average of every four years, hosting delegates from national societies, the Federation, the ICRC, and governments signatory to the Geneva Conventions. The Conference ensures unity in the work of the Movement and provides an opportunity to discuss and act upon humanitarian matters of common interest.

The International Red Cross and Red Crescent Movement is guided by the seven Fundamental Principles of humanity, impartiality, neutrality, independence, voluntary service, unity, and universality. Three of these—humanity, impartiality, and neutrality—also serve as the underlying principles of international humanitarian law and the Geneva Conventions.

Fundamental Principles of the International Red Cross and Red Crescent Movement

Humanity

The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavors, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation, and lasting peace amongst all peoples.

Impartiality

It makes no discrimination as to nationality, race, religious beliefs, class, or political opinions. It endeavors to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

Neutrality

In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious, or ideological nature.

Independence

The Movement is independent. The national societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

Voluntary Service

It is a voluntary relief movement not prompted in any manner by desire for gain.

Unity

There can be only one Red Cross or Red Crescent society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

Universality

The International Red Cross and Red Crescent Movement, in which all societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.

