

Introduction to the draft rules for the protection of civilian population from the danger of indiscriminate warfare

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2. INTRODUCTION TO THE DRAFT RULES

FOR THE PROTECTION OF THE CIVILIAN POPULATION FROM THE DANGERS OF INDISCRIMINATE WARFARE.

The whole world is longing for peace, but living in fear of war. It knows that the developments in the means of waging war would, if they were to continue completely unchecked, make any new conflict a catastrophe out of all proportion to the objects which those responsible for starting it wished to attain.

What can the Red Cross do under such circumstances ? Born on the battlefield, of the horror of war and a gesture of compassion, the Red Cross is essentially a peaceful undertaking. If it depended on the Red Cross alone, war would already have been banned as a means of settling disputes between the nations. But it is not the Red Cross that governs the relations between States. It is not it that manufactures arms or has them at its disposal.

All the Red Cross can do in face of the possibility of future conflicts is this : continue unceasingly the acts of daily devotion of its millions of adherents, which represent so many individual manifestations of a state of peace between man and his fellow ; prepare itself ever better for the task of renewing its charitable action in the very height of hostilities, so that future generations may not merely inherit ruins and hatred, which foster future wars, but also the feeling of fellowship and the respect of man for his fellow-man, which are the true seed of peace ; and try, finally, to help to improve the law by countering what are known as necessities of war, by the permanent requirements of humanity.

The Red Cross has been at the origin of all the Geneva Conventions from that of 1864 to those of 1949, and is proud of the fact. But there would be a danger of those treaties, however complete they may be, remaining inoperative, if the belligerents were not limited in any way in their choice of methods and weapons of war.

Such limits exist, however ; they found happy expression in the Hague rules of 1907. But the Hague Convention, buried under the debris of devastated towns, has been forgotten in some quarters, and is contested in others. One hears it said that an attempt to withstand the process of development of modern weapons would be vain and that texts, signed at a time when aerial warfare was not even thought of, cannot be applicable to it.

To such an assertion, the Red Cross can have only one reply : scientific progress leads to nothing but ruin and death if it is not controlled by reason, and the principles enunciated for the benefit of human beings remain valid as long as men exist. It is therefore war which must give way to the demands of humanity and if consideration must be given to

the discoveries of science, let it be in order to restrain their destructive effects, and not to legalize them.

It is in that spirit that the ICRC, moved by its traditions, and encouraged by the unanimous resolution of the National Societies, has sought, in the draft text which follows, to reaffirm permanent principles, expressing them in a form which takes account, so far as possible, of the means available to man at the present time and those which he may expect to have at his disposal in the future.

Some people may find this draft text too detailed and too realistic and would perhaps have preferred some terse statement confined to the condemnation of a given weapon. Once again, it is not the Red Cross which signs Conventions ; it is the Governments. Experience nearly a century old shows that if texts are to have a chance of being ratified or, better still, applied, one must know how to limit one's ambitions for the time being. The lessening of the suffering caused by war, by means of legal texts, is, moreover, only one aspect of the problem. It cannot relieve the Red Cross of the necessity of continuing to create, by its actions and words, an atmosphere of understanding and peace among men.

In drawing up the following rules, which constitute an ultimate barrier, beyond which armed conflicts would end in extermination pure and simple, the Red Cross hopes that they will never have to be used, because, under the pressure of all men of goodwill, the States of the world will at last have renounced recourse to war.
