

# The law and juridical considerations

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# The law and juridical considerations

## International humanitarian law

### RESPECT FOR AND APPLICATION AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW

The primary concern of the ICRC with regard to international humanitarian law is to ensure that this law is respected in the field, during armed conflicts. In this respect, the ICRC's presence and action on the scene of such conflicts appears essential. But the ICRC also seeks to improve respect for international humanitarian law by making sure that it is better understood. Thus it supports and encourages efforts to spread knowledge of this law and considers, in the light of the practical problems of application encountered in armed conflicts, aspects of the law which should be revised or developed.

Because of the great number of conflict situations prevailing in 1986, the ICRC's services concerned with principles and law played a particularly active role in advising and supporting their colleagues in the field. There were numerous exchanges of views on principles and humanitarian law, both with governmental authorities and with leaders of National Societies.

International humanitarian law was also one of the main topics discussed by the Twenty-fifth International Conference of the Red Cross. Preparations for these discussions and production of the necessary documents demanded a great deal of time and effort.

In 1983, the ICRC set itself four objectives—with special priority for the first two—in preparation for the Twenty-fifth Conference (see *Annual Report 1985*, p. 85). These objectives were as follows:

- to obtain the effective application of and respect for existing international humanitarian law;
- to persuade the greatest possible number of States to become party to the Additional Protocols;
- to envisage the further development of international humanitarian law;
- to examine possibilities of ensuring better protection for individuals in situations of internal disturbances or tension.

In the months preceding the Conference, most of the study and discussion focused on these objectives. To get a better overall view of the enormous problems involved, the ICRC continued to benefit from the advice of experts who agreed to participate, in a personal capacity, in two working sessions in Geneva on 17 and 18 March (5th meeting) and 9 and 10 September 1986 (6th meeting). Similar exchanges of views took

place at bilateral and regional meetings and seminars (see below under "*Dissemination of international humanitarian law and the principles and ideals of the International Red Cross and Red Crescent Movement*" and "*Co-operation with other international and non-international organizations on legal and humanitarian issues*").

This preparatory work enabled the ICRC to draft the documents submitted to the Conference and guided it in its interventions in the discussions at the Conference. A brief commentary on the discussions and resolutions adopted by the Conference appears in this Report in the chapter on "*Co-operation within the International Red Cross and Red Crescent Movement*".

### Respect for international humanitarian law

The report on ICRC activities submitted to the Conference and the report on respect for international humanitarian law presented to Commission I by the President of the ICRC drew attention to the increasingly vital need for effective application of international humanitarian law in every conflict situation. This was reflected in particular by Conference Resolutions I, VII, VIII, IX and X.

Since respect for international humanitarian law in wartime can only be ensured by adequate preparation in peacetime, the ICRC proposed to the Conference a Resolution on "National measures to implement international humanitarian law" (Resolution V), which was adopted. This text recalls the obligation of States to adopt and inform one another of national legislation and other internal measures taken to ensure implementation. The ICRC is asked to encourage, follow up and evaluate progress made by States in this respect.

### *Overtures to encourage ratification of the Additional Protocols of 1977*

The ICRC continued the sustained effort it has been making since 1980 to induce States to become party to the Additional Protocols of 1977, in the framework of its general endeavour to increase awareness of international humanitarian law, strengthen the credibility of this law and encourage better respect for it. These vital objectives assumed special importance in 1986, the year of the **Twenty-fifth International Conference of the Red Cross**. As part of its consideration of the prevailing level of respect for international humanitarian law, Commission I of the Conference examined the situation with regard to signatures, ratifications and accessions to the Additional Protocols, on the basis of a report presented by the ICRC. Speaking to Commission I, the President of the ICRC emphasized the important

progress represented by the Additional Protocols for international humanitarian law because of the substantially improved protection they afford to victims of armed conflicts. Noting that the objective of universal recognition of the Protocols had not yet been achieved, President Hay added that he was nevertheless encouraged by the fact that more than one-third of the community of States had already become party to the Protocols. He declared that the Red Cross would not relax its efforts to encourage States to ratify or accede to these texts (*the statement made by the President of the ICRC to Commission I was published in the International Review of the Red Cross, No. 255, November-December 1986*).

Pursuant to the President's appeal, the Twenty-fifth International Conference of the Red Cross adopted a resolution (Resolution II) calling on all States party to the Geneva Conventions to consider ratification of the Protocols as rapidly as possible. To this end, the Resolution requests the ICRC, within its statutory mandate and in co-operation with the National Societies, to promote knowledge of these legal instruments.

The ICRC continued throughout the year to remind the States of the existence and importance of the Protocols and discussed with them specific problems which might arise, so as to facilitate their acceptance. In this connection, ICRC delegations maintained a permanent dialogue with the authorities in the countries in which they worked and a number of missions were undertaken from Geneva (by the President, members of the Committee, the Director General, the legal adviser responsible for the subject and other officials). The question of the Protocols was also taken up during missions carried out for operational or financial reasons (*see also the chapter on "Action in the field"*). During the year, President Hay took up the subject with the authorities of Bahrain, Brazil, Malaysia, Qatar, Saudi Arabia, Thailand and the United Kingdom; the Vice-President of the ICRC met representatives of the governments of Australia, Japan, New Zealand and Poland, while Mr. R. Probst, member of the Committee, went to the United States. The Director General of the ICRC raised the matter on his missions to the Soviet Union and Spain. The ICRC legal adviser who has special responsibility for the question of the Additional Protocols and thus maintains regular contact with a great number of States on the subject went on missions to the following countries: Benin, Côte d'Ivoire, Egypt, Japan, Kenya, Malawi, Nepal, Nigeria, Pakistan, Philippines, Sudan, Thailand, United States, Zambia and Zimbabwe. In the various representations made, the ICRC received substantial support from the National Societies.

The ICRC also kept in touch with several intergovernmental and non-governmental bodies on the question of the Protocols. The ICRC legal adviser attended the meeting of the Sixth Committee of the **United Nations General Assembly**, which in its forty-first session discussed the state of ratification of the Protocols. On 21 November the General Assembly adopted by consensus a resolution asking the States party to the Geneva Conventions to consider acceding to the Additional Protocols as rapidly as possible.

The Council of Ministers of the **Organization of African Unity**, at its forty-fourth ordinary session in Addis Ababa, adopted a

unanimous resolution appealing to all **OAU members** to ratify the Protocols. The **seventy-sixth Inter-Parliamentary Conference** (Inter-Parliamentary Union) also adopted a unanimous resolution asking parliaments and governments to speed up the process of ratification of the Additional Protocols.

In addition to these measures to promote ratification of the Protocols, the ICRC remained at the disposal of all the States already party to these texts to advise them on meeting their obligations. It should be noted in this connection that the "**Commentary on the Additional Protocols of 1977**" was published in French on 6 October. The English version was due to be published in the first half of 1987. At the time of the adoption of the Protocols, the ICRC had decided to undertake an interpretation of the texts, as it had previously done for the Geneva Conventions. This work was carried out under the direction of Mr. Jean Pictet, Honorary Vice-President of the ICRC. The Commentary is designed to encourage better knowledge of the Additional Protocols and facilitate their implementation.

#### *State of ratifications and accessions to the Geneva Conventions of 1949 and the Additional Protocols of 1977*

Three States became party to the Geneva Conventions in 1986: **Saint Christopher and Nevis**, on 14 February, by depositing an instrument of succession with the Swiss Government; **Equatorial Guinea**, on 24 July (accession); and **Antigua and Barbuda**, on 6 October (declaration of succession). The Geneva Conventions came into force for these States six months after the respective dates mentioned.

Eleven States deposited their instruments of ratification or accession to the Additional Protocols with the Swiss Confederation: **Saint Christopher and Nevis**, accession on 14 February; **Italy**, accession on 27 February; **Belgium**, ratification on 20 May; **Benin**, accession on 28 May; **Equatorial Guinea**, accession on 24 July; **Jamaica**, accession on 29 July; **Antigua and Barbuda**, accession on 6 October; **Guinea-Bissau**, accession on 21 October; **Sierra Leone**, accession on 21 October; **Bahrain**, accession on 30 October; **Argentina**, accession on 26 November. In addition, the **Philippines** acceded to Protocol II on 11 December. The Additional Protocols come into force for these States six months after the foregoing dates.

As at 31 December 1986, 165 States were party to the Conventions, 66 to Protocol I and 60 to Protocol II (*see table, pp. 93-96 of this Report*).

#### **Development of international humanitarian law**

Resolutions II and VII of the Twenty-fifth International Conference dealt with desirable developments in international humanitarian law. Prominence was given to three areas:

- the updating of international humanitarian law relating to war at sea;
- adoption of the regulations on identification of medical transport (*see below*);

— development of rules prohibiting or limiting the use of conventional weapons (*see below*);

In 1986, the ICRC also continued its study, both internally and in working sessions with experts, of possibilities for improving the protection of victims of internal disorders and tension, situations not covered by international humanitarian law. After careful consideration of the situation and taking expert advice into account, the ICRC decided against submitting for the approval of the Twenty-fifth Conference a declaration of principles to be applied in situations of internal disturbances or tension. However, the results of the study prompted the ICRC to make public its current thinking on its own activities in such situations, in a document entitled “The ICRC and internal disturbances and tensions” which was distributed for information to participants in the Twenty-fifth Conference.

#### *Identification of medical transport*

In the context of a study it had been carrying out for several years, the ICRC convened a meeting of governmental technical naval experts from 3 to 17 January 1986.

This meeting, attended by experts from 17 countries, in particular the major maritime States, and observers from the international organizations concerned (the International Telecommunications Union, the International Maritime Organization and the International Lifeboat Conference), considered various technical problems involved in the implementation of the Second Geneva Convention of 1949 for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea. Among these, special attention was given to the use of modern methods to identify and mark protected means of transport (hospital ships, lifeboats, etc.).

A report on the work of this meeting, together with an account of all the measures taken in this field by the ICRC in recent years, was presented to the Twenty-fifth International Conference. In its Resolution III, adopted by consensus, the Conference took note of the report and asked the ICRC to continue its efforts to ensure more effective implementation of the procedures for protection established by the Second Geneva Convention of 1949 and also to consider the possibility of drawing up a technical manual.

#### **Law relating to the conduct of hostilities: prohibition or restriction of the use of certain conventional weapons**

Under the mandate entrusted to it by the international community to promote respect for international humanitarian law, the ICRC is also concerned with the use of certain conventional weapons which may cause superfluous injury and whose use is prohibited both under customary law and by Additional Protocol I of 1977. Accordingly, in conformity with Resolution IX of the Twenty-fourth International Conference of the Red Cross, the ICRC has continued to follow closely the question of prohibition or limitation of certain conventional weapons, following

the adoption on 10 October 1980 of the “Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects”, which was accompanied by three Protocols (relating to non-detectable fragments, mines and booby-traps, incendiary weapons). The ICRC has also enlarged the scope of its study to include certain problems relating to other categories of weapons.

The Twenty-fifth International Conference of the Red Cross considered the problem of weapons causing excessive injuries and adopted a resolution in which it “urges all States that have not yet done so to exert their best endeavours to become Parties to the 1980 above-mentioned Convention and the Protocols annexed thereto as early as possible” (Resolution VII, Part B).

This Resolution also raised the following points: the possibility, under the terms of Article 8 of the 1980 Convention, of considering proposals for amendments or the formulation of additional protocols relating to other categories of conventional weapons; the need for international co-operation in the face of the danger to civilians caused by the use of mines and booby-traps; the desirability of further work to restrict the use of small-calibre weapons; and concern about the development of new weapons technologies the use of which could be prohibited under existing law. Finally, the Resolution appealed to governments to co-ordinate their efforts to clarify the law in these fields and exercise the utmost care in the development of new weapons technologies.

As at 31 December 1986, 25 States were party to the 1980 Convention: Australia, Austria, Bulgaria, Byelorussia, China, Czechoslovakia, Denmark, Ecuador, Finland, German Democratic Republic, Guatemala, Hungary, India, Japan, Laos, Mexico, Mongolia, Norway, Pakistan, Poland, Sweden, Switzerland, Ukraine, USSR and Yugoslavia. Unfortunately this list had remained unchanged since 31 December 1985, as no State became party to the Convention during 1986.

#### **DISSEMINATION OF INTERNATIONAL HUMANITARIAN LAW AND THE PRINCIPLES AND IDEALS OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT**

Dissemination of knowledge of international humanitarian law and the principles and ideals of the International Red Cross and Red Crescent Movement is a vital part of the ICRC's unending effort to obtain the effective application of this law and respect for these principles. Dissemination is intended both to advance knowledge of international humanitarian law and to make better known the Red Cross and Red Crescent Movement, its history, its principles, its activities and its ideals. It is based on the “Programme of action of the Red Cross with respect to dissemination of international humanitarian law and the principles and ideals of the Red Cross”, the third edition of which was adopted by the Twenty-fifth International Conference in October 1986 and covers the period 1986-1990. Resolution IV, “Dissemination of international humanitarian law and the principles



and ideals of the Movement in the service of peace" and Resolution VI, "International courses on law applicable in armed conflicts" stress the importance of dissemination in general and among the armed forces in particular, and also the responsibility of States, National Societies, the ICRC and the League, emphasizing the need for close co-operation in this respect. This third programme, like those preceding it, has four main objectives: to encourage ratification of the Additional Protocols of 1977; to analyse the legal and practical consequences of these texts; to disseminate and stimulate dissemination of international humanitarian law in various circles (National Societies, governments, the armed forces, universities, international organizations, etc.); to integrate the dissemination of the principles and ideals of the Red Cross in all the activities of the Movement.

The magazine "*Dissemination*", produced by the ICRC since 1985 in co-operation with the League and the Henry Dunant Institute, has demonstrated that it responds to a real need. It was originally published in three languages, which were increased to five in 1986: French, English, Spanish, Arabic and German. Its objectives are to promote the dissemination of international humanitarian law and the principles and ideals of the Movement, to back up the efforts of persons involved in doing so, to provide wider knowledge of materials produced in this field, and to exchange experience and know-how.

As a permanent part of the institution's work, dissemination is a responsibility for all ICRC delegations throughout the world. It is also the subject of many missions sent out from headquarters whose purpose is to maintain and develop ICRC relations with National Societies and governments by organizing or participating in seminars on international humanitarian law.

With regard to the dissemination and teaching of international humanitarian law, the ICRC co-operates not only with the National Societies, the League and the Henry Dunant Institute, but also with bodies which are not part of the Red Cross and Red Crescent Movement, such as the International Institute of Humanitarian Law in San Remo, the International Institute of Human Rights in Strasbourg, the Inter-American Institute of Human Rights in San José, Costa Rica, the International Law Commission of the United Nations, universities, etc.

Descriptions are given below of some of the general activities of dissemination with regard to different target groups; more specific activities conducted in various countries are included in this Report under the heading "*Action in the field*".

### Dissemination in the armed forces

Dissemination in the armed forces is designed to reach a priority audience, for the ultimate test of the quality of teaching provided in international humanitarian law will be the combatant with his weapon, the field officer giving orders to his subordinates and all officers who conceive, plan and carry out military operations. For this reason the ICRC makes a very special effort to encourage governments to meet their responsibilities under the Conventions, which require that the teaching of the principles of international humanitarian law be included in all programmes of military training.

In 1986, the ICRC organized 264 briefing meetings and special courses on international humanitarian law and the principles of the Red Cross in 24 countries in Africa, Asia, the Americas and Europe, attended by more than 46,000 members of the armed forces and police.

Three "central" courses were directed by ICRC delegates specifically responsible for training of the armed forces in international humanitarian law and respect for it. Two of these courses were organized by the International Institute of Humanitarian Law in San Remo, Italy. The first, in French and Spanish, was attended from 18 to 31 May by 23 senior officers from countries in Latin America, Africa, Europe and North America (Angola, Argentina, Belgium, Canada, the Central African Republic, Côte d'Ivoire, Federal Republic of Germany, Italy, Mali, Poland, Senegal and Switzerland). The second course, from 12 to 25 October, was attended by 54 senior English-speaking officers from Asian, Pacific, European, North American and African countries (Australia, Bangladesh, Belgium, Canada, Denmark, Finland, Federal Republic of Germany, Ireland, Israel, Italy, Netherlands, Nigeria, Norway, Singapore, Sri Lanka, Swaziland, Sweden, Switzerland, Turkey, United Kingdom, United States, Yugoslavia and Zambia).

The third central course, for senior officers in military medical services and organized by the International Committee of Military Medicine and Pharmacy, was held in French at the Henry Dunant Institute in Geneva from 2 to 15 November. It was attended by eight officers from seven countries: Belgium, France, Gabon, Federal Republic of Germany, Italy, Morocco and the Netherlands.

Since the purpose of these "central" courses is to train instructors who can subsequently train their respective armed forces, the teaching is as practical as possible and seeks to "translate" the legal language of the international Conventions into directly applicable military terms. In addition to the courses mentioned, the delegates to the armed forces directed courses for officers in Malawi, Honduras and Sri Lanka (see "*Action in the field*" in this report).

For internal training, the delegates to the armed forces gave a special course from 15 to 19 September to familiarize 21 ICRC delegates with the military world and its training methods, since they are often called upon to work with the armed forces.

A symposium organized by the World Veterans Federation and the ICRC in co-operation with the Norwegian Red Cross took place in Sundvolden, Oslo, from 16 to 20 March under the title "War Veterans and International Humanitarian Law—Yesterday, Today, Tomorrow". The symposium was devoted to dissemination of international humanitarian law and exchanges of experience on its implementation, and was attended by representatives of 22 countries of all continents. The ICRC delegation was led by Mr. M. Aubert, Vice-President of the institution.

Finally, the ICRC took part in the Twenty-sixth International Congress of the International Committee of Military Medicine and Pharmacy at Marrakesh, Morocco, in March, and the eleventh international refresher course for young military doctors at Moudon, Switzerland, in September.

## Dissemination to National Societies

The National Societies are a particularly important audience since they must in their turn disseminate knowledge of international humanitarian law and give active support to the efforts of the ICRC in this domain. The ICRC therefore helps them to establish and implement action programmes and participates in the training of their senior staff so that they will subsequently be able to teach the fundamental principles of international humanitarian law to other sections of the population.

In **Lima**, Peru, from 11 to 16 August, the second course was held for senior information and dissemination personnel of the National Societies of South America (Sub-region II). This course, in Spanish, was organized by the Peruvian Red Cross, the League and the ICRC. It was the fifth such course for Latin America and was attended by 24 representatives of the National Societies of ten countries.

In Africa, a seminar on co-ordination of dissemination methods and techniques took place from 10 to 12 November in **Lomé**, Togo, with 14 participants from four National Societies: Togo, Benin, Burkina Faso and Guinea. Another regional seminar for training group leaders and lecturers was held from 17 to 20 November in **Dakar**, with 20 participants from the National Societies of Senegal, Mali and Guinea-Bissau.

In Asia, the second "Asia-Pacific" regional seminar on the dissemination of international humanitarian law took place at **Kuala Lumpur** from 5 to 11 May. Jointly organized by the Malaysian Red Crescent and the ICRC in co-operation with the League, it was attended by about 50 participants from 23 National Red Cross and Red Crescent Societies. The ICRC delegation was led by President Hay. Devoted to methods and means of dissemination, this seminar was highly successful, especially because of the active participation of communications experts, ICRC delegates working in the field, and National Society volunteers responsible for dissemination.

In Europe a regional seminar on methods and means of disseminating international humanitarian law and the principles and ideals of the Red Cross took place at Baden, near **Vienna**, from 8 to 14 June. The seminar was organized by the Austrian Red Cross and the ICRC in co-operation with the League and was attended by 44 representatives from 25 National Societies in Europe and North America.

Both in Kuala Lumpur and in Vienna, the theme for each day's work concerned a specific target group: National Societies, armed forces, government circles, academic circles, youth, the media and the general public. Each theme was introduced by a specialist from outside the Movement and was then discussed by a representative of one of the National Societies represented. Finally the participants considered the proper methodology to use.

The ICRC also took part in the second Arab seminar on international humanitarian law organized by the Jordan National Red Crescent Society in **Amman** from 15 to 24 November, along lines similar to those of the regional seminar held in Amman in 1981 (see *Annual Report 1981*, page 68). The seminar was attended by about 60 participants, including members of the

Jordan National Society, representatives of ministries and the armed forces, and representatives of other National Societies in the Arab world. The ICRC delegation was led by Professor Daniel Frei, member of the Committee.

Lastly, the ICRC participated in numerous local seminars organized by various National Societies to train their own members as disseminators of international humanitarian law.

## Dissemination to government and diplomatic circles

The ICRC maintains constant contacts with governments to familiarize them with the instruments of international humanitarian law and to remind them that the dissemination of these texts is a legal obligation binding on each State party to the Geneva Conventions. The Twenty-fifth Conference was an opportunity to stress the need for dissemination of international humanitarian law and the responsibilities of States and the Movement as a whole. A number of representatives of States and National Societies described their activities in this field in some detail. Accounts sent by some governments and National Societies to Geneva at the request of the ICRC and the League were compiled in a report which was distributed and discussed during the Conference.

In North America, continuing its efforts to disseminate international humanitarian law in diplomatic circles, the ICRC, in co-operation with the Law School of New York University, organized a third seminar on international humanitarian law for diplomats accredited to the United Nations (**New York**, 16-18 January), which was attended by about 50 participants. The ICRC delegation was led by Vice-President Aubert. The ICRC also took part in the seminar on international humanitarian law organized by the Washington College of Law, American University, and the American Red Cross for diplomats accredited to embassies in **Washington**, on 21 January.

In Costa Rica, the ICRC took part as in the past in the interdisciplinary course on human rights organized by the Inter-American Institute of Human Rights in **San José** in August. This was attended by about 180 participants representing government, university and religious circles.

In East Africa the ICRC regional delegation maintained regular contact with the University of **Nairobi**'s training centre for future diplomats (Kenya) and with the centre for foreign relations at Kurasini, near **Dar es Salaam**, which is attended by future diplomats from Tanzania, Mozambique and other countries in the region.

The ICRC participated for the second time in the diplomatic studies programme of the Graduate Institute of International Studies in **Geneva**; in February, a course was given for diplomats from Africa, the Middle East, Asia and Latin America.

## Dissemination in universities

The ICRC works not only to make international humanitarian law more widely known in universities, but also to promote its inclusion in university courses. University students constitute a

particularly important target group because many of them may in the future fill responsible posts in government and in politics.

With this in mind, the ICRC and the Polish Red Cross organized the fourth summer course on international humanitarian law for law students from Europe and North America in **Warsaw**, from 19 to 30 August. The course was attended by 36 students from 19 countries: Austria, Belgium, Bulgaria, Canada, Denmark, Federal Republic of Germany, Finland, France, German Democratic Republic, Hungary, Ireland, Italy, Poland, Spain, Sweden, Switzerland, United Kingdom, United States, USSR. The teaching faculty consisted of professors from universities in Poland, the USSR, North America, Italy, France and Great Britain, as well as representatives of the ICRC and the Henry Dunant Institute.

In **Africa**, ICRC delegations maintained contacts with university circles, in particular by providing them regularly with publications which could be of interest to university libraries. A project for study of African humanitarian traditions and their evolution was instituted. Attempts are being made to persuade the universities in all regions of the continent to analyse humanitarian traditions in their respective regions, with the aim of arriving at an overall view of the relations between international humanitarian law and fundamental African traditions.

Finally, the ICRC continued to participate in the teaching of international humanitarian law at the International Institute of Human Rights in **Strasbourg** by taking part in its seventeenth teaching session in July. This was attended by more than 300 postgraduate law students.

#### **Dissemination to the media**

In Latin America a seminar on international humanitarian law and the communications media in Latin America took place in **Quito**, Ecuador, from 18 to 21 August, attended by 32 journalists from 17 countries. The seminar was organized by the ICRC in co-operation with the Ecuadorean Red Cross and several Latin American media organizations. The purposes of the seminar were to sensitize the media to international humanitarian law, give an account of ICRC activities in Latin America, and discuss the special situation of journalists on dangerous missions.

In Africa the ICRC regional delegation in Nairobi participated, with the League, in a seminar for journalists on the subject of drought, held in **Arusha**, Tanzania, on 23 October. This was attended by journalists from Tanzania, Kenya and Uganda.

## **Co-operation with other international and non-international organizations on legal and humanitarian issues**

### **PARTICIPATION IN INTERNATIONAL AND REGIONAL MEETINGS**

The ICRC keeps in touch with various international or regional organizations, both governmental and non-governmental, on

humanitarian issues and questions of international law. It participates in many meetings (conferences, round tables, seminars, etc.) organized outside the International Red Cross and Red Crescent Movement, but dealing with subjects of humanitarian concern or questions of international humanitarian law, human rights, public international law, etc. These meetings always offer opportunities for contacts with the representatives of the different countries participating, sometimes with heads of State or Government.

Activities in this context are arranged by the ICRC's International Organizations Division and the New York delegation attached to it, with the participation of other ICRC staff members, in particular lawyers.

#### **United Nations Organization**

The ICRC followed as an observer the annual meetings of various United Nations bodies and specialized agencies, including:

- the forty-first session of the United Nations General Assembly (New York, September-November);
- the first and second annual sessions of ECOSOC (New York, May and Geneva, July);
- the Thirty-ninth World Health Assembly (Geneva, May), and the seventy-seventh session of the WHO Executive Board (Geneva, January);
- the seventy-second annual International Labour Conference of the ILO (Geneva, June);
- the thirty-seventh session of the Executive Committee of the Office of the United Nations High Commissioner for Refugees (Geneva, October), and also the UNHCR round table on the theme "Helping refugees—contributing to peace" (Geneva, 28 April);
- the forty-second session of the United Nations Commission on Human Rights (Geneva, February-March).

The ICRC also participated in the annual Consultative Meeting of Representatives of Human Rights Agencies convened by UNESCO (Paris, 18-19 September). Relations were maintained with UNDRO, UNDP and UNICEF. To mark the fortieth anniversary of the last-mentioned organization, a meeting of national committees for UNICEF was held in Paris from 17 to 20 June; the ICRC was invited to participate in a session dedicated to protection of the rights of the child.

As in the past, the ICRC gave talks on international humanitarian law and the activities of the institution to participants in the twenty-second seminar of international law organized by the United Nations International Law Commission. The participants, mainly diplomats, senior government officials and university professors, were received at ICRC headquarters on 30 May. The members of the Commission itself were received by the ICRC on 30 June.

The President of the ICRC discussed operational questions and preparations for the Twenty-fifth International Conference with the Secretary-General of the United Nations on 1 July, during a visit to Geneva by Mr. Perez de Cuellar.

### Regional and parliamentary organizations

The ICRC participated as an observer in the following meetings:

- The thirty-seventh session (third part, January) and the thirty-eighth session (first part in April and second part in September) of the Parliamentary Assembly of the **Council of Europe** in Strasbourg, and several meetings of the Committee on Migration, Refugees and Demography, the Political Affairs Committee and the Standing Committee.
- The Forty-fourth Ordinary Session of the Council of Ministers and the Twenty-second Assembly of Heads of State and Government of the **Organization of African Unity (OAU)**, at Addis Ababa in July; the ICRC delegation was headed by Mr. M. Aubert, ICRC Vice-President. The OAU Council of Ministers adopted a resolution inviting member States to help the ICRC in its work.
- The sixteenth regular session of the General Assembly of the **Organization of American States (OAS)** in Guatemala City in November. The General Assembly also adopted a resolution supporting ICRC activities.
- The ministerial meeting of the Coordination Bureau of the **Non-Aligned Countries** in New Delhi in April and the Eighth summit meeting of Non-Aligned Countries in Harare, 1-6 September. The ICRC delegation to Harare was led by President Hay.
- The Seventy-fifth Conference of the **Inter-Parliamentary Union (IPU)**, held in Mexico City in April. A larger delegation, led by ICRC Vice-President Maurice Aubert, followed the work of the Seventy-sixth Conference of the IPU at Buenos Aires from 6 to 11 October. One of the two main topics on the agenda of this conference was the contribution of parliaments to the application and progress of international humanitarian law relating to armed conflicts. Seventy-five speakers took the floor on this subject and a resolution was passed.

The ICRC made contact with the **European Parliament** by attending the meeting of the Ordinary Parliamentary Assembly of the Council of Europe, and by following the work of the Political Affairs Committee and the Subcommittee on Human Rights. The ICRC also maintained its contacts with the **EEC**.

### Non-governmental organizations

As in the past, the ICRC maintained its close relations with the *International Institute of Humanitarian Law in San Remo*, participating in several meetings organized by the Institute, as follows:

- International courses on the law of war (*see section on "Dissemination in the armed forces" in this Report*).
- The seminar on the establishment of National Information Bureaux, held in Stockholm on 30-31 May, and attended by National Societies from countries where such bureaux exist and some where they are set up.
- An international congress on "Peace and Humanitarian Actions", followed by the Red Cross and Red Crescent symposium (San Remo, Italy, 3-6 September), attended by about 125 representatives of international governmental and non-governmental organizations, Permanent Missions to the United Nations Office at Geneva, university circles, National Societies, the League and the ICRC, whose delegation was led by ICRC Vice-President Mr. M. Aubert. The purposes of the congress were to encourage the representatives of organizations involved in humanitarian activities to consider contributions they could make to the promotion and maintenance of peace and to determine the future prospects for humanitarian action in order to improve efficacy. The symposium discussed the Twenty-fifth International Conference of the Red Cross.
- A seminar on international humanitarian law in the contemporary world, held in Prague on 6-8 November and attended by lawyers from European socialist countries.
- A round table on the subject of family reunification, particularly in situations of armed conflict, held in Florence on 2-4 December.

The ICRC also maintained relations with: the *International Institute of Human Rights* in Strasbourg, with regard to the teaching of international humanitarian law; the *World Veterans Federation*, at a symposium on international humanitarian law held in Oslo in March, and at a Conference of the Standing Committee on "Women in and after war", held in Bellagio, Italy, from 7 to 11 April; the *Medico-Legal Commission of Monaco*, through participation in its tenth meeting in April; the *Independent Commission on International Humanitarian Issues*.

In addition, the ICRC attended a number of other meetings of non-governmental organizations on the subject of human rights and the protection of children.



**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1986

*(The names of a number of countries in this list may differ from those countries' official names.)*

COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date
Afghanistan . . . . .	R		26.09.56								
Albania . . . . .	R	X	27.05.57								
Algeria . . . . .	A		20.06.60								
Angola . . . . .	A	X	20.09.84		A	X	20.09.84				
Antigua and Barbuda . . . .	S		06.10.86		A		06.10.86		A		06.10.86
Argentina . . . . .	R		18.09.56		A	X	26.11.86		A	X	26.11.86
Australia . . . . .	R		14.10.58	X				X			
Austria . . . . .	R		27.08.53	X	R <sup>2</sup>	X	13.08.82	X	R	X	13.08.82
Bahamas . . . . .	S		11.07.75		A		10.04.80		A		10.04.80
Bahrain . . . . .	A		30.11.71		A		30.10.86		A		30.10.86
Bangladesh . . . . .	S		04.04.72		A		08.09.80		A		08.09.80
Barbados . . . . .	S		10.09.68								
Belgium . . . . .	R		03.09.52	X	R	X	20.05.86	X	R		20.05.86
Belize . . . . .	A		29.06.84		A		29.06.84		A		29.06.84
Benin . . . . .	S		14.12.61		A		28.05.86		A		28.05.86
Bhutan . . . . .											
Bolivia . . . . .	R		10.12.76		A		08.12.83		A		08.12.83
Botswana . . . . .	A		29.03.68		A		23.05.79		A		23.05.79
Brazil . . . . .	R		29.06.57								
Brunei . . . . .											
Bulgaria . . . . .	R	X	22.07.54	X				X			
Burkina Faso . . . . .	S		07.11.61	X				X			
Burma . . . . .											
Burundi . . . . .	S		27.12.71								
Byelorussia . . . . .	R	X	03.08.54	X				X			
Cameroon . . . . .	S		16.09.63		A		16.03.84		A		16.03.84
Canada . . . . .	R		14.05.65	X				X			
Cape Verde . . . . .	A		11.05.84								
Central African Rep. . . . .	S		01.08.66		A		17.07.84		A		17.07.84
Chad . . . . .	A		05.08.70								
Chile . . . . .	R		12.10.50	X				X			
China . . . . .	R	X	28.12.56		A	X	14.09.83		A		14.09.83
Colombia . . . . .	R		08.11.61								
Comoros . . . . .	A		21.11.85		A		21.11.85		A		21.11.85
Congo . . . . .	S		30.01.67		A		10.11.83		A		10.11.83
Costa Rica . . . . .	A		15.10.69		A		15.12.83		A		15.12.83
Côte d'Ivoire . . . . .	S		28.12.61	X				X			
Cuba . . . . .	R		15.04.54		A		25.11.82				
Cyprus . . . . .	A		23.05.62	X	R		01.06.79				
Czechoslovakia . . . . .	R	X	19.12.50	X				X			
Denmark . . . . .	R		27.06.51	X	R <sup>2</sup>	X	17.06.82	X	R		17.06.82
Djibouti . . . . .	S		06.03.78 <sup>3</sup>								
Dominican Republic . . . . .	A		22.01.58								
Dominica . . . . .	S		28.09.81								

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I.

<sup>3</sup> Djibouti's declaration of succession to the First Convention was dated 26.01.78 and not 06.03.78 as for the other three Conventions.



**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1986

(The names of a number of countries in this list may differ from those countries' official names.)

COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date
Ecuador . . . . .	R		11.08.54	X	R		10.04.79	X	R		10.04.79
Egypt . . . . .	R		10.11.52	X				X			
El Salvador . . . . .	R		17.06.53	X	R		23.11.78	X	R		23.11.78
Equatorial Guinea . . . . .	A		24.07.86		A		24.07.86		A		24.07.86
Ethiopia . . . . .	R		02.10.69								
Fiji . . . . .	S		09.08.71								
Finland . . . . .	R		22.02.55	X	R <sup>2</sup>	X	07.08.80	X	R		07.08.80
France . . . . .	R		28.06.51						A	X <sup>3</sup>	24.02.84
Gabon . . . . .	S		20.02.65		A		08.04.80		A		08.04.80
Gambia . . . . .	S		11.10.66								
German Dem. Rep. . . . .	A	X	30.11.56	X				X			
Germany (Fed. Rep. of) . . . . .	A		03.09.54	X				X			
Ghana . . . . .	A		02.08.58	X	R		28.02.78	X	R		28.02.78
Greece . . . . .	R		05.06.56	X							
Grenada . . . . .	S		13.04.81								
Guatemala . . . . .	R		14.05.52	X				X			
Guinea . . . . .	A		11.07.84		A		11.07.84		A		11.07.84
Guinea-Bissau . . . . .	A	X	21.02.74		A		21.10.86		A		21.10.86
Guyana . . . . .	S		22.07.68								
Haiti . . . . .	A		11.04.57								
Holy See . . . . .	R		22.02.51	X	R	X	21.11.85	X	R	X	21.11.85
Honduras . . . . .	A		31.12.65	X				X			
Hungary . . . . .	R	X	03.08.54	X				X			
Iceland . . . . .	A		10.08.65	X				X			
India . . . . .	R		09.11.50								
Indonesia . . . . .	A		30.09.58								
Iran . . . . .	R		20.02.57	X				X			
Iraq . . . . .	A		14.02.56								
Ireland . . . . .	R		27.09.62	X				X			
Israel . . . . .	R	X	06.07.51								
Italy . . . . .	R		17.12.51	X	R <sup>2</sup>	X	27.02.86	X	R	X	27.02.86
Jamaica . . . . .	S		17.07.64		A		29.07.86		A		29.07.86
Japan . . . . .	A		21.04.53								
Jordan . . . . .	A		29.05.51	X	R		01.05.79	X	R		01.05.79
Kampuchea . . . . .	A		08.12.58								
Kenya . . . . .	A		20.09.66								
Kiribati . . . . .											
Korea (Rep.) . . . . .	A	X	16.08.66 <sup>4</sup>	X	R	X	15.01.82	X	R		15.01.82
Korea (Dem. People's Rep.) . . . . .	A	X	27.08.57								
Kuwait . . . . .	A		02.09.67		A		17.01.85		A		17.01.85
Laos . . . . .	A		29.10.56	X	R		18.11.80	X	R		18.11.80
Lebanon . . . . .	R		10.04.51								

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I.

<sup>3</sup> On accession to Protocol II, France made a declaration concerning Protocol I.

<sup>4</sup> Entry into force 23 September 1966, Korea having invoked Arts. 62/61/141/157 (immediate effect).

**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1986

*(The names of a number of countries in this list may differ from those countries' official names.)*

COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date
Lesotho . . . . .	S		20.05.68								
Liberia . . . . .	A		29.03.54								
Libyan Arab Jamahiriya. . .	A		22.05.56		A		07.06.78		A		07.06.78
Liechtenstein . . . . .	R		21.09.50	X				X			
Luxembourg . . . . .	R		01.07.53	X				X			
Madagascar. . . . .	S		13.07.63	X				X			
Malawi . . . . .	A		05.01.68								
Malaysia . . . . .	A		24.08.62								
Maldives . . . . .											
Mali . . . . .	A		24.05.65								
Malta . . . . .	S		22.08.68								
Mauritania . . . . .	S		27.10.62		A		14.03.80		A		14.03.80
Mauritius . . . . .	S		18.08.70		A		22.03.82		A		22.03.82
Mexico . . . . .	R		29.10.52		A		10.03.83				
Monaco . . . . .	R		05.07.50								
Mongolia . . . . .	A		20.12.58	X				X			
Morocco . . . . .	A		26.07.56	X				X			
Mozambique . . . . .	A		14.03.83		A		14.03.83				
Namibia <sup>3</sup> . . . . .	A		18.10.83		A		18.10.83		A		18.10.83
Nauru . . . . .											
Nepal . . . . .	A		07.02.64								
Netherlands. . . . .	R		03.08.54	X				X			
New Zealand . . . . .	R		02.05.59	X				X			
Nicaragua. . . . .	R		17.12.53	X				X			
Niger . . . . .	S		16.04.64	X	R		08.06.79	X	R		08.06.79
Nigeria . . . . .	S		09.06.61								
Norway . . . . .	R		03.08.51	X	R <sup>2</sup>		14.12.81	X	R		14.12.81
Oman . . . . .	A		31.01.74		A	X	29.03.84		A	X	29.03.84
Pakistan. . . . .	R	X	12.06.51	X				X			
Panama . . . . .	A		10.02.56	X				X			
Papua New Guinea . . . . .	S		26.05.76								
Paraguay . . . . .	R		23.10.61								
Peru . . . . .	R		15.02.56	X				X			
Philippines . . . . .	R		06.10.52 <sup>4</sup>	X					A		11.12.86
Poland . . . . .	R	X	26.11.54	X				X			
Portugal. . . . .	R	X	14.03.61	X				X			
Qatar . . . . .	A		15.10.75								
Romania . . . . .	R	X	01.06.54	X				X			
Rwanda. . . . .	S		21.03.64		A		19.11.84		A		19.11.84
Saint Christopher & Nevis .	S		14.02.86		A		14.02.86		A		14.02.86
Saint Lucia . . . . .	S		18.09.81		A		07.10.82		A		07.10.82
Saint Vincent & Grenadines.	A		01.04.81		A		08.04.83		A		08.04.83

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I.

<sup>3</sup> Instruments of accession deposited by the United Nations Council for Namibia.

<sup>4</sup> With the exception of Convention I, ratified on 07.03.51.

**STATES PARTY TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949  
AND TO THE TWO ADDITIONAL PROTOCOLS OF 8 JUNE 1977**

Situation as at 31 December 1986

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COUNTRY	GENEVA CONVENTIONS			PROTOCOL I				PROTOCOL II			
	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date	Signature	A, R, S <sup>1</sup>	Reservations/ declaration	Date
Samoa . . . . .	S		23.08.84		A		23.08.84		A		23.08.84
San Marino . . . . .	A		29.08.53	X				X			
Sao Tome & Principe . . . . .	A		21.05.76								
Saudi Arabia . . . . .	A		18.05.63								
Senegal . . . . .	S		23.04.63	X	R		07.05.85	X	R		07.05.85
Seychelles . . . . .	A		08.11.84		A		08.11.84		A		08.11.84
Sierra Leone . . . . .	S		31.05.65		A		21.10.86		A		21.10.86
Singapore . . . . .	A		27.04.73								
Solomons . . . . .	S		06.07.81								
Somalia . . . . .	A		12.07.62								
South Africa . . . . .	A		31.03.52								
Spain . . . . .	R		04.08.52	X				X			
Sri Lanka . . . . .	R		28.02.59 <sup>3</sup>								
Sudan . . . . .	A		23.09.57								
Suriname . . . . .	S	X	13.10.76		A		16.12.85		A		16.12.85
Swaziland . . . . .	A		28.06.73								
Sweden . . . . .	R		28.12.53	X	R <sup>2</sup>	X	31.08.79	X	R		31.08.79
Switzerland . . . . .	R		31.03.50	X	R <sup>2</sup>	X	17.02.82	X	R		17.02.82
Syria . . . . .	R		02.11.53		A	X	14.11.83				
Tanzania . . . . .	S		12.12.62		A		15.02.83		A		15.02.83
Thailand . . . . .	A		29.12.54								
Togo . . . . .	S		06.01.62	X	R		21.06.84	X	R		21.06.84
Tonga . . . . .	S		13.04.78								
Trinidad & Tobago . . . . .	A		24.09.63 <sup>4</sup>								
Tunisia . . . . .	A		04.05.57	X	R		09.08.79	X	R		09.08.79
Turkey . . . . .	R		10.02.54								
Tuvalu . . . . .	S		19.02.81								
Uganda . . . . .	A		18.05.64								
Ukraine . . . . .	R	X	03.08.54	X				X			
USSR . . . . .	R	X	10.05.54	X				X			
United Arab Emirates . . . . .	A		10.05.72		A	X	09.03.83		A	X	09.03.83
United Kingdom . . . . .	R		23.09.57	X				X			
United States . . . . .	R	X	02.08.55	X				X			
Uruguay . . . . .	R	X	05.03.69		A		13.12.85		A		13.12.85
Vanuatu . . . . .	A		27.10.82		A		28.02.85		A		28.02.85
Venezuela . . . . .	R		13.02.56								
Viet Nam . . . . .	A	X	28.06.57	X	R		19.10.81				
Yemen (Arab Rep.) . . . . .	A		16.07.70	X				X			
Yemen (People's Rep.) . . . . .	A		25.05.77								
Yugoslavia . . . . .	R	X	21.04.50	X	R	X	11.06.79	X	R		11.06.79
Zaire . . . . .	S		20.02.61		A		03.06.82				
Zambia . . . . .	A		19.10.66								
Zimbabwe . . . . .	A		07.03.83								

<sup>1</sup> A = accession; R = ratification; S = declaration of succession.

<sup>2</sup> States which made the declaration regarding preliminary acceptance of the competence of the International Fact-Finding Commission, as provided for in Article 90 of Protocol I.

<sup>3</sup> With the exception of the Fourth Convention, to which Sri Lanka acceded on 23.02.59. (Sri Lanka signed only the First, Second and Third Conventions.)

<sup>4</sup> Trinidad and Tobago's accession to the First Convention was on 17.03.63 and not on 24.09.63 as for the other three Conventions.