

Zeitschrift: Annual report / International Committee of the Red Cross
Band: - (1995)

Rubrik: Principles, law and relations with the movement

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PRINCIPLES, LAW AND RELATIONS WITH THE MOVEMENT

carried out a visit to the Tadjout area of southern Morocco, where there were 120 Moroccan prisoners (visits to the remainder to be carried out in the future). The delegates registered 24 of them for the future and collected over 1,800 Red Cross messages, with a view to passing them on to their families.

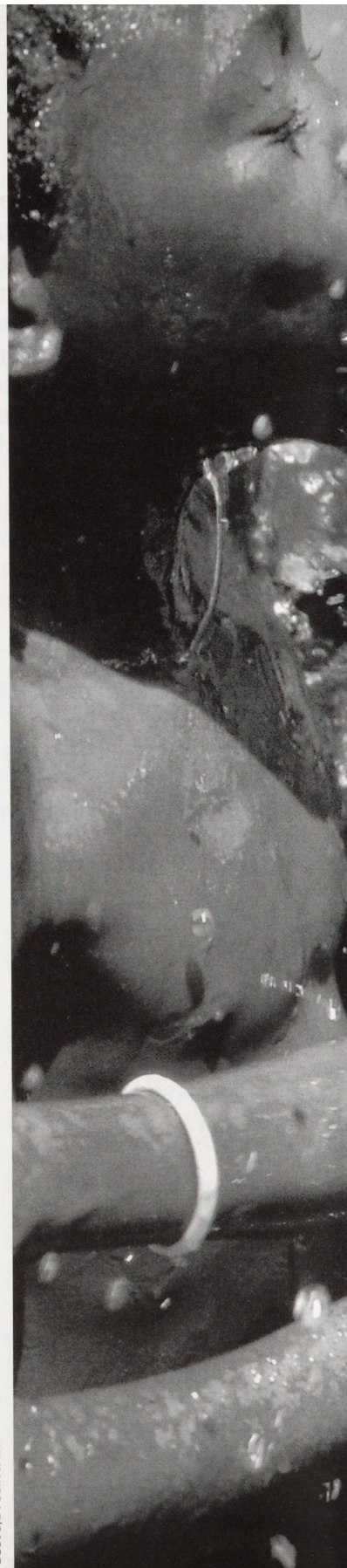
Delegates twice visited 72 Sahrawis held by the Polisario in June and November. Red Cross messages and parcels were collected to be sent to the families.

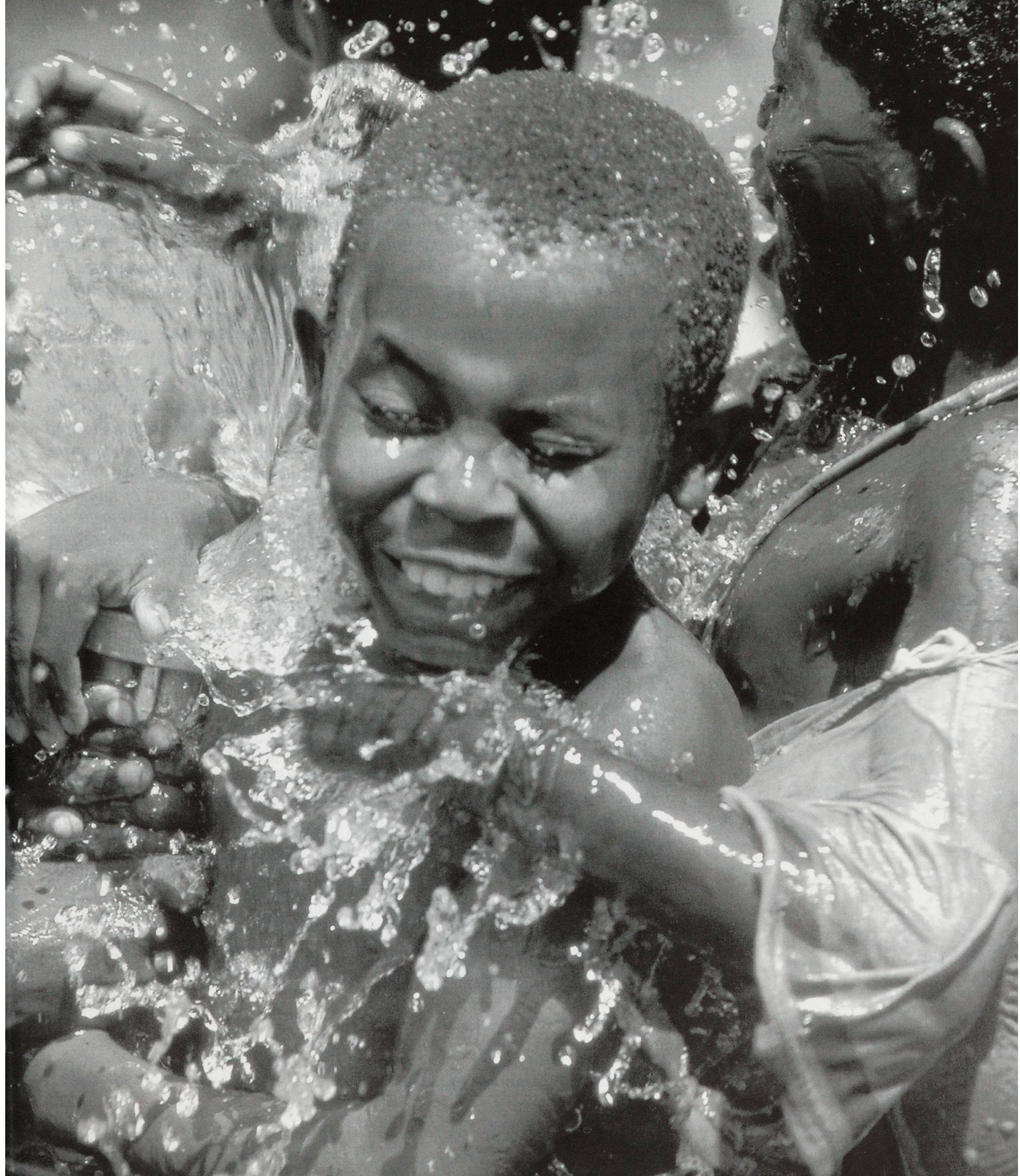
By the end of 1995, the ICRC had carried out 10 visits to Sahrawis held in Morocco, registering a total of 1,800 messages. Between the end of 1975 and the end of 1995, the institution had registered 1,800 messages by the Polisario Front.

“Keeping hope alive” was the message of the 26th International Conference of the Red Cross and Red Crescent.

In the face of widespread tragedy, the Movement has an enormous challenge to face. Yet hope lies in simple things like clean water, which is just as important as food.

In 1995 the ICRC had teams working in 20 conflict situations to restore water supply systems and help dispose of waste. National Societies played an important part in many of the institution's water and sanitation projects.





The year 1995 was marked by the 26th International Conference of the Red Cross and Red Crescent, which met in Geneva from 3 to 7 December and brought together over 1,200 delegates representing 143 States, 166 National Societies, the ICRC and the International Federation of Red Cross and Red Crescent Societies and 60 organizations invited to attend as observers. It was a particularly momentous event, because political controversies had prevented the International Conference from meeting for nine years and because the previous Conference, in 1986, had left a bitter taste, owing to some serious incidents connected with the participation of South Africa, which had disrupted the proceedings.

To ensure the perpetuation of a tradition dating back more than a century it was therefore crucial that the Conference should take place in the best possible conditions, and this was indeed achieved. After extensive consultations and preparations conducted with the valuable support of the Swiss government, the Conference proceeded in a constructive atmosphere and concluded its work by adopting five resolutions which may be regarded as a new contract of humanity between States and the International Red Cross and Red Crescent Movement: the protagonists thus undertook to join forces with a view to ensuring greater respect for international humanitarian law and strengthening humanitarian action.

The 26th International Conference had been preceded by a meeting, also in Geneva, of the Intergovernmental Group of Experts for the Protection of War Victims, held from 23 to 27 January as a follow-up to the 1993 International Conference for the Protection of War Victims.¹ The ICRC took an active part in the proceedings, and a number of National Societies and their Federation were also associated in them. The group of experts put forward a set of proposals designed to enhance respect for humanitarian law; its recommendations were submitted to the 26th International Conference, which adopted them.

Another major event held in 1995 was the Review Conference of the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons. This treaty forms part of international humanitarian law. It is therefore of special relevance to the ICRC, since it contains rules with regard to weapons, particularly anti-personnel landmines, which wreak havoc especially among civilians. The Review Conference, which had been preceded by four preparatory meetings, took place in Vienna from 25 September to 13 October. Although it reached no agreement on new provisions for the prohibition, or at least the restriction, of the use of anti-personnel landmines, it nevertheless made appreciable progress by adopting

¹ See the ICRC's 1993 Annual Report, pp. 236-237.

a Protocol banning anti-personnel laser weapons intended to cause permanent blindness. This instrument, based on the extensive preparatory work of experts meeting under the auspices of the ICRC, gives grounds for hope that, for once, a terrifying weapon has been prohibited before actually being put into use.²

A third important meeting that commanded a great deal of effort on the part of the ICRC was the Council of Delegates of the Movement, which was held on 1 and 2 December and focused on two main topics, namely preparations for the 26th International Conference and the future of the Movement. The Council adopted a series of provisions for strengthening cohesion within the Movement in order to help the latter meet new challenges in a rapidly changing world. It also declared itself in favour of a total ban on anti-personnel mines.³

From a general point of view, these major gatherings helped to improve the legal protection of war victims and to enhance the Movement's unity.

Despite the workload involved in organizing the three meetings, the ICRC stepped up its efforts to promote greater awareness of humanitarian law, both through courses and in its daily activities in the field. Progress in this area is described in the chapters of this report relating to ICRC operations.

The institution also continued its work aimed at clarifying the content of humanitarian law and ensuring that it was adapted to the conditions of modern warfare; it lay particular emphasis on the applicability of humanitarian law to United Nations peace-keeping and peace-making forces, the protection of women and children in armed conflicts, rules applicable to war at sea and the prohibition of anti-personnel mines and blinding laser weapons. In pursuance of one of the recommendations of the Intergovernmental Group of Experts for the Protection of War Victims, the ICRC set up an Advisory Service on International Humanitarian Law, which States may consult for advice on any measure pertaining to the implementation of humanitarian law.

Turning now to the International Red Cross and Red Crescent Movement, the ICRC strengthened its functional cooperation with the Federation through regular meetings between the senior officials of the two institutions. It was also pleased to be able to contribute to the work of the Policy and Planning Advisory Commission established under Resolution 1 of the Birmingham Council of Delegates in 1993. The Commission's recommendations, adopted by the 1995 Council of Delegates, should help the Movement to meet the challenges facing it on the threshold of the third millennium.

² See pp. 268-271.

³ See pp. 292-298.

THE LAW AND LEGAL CONSIDERATIONS

PROMOTION OF THE TREATIES OF INTERNATIONAL HUMANITARIAN LAW

States party to the Geneva Conventions of 12 August 1949: 186

On 19 September 1995, the Federated States of Micronesia acceded to the four Geneva Conventions, bringing the number of States Parties to 186.

Lithuania remains bound by the 1929 Geneva Conventions only.

States party to Protocols I and II additional to the Geneva Conventions: 143 and 134 respectively

In the course of 1995, nine States became party to one or both Protocols of 8 June 1977 additional to the Geneva Conventions.

Additional Protocols I and II: Honduras (16 February), Cape Verde (16 March), Zambia (4 May), Panama (18 September), Federated States of Micronesia (19 September), Swaziland (2 November), South Africa (21 November) and Mongolia (6 December).

Additional Protocol II: Colombia (14 August).

None of these States, with the exception of Mongolia, made reservations or declarations of interpretation.

The latest ratifications and accessions brought the number of States party to the two Additional Protocols of 1977 to 143 and 134 respectively. The treaties thus attained an encouraging degree of acceptance. Nonetheless, in 1995 the ICRC pursued its campaign to convince all the States not yet bound by these instruments to become party to them. By adopting the recommendations drawn up following the International Conference for the Protection of War Victims,¹ the 26th International Conference of the Red Cross and Red Crescent urged States that had not yet ratified or acceded to the 1977 Protocols to do so as soon as possible.

It should be remembered that Protocol I relates to international armed conflicts and Protocol II to non-international armed conflicts.

¹ See p. 295.

International Fact-Finding Commission

During the year under review Cape Verde, the Czech Republic, Mongolia, Romania and Slovakia filed the declaration recognizing the competence of the International Fact-Finding Commission to enquire into alleged violations of international humanitarian law treaties, as provided for in Article 90 of Additional Protocol I, thus bringing to 47 the number of States party to Protocol I which have made that declaration.

1980 United Nations Weapons Convention²

International interest in the issue of anti-personnel landmines and the process leading up to the first Review Conference of States party to the 1980 United Nations Convention on Certain Conventional Weapons, which held its opening session in Vienna in September-October 1995, prompted 16 more States to become party to this treaty. The 23 States that adhered to the Convention between January 1993 and December 1995 nearly doubled the overall number of States Parties (57); of the 14 which became party to the instrument in 1995, eleven declared themselves bound by all three of the Convention's Protocols, namely Argentina, Belgium, Brazil, Ireland, Italy, Malta, Romania, South Africa, Togo, Uganda and the United Kingdom. Two others, Israel and the United States, declared themselves bound by Protocol I on non-detectable fragments and Protocol II on mines, booby-traps and other devices, but not by Protocol III covering incendiary weapons. Jordan declared itself bound by only Protocols I and III. The Vienna Review Conference did not succeed in reaching consensus on new regulations governing anti-personnel landmines. On the other hand, a major breakthrough was made with the banning of anti-personnel laser weapons, and an additional fourth Protocol on blinding laser weapons was annexed to the Convention.³

RESPECT FOR AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW

Implementation of international humanitarian law

If international humanitarian law is to be fully respected, States must incorporate it into their national law by adopting the necessary legislative and

² The full title of this treaty adopted on 10 October 1980 is the United Nations 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.

³ See pp. 268-271.

regulatory measures. Such measures, which are aimed in particular at guaranteeing the protection of the red cross/red crescent emblem and providing for the repression of violations of humanitarian law, should be adopted in peacetime.

Advisory services

Throughout 1995 the ICRC continued to urge States party to the Geneva Conventions to adopt national measures in peacetime to give effect to international humanitarian law. In its contacts with the States and the National Red Cross and Red Crescent Societies the ICRC stressed that all relevant data on measures taken or contemplated should be forwarded to it, in order to facilitate an exchange of information.

The Intergovernmental Group of Experts for the Protection of War Victims, which met in Geneva in January 1995, recommended that the ICRC strengthen its capacity to advise and assist States in this sphere.

Acting on that recommendation, in July 1995 the ICRC set up a new unit, called the *Advisory Service on International Humanitarian Law*, which fits into the institution's general structure, both at headquarters and in the field. At headquarters the unit is attached to the Legal Division and comprises a head of advisory services and two lawyers, one specialized in civil and one in common law. The unit operates in a decentralized manner, with the assistance of lawyers based in each of the various geographical regions. A documentation centre has been set up to gather relevant data and facilitate the exchange thereof. The existing information is being fed into the data bank on humanitarian law and will be available on CD-ROM in late 1996.

The Advisory Service's aim is to assist civilian and military authorities in adopting enforcement laws and regulations and in introducing the implementation of humanitarian law into their national structures, so that the law may be effectively applied and any breaches thereof duly punished. It is therefore intended to step up the activities that the ICRC has been carrying out for several years in this field and to provide greater help to the authorities in discharging their obligations in that respect.

In 1995 the ICRC organized two regional seminars on the implementation of humanitarian law at the national level. The first, held from 25 to 29 September in Tashkent, Uzbekistan, was set up jointly with UNESCO, and its theme was broadened to include the protection of cultural objects in time of armed conflict. The seminar brought together senior government officials, both civilian and military, and representatives of academic circles and of the Red Cross/Red Crescent from five Central Asian countries: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan itself. This was the first

time that the ICRC conducted a meeting of this kind in cooperation with UNESCO.

The second seminar was held on 22 and 23 November in Riga, Latvia; again, this was the first session of this type to be organized in conjunction with the Office for democratic institutions and human rights of the Organization for Security and Co-operation in Europe (OSCE), and was intended for the Baltic countries, namely Estonia, Latvia and Lithuania. As in Tashkent, the seminar was attended by senior civilian and military officials, and by representatives of academic circles and the Red Cross.

The two seminars provided the opportunity to assess measures adopted at the national level and to promote the setting-up of interministerial committees. The latter are in charge of examining domestic legislation pertaining to obligations under humanitarian law treaties and of proposing measures to be taken in that respect.

On 8 and 9 November, the ICRC organized a meeting on national implementation measures, which was attended by representatives of National Societies with experience in the matter and a number of delegates from the International Federation of Red Cross and Red Crescent Societies. The participants agreed that cooperation between the ICRC's Advisory Service and other components of the Movement should be encouraged.

In its various contacts throughout the year the ICRC regularly stressed the importance of adopting measures to implement humanitarian law at the national level and continued to do its utmost to help States meet their obligations.

In conformity with the recommendations of the Intergovernmental Group of Experts for the Protection of War Victims, as from 1996 the ICRC will be drawing up detailed reports on advisory services rendered and on the information obtained, analysed and exchanged in this area.

International repression mechanisms

Over the past few years there have been a number of developments regarding the repression of breaches of international humanitarian law, mainly as a result of the setting-up of *ad hoc* international tribunals and the progress made on creating a permanent international criminal court.

In 1995 the ICRC took part in some of the meetings on the two *ad hoc* tribunals (for the former Yugoslavia and for Rwanda) established by the United Nations Security Council and had constructive exchanges of views on the question of interpretation of humanitarian law. While stressing the importance of the role that *ad hoc* tribunals could play in applying humanitarian law, the ICRC reaffirmed its support for the creation of a permanent

international criminal court which would be competent, *inter alia*, to prosecute war crimes. Concerning the possibility of its delegates being called to testify before such tribunals, the ICRC explained that this would be incompatible with its mandate, that it might undermine the institution's credibility and, ultimately, harm the interests of the victims.

Regarding the setting-up of a permanent international criminal court, the ICRC examined in particular the definition of war crimes given in two existing draft texts: a draft statute for such a court, prepared by the United Nations International Law Commission and examined by an *ad hoc* Committee of the United Nations General Assembly, and a draft code of offences against the peace and security of mankind, also drawn up by the International Law Commission. The ICRC pointed out that the texts should take into account all the grave breaches set out in the Geneva Conventions and in Additional Protocol I, and that the terms of reference of the future court should be extended to include grave breaches committed during non-international armed conflicts.

International Fact-Finding Commission

The International Fact-Finding Commission, provided for in Article 90 of Additional Protocol I, is an important means of implementing humanitarian law. Its competence *ipso facto* has been recognized by 47 States already. The Commission was established on 12 March 1992; it is made up of 15 members, and the secretariat facilities are provided by the Swiss government. Its composition and operating procedure are clearly defined and regulated. Any State which has accepted the Commission's competence may request that an investigation be made into facts constituting violations of humanitarian law. The consent of the party against which allegations are being made is necessary whenever the Commission's competence has not been already recognized by both States concerned. Thus far no specific cases have been referred to the Commission, so that unfortunately it has not yet been able to go into operation.

Meeting of the Intergovernmental Group of Experts for the Protection of War Victims

Acting on a decision adopted by the International Conference for the Protection of Victims of War, held in Geneva in 1993,⁴ the Swiss Federal Council convened a meeting of experts to examine practical means of promoting

⁴ See the ICRC's 1993 Annual Report, pp. 236-237.

greater respect for and compliance with humanitarian law. Representatives of more than a hundred governments and some 30 governmental and non-governmental organizations met in Geneva from 23 to 27 January 1995 to study a working document prepared by the host country; the ICRC, for its part, presented to the gathering a document containing concrete proposals. After intensive discussions and negotiations, the group of experts agreed on a series of recommendations; these were then submitted to the 26th International Conference of the Red Cross and Red Crescent, which approved them.

Several of the recommendations deal with measures designed to help prevent violations of humanitarian law:

- making instruments of humanitarian law universally accepted (including Article 90 of Protocol I);
- improving and stepping up dissemination of humanitarian law, both among the military and among the civilian population;
- inviting States to provide the ICRC with all pertinent information regarding the implementation of humanitarian law, and inviting the ICRC to promote the exchange of such information and provide advisory services in this field.

The experts also agreed on measures to be taken to ensure respect for humanitarian law in case of armed conflict. They recommended that the depositary State convene periodic meetings of States party to the Geneva Conventions in order to discuss general problems regarding the application of the law by them and by parties to armed conflicts. The representative of Switzerland declared the latter ready to assume that task. The experts also invited the ICRC to examine a number of questions concerning current application of humanitarian law.

Protection of children in armed conflicts

The ICRC pursued its efforts aimed at securing greater respect for rules on the protection of children in armed conflicts.

In cooperation with the Henry Dunant Institute and the Federation, the ICRC took an active part in drawing up a Plan of Action on the role of the Movement in behalf of child victims of armed conflict. The plan contains specific proposals for action that the Movement could take to ensure greater involvement and a better coordination of activities in this field. The Plan of Action was submitted to the Council of Delegates when it met in Geneva on 1 and 2 December 1995; after discussion, the text was adopted by the Council.

The ICRC also addressed the United Nations General Assembly to remind the international community of the need to respect current rules protecting children and to support efforts being made to provide greater protection for

children, both from the legal standpoint and by means of direct action in conflict areas.

Protection of women in armed conflicts

In time of war women not only have to shoulder the responsibilities of menfolk who are away at the front but are themselves not spared by the hostilities, which all too frequently claim victims among the civilian population. Last but by no means least, it is alarming to see that sexual violence against women during armed conflicts is becoming commonplace.

In order to show its concern and to add its voice to all others demanding greater protection for women in wartime, the ICRC took part in the fourth World Conference on Women, which was held in Beijing, China, from 4 to 15 September 1995, and in the parallel forum bringing together non-governmental organizations. In several preparatory documents it submitted, the ICRC sought to raise the participants' awareness of the need for States fully to respect the rules of humanitarian law protecting women and to repress any violations of those rules. This was taken into account in the final document, which is very firm on this point.

The protection of women in armed conflicts was also on the agenda of the 26th International Conference of the Red Cross and Red Crescent. In its resolution relating to the protection of the civilian population in time of armed conflict, the Conference condemned all acts of sexual violence in such circumstances, reaffirming that rape in the conduct of hostilities constituted a war crime and that those responsible for such acts must be brought to justice.

The ICRC will make certain that resolutions concerning women in armed conflicts do not remain a dead letter. As part of their duties, ICRC delegates in the field intervene where necessary to put an end to violations of humanitarian rules protecting women.

Applicability of international humanitarian law to United Nations peace-keeping and peace-making forces

United Nations peace-keeping operations are no longer confined to maintaining or strengthening peace through activities such as supervising cease-fire agreements or patrolling demarcation lines. They have become much more frequent and complex. In many cases UN forces are even asked to conduct — as part of their mandate or in application of their right to self-defence — veritable military operations. The applicability of international humanitarian law to peace-keeping or peace-enforcement forces, which has

long been of concern to the ICRC, has thus become a question of great topical interest.

The ICRC has always maintained that all provisions of humanitarian law are applicable when UN contingents have recourse to force. In the United Nations' opinion, on the other hand, its forces are bound only by the "principles and spirit" of humanitarian law treaties.

Consequently, in keeping with its mandate to monitor the strict application of humanitarian law, the ICRC has continued to study the question of applicability.

To this end, in March and October 1995 the ICRC organized two meetings of experts from military and academic circles, former commanders of United Nations forces and officials from the services concerned at the UN Secretariat. The participants reviewed all the provisions of humanitarian law to determine their applicability to peace-keeping forces (especially rules relating to the conduct of hostilities and to the protection of the civilian population, detainees and medical personnel).

The resulting document, entitled *International humanitarian law for forces conducting United Nations peace-keeping operations*, was finalized at the second meeting of experts. The document was the subject of informal consultations with the UN Secretariat and was to be officially forwarded in 1996 to the UN Secretary-General for distribution among peace-keeping and peace-making contingents.

The text provides that United Nations troops are obliged to observe the rules of humanitarian law whenever they resort to force against organized armed groups. It sets out the content and scope of the "principles and spirit" of humanitarian law whereby the United Nations agrees to be bound, and lists a series of provisions covering the various categories of protected persons.

The above work was mentioned at the 26th International Conference of the Red Cross and Red Crescent, which in one of its resolutions welcomed the results achieved.

Identification of medical transports

Pursuant to Resolution III adopted by the 25th International Conference, the ICRC continued its work to improve means of identification of medical transports in times of conflict. During the year it took part in several meetings of experts at specialized international agencies such as the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO) and the International Telecommunication Union (ITU).

In view of the development of new technologies in the area of identification, the ICRC conducted tests on the visibility of the red cross made of thermal tape

visible in the infrared spectrum. A series of aerial observation tests were carried out at sea and on land, using an infrared thermal imaging camera.

Review Conference of the United Nations Convention on Certain Conventional Weapons of 10 October 1980

In January 1995, the group of governmental experts responsible for preparing the Review Conference met for the fourth and last time before the actual Conference. The group agreed on a draft amended Protocol II on landmines and on an informal draft Protocol on blinding laser weapons, both of which contained a number of alternative texts.

The ICRC took an active part in this meeting, and in June it submitted to States and other organizations participating in the Review Conference a “non-paper” in which it discussed the various alternative proposals in the draft texts adopted by the group of governmental experts, while reiterating its position that only a total ban on anti-personnel mines would be an effective solution to the problem.

The Review Conference itself met in Vienna from 25 September to 13 October 1995 and the ICRC formally took part as an observer. In this capacity it was able to attend and speak at all official meetings of the Conference as well as submit written proposals.

The Review Conference adopted a new fourth Protocol on blinding laser weapons but was unable to conclude its work on landmines. The Conference was therefore adjourned and decided to meet again from 15 to 19 January and from 22 April to 3 May 1996.

Mines

The proposed new text for Protocol II adopted by the group of governmental experts and submitted to the Review Conference would have essentially introduced the following extra rules:

- all anti-personnel mines must be detectable;
- remotely-delivered mines must contain a self-destruct mechanism;
- hand- or vehicle-emplaced anti-personnel mines must either self-destruct or be used within marked, guarded and fenced minefields. However, these limitations on the use of “dumb” mines are waived if direct enemy action “makes it impossible to comply”;
- at the end of hostilities the mine layer is in principle required to remove or pay for the removal of the mines;
- protective measures should be provided for humanitarian organizations working in mined areas;

- applicability of the Protocol should extend to non-international armed conflicts or its provisions should apply “in all circumstances”;
- certain implementation mechanisms should be introduced.

There was, however, major disagreement as to the type of implementation provisions to be introduced and uncertainty as to a number of other fundamental issues, such as the definition of detectability, the reliability rate and maximum life span of self-destruct mines, whether anti-tank mines should be further regulated and whether a provision restricting the transfer of mines should be introduced.

These uncertainties became critical during negotiations at the Review Conference. In addition to this, a number of States made entirely new proposals, some of them far-reaching, such as a complete ban on the use of anti-personnel mines in internal armed conflicts and a total prohibition of the use of remotely-delivered mines. Such proposals were in effect put forward as an alternative to introducing new technical requirements for mines. Indeed, many of the States which were willing to accept certain technical specifications indicated that they needed a grace period in order to introduce mines with a minimum metal content and with self-destruct or self-neutralizing mechanisms; periods of up to 15 years were suggested. Apart from States favouring additional restrictions on the use of mines, the number of States supporting a total ban on anti-personnel mines grew to 16, five more than in January. The widely differing views of the participating States meant that it was not possible to reach consensus in Vienna. It was decided that negotiations on Protocol II would continue in the resumed sessions in January and April 1996.

At the opening session of the Review Conference, the President of the ICRC delivered a speech in which he stressed that the only realistic solution to the landmine crisis was total prohibition of the use, production and transfer of anti-personnel landmines. He urged participants to join those in favour of such a ban, namely, in addition to the 16 States, the Council of Ministers of the Organization of African Unity, the European Parliament, the Secretary-General of the United Nations, several UN agencies and hundreds of non-governmental organizations.

Throughout the year the ICRC was active in gathering support for a ban on landmines and for greater ratification of the 1980 Weapons Convention, including its Protocol II. In particular it organized four regional seminars in Africa on the subject and actively coordinated with National Red Cross and Red Crescent Societies elsewhere in the world to raise awareness of this issue at the national level. Many National Societies led active campaigns, often in conjunction with other national non-governmental organizations. The most impressive result of this effort was in Belgium, where legislation was adopted banning the use, production and transfer of anti-personnel landmines. At the

end of 1995 the meeting of foreign ministers of the Organization of the Islamic Conference called for the “complete elimination” of such weapons.

The landmine question was on the agenda of the 26th International Conference of the Red Cross and Red Crescent, which adopted a resolution urging States to become party to the 1980 Convention, welcoming national moratoria on the transfer of landmines, confirming the goal of the international community to achieve the eventual elimination of mines and requesting that greater efforts be made for mine clearance. The Council of Delegates, meeting on 1 and 2 December, also adopted a resolution in favour of a total ban on anti-personnel landmines and determined that the International Red Cross and the Red Crescent Movement would work to the best of its ability to bring about such a ban.

New Protocol IV on blinding laser weapons

Prior to the Vienna Review Conference, the ICRC had pursued its bilateral contacts and efforts to raise public awareness in order to achieve consensus in favour of a new Protocol on blinding laser weapons. It participated actively in the negotiations in Vienna, which led to the adoption of a Protocol banning the use and transfer of laser weapons designed to cause permanent blindness and requiring parties to take all feasible precautions in the use of other laser systems on the battlefield to avoid the incidence of blindness. At the close of the Conference, the ICRC heralded this development as a victory of civilization over barbarity. The 26th International Conference of the Red Cross and Red Crescent in Geneva adopted a resolution welcoming this new instrument and urging States to declare themselves bound by its provisions at the earliest possible date. This resolution also recognizes that the negotiators in Vienna intended Protocol IV to apply not only to international armed conflicts, as provided for in the framework Convention, but also to non-international conflicts. For technical reasons this is not included in the Protocol as it stands: indeed, it had been decided to use the same wording as that in amended Article 1 of Protocol II on landmines, but negotiations on Protocol II had not yet been completed.

Other weapons

The ICRC continued to follow developments concerning other weapons, although for the purposes of the Review Conference it concentrated its efforts on mines and laser weapons. The resolution adopted by the 26th International Conference of the Red Cross and Red Crescent notes that proper attention should also be given to other existing conventional weapons, such as naval mines and small calibre weapons, and also to future weapons. Indeed, at the

Review Conference the governments of Sweden and Switzerland had submitted draft Protocols on naval mines and small calibre weapons, respectively. The negotiators did include in the draft final document of the Conference a reference to the need to consider other weapons.

The law of war at sea

The *San Remo Manual on International Law Applicable to Armed Conflicts at Sea*, along with its commentary, entitled the *Explanation*, was published in 1995 by Cambridge University Press and the *Manual* (without the *Explanation*) was also reproduced in the November-December issue of the *International Review of the Red Cross*. It will be recalled that the *Manual* is essentially a restatement, by an international group of experts, of contemporary customary law. The 26th International Conference of the Red Cross and Red Crescent adopted a resolution urging States to draft national manuals on the law of armed conflict at sea and in so doing to take into account as far as possible the provisions of the *San Remo Manual*.

Humanitarian assistance

When the civilian population of a State on the territory of which an armed conflict is taking place suffers serious hardship, the State in question has a duty to accept a relief operation which is exclusively humanitarian and impartial in nature and is conducted without any adverse distinction being made. Throughout 1995 the ICRC continued to remind States of this obligation, provided for under humanitarian law. It also pursued its analysis of the question of neutrality as applied to humanitarian assistance; its goal was to promote an objective understanding of neutral humanitarian aid, especially in the case of relief provided in connection with a collective action undertaken or decided on by the United Nations.

Displaced persons

In 1995 the ICRC pursued its operational and law-related activities in behalf of people displaced within their own countries. As victims of armed conflict or disturbances, which are the main causes of involuntary population movements, the displaced are protected by international humanitarian law and covered by the overall protection and assistance mandate of the ICRC; as such, they are entitled to various forms of help. For the institution, internally displaced persons are one of several categories of victims. Its activities in their behalf are described in the relevant operational chapters.

The ICRC also reminded the parties to various conflicts of their obligation to respect humanitarian law; if the law were strictly complied with, there would be fewer displacements of people, both within and outside their national borders. Indeed, in time of armed conflict the civilian population as a whole must be spared, and humanitarian law expressly prohibits forced population movements. The policy of "ethnic cleansing", which makes the departure of entire population groups the main stake of a war, is therefore an especially grave violation of humanitarian law.

During the year the ICRC took part in discussions in various international fora on the subject of displaced persons: in particular, it pursued its dialogue with the UN High Commissioner for Refugees and the Secretary-General's representative for the matter, and participated as an observer in the UN Inter-Agency Standing Committee's task force on internally displaced persons.

In February the ICRC took part in a round table on displaced persons organized by Norway. The same month it addressed the Human Rights Commission on the subject, as it did on the occasion of the UNHCR Executive Committee in October and the United Nations General Assembly in November. The ICRC also followed with great interest the preparatory work of the Regional Conference on the problems of refugees, returnees and displaced persons and on related population movements in the Commonwealth of Independent States and the neighbouring countries concerned: it thus attended several informal gatherings, a meeting of experts and sub-regional conferences in Ashkabad (Turkmenistan), Budapest (Hungary), Kyiv (Ukraine) and Tbilisi (Georgia).

From 23 to 25 October the ICRC organized a symposium on internally displaced persons, at which some 70 State representatives and delegates of intergovernmental and non-governmental agencies discussed the operational and legal aspects of the problem.

The question of refugees and displaced persons was also on the agenda of the 26th International Conference of the Red Cross and Red Crescent. The entire International Red Cross and Red Crescent Movement was encouraged to pursue its activities in accordance with its Fundamental Principles, in particular neutrality, impartiality and independence.

Environment

For the first time in the past four years, there were not many meetings devoted wholly or in part to questions regarding protection of the environment in time of armed conflict.

On the other hand, special efforts were made to disseminate the *Guidelines for military manuals and instructions on the protection of the environment in times*

of armed conflict, especially in view of the fact that in its resolution 49/50 the UN General Assembly invited States to promote broad circulation of their content and to consider the possibility of incorporating them in their respective military instruction manuals.

RELATIONS WITH OTHER ORGANIZATIONS IN THE REALM OF INTERNATIONAL HUMANITARIAN LAW

The ICRC pursued its cooperation with various intergovernmental and non-governmental organizations on the subject of dissemination and national measures for the implementation of humanitarian law. In particular, it continued to collaborate with the International Institute of Humanitarian Law in San Remo, Italy, which in 1995 celebrated 25 years of existence. The ICRC attended the Institute's 20th Round Table, which helped prepare the 26th International Conference of the Red Cross and Red Crescent, and also took part in the 11th international course on refugee law.

As usual, the ICRC attended the training session organized by the Tunis-based Arab Institute of Human Rights on the topic of human rights and humanitarian law, the 26th teaching session of the International Institute of Human Rights in Strasbourg, France, and seminars on humanitarian law organized for diplomats at the Geneva Graduate Institute of International Studies and New York University.

In addition, the ICRC took part in a number of courses, meetings and seminars held by organizations concerned with humanitarian law, such as the African Society of International and Comparative Law in Kampala, Uganda, the American Society of International Law in Washington, USA, the United Nations Institute for Training and Research and the International Peace Research Institute in Geneva, Switzerland, the *Institut für Friedenssicherungsrecht und humanitäres Völkerrecht* in Bochum, Germany, the Inter-American Institute of Human Rights in San José, Costa Rica, the Raoul Wallenberg Institute in Lund, Sweden, the *Bundesakademie für Sicherheitspolitik* in Bonn, Germany, and various universities the world over.

HEADQUARTERS AGREEMENTS

In 1995 the ICRC signed headquarters agreements with the following countries: South Africa (23 February) — the new agreement replacing a previous one dating from 1978, the Republic of Congo (17 May) and Ukraine (5 December). At the end of the year several other agreements were under negotiation.

Headquarters agreements entered into by the ICRC establish the legal status of the institution's delegations in the countries concerned, which derives from the international mandate conferred on the ICRC by the States. The institution thus has a status analogous to that of intergovernmental organizations and enjoys various immunities and privileges, which enable it to discharge its mandate with full independence. In 1990, the United Nations General Assembly had granted the ICRC observer status, thereby confirming its legal personality and international character.

STATES PARTY TO THE GENEVA CONVENTIONS AND THEIR ADDITIONAL PROTOCOLS

The following tables show which States were party to the Geneva Conventions of 1949 and to the two Additional Protocols of 1977, as at 31 December 1995. They also indicate which States had made the optional declaration under Article 90 of 1977 Protocol I, recognizing the competence of the International Fact-Finding Commission. The names of the countries given in the tables may differ from their official names.

The dates indicated are those on which the Swiss Federal Department of Foreign Affairs received the official instrument from the State that was ratifying, acceding to or succeeding to the Conventions and/or Protocols or accepting the competence of the International Fact-Finding Commission. Apart from the exceptions mentioned in the footnotes at the end of the tables, for all States the entry into force of the Conventions and of the Protocols occurs six months after the date given in the present document; for States which have made a declaration of succession, entry into force takes place retroactively, on the day of their accession to independence.

Abbreviations

Ratification (R): a treaty is generally open for signature for a certain time following the conference which has adopted it. However, a signature is not binding on a State unless it has been endorsed by ratification. The time limits having elapsed, the Conventions and the Protocols are no longer open for signature. The States which have not signed them may at any time accede or, where appropriate, succeed to them.

Accession (A): instead of signing and then ratifying a treaty, a State may become party to it by the single act called accession.

Declaration of Succession (S): a newly independent State may declare that it will abide by a treaty which was applicable to it prior to its independence. A State may also declare that it will provisionally abide by such treaties during the time it deems necessary to examine their texts carefully and to decide on accession or succession to some or all of them (declaration of provisional application). At present no State is bound by such a declaration.

Reservation/Declaration (R/D): a unilateral statement, however phrased or named, made by a State when ratifying, acceding or succeeding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State (provided that such reservations are not incompatible with the object and purpose of the treaty).

Declaration provided for under Article 90 of Protocol I (D 90): prior acceptance of the competence of the International Fact-Finding Commission.

AS AT 31 DECEMBER 1995

- States party to the 1949 Geneva Conventions: 186
- States party to the 1977 Additional Protocol I: 143
- States having made the declaration under Article 90 of Protocol I: 47
- States party to the 1977 Additional Protocol II: 134

COUNTRY	GENEVA CONVENTIONS		PROTOCOL I			PROTOCOL II	
	R / A / S	R/D	R / A / S	R/D	D90	R / A / S	R/D
Afghanistan	26.09.1956	R					
Albania	27.05.1957	R X	16.07.1993	A		16.07.1993	A
Algeria	20.06.1960	A	16.08.1989	A X	16.08.1989	16.08.1989	A
Andorra	17.09.1993	A					
Angola	20.09.1984	A X	20.09.1984	A X			
Antigua and Barbuda	06.10.1986	S	06.10.1986	A		06.10.1986	A
Argentina	18.09.1956	R	26.11.1986	A X		26.11.1986	A X
Armenia	07.06.1993	A	07.06.1993	A		07.06.1993	A
Australia	14.10.1958	R X	21.06.1991	R X	23.09.1992	21.06.1991	R
Austria	27.08.1953	R	13.08.1982	R X	13.08.1982	13.08.1982	R X
Azerbaijan	01.06.1993	A					
Bahamas	11.07.1975	S	10.04.1980	A		10.04.1980	A
Bahrain	30.11.1971	A	30.10.1986	A		30.10.1986	A
Bangladesh	04.04.1972	S	08.09.1980	A		08.09.1980	A
Barbados	10.09.1968	S X	19.02.1990	A		19.02.1990	A
Belarus	03.08.1954	R X	23.10.1989	R	23.10.1989	23.10.1989	R
Belgium	03.09.1952	R	20.05.1986	R X	27.03.1987	20.05.1986	R
Belize	29.06.1984	A	29.06.1984	A		29.06.1984	A
Benin	14.12.1961	S	28.05.1986	A		28.05.1986	A
Bhutan	10.01.1991	A					
Bolivia	10.12.1976	R	08.12.1983	A	10.08.1992	08.12.1983	A
Bosnia-Herzegovina	31.12.1992	S	31.12.1992	S	31.12.1992	31.12.1992	S
Botswana	29.03.1968	A	23.05.1979	A		23.05.1979	A
Brazil	29.06.1957	R	05.05.1992	A	23.11.1993	05.05.1992	A
Brunei Darussalam	14.10.1991	A	14.10.1991	A		14.10.1991	A
Bulgaria	22.07.1954	R X	26.09.1989	R	09.05.1994	26.09.1989	R
Burkina Faso	07.11.1961	S	20.10.1987	R		20.10.1987	R
Burundi	27.12.1971	S	10.06.1993	A		10.06.1993	A
Cambodia	08.12.1958	A					
Cameroon	16.09.1963	S	16.03.1984	A		16.03.1984	A
Canada	14.05.1965	R	20.11.1990	R X	20.11.1990	20.11.1990	R X
Cape Verde	11.05.1984	A	16.03.1995	A	16.03.1995	16.03.1995	A
Central African Republic	01.08.1966	S	17.07.1984	A		17.07.1984	A
Chad	05.08.1970	A					
Chile	12.10.1950	R	24.04.1991	R	24.04.1991	24.04.1991	R
China	28.12.1956	R X	14.09.1983	A X		14.09.1983	A
Colombia	08.11.1961	R	01.09.1993	A		14.08.1995	A
Comoros	21.11.1985	A	21.11.1985	A		21.11.1985	A
Congo	04.02.1967	S	10.11.1983	A		10.11.1983	A
Costa Rica	15.10.1969	A	15.12.1983	A		15.12.1983	A
Côte d'Ivoire	28.12.1961	S	20.09.1989	R		20.09.1989	R
Croatia	11.05.1992	S	11.05.1992	S	11.05.1992	11.05.1992	S

COUNTRY	GENEVA CONVENTIONS		PROTOCOL I			PROTOCOL II	
	R/A/S	R/D	R/A/S	R/D	D90	R/A/S	R/D
Cuba	15.04.1954	R	25.11.1982	A			
Cyprus	23.05.1962	A	01.06.1979	R			
Czech Republic	05.02.1993	S X	05.02.1993	S	02.05.1995	05.02.1993	S
Denmark	27.06.1951	R	17.06.1982	R X	17.06.1982	17.06.1982	R
Djibouti	06.03.1978 ¹	S	08.04.1991	A		08.04.1991	A
Dominica	28.09.1981	S					
Dominican Republic	22.01.1958	A	26.05.1994	A		26.05.1994	A
Ecuador	11.08.1954	R	10.04.1979	R		10.04.1979	R
Egypt	10.11.1952	R	09.10.1992	R X		09.10.1992	R X
El Salvador	17.06.1953	R	23.11.1978	R		23.11.1978	R
Equatorial Guinea	24.07.1986	A	24.07.1986	A		24.07.1986	A
Estonia	18.01.1993	A	18.01.1993	A		18.01.1993	A
Ethiopia	02.10.1969	R	08.04.1994	A		08.04.1994	A
Fiji	09.08.1971	S					
Finland	22.02.1955	R	07.08.1980	R X	07.08.1980	07.08.1980	R
France	28.06.1951	R				24.02.1984 ²	A X
Gabon	26.02.1965	S	08.04.1980	A		08.04.1980	A
Gambia	20.10.1966	S	12.01.1989	A		12.01.1989	A
Georgia	14.09.1993	A	14.09.1993	A		14.09.1993	A
Germany	03.09.1954	A X	14.02.1991	R X	14.02.1991	14.02.1991	R X
Ghana	02.08.1958	A	28.02.1978 ³	R		28.02.1978 ⁴	R
Greece	05.06.1956	R	31.03.1989	R		15.02.1993	A
Grenada	13.04.1981	S					
Guatemala	14.05.1952	R	19.10.1987	R		19.10.1987	R
Guinea	11.07.1984	A	11.07.1984	A	20.12.1993	11.07.1984	A
Guinea-Bissau	21.02.1974	A X	21.10.1986	A		21.10.1986	A
Guyana	22.07.1968	S	18.01.1988	A		18.01.1988	A
Haiti	11.04.1957	A					
Holy See	22.02.1951	R	21.11.1985	R X		21.11.1985	R X
Honduras	31.12.1965	A	16.02.1995	R		16.02.1995	R
Hungary	03.08.1954	R X	12.04.1989	R	23.09.1991	12.04.1989	R
Iceland	10.08.1965	A	10.04.1987	R X	10.04.1987	10.04.1987	R
India	09.11.1950	R					
Indonesia	30.09.1958	A					
Iran (Islamic Rep. of)	20.02.1957	R X					
Iraq	14.02.1956	A					
Ireland	27.09.1962	R					
Israel	06.07.1951	R X					
Italy	17.12.1951	R	27.02.1986	R X	27.02.1986	27.02.1986	R
Jamaica	20.07.1964	S	29.07.1986	A		29.07.1986	A
Japan	21.04.1953	A					
Jordan	29.05.1951	A	01.05.1979	R		01.05.1979	R

COUNTRY	GENEVA CONVENTIONS		PROTOCOL I			PROTOCOL II	
	R / A / S	R/D	R / A / S	R/D	D90	R / A / S	R/D
Kazakstan	05.05.1992	S	05.05.1992	S		05.05.1992	S
Kenya	20.09.1966	A					
Kiribati	05.01.1989	S					
Korea (Dem. People's. Rep. of)	27.08.1957	A X	09.03.1988	A			
Korea (Republic of)	16.08.1966 ⁵	A X	15.01.1982	R X		15.01.1982	R
Kuwait	02.09.1967	A X	17.01.1985	A		17.01.1985	A
Kyrgyzstan	18.09.1992	S	18.09.1992	S		18.09.1992	S
Lao People's Dem. Rep.	29.10.1956	A	18.11.1980	R		18.11.1980	R
Latvia	24.12.1991	A	24.12.1991	A		24.12.1991	A
Lebanon	10.04.1951	R					
Lesotho	20.05.1968	S	20.05.1994	A		20.05.1994	A
Liberia	29.03.1954	A	30.06.1988	A		30.06.1988	A
Libyan Arab Jamahiriya	22.05.1956	A	07.06.1978	A		07.06.1978	A
Liechtenstein	21.09.1950	R	10.08.1989	R X	10.08.1989	10.08.1989	R X
Luxembourg	01.07.1953	R	29.08.1989	R	12.05.1993	29.08.1989	R
Madagascar	18.07.1963	S	08.05.1992	R	27.07.1993	08.05.1992	R
Malawi	05.01.1968	A	07.10.1991	A		07.10.1991	A
Malaysia	24.08.1962	A					
Maldives	18.06.1991	A	03.09.1991	A		03.09.1991	A
Mali	24.05.1965	A	08.02.1989	A		08.02.1989	A
Malta	22.08.1968	S	17.04.1989	A X	17.04.1989	17.04.1989	A X
Mauritania	30.10.1962	S	14.03.1980	A		14.03.1980	A
Mauritius	18.08.1970	S	22.03.1982	A		22.03.1982	A
Mexico	29.10.1952	R	10.03.1983	A			
Micronesia	19.09.1995	A	19.09.1995	A		19.09.1995	A
Moldova (Republic of)	24.05.1993	A	24.05.1993	A		24.05.1993	A
Monaco	05.07.1950	R					
Mongolia	20.12.1958	A	06.12.1995	R X	06.12.1995	06.12.1995	R
Morocco	26.07.1956	A					
Mozambique	14.03.1983	A	14.03.1983	A			
Myanmar	25.08.1992	A					
Namibia	22.08.1991 ⁶	S	17.06.1994	A	21.07.1994	17.06.1994	A
Nepal	07.02.1964	A					
Netherlands	03.08.1954	R	26.06.1987	R X	26.06.1987	26.06.1987	R
New Zealand	02.05.1959	R X	08.02.1988	R X	08.02.1988	08.02.1988	R
Nicaragua	17.12.1953	R					
Niger	21.04.1964	S	08.06.1979	R		08.06.1979	R
Nigeria	20.06.1961	S	10.10.1988	A		10.10.1988	A
Norway	03.08.1951	R	14.12.1981	R	14.12.1981	14.12.1981	R
Oman	31.01.1974	A	29.03.1984	A X		29.03.1984	A X
Pakistan	12.06.1951	R X					
Panama	10.02.1956	A	18.09.1995	R		18.09.1995	R

COUNTRY	GENEVA CONVENTIONS		PROTOCOL I			PROTOCOL II	
	R / A / S	R/D	R / A / S	R/D	D90	R / A / S	R/D
Papua New Guinea	26.05.1976	S					
Paraguay	23.10.1961	R	30.11.1990	A		30.11.1990	A
Peru	15.02.1956	R	14.07.1989	R		14.07.1989	R
Philippines	06.10.1952 ⁷	R				11.12.1986	A
Poland	26.11.1954	R X	23.10.1991	R	02.10.1992	23.10.1991	R
Portugal	14.03.1961	R X	27.05.1992	R	01.07.1994	27.05.1992	R
Qatar	15.10.1975	A	05.04.1988	A X	24.09.1991		
Romania	01.06.1954	R X	21.06.1990	R	31.05.1995	21.06.1990	R
Russian Federation	10.05.1954	R X	29.09.1989	R X	29.09.1989	29.09.1989	R X
Rwanda	05.05.1964	S	19.11.1984	A	08.07.1993	19.11.1984	A
Saint Kitts and Nevis	14.02.1986	S	14.02.1986	A		14.02.1986	A
Saint Lucia	18.09.1981	S	07.10.1982	A		07.10.1982	A
Saint Vincent & Grenadines	01.04.1981	A	08.04.1983	A		08.04.1983	A
Samoa	23.08.1984	S	23.08.1984	A		23.08.1984	A
San Marino	29.08.1953	A	05.04.1994	R		05.04.1994	R
Sao Tome and Principe	21.05.1976	A					
Saudi Arabia	18.05.1963	A	21.08.1987	A X			
Senegal	18.05.1963	S	07.05.1985	R		07.05.1985	R
Seychelles	08.11.1984	A	08.11.1984	A	22.05.1992	08.11.1984	A
Sierra Leone	10.06.1965	S	21.10.1986	A		21.10.1986	A
Singapore	27.04.1973	A					
Slovakia	02.04.1993	S X	02.04.1993	S	13.03.1995	02.04.1993	S
Slovenia	26.03.1992	S	26.03.1992	S	26.03.1992	26.03.1992	S
Solomon Islands	06.07.1981	S	19.09.1988	A		19.09.1988	A
Somalia	12.07.1962	A					
South Africa	31.03.1952	A	21.11.1995	A		21.11.1995	A
Spain	04.08.1952	R	21.04.1989	R X	21.04.1989	21.04.1989	R
Sri Lanka	28.02.1959 ⁸	R					
Sudan	23.09.1957	A					
Suriname	13.10.1976	S X	16.12.1985	A		16.12.1985	A
Swaziland	28.06.1973	A	02.11.1995	A		02.11.1995	A
Sweden	28.12.1953	R	31.08.1979	R X	31.08.1979	31.08.1979	R
Switzerland	31.03.1950 ⁹	R	17.02.1982	R X	17.02.1982	17.02.1982	R
Syrian Arab Republic	02.11.1953	R	14.11.1983	A X			
Tajikistan	13.01.1993	S	13.01.1993	S		13.01.1993	S
Tanzania (United Rep. of)	12.12.1962	S	15.02.1983	A		15.02.1983	A
Thailand	29.12.1954	A					
The Former Y.R. Macedonia	01.09.1993	S	01.09.1993	S	01.09.1993	01.09.1993	S
Togo	06.01.1962	S	21.06.1984	R	21.11.1991	21.06.1984	R
Tonga	13.04.1978	S					
Trinidad and Tobago	24.09.1963 ¹⁰	A					
Tunisia	04.05.1957	A	09.08.1979	R		09.08.1979	R

COUNTRY	GENEVA CONVENTIONS		PROTOCOL I			PROTOCOL II	
	R / A / S	R/D	R / A / S	R/D	D90	R / A / S	R/D
Turkey	10.02.1954	R					
Turkmenistan	10.04.1992	S	10.04.1992	S		10.04.1992	S
Tuvalu	19.02.1981	S					
Uganda	18.05.1964	A	13.03.1991	A		13.03.1991	A
Ukraine	03.08.1954	R X	25.01.1990	R	25.01.1990	25.01.1990	R
United Arab Emirates	10.05.1972	A	09.03.1983	A X	06.03.1992	09.03.1983	A X
United Kingdom	23.09.1957	R X					
United States of America	02.08.1955	R X					
Uruguay	05.03.1969	R X	13.12.1985	A	17.07.1990	13.12.1985	A
Uzbekistan	08.10.1993	A	08.10.1993	A		08.10.1993	A
Vanuatu	27.10.1982	A	28.02.1985	A		28.02.1985	A
Venezuela	13.02.1956	R					
Viet Nam	28.06.1957	A X	19.10.1981	R			
Yemen	16.07.1970	A X	17.04.1990	R		17.04.1990	R
Yugoslavia	21.04.1950	R X	11.06.1979	R X		11.06.1979	R
Zaire	24.02.1961	S	03.06.1982	A			
Zambia	19.10.1966	A	04.05.1995	A		04.05.1995	A
Zimbabwe	07.03.1983	A	19.10.1992	A		19.10.1992	A

Lithuania

Party to the 1929 Geneva Conventions (sick and wounded, prisoners of war).

Palestine

On 21 June 1989, the Swiss Federal Department of Foreign Affairs received a letter from the Permanent Observer of Palestine to the United Nations Office at Geneva informing the Swiss Federal Council "that the Executive Committee

of the Palestine Liberation Organization, entrusted with the functions of the Government of the State of Palestine by decision of the Palestine National Council, decided, on 4 May 1989, to adhere to the Four Geneva Conventions of 12 August 1949 and the two Protocols additional thereto". On 13 September 1989, the Swiss Federal Council informed the States that it was not in a position to decide whether the letter constituted an instrument of accession, "due to the uncertainty within the international community as to the existence or non-existence of a State of Palestine".

- ¹ Djibouti's declaration of succession in respect of the First Convention was dated 26 January 1978.
- ² On accession to Protocol II, France made a communication concerning Protocol I.
- ³ Entry into force on 7 December 1978.
- ⁴ Entry into force on 7 December 1978.
- ⁵ Entered into force on 23 September 1966, the Republic of Korea having invoked Art. 62/61/141/157 common respectively to the First, Second, Third and Fourth Conventions (immediate effect).
- ⁶ An instrument of accession to the Geneva Conventions and their additional Protocols was deposited by the United Nations Council for Namibia on 18 October 1983. In an instrument deposited on 22 August 1991, Namibia declared its succession to the Geneva Conventions, which were previously applicable pursuant to South Africa's accession on 31 March 1952.
- ⁷ The First Geneva Convention was ratified on 7 March 1951.
- ⁸ Accession to the Fourth Geneva Convention on 23 February 1959 (Ceylon had signed only the First, Second, and Third Conventions).
- ⁹ Entry into force on 21 October 1950.
- ¹⁰ Accession to the First Geneva Convention on 17 May 1963.

DISSEMINATION OF INTERNATIONAL HUMANITARIAN LAW

Although 1995 brought hopes for the peaceful settlement or stabilization of some conflicts, wanton and ruthless violence still continued to claim countless victims all over the world.

In the course of its work in conflict situations, the ICRC was sadly forced to reach the conclusion that combatants were all too often unaware of humanitarian rules relative to the conduct of war or, more serious still, that they deliberately chose to flout them. Indeed, in the heat of battle moral precepts are rapidly forgotten or cast aside, especially when people have little knowledge of them to begin with.

The ICRC therefore decided that it was absolutely crucial to step up its efforts aimed at preventing violations of the humanitarian principles, although it is extremely difficult to measure the real impact of such activities. It accordingly expanded its programmes designed to increase awareness of humanitarian rules not only in crisis or conflict-stricken areas, but also in regions free of all strife or where peace had not yet taken a firm hold.

To enhance the effectiveness of its dissemination programmes in times of both war and peace, the ICRC tailored its methods to different cultural and political backgrounds. It called on States and all humanitarian and other organizations concerned to look to the future and to play an active part in promoting universal respect for humanitarian values.

In situations of violence

During 1995 the ICRC carried out dissemination activities in numerous situations of conflict, crisis or tension, for example, in Rwanda, Zaire (Kivu), Burundi, Liberia, Sierra Leone, Sudan, Angola, the former Yugoslavia, the Russian Federation (Chechnya), Georgia, Armenia, Azerbaijan, Tajikistan, Afghanistan, Sri Lanka, India (Kashmir), Colombia, Peru and in a number of places in the Middle East (e.g. in the occupied and the autonomous territories and Iraq).

- The ICRC's efforts focused on three main objectives:
- To prevent and limit violations of the humanitarian principles. The message that the ICRC endeavoured to put across to combatants was aimed at diminishing wanton violence, by establishing a link with local traditions and customs closely related to the fundamental rules of humanitarian law. Although it is extremely difficult to evaluate the impact of such work, the

	GENEVA CONVENTIONS	PROTOCOL I	PROTOCOL II
COUNTRY			
Turkey			
Turkmenistan			
Tyrol			
Uganda			
Ukraine			
United Arab Emirates			
United Kingdom			
United States of America			
Uruguay			
Uzbekistan			
Yamalo			
Venezuela			
Viet Nam			
Yemen			
Yugoslavia			
Zam			
Zambia			
Zimbabwe			

ICRC hopes that a sustained and determined effort, adapted to each specific target group, will be effective in the long term, especially since dissemination programmes were carried out concurrently with ICRC activities to protect and assist the civilian population.

- To gain access to victims, even in the remotest areas. The ICRC made extensive use of local radio stations across the political spectrum. To try and ensure the greatest possible degree of safety for personnel involved in humanitarian operations, messages were regularly broadcast in local languages to remind both combatants and civilians of the apolitical nature of the ICRC's protection and assistance.
- To alleviate human suffering, by helping family members separated by conflict to stay in contact with each other. Local radio stations were also used to broadcast messages informing people that they had the right to try to locate missing relatives by initiating tracing procedures, to send family news by means of Red Cross messages, to be informed of the whereabouts of detained relatives and to visit them in their places of detention.

New methods adapted to local culture

In Ethiopia, a children's circus was chosen as the best medium for reaching the general public. The artists are streetchildren who are themselves likely to be the primary victims of violence or else drawn into armed groups. Basic humanitarian values are portrayed through scenes illustrating the Fundamental Principles and the main activities of the International Red Cross and Red Crescent Movement. In 1995 six private circuses gave regular performances all over the country, with an audience of 100,000 people. The show's humanitarian message was very well received by children and adults alike.

In Peru and Armenia, puppet shows were used to combine education and entertainment. In both cases the troupes were made up of professional artists who were out of work on account of the situation in their respective countries. The sketches, based on events past and present, focused on respect for civilians and non-combatants and conveyed a message of hope. The shows were intended for young people, soldiers, policemen and the population in general.

In schools and universities

A number of pilot programmes incorporated in literature and language teaching were launched in 1995, notably in the Commonwealth of Independent States.

In the spring of 1995 experimental projects were introduced in secondary schools for 34,500 thirteen-year-olds in Armenia, Azerbaijan, Georgia and the Russian Federation, and in the autumn a wider programme was launched in

15 regions of the Russian Federation, reaching 72,000 pupils. The programme consists of 21 hours of classes based on teaching kits specially devised for the purpose, in close cooperation with the Ministries of Education in the different regions. Similar material, adapted to local conditions in other regions, was to be issued in early 1996. Overall, some 110,000 handbooks were printed and distributed and 85 seminars organized to coach teachers in their use.

The first surveys conducted among the teaching staff and the authorities revealed definite interest and support for the programmes, whose specificity lies in the originality of the themes and method chosen. The ICRC concurrently worked together with the State Committee for Higher Education and the office of the President of the Russian Federation with a view to having the teaching of humanitarian law incorporated in the proposed law on education, in particular for students in faculties of law, international relations, political science and journalism. A project aimed at providing instruction in humanitarian law at university level was under way in Georgia, while others were under consideration for Armenia, Azerbaijan and the republics in Central Asia.

A number of universities and institutes in Western Europe as well as UNESCO were approached for financial and other support.

Women and children in war

A documentary filmed in the Middle East — in the occupied and autonomous territories, Lebanon and Iraq — provides a first-hand account of the cruelty of conflict: four women and children scarred by war talk of the physical and mental suffering they endured and of their daily struggle to erase the terrible legacy of violence.

The commentary is read by a well-known Egyptian actress, Faten Hamama, and the destinies portrayed are an eloquent appeal for rules of humanitarian law to be more widely respected, especially those affording protection to women and children in time of war.

The film, completed in November 1995, was broadcast on two occasions in the countries of the Middle East on an Egyptian satellite-TV channel and presented by the ICRC in London to 300 journalists and news correspondents from Arab countries. Plans were being made for it to be shown in 1996 on national televisions in the region and during the numerous seminars and presentations on humanitarian law organized there by the ICRC.

Training National Society staff

In a number of countries the ICRC took part in training courses aimed at providing National Societies with instructors who would carry out and develop their own dissemination programmes, especially for young people.

In June the ICRC organized a training course for dissemination officials from ten National Societies of Central Europe and the Balkans; the course was followed up by the ICRC with the assistance of the National Societies of Albania, Bulgaria and the Former Yugoslav Republic of Macedonia.

The ICRC provided support for several training programmes and courses organized by Red Cross Youth, notably in the Czech Republic and in Bulgaria.

Role played by States

As a follow-up to the International Conference for the Protection of War Victims (Geneva, 30 August — 1 September 1993), the Intergovernmental Group of Experts for the Protection of War Victims met in Geneva from 23 to 27 January 1995 to seek practical means of promoting full compliance with international humanitarian law (IHL) and thereby ease the plight of war victims.

The experts adopted a series of recommendations intended to give concrete expression to the States' resolve, as reaffirmed in 1993, to take the necessary steps to ensure better understanding of and respect for humanitarian law. Several of the recommendations deal with dissemination of humanitarian law, in particular Recommendation IV, in which the experts propose that:

- the ICRC, in carrying out its mandate to disseminate IHL, work together, wherever possible, with other interested bodies including the International Federation, UN organs and specialised agencies, and regional organisations;
- States, on a regional and global basis, promote exchanges of information on dissemination and implementation of IHL;
- the ICRC prepare, in cooperation with experts from various geographical regions, a model manual for armed forces on the law of international and non-international armed conflicts;
- States produce national manuals on the law of armed conflicts, use them as an integral part of military training, and where possible, consult among themselves with a view to harmonising such manuals;
- States increase their efforts, at national and international levels, to train civilian and military instructors in IHL, and to train in that law members of civilian administrations, armed forces, security forces and paramilitary forces, and members of armed forces engaged in international peacekeeping operations, according to their specific ranks and functions;
- States, where appropriate with the assistance of National Societies, increase the civilian population's awareness of IHL, thus contributing to the dissemination of a culture based on respect for the individual and human life, in all circumstances;

- States, in collaboration with National Societies, take advantage of the celebration of World Red Cross and Red Crescent Day to promote the dissemination of IHL;
- States, where appropriate with the assistance of National Societies and academic institutions involved in public education, make every effort to produce specific programmes and teaching materials designed to imbue students of all ages with the principles of IHL and make those programmes available to interested States;
- States, the ICRC, National Societies and the International Federation of Red Cross and Red Crescent Societies encourage the production of audiovisual materials and the organisation of seminars in order to heighten awareness of IHL issues among representatives of the national and international media;
- the ICRC and States make efforts to provide technical assistance in order to ensure that basic documents of IHL are widely available in national languages;
- the Conference note that religious and ethical values foster respect for human dignity and the principles of IHL.

Recommendation VI, for its part, suggests that States should be invited by the Conference to provide to the ICRC any information which might be of assistance to other States in their efforts to disseminate and implement humanitarian law and that the ICRC should continue to participate actively in efforts to spread knowledge of the law and to apply its provisions, so as to facilitate the execution of such measures.

The experts' recommendations, which make up an ambitious programme for the future, were endorsed by the 26th International Conference of the Red Cross and Red Crescent when it met in Geneva from 3 to 7 December 1995.

Material and human resources, organization

To meet the numerous challenges described above, in 1995 the ICRC relied on the services of over 40 expatriate delegates — five of them specialized in dissemination to the armed forces — and more than 200 local staff in various ICRC delegations. The main role of such personnel is to set up programmes adapted to each specific cultural and political context and to the prevailing situation, i.e., peace, tension, conflict or return to peace.

Several ICRC delegations in Asia thus produced a wide range of publications; for instance, 438,000 brochures and manuals were distributed in Sri Lanka, 88,000 in Cambodia, 64,000 in Afghanistan and 16,000 in the Philippines; the main recipients were members of the armed forces, government authorities, opposition groups and National Red Cross or Red Crescent Society staff.

The topics covered were also adapted to each particular situation. In Yemen, for instance, the ICRC trained Red Crescent volunteers who used specially produced teaching materials to conduct a campaign among 66,000 schoolchildren and raise their awareness of anti-personnel mines, which infest the south of the country.

The different means and methods employed and the content of the message are all key elements in the ICRC's dissemination strategy and are constantly reassessed.

Lastly, particular emphasis was laid during the year on training specialized dissemination staff. Three two-week courses were organized for 60 people (as compared with only one course for 20 people in 1994); the objective was to make the participants more familiar with ICRC working procedures in this area and thereby enhance the effectiveness of dissemination programmes.

Dissemination among the armed forces

The creation of the ICRC's Division for Dissemination to the Armed Forces in October 1994 did not in any way modify the nature or the permanent goals of the institution's efforts to convince both regular armed forces and other groups bearing weapons to respect international humanitarian law. On the other hand, the Division has enabled the ICRC to gain broader visibility and credibility, as well as to promote technical and educational know-how in this field. It has also contributed to the debate aimed at clarifying the ICRC's position within today's new humanitarian environment, and bears witness to the importance that the institution attaches to this component of dissemination work and to the ICRC's resolve to become more actively involved in this area.

During the year under review, additional staff was deployed to step up dissemination among the armed forces in the field, and military officers from various countries were taken on to work as instructors in humanitarian law.

To follow up one of the recommendations put forward by the Intergovernmental Group of Experts for the Protection of War Victims, which met in Geneva in January 1995, the ICRC convened a meeting of officers representing various geographical regions to prepare a draft model manual for armed forces on international humanitarian law.

Following the ICRC's adoption of guidelines on dissemination of humanitarian law and human rights law for members of security and police forces, a number of pilot projects were launched in Africa and Asia. This enabled the institution to respond to operational needs arising from new types of conflict, marked by a growing difficulty to distinguish between combatants belonging to regular army troops and other groups bearing weapons.

In order to strengthen the implementation of humanitarian law, which requires endorsement by the high command of regular armed forces worldwide, the ICRC organized several meetings for officers involved in military strategy. This included a meeting in Geneva that brought together commanders-in-chief from 15 English-speaking countries in Africa; a symposium with the participation of three generals formerly in command of various United Nations peace-keeping operations; and a seminar for senior military officers and officers in charge of security forces in Central and South America and the Caribbean. The ICRC also invited the Deputy Chief of Staff of the Russian federal armed forces for an exchange of views on the topic of humanitarian law within a new strategic environment with military officers from India, Sweden, Switzerland and the United States.

In view of the growing number and scope of UN peace-keeping operations, ICRC representatives attended various meetings aimed at clarifying the respective roles of the military, humanitarian organizations and political leaders in current crisis situations.

To enhance instruction in humanitarian law, the ICRC developed new computer-assisted teaching materials for different levels of the military hierarchy, and devised a decision-making exercise for senior military tacticians.

The various seminars and workshops organized by the ICRC all over the world were attended by as many as 4,390 officers from 83 different countries.

ICRC ACTION WITHIN THE MOVEMENT

COUNCIL OF DELEGATES AND THE INTERNATIONAL CONFERENCE OF THE RED CROSS AND RED CRESCENT

The year under review was marked by statutory meetings of the International Red Cross and Red Crescent Movement — the Council of Delegates and the 26th International Conference of the Red Cross and Red Crescent, which met in Geneva from 1 to 7 December 1995. These meetings were particularly important because the International Conference had been unable to meet for nine years. Both gatherings, organized jointly by the ICRC and the International Federation of Red Cross and Red Crescent Societies, were crowned with success, since they led to a strengthening of the unity of the Movement and provided an opportunity to intensify the dialogue with the States party to the Geneva Conventions concerning the application and implementation of international humanitarian law and other matters of common interest.

Council of Delegates

The Council of Delegates, which is made up of representatives of the Movement (i.e., the National Societies, the ICRC and the Federation), was held in Geneva on 1 and 2 December 1995, at the invitation of the ICRC and the Federation. Following a tradition which goes back to the origins of the Movement, the President of the ICRC chaired the Council's deliberations. Eight National Societies (Andorra, Azerbaijan, Belarus, Equatorial Guinea, the Former Yugoslav Republic of Macedonia, Turkmenistan and Uzbekistan), recognized by the ICRC since the previous Council of Delegates in 1993, took part in these meetings as full members for the first time.

In accordance with the Statutes of the Movement, the Council of Delegates met before the 26th International Conference in order to approve the latter's agenda and propose the persons to fill the posts of officers of the Conference. The Council adopted a resolution appealing to all participants in the Conference to ensure that its proceedings would be conducted from a strictly humanitarian perspective, in conformity with the Fundamental Principles, requesting all National Societies to convey that appeal to their respective governments and stressing the Movement's commitment to holding the Conference irrespective of any difficulties that might arise.

The Council's debates centred on the future of the Movement. The participants took note of the report and recommendations of the Policy and

Planning Advisory Commission set up by the Council of Delegates at its meeting in Birmingham in 1993 to examine the functioning of the Movement and help it become better prepared for the challenges of the future. The Council approved a series of measures designed to strengthen the unity and cohesion of the Movement: in particular, it decided on a reorganization of its own work, to enable it to deal more effectively with substantive matters of interest to the entire Movement; it renewed the mandate of the Policy and Planning Advisory Commission for a further two years and called upon the Commission *inter alia* to study the possibility of a review of the Agreement of 20 October 1989 between the ICRC and the Federation, as well as the development of functional cooperation between the two institutions; finally, it took steps to strengthen the role of the Standing Commission of the Red Cross and Red Crescent and requested it to consult government experts on the question of the emblem. The Council also adopted a resolution specifically designed to enhance functional cooperation between the ICRC and the Federation.

The Commission on the Red Cross, Red Crescent and Peace submitted its final report and the Council endorsed its recommendations, inviting the Commission to continue to reflect and work on the Movement's contribution to peace.

Three of the resolutions adopted were devoted to conflict victims. The first relates to the protection of children and urges the Movement to promote the principle of non-recruitment and non-participation of children under the age of 18 in armed conflicts. The second resolution reiterates the principle that Red Cross and Red Crescent institutions do not use armed protection, except in very clearly defined and exceptional situations. Thirdly, the Council declared that a total ban on anti-personnel landmines was the only way to prevent indiscriminate use of such weapons, which had disastrous consequences for the civilian population and humanitarian action, and urged all the components of the Movement to make every effort to bring about such a ban.

Another resolution invites the ICRC and the Federation, in cooperation with the National Societies, to adapt the Movement's information policy in order to take full account of new technology in matters of communication and to present the activities of the Movement's components in a more concerted manner.

The Council of Delegates moreover invited the co-founding bodies of the Henry Dunant Institute to redefine the role and functions of the Institute before the end of 1996, in order to strengthen its contribution to the policies and strategies of the Movement.

Finally, the Commission for the Financing of the ICRC saw its mandate renewed for another two years.

Henry Dunant Medal

Six members of the Movement were awarded the Henry Dunant Medal, three of them posthumously, for their dedication to the ideals of the Red Cross and Red Crescent. Their names are as follows:

Dr Hugo Ernesto Merino Grijalva, former President of the Ecuadorean Red Cross;

Ms Jacqueline Briot, of the French Red Cross;

Botho Prince of Sayn-Wittgenstein-Hohenstein, Chairman of the Standing Commission;

Tunku Tan Sri Mohammed, former Chairman of the Malaysian Red Crescent Society (posthumous award);

Professor Hans Haug, former President of the Swiss Red Cross, former Vice-President of the Federation and honorary member of the ICRC (posthumous award):

Dr Esmildo Gutierrez Sanchez, former Secretary General of the Cuban Red Cross (posthumous award).

Standing Commission of the Red Cross and Red Crescent

The Standing Commission is made up of National Society members elected by the International Conference and representatives of the ICRC and the Federation. Its principal functions are to make arrangements for the International Conference and the Council of Delegates. The Standing Commission met four times in 1995, on 14 and 15 February, 1 and 2 May, 16 and 17 September and 24 November. Its work focused on preparations for the Council of Delegates and the 26th International Conference, which met, respectively, on 1 and 2 December and from 3 to 7 December in Geneva.

The composition of the Standing Commission was renewed by the 26th International Conference (see page 297).

Policy and Planning Advisory Commission

The Policy and Planning Advisory Commission, which comprises 12 members appointed *ad personam* (six from National Societies, three from the ICRC and three from the Federation), met four times in the course of the year, on 18 and 19 January, from 4 to 6 April, from 20 to 22 June and on 12 and 13 September. It has a two-year mandate, and half of its budget is financed by the National Societies, while the other half is covered in equal parts by the ICRC and the Federation. The Commission has an independent secretariat at the Henry Dunant Institute in Geneva.

The Advisory Commission's final report was submitted to the Council of Delegates and covered the tasks explicitly assigned to it by Resolution 1 of the

1993 Council of Delegates in Birmingham, namely to study the functions of the Standing Commission, to identify the procedures for establishing the Council of Delegates as the supreme deliberative body for internal matters of the Movement and to improve functional cooperation between the Movement's components. The report also referred to some questions of principle concerning the Movement as a whole, such as issues relating to the emblem, external factors affecting the Movement and guidelines for a future strategy for action.

The Council of Delegates endorsed this report and decided in its Resolution 3 to re-establish for a further two years an independent Advisory Commission, with members appointed *ad personam* by joint decision of the Presidents of the ICRC and the Federation and the Chairman of the Standing Commission, in consultation with the Chairman of the outgoing Commission.

Commission on the Red Cross, Red Crescent and Peace

The Commission on the Red Cross, Red Crescent and Peace, whose mandate had just come to an end, submitted its final report to the Council of Delegates.

The Commission, set up in 1977, was composed of representatives of the ICRC, the Federation, the Henry Dunant Institute and 16 National Societies (Australia, Brazil, Colombia, the Democratic People's Republic of Korea, Egypt, Ethiopia, France, Greece, Hungary, Malaysia, Nigeria, Paraguay, the Republic of Korea, Sudan, Sweden and Tunisia).

The Commission held its last meeting on 20 October 1995 in Geneva, in order to finalize and clarify the general and specific recommendations set out in its report.

Bearing in mind the termination of its mandate and also the fact that work on the prevention of conflicts had to continue, the Commission emphasized the importance of pursuing the Movement's activities for peace. Among the issues it identified was that of the transfer of weapons and its consequences in humanitarian terms. The Commission expressed the hope that the Movement's role and attitude in that regard would be studied and clarified.

The Commission also made proposals on various other subjects. Its recommendations included:

- Further study of the Movement's contribution to respect for the rights of the child, with special emphasis on the need to pursue efforts being made for street children and exploited children (forced labour, child prostitution); and an analysis of what the Movement in general and the National Societies in particular were doing in that area and of what practical steps could be taken.

- Implementation of the conclusions of the study carried out by the Henry Dunant Institute on the role of National Societies in preventing tension and conflicts involving minorities.
- Support for the work done by the Federation on the question of health and AIDS in connection with respect for human rights.

Finally, the Commission pointed out that the Movement was also working for peace through its activities and its spirit of tolerance, which were conducive to preventing disregard for human rights and tension arising from differences of culture or ethnic background.

The Council of Delegates entrusted the Standing Commission with the task of pursuing the study and work on the prevention of conflicts and the Movement's contribution to peace.

Twenty-sixth International Conference of the Red Cross and Red Crescent

The 26th International Conference of the Red Cross and Red Crescent met in Geneva from 3 to 7 December, under the chairmanship of Ms Astrid Heiberg, President of the Norwegian Red Cross. It brought together some 1,200 delegates representing 143 States party to the Geneva Conventions, 166 National Red Cross and Red Crescent Societies, the International Federation of Red Cross and Red Crescent Societies and the International Committee of the Red Cross. In addition, the representatives of 68 international, regional and non-governmental organizations and of several emerging National Societies attended the proceedings as observers.

Emphasis was placed on humanitarian action in today's troubled world, with the proliferation of armed conflicts causing untold suffering among the civilian population, the erosion of respect for international humanitarian law and all the challenges facing humanitarian organizations on the eve of the twenty-first century. The Conference strongly condemned the abuses being committed in various parts of the world and made specific recommendations, urging States to take adequate steps to put an end to such abuses. These recommendations appear in five resolutions, which are summarized below.

The convening of the 26th Conference was particularly important because this major gathering had not been held for nine years: an earlier attempt to hold the International Conference in Budapest in 1991 had failed since the Conference had been adjourned *sine die* less than two days before the inaugural ceremony, because governments had not succeeded in reaching agreement as to the form that Palestinian participation in the proceedings should take.¹

¹ See the ICRC's 1991 Annual Report, p. 135.

Being anxious to avoid the stumbling blocks previously encountered, the ICRC and the Federation, which were joint organizers of the Conference, set up a Support Group to help with the diplomatic preparations. This Group, composed of the heads of the permanent missions of 24 States, held eight meetings, and some smaller groups created to solve specific problems convened frequently. The ICRC and the Federation also received effective support from a commissioner made available by the Swiss Confederation, Ambassador Jean-Daniel Biéler.

The most sensitive issue was that of the representation of the Federal Republic of Yugoslavia, several States having declared that they would oppose any participation by a delegation of the Yugoslav government. In the end, this government decided not to attend the Conference, although the Yugoslav Red Cross did participate in the debates.

The Chairman of the Standing Commission, Botho Prince of Sayn-Wittgenstein-Hohenstein (German Red Cross), opened the International Conference, appealing to all governments to support the work of the Movement and its efforts to make humanitarian action more effective. The President of the ICRC, Cornelio Sommaruga, stressed the need to contain the current surge of violence and to make every effort to prevent and alleviate the suffering of victims of armed conflicts and natural disasters. The President of the Federation, Mario Villarroel Lander, said that the Conference afforded a unique opportunity to enhance respect for human dignity and to give new impetus to the Movement's Fundamental Principles. On behalf of the host country, the President of the Swiss Confederation, Kaspar Villiger, urged governments to mobilize all their resources to improve the plight of victims the world over and to increase their support for humanitarian organizations. Finally, the President of the State Council of the Republic and Canton of Geneva, Olivier Vodoz, thanked the delegates for their commitment, their courage and their determination to promote respect for the humanitarian principles.

At the first plenary meeting, the Presidents of the ICRC and the Federation referred to the humanitarian challenges that were emerging on the eve of the twenty-first century in connection with armed conflicts and their victims, disaster situations and the poverty engendered by disparities in economic development.

The President of the Federation said that the Movement could play a leading role in reflecting on topical humanitarian issues and that the suffering of the victims could be alleviated by sustained development and the promotion of voluntary service. He stressed the need to strengthen the dialogue between the Movement and governments. Referring to the *Code of Conduct* for organizations taking part in disaster relief operations, he advanced the idea of a similar code to deal with the humanitarian consequences of sanctions and peace-making operations.

The President of the ICRC emphasized that the world was weighed down by the victims of too many tragedies. It was in the name of the victims, particularly those of war, that he was addressing the Conference. Solidarity with those victims was what gave the Movement its strength, which was expressed through the complementary activities of its components — the National Societies, their Federation and the ICRC. The Movement was more than ever in need of the commitment of governments. The Conference played a particularly important role as the main forum for humanitarian dialogue. Amidst all the fire and passion aroused by the dreadful events in Rwanda, the former Yugoslavia, Afghanistan, Sri Lanka, Somalia, Sudan and Sierra Leone, not to mention the human tragedies that had ensued from the break-up of the former USSR, it was essential to rebuild the system of values that lay at the heart of the Red Cross and Red Crescent ideal: the rights of victims, the right to receive assistance, and respect for humanitarian endeavour. To ensure that humanitarian action was universally recognized and respected, the President of the ICRC proposed a new contract of humanity, whereby States and the entire international community would undertake to give their unreserved support to efforts aimed at applying humanitarian law. This would imply, among other things:

- speeding up the process of ratification of the existing instruments of humanitarian law;
- intensifying efforts to disseminate the law;
- reaffirming that the rules governing the conduct of hostilities in international conflicts must also be observed in internal conflicts;
- doing everything possible to punish those who committed grave breaches of humanitarian law, in accordance with the provisions of the Geneva Conventions;
- preserving an independent space for humanitarian action in armed conflicts.

The International Conference then split up into two Commissions to deal with the various items on its agenda:

- Commission I focused on *war victims and respect for international humanitarian law*, and was chaired by Ambassador Hisashi Owada (Japan).
- Commission II concentrated on *humanitarian values and response to crises*, and was chaired by Ousmane Diagne, President of the Senegalese Red Cross Society.

The Conference also set up a Drafting Committee, under the chairmanship of Ambassador Philippe Kirsch of Canada, with the task of finalizing the draft resolutions prepared by the ICRC and the Federation after widespread consultations.

Commission I had to examine the follow-up to the International Conference for the Protection of War Victims, held in Geneva in 1993. It also had on its agenda the issue of respect for and application of humanitarian law, particularly

with regard to the protection of the civilian population in time of war and the use of certain weapons. It submitted three resolutions to the plenary meeting of the Conference.

Commission II focused on matters relating to principles and response in international humanitarian assistance and protection (including the question of guarantees for access to the victims) and on the steps to be taken to enhance the capacity of National Societies to come to the aid of the most vulnerable groups. The Commission submitted two resolutions to the plenary meeting.

Over 200 delegates representing governments, National Societies or observers took the floor during the meetings of the Conference's two plenary Commissions.

The resolutions adopted were devoted to the following topics:

Resolution 1

The 26th International Conference endorsed the Final Declaration of the International Conference for the Protection of War Victims (Geneva, 30 August — 1 September 1993), which confirms the need to reinforce implementation of and respect for international humanitarian law, and also the Recommendations drawn up by the Intergovernmental Group of Experts for the Protection of War Victims, which met in Geneva in January 1995. The Conference thus took a stand on a number of particularly serious humanitarian issues and condemned violations of humanitarian law being committed in various parts of the world. The resolution urges States to enhance the application and dissemination of humanitarian law and invites the Swiss authorities to organize a meeting of the States party to the Geneva Conventions every two years, in order to examine general problems of implementation of humanitarian law and to seek practical means of promoting its application.

Resolution 2

In this resolution, the International Conference, alarmed by the upsurge in serious violations of humanitarian law in current conflicts, strongly condemned acts committed in breach of the law, particularly the systematic and massive killing of civilians. It went on to express its concern at the increasing difficulties encountered by humanitarian organizations in performing their tasks and at the proliferation of weapons, especially those which might have indiscriminate effects or cause unnecessary suffering.

The resolution reminds States of their obligation to repress violations of humanitarian law. Acts of sexual violence, particularly rape, committed during armed conflicts are strongly condemned as war crimes and, under certain circumstances, as crimes against humanity. The resolution calls for the

establishment and strengthening of mechanisms (such as the *ad hoc* tribunals recently set up for the former Yugoslavia and for Rwanda) to investigate such acts, and to bring to justice and punish all those responsible.

Resolution 2 also contains several sections relating to specific issues:

- With regard to women: the resolution expresses outrage at practices of sexual violence in armed conflicts, in particular the use of rape as an instrument of terror. It urges that strong measures be taken to provide women with the protection and assistance to which they are entitled under humanitarian law.
- Protection of children in armed conflict: Resolution 2 recommends in particular that parties to conflict refrain from arming children under the age of 18 years and do everything in their power to prevent them from taking part in hostilities.
- Family reunification: the plight of dispersed families is emphasized as a serious humanitarian issue, and parties to conflict must facilitate the reuniting of family members, the tracing of those missing in armed conflicts and the work of the competent organizations.
- Civilian population affected by famine: any deliberate attempt to starve the civilian population in armed conflicts constitutes a violation of humanitarian law and is strongly condemned in the resolution. Warring parties have the obligation to accept impartial humanitarian relief operations and to maintain conditions in which the civilian population is able to provide for its own needs.
- Civilian population deprived of water: parties in conflict are called upon to take all feasible precautions to avoid damaging water supply systems used by civilians and to ensure the protection of personnel responsible for maintaining and repairing those systems.
- Anti-personnel landmines and other weapons: the resolution expresses the deep concern and indignation of the Conference at the use of anti-personnel mines, which kill or maim hundreds of people (mostly civilians) every week. It urges States to step up their efforts to adopt strong and effective measures for the regulation or prohibition of these weapons and also requests them to consider further measures to ban the use of other weapons which may be excessively injurious, such as blinding laser weapons. It further urges States to declare themselves bound by the new Protocol on blinding laser weapons.

Resolution 3

This deals with international humanitarian law applicable to armed conflicts at sea. It welcomes the completion of the *San Remo Manual* on the subject and encourages States to take that text into account when drafting manuals and other instructions for their naval forces.

Resolution 4

This resolution relates to principles and action in international humanitarian assistance and protection. It calls upon States to recognize the need for the Movement to maintain a clear separation between its humanitarian work and action of a political, military or economic nature taken by governments, inter-governmental bodies and other agencies in situations of armed conflict and other crises.

Resolution 4 also deals with the situation of refugees and internally displaced persons, whose numbers have increased dramatically over the past decade, and calls upon States to respect and ensure respect for humanitarian law by prohibiting the forced displacement of civilians and to ensure unimpeded access to these victims for humanitarian organizations (ICRC, Federation, UNHCR, etc.), so that they can provide them with assistance in accordance with their respective mandates.

States and National Societies are also invited to encourage non-governmental organizations to abide by the principles and spirit of the *Code of Conduct* for organizations taking part in disaster relief operations and to declare themselves bound by this Code by signing the register opened for this purpose at the Federation. States are moreover requested to take note of the guidelines on the role of National Societies in response to technological disasters.

Resolution 5

This resolution encourages the components of the Movement to continue their support for the development of National Societies, so that the latter are better prepared to react promptly in the event of natural or man-made disaster and provide protection and assistance to the most vulnerable. It also appeals to governments to increase support for their National Societies and in general to make more productive use of the potential of humanitarian organizations.

(In its January-February 1996 issue, the *International Review of the Red Cross* published a summary of the deliberations of the Council of Delegates and the 26th International Conference, together with the complete texts of the resolutions adopted at those meetings.)

Election of the members of the Standing Commission

The 26th International Conference elected the following five people as members of the Standing Commission:

- HRH Princess Margriet of the Netherlands (The Netherlands Red Cross);
- Mrs Christina Magnuson (Swedish Red Cross);
- Dr Guillermo Rueda Montaña (Colombian Red Cross):

- Mr Tadateru Konoe (Japanese Red Cross Society);
- Dr Byron R. Hove (Zimbabwe Red Cross Society).

The Standing Commission appointed Princess Margriet to the position of Chairwoman and Dr Hove to that of Vice-Chairman.

One of the Commission's tasks is to prepare the provisional agenda and programme of the International Conference. Moreover, the 26th International Conference requested the Standing Commission to set the place and date of the next International Conference, which should be held in 1999.

RELATIONS WITH THE OTHER COMPONENTS OF THE MOVEMENT

National Societies

Visits to ICRC headquarters by National Society representatives

In 1995, at the request of the individuals concerned or by express invitation, the ICRC organized 70 visits for 202 people, including presidents, vice-presidents, secretaries-general, directors, staff members and volunteer workers from National Societies worldwide.

For most of these people, the visits provided an opportunity to enhance their knowledge of the ICRC and its operational activities and to exchange views with staff members from various units of the institution. They also served to establish relations of mutual trust, thus promoting dialogue and the development of strategy for cooperation.

International Federation of Red Cross and Red Crescent Societies

Joint ICRC/Federation Commission for National Society Statutes: recognition of new National Societies

On the basis of the recommendations of the Joint ICRC/Federation Commission for National Society Statutes, the ICRC Assembly recognized the following six National Societies:

- Red Crescent Society of Turkmenistan, on 24 August;
- Red Crescent Society of Uzbekistan, on 24 August;
- Armenian Red Cross Society, on 1 November;

- Red Crescent Society of Azerbaijan, on 1 November;
- Red Cross Society of Belarus, on 1 November;
- Red Cross of the former Yugoslav Republic of Macedonia (Makedonski crven krst), on 1 November.

The number of recognized National Societies thus stood at 169 at the end of the year. Nine emerging National Societies participated as observers in the 26th International Conference and in the meetings preceding it.

The Joint Commission met seven times in 1995. In accordance with Resolution VI of the 22nd International Conference (Tehran, 1973) and Resolution XX of the 24th International Conference (Manila, 1981), it monitored application of and respect for the rules governing recognition of new National Societies and admissions to the Federation. It also examined the amendments that National Societies proposed to make to their statutes and made the appropriate recommendations to them to ensure that these statutes remained in conformity with the conditions for recognition and the Movement's Fundamental Principles.

Joint ICRC/Federation meetings

In addition to the practically daily contacts between staff members of the two institutions, the 1989 ICRC/Federation Agreement provides for joint meetings at least three times a year. In practice, it has proved useful to hold such meetings more frequently, as they are an opportunity to take decisions and to keep both sides informed of matters of common interest.

ICRC and Federation leaders met seven times in 1995, devoting most of their discussions to preparations for the Council of Delegates and 26th International Conference of the Red Cross and Red Crescent in December.

The ICRC/Federation joint working group set up to devise ways of improving functional cooperation between the two institutions continued its work aimed at achieving optimum use of resources, both in Geneva and in the field, and thus reducing costs.

Funds and medals

Joint Commission for the Empress Shōken Fund

This Fund was created in 1912 by a gift from the Empress of Japan for the purpose of promoting the development of National Societies. Its capital has been increased several times, and again in 1995, by gifts from the Japanese Imperial Family, the government, the Japanese Red Cross, some Japanese citizens and the "*Meiji Jingu Shrine Sukei-Kai*" association, devoted to the

memory of the Empress. The income from the Fund is used for the full or partial financing of National Society projects in the areas of development, equipment and transport.

The Joint Commission for the Fund, which includes members and staff of the ICRC and representatives of the Federation Secretariat, examined requests for grants submitted by 27 National Societies. At a meeting on 4 April, in the presence of Japan's permanent representative in Geneva, the Commission awarded grants totalling 305,500 Swiss francs to 12 National Societies (Bulgaria, Egypt, Ethiopia, Fiji, Greece, Honduras, Kenya, Mauritius, the Philippines, Sierra Leone, Thailand and Uruguay).

Each recipient Society is required to send the Joint Commission, within 12 months of receiving its grant, a report on its use and on the results achieved.

Maurice de Madre French Fund

Count Maurice de Madre, who died in 1970, bequeathed part of his property to the ICRC, stipulating the use to be made of it. The purpose of the Fund is to assist staff of National Societies, the Federation or the ICRC who suffer injury or illness in the service of the Movement or, in the event of their death, to assist their families. In 1995 it was decided to broaden the Fund's scope of application in order to promote the training of recipients and help them resume their professional activity, and to give families more generous assistance.

To reduce administrative costs as far as possible, the Board of the Fund works mainly by correspondence, and held only one formal meeting in 1995, on 3 April. During the year, it examined files for staff members of the Movement or their relatives from the following countries: Afghanistan, Bangladesh, Bolivia, Colombia, El Salvador, Equatorial Guinea, Guinea, Iraq, Kenya, Lebanon, Mozambique, Myanmar, Namibia, Nigeria, South Africa, Sri Lanka, Tanzania, Zaire and Zambia.

Florence Nightingale Medal

In 1912, as a tribute to the outstanding services rendered by Florence Nightingale in improving care for the wounded and sick during the Crimean War (1854-1856), the 9th International Conference of the Red Cross, held in Washington, decided to set up the Florence Nightingale Fund. Under the Fund's Regulations, the Medal may be awarded to qualified male or female nurses and also to male or female voluntary nursing aides who are active members or regular helpers of a National Red Cross or Red Crescent Society or of an affiliated medical or nursing institution.

The Medal may be awarded to individuals in these categories who have distinguished themselves in time of peace or war by their exceptional courage and devotion to the wounded, sick or disabled, or to civilian victims of a conflict or disaster; or by exemplary services and a pioneering and creative spirit in the areas of preventive medicine, public health or nursing education. The Medal may be awarded posthumously to honour the memory of a person who has fallen on active service.

A circular was sent on 12 May 1995 to all the National Red Cross and Red Crescent Societies, announcing the 35th award of the Florence Nightingale Medal to 30 recipients from the following countries: Australia, Canada, China (People's Republic of), Denmark, France, Germany, Grenada, Italy, Japan, Jordan, Korea (Republic of), Madagascar, Mexico, New Zealand, the Philippines, Poland, Switzerland, Thailand, Ukraine and the United Kingdom.

For the first time since the Regulations were amended by the 1991 Council of Delegates in Budapest to permit the nomination of male nursing staff, the Florence Nightingale Medal was awarded to a male nurse.

Henry Dunant Institute

The Henry Dunant Institute was set up thirty years ago by the ICRC, the Federation and the Swiss Red Cross to supply the Movement with an instrument for research and training aimed at strengthening its unity and promoting its development. To this end, the Institute opens its doors to researchers whose fields of study may be of interest to the Movement as a whole.

Each of the founding bodies provides the Institute with a Chairman for a two-year term. In 1994, its General Assembly had elected the President of the Federation as Chairman for 1995-1996. He succeeded the ICRC Vice-President in this position.

Over the years, National Societies have shown increasing interest in the Institute's activities and participate actively in its projects, often offering recommendations and practical advice based on their own experience. They also provide intellectual and financial support.

Many National Societies expressed renewed interest in the work of the Institute during the meeting of the Council of Delegates in December 1995.

The training given at the Henry Dunant Institute mainly consists of annual courses for senior officials, new staff members and volunteers from National Societies. The 20th annual introductory course on international Red Cross and Red Crescent activities was held in June 1995. ICRC and Federation staff regularly take part in these courses as instructors. Various groups outside the Movement also receive training at the Institute, which welcomes students and

trainees not only from National Societies, but also from different universities and research centres.

The Institute's publications represent a logical extension of its research activities. In recent years its work has concentrated on the problems of children, with a study on the issue of child soldiers published in English and French; it also submitted to the Council of Delegates and to the 26th International Conference a Plan of Action for the Movement aimed at protecting and assisting child victims of armed conflict. Another study has been carried out on street children, including a bibliography on the subject. The Institute has also published a report on family reunification and several practical studies for National Societies. Finally, at the Federation's request it has conducted an analysis of National Society activities for detainees and their families.

THE INTERNATIONAL TRACING SERVICE

The year under review saw the fiftieth anniversary of the end of the Second World War, and commemoration ceremonies were held in places where people had been persecuted under the National Socialist régime. The statements delivered there bore witness to fresh hope and confidence in the future. Because of the current move towards reconciliation beyond national borders, the traumatic experience suffered by many former victims of persecution, particularly in eastern Europe, was recognized for the very first time. Good will on the part of governments prompted more and more of those victims to assert their rights. Such openness, inconceivable only a few years before, explained the considerable rise in enquiries received by the International Tracing Service (ITS), which up to 1994 had handled only very few cases as compared with the overall number of victims of Nazi persecution.

Processing of data

These developments had major repercussions on the work of the ITS. Figures for 1995 reflected the increased workload it had to cope with, although its mandate, established in London in 1943, remained the same. Indeed, more than half a century after the Second World War, there was no significant decline in the volume of actual tracing activities. The ITS moreover received numerous requests for certificates attesting to forced labour or detention in camps. It registered a peak number of 212,940 enquiries — slightly more than the 212,512 requests received the previous year. These almost identical figures can be explained by the ongoing handling of enquiries submitted by the “Memorial” foundation in Moscow. Requests were received from 60 countries (55 in 1994) — a growing trend, as for years enquiries came from a maximum of 40 countries.

The number of replies provided by the ITS remained high, with 236,756 answers sent out as compared with 238,222 in 1994. Although the Service had introduced a system of “streamlined processing” for requests in May 1994 and was granted 20 additional staff posts in August, the volume of replies provided diminished slightly because the data supplied by enquirers was often too imprecise, and the handling of cases therefore grew increasingly difficult.

By the end of 1995 there was still a considerable number of pending cases, i.e. 333,416 as against 277,001 the previous year. Despite this apparent increase, all in all the number of pending cases had fallen, since enquiries from the “Memorial” foundation were dealt with as a matter of priority. Moreover, the figures for 1995 for the first time included cases handled under the

“streamlined processing” system. These undergo a preliminary checking before being processed automatically, in accordance with the Service’s mandate. It can therefore be said that the actual number of pending cases is declining. Cases handled under the streamlined processing system and left pending were registered separately on computer. A review of the various categories of cases still to be dealt with showed that the time lag was in fact diminishing.

Data classification

Activities conducted under the other three mandates of the ITS, which are to gather, classify and preserve information, can be summarized as follows:

- 336 services (245 in 1994) supplied the ITS with new documents relating to individuals who needed certificates established as a matter of urgency;
- the ITS acquired 555 linear metres of documents (401 in 1994), exclusively relating to former civilian victims of persecution;
- 768,553 reference files (469,527 in 1994) were set up on the basis of newly classified documents. This huge increase was due to the fact that filing is now done almost exclusively on computer, allowing much speedier access to newly registered individual data.

The International Commission of the ITS, which is the Service’s monitoring body and is composed of representatives of the member governments (Belgium, the Federal Republic of Germany, France, Greece, Israel, Italy, Luxembourg, the Netherlands, the United Kingdom and the United States), supervises the work done in Arolsen. At its annual meeting the Commission reaffirmed the need to strengthen the “streamlined processing” system. In conformity with the 1955 Bonn Agreements, the Federal Republic of Germany finances all the activities conducted by the ITS under its mandate.

OPERATIONAL SUPPORT SERVICES

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