

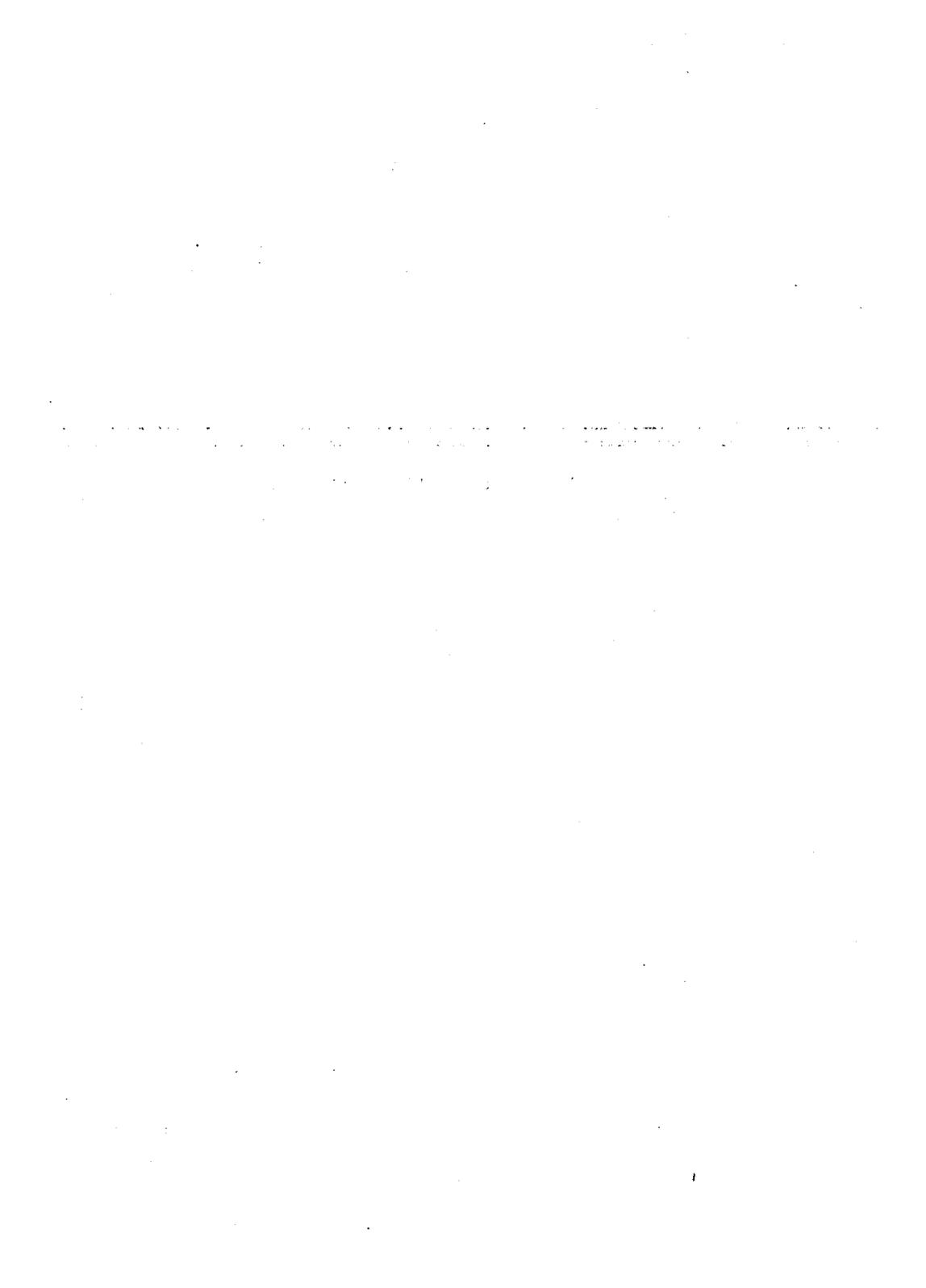


**REVUE**  
**INTERNATIONALE**  
**DE LA**  
**CROIX-ROUGE**  
**ET**  
**BULLETIN INTERNATIONAL**  
**DES SOCIÉTÉS DE LA CROIX-ROUGE**

**SUPPLEMENT**

**CONTENTS**

	Page
New Year's Message from the President of the ICRC	3
Editorship of the Revue internationale . . . . .	3
Meeting of Representatives of National Red Cross Societies . . . . .	4



# INTERNATIONAL COMMITTEE OF THE RED CROSS

---

## NEW YEAR'S MESSAGE FROM THE PRESIDENT OF THE ICRC

In the course of the past year the Red Cross has come to the aid of the suffering and destitute on countless occasions. Its founder organisation, the International Committee in Geneva, has, as in duty bound, endeavoured to act in the interest of the victims of wars, of conflicts and disturbances. The International Committee can, however, only render to the world all the services expected from it, if Governments allow it to intervene and do their best to facilitate and support its humanitarian work. The Committee's wish, therefore, for the coming New Year is that the work of the Red Cross should be ever better understood and more readily accepted ; for that work is one of the precious assets which humanity must guard jealously under all circumstances, for its own protection and, indeed, to ensure its very survival.

---

## EDITORSHIP OF THE REVUE INTERNATIONALE

On the occasion of the retirement of Mr. Louis Demolis at the end of 1954 from his post as editor of the Revue Internationale, the International Committee wishes to express its gratitude to him for the valuable assistance he has given to the work of the Red Cross over a long period of years.

To succeed him as editor the Committee has called on the services of Mr. Jean-G. Lossier, author of "Fellowship—The Moral Significance of the Red Cross" and a number of other publications.

THE INTERNATIONAL COMMITTEE OF THE RED CROSS

---

## MEETING OF REPRESENTATIVES OF NATIONAL RED CROSS SOCIETIES

As in previous years, the International Committee of the Red Cross took advantage of the presence in Geneva of delegates of Red Cross Societies who were taking part in meetings of the Executive Committee of the League, to organize an Information Conference. It was held at the Committee's headquarters on 11 November 1954.

When inviting National Societies to the Conference, which was organized with the full agreement of the League of Red Cross Societies, the International Committee suggested that it should be mainly devoted to consideration of the work the Committee is doing in connection with the legal protection of the civilian population from the dangers of modern warfare. Several Societies had asked for detailed information about the work being done, of which Mr. Siordet, Vice-President of the ICRC, had already given certain particulars in May, at the Oslo session of the Board of Governors of the League. At that session the Board of Governors had, as we know, adopted a resolution requesting the International Committee to study the possibility of making additions to the Geneva Conventions with a view to protecting the civilian population from the effect of blind weapons and weapons of mass destruction.

Approximately forty persons took part in the Conference of 11 November. They belonged to the National Societies of the following twenty-four countries: Australia, Belgium, Bulgaria, Canada, Denmark, Egypt, Finland, France, the Federal Republic of Germany, Great Britain, Greece, Iran, Ireland, Japan, Mexico, the Netherlands, Norway, Rumania, Spain, Sweden, Switzerland, Turkey, the United States and Yugoslavia. Representatives of the League were also present at the Conference, which was opened by Mr. F. Siordet, Vice-President of the

ICRC ; Professor L. Boissier, Chairman of the Commission entrusted with legal work within the International Committee, and several members of the Committee and its staff were also present.

After welcoming the delegates, Mr. Siordet made the following introductory statement :

At its 23rd Session, at Oslo, the Board of Governors of the League adopted a resolution requesting the International Committee of the Red Cross " to make a thorough examination of the subject and propose at the next International Conference of the Red Cross the necessary additions to the Conventions in force in order to protect civilian populations efficiently from the dangers of atomic, chemical and bacteriological warfare ".

The above resolution concurs with considerations which have been engaging the attention of the ICRC, as manifested in its Appeal to Governments concerning atomic weapons and blind weapons in general of April 1950, and in the studies it undertook in 1953 on the subject of the legal protection of the civilian population from the dangers of war from the air, in connection with which it convened a meeting of qualified experts last April. That is why I was able to tell you, while still in Oslo, how glad the ICRC was to welcome your resolution as a precious encouragement to us to pursue the task we had set ourselves.

A summary account of the work done by the Experts has already been sent to all National Societies. We thought, however, that Societies whose representatives are now in Geneva would like to have some further details concerning the studies we have undertaken and our aims, and might even care to exchange views on the subject.

In tackling the question of the protection of the civilian population from the effects of blind weapons, in accordance with a long-standing tradition which is endorsed by the Statutes of the International Red Cross, we fully realize that the legal side is only one aspect of the question — and not the most important one. As members of the Red Cross we cannot neglect those other aspects. For, if you will allow me to repeat what I

said at Oslo, the use, in a future war, of weapons of mass destruction like the A and H bombs, or of any others now being invented, might mean the end of the world. It would in any case mean the end of the Red Cross. For the mere fact of envisaging the use of such weapons constitutes a repudiation of the essential bases on which our movement is founded. Respect for the human person can no longer exist when a single man can destroy the whole population of a town at one go ; a distinction between combatants and non-combatants would then no longer be possible ; the effect of such weapons would be so great that it would often prevent aid from arriving in time, when it did not destroy the means of providing it. Useless suffering would, finally, become the rule and not the exception.

Can we still hope to raise a protective barrier of legal texts to guard against such a state of affairs, which some people regard as inevitable? Are there not the Geneva Conventions of 1949, signed by more than 60 States and ratified by more than 40? And are there not the Hague Conventions? Undoubtedly there are. But the former are merely humanitarian Conventions, and the Hague Conventions, which regulate the conduct of military operations and so really constitute the Law of War, are said to have fallen into abeyance. For some experts think that the Hague regulations cannot be applied to aerial warfare, having been drawn up at a time when the latter was not envisaged ; they consider that the texts in question do not take account of scientific developments and must therefore be adapted to the conditions of modern warfare.

Must the law be adapted then to the conditions of modern warfare? Before settling down to this task, should we not see if it is not rather warfare which should be adapted to the law? That is what other experts in whose eyes the old Hague texts are still valid, and we ourselves, believe. They think, like us, that the invention of a new weapon, not mentioned in the treaties, is an insufficient reason for doing with impunity tomorrow what is forbidden today, and that what is a crime on land does not become an exploit by merely going up to an altitude of 30,000 feet. They believe that the spirit of the above texts remains valid today, and merely requires to be reaffirmed.

It must certainly be recognized, however, that, under the pressure of necessity, we men are often prompt to forget the spirit of the law ; that there are circumstances in which we are only restrained by the letter of the law—provided it is sufficiently imperative. We must therefore try to make it as precise as possible. What is at stake—the lives of men and the fate of civilization—is too precious for us to neglect the slightest possibility of strengthening the expression of the law. We are fully aware that the task is a hard one ; for although it is the Red Cross that puts forward proposals, it is the Governments which must sign the Conventions. The Red Cross may be idealistic ; but Governments must be realistic. They are responsible for the destiny of their nations and are naturally little inclined to undertake engagements which involve a limitation of their sovereign powers or the renunciation of means of combat.

But in this difficult task the International Committee knows that it can count on the assistance of the National Societies, and it gladly associates them with its study of the question.

Even if the efforts of the Red Cross were to result finally in the elaboration of texts which were perfect in every way, it would only have accomplished a very small part of its task. It only took our predecessors a short time to have the original Geneva Convention, which was to save so many lives, adopted in 1864. That was because the ground on which Dunant sowed his ideas was propitious : public opinion, educated by a long period of spiritual civilization and by the action of the philosophers and moralists of the XVIIIth century, was ready to receive the Red Cross idea and make it bear fruit. The position is not quite the same today. The terrain, ravaged by two world wars, has become in part—and I emphasize the words “ in part ”—unsuitable. Too many people in the world—in Switzerland as well as elsewhere—while dreading the prospect, are ready to agree that war in the future will be total ; there are too many people who are sceptical, or even resigned, who consider that there is no longer any principle strong enough to withstand the progress of science ; we are faced with a certain decline in

rational thinking. And it would be vain to hope that the texts of Conventions might check the ravages of a future war, unless Governments feel themselves irresistibly drawn, by a unanimous public opinion, to subscribe to them and respect them.

There can never be enough of us in the Red Cross, and we can never be too united, in our efforts to build up this public opinion anew and bring about this indispensable revival of the spirit of humanity.

\* \* \*

A member of the International Committee's Legal Department then gave a detailed account of the work the Committee was doing with a view to increasing the regard due to the civilian population in times of armed conflict.

The spokesman of the ICRC began with a general explanation of the lines on which the Committee was working, pointing out that the latter had, as early as 1920, been concerned about the risks to which the new methods of warfare born of the use of aircraft, exposed the civilian population, and about the absence of precise rules applying the humanitarian principles on which the Law of War rests, to the new forms of hostilities; it had tried to make good this deficiency, but in vain, as public opinion had not then realized the danger and many quarters, believing as they did in the theories of Douhet on total war from the air, wished to avoid commitments which would tie their hands.

In the period between the two wars, the Committee, faced with the above attitude of mind, had tried to safeguard what could be safeguarded: it had given encouragement to the development of civil defence and safety zones—measures which—though not all that could be desired—have been instrumental in saving many human lives. The ICRC was still, at the present time, actively interested in those two fields. But it did not forget that safety zones and civil defence measures might, if unaccompanied by other measures, convey the impression that free scope was being given to indiscriminate aerial warfare. The contrary was true, however, and it was desirable to draw constant attention and convince all concerned of the fact that hostilities from the air, like other hostilities, must respect non-combatants

and the Red Cross emblem ; that is to say they must observe certain essential rules.

Two established facts today confirmed the Committee in this belief : on the one hand impartial observers realized that the military effect of indiscriminate bombing—for it was the military effect which counted for many people—had been much less decisive than the advocates of such bombing had foretold ; on the other hand, public opinion was beginning to be stirred everywhere by the effects which atomic and hydrogen bombs were seen to have.

Since 1945 interest had been mainly centred on the question of the atomic bomb and its prohibition. But this problem, though of the utmost importance, did not cover all the aspects to be considered. The bombing of Hiroshima may have marked the beginning of a new era ; but it also represented—and this was too often forgotten—a stage, which the ICRC hopes will be the last, in the long series of indiscriminate bombardments which had been started much earlier. The International Committee had asked Governments as early as April 1950 to do everything possible to reach agreement on the prohibition of the atomic arm and on the means to be adopted to that end, but its prohibition would not necessarily, of itself, put an end to indiscriminate mass bombardments, nor to total warfare from the air, which could be continued under other forms.

We thus always came back to the essential point : methods of waging war, *whatever they are*, must not strike at those who are not taking part in the fighting, nor must they prevent Red Cross action. The work in the legal field undertaken by the International Committee was not aimed therefore, a priori, at the formal prohibition of any given weapon or weapons, but sought to establish, in particular regard to aerial warfare, a minimum of rules for the protection of the civilian population, which must be observed under all circumstances. Weapons or methods of warfare which could not be used without breaking those rules, must be considered as illegal. That was the standpoint which the International Committee felt, more strongly than ever, that it must adopt.

\*

After explaining the above facts the International Committee's spokesman reminded those present of the Meeting of Experts which the Committee had convened, in a purely private capacity, in April last. Before going any further in the matter of drawing up a code of rules for aerial warfare to give increased protection to civilians, and before interesting the whole Red Cross world in the question, the International Committee had felt that it was necessary to have the value of the idea and its chances of realization examined by persons highly qualified to do so through their knowledge of law or military strategy, or of the effects of bombing from the air.

In May 1954 the International Committee had sent all National Societies a summary report<sup>1</sup> on the discussions of these 17 Experts; it was therefore only necessary for the speaker to bring out the main lessons, of great value for its further work, which the ICRC had drawn from those discussions. He did so in the following words:

"The meeting in April", he said, "was encouraging in many ways, but in others it was less so."

"Let us first consider the more hopeful side. The experts confirmed that certain fundamental principles of the Law of War, such as the rules prohibiting direct attack on non-combatants or the causing of unnecessary harm, which had already been laid down before aircraft existed, were still valid and consequently applicable to aerial warfare."

"Several of the Experts also confirmed our impression that total war from the air had not "paid". As one of them said, the value of indiscriminate bombing has not been commensurate either with the efforts spent on it nor with its cost in both money and human lives."

---

<sup>1</sup> "Report of the Commission of Experts for the legal protection of civilian populations and victims of war from the dangers of aerial warfare and blind weapons" (D339b).

The Report was accompanied by two other documents prepared by the Committee in order to facilitate the work of the Meeting of Experts. These documents, which were necessary for the understanding of the Report, were: a "Collection of constitutional texts and documents concerning the legal protection of populations and war victims from the dangers of aerial warfare and blind weapons", and a "Commentary on the provisional agenda".

“ Moreover, the majority of the Experts considered that aerial warfare was certainly the domain in which rules governing the conduct of hostilities were most valuable in the case of “ localized conflicts ”.

“ Finally, most important of all, many of the Experts recognized that military requirements must, in certain cases, give way to the requirements of humanity. In the striking words of one of them, the Lord Mayor of a famous city, towns and cities have the right to existence, and our generation, mere custodians of that right, must pass it on intact, as it received it, to the generations of the future.

“ And now the negative side of the picture. The Experts, in confirming the validity of certain principles, did not disguise the difficulty of translating those principles into precise provisions, applicable to bombing from the air. Moreover, several of them drew attention to the many technical considerations in modern warfare which increase military requirements, and which a code of rules, even humanitarian rules, must necessarily take into account. Finally, the Meeting having been held shortly after the hydrogen bomb experiment, an “ apocalyptic ” vision of things to come often hung over the Experts’ discussions and explains why they doubted whether any effort at producing a code of rules could be effective, so long as States accepted the possibility of recourse to such weapons.”

\*

The spokesman of the International Committee said that the latter, on weighing the above conclusions, had regarded them as being on the whole favourable and an encouragement to it to carry on as planned.

The Experts had also been asked for their opinion on the actual way in which the work should be carried out, and some of them had envisaged the sending of a draft text to the State authorities concerned, or the holding of a further meeting of specialists, delegated by Governments; others had recommended that a suitable code of rules should be examined at the next International Red Cross Conference. The International

Committee, considering that the time was not yet ripe to tackle the question directly on a governmental level, where the divergences might still be too pronounced to allow of fruitful discussion, adopted the second suggestion. It felt that the first essential was to secure a wide audience, especially within the great movement which it has founded, and that it should therefore carry on its work to begin with within the International Red Cross movement. That, incidentally, had been the procedure adopted in the case of most of the humanitarian regulations which have resulted from studies undertaken by the International Committee of the Red Cross.

At the very time when the International Committee was deciding to carry on with the work in the first instance within the Red Cross movement, the National Societies were showing at Oslo, by a unanimous vote in favour of the resolution quoted above, the great interest they took in the Committee's initiative and by so doing confirmed the latter in its idea of associating them with its undertaking. The time limit proposed in the Oslo resolution for the completion of the Committee's study of the problem is the same as that envisaged by the Committee itself—namely up to the next International Red Cross Conference, in 1956.

The Committee's mouthpiece declared that "the name of that Conference, New Delhi, must be henceforth associated with the proclamation, by the Red Cross as a whole, of the minimum legal protection to which the civilian population is entitled. But to achieve this, it is first necessary to pass through several intermediate stages, which the International Committee envisages as follows :

"The first stage will be carried through this winter. In a few months' time the Committee will send all National Societies a preliminary draft code of rules for the protection of the civilian population from aerial warfare. This preliminary draft will represent the Committee's considered views on the subject, and will be accompanied by a lengthy commentary to facilitate the study of its provisions.

"The International Committee desires, we may even say expects, National Societies to make a detailed study of the

draft, and above all bring to its notice as many as possible of the observations which the text may suggest to the private or Governmental experts they will no doubt wish to consult.

“That is the second stage, which is, as you will plainly see, of particular importance, as it should enable the Red Cross world to collaborate closely in the work of the International Committee and at the same time make its general views on this important subject clear.

“Once the International Committee has received your comments, it will draw up a new draft text—the third stage. The new draft will be sent to you in good time before the New Delhi Conference, in order that you may examine it at your leisure. It will thus be easier to establish a final text when actually at New Delhi.

“A further question arises. Will it be advisable to hold another meeting of experts, delegated this time by Red Cross Societies, before the 1956 Conference? The International Committee will not itself take the initiative of convening such a meeting, but it will raise the question when sending its preliminary draft text to National Societies, and if the majority of them feel that such a meeting would be of value, the Committee will, of course, be prepared to organize it.”

The International Committee's spokesman concluded his report with some preliminary details concerning the contents of the draft text which will be sent to National Societies. He outlined a few of the main problems which arise in drawing up the essential rules for the protection of the civilian population: defining the exact meaning of the term “civilian population”, limitation of aerial attacks to military objectives alone and definition of such objectives, precautions to be taken to ensure that legitimate bombing attacks do not harm civilians unnecessarily, problem of the indirect effects on the population of the use of certain weapons, such as atomic and delayed-action bombs.

He emphasized that regulations drawn up for such a purpose must necessarily be of a summary nature, and that it would be too early to think of fixing at the outset the final form they

would take or their exact relationship with the Geneva Conventions.

“ The essential thing ”, he said, “ is that the next International Red Cross Conference should clearly demonstrate its will that war, and in particular aerial warfare, should know certain limits, and that it should do so in the form of a carefully thought-out code of rules ; even if some people should consider this code utopian, even if, as the Vice-President of the International Committee has rightly pointed out, it is only a very small part of the great moral effort which must be made, it would nevertheless represent a concrete and constructive contribution. Until such time as Governments came to consider it as binding, they might possibly be guided by it in the event of hostilities breaking out again—which God forbid—and it would thus exert a beneficial influence in the interests of moderation and peace.”

\* \* \*

The exchange of views which took place after the International Committee's report not only showed once again the interest which the representatives of Red Cross Societies took in the Committee's initiative, but also gave them an opportunity of manifesting their desire to second efforts which, as Professor L. Boissier pointed out, “ must be pursued, even if they enter into the province of the armed forces, Governments and jurists ; for the Red Cross, which exists for the purpose of alleviating suffering, intends to consider the question solely from the point of view of suffering ”. When consulted more especially about the general line of action and method of working which the International Committee had mapped out, as just explained to them, the Societies' representatives expressed strong approval of both.

Moreover, certain remarks and suggestions made by delegates of Red Cross Societies enabled the International Committee to supplement the information given on certain points and to note questions of common interest for later consideration. We may mention the most important of them here.

Thus a delegate asked whether the whole problem under discussion did not relate to the Hague Conventions rather than to the Geneva Conventions. The Vice-President of the International Committee, while agreeing that that was certainly so, pointed out that it was nevertheless for the Red Cross to take the initiative in this eminently humanitarian field and to proclaim the permanent validity of the fundamental principles of the Law of War. It should, moreover, be noted that in the case of prisoners of war, and later in that of civilians in occupied territory, whose position was originally governed by the Hague Conventions, the Red Cross had in the same way, at a given moment, considered it its duty to take up the question of increasing the legal protection due to such persons.

Certain delegates raised the question of the part Governments should take in the work proposed; in view of the fact that Governments participated in the International Red Cross Conferences, they should, in the opinion of these delegates, be informed of the work done in good time, to enable the deliberations at the New Delhi Conference to have a successful issue. The same delegates also wondered whether, in view of the importance of the problem under consideration, it was enough to regard it simply as one of the items on the agenda of the New Delhi Conference or whether it would not be wiser to envisage a preliminary meeting for the special purpose of examining the subject.

The International Committee's representatives replied that Governments could be kept informed, for preference by the National Societies themselves, from now on, and in particular later when the Societies received the draft texts of the code of rules. The Committee imagined, as stated in its report, that the Societies would study the draft texts with the assistance of qualified experts from their respective countries, certain of whom would no doubt be members of Government services. It would thus be possible for Governments to take part in the next International Red Cross Conference with a full knowledge of the subjects to be discussed.

The International Committee would not, as it has said, itself take the initiative of convening a preliminary conference,

but the matter would be raised with National Societies when the draft code of rules was sent to them, and the final decision taken on receiving their replies. The International Committee is at present of the opinion, however, that if there is to be a preliminary meeting, the participants should be the delegates of National Societies, even if certain of them also belonged to Government departments; the meeting would thus still take place under the Red Cross sign and the discussions would be carried on in an atmosphere appropriate to a humanitarian work.

The question of the relationship between the Fourth Geneva Convention and the proposed code was also mentioned in connection with a delegate's request to the ICRC for its opinion on the recent proposals of the International Union for Child Welfare to amend and supplement those provisions of the Fourth Convention which refer to children. The International Committee made it clear that although it took careful note of all proposed amendments of that kind, the idea of already revising the Geneva Conventions at a time when the major Powers had not yet all ratified them, was in its opinion premature and might even tend to delay such ratifications. On the other hand the success of their efforts to provide the civilian population with legal protection would automatically increase the safety of children in times of conflict.

Finally, the representatives of two National Societies raised the question of informing the general public; in their opinion the moment had come for the public to be made aware of the efforts and work done by the Red Cross with a view to increasing the protection given to the civilian population. The representatives of the ICRC replied that the Committee would study the point raised and submit proposals to the desired effect to National Societies.

---