international review of the red cross

INTER ARMA CARITAS

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CONTENTS

INTERNATIONAL COMMITTEE OF THE RED CROSS

Anton Schlägel: Possibilities and Limits of the Red Cross .......................... 63
Donald D. Tansley: Re-appraisal of the Role of the Red Cross ....................... 71
Application in the Middle East of the 1949 Geneva Conventions ...................... 76

External activities:
People's Republic of the Congo - Zaire - Chile - Laos - Asian sub-continent - Middle East ........ 78

In Geneva:
Resignation of an ICRC member ........................................... 84
New members of the ICRC ...................................................... 84
ICRC Secretary-General resigns .............................................. 85

Summary Report of Activities from 1969 to 1972 .......................................... 88

IN THE RED CROSS WORLD

International Red Cross Assistance in Indochina ........................................... 87

MISCELLANEOUS

Two United Nations resolutions of direct interest to the ICRC .......................... 89
Decade for Action to Combat Racism and Racial Discrimination ........................ 95
Twenty-fifth Anniversary of the Universal Declaration of Human Rights .................. 96
Conference for the Abolition of Torture ................................................. 96

BOOKS AND REVIEWS

................................................................. 99
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POSSIBILITIES AND LIMITS OF THE RED CROSS

by Anton Schlögel

A survey, over a period of time, of what the public thinks of the Red Cross as reflected in the spoken, written and audio-visual media, has led to astonishing conclusions: two diametrically opposite trends have steadily emerged. On the one hand, at national and international level, the Red Cross, whose activities over the past few years have developed to a surprising extent, has received great praise, in fact too much praise. Yet at the same time bitter criticism has constantly been levelled at the Red Cross. A study of the causes of that praise and criticism, however paradoxical this may seem, shows that both stem from the very same facts and events!

Obviously they have been due to the viewpoint held, the hopes pinned on Red Cross action, and one’s idea of Red Cross possibilities. While those who are realistic in their appraisal of the Red Cross express their appreciation of the results, however meagre they may be, others show keen disappointment because they have assigned the Red Cross tasks and achievements far beyond its field of activity. In addition, all manner of personal considerations, financial and otherwise, weigh the balance this way and that. Yet by taking a closer look at things we realize that the very factors that make for the strength of the Red Cross and determine its possibilities also set its limits, even though the attempt to exceed those limits may have no untoward effect on practical activities.

This situation is due to a great many causes. We shall mention only four, which seem particularly characteristic but are as yet hardly known to the public: voluntary work, Red Cross universality, Red Cross neutrality, and international humanitarian law. These causes apply to matters which concern us all, and it behooves us to draw the right conclusions.
I. Voluntary work

It is obvious to us, Red Cross workers, that Red Cross institutions can count only on the support of persons who devote themselves to them of their own accord and in complete freedom. We are thoroughly aware of the fact that the Red Cross draws its strength precisely from its voluntary nature, and that the selflessness shown by many of its workers has been possible only because of the absolutely free commitment they have contracted. The free decision made by a Swiss, Henry Dunant, his idealism, enthusiasm and spirit of self-denial, gave birth to the movement. There have been countless volunteers in the history of the Red Cross: Elsa Brandström, who, on her own initiative and without any coercion or urging, conducted a magnificent relief action during the First World War and was the guardian angel of prisoners of war; Clara Barton, that admirable woman who unceasingly devoted herself to the Red Cross and the 1864 Geneva Convention through the difficult years of the nineteenth century, when the United States of America was ravaged by civil war—she it was who laid the foundations for the fine work of the American Red Cross; Mrs. Amrit Kaur, former secretary of Mahatma Ghandi, who took up the duties of Indian Minister of Health and for many years was President of the Red Cross in her country.

These outstanding figures were imbued with an inner drive and a spirit of dedication that gave meaning to their entire lives. Again, millions of persons are doing voluntary work for the Red Cross, day by day, in every part of the world. The voluntary nature of the movement has lent it the enormous strength that we so sorely need. Thanks to that strength we have been able to cope with new tasks and to face unknown situations with ever-renewed impetus. Voluntary work also calls for prompt adaptability to new conditions and a capacity to withstand the burden of official bureaucracy. Operations may thus partly overlap, develop simultaneously, and at times even make for healthy competition. Voluntary work also accounts for the fact that Red Cross organizations have swiftly overcome even the most serious disasters. Thus the German Red Cross, which was thoroughly disorganized after the First and Second World Wars, rose after only a few months, like the phoenix
from its ashes, and once more set to work. Voluntary work is therefore one of the major forces and potentials of the Red Cross.

Yet it also has its limits in that it comprises, in the first place, a highly personal factor. A voluntary organization is, by definition, a private association. The Red Cross is no government institution, but a free group, and as such it encounters the same barriers as any private institution. It is not by chance that Red Cross Societies are still private organizations even though they have extended into the public sphere and there carried out many tasks. Red Cross organizations cannot be held responsible for problems arising outside a private association's sphere of influence, and they cannot attempt to solve them.

Nor are we unaware of the fact that National Societies can take on no more than their active members are prepared to do, and—a fact which is seldom realized—no more than the funds provided by their own members and the public permit. Private associations such as Red Cross Societies can never identify with governments in such a way as to act as their agents. By doing so they would forfeit an essential measure of independence. This applies not to National Societies alone but also to the International Committee and the League of Red Cross Societies. We should always bear in mind the fact that these institutions are voluntary associations under private law and therefore can achieve only what those acting therein are willing and able to do.

Public opinion has of late directed all manner of reproach at international Red Cross organizations regarding projects that have failed to materialize and duties that have not been fulfilled. Admittedly, some undertakings may not have met with the success hoped for, but I still feel that most of the criticism is based on the misunderstanding that an institution which, in fact, is a voluntary and private association, is assigned duties which could be fulfilled by no less than an intergovernmental authority.

The misunderstanding must be dispelled once and for all. Surprisingly enough, it is on account of the successes it has scored throughout the world, despite its private character, that the Red Cross is expected to make inordinate efforts, which the failure of many another institution has tended to magnify ad infinitum. The achievements of the ICRC, the League and National Societies
obviously raise greater hopes than can be fulfilled. When Red Cross efforts in the Dominican Republic, in 1965, led to the conclusion of an armistice—in itself a notable achievement—it was taken for granted that the Red Cross would act in the same way on other occasions. This applies to all manner of relief in national and international conflicts. Yet people are apt to forget that the Red Cross cannot demand. It can do no more than ask, hope, wish, urge. Broadly speaking, Red Cross efforts merely pave the way for political decisions, which are reached by those who are in fact politically responsible.

II. Universality

The principle of universality should be more closely considered. Frequently it is not properly understood, and only when studied do the possibilities and limits of the Red Cross stand out clearly. We know that the Red Cross is one of the few truly universal institutions, if not the only one. There are now 121 recognized National Societies in different parts of the world. Almost every State of any importance has its own Red Cross, Red Crescent or Red Lion and Sun Society. This universality is of inestimable value. For example, after the Second World War, at a time when West Germany, which in 1949 had become the Federal Republic of Germany, had no diplomatic relations with the eastern countries, a host of problems was solved through the co-operation of the National Societies of Poland, the USSR, Czechoslovakia, Romania, Hungary and Yugoslavia. In no other way could problems have been solved than under the Red Cross emblem and the universal co-operation which that implied. Thanks to universality, hundreds of thousands of prisoners of war went home, more than 600,000 persons were reunited with their families, and the fate of countless soldiers and civilians was ascertained. And, although constantly challenged, universality has enabled the International Committee and the League of Red Cross Societies to form links throughout the world, which to this day have withstood all manner of restrictions and crises.

Universality, however, also sets serious limits for the Red Cross. An institution can be universal only in so far as there is mutual
confidence, the essential and irreplaceable basis for any universal institution. Without confidence the institution collapses, and even if outwardly it continues to exist, it no longer has the basis essential to its work. Yet confidence necessarily implies voluntary restrictions, since ideas clash the world over, and philosophical, political, religious and other tendencies differ widely. The confidence of all can be maintained by means of self-imposed discretion, in fact discipline, which although not easy to exercise is nevertheless indispensable. Thus universality is beyond a doubt the most vulnerable of Red Cross principles. The fact that no other institution has, so to speak, succeeded in securing and maintaining that universal character proves how difficult it is to achieve.

These thoughts may perhaps make it easier to understand why the Red Cross refrains from taking a certain stand or siding with some against others, passing judgement or voicing any protest. To aid and to protest are attitudes that conflict rather than complement one another. The Red Cross protests only when it can do so without hampering the fulfilment of its fundamental duties as a relief institution. A few years back, Rolf Hochhuth, a German writer, wrote a play called "Der Stellvertreter" in which he attacked Pope Pius XII for not protesting with enough vigour against the persecution of Jews. Such attacks have sometimes also been directed against the Red Cross. The Red Cross, however, has clearly stated how hard it has found certain considerations and decisions and what efforts it has made to secure the best possible conditions for victims, without jeopardizing the very foundations of its relief actions.

III. Neutrality

Here we must refer to two other distinctive features of the Red Cross: neutrality and impartiality. They are closely linked and, as we are all aware, have been the basis of the movement since its very inception. Henry Dunant exhorted us to aid, not only those who were on our own side, but those on the other side too, and

1 See Inter Arma Caritas, Geneva, International Committee of the Red Cross, 1947, p. 75 et seq.
2 Jean Pictet, Red Cross Principles, Geneva, 1956, p. 73 et seq.
not to render aid according to the degree of sympathy we might feel. All of us are acquainted with the well-known formula: "without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria", which, in varying terms, appears many times in the Geneva Conventions (for instance in Article 3).

Nowadays, that formula is very much disputed, and particularly by youth. I have often talked with young people about the question of how far Red Cross impartiality and neutrality are still genuine values and whether, at a time when social reform is so frequently contemplated and demanded, it may not be better to bend one's efforts in that direction. Many of the letters which we receive, many of the wishes expressed and questions asked by writers and others who are interested in international problems, have followed the same trend. A correct reply calls for considerable thought. But for Red Cross neutrality and impartiality, most of the major actions would not have been possible. Neutrality may actually be defined thus: in making an estimate of the needs of relief and weighing all relevant decisions, human beings and their sufferings are determinant. Thus the Red Cross does not lend support to the government of this or that State, to revolutionary movements or to any other groups of persons, but to suffering human beings alone, and they are to be found everywhere.

Here lies the strength of the Red Cross and that is why it is respected as a symbol of relief throughout the world, in spite of difficulties and limitations. I am thoroughly convinced that this is the most vital position the Red Cross has to defend at the present time. Neutrality is not an innate quality. Man is not born neutral, but likes to reach decisions and take sides. This attitude is usually justified; but when it comes to providing relief for victims, for those who suffer, there can be no other reply than to afford them the aid they need, regardless of their ideas, religious beliefs or political leanings, no matter whether the regime they serve seems good or bad. I remember that in a discussion I had on the subject with Mr. Jacques Freymond, a former member of the ICRC, he very wisely remarked that where aid was rendered to one side in a conflict, it should always be done in such a way as to ensure that the other side could also receive aid. It seems to me that this useful
and practical principle sheds some light on the essential aspect of our efforts in the matter of neutrality and impartiality. This aspect, too, should be made public. What is involved is simply an old Christian appeal which can be found in other religions as well: to love all human beings, to make no distinction between those who should be loved and those who should not be loved.

IV. International Humanitarian Law

Unlike other institutions, the Red Cross has from its inception recognized the importance of law. Henry Dunant had already advocated rules for the protection of victims of armed conflicts, on the one hand, and the establishment of voluntary relief organizations, on the other. The former led to the Geneva Conventions, the latter to the birth of the Red Cross. The Geneva Conventions and the different humanitarian Conventions related thereto have provided countless possibilities for effective action, not for the International Committee alone, but also for National Societies and the League. They have assigned the International Committee of the Red Cross very broad duties, which are defined about sixty times. Thus is fulfilled what Henry Dunant, in 1862, advocated in his book *A Memory of Solferino*, in which he declared that a holy crusade of humanitarianism must be undertaken. We cannot, in this article, describe the extraordinarily far-reaching activities which all Red Cross institutions, particularly the ICRC, have carried out under that mandate. Nor need we pride ourselves on this. Yet it is because of the very fact that this work is so important that the possibilities afforded National Red Cross Societies under the Conventions have been overestimated.

International humanitarian law has certainly proved itself over the years, but experience in the last twenty years has shown that a number of shortcomings persist. Humanitarian law must be supplemented in many regards. The most serious shortcoming would seem to be the meagre provision made in Article 3 of the four Geneva Conventions for a non-international conflict or civil war, despite the fact that since 1945 there have been more civil wars than actual international conflicts. The Red Cross, however, has constantly endeavoured to act even in situations where the
legal basis was lacking or very weak. This it has often done at the cost of heavy sacrifice. Several of its delegates have perished. Yet the ICRC has also stressed the urgent need to improve the legal basis for its action. The efforts made in this direction, which we hope will meet with excellent results at the Diplomatic Conference to be held in Geneva in 1974, deserve our unanimous support. All Governments should be prevailed upon by their respective National Societies to acknowledge that these matters are not of minor importance, and are extremely topical.

The possibilities and limits of the Red Cross, then, are very closely connected. Despite the large-scale operations launched and the notable success achieved, the Red Cross appears to be an institution which has strict limits rather than omnipotence. The Red Cross has nevertheless set a magnificent example, one that touches and moves the heart of every human being. We must therefore spare no effort in the struggle to ensure that in spite of everything the vast fields of activity that lie open to the Red Cross are, today more than ever before, properly used and developed. This is something that should be particularly convincing for youth, who are to carry on the work and take it a step further.

Anton SCHLÖGEL
Secretary-General of the German Red Cross
in the Federal Republic of Germany
Re-appraisal of the Role of the Red Cross

Introduction

Will the Red Cross survive? Should it survive? Has it really a mission in the world of today? In the world of the 1980s and thereafter? What is that mission? How can Red Cross gear up for it?

These questions have been the subject of thoughtful discussion among Red Cross people for some years. In 1972, the International Committee of the Red Cross and the League of Red Cross Societies, in co-operation with the National Societies, decided to take a hard look at the future in the form of a comprehensive examination of the role of the Red Cross.

The sponsoring bodies established a Joint Committee for the Re-appraisal of the Role of the Red Cross. Funds to finance the Re-appraisal were sought from non-Red Cross sources and in February 1973 a Study Director was appointed to undertake the work.

Scope and Approach

The scope of the Re-appraisal is wide indeed, as can be seen from the terms of reference for the Study Director:

"While carrying out his task the Study Director shall especially:

— pay attention to the present image, status, tasks and co-operation of all Red Cross bodies (ICRC, League, National Societies) and to the division of work between these and the public authorities and other voluntary agencies;

— find out if the role of the Red Cross in the community of today, internationally and nationally, is what it reasonably and appropriately ought to be and could be;"
— make clear the future role of the Red Cross at middle range and long range as far as its image, status and tasks are concerned.

The terms of reference are so broad, and the activities of Red Cross so diverse, that a first difficulty was to decide where the Re-appraisal should begin. Equally difficult was the question of where it should stop.

It seemed obvious that no study could hope to tackle and to solve all the problems of Red Cross in either their national form, as found in 121 countries, or in their international expressions. Also, while the focus of the Re-appraisal is on the future, there are obvious limits to predicting the nature of the world or the course of events "at middle range and long range".

Thus it was decided that certain problems should not be tackled: the technical content of health and welfare programmes, for example, or questions concerning the programmes or practices of a particular National Society. Rather, the conclusion was that the thrust of the Re-appraisal should be directed at those questions which affect all components of Red Cross at both the national and international level.

Even within these limits, it seemed unrealistic to believe that answers to all present and future problems could be found. Rather, the Re-appraisal should try to establish a firm sense of direction, together with the policies, structures, practices and attitudes which will give Red Cross the capacity and adaptability required to anticipate and solve its own problems.

The Re-appraisal is therefore seen as the initiation of a process of evaluation which will continue long after the formal studies are completed. Given this view, it becomes clear that it cannot be done wholly from "outside"—the basic conclusions must come largely from the Red Cross itself. And if the conclusions are to be acted upon, it seems that the more people who can be involved in the process the better the results will be.

In summary, the Re-appraisal has been defined not as a research exercise but as a vehicle for change.
Content and Method

The content of the Re-appraisal and the methods to be followed have been set out in a detailed plan of action, a summarized version of which was submitted to the International Conference of the Red Cross at Teheran. Briefly, the content might be described under three phases:

1. Present Role and Capacity—the relevance, effectiveness and importance of Red Cross at national and international level.
2. Options for Change—how can Red Cross improve its effectiveness and relevance?
3. Future Role and Changes Required—the future role which Red Cross could or should play at national and international level.

Under the first phase—Role and Capacity—answers will be sought for such questions as the following: What is the essence of Red Cross? Is the whole idea of Red Cross still valid? Are the principles in harmony with the times? Are those principles capable of interpretation and application? Are Red Cross activities meeting the real needs of today? Are those activities well carried out? What are the resources of Red Cross?

Several studies are planned to shed some light on these questions. A separate study will, for example, be done on each of the separate components of Red Cross—the International Committee, the League and the National Societies. Other studies, directed to such Red Cross functions as Protection, Assistance, and Community Services, will complement and cross-check the material produced from the institutional studies.

Under the second phase, Options for Change, studies have been designed to consider alternative ways in which Red Cross can increase and strengthen its capacity. These studies will help to determine whether the answer lies in different structures, a different kind of leadership or membership, better financing, more (or less) government support, more (or less) professionalism, more (or less) reliance on voluntary service, etc. Special studies will examine whether changes are desirable in the basic philosophy of Red Cross, in Red Cross principles and values and in Red Cross priorities.¹

¹ In all, eighteen separate studies are planned. Details can be found in Document P.6 of the 1973 International Conference of the Red Cross.
The final phase, Future Role and Changes Required, can be detailed only when the first two sets of studies are completed. This is the point at which direct Red Cross involvement is crucial and where, it is hoped, the Re-appraisal can depart in method from the more traditional pattern of research followed by a formal report.

In general, the method will be to expose the results of the various studies to the widest possible discussion and debate. For example, certain of the functional studies lend themselves admirably to the technique of review by a panel of Red Cross experts and informed outsiders. Studies of a more general nature might better be considered by more diverse groups—National Societies, governing bodies, or regional symposia.

A special project is already under way inviting written submissions from all National Societies, as well as from governments, international organizations and individuals, expressing their views on the Red Cross and its future.

This particular project illustrates rather well the spirit of the Re-appraisal’s approach and method. At Teheran, the Study Director acquainted all conference participants with the project. In urging National Societies to respond, he expressed the hope that their response would be the product not of one person but of the whole Society. “It is,” he said “an opportunity to evaluate your own Society and to think through your views on the future of Red Cross. Ideally, it should be done in a manner which permits as many people as possible to participate.”

It also provides governments and international organizations with an opportunity to review their relationship with Red Cross in both its national and its international aspects—a review of their expectations, how well those expectations are met and what role, in their view, Red Cross should play in the future.

Progress to Date

In drawing up the plan of action for the Re-appraisal, it was necessary to schedule the work in a way which permitted certain studies to feed others at an appropriate time. The schedule called for certain studies to begin in the autumn of 1973, with others staged over the next six months. All studies are scheduled for completion
by the autumn of 1974, at which time the analysis and testing of conclusions—the final phase—will commence.

So far, the planned schedule has been honoured. The largest study, and one of the most basic, is the review, or "Profile" study, of National Societies. This is a comprehensive study of the present role, capacity and potential of a representative cross-section of National Societies. The study, involving about 30 Societies, will be conducted on the basis of visits by small teams using a standardized method of enquiry and working in close co-operation with a local counterpart.

The teams have now been recruited and trained and have worked out their own enquiry format. Three National Societies have been visited to test the format and the techniques and to identify gaps in the training of the teams. Arrangements to visit the remaining Societies have now been made and all field work for this study will be completed by June 1974.

Suitable consultants have also been found for most of the other major studies and they will begin on schedule. In the selection of both the teams and the consultants it has been possible to achieve a sensible balance between Red Cross and non-Red Cross people. The Red Cross staff have been drawn from the League, National Societies and the International Committee.

The enthusiasm with which the Re-appraisal has been received within Red Cross circles and outside has been extremely encouraging. Excellent co-operation has been achieved with the International Committee and the League Secretariat. U.N. agencies, international non-governmental organizations and academic bodies have shown great interest and have offered assistance and advice. At Teheran, almost all National Societies demonstrated a strong interest in and enthusiasm for the Re-appraisal and for the general approach that is being followed. If that interest and enthusiasm can be maintained and built upon, the Re-appraisal can be a powerful and practical instrument for guiding the Red Cross into the future.

Donald D. TANSLEY
Study Director
APPLICATION IN THE MIDDLE EAST OF THE 1949 GENEVA CONVENTIONS

On 21 January 1974, the International Committee of the Red Cross issued the following appeal to the 135 States parties to the Geneva Conventions of 12 August 1949:

On the resumption of hostilities in the Middle East, the ICRC renewed its offer of services to the States concerned, with a view to the discharge of all the duties assigned it under the four Geneva Conventions of 12 August 1949. In so far as permitted by the competent authorities, it has been able to acquit itself of part of its mandate: several thousand prisoners of war have been visited and repatriated; casualties have been cared for; and civilian victims have been given assistance.

Yet the ICRC has received from each of the belligerent States numerous allegations of violations of those Conventions. Consequently, on 12 December 1973, it proposed the setting up of joint commissions of enquiry with a view, as far as possible, to establishing the facts and determining how the law should apply.

However, the ICRC has now unfortunately to point out that it is not only the past but also the present and the future which are at stake. Indeed, in many cases the ICRC is prevented from fully carrying out its activities for the assistance and protection of civilian and military victims as demanded by the full implementation of the Geneva Conventions. The competent authorities all too often make reciprocity a condition for the application, totally or in part, of the Geneva Conventions. This is equivalent, in prevailing circumstances, to the exercise of reprisals. They also make the accomplishment of their humanitarian obligations subject to political and military demands which are alien to...
the Geneva Conventions. As a result, casualties who should be evacuated are not; families are left without news of their missing kin; prisoners of war whose particulars are not notified by the Detaining Power are neither visited by the delegates of the ICRC nor repatriated; and inhabitants of occupied territories continue to be kept outside the purview of the ICRC’s humanitarian action.

The ICRC had already occasion to draw the attention of the parties to the conflict to a dangerous compounding of politics and of humanitarian action which is thereby fundamentally perverted. The ICRC emphasizes that commitments under the Geneva Conventions are absolute, and that States, each one to all others, bind themselves, solemnly and unilaterally, to observe in all circumstances, even without any reciprocal action by other States, the rules and principles which they have recognized as vital.

Hence the first article of all four Geneva Conventions, which states: “The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances”.

On the basis of this provision, and mindful of the forthcoming Diplomatic Conference in Geneva on humanitarian law, the ICRC wishes to leave no doubt in the minds of all States Parties to the Geneva Conventions, whether involved or not in the Middle East conflict, regarding the common responsibility which they have assumed. Nothing less than the full discharge of that obligation will permit war victims to receive again the protection of which they are at present deprived.
EXTERNAL ACTIVITIES

People's Republic of the Congo

At the end of December 1973, an ICRC delegate was in the People's Republic of the Congo, where he met Government authorities and members of the "Congolese Red Cross". He presented the Society with a donation of 4,300 Swiss francs towards the development of its activities. A similar donation was made for the purchase of medicaments, mattresses, beds and kitchen utensils for detainees in the Brazzaville central prison.

During his stay, the ICRC delegate also had contacts with representatives of the People's Movement for the Liberation of Angola (MPLA) and visited the Dolisia dispensary. Medicaments to the value of 4,000 Swiss francs were handed over by the delegate.

Zaire

In December, two ICRC delegates went to Zaire, where they met Government authorities and members of the Red Cross Society.

The delegates visited two Portuguese prisoners in the hands of the Revolutionary Government of Angola in Exile (GRAE), with whom they were, as usual, able to talk freely. The delegates had contacts with GRAE leaders and visited the Franchetti hospital centre run by the Angola Refugee Assistance Service (SARA).

Chile

Continuing the action started in September 1973, ICRC delegates in Chile carried out twenty visits to places of detention in that country, and saw more than 1,700 persons detained owing to the events. As usual, they were able to talk with detainees of their choice without any witnesses.
INTERNATIONAL COMMITTEE\hspace{1cm} EXTERNAL ACTIVITIES

Concomitantly, the programme of material assistance was pursued with the active co-operation of the Chilean Red Cross relief service. Articles distributed to the prisoners included blankets, mattresses and medicaments. At Christmas time, the ICRC delegates in Santiago, Temuco and Antofagasta handed out parcels to approximately 1,000 detainees who were particularly in need.

Delegates of the Central Tracing Agency who had come from Geneva carried out vital work during the same period. In December, some sixty ICRC travel documents were issued to persons who had permission to leave Chile. Every day the Agency delegates received, both from Chile and from abroad, dozens of enquiries about detainees.

Owing to the volume of humanitarian work to be done, the ICRC delegation in Chile was increased. It is now staffed by twelve persons, including three doctors and two Agency experts. As mentioned in a previous issue, two sub-delegations were opened, one at Antofagasta in the north, and the other at Temuco in the south, each having a delegate and a doctor.

LAOS

On 28 December, ICRC delegates provided 162 prisoners of war in Vientiane with relief supplies. As usual, they were able to talk in private with prisoners of their choice.

ASIAN SUB-CONTINENT

The registration of applicants for repatriation was concluded by the ICRC in December 1973. It had started in September 1973, under the New Delhi Agreement of 28 August. A total of 470,000 persons were registered, namely 400,000 non-locals in Bangladesh and 70,000 Bengali civilians in Pakistan. The ICRC provides special travel documents and attends to departure formalities. In Pakistan, the Government authorities themselves carried out the registration of Bengali servicemen and their families (52,000 persons), while in Bangladesh ICRC delegates were allowed to register further non-locals held in some seventy civil prisons. The Office of the United Nations High Commissioner for Refugees dealt with transport formalities and established an air lift between the two countries.
INTERNATIONAL COMMITTEE
EXTERNAL ACTIVITIES

The ICRC is co-operating with the Indian authorities in the repatriation of Pakistani prisoners of war and civilian internees in India, providing escorts aboard the trains from the Indian camps to the frontier station and there supervising the crossing into Pakistan.

On 15 January 1974, the number of persons repatriated in the sub-continent was as follows: 81,389 Bengalis from Pakistan to Bangladesh; 38,301 non-locals from Bangladesh to Pakistan; 36,433 Pakistani prisoners of war and 13,181 civilian internees from India to Pakistan.

In the three countries, there are fifty ICRC delegates and more than 350 local employees.

Middle East

Prisoners of war

Since 22 November 1973, when repatriation operations between the Arab Republic of Egypt and Israel ended, the ICRC has continued its activities and its approaches to the Governments concerned on behalf of prisoners of war.

In Israel, ICRC delegates made several visits to some 400 Syrian, Iraqi and Moroccan prisoners of war and to about eighty Egyptian prisoners of war captured since 22 November.

Evacuation of the wounded

Owing to the critical situation in the Suez hospital, the evacuation of the wounded and the sick is still one of the more urgent problems facing the ICRC. Another question which causes concern is the supply of medicaments and medical equipment to the hospital. During the week from 7 to 13 January, ICRC delegates were able to evacuate two serious cases to Cairo. They furnished the hospital with further relief items: medicaments, oxygen cylinders, blankets and warm clothing.

On 16 January, the ICRC evacuated four wounded Egyptian servicemen from the Kabrit area to Cairo.

On Wednesday, 23 January, 250 wounded and sick persons, on
Kilometre 101: The head of the ICRC delegation in Egypt (centre) studies a list of Israeli prisoners of war with an Egyptian general (left) and an Israeli general (right).

Photo Nations Unies Y. Nagata
Sierra Leone: Members of the Red Cross distributing flour, an ICRC gift, to the needy.

RELIEF IN AFRICA

Togo: ICRC relief supplies being distributed by the Togolese Red Cross in one of the six prisons visited by the ICRC regional delegate.
whose behalf the International Committee of the Red Cross had been negotiating for some time, were evacuated from the Suez hospital under ICRC auspices. A score of buses fitted out as ambulances and driven in convoy by United Nations drivers conveyed the patients to Cairo.

The search for the dead of Egyptian and Israeli armies, which had been called off at the end of November, was resumed on 23 January in the region of Ismailia, with ICRC delegates in attendance.

**ICRC activity in occupied territories**

In the territories occupied by Israel since 1967, the ICRC continued to fulfil its duties to the Arab civilian population. It made several approaches to the Israeli authorities regarding the territories which had been occupied following the October 1973 hostilities. So far the ICRC delegates have been authorized to proceed to newly occupied Egyptian territory (on the west bank of the Suez Canal), but have not been allowed to carry out their activities in newly occupied Syrian territory.

**West Bank of the Suez Canal:** Three delegates, including a doctor, visited this newly occupied territory. They met the inhabitants of various villages and were able to talk privately with them about their situation. The doctor-delegate enquired regarding the health of the population.

**Territories occupied since 1967:** In the course of their twenty-seventh round of visits to places of detention in Israel and territories occupied since 1967, the ICRC delegates saw about 2,400 Arab civilian detainees in about a dozen prisons. As usual, they were able to talk to detainees of their choice without witnesses.

The ICRC continued to provide free bus transport for detainees' families (a facility enjoyed by more than 2,000 persons a month), and a monthly distribution of parcels containing supplementary food to about 500 detainees who had received no family visit for over three months.
Resignation of an ICRC member

Miss Marjorie Duvillard, whose term of office as a member of the ICRC ended in December 1973, declined re-election as a member or honorary member owing to her heavy professional activities. At its meeting on 17 January 1974, the International Committee noted Miss Duvillard's decision with regret and expressed its warm gratitude for the notable services she had rendered the Red Cross.

Since her appointment as a member of the ICRC in 1961, Miss Marjorie Duvillard constantly participated in the institution's activities, both in Geneva and on various missions, particularly to South America. Her vast knowledge of nursing and medical personnel training proved valuable. For several years she was a member of the Presidential Council. She presided over the Florence Nightingale Commission responsible for the selection of those awarded the Medal and the Medico-Social Commission which works for the ICRC staff.

New members of the ICRC

There have been three new appointments to the International Committee of the Red Cross. On 6 December 1973, the Assembly of the ICRC elected Mr. Hans Peter Tschudi a member of the ICRC, and on 17 January 1974 Mr. Henry Huguenin and Mr. Gottfried de Smit.

Mr. Hans Peter Tschudi was born at Basle in 1913. He studied in Basle, took a doctor's degree in law, was appointed professor at the University of Basle in 1952, and taught labour and social insurance law. A year later he became head of the Department of the Interior in the Government of Basle. In 1956 he was appointed State Counsellor and in 1959 was elected a member of the Swiss Federal Council. He twice held the office of President of the Swiss
Mr. Henry Huguenin of Collonge-Bellerive (Geneva) was born at Lucerne in 1918, completed his studies there and trained in banking in Zurich, London, New York and Buenos Aires. He held high posts for more than twenty years in a large banking firm in Geneva, and later in Zurich.

At the request of the ICRC, he carried out two missions in the Middle East: to Jerusalem, in 1969, as head of the ICRC sub-delegation for the West Bank area in Jordan, and to Amman, in 1970, as co-ordinator in the joint relief action pursued in Jordan by the ICRC, the League and some National Red Cross Societies.

Mr. Gottfried de Smit has already taken an active part in ICRC work. In its August 1973 issue, the International Review described Mr. de Smit’s studies and activities, and mentioned the fact that he had in 1969 headed the International Committee’s mission to Lagos, Nigeria.

Last year, the ICRC Executive Board secured the services of Mr. de Smit. His functions include the study of the institution’s reorganization problems and working methods.

The International Committee welcomes the co-operation of these three men, whose advice will be most useful and who are willingly placing their extensive knowledge in various fields at the service of the Red Cross.

**ICRC Secretary-General resigns**

Mr. Jean-Louis Fort, Secretary-General, left the International Committee at the end of last year. During the four years which he devoted to the institution, Mr. Le Fort rendered outstanding service, contributing to the improvement of management methods and the quest for new financial resources. He also played a major role in the field of co-operation between the ICRC and the League, particularly in the pooling of Red Cross resources for large-scale international relief operations.

The International Committee wishes to pay tribute to Mr. Le Fort’s proficiency and the dedication with which he discharged his task.
The ICRC wishes to draw attention to the following corrections to be made in the Summary Report of Activities from 1969 to 1972, which it had issued for the XXIInd International Conference of the Red Cross:

On page 9, column 1, the second paragraph of the section concerning the Democratic People's Republic of Korea should read as follows:

The ICRC asked the Red Cross Society of the Democratic People's Republic of Korea for news about the people. In January 1970, the Society informed the ICRC that the Government of the Democratic People's Republic of Korea was prepared to release and repatriate those wishing to return to the Republic of Korea. Thus, thirty-nine passengers were released at Pan Mun Jom, on 14 February, while the others remained in North Korea.

On page 9, column 2, the sixth paragraph should read as follows:

ICRC delegates rendered assistance to persons detained for reasons or offences of a political nature in Greece, from 1969 to 1971, and to persons arrested and interned under the emergency regulations in Northern Ireland, as from the end of 1971. They also visited penal establishments in Spain in 1972.

On page 10, column 1, the last sentence of the first paragraph of the section concerning Northern Ireland should read as follows:

At the end of September, the delegate-general for Europe went to London and then to Belfast, where an agreement was reached between the Government of Northern Ireland and the ICRC, under which the latter was allowed to visit the different categories of persons interned in Northern Ireland.
IN THE RED CROSS WORLD

INTERNATIONAL RED CROSS ASSISTANCE IN INDO-CHINA

A medical seminar sponsored by International Red Cross Assistance in Indo-China (AICR) was held in Vientiane in mid-January, allowing a general survey of medical problems in Laos and a discussion of proposed assistance. Medical representatives from the Phnom Penh and Saigon delegations attended the seminar.

Democratic Republic of Vietnam

Mr. Olof Stroh, Director of IOG, accompanied by a group of housing experts, was in the Democratic Republic of Vietnam in mid-January to discuss the project of prefabricated houses for the homeless. They conferred with the technicians who are to supervise work on the first blocks of houses.

Republic of Vietnam

Relief distributions are going ahead according to plan in the Republic of Vietnam. The Indo-China Operational Group (IOG) has continued its aid in resettling displaced persons. The Red Cross of the Republic of Vietnam, for its part, has now set up a programme of assistance to victims of recent typhoons, and IOG has contributed 300,000 Swiss francs to the programme.

Provisional Revolutionary Government of the Republic of South Vietnam

During his stay in Hanoi, Mr. Stroh and a medical expert who accompanied him met PRG authorities and conferred with them about hospital equipment priorities.

The Provisional Revolutionary Government has already been sent a sum of 300,000 Swiss francs, through IOG, for the victims of recent typhoons.
IN THE RED CROSS WORLD

Laos

IOG has launched a pilot malaria control campaign among displaced persons. The British medical team, which had its base at Paksane, has ended its mission. Although this team is not being replaced, an effort is being made to maintain medical assistance in that area. At Paklay, a second Japanese team has taken over from the first team, which has concluded its mission.

* * *

In a previous issue we mentioned the work of a Belgian Red Cross team at Paksane in Laos. It was in fact a French team which was working jointly with the British at Paksane. The Belgian team, as will be seen below, is based at Svay Rieng, in the Khmer Republic.

Khmer Republic

With the recrudescence of fighting, thousands of persons have sought refuge in Phnom Penh. IOG delegates, in co-operation with the Khmer Red Cross, have concentrated on distributing emergency relief, constructing temporary shelters and providing medical care. The medical teams are continuing their activities at Kompong Thom (joint Danish-Norwegian team), Kompong Cham (Swedish team) and Svay Rieng (Belgian team).

The Khmer authorities have agreed that the hospitals in these three towns be declared "neutral zones". The IOG medical teams have the responsibility of ensuring that the rules of neutrality are strictly observed. These zones are marked with the red cross emblem, and all local medical personnel, visitors and patients must leave their weapons at the hospital door. The authorities of the adverse party have been notified of the neutralization of the three hospitals.
MISCELLANEOUS

TWO UNITED NATIONS RESOLUTIONS OF DIRECT INTEREST TO THE ICRC

At its twenty-eighth session in New York, from 18 September to 18 December 1973, the United Nations General Assembly considered several matters of direct interest to the ICRC. We quote below two of its resolutions; one concerns the use of napalm, other incendiary weapons and certain types of conventional weapon which cause avoidable suffering, the other relates to respect for human rights in armed conflicts. Both refer to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which is scheduled to start in Geneva in February 1974.

RESOLUTION 3076 (XXVIII)

Napalm and other incendiary weapons and all aspects of their possible use

The General Assembly,

Recalling that, in resolution 2932 A (XXVII) of 29 November 1972, it commended the report of the Secretary-General entitled "Napalm and Other Incendiary Weapons and All Aspects of Their Possible Use" to the attention of all Governments and peoples and requested the Secretary-General to circulate the report to the Governments of Member States for their comments,
Taking note of the comments submitted by Governments¹ and of the widespread wish that intergovernmental action should be taken with a view to reaching agreement on the prohibition or restriction of use of these weapons,

Emphasizing the need to consider new rules designed to afford better protection of civilians and civilian objects during armed conflicts,

Convinced that the widespread use of many weapons and the emergence of new methods of warfare that may cause unnecessary suffering or are indiscriminate call urgently for efforts by Governments to seek, through possible legal means, the prohibition or restriction of the use of such weapons and of indiscriminate and cruel methods of warfare and, if possible, through measures of disarmament, the elimination of specific weapons that are especially cruel or indiscriminate,

Conscious of the difficulties involved in these tasks and the need for factual bases for discussion,

Considering, as one such basis, in addition to the report of the Secretary-General entitled "Napalm and Other Incendiary Weapons and All Aspects of Their Possible Use", the extensive factual report elaborated by an international group of experts under the auspices of the International Committee of the Red Cross entitled "Weapons That May Cause Unnecessary Suffering or Have Indiscriminate Effects", covering, inter alia, high-velocity projectiles, blast and fragmentation weapons, time-delay weapons and incendiary weapons, and endorsing the conclusions of the report that intergovernmental review and action regarding weapons of these kinds is called for,

Considering that prohibitions or restrictions of the use of such weapons should be examined without delay and that positive results in this regard are likely to facilitate substantive disarmament negotiations with a view to the elimination of production, stockpiling and proliferation of the weapons in question, which should be the ultimate objective,

Aware that a diplomatic conference will be convened at Geneva on the invitation of the Swiss Federal Council, with a first session envi-

saged to be held from 20 February to 29 March 1974, for the purpose of reaffirming and developing the international humanitarian law applicable in armed conflicts,

Welcoming as a basis for discussion at that conference proposals elaborated by the International Committee of the Red Cross and aiming, inter alia, at a reaffirmation of the fundamental general principles of international law prohibiting the use of weapons which are likely to cause unnecessary suffering and means and methods of warfare which have indiscriminate effects,

Considering that the efficacy of these general principles could be further enhanced if rules were elaborated and generally accepted prohibiting or restricting the use of napalm and other incendiary weapons, as well as other specific conventional weapons which may cause unnecessary suffering or have indiscriminate effects,

Taking note of the invitation issued by the XXIInd International Conference of the Red Cross to the International Committee of the Red Cross to call in 1974 a conference of government experts to study in depth the question of prohibition or restriction of the use of conventional weapons which may cause unnecessary suffering or have indiscriminate effects and to transmit a report on the work of the conference to all Governments participating in the Diplomatic Conference with a view to assisting them in their further deliberations,

1. Invites the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts to consider—without prejudice to its examination of the draft protocols submitted to it by the International Committee of the Red Cross—the question of the use of napalm and other incendiary weapons, as well as other specific conventional weapons which may be deemed to cause unnecessary suffering or to have indiscriminate effects, and to seek agreement on rules prohibiting or restricting the use of such weapons;

2. Requests the Secretary-General, who has been invited to attend the Diplomatic Conference as an observer, to report to the General Assembly at its twenty-ninth session on aspects of the work of the Conference relevant to the present resolution.
RESOLUTION 3102 (XXVIII)

Respect for human rights in armed conflicts

The General Assembly,

Reaffirming that only complete respect for the Charter of the United Nations and general and complete disarmament under effective international control can bring about full guarantees against armed conflicts and the suffering caused by such conflicts, and determined to continue all efforts to these ends,

Conscious of the fact that armed conflicts continue to cause untold human suffering and material devastation,

Convinced that in all such conflicts rules designed to reduce the suffering as much as possible and to increase the protection of non-combatants and civilian objects are needed,

Reaffirming the urgent need to ensure full and effective application by all parties to armed conflicts of existing legal rules relating to such conflicts, in particular the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949, and to supplement these rules by new ones which take into account the modern developments in methods and means of warfare and which are practicable,

Welcoming the convocation by the Swiss Federal Council of the first session of the diplomatic conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, to be held at Geneva from 20 February to 29 March 1974, with a possible second session in 1975,

Welcoming as an excellent basis for discussion at this conference the draft Additional Protocols to the Geneva Conventions of 1949 prepared by the International Committee of the Red Cross after thorough consultations with government experts, particularly during conferences held at Geneva in 1971 and 1972,

Recalling the successive resolutions adopted in the preceding years by the United Nations relating to human rights in armed conflicts, in particular General Assembly resolutions 2852 (XXVI) and 2853 (XXVI) of 20 December 1971 and 3032 (XXVII) of 13 December 1972,

Noting resolution XIII adopted at Istanbul in 1969 by the twenty-first International Conference of the Red Cross and the resolution on the reaffirmation and development of international humanitarian law adopted at Teheran in 1973 by the twenty-second International Conference of the Red Cross,

Noting with appreciation the report of the Secretary-General on respect for human rights in armed conflicts,

Recalling resolution 3058 (XXVIII) of 2 November 1973 in which the General Assembly has invited the Diplomatic Conference to submit its comments and advice regarding the draft articles on the protection of journalists engaged in dangerous missions in areas of armed conflict,

Recalling its resolution 3076 (XXVIII) of 6 December 1973 concerning napalm and other incendiary weapons and all aspects of their possible use as well as the resolution on the prohibition or restriction of use of certain weapons adopted by the twenty-second International Conference of the Red Cross in Teheran in 1973, inviting the Diplomatic Conference to take up the question of rules on the prohibition or restriction of use of specific conventional weapons which may cause unnecessary suffering or have indiscriminate effects,

Welcoming, in this regard, the survey by the Secretary-General concerning the prohibition or restriction of use of specific weapons,

MISCELLANEOUS

Development of International Humanitarian Law Applicable in Armed Conflicts and to the International Committee of the Red Cross for the extensive work it has performed in preparing the draft Additional Protocols to the Geneva Conventions of 1949;

2. Urges that the national liberation movements recognized by the various regional intergovernmental organizations concerned be invited to participate in the Conference as observers, in accordance with the practice of the United Nations;

3. Urges all participants in the Diplomatic Conference to do their utmost to reach agreement on additional rules which may help to alleviate the suffering brought by armed conflicts and to protect non-combatants and civilian objects in such conflicts;

4. Calls upon all parties to armed conflicts to acknowledge and to comply with their obligations under the humanitarian instruments and to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949;

5. Urges that instruction concerning such rules be provided to armed forces and information concerning the same rules be given to civilians everywhere, with a view to securing their strict observance;

6. Requests again the Secretary-General to encourage the study and teaching of principles of international humanitarian rules applicable in armed conflicts;

7. Requests the Secretary-General to report to the General Assembly at its twenty-ninth session on relevant developments concerning human rights in armed conflicts, in particular on the proceedings and results of the 1974 session of the Diplomatic Conference;

8. Decides to include in the provisional agenda of its twenty-ninth session the item entitled “Respect for human rights in armed conflicts.”
MISCELLANEOUS

DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION

At its twenty-eighth session (September to December 1973), the General Assembly of the United Nations designated "the ten-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination". On that occasion, the General Assembly approved a programme for the Decade and invited Governments, United Nations organs, the specialized agencies and other intergovernmental organizations, and non-governmental organizations to participate in the observance of the Decade by intensifying and expanding their efforts during that period.

The major principles of the draft programme for the Decade are to promote human rights and fundamental freedoms for all, without distinction of any kind. Measures should therefore be taken at national, regional and international levels to apply United Nations instruments and decisions on the elimination of racial prejudices, racism and racial discrimination. Ratification of the International Convention on the Elimination of All Forms of Racial Discrimination; the enactment of national legislation in keeping with international norms; assistance to the victims of racial injustice and to liberation movements; boycott régimes which practise racial discrimination; efforts in the sphere of education, training and information; research into and study of the various aspects of racial discrimination, its causes and effects—such are the main recommendations put forward in the programme for the Decade.

Moreover, a world conference for action to combat racial discrimination should be convened by 1978 at the latest. Lastly, the General Assembly requested the Economic and Social Council to report to it every year on the implementation of the proposed programme.
TWENTY-FIFTH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

10 December 1973 was the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights by the General Assembly of the United Nations. The General Assembly commemorated the event, at United Nations headquarters in New York, with a meeting at which addresses were delivered by Mr. Leopoldo Benites (Ecuador), President of the twenty-eighth session of the General Assembly; Mr. Kurt Waldheim, Secretary-General; representatives of the different geographical groups of States Members of the United Nations, and Mr. John Humphrey, former Director of the Division of Human Rights. The speakers reviewed the effect of the Universal Declaration over the quarter of a century of its existence. It was pointed out that, unfortunately, in many cases the principles proclaimed in 1948 had remained abstract affirmations. Several speakers expressed disquiet at the numerous violations of human rights which the world continued to witness.

CONFERENCE FOR THE ABOLITION OF TORTURE

A Conference for the Abolition of Torture convened by Amnesty International was held in Paris on 10 and 11 December 1973, at the Tour Olivier de Serres Centre. It had a twofold purpose: to focus public attention on the epidemic and global proportions of torture, and to develop and initiate effective means of eliminating its use by governments and their agencies. It was presided over by Mr. Sean MacBride, Chairman of Amnesty International, and attended by about 300 delegates, mostly of non-governmental organizations.
The ICRC was represented, with observer status, by its Vice-President, Mr. Jean Pictet, who delivered the following address at the opening session:

"Of the practices condemned, torture used as a means of extorting information seems the most odious and the most dangerous. Torture inflicts unspeakable suffering on those who undergo it. And it is a serious outrage upon the dignity of man, compelling him to perform acts or make statements against his will, and even reducing him to the level of slavery as in barbarous eras. Torture is as degrading for him who inflicts it as for him who undergoes it.

The practice has been universally condemned by civilized peoples since the end of the eighteenth century, when judicial torture was abolished. It is distressing to see it re-emerge, more or less clandestinely, and it would be a disastrous abdication if by keeping silent the public conscience appeared to consent to acts fundamentally contrary to the principles of law, to those principles which States formally recognized by ratifying the Geneva Conventions and proclaiming human rights.

With the many iniquitous acts of violence which are being committed in the world, there is every reason to fear that they may multiply and, by a fatal chain reaction, be perpetuated. There is a danger of being swept into a vicious spiral from which it will be increasingly hard to emerge. Some acts will never be fighting methods, but will always remain crimes. The uncompromising abolition of torture is therefore imperative.

The law is clear. Thus the Geneva Conventions prohibit torture in time of war, and human rights prohibit it at all times. They seem sufficient. What in our day is essential is to secure full application of those provisions everywhere. Governments must take really effective steps to ensure that no acts of torture are committed at any level of the military or civil hierarchy. They must institute very strict supervision and severely punish offenders.

The International Committee of the Red Cross, for its part, will welcome any effort made to abolish completely practices that are incompatible with the primary requirements of humanity."
The Conference split into several commissions, which considered four aspects of the problem of torture: (a) identifying the individuals and institutions responsible for torture; (b) the social, political and economic background to torture; (c) international, regional and national legal factors affecting torture practices, and (d) the physical and psychological effects on the victims of torture and the involvement of doctors.

Conclusions voted at the plenary sessions related, in particular, to the Universal Declaration of Human Rights, Article 5 of which states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". One of the conclusions affirms that no act of torture is justifiable, that the laws prohibiting it are adequate and that the aim is to ensure that they are fully applied.
BOOKS AND REVIEWS

JACQUES MOREILLON: "LE COMITÉ INTERNATIONAL DE LA CROIX-ROUGÉ ET LA PROTECTION DES DÉTEÑUS POLITIQUES" ¹

It is now recognized that the law comes after, rather than before, events. It can also be asserted that one of the fundamental elements of law is its stability. That is why history must occupy a privileged position in legal studies.

It is therefore highly satisfying to find that this important subject has been treated from the aspect of its historical development by a particularly qualified writer. Mr. Jacques Moreillon has carried out a full, systematic and profound study of the matter. The thesis presented by him before the Geneva Graduate Institute of International Studies constitutes a welcome addition to the valuable survey written in 1958 by Professor Jean Siotis: "Le droit de la guerre et les conflits d'un caractère non international". Both books are compulsory reading for anyone wishing to make a study of these questions and of ICRC activities in general.

No one better than Mr. Moreillon could have been chosen for the investigation of such a subject, for, having been brought up, so to speak, in this kind of work, he is thoroughly acquainted with all its various aspects. For many years now, he has co-operated in ICRC activities, rising to the post of delegate and later to that of delegate-general in widely different parts of the globe. In addition, with a view to stimulating the completion of such a study, the ICRC, in the interest of its own activities, made available its archives and authorized Miss S. Schumacher, the head of the archives department, to co-operate extensively with him.

In his voluminous work, which has just appeared in French, Mr. Moreillon traces the patient efforts which the ICRC made, during a hundred years or so, to advance onto hitherto forbidden ground and to subject the phenomenon of political detention to some rudimentary legal concepts, to drive the stakes bearing the Red Cross emblem into the virgin soil of human suffering and to

create favourable precedents for future custom and so erode the rock—the metaphor was coined by Mr. H.G. Beckh—of State sovereignty.

When the Red Cross was founded in 1863, its single aim was to come to the aid of soldiers wounded in battle. But its compassionate concern soon was gradually extended to prisoners of war, shipwrecked sailors and civilian victims, and its efforts directed to various peacetime activities (care of the sick, hygiene, assistance following natural disasters) which are now co-ordinated with the League of Red Cross Societies.

Wartime activities—the ICRC's special field of action at international level—were at first confined to those carried out during hostilities between States. It was in 1872, during the Carlist insurrection, that the ICRC went a decisive step forward, demanding and obtaining the protection of prisoners taken during this internecine conflict. The 1921 International Conference of the Red Cross expressed its concern for political detainees and encouraged the ICRC to devote its care to them.

The end of the Second World War ushered in a new era of ICRC activities, encouraged by its then president, Mr. Paul Ruegger: through a liberal interpretation of the mandate given to it, the ICRC began to concern itself with the effects of internal strife other than civil wars characterized as such and, consequent on a still more recent evolution, with the victims of emergency measures, such as the suspension of judicial guarantees or more or less mass internments, introduced as a result of grave political tension.

On the legal plane, a parallel development began to take shape. Until 1949, the Geneva Conventions had applied only to conflicts between States. At the 1949 Diplomatic Conference, a new article was introduced: this was Article 3 common to the four Conventions, which laid down minimum guarantees for the victims of conflicts not of an international character. The revolutionary nature of this provision, now become widely known, was that it subjected a national phenomenon to international law. It has already rendered most signal service.

In actual practice, the ICRC has gone further still, since it endeavours to bring aid and protection to political detainees, even when there have been no armed disturbances. Its success in these
efforts depends upon the good will shown by the States concerned. But it is most encouraging to discover, as has been made clear in Mr. Moreillon's study, that during the last fourteen years ICRC delegates made some 1,300 visits to approximately 100,000 political detainees in 65 countries, basing themselves only on the ICRC's "right of initiative" and referring to the general principles of law and humanity. After all, it is only a question of ensuring to this particular category of detainee minimum guarantees that are already accorded by civilized peoples to ordinary criminals, even to the wickedest among the latter, and creating precedents for more favourable standards of usage: places of detention for political detainees are open to visits by ICRC delegates. That is, in fact, in the interest of everybody, not only of the internees but also of the Detaining Powers, which can in this way substantiate the treatment they reserve to detainees and clear themselves of any unfounded allegations.

As has been in effect pointed out by the author, many of the experts consulted expressed the opinion that it was the duty of the ICRC to continue and develop its work for political detainees, so long as no other organization was able to perform such work efficaciously. Furthermore, the victims of political events, throughout the world, have their eyes turned to the ICRC, often pinning their only hope on its intervention.

It is impossible to tell at the present moment, in the rapidly changing world of today, what are the prospects for this kind of activity and how it will develop. One thing is certain and that is that the ICRC, acting with all the necessary caution, will know how to adapt itself to circumstances and make use of all the various possibilities that might become available.

It will be observed with pleasure, too, that Mr. Moreillon has examined the part played in this field by other institutions, particularly "Amnesty International". The ICRC does not claim for itself the monopoly of activities of this sort. It is concerned only with the way victims are treated and not with the merits of the reasons for their detention or its causes. For there can be no shadowy no man's land in the territory of human suffering.

J. P.
FRITS KALSHOVEN: "THE LAW OF WARFARE" ¹

The Henry Dunant Institute in Geneva and the publishing firm of A. W. Sijthoff in Leyden have undertaken to publish the series of courses which are organized by the Henry Dunant Institute and the International Institute of Human Rights and given at the University of Strasbourg. A review of the first volume issued in this series was published in International Review.²

A second book in the series has just been printed, this time on the law of warfare, containing the lectures given by Dr. F. Kalshoven, lecturer at the University of Leyden, a scholar eminently qualified for the task. We have already given an account ³ of the impressive work which this expert has written on the problem of reprisals.

It is a happy circumstance that the course has been entrusted to a citizen of the Netherlands, since the law of war has found in the Hague Conventions its principal expression in writing, and its birth is historically linked to the humanitarian tradition of that peace-loving country.

Mr. Kalshoven has indicated in the sub-title to his book that he lays stress on the recent history of the law of warfare and on present trends in its development. In the last few years, under the impulsion of the ICRC, renewed efforts have been initiated with the aim of reaffirming and supplementing the Geneva Conventions, resulting in the convening by the Swiss Government for 20 February of this year of the Diplomatic Conference, for which the ICRC has prepared two draft Additional Protocols. Dr. Kalshoven has taken an active part in the preparatory work for the Conference. Although the object is primarily to elaborate the Geneva Conventions, certain texts of the law of The Hague will also be the subject of discussion on two important points: means of combat, and, in

particular, the protection of civilian populations against effects of hostilities. For today, owing to the conditions under which war is now waged, the distinction between the law of Geneva and the law of The Hague is disappearing. The author has been careful to devote a large part of his study to topical considerations and to the development of the law in question, and for this we express our grateful acknowledgments.

In Chapter I of his book, Dr. Kalshoven defines the basic terms he uses: armed conflict, introduced here instead of the classic expression of "war", warfare, and the law of armed conflict. In this connection, he lays stress, quite rightly, for it cannot be too often repeated, on the fact that the law of armed conflict developed as customary law during the major part of its history; for it was not until 1868 that its codification commenced, with the Declaration of St. Petersburg, a few years after the first Geneva Convention launched the vast movement for the elaboration of relevant texts of law. Despite its having been put in writing, the law of armed conflict has kept, in large part, its character of customary law, which is one of the reasons for its strength.

The basic principles of the law of warfare are that belligerents shall not inflict on their adversaries harm out of proportion to the legitimate goals of warfare and that the right of the parties to a conflict to adopt means of injuring the enemy is not unlimited.

In the two chapters that follow, the protection of the civilian population is discussed in considerable detail. It rests on the principle of the distinction between combatants and non-combatants, and between military objectives and civilian objects. This distinction, in spite of the strains it has received as a result of the practice of "total warfare", remains the basis of all rules of war, if one is to avoid sinking back into barbarity.

A further chapter deals with means and methods of combat, in particular chemical, biological and nuclear weapons. The author concludes that this subject evokes more questions than it provides answers.

But though the development of recent military techniques weakens the value of certain provisions, laid down in most cases over fifty years ago, the principles are clear, and it is common knowledge that the ICRC — parallel to its work on the improve-
ment of the Geneva Conventions — has directed its efforts to "weapons that may cause unnecessary suffering or have indiscriminate effects ", a question that was the subject of a recent report drafted by a group of experts.

In the last chapter, Mr. Kalshoven examines the implementation of the law of warfare. He shrewdly analyses the factors militating in favour of, or against, its application, and reviews the means available for the law to operate positively. It is certain that, though the letter of international law often rises to the level of its spirit, it is in the sphere of sanctions that, notwithstanding constant progress, its weakness is most often to be encountered. It is here that both the grandeur and misery of the human condition are best understood.

There is no doubt that this book, thoughtfully planned and well written, will constitute an excellent summary for students of law and all those whose functions require them to know the laws of armed conflicts. Though these laws have so far rendered good service, the benefits that can be drawn from them in the years ahead can be greater still, for, far from being a memorial to the past, they have kept their full significance and are even now gathering renewed strength and vitality.

J. P.

ETHEL GROFFIER: "TERRORISME ET GUERILLA. LA RÉVOLTE ARMÉE DEVANT LES NATIONS." ¹

This extremely topical book contains a number of documents and ideas that will interest those concerned with the application of humanitarian rules and principles in such controversial situations. The writer quotes a wide range of views on present-day revolutionary violence, studies problems posed by guerrilla warfare in

BOOKS AND REVIEWS

the law of war, and lastly refers to the problem of terrorism as debated in the United Nations and to various western proposals on repression.

A bibliography listing recent books, both in French and English, aptly completes this brief yet substantial document.

M. V.


Education throughout the world is likely to change out of recognition in the next generation, according to the findings of the International Commission on the Development of Education headed by Mr. Edgar Faure, which carried out a world-wide survey at Unesco's request. The Commission's report has just been published in English under the title Learning to be.

To begin with, the process will start much earlier as the importance of pre-school education is more widely recognized; then it will never end, for the signs are that the concept of lifelong education, already an ideal, is about to become a practical reality. Examinations, the bane of every student's existence, may wither away, for they will be meaningless to people who are learning at their own pace. Fixed subjects and curricula are likely to go into the melting pot and schools themselves, if not as physical locations then at least as places exclusively for children, are threatened with extinction.

Above all, spirit and aims will change: the emphasis will be on learning, not teaching, and education's productions will be measured not in terms of so much knowledge dispensed but of so many complete human beings who have developed.

How will all these changes come about? The Commission was called on to make proposals which would help governments to work out strategies to meet their own educational situations and these decisions can only be taken at national level. There are many stumbling blocks, ranging from economics to mere inertia, in the way. The report and its recommendations were submitted to the Unesco General Conference this autumn.

The International Commission has been able to draw on educational experience throughout the world; it has benefited from around 75 specially prepared expert reports and has visited 24 countries to examine conditions at first hand. Furthermore, the composition of
the seven-man Commission—which included members from France, Syria, the People's Republic of the Congo, the Soviet Union, Chile, Iran and the United States—makes the fact that they were able to reach wide agreement remarkable and compelling.

In the Commission's report, the experts show understanding—and even acceptance—of the reasons for youth's rebellion against present-day education; they express the belief that lifelong education is not just a theory but already a fact and one which education systems should take account of to help people to be able to cope in a changing world where the quantity of knowledge increases faster than individuals can keep pace with, and where in some countries half the working population are in jobs that did not exist at the beginning of this century . . .


. . . Schools for the health professions must show twin responses in the future—an educational response in training the health team and a research response in investigating models of health care and the health problems as they are found in different parts of the world. To respond effectively to these two challenges, we need to be free from the tyranny of previous educational systems and free to experiment. It is essential that schools have strong links with the universities. Whether it is the training of a physician or an auxiliary nurse-midwife, we must employ the principles of modern educational science and educational technology.

We need a system of education that is oriented towards the community, an education that is directly and unmistakably linked to the social and economic well-being of the people and to the national goals of socio-economic development. Universities can no longer remain spectators of a society steeped in poverty, ignorance and disease, a society that has set up the university itself at great cost and sacrifice. We need a new direction and a new content for the education of medical and other health personnel. We need to prepare young men and women in a variety of ways to participate as a team creatively in the welfare activities of society.

The goals of education for medical and other health personnel must be clearly defined in terms of meeting the needs of the community. The general goals must be translated into specific goals for the teaching of various components and from these general and specific goals a curriculum needs to be constructed. There has to be a totality of commitment on the part of the entire teaching faculty for the fulfilment of the goals . . .

...In many countries where the recruitment of psychiatric social workers raises problems there is a need to guarantee the social worker the status and prestige that his role merits and to develop to a greater degree the possibilities of specialized training. In other countries, the concept of social work should be introduced into medical studies at an early stage so that doctors come to appreciate its contribution to health care and can learn how to collaborate most effectively with social workers.

The role of the social worker in mental health services varies from country to country according to the organization of the health care system. The more severely mentally ill are usually treated by the specialized service, but the majority of those with milder psychiatric disorders are treated by general practitioners. These two different categories of patients can nevertheless each benefit from the support and advice of social workers, and the collaboration of all those concerned in the professional care and management of the mentally disordered in the community needs to be developed to a far greater degree, especially in regard to the social component of ill health between the specialized and the polyvalent services.


The Canadian Post Office is issuing an eight-cent stamp honouring Jeanne Mance, the nurse who founded the first hospital in Ville Marie and one of the founders of the settlement in 1642. That first hospital, built of wood outside the fort, was the beginning of Montreal's Hotel Dieu Hospital.

At the age of 34, Jeanne Mance (1606-1673) left her native town in France, where she had helped many sick and wounded, to go to Canada. But before she left her country, she visited Paris. There she received religious encouragement and financial support for a hospital in New France. The sponsors of the Montreal undertaking, who included some of the wealthiest and most influential women in Paris, were behind her.

Although she was never in good health and suffered a serious arm injury in the winter of 1657, Jeanne Mance lived through the hardships of climate and Indian raids, administering her growing hospital in Ville Marie until her death. On a number of occasions, she made the difficult trip back to France to obtain more support for the settlement.
Books and Reviews


Parallel with the creation of Unesco, and as part of the same general inspiration, other U.N. Specialized Agencies appeared, such as the World Health Organization and the Food and Agriculture Organization, while the Economic and Social Council, established by the Charter of the United Nations, was to co-ordinate and to promote the execution of this great enterprise.

As this undertaking rested largely on the hopes which had been pinned on the development of human rights through international cooperation, it is understandable in retrospect that the same impetus that had brought the United Nations together, and that had strongly influenced the distribution of tasks within the newly created system, should have resulted in a U.N. decision to proceed without delay to a Declaration of Human Rights.

It was fully appreciated that the ideals professed in the various preambles were in need of clearer formulation in order to ensure that they had the greatest possible intellectual impact and practical effect.

On 10 December 1948, the General Assembly of the United Nations proclaimed the Universal Declaration of Human Rights.

It is true that the Declaration was not binding and that, in the main, it is not recognized by national legal systems as having the same standing as national law. It is also true that the work of the United Nations and of the Specialized Agencies may be considered, to a large extent, as a gradual process designed to enlist the co-operation of States themselves in transcending their inherent limitations and circumventing the legal and political obstacle created by the principle of non-interference in internal affairs.

In any event, the Declaration had a considerable impact on governments and on public opinion and has never ceased to be a source of support and guidance for all mankind, voicing its hopes and aspirations.


...To conclude, during the first part of the 25-year period behind us we were tremendously successful in improving health conditions in most parts of the world. Although it should be remembered that very great discrepancies continue to exist between countries, we have made formidable steps towards "health for everyone".
At present we seem in a way to be halted, bogged down by health hazards of a new and partly unfamiliar character. If we are going to resume our victorious battle for health, a certain switch in the outlook on health and closely related social services is necessary.

Most important is to re-define the local "environment" so as to include not only physical but also mental and social factors. This will logically lead to a widening and reconstruction of primary health services at the local level.

We must realize that there are fewer and fewer things a physician can and should do alone. His monopoly as the only authority on health belongs to the past. From now on he must share his responsibility with a long list of other kinds of specially trained health personnel. This also has the advantage of "widening the front" of people fighting the battle for health.

Besides their financial budgets and short- and long-term economic planning, governments should also produce resource budgets—short- and long-term—including provision against the unpleasant aspects of pollution.

The health authorities—widened and strengthened in the way indicated above—should be given the final word in deciding on the acceptability of health risks incurred in production, transportation, and so on, and should take practical action in consequence...
ART. 1. — *International Committee of the Red Cross*

1. The International Committee of the Red Cross (ICRC), founded in Geneva in 1863 and formally recognized in the Geneva Conventions and by International Conferences of the Red Cross, shall be an independent organization having its own Statutes.

2. It shall be a constituent part of the International Red Cross.¹

ART. 2. — *Legal Status*

As an association governed by Articles 60 and following of the Swiss Civil Code, the ICRC shall have legal personality.

ART. 3. — *Headquarters and Emblem*

The headquarters of the ICRC shall be in Geneva. Its emblem shall be a red cross on a white ground. Its motto shall be *Inter arma caritas.*

ART. 4. — *Role*

1. The special role of the ICRC shall be:

   (a) to maintain the fundamental principles of the Red Cross as proclaimed by the XXth International Conference of the Red Cross;

   (b) to recognize any newly established or reconstituted National Red Cross Society which fulfils the conditions for recognition in force, and to notify other National Societies of such recognition;

   (c) to undertake the tasks incumbent on it under the Geneva Conventions, to work for the faithful application of these Conventions and to take cognizance of any complaints regarding alleged breaches of the humanitarian Conventions;

¹ The International Red Cross comprises the National Red Cross Societies, the International Committee of the Red Cross and the League of Red Cross Societies. The term "National Red Cross Societies" includes the Red Crescent Societies and the Red Lion and Sun Society.
(d) to take action in its capacity as a neutral institution, especially in case of war, civil war or internal strife; to endeavour to ensure at all times that the military and civilian victims of such conflicts and of their direct results receive protection and assistance, and to serve, in humanitarian matters, as an intermediary between the parties;

(e) to ensure the operation of the Central Information Agencies provided for in the Geneva Conventions;

(f) to contribute, in view of such conflicts, to the preparation and development of medical personnel and medical equipment, in co-operation with the Red Cross organizations, the medical services of the armed forces, and other competent authorities;

(g) to work for the continual improvement of humanitarian international law and for the better understanding and diffusion of the Geneva Conventions and to prepare for their possible extension;

(h) to accept the mandates entrusted to it by the International Conferences of the Red Cross.

2. The ICRC may also take any humanitarian initiative which comes within its role as a specifically neutral and independent institution and consider any question requiring examination by such an institution.

ART. 6 (first paragraph). — Membership of the ICRC

The ICRC shall co-opt its members from among Swiss citizens. It shall comprise fifteen to twenty-five members.
THE PRINCIPLES
OF INTERNATIONAL HUMANITARIAN LAW

by
Jean Pictet
Vice-President of the International Committee of the Red Cross
Lecturer at Geneva University

In this sixty-page book the writer defines fully and with concision humanitarian law in its widest sense, the laws of war of The Hague and Geneva, and the principles which form the basis for this humanitarian law.

This clear summary is understandable to everybody interested in humanitarian ideas and actions in the world today. In addition, the appendix is a chart of the principles of humanitarian law.

It will be recalled that an earlier work by this author, The Principles of the Red Cross, gives the general reader a clear exposition of its subject. Copies of this book, which has already had considerable success, are available in French, English, German and Spanish, from the ICRC Geneva, which published the book.

1 The Principles of International Humanitarian Law can be obtained from the ICRC, 7 avenue de la Paix, 1211 Geneva (postal cheque account No. 12-5327). Cost Sw.fr. 10.---.
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ALBANIA — Albanian Red Cross, 35, Rruga e Bardhikadave, Tirana.

ALGERIA — Central Committee of the Algerian Red Crescent Society, 15, Boulevard Mohamed V, Algiers.

ARGENTINA — Argentine Red Cross, H. Yrigoyen 208, Buenos Aires.

AUSTRALIA — Australian Red Cross, 32-128 Flanders Street, Melbourne 3000.

AUSTRIA — Austrian Red Cross, 3 Gussauerstrasse, Postfach 39, Vienna 4.

BAHRAIN — Bahrain Red Crescent Society, P.O. Box 682, Manama.

BANGLADESH — Bangladesh Red Cross Society, Amin Court Building, Motijheel Commercial Area, Dhaka 3.

BULGARIA — Bulgarian Red Cross, 1, Boul. S. S. Birzov, Sofia 27.

BURMA (Socialist Republic of the Union of) — Burma Red Cross, 42 Strand Road, Red Cross Building, Rangoon.

BULGARIA — Bulgarian Red Cross, 1, Boul. S. S. Birzov, Sofia 27.

BULGARIA — Bulgarian Red Cross, H. Yrigoyen 208, Buenos Aires.

BULGARIA — Bulgarian Red Cross, P.O. Box 882, Manama.

CZECHOSLOVAKIA — Czechoslovak Red Cross, 1050 BrusseIs.

CUBA — Cuban Red Cross, Calle 23 201 esq. Havana.

DENMARK — Danish Red Cross, Ny Vestergade 1 A, Box 14168, 1014 Copenhagen 14.

GERMANY — German Red Cross of the German Democratic Republic, Kaiserswerth 2, DDR 801 Dresden 1.

GERMANY, FEDERAL REPUBLIC OF — German Red Cross in the Federal Republic of Germany, Friedrich-Ebert-Allee 71, 5300 Bonn 1, Postfach (D.B.R.).

GHANA — Ghana Red Cross, National Headquarters, Ministries Annex A3, P.O. Box 835, Accra.

GREECE — Hellenic Red Cross, rue Lycavitos 1, Athens 175.

GUATEMALA — Guatemalan Red Cross, Casilla 741, Ciudad de Guatemala.

GUINEA — Guinean Red Cross, P.O. Box 351, Conacry.

HAITI — Haitian Red Cross, Place de Nations, P.O. Box 1357, Port-au-Prince.

HONDURAS — Honduran Red Cross, Avenida Santa Maria entre 3a y 4a Calles, N° 313, Comayaguela, D.C.

HUNGARY — Hungarian Red Cross, V. Arany J anos utca 31, Budapest V., Mail Add.: 1167 Budapest 5, Postfach 249.

ICELAND — Icelandic Red Cross, B.P. 324, Reykjavik.

INDIA — Indian Red Cross, 1 Red Cross Road, New Delhi 7.

INDONESIA — Indonesian Red Cross, Djalan Abdul Mut 66, P.O. Box 2009, Djakarta.

IRAN — Iranian Red Lion and Sun Society, Avenue Ark, Tehran.

IRAQ — Iraqi Red Crescent, Al-Mansur, Baghdad.

IRELAND — Irish Red Cross, 16 Merrion Square, Dublin 2.

ITALY — Italian Red Cross, 12 via Toscana, 5300, Postfach (D.B.R.).

IVORY COAST — Ivory Coast Red Cross Society, P.O. Box 1001, Yamoussoukro.

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JORDAN — Jordan National Red Crescent Society, P.O. Box 1001, Amman.

KOREA, DEMOCRATIC PEOPLES REPUBLIC OF — Red Cross Society of the Democratic People's Republic of Korea, Pyongyang.

KOREA, REPUBLIC OF — The Republic of Korea National Red Cross, 82-33A Nam San-Dong, Seoul.

KWANZI — Kuwait Red Crescent Society, P.O. Box 1359, Kuwait.

LAOS — Lao Red Cross, P.O. Box 650, Vientiane.

ETHIOPIA — Ethiopian Red Cross, Red Cross Road No. 1, P.O. Box 195, Addis Ababa.

NETHERLANDS — Dutch Red Cross, Ttibsamsatatu 1 A, Box 14168, 1014 Helsinki 14.
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