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INTERNATIONAL COMMITTEE OF THE RED CROSS

THE LORD MAYOR OF LONDON VISITS THE INTERNATIONAL COMMITTEE OF THE RED CROSS

The Lord Mayor of London and Lady Rupert de la Bère, accompanied by their son and daughter, Valerie and Cameron de la Bère, Colonel J. Hulme Taylor, O.B.E., City Marshal and Mr. William T. Boston, O.B.E., Sword-Bearer, visited the International Committee of the Red Cross on Tuesday, September 15.

In the absence of M. P. Ruegger, President of the International Committee, at present abroad, M. Léopold Boissier, Vice-President, with Members of the Committee and the General Directorate, recalled in his welcoming address that Henry Dunant spent several years of his life in London and that, from the outset, Great Britain had adhered to the humanitarian movement of 1853 which finally led to the signature on August 22, 1864, of the first Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field.

M. Boissier also recalled the magnificent welcome received by the International Committee's Delegates in London on the occasion of the XVIth International Red Cross Conference.

In his reply the Lord Mayor said he was very happy personally to thank the great Geneva institution, and to express his gratitude for its immense humanitarian work during the War, particularly on behalf of the British held in prisoner of war camps.

COMMENTARY
ON THE FIRST GENEVA CONVENTION
FOR THE AMELIORATION OF THE CONDITION
OF THE WOUNDED AND SICK
IN ARMED FORCES IN THE FIELD,
OF AUGUST 12, 1949

It will be recalled that in October last we referred in these pages¹ to the useful purpose of the Commentary on the First Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949.

The English version of this important work has just been published.

The Commentary, which is mainly due to the pen of M. Jean S. Pictet, Director for General Affairs of the International Committee of the Red Cross, and those of his collaborators who participated in the discussions of the Diplomatic Conference of Geneva in 1949, is a large volume of 466 pages.

It gives a comprehensive analysis—based on observation and practical experience prior to 1949 and in particular during the second world conflict—of the regulations which are today embodied in positive international law, and of which the adoption constitutes a fundamental advance in connection with the humanization of war.

The provisions surveyed are mostly those concerning the protection of the wounded and sick of armed forces, their treatment, respect for the dead, the status of the medical personnel of armies and of Red Cross Societies and their possible retention by the adversary, the fate of medical material, vehicles and aircraft, the use of the distinctive emblem of the Red Cross and its protection from abusive use, the application of the

¹ See *Supplement*, October 1952, p. 270.

Conventions in the various cases of conflict, the scrutiny exercised by the Protecting Powers, the penalties for abuses and infractions, etc.

This work will render service to all those who wish to make a deeper study of the Geneva law. It will be an essential instrument for those who will have to apply the provisions of the Convention, which has now been ratified by 26 States. It will also be of the greatest help to jurists and professors, who will find ample documentation in this wide survey on questions of international law.

The Commentary ¹, which has been published under the moral authority of the International Committee is in all respects worthy of the humanitarian tradition of the latter. It follows the generous course which has characterised the action of the International Committee since the Red Cross was promoted by Henry Dunant, and it makes a useful contribution towards the diffusion of Red Cross principles throughout the world.

¹ Copies in English may be obtained from the International Committee's headquarters at the cost of Sw. Fr. 15 each (bound) and Fr. 12 (unbound).

HENRI COURSIER

*Member of the Legal Service
of the International Committee of the Red Cross*

*FRANCIS LIEBER
AND THE LAWS OF WAR*

It may seem paradoxical that war, of which the object is the triumph of force, recognises other laws than those of force itself and develops within the framework of law. Civilisation has nevertheless led to certain regulations being set forth which belligerents are bound to respect.

Although from the Middle Ages onwards theologians had established the principles of war, the laws of war were not generally followed until the 18th Century, when they became an element of morality, and were enunciated by jurists in their modern form.

Occasional conventions between war chiefs for example then frequently regulated the exchange of prisoners, the treatment of the wounded or the protection of hospitals; and the first international instrument which gave force of execution to an extensive set of regulations in the event of conflict was the treaty concluded in 1785 between Prussia and the United States, bearing the illustrious signatures of Franklin and Frederick II. It is however evident that this bilateral Convention remained without legal effect in regard to States other than those of the contracting parties.

It is curious to note that this essential notion of the laws of war was introduced into international public law through the medium of civil war. During the War of Secession the President of the United States called upon an American jurist of Prussian origin, Francis Lieber, to draw up a code of rules for armies in the field, and this code was promulgated in 1863.

These "Lieber Laws" preceded both Bluntschli's "International Law Code" and the recommendations of the Brussels

Diplomatic Conference of 1874, which constitute the legal and the practical basis of the modern law of war.

The laws laid down by the two Peace Conferences held at The Hague in 1899 and 1907 are today in force throughout the whole world in the form of Regulations annexed to the Second Hague Convention of 1899 concerning the Laws and Customs of War on Land, adopted by 46 States (including all the great Powers), or the Regulations annexed to the Fourth Hague Convention of 1907 on the same subject (which moreover follows, practically word by word, the provisions of the 1899 Regulations), adopted by 31 Powers.

In his book "Paix et Guerre" Frédéric de Martens, commenting upon the contemporary codification of the laws of war, bestows deserving praise upon the Lieber Laws by stating that honour is due to the United States, and to President Lincoln, for having taken the initiative of making a precise definition of the customs and laws of war.

As the promulgation of the American Code¹ preceded by one year the Geneva Convention of August 26, 1864, which instituted the Red Cross and laid the basis of humanitarian law, one can gauge the value of the study of the Lieber Laws, in which the Laws of War of today are incorporated.

Lieber was born in Berlin in 1800. On October 27, 1806, he witnessed the triumphal entry of Napoléon, the conqueror of his country. Brought up in hatred of the French at the age of fifteen he enlisted in order to fight against them. On June 18, 1815 he was marching in the rain in the ranks of the Prussian forces. When he reached Waterloo, Napoléon's defeat had already taken place. That night the moon shone over the dead and wounded on the battlefield—26,000 French, 21,000 English, Dutch, Belgians, Germans and Prussians, as related by Henry Houssaye. He heard the groans of the dying, and saw the looting of dead bodies, while solitary shots were still being fired. It was a harsh lesson for a boy of fifteen. Five days later he joined

¹ We refer the reader to this principal text, namely the *Code of War for the Government and Armies of the United States in the Field*. For the sake of clarity, we are adding a few details of the life and work of Francis Lieber, together with a brief commentary on some of the provisions of the Code, in order to draw attention to its humane character.

in the fighting. He was wounded in the neck and became unconscious. Shortly afterwards he was again wounded, this time seriously, and was removed to a temporary field hospital at Namur. There he contracted typhoid fever, and suffered distress and solitude, receiving no news of his parents for months.

On his recovery, in the joy of victory, was he to receive the reward of his youthful courage?

Unfortunately he suffered bitter disappointment. Like many of his comrades, filled with energy and hope he plunged into his studies; but their professors, imbued with Liberal ideas, on the strength of which they had led them to the fray, were no longer in favour with the Governments, distrustful of the abhorred heritage of the French Revolution. The "Burschenschaft" Movement, enthusiastically followed by so many youths like Lieber who were intoxicated with patriotism and liberty, was a cause of disquiet to those in power. The Austrian Chancellor Metternich, then all-powerful in Europe, wrote to Hardenberg, the Chancellor of Prussia, asserting that a central government composed of deputies chosen by the people would mean the dissolution of the Prussian State and adding that the Burschenschaften were a disorderly element.

For having joined a "Burschenschaft" and for having written a few verses to the glory of liberty Lieber was (like his masters Follen and Jahn) prosecuted and arrested. After five months' detention he was discharged, but was forbidden to attend university courses in Prussia or to seek official employment. Having been thus practically excluded from the intellectual centres of his country, Lieber drifted from one university to another in the neighbouring States—to Iéna (from which he was however expelled after acquiring the degree of Doctor of Philosophy), to Halle and to Dresden.

The appeal of the Philhellenists, made him think he had found his vocation. Greece rose against Turkey. As a champion once more of culture and liberty he set out for Greece accompanied by about thirty comrades as courageous but also as poor as himself. On arriving at Navarino after the battle, they realised how vain was their quest, and saw that their efforts

would do more harm than good to the Greek cause. After two idle months they disbanded. Lieber was stranded in Rome, where for the first time in his life he met with good fortune in the person of the savant Niebuhr, then representative of the King of Prussia with the Holy See. The Ambassador took an interest in him and engaged him as tutor for his son. From that time he was under the Ambassador's patronage, which was unailing and in many instances his salvation.

Lieber had not yet finished with the tribulations of his impetuous and studious youth. Imprisoned on his return to Berlin for refusing to bear witness against Follen, he had once again to appear before a commission of enquiry after having spent some time in Mecklenburg as tutor with the Bernstorff family. This was too much. Irritated by police supervision, incapable of renouncing the ideal of liberty which he had set up as his sole guide, he embarked on May 22, 1826 in order to put the ocean between him and his persecutors. After vegetating for a few months in London, where Niebuhr's recommendation would nevertheless have given him the possibility of a teaching post in a newly founded university, he decided to sail for America.

In Boston this same recommendation enabled him to obtain a professorship in the college which Follen had just left ; and from that time he enjoyed a peaceful life, fruitful study, and within a short time fame.

He became an American citizen, and on the next Fourth of July he took part, at the invitation of the Governor of Massachusetts, in the commemoration of American Independence. During his long career as a professor in the United States, first in Boston, then in Columbia (South Carolina) and finally at the Columbia University, New York, he edited the *Encyclopedia Americana* in 13 volumes (1829/1832), and published a *Manual of Political Ethics* in 2 volumes (1838/1839), a miscellany entitled "Legal and political hermeneutics of principles of interpretation and construction of law and politics with remarks on precedents and authorities" (1839), and a work on "Civil liberty and self-government", (1853), not to mention a great many notes and consultations which made him stand out as a jurisconsult of world renown.

Ideas having advanced in Prussia, in 1844 he was asked to return and even to teach there, but refused out of loyalty to his new fatherland.

During the War of Secession his three sons were mobilised in the ranks of the Federal Army. The eldest, Oscar, was killed in 1861.

Thus in the autumn of his life Lieber relived the thrills of his youth in seeing his sons experiencing the dangers he himself had met in his fifteenth year.

The civil war threatened to be particularly bitter. The Confederates were waging a war of partisans, and in the name of the Union the Federal Generals had taken severe measures against them. General Grant had announced that persons acting as guerillas, without organisation or uniforms to distinguish them from private citizens, would have no right to be treated as prisoners of war, should they be captured, and would not receive such treatment. On May 19, 1862, in view of the serious nature of the situation the United States Government was obliged to accord full powers to the Generals.

But in his generous soul President Lincoln, the Quaker who had only become resigned to war through the impossibility of saving the Union without taking up arms, was distressed by this strife between brothers. The memory of civil wars which had followed the upheavals of the French Revolution, the repression of the Vendée outbreak, the brutal conflict for the independence of the Spanish colonies, and the bloody revolutions of Paris, Naples, Budapest and Warsaw made internal conflicts appear a more terrible danger for civilisation than war itself. War could be moderated by "cartels" between the heads of armies; but did not the fact that the Union Generals were confronted by rebels and not by enemies, according to the classical definitions of the law, present the danger of their using their full powers to inaugurate a war of extermination of a more atrocious nature than had ever been known? Continuous reprisals on both sides in obstinate desperation could not but lead to inexpiable crimes, all the more odious because the aim in view was none other than the combatants' final reconciliation within the Union.

It was then that Lincoln turned to Lieber, in the desire that limits should be placed in the name of Law upon partisan feelings. Lieber had just published a note on "Guerillas considered in relation to the Laws and Customs of War"; and the idea of applying the laws and customs of war to an internal conflict such as the War of Secession seemed precisely to fill the purpose which the President had in mind. It would be sufficient to declare that such application in no way affected the juridical capacity of the rebels, and that it was purely and simply a humanitarian act.

* * *

Lieber's promptitude in carrying out the task entrusted to him clearly showed his familiarity with the subject. His studies, his experience and his long years' practice in teaching law had given him frequent opportunities of studying the precepts to be set forth.

His work was complete and perfect from the outset. The authorities concerned made practically no changes in the text.

With the exception of a few original provisions or points relevant to the occasion, this statement of clear and concise regulations for armies in the field is in general in accordance with the doctrine and practice of the laws of war as they existed at the end of the previous century.

Vattel of Neuchâtel, the renowned juriconsult, who in 1756 had embodied the customs for the humanization of war as then practised in regular armies as principles of law, no doubt inspired Lieber's work as a whole. The ideas of the French Encyclopedists still prevailed in the liberal notions on which the American Professor based his work. For them the "law of nature" limited the strict laws of war. Under the title "War" in the "Grande Encyclopédie"¹ it is stated that hostile acts against an enemy should be reviewed in the

¹ *Encyclopédie ou dictionnaire raisonné des sciences, des arts et des métiers*, volume XVI, page 775.

light of the Law of Nature in a humane or even generous light. In so far as the necessities of defence and future security allow therefore, the harm inflicted upon an enemy should always be mitigated by these most natural and just sentiments. If it be said that the voice of law should not be raised amid the tumult of war, it should be replied that, while the Laws of Man may be silent, the eternal Laws of Nature, made for all times and for all peoples, must always be heard.

This doctrine was followed by Lieber in his various works, and particularly in his *Encyclopedia Americana*, which was practically a translation and adaptation of the *Konversations Lexicon* of Brockhaus. It may be recalled that the Treaty of 1885 between Prussia and the United States, which Lieber certainly had in mind, interpreted the main points of this liberal doctrine in terms of positive law.

With regard to the application of these principles, the American Professor found a certain number of examples in the legislation of the French Revolution. For instance, the Convention decreed in 1793 that equal treatment for enemy or national soldiers in military hospitals should be compulsory. Again he found inspiration in the attitude of General Dufour, who had repressed the Sonderbund revolt against the Swiss Confederation with humanity in 1847. In his "Recommendations" to his divisional commanders the General wrote: "If the enemy troops are repulsed, care for their wounded as for our own; give them all the respect due to their misfortune", and in another passage: "He who lifts his hand against a harmless being is a disgrace to himself and to his flag. Prisoners, and wounded especially, are all the more deserving of your respect and sympathy since you have often been in the same camps with them".

The question for the United States in 1863 was much the same as for Switzerland in 1847. It is to these two countries' credit that the voice of humanity should have been raised and heard in both.

The principle admitted by Lieber is therefore to apply even to rebels, "that branch of the Law of nature and nations which is called the law and usages of law on land" (Art. 40).

He also states :

“ The Law of Nations... admits of no rules or laws different from those of regular warfare regarding the treatment of prisoners of war, although they may belong to the army of a Government which the captor may consider as a wanton and unjust assailant ” (Art. 67).

The sole exception to this rule concerns the juridical aspect of the problem, for he goes on to say in Article 152 :

When humanity induces the adoption of the rules of regular war toward rebels, whether the adoption is partial or entire, it does in no way whatever imply a partial or complete acknowledgment of their government, if they have set up one, or of them, as an independent and sovereign power.

This reservation removes any pretext for the opposing of humanitarian needs on the grounds of State requirements.

When the Geneva Convention in 1864 set up the first elements of the right of the Red Cross on behalf of the wounded and sick of armies in the field, the precepts thus laid down by Lieber were of great importance ; for it was by referring to them that a claim could be put forward for the application of the Geneva Convention in the case of civil war. The occasion first arose in 1873 during the Carlist Rising in Spain. Another author of a work on the laws of war, Dr. Landa,¹ who was instrumental in placing the Red Cross on a firm basis in Spain made use of the precedent in American law to urge that the protection of the Geneva Convention should be extended to the rebels. “ Consider ”, he said, “ the horrible position of a wounded man, who is obliged to keep in hiding, and for fear of the police dares not ask for medical treatment since the doctors are obliged to notify all wounded suspects to the authorities.” We see from this quotation the benefits of Lieber’s ideas for the application of the laws of war to civilian conflicts.

¹ DR. LANDA, “ *La charité dans les guerres civiles* ”. Article published by the “ *Gaceta popular* ”, Madrid, August 25, 1873. See in this connection the *Revue internationale de la Croix-Rouge*, March 1953, page 20.

In this connection one of the most difficult questions to be solved is that of the treatment applicable for "partisans".

Lieber gives it a definite solution by supporting the measures taken by the Union Generals during the War of Secession :

"Men, or squads of men", he writes "who commit hostilities, whether by fighting or inroads for destruction or plunder, or by raids of any kind, without commission, without being part and portion of the organised hostile army... are not public enemies and, therefore, if captured... shall be treated summarily as highway robbers or pirates" (Art. 82). "Armed prowlers, by whatever names they may be called... are not entitled to the privileges of the prisoners of war" (Art. 84).

It is particularly difficult to define the status of partisans. The attitude of commanders of strong, disciplined troops, dedicated to the offensive and anxious to occupy conquered territory without resistance, will always be restrictive in comparison with the feeling of populations who have suffered unexpected aggression and are inclined to favour resistance by all means. How can the standards of good faith be fixed between these two conceptions? The strong man no doubt has less incentive to break the law than the weak man, and so may be thought to have less merit than the weak man in observing it. This was clearly in evidence when the Brussels Conference met in 1874 to codify the laws of war. The Conference was a failure precisely on account of the impossibility of agreement on the question of partisans. Representatives of heavily armed States such as Prussia insisted upon the elimination of partisan warfare whereas the small Powers, supported by England, maintained the right for the population to rise against the invader. This difficult question was only solved by the Hague Regulations which, though less strict than Lieber's text, nevertheless only assimilated partisans to regular combatants on condition that they were commanded by a responsible person, had a fixed distinctive emblem recognisable at a distance, carried arms openly and conformed to the laws and customs of war. These conceptions were confirmed in 1949 by the Geneva Conventions.

It is not our intention to comment or to enlarge upon the American Code of 1863 for armies in the field. We merely cite a few passages which show the moral aspect and humane nature of Lieber's laws.

Article 4 states: "Martial Law is simply military authority exercised in accordance with the laws and usages of war... As Martial Law is executed by military force, it is incumbent upon those who administer it to be strictly guided by the principles of justice, honour and humanity—virtues adorning a soldier even more than other men, for the very reason that he possesses the power of his arms against the unarmed."

In Article 11 we read that: "The law of war does not only disclaim all cruelty and bad faith... It disclaims all extortions and other transactions for individual gain; all acts of private revenge, or connivance at such acts."

And in Article 12: "...sentences of death shall be executed only with the approval of the chief executive, provided the urgency of the case does not require a speedier execution, and then only with the approval of the chief commander."

Article 15 has a fine ending, namely: "Men who take up arms against one another in public war do not cease on this account to be moral beings, responsible to one another and to God."

This last thought is characteristic of Lieber's work, not only because it expresses his faith in God, but because it is related to one of the themes of his Manual of Political Ethics, in which he says: "Great liberty gives great rights and therefore duties". This notion of the responsibility of the free man towards his fellowman was familiar to him. He summarized it himself by the French expression "Droit oblige".

The Instructions of 1863 prohibited, in the name of these noble sentiments, all unnecessary cruelty and dishonourable acts. Article 148 concerning "Assassination" is particularly characteristic:

The law of war does not allow proclaiming either an individual belonging to the hostile army, or a citizen, or a subject of the hostile government, an outlaw, who may be slain without trial by any captor, any more than the modern law of peace allows such intentional outlawry; on the contrary, it abhors such outrage. The sternest retaliation should follow the murder committed in consequence of such proclamation, made by whatever authority. Civilised nations look with horror upon offers of rewards for the assassination of enemies as relapses into barbarism.

With regard to the protection of populations, particular mention should be made of Article 23 which prohibits mass deportations, and Article 25 which favours the maintenance of family ties.

But Lieber was not only concerned with the protection of individuals. He also sought to keep intact, so far as possible, the enemy's artistic and scientific possessions, which rightly speaking are part of the common capital of mankind.

Classical works of art, libraries, scientific collections, or precious instruments, such as astronomical telescopes, as well as hospitals, must be secured against all avoidable injury, even when they are contained in fortified places whilst besieged or bombarded (Art. 35).

Ans this rule is emphasised by the following remark in Article 118:

The besieging belligerent has sometimes requested the besieged to designate the buildings containing collections of works of art, scientific museums, astronomical observatories, or precious libraries, so that their destructions may be avoided as much as possible.

These few examples give an understanding of the generous nature and humane purpose of Lieber's Laws, and lay stress on the high degree of civilisation which emerges from them.

If, after reading the whole of the 1863 Instructions, we attempt to summarize the general notions which they embody, we may also find useful directives with a view to the reestablish-

ment of certain fundamental ideas which current events have made obsolete.

* * *

For Lieber war is lawful, provided it is concluded according to the rules of civilisation—that is to say, the strict and fully legal rules of the laws and customs of war. According to these rules, as expounded by Bluntschli ¹, who owes so much to Lieber, international law entirely rejects the right to determine arbitrarily the lot of private individuals. It does not allow them to be subjected to harsh treatment or violence. Personal safety, honour and liberty are individual rights, which war does not allow to be impinged upon. The enemy may only take the measures required for military operations or the policy of the State. War with its devastating consequences can never serve a purpose in itself. It is always a means of enforcing respect of the law or of realising the purposes of a State. The forces at issue in war are not therefore of an absolute nature. War should be limited, and should cease when it is no longer subservient to the realisation of the State's purpose.

This theory of war is both realistic and moral. While one may, and should, hate war or even on the practical side agree with Franklin that there has never been a good war or a bad peace, we are obliged to admit that war remains in fact one of the laws of mankind. Noble attempts to exclude war for ever have never prevailed over actual facts, and the United Nations Charter itself refers to cases where war is legitimate.

The experience of centuries, which is still ruling today, continues therefore to oppose justice and force, as outlined by Pascal in his famous saying that justice without force is powerless, that force without justice is tyrannous and, as there are no means of giving power to justice, let force at least be just. Lieber's work finishes on this note.

Nevertheless he placed this justice—plus—force on such a high level, with a sense of the humane which is an honour to civilisation, that events have not always ratified his judgment.

¹ BLUNTSCHLI, *Droit international codifié*, Introduction, pages 35 ff.

No doubt the Hague Regulations, which (as we have said) still constitute today the law in force, closely followed the 1863 Instructions. But the experience of two World Wars and the ensuing events have revealed many infringements of the principles of the Hague Regulations ; and the question arises today whether some adjustment could be made for their application. This question was in fact recently raised by the International Law Institute ¹.

In attempting to solve this serious problem one cannot do better than to turn to Lieber himself.

His works clearly show the fundamental causes of misunderstanding between men. In his *Juridical and Political Miscellany* he wrote that men had no direct communion of spirit. Whatever the thoughts, emotions, conceptions, joyful or sorrowful ideas, we may wish to convey to other persons, we cannot do this without having recourse to the external manifestation of our most intimate feelings, that is by signs... the true meaning of every sign is that which corresponds to the wishes of the person using it... the result is that the total exclusion of any misunderstanding imaginable is, in the majority of cases, absolutely impossible.

In such a serious matter as war, where passions have so wide a range as to obscure reason, there must really be a community of very strong ideas to conceive "laws", that is to say, to subordinate the will to reason.

Lieber recognised this on several occasions in his Instructions. Article 14 speaks of "*Military necessity, as understood by modern civilised nations...*" and Article 24 says that: "*The almost universal rule in remote time was, and continues to be with barbarous armies, that the private individual of the hostile country is destined to suffer every privation of liberty and protection, and every disruption of family ties. Protection was, and still is with uncivilised people, the exception.*"

But this difference of the intellectual and moral level between civilised and uncivilised peoples is not, unfortunately, the only cause of misunderstanding between men. Conflicts of such

¹ See *Revue internationale de la Croix-Rouge*, February 1953, page 132.

violence have arisen between civilised peoples that since the Hague Conferences mankind has experienced several cases of "total warfare", a new conception which tends to abolish the laws of war. How many infringements have been made to Lieber's Laws and the Hague Regulations by the conduct of people at war! The theory of natural law as set forth by Lieber should help humanity to emerge from this chaos. He wrote "I live as a human being, for that very reason I have the right to live as a human being". His words find their echo today in the appeals of the Red Cross. Since the promulgation of Lieber's Laws the latter has given a new element to this conception of the humane. The Geneva Conventions of 1864, 1906, 1929 and 1949, while reaffirming in part the laws of war, have defined the regulations for the protection of the wounded and sick, and subsequently for prisoners of war and for the civilian population in times of war. It would appear necessary to go still further, and in the same spirit (with due recognition of the exigences of humanity) to adapt to present-day needs those clauses of the Hague Regulations which require to be revised, defined or completed. It may no doubt be admitted that the laws of war establish a fair compromise between the notions of necessity and humanity; but an idea may serve as a guide in the arduous search for such a compromise, and such an idea is set forth in Article 16 of the 1863 Instructions: "... in general, military necessity does not include any act of hostility which makes the return to peace unnecessarily difficult."

This is the safe and humane path of justice. It had already been found in the fifth Century by the first theorist of the laws of war, Saint Augustine, the inheritor of ancient wisdom and the ancestor of the theologians, when he wrote to Bonifacius, Prefect of Africa: "Even in war, shouldst thou again be therein, seek for Peace."

PRESS RELEASE

*TWO MEMBERS
OF THE EGYPTIAN RED CRESCENT DIRECTORATE
VISIT THE INTERNATIONAL COMMITTEE
OF THE RED CROSS*

September 9, 1953

During the first week of September, M^{mes} Chawarby and El Far, Vice-Presidents of the Egyptian Red Crescent, made a short study-visit to the International Committee of the Red Cross in Geneva. They made a special study of the question of assistance to Palestine Arab refugees, and the training of medical personnel and its work in time of war or disturbances.

Thanks to this visit the International Committee had the opportunity of collecting valuable information on the work of the Red Crescent in Egypt.

During their stay in Switzerland Mmes. Chawarby and El Far were also in contact with the Secretariat of the League of Red Cross Societies in Geneva, and paid a visit to the Swiss Red Cross services in Berne, in particular those concerned with blood transfusion and the campaign against tuberculosis.