

Dissemination of International Humanitarian Law

Summary of Work in 1981

In 1981, the ICRC, the League and the Henry Dunant Institute, along with a number of National Red Cross and Red Crescent Societies, and at times with certain specialized institutions that do not belong to the Red Cross world, continued their efforts to spread knowledge of international humanitarian law and of the principles of the Red Cross.

As it has done in previous years International Review, provides in this issue a summary of the work carried out — in 1981 — in the sphere of dissemination. Should we have failed to mention certain activities, we would be grateful for a brief account, which we would publish with pleasure in a later issue.

The dissemination of knowledge of international humanitarian law is a long and exacting task which has been going on already for some time and will be continued in the years to come. As our intention is to give a clear and simple account, we have not provided, in this summary, long definitions of expressions which may now be considered to be well-known and in current use, nor have we thought it necessary to make any introductions concerning a number of bodies and institutions that are today known to play a significant role in dissemination. Those who would like to be better acquainted with those institutions are referred to the articles on dissemination activities which have appeared in recent years in International Review of the Red Cross.

Dissemination in the armed forces

Courses at San Remo

Two international courses on the law of war were organized in 1981 at the International Institute of Humanitarian Law at San Remo, Italy. These courses for officers of the armed forces, the 10th in the series in

French from 11 to 22 May 1981 and the 11th in English from 14 to 25 September, were led, as in past years, by Lieut.-Col. de Mülinen (of the Swiss army), ICRC delegate to the armed forces and director of military courses at the San Remo Institute.

The two courses were attended by representatives of twenty-two countries from all over the world: Australia, Belgium, Canada, Denmark, Ecuador, Finland, Federal Republic of Germany, Ghana, Greece, Indonesia, Italy, Ivory Coast, Jordan, Kuwait, Netherlands, South Africa, Sweden, Tunisia, United Kingdom, United States, Zaire, and Zambia. At the course in English, seventeen States were represented by 42 participants, the highest number ever recorded at a San Remo course, and all were senior officers, including three generals. A balanced proportion of land army, navy and air force officers made it possible to set up an inter-services in-depth study of the problems involved.

The courses are intended for commanding officers of land, sea and air forces, for officers holding Staff College certificates, for high-ranking officers with the necessary qualification for conducting, in their turn, the effective dissemination of the law of war among members of their own country's armed forces, for specialized officers whose presence lends particular importance to the special requirements of the different branches and services of the armed forces, and for military lawyers.

Since 1980, the duration of the course has been extended to a fortnight, that is to say ten full working days. Each day is devoted to a different theme introduced by a lecturer. As in the higher military colleges, the essential part of the instruction (practical work) is done by officers holding Staff College certificates, having previously completed a course at San Remo. There was a particularly large number of officers who took part in the eleventh course, and they were divided into four classes, each one containing members of each of the three services (land, sea and air) and military lawyers.

The eleventh course was organized as follows: 2 days for the participants to become familiarized with the law of war and the documentation provided; 3 days for lectures on the conduct of military operations on land, on sea and in the air; one day for classes on the conduct of unequally balanced armed forces (combats between a modern army and ill-equipped combatants in the midst of their civilian environment); 2 days for the examination of problems relating to the rear areas of an army operating in free and in occupied territories; one day for lectures on the evacuation and treatment of prisoners of war and of the wounded and sick from the battle area to their definite place of internment or to hospital; finally, the last day was devoted to a double action between

two States, one of them at war and the other neutral, the latter being subsequently drawn into the war against the first, with a United Nations force intervening at the end of the exercise. The participants acted in a number of events at different echelons and were required to make rapid decisions at appropriate levels. Contacts between opposing belligerents were also exercised (conclusion of a short-lived truce on the battlefield, negotiations through an intermediary such as a Protecting Power or the ICRC).

The eleventh course undoubtedly provided the confirmation that governments were taking a growing interest in this sort of instruction, judging from the increasingly higher ranks and qualifications of the officers sent to San Remo. The course also allowed one to conclude that it was only at the courses in English that there was practically universal participation and a truly interesting exchange of experiences and viewpoints.

Missions to various countries

In 1981, ICRC delegates read papers on international humanitarian law to audiences of high-ranking officers of the armed forces in several countries: United States, Colombia, Ecuador, Peru, Mexico and El Salvador.

In El Salvador, a programme was organized to disseminate knowledge of humanitarian law and Red Cross principles, the need for which was demonstrated by the distressing incidents in the country. From April 1981, three series of lectures delivered in army and security service barracks, involving about sixty lectures to thousands of soldiers and conscripts, brought the question of respect for humanitarian law directly to the knowledge of those who would be later faced with these problems in the field. A leaflet, devised specially for this Salvador programme, was intended to reach, too, the combatants belonging to the opposing forces.

In addition, ICRC delegates sent on several missions submitted dissemination programmes to Defence Ministry representatives in the United States, Colombia, Ecuador, Panama and Mexico.

Besides the missions referred to above, the ICRC delegate to armed forces gave talks or directed practical exercises before audiences of senior army officers in Colombia, Ecuador, United States, Nicaragua, El Salvador and Switzerland.

In Geneva, the ICRC invited to its headquarters the military attachés accredited to Switzerland for an information session on 25 and 26 May

1981. A score of military attachés, from fourteen countries in Europe, Africa and the Far East, were greeted by Mr. R. Pestalozzi, ICRC Vice-President, and listened to a lecture on international humanitarian law given Mr. F. de Mülinen.

Courses for military medical officers

The International Committee of Military Medicine and Pharmacy had planned to organize its tenth International Advanced Course for Young Medical Officers at Caracas (Venezuela) on 2, 3 and 4 November 1981, following the ninth course held at Athens in April 1980. This course always includes a lecture on international humanitarian law, in which the ICRC takes an active part. Unfortunately, the 1981 course in Venezuela did not take place.

The seminar on the law of armed conflicts, for senior officers in military medical services, which is to follow the second seminar held at the Henry Dunant Institute, Geneva, in the autumn of 1980, will be held in 1982. It is planned to hold these seminars every two years.

Dissemination among young people

The meeting of Junior Red Cross Directors of National Societies in French-speaking Africa, organized by the Red Cross of Benin and the League of Red Cross Societies, was held in Porto Novo in March 1981. The ICRC delegated a member of its Documentation and Dissemination Division.

Plans were drawn up for Red Cross development and dissemination of Red Cross principles, taking into account conditions peculiar to each country, with the use of material, such as posters, handbooks and audio-visual productions, prepared by the International Red Cross.

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For the teaching of Red Cross principles and rudiments of international humanitarian law, the International Red Cross continued promoting, in 1981, new editions, in various languages, of the school textbook, with its accompanying *Teacher's Manual*, and the *Teacher's Handbook*.

The school textbook entitled *The Red Cross and My Country* or *The Red Crescent and My Country* — depending on the country — and the

Teacher's Manual, which cannot be separated when teaching from the school textbook, are intended to explain Red Cross and Red Crescent activities and principles in simple terms to primary school children.

The Teacher's Handbook is not only for school teachers but also for Junior Red Cross or Red Crescent instructors. It goes further than the *Teacher's Manual* in that it contains also chapters on first aid, food and water, hygiene, etc.

New versions of these three manuals were printed in several countries in 1981: *The Red Cross and My Country* in Spanish in Nicaragua and in Chinese in the People's Republic of China; the *Teacher's Handbook* in Spanish in Colombia, Peru and Costa Rica, in Polish in Poland and in two separate editions (one in English and one in French) in Cameroon.

The editions published in these countries were not identical, each being adapted to local needs, so that they differed in some degree, particularly concerning the history and organization of the National Red Cross or Red Crescent Society, food, and even hygiene and first aid which must take into account the habits and moral precepts of each nation.

In Universities

ICRC jurists, when on mission away from Geneva, take the opportunity while in a foreign country to visit universities where international law is taught, in order to meet the teachers, lawyers, and other specialists in that subject. Similarly, when these persons come to Geneva they are received by ICRC jurists to discuss prospects for the promotion of teaching international humanitarian law. In addition, special missions were undertaken by ICRC jurists to disseminate knowledge of international humanitarian law in several countries in 1981.

In February, Mr. J.-J. Surbeck, ICRC delegate, went on a mission to contact the law faculties of universities in Australia, New Zealand, Papua-New Guinea, Singapore and Sri Lanka, with a view to stimulating interest in the introduction of courses on international humanitarian law.

While on mission in Africa in April and May 1981, Mr. H.-P. Gasser, of the legal division, visited the law faculties of the universities of Dakar (Senegal), Abidjan (Ivory Coast), Lagos (Nigeria), Yaoundé (Cameroon), Nairobi (Kenya) and Addis Ababa (Ethiopia). He also had interviews at the Cameroon Institute of International Relations in Yaoundé.

In the United States, Mr. J. Moreillon, director of the Department of Principles and Law, took part in March in a seminar organized for

professors of public international law who were prepared to teach international humanitarian law.

Mr. Pierre Gaillard, ICRC delegate, in Belgium in March and April, gave a series of lectures on international humanitarian law and ICRC activities to students in the Universities of Namur, Brussels, Louvain and Liège.

While in Nicaragua in March and April, Mrs. Sylvie Junod, ICRC delegate, discussed a programme for the teaching of international humanitarian law with the deans of the Managua and Leon Universities.

On various occasions, ICRC delegates in El Salvador lectured on international humanitarian law at the Catholic University, the José Matias Delgado University and also to the Bar Association.

In Argentina, in May 1981, a seminar on international humanitarian law for professors of international public law was held in the University of Buenos Aires. This was sponsored by the National Faculty of Law with the co-operation of the ICRC and the Argentina Red Cross.

In Italy, in May 1981, an ICRC delegate took part in a seminar organized at Milan by that town's university jointly with the San Remo International Institute of Humanitarian Law. This seminar, at which the lectures and discussions were of a high standard, was for professors and assistant professors specializing in international law and teaching in Italian universities. This was the second such seminar, the first having taken place in Florence in November 1980.

In Poland, the first course on international humanitarian law for advanced law students from European and North American universities was held in Warsaw from 29 September to 9 October 1981. It had been organized jointly by the Polish Red Cross and the ICRC. The lecturers were Polish professors, Mr. J. Meurant of the Henry Dunant Institute, Mrs. Y. Camporini of the League, Mrs. D. Bindschedler and Mr. Th. Fleiner, both members of the ICRC, Miss Perret and Mr. Zimmermann, both members of the ICRC staff.

The 31 students came from the Federal Republic of Germany, Canada, Denmark, Spain, Finland, United Kingdom, Hungary, Norway, Poland, Sweden and Switzerland. Most had already a sound legal training. They displayed considerable interest in the courses and working groups and they in this way acquired a good knowledge of international humanitarian law and of the Red Cross. During the day devoted to the subject of dissemination, many of them expressed the wish to cooperate in Red Cross activities, particularly in their National Societies' programmes for dissemination of knowledge of international humanitarian law.

At the invitation of the Japanese universities, the ICRC sent Mr. Ch. Swinarski of the Legal Division to Japan in November 1981. He gave six lectures on various aspects of international humanitarian law at the faculty of law of Kyoto University, the faculty of political science and law at Aichi University at Nagoya, the faculty of political science at the International Christian University of Tokyo and at the faculty of law of Tokio University. His audience comprised professors, assistant professors and students preparing for their doctorate. They displayed keen interest in international humanitarian law problems in the course of the discussions which followed the lectures.

A round table on the 1977 Protocols was organized by the Japan Institute of Defense Law Studies; this was attended by representatives of parliamentary and political circles and by officers of the Legal Service and Staff of the Japanese defence forces.

In addition, Mr. Swinarski conferred with the directors of the Japanese Red Cross International Relations Department. These talks were focused mainly on the Japanese Red Cross project for the founding of a research centre on international humanitarian law and on possibilities for co-operation with the ICRC in that project.

Dissemination in National Societies

In the course of various missions delegates of the ICRC Documentation and Dissemination Division lectured on international humanitarian law to members of National Societies in Australia, New Zealand, Papua-New Guinea, Panama and El Salvador.

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The First Arabic Middle-East Seminar on International Humanitarian Law, organized jointly by the Jordan Red Crescent and the ICRC, took place in Amman from 5 to 15 April 1981. It was attended by representatives of National Societies in Arab countries of the region. The ICRC was also represented.

The participants presented reports on their National Societies' dissemination work. Lectures were given on: the history and nature of international humanitarian law; the law of The Hague and the four Geneva Conventions; the 1977 Protocols; international humanitarian law and Islam; humanitarian law and human rights; the Red Cross

action programme for dissemination of knowledge of international humanitarian law.

This seminar was the final one in a series which began in 1977 and aroused interest for the dissemination of knowledge of international humanitarian law in the armed forces, ministries, universities, schools and the general public in various parts of the world.

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In addition, in co-operation with the National Societies of Australia, New Zealand, Papua-New Guinea, Panama and Costa Rica, ICRC delegates prepared programmes for dissemination among the National Societies' members and the public at large.

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In order to make international humanitarian law better known, the Belgium Red Cross, in December 1981, organized a "counsel's speech" competition on legal problems arising in armed conflicts.

The competition is open to all students of law, criminology, medicine, political science, economics and social science, to students studying for a special diploma of a French-speaking University in Belgium, to cadets of the French-speaking sections of the *Ecole royale militaire* and the *Ecole royale de gendarmerie*.

Each entrant may choose a cause from a list, stating whether he is representing the prosecution or the defence. Each competitor is to draw up a fifteen page statement of the case, accompanied by necessary references, and send it to the secretariat by 31 October 1982. Public debates between two opposing candidates, before a jury, will be organized. Prizes will be awarded to competitors whose presentations of their cases are considered worthy of being published.

Participation of Henry Dunant Institute

The Henry Dunant Institute played a large part in 1981 in dissemination, particularly by giving training courses.

In May 1981 it held its sixth Introductory Course on International Activities of the Red Cross. This was attended by seventeen representatives from fifteen National Societies.

The Institute extended its teaching of humanitarian law and Red Cross structures and activities to certain categories of persons or institutions interested, by reason of their vocation, in humanitarian activities. It organized for instance, for the first time, a seminar on international humanitarian law and the Red Cross for members of diplomatic missions in Geneva. This seminar took place in January 1981 and was a pronounced success, being attended by 27 diplomats. It organized a similar seminar for fifteen Spanish journalists.

The Institute continued organizing, in co-operation with academic institutions, regional seminars on international humanitarian law for civil servants, armed forces, professors and lawyers. Two such seminars took place in 1981, one in March at Quito, organized jointly with the Inter-American Federation of Lawyers, with 90 participants, and the other in December at Yaoundé, jointly with the Cameroon Institute of International Relations, attended by 65 people from 30 African countries. The ICRC was represented at Yaoundé by its delegate-general for Africa, Mr. J.-M. Bornet. Incidentally, the Cameroon Institute for International Relations was founded with the help of the Swiss Confederation and it works in close co-operation with the Geneva Graduate Institute of International Studies. Its purpose is to give post-graduate training to young African diplomats.

The Henry Dunant Institute also took part in a number of meetings organized by the League, the ICRC, National Societies or other specialized institutions.

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The Henry Dunant Institute, jointly with the ICRC and the League, has drafted a guide on methods for the dissemination of knowledge of international humanitarian law and of Red Cross principles and ideals. This is intended for National Societies and has been submitted to 30 of them who are particularly interested in such dissemination. Their comments will be included in the final version of the guide which will be published in several languages.

Round table at the San Remo Institute

In September 1981 the 7th Round Table on current problems of international humanitarian law was held at San Remo (Italy). It was organized by the International Institute of Humanitarian Law. The ICRC was represented by its President, Mr. Alexandre Hay; by com-

mittee members, Miss A. Weitzel, Mr. H. Huber, Mr. D. Schindler and Mr. M. Aubert; and by a number of members of the ICRC staff.

The following subjects relating to current humanitarian law problems were discussed: the Red Cross image in the world; the prohibition or limitation of the use of certain conventional weapons; dissemination of knowledge of international humanitarian law and of Red Cross principles and ideals; and relief for refugees.

These discussions were followed by various lectures, namely: the application by States of Protocol I to their own nationals, with special reference to article 75; assessment of United Nations conference results on the prohibition or limitation of the use of certain conventional weapon which may be deemed to be excessively injurious or to have indiscriminate effects; international humanitarian law and the internationalization of internal armed conflicts (the speaker on this subject was Mr. Schindler, member of the ICRC); human rights and Protocol II (Mrs. S. Junod, ICRC jurist); and the protection of refugees during armed conflicts.

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The San Remo International Institute of Humanitarian Law, on the occasion of its 10th anniversary, published a collection of resolutions by the congresses it had organized from 1970 to 1980. The list of resolutions gives an insight into the range of problems dealt with the Institute:

- humanitarian rules and military instructions;
- human rights and international humanitarian law;
- news during armed conflicts;
- the reuniting of dispersed families;
- international humanitarian law and telecommunication;
- spiritual and intellectual assistance in armed conflicts and internal disturbances;
- international protection for refugees;
- condemnation and outlawing of torture, etc.

This collection is an excellent basis for thought and work.

Joint working group

In the summary of 1980 activities for the dissemination of knowledge of international humanitarian law which appeared in *International*

Review issue of March-April 1981, we announced the founding and composition of a joint working group.

We would merely mention here that the group, in April 1981, re-elected its chairman, Mr. K. Warras of the Finnish Red Cross, and submitted to the Twenty-fourth International Red Cross Conference in Manila last October a brief report on its activities since it was founded in April 1979.

Dissemination programme 1982-1985

The draft of a dissemination programme for 1982-1985, prepared by the ICRC and the League, was submitted to National Societies in November 1980, as mentioned in our March-April 1981 issue. The National Societies having sent their comments and suggestions, the League and the ICRC have drawn up a "Second programme of action of the Red Cross with respect to dissemination of international humanitarian law and of the principles and ideals of the Red Cross, for 1982-1985". This programme was submitted to the Twenty-fourth International Conference at Manila in 1981.

The objectives of this programme are:

1. To make international humanitarian law and Red Cross principles and ideals better known to the public at large in various countries, particularly among their armed forces, members of the Red Cross or Red Crescent, appropriate government agencies, universities, primary and secondary schools and members of the medical and para-medical professions.
2. To improve the procedures and structures necessary for effective co-operation among the ICRC, the League, National Societies and governments in the matter of dissemination.
3. To mobilize and use all the resources which may be made available to the ICRC and the League by National Societies, government departments and universities.
4. Increase ICRC and League ability to make various aspects of international humanitarian law and Red Cross principles and ideals better known to the various groups concerned.
5. To seek funds for the financing of the programme.

Two documents

To conclude, we draw attention to two documents on dissemination which were published in 1981.

The first is a report containing information conveyed to the ICRC on government and National Society dissemination work. Entitled "Dissemination of knowledge of international humanitarian law and of Red Cross principles and ideals — Replies from governments and National Societies to the ICRC questionnaire", this document, in French, English and Spanish, was submitted to the Manila Conference Commission on "Protection and Assistance". It is an interesting working instrument and may be obtained from the ICRC.

The second "Fundamental Red Cross principles — Teaching document" is the result of a seminar which was held at St. Léger (Switzerland) in July 1979. The seminar was organized by the Swiss Junior Red Cross and the *Société pédagogique vaudoise*. It contains a series of model lessons intended to enable teachers at various levels to spread knowledge of the fundamental Red Cross principles, particularly humanity, impartiality, voluntary service and neutrality. This document may be obtained from the ICRC or from the League, in French, English and Spanish.
