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Annex C

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ON THE RED CROSS PRINCIPLES

THESIS

The Red Cross and the Problem of "Peace"

- I. In Theory
- II. In Practice

Japanese Red Cross Society

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## THESIS

### The Red Cross and the Problem of "Peace"

#### I. IN THEORY

When we mention "Peace", we should clearly distinguish between the following three conceptions, which in themselves are entirely different from each other:

- a) Peace itself\* (A phenomenon)
- b) Prevention of War (A measure)
- c) Suspension of Hostilities (A measure)

When we discuss the question of Peace at the Red Cross Conference, it is generally in the sense (b) that we use this word. However, when we say "Peace is the object of the Red Cross," it is evident that we use it in the sense (a) -- because the word "Peace" used in the sense (b) would only be a measure. However, a measure which is needed to achieve an object, cannot at the same time be the "object" itself of that measure. Therefore, to replace a) by b) is a logical error of substitution.

A. Firstly, if we use the word "Peace" in the sense a), the Red Cross activities in time of peace become its principal tasks. In reality, however, the Red Cross activities in time of peace can be divided into the following two categories:

- 1) Medical treatment, rescue of the injured and hygienic prevention (fight against suffering and death)
- 2) Application of the Principles of the Geneva Conventions in time of peace (Respect of human dignity)

In both the aforementioned cases, we find the application of the principles of Humanity. There is nothing new in the "object" of the Red Cross.

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\* This state of Peace can be sub-divided as follows:

- i. "Internal" Peace (Peace of conscience)
- ii. "External" Peace
  - a) Individual (Peace of the individual in his relationship with others)
  - b) Social
  - c) National
  - d) Universal

When we treat the question of "Peace" at the Red Cross Conference, we use the word in the latter meaning: "Universal Peace".

Hence, we cannot say that Peace is the object of the Red Cross in this case (a), because the coming of universal "Peace" would not, of course, put an end to the activities of the Red Cross.

B. Secondly, should we use the word "Peace" in the sense (b), the subject immediately gains an entirely different aspect to that of case (a).

As a matter of fact, should the object of the Red Cross be "Peace" in the sense of (b), that is to say, "prevention of war", it would be logical to first examine, what "war" really means. Otherwise, we are dealing with a subject about which we are not fully informed.

"War" is, without doubt, a phenomenon which depends on the following factors:

- 1) Military
- 2) Political (external and internal)
- 3) Economic and Financial
- 4) Cultural
- 5) Psychological
- 6) Juridical

Should this be the case, it would be logical to act in all of these fields, in order to prevent "War". But, we do not think anybody could claim that the Red Cross is entitled to act in all of these fields, excepting in the last two ones (psychological and juridical factors), and these only within certain limits.

Unfortunately, the above-mentioned six factors are welded into one. They are amalgamated and indivisible. Only, a government, wishing to prevent war, can discern and coordinate them.

Hence, even with the best of intentions, the Red Cross has no guarantee to serve the cause of Peace, should it act independently in the psychological or juridical fields, without taking into account the policy of its own Government wishing to prevent a war.

This is not only logical, but a historical fact. Nobody can effectively contest this argument. It is usually said that, the humanitarian and neutral attitude of the Red Cross serves the cause of Peace. Logically speaking, this is not correct. It may do so, but it also may not do so. All depends on circumstances, although in most cases it will serve the cause of Peace.

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This means, however, that the Red Cross can serve "Peace". It can do so, it can even have the right to do so, when the matter concerns the relief of victims and ensurance of the respect of human dignity, but only on one condition: The Governments concerned should declare their agreement hereto beforehand. (See: II. IN PRACTICE) Only then, can the Red Cross act efficiently against psychological or juridical factors. We should never forget that, "if both the idea and work of the Red Cross, are based on motives which all men have in common, they correspond to the acknowledged interest of the nations." (Pictet: "Red Cross Principles", page 1)

Of course, the Red Cross may persuade Governments, from the humanitarian point of view, when making decisions, but it cannot force them to take issue. Hence, the question of Peace in the sense (b) is, for the Red Cross, a question of method, but not of object; whilst, to fight against suffering and death, and ensure the respect of human dignity, is, and always can be, the object of the Red Cross. Here, we need not necessarily take into account the attitude of Governments, because, these points, not being of a political nature, concern the fate of the individual and of private charity; whereas, "War" is a relation between State to State, and not of individual to individual.

Therefore, even admitting that the object of the Red Cross is "Peace", we cannot say that "consequently, the prevention of War is the object of the Red Cross." For this proposition to be in order and correct, the following syllogism should be established:

- 1) the object of the Red Cross is Peace,
- 2) ("Peace" and "prevention of war" are identical)
- 3) Consequently, prevention of war is the object of the Red Cross.

However, this syllogism cannot be established because we perceive a logical error in the small premise 2).

Moreover, strictly speaking, neither 1) nor 3) are the object of the Red Cross, for, the object of the Red Cross is always, in time of peace as well as in time of war, to "fight against suffering and death and to ensure the respect of human dignity." The big premise 1) being wrong, the conclusion 3) is also so.

C. Thirdly, in the case of (c) (suspension of hostilities), we should make the following two distinctions:

- 1) suspension of hostilities to search for wounded and dead
- 2) conclusion of an armistice

Case 1) is recognized by the Geneva Conventions. The Red Cross can always act in this sense. However, here again, this means "the fight against suffering and death." It is not its object. The object of the Red Cross is, we repeat, unique and invariable: "fight against suffering

and death, and to ensure the respect of human dignity" in time of peace as well as in time of war.

In case 2), high techniques are required which exceed the limitations of the Red Cross.

In conclusion, we must take great care not to mix up the three conceptions (a), (b) and (c) of "Peace", because they vary. Also, we should not draw the conclusions of (b) or (c), starting from a premise which has no relation with the given proposition (a).

## II. IN PRACTICE

What we have so far dealt with, is the theory regarding the question of "Peace" in relation to the Red Cross. We shall now examine the practice.

We stated that the Red Cross, in establishing "Peace", can act in psychological and juridical fields. Let us see how:-

Henry Dunant had two ideas -- how to prevent war, and how to assist victims of war. Regarding the first point, his manner of thinking was as follows: "this important subject of general interest, will provoke the reflection of more competent persons" than he was. (H. Dunant: "A Memory of Solferino", page 106, French text)

With regard to the second point, he wished to establish all over the world "Relief-Societies of the Wounded", and to formulate a convention permitting their activities on the battlefields. (id: p. 116)

How right he was! As a matter of fact, regarding to the first point, Alexander II soon after announced the St. Petersburg Declaration of 1868, from which later, the Hague Conventions emerged. With regard to the second point, the Geneva Convention was established in 1864. Since then, these two juridical systems have undergone further developments, but always in full accordance with each other.

Arbitration, Court of International Justice, Disarmament, League of Nations, United Nations Organization, etc. are the logical development of the Hague idea, which in its turn, was inspired by the Geneva Convention.

This latter has enlarged its field of action for incorporating conventions for the treatment of prisoners of war and protection of civilian populations under occupation. Thus, in 1949, 4 Conventions were signed.

Originally, the Geneva Conventions were limited to assistance of war victims. Today, however, the conventions cover such a large field that, should they be applied literally, atomic war would be almost impossible. Indeed, the Fourth Convention strictly prohibits attacks on civilian hospitals, it protects the civilian population, especially the weak, and forbids extensive destruction of private property. Also the Contracting Parties, which include most of the countries in the world, have solemnly undertaken to ensure and respect these Conventions. Therefore, although the Geneva Conventions cannot eliminate war entirely, they make warfare very difficult, in the same manner that the technical advancement of destructive arms deters the outbreak of war.

Certainly, the stipulations of the Conventions have yet to be completed. They should be enlarged and revised. Nevertheless, if the current Conventions were applied literally, they could exercise a great influence in the prevention of war.

The Geneva Conventions have always been inspired by the Red Cross, in particular by the ICRC, which body continues to make great efforts to further and perfect the humanitarian Law.

Such is the Red Cross action for "Peace". This being an historical fact, it defies underestimation. Moreover, it is not for political reasons that the Red Cross furthers Peace, but in order to "fight against suffering and death, and to ensure respect for human dignity." This is its one and only object. It has no other.

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In conclusion, there is a point which we desire to define precisely, in order to prevent any misinterpretation. Everything we have mentioned above, concerns the object or principles of the Red Cross, but not its programs. If we discussed the latter, it was only as far as the difference of the two was concerned.

With regard to programs, it is evident that the question of Peace can and should be the concern of the Red Cross. To deny this, is to deny the Oxford Principles, the Peace Declaration of Stockholm and all efforts made to date by the Red Cross in the field of humanitarian Law. Therefore, there is nothing wrong from the point of view of Principles, when the Red Cross Conference expresses its wishes regarding the success of disarmaments or prohibition of the use of atomic bombs, etc., inasmuch as these matters are the earnest wishes of all the peoples of the world, on whom Red Cross Institutions depend.

Especially with regard to atomic weapons, it must be borne in mind that a Japanese Red Cross hospital was destroyed by an atomic bomb, and, also, we regret to say, that even today, after sixteen years of anguish

many victims are still suffering and dying from the effects of atomic bombing every year, the Japanese Red Cross therefore considers it to be its sacred duty to humanity, to draw the attention of the world to the inhuman character of this weapon, and earnestly desires that its use should be prohibited. This, not only on paper, but effectively, and absolutely, since the use of atomic bombs is a flagrant violation of the principles of the Hague Conventions.

The Japanese Red Cross is also of the opinion, that tests of nuclear weapons should, once and for ever, be suspended in the interests of humanity, and also, for hygienic reasons.

However, all these subjects concern programs, and not the principles -- which is quite another thing: Principles are the regulations which one has to observe in establishing programs or when examining them, but they themselves are not the programs.

Principles are constant, whilst programs vary according to circumstances. If we do not make a distinction between these two, there would be neither sense nor usefulness in defining and declaring the Principles.

This is our considered opinion.

E N D

Tokyo, July 23, 1961