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Memorandum : the ICRC's privilege of non-disclosure of confidential information / [International Committee of the Red Cross]

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Abstract:	Proceedings of a judicial, quasi-judicial, public inquiry, fact-finding or similar nature, in which confidential communications of the International Committee of the Red Cross (ICRC) risk being disclosed, raise important challenges for the ICRC's capacity to carry out its internationally recognized mandate. In order to carry out that mandate and fully assume its operational role in the protection and assistance of victims of armed conflict and other situations of violence, confidentiality is an essential tool that allows the ICRC to build the necessary trust to secure access, open channels of communication, influence change and ensure the security of its staff. The purpose of this Memorandum is to, first, provide the rationale for and broad practical context of confidentiality as the ICRC's working method; second, outline the legal sources on which the ICRC bases its requests that national and other authorities protect the confidentiality of its communications from public disclosure and from being used in legal proceedings; and third, set out the scope of application of the ICRC's evidentiary privilege regarding confidential information.
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