



Protecting the human in humanitarian emergencies

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Outline

- Introduction: Distinctive history, identity, way of working

Main idea: Red Cross DNA is 1) humanitarian response and 2) legal frameworks to protect vulnerable people in humanitarian emergencies.

- Principled humanitarian response
- Legal frameworks: IHL
- Humanitarian diplomacy
- Achievements/challenges

(photo credits)

MAIN IDEA:

Principled humanitarian
response

+

Legal frameworks to
protect vulnerable people

= RCRC Movement



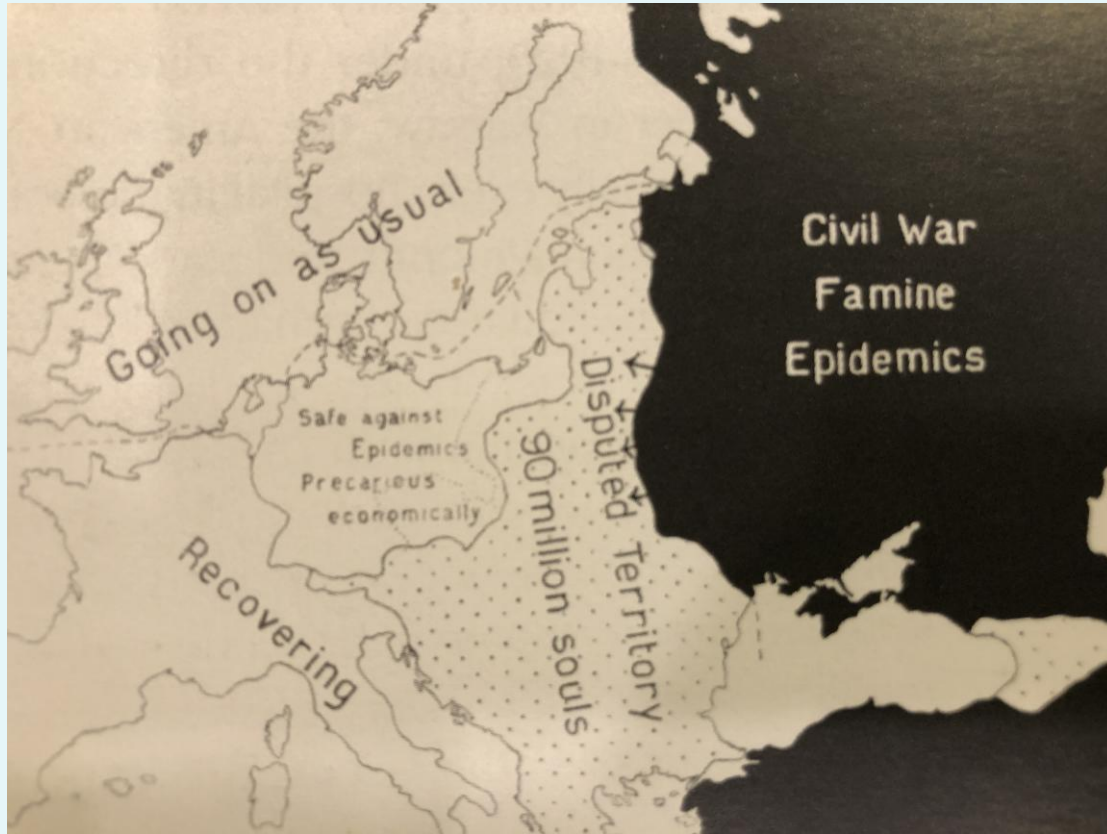
German Red Cross poster 1970s

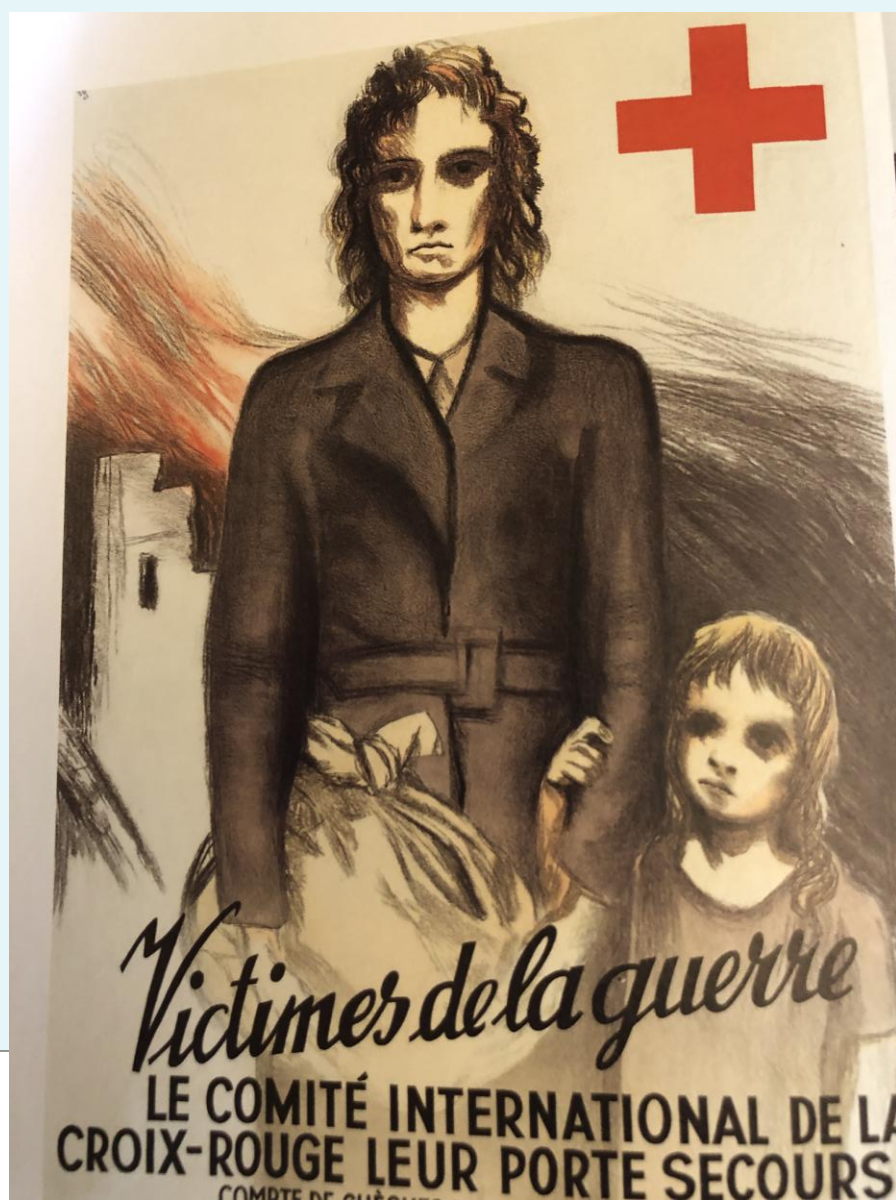
Ethical Standards and Practical Dilemmas



Principled Humanitarian Response

Humanitarian need in
Europe
1919





RCRC Movement is not for or against migration. We work with vulnerable displaced people at all stages of migration routes both internally displaced and crossing borders, regardless of legal status.

ICRC 1945

FUNDAMENTAL PRINCIPLES

NGĀ MĀTĀPONO TAKETAKE

HUMANITY

TE NGĀKAU ATAWHAI

IMPARTIALITY

TE TŌKEKETANGA

NEUTRALITY

TE WHAKARAUPAPA

INDEPENDENCE

TE TŪ MOTUHAKE

VOLUNTARY SERVICE

HE RATONGA TŪAO

UNITY

TE KOTAHITANGA

UNIVERSALITY

O TE AO

Fundamental principles: 100 years in the making

Adopted 1965 20th International
Conference

But started in the blood of the
battlefield: Solferino 1859, then
G Moynier 1875, ICRC Statutes
1921, and Oxford Principles
1945.

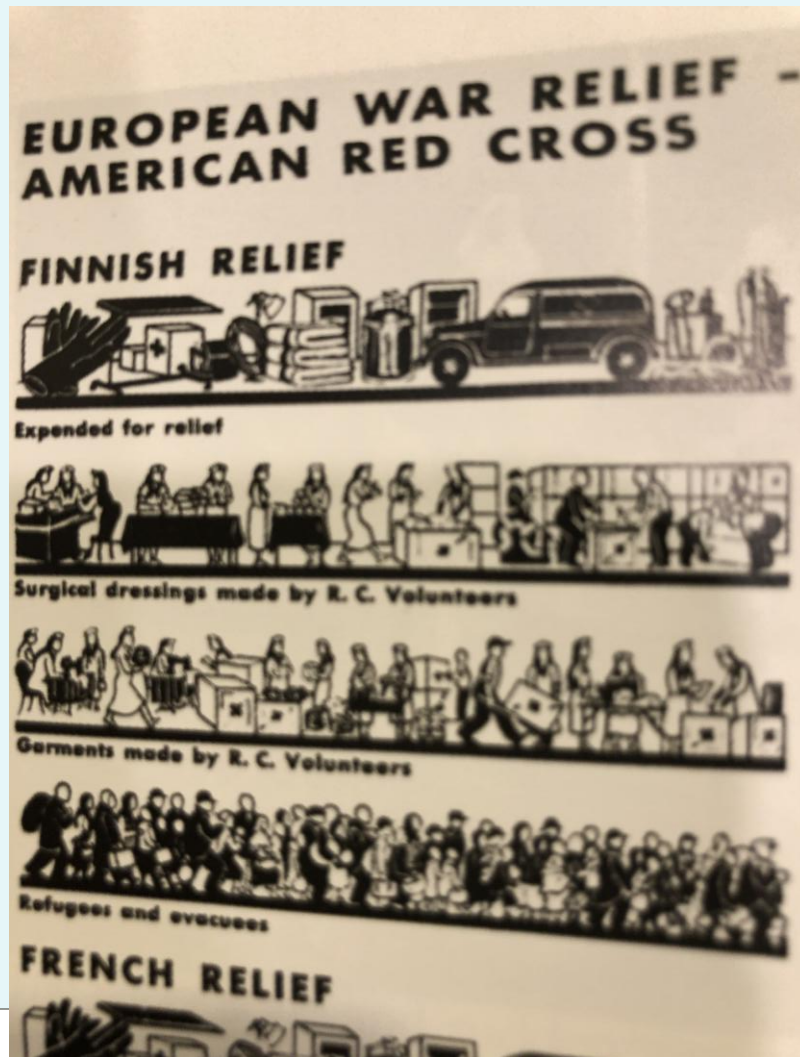


Humanity

The sole purpose of humanitarian action is....

- ▶ To prevent and alleviate suffering
- ▶ To protect life and ensure respect for human dignity





Impartiality:
non discrimination,
needs based,
exclusion of personal
bias.

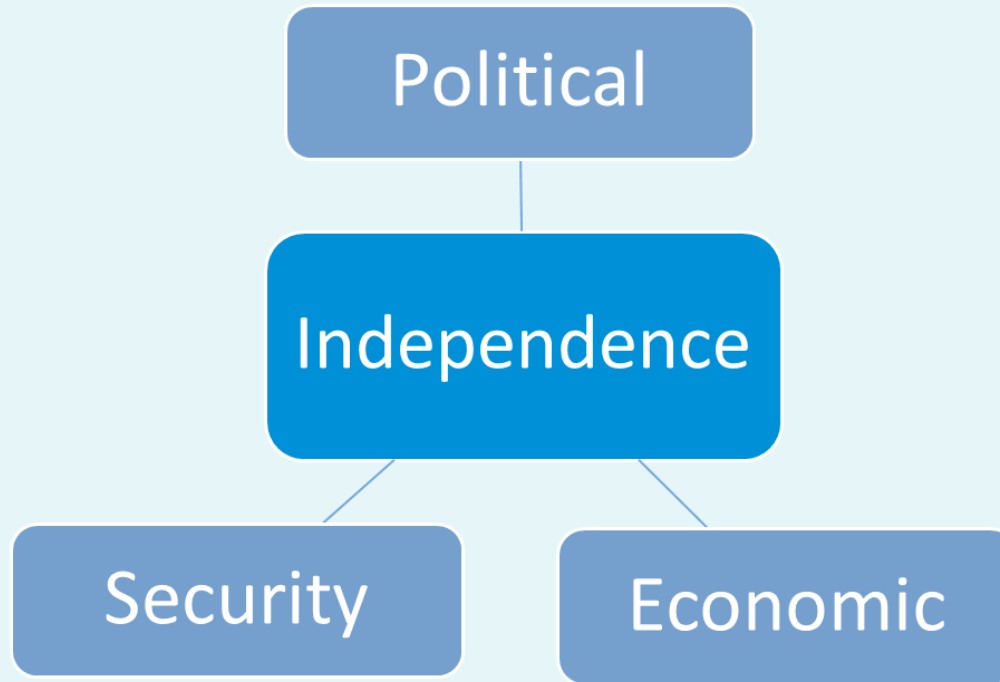
America Red Cross, early 1940s

Neutrality

- Military neutrality: not taking sides in hostilities
- Ideological and religious neutrality: not engaging in controversies of a political, racial, religious or ideological nature.



Independence



Voluntary service

- Selflessness
- Local anchoring

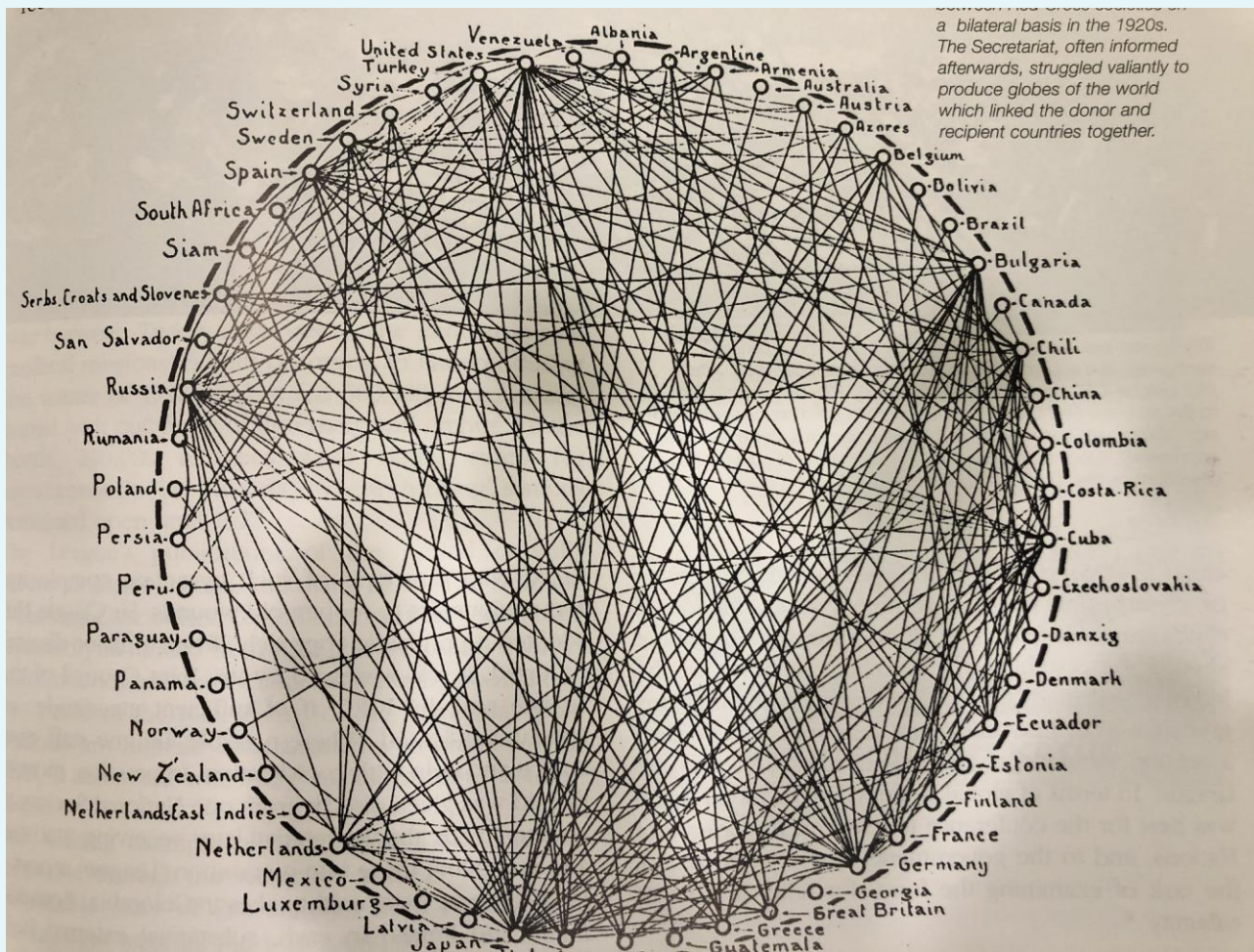


Unity

- One National Society per country
- Open to all
- Cover the entire territory

Universality

Bilateral aid, International
Federation of the Red Cross, 1920s



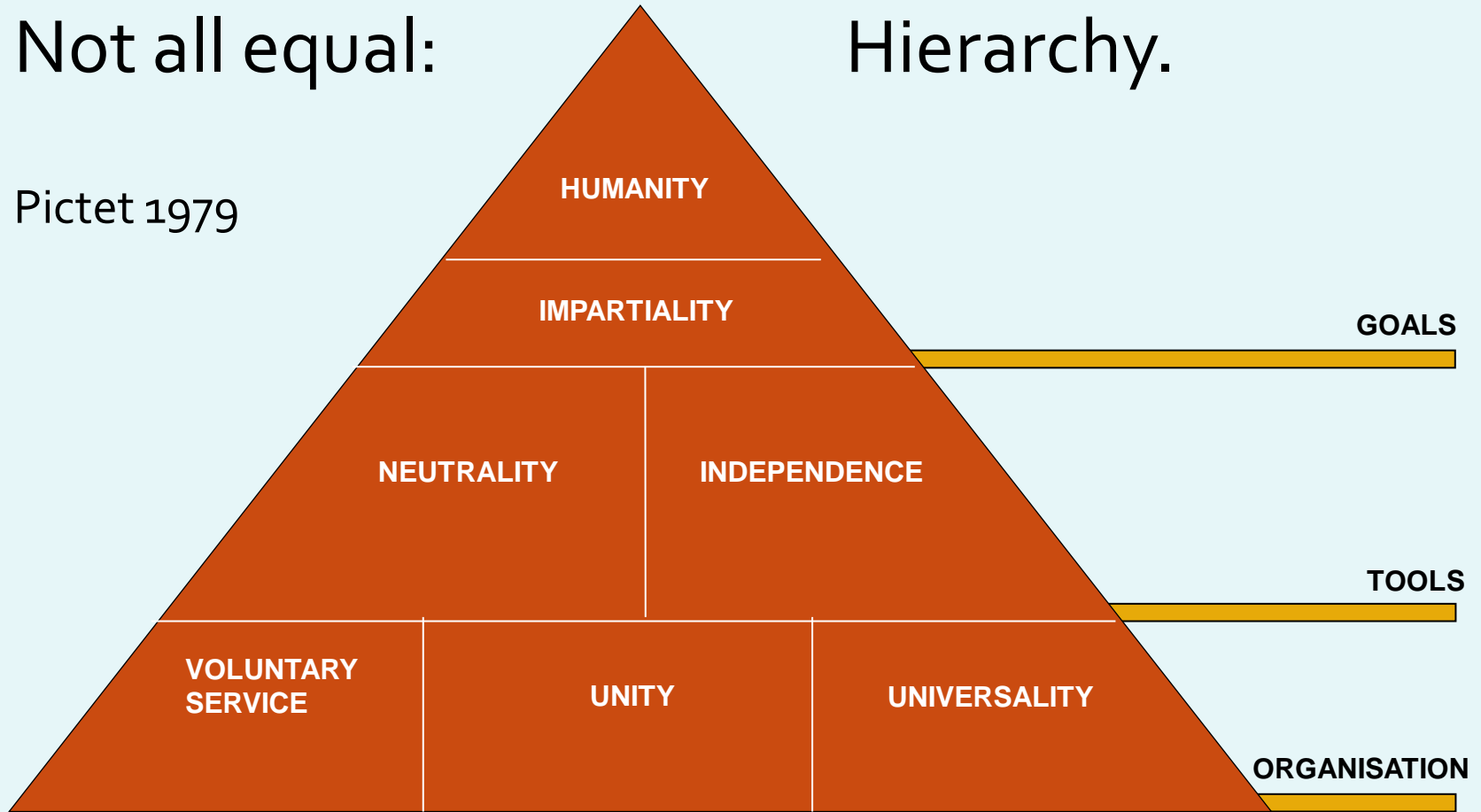
FPs in International Law

- IHL recognises relief actions that are humanitarian and impartial in character.'
- Recognition by States of the Fundamental Principles:
- Common Art 3 relief actions hum and impartial in character
- Article 63 GC IV: Red Cross principles, as defined by the International RCRC Conferences;
- Art 81 AP I: The Fundamental Principles of the RC/RC

Not all equal:

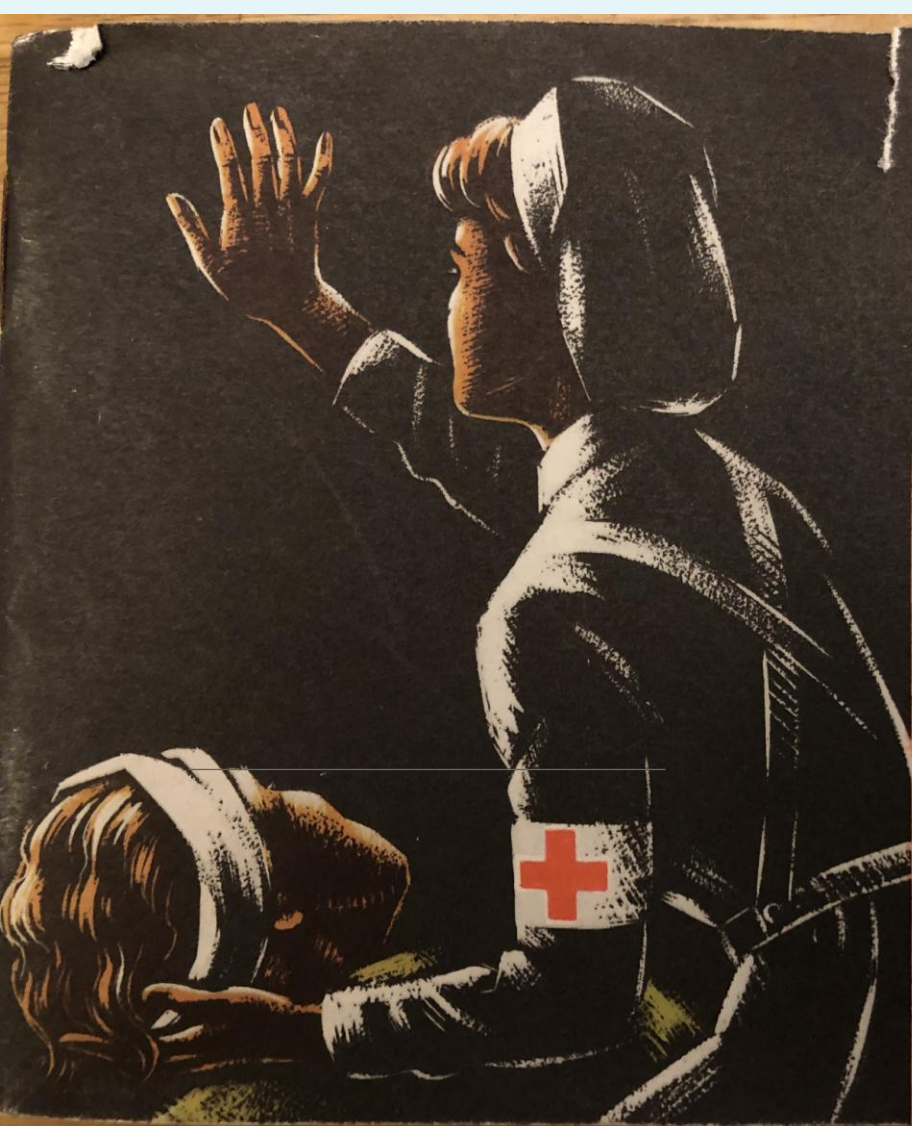
Hierarchy.

Pictet 1979



Fundamental Principles

- Focus on first two; why we exist.
- Adoption of the core principles (top 4, eventually) by UN General Assembly resolutions; other influences on SPHERE, Core Humanitarian Standards, Codes of Conduct, etc.



Conventions de Genève

Geneva Conventions

Convenzioni di Ginevra

ЖЕНЕВСКИЕ КОНВЕНЦИИ

Genfer Abkommen

اتفاقيات جنيف

Convenios de Ginebra

Convenções de Genebra

जिनेवा लोकसम्मति

International
Humanitarian
Law:

Principle
sources

ICRC pocket manual,
no date

2 pillars: Protection and means and methods of war (hint: this is not allowed)



Protection of those not or no longer fighting: like who?



Protection of
those not or
no longer
fighting:
who else?



Urban warfare, tactics, displacement

- Example of humanitarian response/legal frameworks
- Trend: Urban warfare is the new normal
- Tactics and weapons: explosive weapons designed for battlefields, used in densely packed urban areas
- Destruction of infrastructures
- Displacement (protection)

IHL and human rights law

Similarities:

Promoting and protecting human dignity in extreme circumstances. Eg. prohibitions of torture, protections in detention.

but distinct: Eg.
use of lethal force

(see ICRC handout briefing)

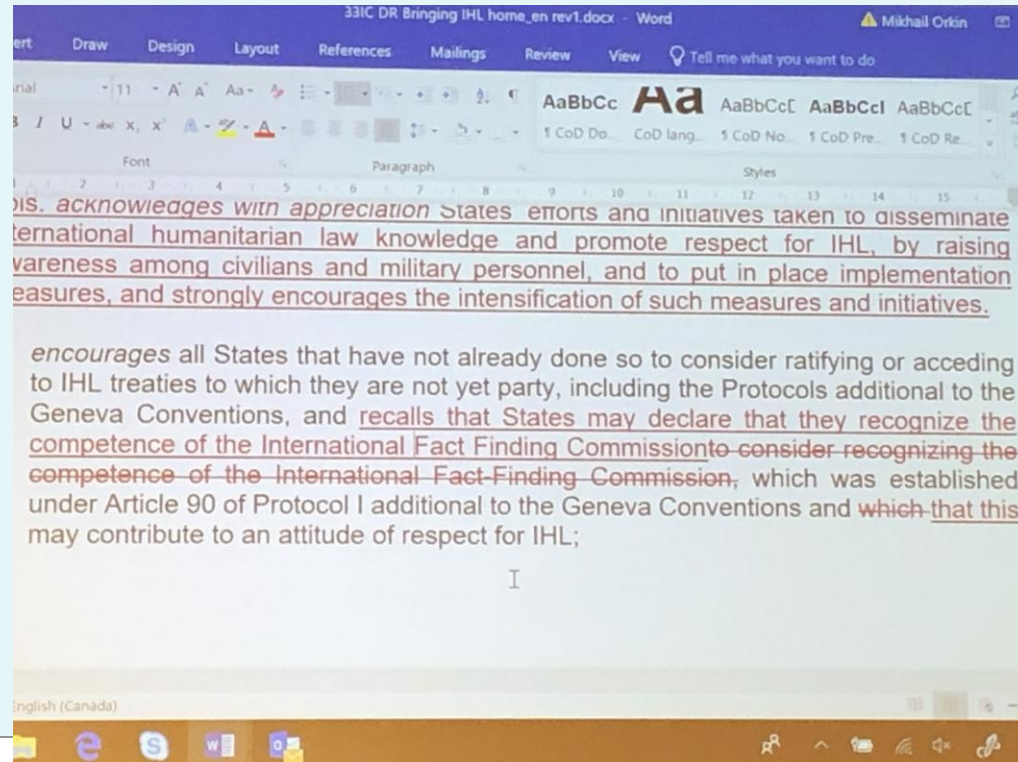
Swiss Red Cross, 1968



Humanitarian Diplomacy



Line by line diplomatic street-fighting



Restoring family links

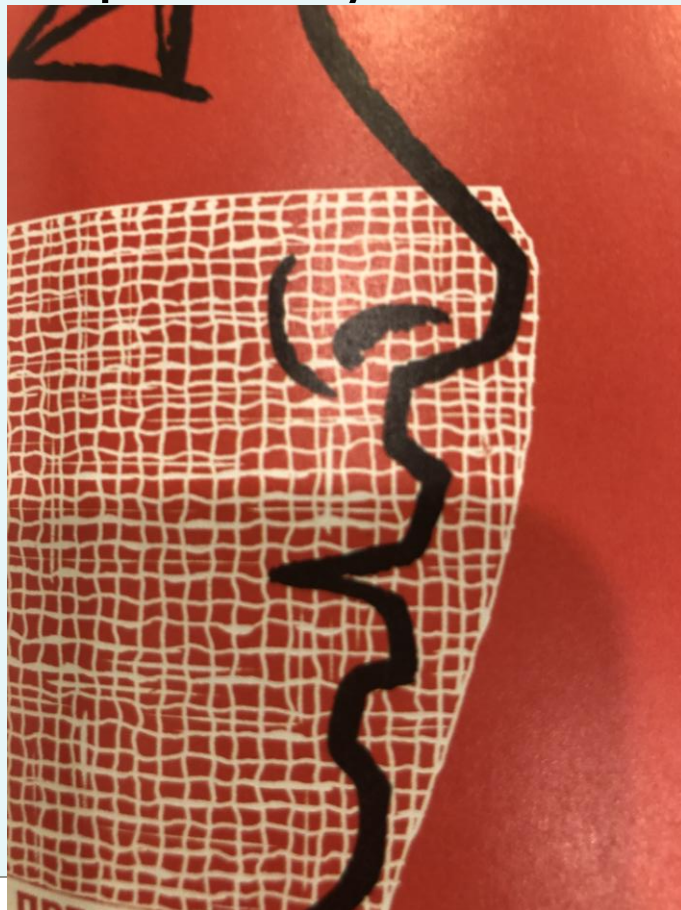
Separated children from
Rwandan genocide 1994 and
following. Humanitarium
Museum, Geneva. (Rdudley)



Humanitarian Diplomacy



Humanitarian Diplomacy: Pandemics



detail Ukrainian Red Cross poster 1977

Disaster Laws that leave no one behind, Climate change mitigation/adaptation

street mural, Napier, New Zealand January 2020



Summary: Key points

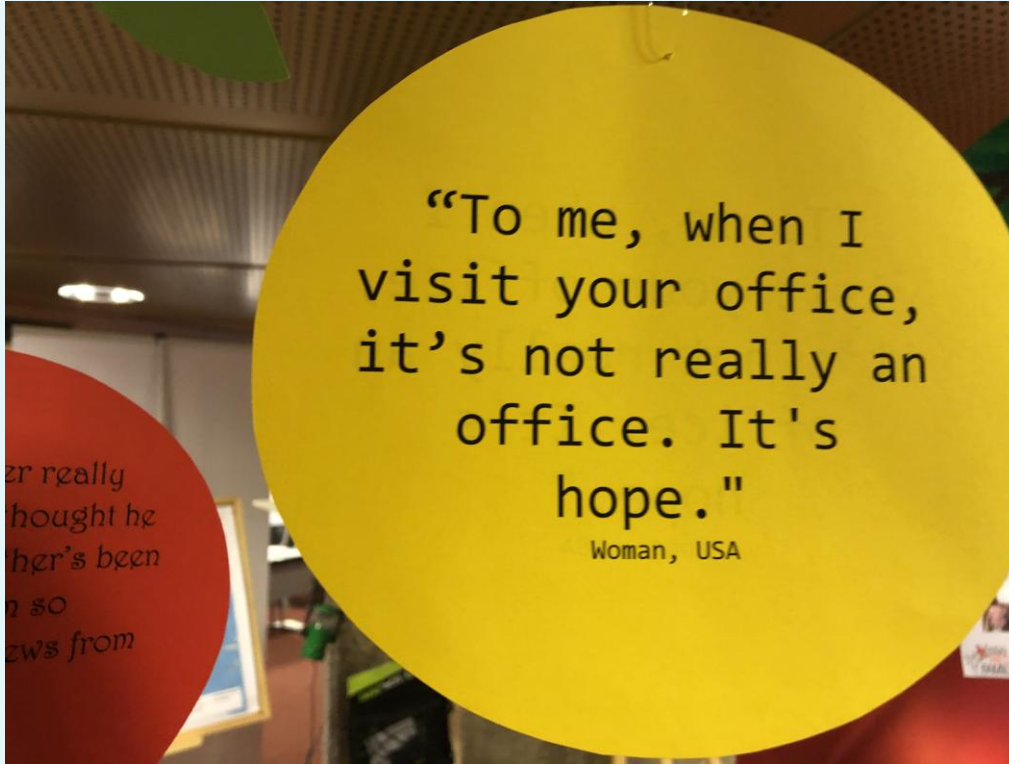
Main idea: RCRC Movement is dynamic between **principled humanitarian response and legal frameworks** that can protect vulnerable people (including people forcibly displaced) in humanitarian emergencies.

Principles: Humanity and impartiality are the purpose. Independence, neutrality are tools. Others are how RC is organized.

Legal frameworks: eg IHL: Wars have laws too. Laws of last resort.
Other international law frameworks: Human rights, refugee law.

Humanitarian diplomacy works to shape language and policy level.

Principled humanitarian response + legal frameworks to protect vulnerable people



RCRC Conference Geneva 2020

Questions, comments?

Thank you.

for IHL on twitter follow
@RGDudley

Friday Strike for Climate, Vic Law School railings, Wellie, 2019

