



THE ROLE OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN PROTECTING FAMILY TIES

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Abstract:

This research is concerned with showing the great importance of the family and society, as they suffer from flight and flight, and the accompanying pain and suffering, as preserving the family and reuniting them in all conflicts is one of the obligatory rights in international humanitarian law, as we notice every year thousands of individuals are separated from their families because of conflicts, so it works Non-governmental organizations in all countries of the world in preserving the family, finding ways with them, restoring contact between them and their families, reuniting them, and knowing the fate of the missing.

Keywords: International non-governmental organizations , family ties, the International Committee of the Red Cross and Crescent , Amnesty International.

INTRODUCTION

International non-governmental organizations tirelessly carry out their humanitarian work in ensuring protection for the unity of family ties and preventing their dispersal, by developing the rules of international humanitarian law related to family protection and the presence of these organizations in the field in order to address violations against family ties on the international arena and act as a role The independent, neutral mediator to ensure the exchange of family news and the reunification of families separated as a result of armed conflicts.

FIRST: THE IMPORTANCE OF RESEARCH

Due to the importance of family life, non-governmental organizations restore family ties and reunite them through their strategy for family ties. These organizations seek to provide protection and humanitarian assistance to family members, especially the International Committee of the Red Cross, which has been granted explicit and direct mandates for its humanitarian activities related to restoring family ties

SECOND: THE RESEARCH PROBLEM

The main problem of the research is the role played by non-governmental organizations in protecting family ties, so the question arises about (Have international non-governmental organizations employed their humanitarian and monitoring role in international humanitarian law to reduce the suffering of families and reunite them?).

THIRD: THE AIM OF THE RESEARCH

The study aims to identify the international position towards the protection of family ties and to indicate the best methods and mechanisms used by non-governmental organizations in providing protection for family ties

FOURTH: RESEARCH METHODOLOGY

In this research, we relied on the descriptive approach to describe the role played by international non-governmental organizations in protecting family ties and their role in reuniting family members.



FIFTH: RESEARCH STRUCTURE

The first requirement is to protect family ties within the framework of the International Committee of the Red Cross and Red Crescent

The first section - the tasks of the International Committee of the Red Cross and Red Crescent during armed conflicts

The second section - the role of the International Committee of the Red Cross and Red Crescent in protecting family ties

The second requirement - the protection of family ties within the framework of Amnesty International

The first section - the tasks of Amnesty International during armed conflicts

The second section - the role of Amnesty International in protecting family ties

Conclusion

First / conclusions

Second / Recommendations

THE FIRST REQUIREMENT

PROTECTING FAMILY TIES WITHIN THE FRAMEWORK OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND RED CRESCENT

The International Committee of the Red Cross (ICRC) has a major role in addressing cases of dispersal of family ties through the tasks it performs and follows up during the period of armed conflicts, actions and activities aimed at preventing the separation of family members, clarifying the fate and location of disappeared and separated persons, and restoring contact between family members, and accordingly the request will be divided It is divided into two branches. The first will show the tasks of the International Committee of the Red Cross during armed conflicts. The second section will address the role of the International Committee in protecting family ties.

First branch

Tasks of the International Committee of the Red Cross and Red Crescent during armed conflicts

The ICRC seeks to make many efforts to ensure and ensure the protection of family members by encouraging the concerned authorities to perform their obligations under the rules of international humanitarian law.⁽¹⁾

The International Committee has proposed to the parties to the conflicts in many conflicts, whether international or non-international, to establish special sites for safety and hospitalization. They live in the north (Bosnia and Herzegovina) and they need help and protection before the onset of the winter of (1992).⁽²⁾

The Fourth Geneva Convention dealt with the issue of transferring families from dangerous areas to protect them from the effects of conflicts. In Article (17), the conflicting parties called for approving specific arrangements for the transfer of children and women from besieged areas⁽³⁾.

⁽¹⁾International Committee of the Red Cross, Annual Report, 2004, pp. 12-13. 2009, p. 14-16.

⁽²⁾Safety and hospitalization sites mean that they are (those that are established permanently outside the combat zones as a refuge for the wounded and sick fighters to protect them from long-range weapons, especially air bombs). Quoted from: Sharif Atlam, The Role of the International Committee of the Red Cross in the Development and Development of International Humanitarian Law, Publications of the Committee the International Red Cross, without a publishing house, Cairo, 2010, pg. 141.

⁽³⁾See Article (17) of the Fourth Geneva Convention of 1949.

⁽⁴⁾Sherif Atlam, The Role of the International Committee of the Red Cross in the Development of International Humanitarian Law, same source, p. 145.



Although the Geneva Conventions did not give the ICRC the authority to carry out any action regarding evacuation during the siege period, states will not be able to cease fire, as well as evacuate civilians from besieged areas, except with the consent of the parties to the conflict, and in this case it is difficult to reach such an agreement without Mediator Intervention. The mediator is usually the "International Committee of the Red Cross and Red Crescent". In the Palestine war of 1948, the committee was asked to evacuate civilians from the besieged areas. Indeed, the international committee was able to evacuate (1100) women, children and the elderly.⁽⁴⁾

There is no doubt that prisoners of war, as well as detained civilians, are in need of many relief supplies and aid. Therefore, Article (125) of the "Third Geneva Convention of 1949" and Article (142) of the "Fourth Geneva Convention of 1949" obligated the Detaining Powers to provide the best and the quickest treatment of relief societies and their delegates, and the necessary facilities for distributing relief supplies, but the same two articles expressly stipulated that "the special position of the International Committee of the Red Cross in this field must be recognized and respected at all times." Among the examples in which the ICRC played an important role is its visit in the last century during the Ethiopian-Somali conflict to (238) Somali prisoners of war and the distribution of (66) tons of relief materials and (3500) Ethiopian prisoners of war.⁽⁵⁾

And although the Protecting Powers are the ones that are competent, according to the text of Article (23) of the Fourth Geneva Convention, to supervise the distribution of letters of medicines and medical supplies to the civilian population, and no reference will be made in this article to the International Committee, the reality has witnessed otherwise, and this is due to what the Committee enjoys extensive experience in managing relief operations.⁽⁶⁾ In the Arab-Israeli conflict, the International Committee transported all relief supplies for prisoners of war by all means of land and sea transportation in the years (1956, 1967 and 1973)⁽⁷⁾

It is clear from the foregoing that the ICRC had a major role in providing international protection to the population during armed conflicts, based on the powers granted to it under the Geneva Conventions, as it had the right to take several humanitarian initiatives approved by the international community or any situation that required carrying out humanitarian action. Offers its services to governments without interference in their internal affairs.

SECTION TWO

THE ROLE OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND RED CRESCENT IN PROTECTING FAMILY TIES

The "International Committee of the Red Cross and Red Crescent" is an independent and impartial institution that seeks to preserve family unity by returning missing and separated persons to their families⁽⁸⁾, and does its best to act as a mediator to be able to restore family ties

⁽¹⁾ Sherif Atlam, *The Role of the International Committee of the Red Cross in the Development of International Humanitarian Law*, same source, p. 145.

⁽²⁾ International Committee of the Red Cross Annual Report, 1988, p.26

⁽³⁾ Sherif Atlam, *The Role of the International Committee of the Red Cross in the Development of International Humanitarian Law*, previous source, p. 146

⁽¹⁾ The International Committee of the Red Cross, 5th edition, the Arabic version, Cairo, 2007, p. 29.

⁽²⁾ The International Committee of the Red Cross, *International Humanitarian Law, An Answer to Your Questions*, 13th edition, Cairo, 2010, p. 24.

⁽³⁾ A series of lectures in international humanitarian law, the displaced (internal displaced persons in international humanitarian law), research published on the website: (Visited on 6/18/2022) <https://mezan.org/uploads/files/8797.pdf>

⁽⁴⁾ Boujemaa Scheherazade, assistant of the International Committee of the Red Cross Women



when they lose the ability to communicate with each other. during conflicts⁽⁹⁾ Conference No. (25) of the International Committee stressed the importance of the unity of family ties during armed conflicts in Resolution No. (9) Of it, in which it stresses that (all necessary measures should be taken to preserve the family unit.⁽¹⁰⁾

In 1995, the International Conference No. (26) of the International Committee recommended, in accordance with Resolution No. (2), to reunite the separated families, by obliging the parties to the conflict to avoid every act that leads to the separation of families and to work to do their utmost to find solutions to reunite Include those families by starting to search for individuals separated from the same family and ending with their meeting In 2014, the ICRC contributed in the "Democratic Republic of the Congo" to reunite more than (799) children with their families⁽¹¹⁾.

To facilitate the return of missing persons, the ICRC has established the Central Tracing Agency ⁽¹²⁾. Which seeks to search for all missing persons, as well as children who have no parent. The decision issued by the International Conference No. (26) of the International Committee stressed the importance of the role played by the "Central Agency of the International Committee in the field of searching for missing persons" regarding the return of missing persons. Family links, through families obtaining a lot of information about missing persons. He asked the state parties to provide the families with all information related to the fate of relatives whose news has been cut off, and the decision stressed the vulnerability of the category of children separated from their families⁽¹³⁾.

The conference called on the ICRC to exert its efforts to follow up all children wherever they are, and to register the identity of each child by knowing his name and their previous and current addresses⁽¹⁴⁾. And that the committee announces their data through the media, and all their letters are delivered to the old addresses of their families⁽¹⁵⁾.

⁽¹⁾Bojmaa Scheherazade, The International Committee of the Red Cross Assistance to Women and Children during Armed Conflicts, Journal of Legal and Political Research and Studies, Blida University, Tenth Issue, p. 107.

⁽²⁾Sherif Atlam, Lectures on International Humanitarian Law, 5th Edition, National Book House, Cairo, 2001, p. 148.

⁽³⁾International Journal of the Red Cross, research published on the website:

⁽¹⁾David Delabra, International Committee of the Red Cross and International Humanitarian Law, Studies in International Humanitarian Law, Arab Future House, Cairo, 2000, pp. 401 and 402.

⁽²⁾In the year 2000, the total number of Red Cross messages collected by the International Committee reached 510,635 messages, while the total number of messages distributed by it reached 478,969 messages. We find that the International Committee, during the period between 2005 and 2008, distributed about 4,050,000 messages of the Red Cross among family members. In more than 30 countries, citing: Sarah Salam Jassim, The Role of the International Committee of the Red Cross in Protecting Women and Children, Master Thesis, University of Baghdad, College of Law, 2014, p. 148.

⁽³⁾Handbook for delegates, international federation of red cross and red crescent societies, Geneva, Switzerland, 2002, p12.

⁽⁴⁾Azouzi Abdel-Malik, Restoring Family Links in International Humanitarian Law, Academic Journal for Legal Research, Volume 11, Issue 2, 2020, p. 833.



The Central Agency for Tracing Missing Persons exercised its functions in 1870 during the war between France and Prussia, where it had a role as a mediator in order to restore contact between prisoners of war and their families. between detainees and their families⁽¹⁶⁾.

Over the years, the world has witnessed the death or disappearance of millions of displaced people, leaving their families behind. Therefore, the ICRC seeks to exert its efforts to prevent any displacement of all people so that they can remain in their homes⁽¹⁷⁾.

The Committee contributes to helping all detained persons, especially children and women, by allowing them to communicate with their families on a regular basis and facilitating family visits in order to communicate with family members and reunite them, and this is emphasized in Rule (124) of the rules of customary international humanitarian law, which gives the Committee the right In visiting detained prisoners of war and civilian detainees for reasons related to the security of the country and that the purpose of visits is to prevent enforced disappearance as well as to restore family ties⁽¹⁸⁾.

There was an effective role for the International Committee on displacement in Libya resulting from the hostilities of 2019, and the conflict had an impact on the displaced persons. Therefore, the Committee sought, in cooperation with the Libyan Red Crescent, to visit all persons deprived of their liberty and provide assistance to families estimated at about (92). family to enable them to bring them home The role of the ICRC will not be limited to the displaced, but will contribute to providing assistance to all refugees who do not possess any travel documents to enable them to return to their homes. Although the ICRC has no legal basis for granting these documents, the international community has recognized the validity of these documents⁽¹⁹⁾.

The Internet is a valuable tool in the matter of restoring family links. In 1996, the Committee established the (Family News Network) on the Internet in order to try to find all the missing persons whose families did not know about them and their fate was unknown⁽²⁰⁾.

During the conflict that took place in (Bosnia and Herzegovina), many of the names of the missing persons were published as part of its public campaign, and its purpose was to enable families to obtain confirmed news about their missing family members⁽²¹⁾.

We note the foregoing that the ICRC is one of the most important implementation mechanisms in the field of international humanitarian law and that it is interested in reuniting families dispersed due to armed conflicts, in accordance with the broad powers granted to it by the Committee under the Geneva Conventions and their Additional Protocols, in addition to the acceptance of its work by the United Nations. The United Nations has been recognized as an organization of great importance in all fields, especially in the field of restoring family links

THE SECOND REQUIREMENT

PROTECTING FAMILY LINKS IN THE FRAMEWORK OF AMNESTY INTERNATIONAL

Amnesty International is one of the non-governmental organizations that aims, through its global campaigns and appeals, for everyone to enjoy their full rights, such as the right to respect for family life and to reunite family members dispersed as a result of armed conflicts. It

⁽³⁾ Muhammad Nazim Daoud, The Role of the International Committee of the Red Cross in Protecting and Assisting Victims of Armed Conflicts, *Al-Rafidain Journal of Rights*, Volume 18, Issue 63, 2018, p. 247.

⁽¹⁾ In 2012, the ICRC launched its new Restoring Family Links website, www.familylinks.icrc.org, which guides visitors to the Restoring Family Links services provided by the ICRC and National Societies in 179 countries. The site publishes the names of 21,000 people whose relatives are trying to reach them because of conflicts.

⁽²⁾ Research published on the website of the International Committee of the Red Cross:

also tries to draw the attention of other governments and international associations to the protection of family ties in various countries. The request will be divided into two parts. In the first section, the tasks of Amnesty International during armed conflicts will be explained, while the other section will address the role of Amnesty International in protecting family ties.

FIRST BRANCH

THE TASKS OF AMNESTY INTERNATIONAL DURING ARMED CONFLICTS

Amnesty International was established⁽²²⁾, in 1961 according to an article published by a British lawyer in the newspaper (The Observer), which called for documenting all violations of the rules of international law in order to address these violations, regardless of who commits them or where that violation occurred⁽²³⁾.

The organization supports the demands of all victims of conflicts to achieve justice by the national authorities and up to the international authorities, including the United Nations, by conducting many field investigations regarding violations, accurate fact-finding, and choosing the best experts in order to talk to all victims and their families. It also collects information on all Missing and separated from their families, by following all the media and relying on reliable sources of information to convey the facts with accuracy and transparency.

After the organization finishes collecting that information about the families and verifying its authenticity, it puts it before the concerned governments by publishing detailed reports through the media and publishing advertisements on the Internet sites explaining the whereabouts of the separated family members and calling on the governments whose rules of law have been violated to its region to expedite taking the necessary measures in order to deal with these violations⁽²⁴⁾.

The reports issued by Amnesty International have contributed to revealing all human rights violations, and we mention, for example, the 2007 Amnesty International report in which the organization was exposed to the incidents (Dar Fur crisis) in Sudan, and in it it touched on human rights and all the violations they were subjected to, including Cases of violence against demonstrators and cases of illegal arrest and detention.⁽²⁵⁾

In 2015, the organization published a report highlighting all the war crimes that were committed by the Nigerian army against the group (Boko Haram), in which it indicated the death of (8,200) people and the disappearance of many individuals, and the report called for an investigation with senior army officers and officials regarding these crimes⁽²⁶⁾.

It is clear from the foregoing that Amnesty International has been concerned with the issue of applying the rules of law during conflicts, although the basic tasks of the organization are

⁽¹⁾Amnesty International is a global movement whose members struggle to promote human rights. The organization's work is based on accurate research and on standards agreed upon by the international community. The organization adheres to the principle of neutrality and impartiality. It is an organization independent of all governments, political ideologies, economic interests, and religious beliefs. Malika, Amnesty International's effectiveness in monitoring the implementation of international humanitarian law, Voice of Law Magazine, Vol., No. 3, Algeria, 2021, p. 820.

⁽²⁾means prisoners of conscience and conscience (they are the people who are arrested when they exercise their rights to freedom of expression in the formation of associations, assembly or movement and they are arrested for their links with political parties or organizations and minorities opposing the policies of governments and they are often imprisoned for expressing opinions about the internal affairs of their governments and trying to announce About human rights violations in their country so that the organization seeks the immediate and unconditional release of prisoners of conscience) quoted by Hamoudi Malika, same source, p. 822.

⁽¹⁾Amnesty International Report 16/2015.

⁽²⁾Let's Demand Dignity Campaign, Amnesty International website, accessed on 3/2/2022

related to international human rights law, but the organization seeks to provide international protection for victims of armed conflicts and to raise awareness of the seriousness of violating the rules of international humanitarian law, and this is a clear development in organization work.

SECTION TWO

THE ROLE OF AMNESTY INTERNATIONAL IN PROTECTING FAMILY LINKS

Amnesty International seeks to provide international protection for family members by obliging states to address violations of the rules of international humanitarian law related to the protection of family ties, and to organize many international campaigns to address all serious violations of the rights and freedoms of family members. In the event that information and news reach the organization regarding the existence of serious violations, its members organize international campaigns, such as the campaign against the forced displacement of the civilian population, a campaign to try to release detainees, and to call for their return to their homes⁽²⁷⁾.

The organization has played a major role in calling on the United States of America to implement the rules of international humanitarian law related to the protection of family ties, by providing international protection for prisoners of war who were imprisoned in Guantanamo Bay, and the organization launched a major global campaign to demand the closure of that prison and the release of detainees to be returned to their homelands⁽²⁸⁾.

The organization makes many global appeals, relying on a global network of members with capabilities for rapid action and international cooperation to stop the violation of the rules of international humanitarian law, including the lack of respect for family life. Among the most prominent global appeals raised by Amnesty International is the recommendation addressed to each of (Bosnia and Herzegovina, Croatia and Slovenia) that those countries take immediate measures in order to prohibit discrimination in education, which is a basic pillar in order to prevent children from being exploited to engage in Armed conflicts, which lead to their separation and deportation from their families⁽²⁹⁾.

In the organization's report issued in 2012 on the situation in Syria, the report stated that the government forces and armed groups committed several violations, and that conflict caused mass displacement of the entire population, and about (6) million people fled from Syria between (2011-2015). More than half of the displaced were children, which led to the separation of families. The organization called for referring the (Syrian case) to the International Criminal Court⁽³⁰⁾.

Amnesty International has paid great attention to providing protection for vulnerable groups such as children and women, due to the weakness of their condition in all aspects. Therefore, the organization issued a report summarizing that the Egyptian authorities have arrested hundreds of Syrian refugees, which led to the separation of families, and the organization urged the authorities to return the Syrian refugees fleeing because of the conflict.⁽³¹⁾

And in the organization's report issued for the year 2021 on the situation in Iraq, the security forces used violence and force against all participants in the demonstrations for the month of October, and a million people were displaced, and many of them were subjected to strict restrictions and procedures regarding movement, so many families were forced to flee many times, due to the sudden closure For camps in the provinces of (Anbar and Nineveh), thousands of

⁽¹⁾Amnesty International Report 16/2015.

⁽²⁾Let's Demand Dignity Campaign, Amnesty International website, accessed on 3/2/2022



individuals remained missing after they were forcibly disappeared at the hands of the Iraqi forces, after fleeing from the lands controlled by the Islamic State (ISIS)⁽³²⁾.

We note the foregoing, the effective role of Amnesty International in providing protection for family ties, through the mechanisms it relied on, as the organization was keen to access accurate information regarding the status of family members through investigation committees and legal mechanisms to deter violations of the law in order to preserve the unity of members the family.

⁽¹⁾Amnesty International Report 16/2015.

⁽²⁾Let's Demand Dignity Campaign, Amnesty International website, accessed on 3/2/2022

CONCLUSION

International law drew agriculture in its neighboring regions, helped it grow, and international law helped it. Critic, critic, critic, critic, critic.

And based on what you have provided and submitted to the following communication and recommendations:

FIRST: CONCLUSIONS

1. Violation of the rules for protecting family ties is a problem of global concern that requires an organized international response, including the efforts of non-governmental humanitarian organizations to locate disappeared and separated persons and to use the latest methods to facilitate access and identification of separated families for families. about them.
2. When looking at international protection for family ties, we find that it is not at the required level, insufficient, or appropriate for them, if compared to their large numbers and the seriousness of this phenomenon, which pushes international non-governmental organizations to make greater efforts to support various aspects in order to protect and assist members of separated families.
3. We find that the role of non-governmental organizations made undeniable efforts in the field of protecting families during the period of armed conflict from deportation and forcible deportation leading to their dispersal, as it is sufficient for the role of the International Committee of the Red Cross, which was the first to try to enact a rule prohibiting such actions from harming civilians in 1934. The International Conference of the Red Cross in Tokyo, passing through its role in concluding the Geneva Conventions and its effective contribution to setting the statute of the International Criminal Court.
4. The role of non-governmental organizations in searching for missing persons, restoring family ties, protecting families from dispersal and loss, their special protection for children and women, delivering humanitarian aid to them, communicating with their families, and delivering messages and calls.

SECOND: RECOMMENDATIONS

1. Recommending the promotion and respect of international humanitarian law as a means of combating and limiting the phenomenon of family dispersal and preserving the family and society. International non-governmental organizations should at all times respect these provisions and take all possible measures to ensure this respect by persons and organizations.
2. Non-governmental organizations, in their capacity as sponsors of humanitarian agreements, should reconsider some legal texts and find special, direct and explicit international texts or agreements to protect and assist dispersed families and give a greater role to their humanitarian tasks.



3. Urging the international community to give great importance to family life and to adopt international laws in order to take care of the family and limit violations of its legal rights, especially in armed conflicts.

4. Activating the role of the ICRC in spreading international humanitarian law and facilitating its humanitarian mission in protecting and assisting family members, especially dispersed families, and benefiting from its legal, advisory and humanitarian expertise, such as searching for missing persons, reuniting dispersed families, and how to deal with crises through its missions located in countries around the world.

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