

THE INTERNATIONAL COMMITTEE OF THE RED CROSS AS A MECHANISM FOR PROTECTING CIVILIANS DURING ARMED CONFLICTS

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Abstract:

The protection of civilians is a key component of international humanitarian law (IHL), which seeks to safeguard individuals who bear the brunt of the consequences of armed conflict. IHL places limitations on combatants, restricting the use of military force to combatants alone, thereby affording specific protections to civilians during times of war. The International Committee of the Red Cross (ICRC) stands as one of the most effective international bodies in the field of civilian protection, thanks to its ongoing efforts in the development, implementation, and advocacy of IHL.

Moreover, the ICRC works to provide protection and assistance to victims of both international and non-international armed conflicts, as well as during military occupations. This includes the promotion of IHL, addressing grievances, and offering direct support to civilians, such as visiting detainees, locating missing persons, restoring family links, and supplying essential resources such as food, water, and medical aid.

INTRODUCTION

It is widely recognized that the mention of international humanitarian law (IHL) is intrinsically linked to the work of the International Committee of the Red Cross (ICRC) and its enduring efforts to protect and support victims of armed conflict. Since its establishment, the ICRC has played a pivotal role in promoting respect for IHL, and it is fair to say that the very foundation of humanitarian work and its formalization in legal frameworks are deeply intertwined with the ICRC's initiatives.

Founded nearly 150 years ago, the ICRC has remained steadfast in its mission to uphold humanity amidst the brutality of war, operating under the guiding principle of imposing limits on warfare itself, specifically, regulating the conduct of hostilities and the behavior of combatants. The set of rules established under this principle, endorsed by virtually every nation, is known as international humanitarian law, with the Geneva Conventions serving as its cornerstone.

The ICRC is widely recognized as an effective mechanism for civilian protection in conflict zones, playing an instrumental role in the enforcement of IHL as enshrined in the Geneva Conventions and their additional protocols. From its inception, the ICRC has been closely associated with the evolution of IHL.

It was the ICRC that initially proposed the first Geneva Convention of 1864, which sought to improve the treatment of wounded and sick soldiers on the battlefield. Since that time, the ICRC has committed itself to the continuous development of IHL, adapting it to the evolving nature of warfare, culminating in the 1949 Geneva Conventions, now regarded as the foundational legal framework of IHL. The ICRC was also instrumental in the adoption of the Additional Protocols in 1977, which marked a significant advance in the development of IHL.

Additionally, the ICRC plays a crucial role in disseminating IHL and advocating for its implementation. The organization is tasked with providing protection and assistance to the victims of armed conflict, ensuring that humanitarian standards are upheld.

First Section: What is the International Committee of the Red Cross (ICRC)?

The International Committee of the Red Cross is an independent and neutral humanitarian organization that conducts protection and assistance missions for the victims of armed conflict and violence. Under international law, the ICRC is entrusted with the ongoing responsibility of

delivering impartial humanitarian aid to prisoners, the wounded, the sick, and civilians affected by armed conflict.

With its headquarters in Geneva, the ICRC operates in approximately 80 countries, employing more than 12,000 staff members. In times of conflict, the ICRC coordinates with national Red Cross and Red Crescent societies and their umbrella organization, the International Federation. As the founding body of the International Red Cross and Red Crescent Movement, the ICRC is the primary source of international humanitarian law, particularly the Geneva Conventions.

The ICRC is guided by seven fundamental principles: humanity, impartiality, neutrality, independence, voluntary service, unity, and universality. As a key component of the International Red Cross and Red Crescent Movement, the ICRC adheres to these principles, which specifically shape its approach and positions, as well as the operational activities it undertakes.

First: The Origins and Formation of the International Committee of the Red Cross (ICRC)

1. The Origins of the International Committee of the Red Cross

The creation of the International Committee of the Red Cross is largely credited to the vision and perseverance of a Swiss citizen, Henry Dunant. His inspiration stemmed from his harrowing experience at the Battle of Solferino in 1859, a brutal conflict fought in northern Italy between the Austrian and French forces.

After 16 hours of fierce fighting, the battlefield was strewn with the bodies of 40,000 soldiers, both dead and wounded. Dunant was struck by the suffering of thousands of men left without medical care due to the lack of adequate medical services on the battlefield. In response, he appealed to the local population to assist in caring for the wounded, emphasizing the moral imperative to attend to soldiers from both sides of the conflict.

Upon returning to Switzerland, Dunant published his seminal book, *A Memory of Solferino*, in which he advocated for the establishment of relief societies during peacetime. These societies, composed of nurses and volunteers, would be ready to provide care for the wounded during wartime. He also called for international recognition of these volunteers, ensuring that they could assist military medical services and receive legal protection under international agreements.

The founding of the International Committee of the Red Cross¹ was the result of a collaborative effort, led by Dunant and supported by key figures such as Guillaume-Henri Dufour, Louis Appia, Théodore Monod, and others. The first meeting was convened on October 26, 1863, in Geneva², where representatives from 16 countries and four humanitarian societies came together to establish the organization's foundational structure.

During this meeting, the distinctive Red Cross emblem, a red cross on a white background, inspired by the Swiss flag, was adopted. This conference marked the formal beginning of the Red Cross movement, with the decision to create a coordinating body known as the Geneva Committee.

In 1864, to formally enshrine the protection of medical services on the battlefield and secure international recognition for the Red Cross and its principles, the Swiss government hosted a diplomatic conference in Geneva. Representatives from 12 governments participated, resulting in the adoption of the Geneva Convention for the Amelioration of the Condition of the Wounded in Armed Forces in the Field. This treaty became the first international agreement dedicated to humanitarian law, initially focusing on the protection of wounded soldiers and later expanding to safeguard other victims, including prisoners of war.

After World War II, a diplomatic conference was held to further strengthen the legal framework, culminating in the adoption of the four Geneva Conventions of 1949, which significantly broadened the protection of civilians during armed conflict. This was followed by the Additional Protocols of 1977, which advanced the protections offered under international humanitarian law.³

2. The Structure of the International Committee of the Red Cross

The ICRC operates through the following bodies:

- A. **The Assembly:** This is the highest decision-making body of the ICRC, overseeing all its activities. The Assembly consists of 15 to 25 elected members, all Swiss nationals, and operates on the principle of collective decision-making.

- B. **The Presidency:** The ICRC is headed by a president, supported by two vice-presidents. The president is primarily responsible for the organization's external relations and also oversees its internal cohesion and development.
- C. **The Assembly Council:** A subsidiary body of the Assembly, the Council is responsible for making decisions on issues within its mandate, particularly those related to policy, finance, staffing, and communication. It serves as a link between the Board of Directors and the Assembly. The Council consists of five members elected by the Assembly and is chaired by the president of the ICRC.
- D. **The Board of Directors:** The executive body of the ICRC, the Board is tasked with implementing the goals and strategies set by the Assembly or the Assembly Council. It ensures the smooth functioning of the organization and the effectiveness of its staff.⁴

Second: The Legal Status and Operational Principles of the International Committee of the Red Cross

1. Legal Status of the International Committee of the Red Cross

According to Article 2 of the ICRC's Statute, the organization is granted legal personality and operates under Swiss civil law. The ICRC is neutral, independent, and impartial.⁵

Unlike governmental organizations, such as those within the United Nations, or non-governmental organizations (NGOs), the ICRC occupies a unique legal status. It is recognized by states under the Geneva Conventions and the Additional Protocols as the official entity responsible for providing protection and assistance to victims of armed conflicts.

The ICRC enjoys certain privileges and immunities, including judicial immunity, protection of its premises, and safeguarding of its documents. It is often considered a model for international NGOs and has held a special status within Switzerland since its founding in 1863. The ICRC operates under the legal personality granted to it within the framework of international humanitarian law.⁶

2. The Operational Principles of the International Committee of the Red Cross (ICRC)

The ICRC, with its global mandate, seeks to provide protection and assistance to victims of armed conflict and mass violence. Its activities are grounded in the same principles that guide the broader International Red Cross and Red Crescent Movement. These seven principles were formally declared in 1965 and later clarified in 1986, when they were integrated into the Statute of the Movement. This was reinforced by the Preamble of the Statute of the International Red Cross and Red Crescent Movement⁷.

As outlined in Article 1 of the Statute of the ICRC, the organization is a humanitarian and independent entity⁸. The principles the ICRC adheres to are as follows:

A. Humanity:

The International Red Cross and Red Crescent Movement was founded to provide relief and assistance to the wounded on the battlefield, without any distinction. The ICRC works globally to prevent human suffering and alleviate it wherever found. Its goal is to protect life and health, ensure respect for the individual, and foster mutual understanding, cooperation, and lasting peace among nations. Through its actions, the ICRC seeks to uphold human dignity during times of crisis and conflict.

B. Impartiality:

The ICRC does not make distinctions based on nationality, race, religious beliefs, social status, or political opinions. Its primary aim is to alleviate human suffering, guided solely by the extent of the need for assistance. Priority is given to those who are most in need, regardless of other factors.⁹

Impartiality means that humanitarian action must serve everyone, regardless of any distinguishing characteristic. The ICRC's operations are solely focused on addressing the needs of victims of armed conflict. In other words, no individual should be denied assistance and protection because of their identity, beliefs, or affiliations. Aid and protection should be provided strictly according to the needs of those affected.¹⁰

C. Neutrality

The Preamble of the Statute of the Movement states: *"In order to maintain the trust of all, the Movement must abstain from participating in hostilities and from taking sides in any controversy of a political, racial, religious, or ideological nature."*

Jean Pictet highlights two essential aspects of neutrality: firstly, it requires non-participation in active hostilities, and secondly, it demands neutrality in ideological matters. This means the ICRC must reject any ideology other than its own, which is grounded in the principle of humanity.

Neutrality is critical for the ICRC to maintain the trust of all parties and to effectively fulfill its mandate. As Max Huber notes, *"The ICRC maintains its position only through the trust placed in it, and this trust must be earned and safeguarded each day by the work of its leaders."* Thus, neutrality is not an end in itself but a means to achieve its mission of aiding the victims of armed conflicts.¹¹

D. Independence

The Preamble of the Statute of the International Red Cross and Red Crescent Movement also emphasizes the Movement's independence. While national societies may assist governmental authorities in humanitarian services and are subject to local laws, they must retain their independence, enabling them to act in accordance with the Movement's principles at all times.

For the ICRC, independence means that its humanitarian work must remain separate from any political or military interests.¹² The rationale for this independence is clear: parties to a conflict are often hesitant to accept humanitarian organizations they perceive as having hidden political agendas. This is why the ICRC insists on maintaining a clear distinction between its humanitarian work and political or military goals.

To preserve this independent humanitarian approach, the ICRC ensures that its activities are not conflated with political or military objectives. The organization's work extends beyond merely providing assistance to the victims of armed conflict and internal violence; it also includes protecting these individuals based on humanitarian law and the principles of humanity. Thus, the ICRC must safeguard its operational independence, especially when engaging with international military missions.¹³

E. Voluntary Action

According to the Preamble of the Statute of the International Red Cross and Red Crescent Movement, the International Committee of the Red Cross (ICRC) is a voluntary and impartial relief movement.

In the context of the Red Cross and Red Crescent Movement, volunteering refers to individuals offering their services freely and without expectation of recognition, aiming to perform acts of goodwill for the benefit of others. This spirit of brotherhood and humanity lies at the heart of humanitarian work.

Voluntary service and altruism are among the deepest expressions of human compassion, and these ideals are the foundation of the ICRC's activities. The principle of voluntary action serves as the motivating force for those involved with the Red Cross, highlighting selfless service and the humanitarian mission that the Movement strives to uphold.¹⁴

F. Unity

As stated in the Preamble of the Statute, *"There can be only one Red Cross or Red Crescent society in any given country, and it must be open to all, with its humanitarian work extending across the entire territory of the country."*

The existence of more than one national society within a single country would lead to confusion, duplication of efforts, and a sense of dependence. This principle mandates that only one national society per country may exist, which must operate nationwide and be inclusive of all individuals. This requirement must be demonstrated before a society can be admitted as a full member of the International Red Cross and Red Crescent Movement, as outlined in Article 4, Paragraph 7 of the Statute.¹⁵

G. Universality

The universality of the Red Cross and Red Crescent Movement is rooted in the simplicity and clarity of its message from the outset. It has always been understood that the Movement must be global in scope. Had national societies been confined to a limited number of countries, the vision proposed by Henry Dunant would have lost its significance, as it is based on principles of solidarity, exchange, and international cooperation.

Thus, the principle of universality calls for collective responsibility within the Movement, deriving its strength from its diversity. Through this principle, the Movement affirms its authenticity, independence, and global solidarity.¹⁶

Second Section: The Role of the ICRC in Implementing Civilian Protection Rules

As the guardian and promoter of international humanitarian law (IHL), the ICRC takes all necessary measures to mitigate the impact of conflicts on civilian populations, particularly those who are not participating in hostilities or who have ceased to do so.

1. Ensuring the Respect of Civilian Rights

The ICRC, as the custodian of IHL, works to enforce rules designed to protect civilians and individuals not involved in combat. This is evident in its efforts to develop IHL, remind parties of their obligations, and handle complaints.

First: Development and Adoption of IHL Rules

The ICRC has been pivotal in the development of IHL. It played a central role in advancing the Geneva Conventions, beginning with the Geneva Convention of 1906, which extended protections to the sick and wounded. The 1949 Geneva Conventions, which remain the cornerstone of IHL today, were also significantly shaped by the ICRC. Moreover, the ICRC was instrumental in the adoption of the two Additional Protocols in 1977, marking important advancements in the evolution of IHL.¹⁷

2. Reminder of IHL Rules

The ICRC stresses the application of IHL by working to prevent and address violations through close cooperation with parties to the conflict. In times of war, the ICRC reminds all parties of the fundamental rules of IHL. If these reminders do not lead to compliance, the ICRC engages with the warring parties to ensure the enforcement and respect of the humanitarian principles they have agreed to.¹⁸

ICRC delegates in conflict zones protest any observed violations, ranging from informal verbal objections to formal reports submitted by the ICRC's President to the relevant authorities. Due to the sensitive nature of its work, the ICRC operates with discretion, adhering to a policy of confidentiality.

Publicizing violations could lead to political or diplomatic repercussions, hindering the ICRC's ability to fulfill its core mission of protecting victims of armed conflict. Thus, the ICRC relies on confidentiality to carry out its humanitarian duties effectively.¹⁹

As a general rule, the ICRC does not take a position on the tactics of warfare or the use of specific weapons unless a particular weapon is likely to cause a particularly grave situation. In such cases, the ICRC raises its concerns with the international community, seeking global pressure to prevent harm.²⁰

3. Offering Good Offices

The ICRC's relationship with authorities allows it to act as a neutral mediator in humanitarian matters. This role often requires negotiations between conflicting parties. The ICRC's capacity as a neutral intermediary is grounded in customary law, which grants the organization the right to undertake humanitarian activities with the consent of the parties involved in the conflict.

The objective of neutral mediation is to address some of the actual or potential humanitarian consequences of the conflict. While the ICRC can act within a broad legal framework based explicitly on humanitarian law, many of its initiatives take place without direct legal backing. In such cases, the ICRC often facilitates limited and specific agreements that can save lives or alleviate the suffering of victims, even amid ongoing hostilities.

These agreements, often reached upon the request of the conflict parties, may include arrangements to allow for humanitarian assistance or to address immediate needs in a conflict

zone. The ICRC's ability to mediate and offer good offices is a vital part of its humanitarian mission, especially when it comes to providing relief in situations where formal legal intervention may not be possible.²¹

4. Receiving Complaints

Under the Statutes of the ICRC and the International Red Cross and Red Crescent Movement, the ICRC is tasked with receiving complaints related to alleged violations of international humanitarian law (IHL).²²

The ICRC accepts complaints from both conflict parties and third parties, including governments, non-governmental organizations (NGOs), and National Red Cross or Red Crescent Societies. These complaints typically fall into two categories:

A. Complaints Concerning Non-Implementation of IHL

The first category includes complaints related to the failure of authorities to enforce provisions of the Geneva Conventions regarding individuals protected under these agreements. In such cases, the ICRC may take direct action to advocate for the protection of these individuals. This may involve verifying the validity of the complaint, conducting visits to places of detention, and engaging with the relevant authorities to address and correct violations.

The ICRC's right to conduct unimpeded visits to detention facilities is critical, as it enables the organization to gather information on the conditions of detainees. These visits help identify issues arising from detention and provide valuable testimony for international oversight.²³

B. Complaints About Severe Violations of IHL

The second category concerns complaints related to serious violations of IHL, particularly those instances where the ICRC is unable to take direct action on behalf of the victims. These violations may lie outside the ICRC's mandate, such as actions related to military operations or violations occurring in combat zones where the ICRC does not have access.²⁴

Second: The ICRC's Role in Providing Assistance to Civilians

The ICRC is responsible for the protection of civilians who are victims of both international and non-international armed conflicts. According to Article 5, Paragraph 2(c) of the Statutes of the International Red Cross and Red Crescent Movement, the ICRC undertakes the tasks assigned to it under the Geneva Conventions and works to ensure the precise application of IHL during armed conflicts. The First Additional Protocol, in Article 81, grants the ICRC the necessary facilitation to carry out its humanitarian duties.²⁵

Furthermore, the ICRC's mandate is affirmed by Common Article 3 of the Geneva Conventions, which authorizes the ICRC as a neutral humanitarian entity to offer its services to the parties involved in a conflict. This offer serves as a formal declaration of the ICRC's readiness to fulfill its duties under IHL, emphasizing its impartiality and humanitarian role.²⁶

As such, the ICRC plays a vital role in providing assistance to civilians affected by armed conflicts and internal disturbances. Its responsibilities in this regard include:

1. Protection of Civilian Detainees

In international armed conflicts, the Geneva Conventions grant ICRC delegates the right to visit civilian detainees. Denial of this right constitutes a violation of IHL. In non-international armed conflicts, Common Article 3 of the Geneva Conventions and the Statutes of the International Red Cross and Red Crescent Movement authorize the ICRC to offer its services to visit detainees. Many governments accept the ICRC's offer, recognizing the importance of impartial humanitarian oversight.

Deprivation of liberty places individuals in vulnerable positions, exposing them to potential abuse or mistreatment. The ICRC's visits to detention facilities are essential to ensuring humane treatment of detainees and protecting their rights.

The International Committee of the Red Cross (ICRC) works tirelessly to:

- Prevent or end cases of enforced disappearances, extrajudicial executions, torture, and ill-treatment.
- Improve conditions of detention where necessary, in accordance with applicable law.
- Re-establish family links between detainees and their families.

To achieve these goals, the ICRC conducts visits to places of detention. Based on the findings of these visits, the ICRC engages in confidential advocacy with authorities and provides material and medical assistance to detainees when necessary. During these visits, ICRC delegates meet with detainees individually and record their personal data.

While the ICRC refrains from expressing opinions on the reasons for the arrest or detention of individuals, it ensures that detainees are provided with the judicial guarantees protected under international humanitarian law (IHL).²⁷

In situations such as the ongoing conflict in Gaza, families of hostages face indescribable suffering, anxiously waiting for news about their loved ones. Since the beginning of the crisis, the ICRC has called for the immediate release of all hostages and sought access to them. The organization has made repeated requests for information about their whereabouts and health conditions and has facilitated the release of several hostages.

The ICRC has stated that it hopes to gain the powers necessary to make decisions and create the conditions for reaching these individuals. However, the reality is that the ICRC lacks such powers. To make this possible, a formal agreement between the parties involved in the conflict is required. As long as such an agreement is not in place, the ICRC cannot take action independently.²⁸

2. Search for the Missing

During times of war and conflict, countless individuals lose contact with their families for a variety of reasons. In such cases, the ICRC, in collaboration with National Red Cross and Red Crescent Societies, plays an essential role in addressing these issues.

The ICRC works to assist families who have lost contact with relatives during armed conflicts by submitting requests to locate missing persons. The organization utilizes all available resources to find individuals, including visits to detention facilities, hospitals, morgues, or, when appropriate, requesting investigations from relevant authorities.

Whenever possible, the ICRC collaborates closely with authorities and organizations to expedite the search process. The organization also advocates for governments to adopt or enforce laws to ensure thorough searches for missing persons, such as establishing information bureaus to clarify the fate of the missing and provide support to their families, especially by facilitating the legal procedures necessary for reunification.²⁹

In Iraq, for instance, the ICRC chaired the 59th meeting of the Subcommittee of the Tripartite Commission in March 2009, which was responsible for investigating persons still missing from the Gulf War. Representatives from Kuwait, Iraq, and coalition countries (the United States, United Kingdom, France, and Saudi Arabia) attended the meeting.

As a result, the fate of 304 missing persons, including 66 Iraqis, was clarified from a total of 1,431 cases tracked by the Tripartite Commission. The ICRC urged committee members to intensify their efforts to gather crucial information on unresolved cases, emphasizing the need to end the prolonged suffering of families who have been waiting to learn the fate of their loved ones.

3. Reuniting Families

Each year, hundreds of individuals are separated from their families due to armed conflicts. The ICRC works tirelessly to locate these individuals and, when possible, facilitate their reunification with their families. For many years, the ICRC has provided essential humanitarian services to reunite families and to facilitate the exchange of family news and information regarding missing persons around the world.³⁰

In certain cases, the travel document issued by the ICRC is the only means available for an individual who has lost all identification to reunite with their family in a third country or return to their home country.³¹

The ICRC has also organized exchanges of family messages between individuals living in the occupied Palestinian territories and their relatives abroad, facilitating the transmission of over 1.5 million Red Cross Message forms (35 words each) free of charge. These efforts have been instrumental in providing families with vital information and alleviating the emotional burden of uncertainty during times of conflict.³²

4. Provision of Aid, Water, and Shelter

Humanitarian assistance has significantly expanded since the ICRC's 1984 operation in Ethiopia. While food aid has long been a major focus of the organization's work, there has been a marked increase in the variety of aid provided, tailored to meet the specific needs of affected populations. However, the ICRC can only begin aid operations after conducting a thorough field assessment to determine the exact needs of victims, identify the relevant beneficiary groups and their numbers, and evaluate the organization and distribution process of relief efforts.³³

For example, in 1967, the ICRC provided substantial humanitarian aid, including food and medical supplies, to all countries affected by military operations. By the end of 1970, the total value of this assistance exceeded 17 million Swiss francs. This aid included food, medicines, blankets, clothing, and financial donations to health institutions, excluding the 22 million Swiss francs allocated for relief operations in Jordan during the 1970 conflict.³⁴

In conflict zones, access to clean drinking water and adequate shelter is often severely restricted. To address these critical needs, the ICRC's Water and Habitat Unit works to ensure that victims of war have access to clean water for drinking and household use, as well as safe housing to protect civilians from environmental hazards. The work of this unit includes providing access to water, promoting public health, and safeguarding the environment, recognizing the interconnected nature of these factors.³⁵

In Gaza, the ICRC has been involved in rehabilitating water networks to ensure continued access to water for over half a million people. The organization has also assessed the humanitarian impact on the population and prepared two separate reports for the concerned parties. In addition, the ICRC has worked to help farmers return to their lands, which were damaged during the conflict, by restoring agricultural land so that they can resume crop production.³⁶

5. Medical Assistance for Civilians

The ICRC's health programs aim to provide victims of conflict with adequate preventive and therapeutic healthcare, meeting internationally recognized standards. Armed conflicts often result in deaths, injuries, displacement, and the destruction of medical facilities, as well as the disruption of supply lines. As a result, the number of injured or those suffering from infectious diseases can overwhelm local healthcare services.³⁷

These challenges are especially pronounced in regions with pre-existing healthcare facilities and staff. The ICRC's ongoing support helps ensure that these facilities continue to provide vital services, even under the most difficult conditions. However, in some cases, local hospitals may not be sufficient, and the ICRC sends medical teams from outside the region to provide assistance. The ICRC also runs emergency first aid programs and facilitates the evacuation and transport of the wounded.³⁸

Since 1979, the ICRC has established and supported around 50 rehabilitation centers in approximately 25 conflict-affected countries. The ICRC has provided nearly 130,000 prosthetic devices to approximately 88,000 individuals in need.³⁹

Regarding prison health, ICRC delegates visiting places of detention are accompanied by medical personnel, who assess the health of detainees and identify any signs of physical or psychological abuse. These medical professionals are trained to address the specific health issues related to detention centers.⁴⁰

For example, in Somalia, following the outbreak of hostilities, the ICRC expanded its support to various medical facilities across central and southern Somalia. This included 23 clinics managed by the Somali Red Crescent Society and three hospitals in Mogadishu. The ICRC supplied over five tons of emergency medical supplies, surgical equipment, and medicines to these facilities.⁴¹

6. Responding to Displacement Operations

The International Committee of the Red Cross (ICRC) works tirelessly to prevent displacement, which is one of its primary objectives. To achieve this, the ICRC calls on all parties to the conflict to adhere to international humanitarian law and humanitarian principles, ensuring that civilians are not harmed and can safely remain in their homes. Additionally, the ICRC provides material

assistance to civilians who have not been displaced, helping them maintain their presence in local communities.⁴²

The ICRC also offers specialized support to communities hosting displaced populations, helping them cope with the added strain. It has consistently opposed forced displacement operations conducted by Israel in the occupied territories, as well as the evacuation and relocation of civilians by occupying authorities. On several occasions, the ICRC has intervened with the Israeli government to prevent the recurrence of these forced displacement practices.⁴³

CONCLUSION

As an international body, the ICRC has made significant contributions both legally and practically. Legally, it has played a pivotal role in the creation and development of the agreements that underpin international humanitarian law (IHL), and it continues to work towards their advancement. Practically, the ICRC has focused on implementing and disseminating these legal principles to ensure the protection of civilians, who are often the primary victims of armed conflict. The ICRC also provides assistance to civilians to alleviate the hardships caused by war.

The ICRC enjoys a unique legal status that distinguishes it from other international organizations, enabling it to monitor and enforce the application of international humanitarian law in many countries. Through its organizational structure, the ICRC carries out its mission effectively, with civilian protection and assistance at the core of its activities. The ICRC is consistently present in regions where civilians face significant risks, working to mitigate these dangers to the best of its ability.

While the ICRC plays a crucial role in ensuring the application of IHL, it does not have the authority to guarantee compliance by all parties to a conflict. For the ICRC to fully realize its role in protecting civilians during armed conflicts, it must be granted the powers necessary to carry out its work independently of the conflicting parties' will.

Despite the numerous challenges it faces in its operations, the ICRC remains steadfast in its mission to reduce the suffering of civilians in conflicts. This is evident in its continuous efforts in the Palestinian territories, despite obstacles such as the refusal of Israeli forces to comply with international humanitarian law.

Therefore, there is a critical need to strengthen the ICRC's presence in occupied territories to better protect victims and civilians and to provide the necessary humanitarian and medical assistance. This can be achieved by empowering ICRC missions with the resources and authority required to perform their tasks effectively.

As a crucial early warning system, the ICRC is uniquely positioned to respond swiftly to humanitarian needs when they arise. Additionally, its broad-ranging activities aim to reinforce the rules of international humanitarian law, ensuring that the ICRC continues to offer protection and assistance to those in greatest need.

Footnotes:

¹ International Committee of the Red Cross, *The Free Encyclopedia*, on the official website of the International Committee of the Red Cross: www.icrc.org

² Said Salem Jweili, *Implementation of International Humanitarian Law*, Dar Al-Nahda Al-Arabiya, Cairo, 2003, pp. 230-231.

³ *Learn about the International Committee of the Red Cross*, April 2008, on the official website of the International Committee of the Red Cross: www.icrc.org

⁴ *About the International Committee of the Red Cross*, International Committee of the Red Cross, 1/1/2009, on the official website of the International Committee of the Red Cross: www.icrc.org

⁵ Article 2 of the Statutes of the International Committee of the Red Cross: "The Committee is established as an association governed by Article 60 and subsequent provisions of the Swiss Civil Code, and enjoys legal personality."

⁶ Said Salem Jweili, *Op. Cit.*, pp. 239-240.

⁷ For the preamble of the Statutes of the International Red Cross and Red Crescent Movement of 1986, see: Omar Saadallah, *International Humanitarian Law, Documents and Opinions*, Dar Majdalawi, Amman, Jordan, 1st ed., 2002, pp. 252-253.

⁸Article 1 of the Statutes: "1- The International Committee of the Red Cross, established in 1863 and recognized by the Geneva Conventions and the International Red Cross Conferences, is an independent humanitarian institution with its own status. 2- The International Committee is a founding member of the International Red Cross and Red Crescent Movement."

⁹ Houba Abdelkader, *International Protection of Journalists and the Media in Armed Conflict Zones*, Master's Thesis, Faculty of Law, Batna University, 2008, pp. 128-129.

¹⁰ Pierre Krainbuhl, *The ICRC's Approach to Contemporary Security Challenges: The Future of Independent and Neutral Humanitarian Action*, 31/03/2024, International Committee of the Red Cross website: www.icrc.org

¹¹ Rokaya Aouachria, *Protection of Civilians and Civilian Objects in Non-International Armed Conflicts*, Doctoral Dissertation, Faculty of Law, Ain Shams University, 2001, p. 372.

¹² Pierre Krainbuhl, *The ICRC's Approach to Contemporary Security Challenges: The Future of Independent and Neutral Humanitarian Action*, 31/03/2004, International Committee of the Red Cross website: www.icrc.org

¹³ Raj Rana, *Contemporary Challenges in the Civilian-Military Relationship: Integration or Incompatibility?*, Selections from the International Review of the Red Cross, 2004.

¹⁴ International Committee of the Red Cross, *The Fundamental Principles of the Red Cross and Red Crescent*, 9/12/2008, International Committee of the Red Cross website: www.icrc.org

¹⁵ Rokaya Aouachria, *Op. Cit.*, p. 374. Article 4/7 of the Statutes of the International Red Cross and Red Crescent Movement: "The activities of the movement should cover the entire territory of the state."

¹⁶ International Committee of the Red Cross, *The Fundamental Principles of the Red Cross and Red Crescent*, 9/12/2008, International Committee of the Red Cross website: www.icrc.org

¹⁷ Omar Saadallah, *Development of the Codification of International Humanitarian Law*, p. 121.

¹⁸ Rokaya Aouachria, *Op. Cit.*, p. 375.

¹⁹ Brini Abdelrahman, *The Role of the International Committee of the Red Cross in the Development of International Humanitarian Law*, Master's Thesis, University of Algiers, Faculty of Law, 2008, p. 110.

²⁰ Brini Abdelrahman, *Op. Cit.*, p. 111.

²¹ David Delabre, *The International Committee of the Red Cross and International Humanitarian Law*, Lectures on International Humanitarian Law, edited by Sherif Atlam, International Committee of the Red Cross Mission, 5th ed., 2005, p. 162.

²² Article 4/1(c) of the Statutes of the International Committee of the Red Cross: "To carry out the tasks assigned to it by the Geneva Conventions and to ensure the exact application of international humanitarian law in armed conflicts, including receiving complaints regarding any alleged violations of this law."

²³ Rokaya Aouachria, *Op. Cit.*, p. 378.

²⁴ Brini Abdelrahman, *Op. Cit.*, p. 112.

²⁵ Fawzi Ousdik, *The Principle of Intervention and Sovereignty: Why and How?*, Dar Al-Kitab Al-Hadith, Algeria, 1999, p. 66.

²⁶ *Enhancing Respect for International Humanitarian Law in Non-International Armed Conflicts*, International Committee of the Red Cross website: www.icrc.org

²⁷ *Learn about the International Committee of the Red Cross*, April 2008, International Committee of the Red Cross website: www.icrc.org

²⁸ *Frequently Asked Questions About the ICRC and Hostages in Gaza*, 29/12/2023, International Committee of the Red Cross website: www.icrc.org

²⁹ *Women and War*, International Review of the Red Cross, July 2008, International Committee of the Red Cross website: www.icrc.org

³⁰ *Restoring Family Links*, International Committee of the Red Cross, May 2009, International Committee of the Red Cross website: www.icrc.org

³¹ *Learn About the International Committee of the Red Cross*, April 2008, International Committee of the Red Cross website: www.icrc.org

³² Samah Jaber Al-Beltaji, *Protection of Civilians in Times of Armed Conflict*, Dar Al-Fikr Al-Jami'i, Alexandria, no date, p. 124.

³³ David Delabre, *Op. Cit.*, p. 164.

³⁴ Samah Jaber Al-Beltaji, *Op. Cit.*, p. 126.

³⁵ *Activities of the International Committee of the Red Cross: Assistance (Water and Shelter)*, International Committee of the Red Cross website: www.icrc.org

³⁶ Mena Allah Mahmoud Ahmed, *The Role of the International Committee of the Red Cross in Implementing the Rules of International Humanitarian Law*, The Democratic Arab Center, 21/07/2022.

³⁷ *Learn About the International Committee of the Red Cross*, April 2008, International Committee of the Red Cross website: www.icrc.org

³⁸ *Activities of the International Committee of the Red Cross: (Health Services)*, International Committee of the Red Cross, 1st March 2005, International Committee of the Red Cross website: www.icrc.org

³⁹ *Learn About the International Committee of the Red Cross*, April 2008, International Committee of the Red Cross website: www.icrc.org

⁴⁰ *Humanitarian Review*, Issue 38, Winter 2006, International Committee of the Red Cross website: www.icrc.org

⁴¹ *The Risk of Complete Medical Collapse Threatens Gaza Unless Immediate Action is Taken to Prevent It*, Press Release, 24/01/2024, International Committee of the Red Cross website: www.icrc.org, as reported by William Schomberg, Sub-Delegation Head in Gaza, stating: "All hospitals in Gaza are suffering from extreme overcrowding and shrinking medical supplies, fuel, food, and water. Many of these hospitals are sheltering thousands of displaced families, and we are now at risk of losing two more hospitals due to the fighting. The cumulative impact of the conflict on the health system is devastating, and urgent steps must be taken to prevent further collapse."

⁴² Samah Jaber Al-Beltaji, *Op. Cit.*, p. 125.

⁴³ *Women and War*, International Review of the Red Cross, July 2008, International Committee of the Red Cross website: www.icrc.org