

“Si vis pacem, impera bellum”: The ICRC, international humanitarian law and peace

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Abstract

This article examines the links between the concept of peace and international humanitarian law (IHL). It takes a closer look at how the originator of IHL, the International Committee of the Red Cross, justified the existence of this body of law, which was supposed to regulate war, in the face of those who wanted to see war abolished once and for all. The article also questions the attitude of the International Red Cross and Red Crescent Movement, which, while wanting a peaceful society, did not give itself the means to achieve one.

Keywords: peace, war, international humanitarian law, International Red Cross and Red Crescent Movement, ICRC.



Law and peace are two examples of “magnetic concepts”, according to the definition that historian Irène Herrmann came up with to describe ideas that – naysayers

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notwithstanding – enjoy universal sympathy and support.¹ Who could be opposed to society being governed by principles and free from violence?

The normally positive relationship between legality and pacifism becomes muddled, however, when laws are enacted in an area that pacifists deplore: war.

At the end of the nineteenth century, two schools of thought came into opposition; although driven by the same objective, they differed in their approach to achieving it. The older² of these two movements is pacifism, whose aim is purely and simply to put an end to war. The second, humanitarianism, which arose in the middle of the nineteenth century, seeks to make the violence resulting from the use of weapons a little more civilized by tapping into humankind's virtuous nature. Both approaches envisage bringing about an improvement in the human race by combating either the roots of war or its consequences. What these two philosophies also have in common, however, is their perception by some as being utopian or even dangerous.

While pacifism has remained an essentially theoretical concept, humanitarianism rapidly became tangible through the development of international humanitarian law (IHL). It was in 1864, through the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, that a permanent, universal legal instrument protecting war victims was first created. This major legal breakthrough was accompanied by another groundbreaking event: the founding of a charitable organization, international in scope, that would soon come to be known as the Red Cross, and is known today as the International Red Cross and Red Crescent Movement (the Movement). One man, Henry Dunant, was at the root of these two initiatives, which he sketched out in his book *A Memory of Solferino*. In that book, published in 1862, Dunant describes his experience in the immediate aftermath of the famous Battle of Solferino, when, on 24 June 1859, he brought relief to wounded soldiers left on the battlefield at a time when armies' medical services were extremely limited. Drawing on that ordeal, Dunant came up with two proposals: first, the formation of civilian relief societies in peacetime in every country so that in times of war they could support the armies' medical services; and second, protection for volunteers working for these societies through "some international principle, sanctioned by a Convention inviolate in character"³ and ratified by governments. These two initiatives led to the creation of National Red Cross and Red Crescent Societies (National Societies) and to the Geneva Convention of 22 August 1864. In pursuit of these goals, Dunant – who was from Geneva – brought together four other Swiss men, with whom he formed an international and permanent committee whose aim was to provide relief to wounded soldiers. Several years later, that group called itself the International

1 Irène Herrmann, "From Polemical Topics to Magnetic Concepts: Humanitarianism and Anti-Semitism in Switzerland", *Journal of Political Ideologies*, Vol. 15, No. 1, 2010.

2 Peace congresses began to be held in the 1840s.

3 Henry Dunant, *Un souvenir de Solferino*, Institut Henry-Dunant and Slatkine Reprints, Geneva, 1980, p. 113.

Committee of the Red Cross (ICRC).⁴ For the first half-century of its existence, the ICRC focused on setting up and consolidating the Red Cross and promoting IHL.

In this article, we will revisit the strategies employed within the Movement, and by the ICRC in particular, to attempt to reconcile the highest ideal of peace with the reality of human nature in its most destructive manifestation.⁵ In the first part, we will see that, until the First World War, humanitarians and pacifists worked on parallel tracks and rarely came into contact with each other, even though the former considered themselves indispensable to the latter thanks to the development of IHL. We will then discover, in the second part, how in the early inter-war period, the Movement – which was in the midst of an internal crisis – was forced by the prevailing mood to devote more attention to peace, although its positions, especially those of the ICRC, ultimately changed little. In the third part, we will look at how the concept of peace evolved in the post-1945 period, in a politically divided world living under the threat of nuclear war. The question of peace remained important for the Movement, and it led the ICRC to engage in overt action in 1962, for the first time, in an effort to preserve it. We conclude the article with a critical look at the ICRC’s ambiguous posture at the end of the 1960s – when the organization was asked (or, at times, offered) to take action aimed at preserving peace yet remained concerned about the consequences – and at the efforts the organization made to push past this dilemma. Our study concludes with an assessment of the ICRC’s role in promoting peace now and going forward.

Parallel paths (1863–1914)

Law versus peace?

The five people who founded the Movement were also behind the creation of modern IHL. It was upon the ICRC’s initiative that the Geneva Convention was debated and approved in 1864, and it was Henry Dunant and Gustave Moynier – the latter being the president of the ICRC – who drafted the text submitted for negotiations. The ICRC immediately ran into a double quandary. First, despite the good that it achieved, the organization’s work had absolutely no influence on how armed conflicts were carried out; it simply alleviated the devastating consequences for some of the victims. Second, and worse yet, the very idea of a law governing war takes as its premise not only that this form of violence exists,⁶ but also – and more importantly – that it will continue to exist

4 To avoid long and repetitive phrasing, we will refer to this group as the ICRC throughout the article, even though this name was not officially adopted until December 1875.

5 Much has been written about the Red Cross and the question of peace, including by humanitarians such as André Durand (whom we cite in this article). See also Valérie Lathion *et al.* (eds), *Action humanitaire et quête de la paix: Le prix Nobel de la paix décerné au CICR pendant la Grande Guerre*, Georg Editeur, Geneva, 2019.

6 “[T]he laws of war presuppose a violation, by one of the parties to the conflict, of the prohibition to use force”: Henri Meyrowitz, “The Function of the Laws of War in Peacetime”, *International Review of the Red Cross*, Vol. 26, No. 251, 1986, p. 82 (emphasis in original).

far into the future, as the 1864 Geneva Convention was based on a (very) long-term vision. In other words, permanently codifying a practice seemed incompatible with efforts to one day put an end to that practice.

The five members of the ICRC found themselves at an impasse. The situation was particularly awkward because, for one thing, they were all from Geneva, a city that had a “pacifist” tradition and that was home to the first peace society (created in 1830).⁷ But they were also men of their era, who cherished the concept of “civilization” and believed that every human being – especially those in society’s upper class, as they were – had a duty to ensure that human progress did not leave the common good by the wayside. For Dunant and his colleagues, owing to their Protestant beliefs, this concern implied a responsibility to personally contribute to this evolutionary process towards betterment. Moynier’s position was particularly precarious, as he was an original member, in May 1868, of the International League of Peace and Freedom (founded by Frédéric Passy in Paris on 20 May 1867) and was named to the League’s Geneva committee in December 1869.⁸ Circumstances would not get easier for the ICRC, as its members and their successors were to watch, decade after decade, the relentless advancement of combat methods with increasingly deadly effects – a “forward” march that would lead to total war, as the world experienced between 1914 and 1918. It could be argued that the ICRC’s efforts to regulate armed violence and promote IHL went some way towards endorsing this vicious cycle by legitimizing one of man’s primal urges instead of seeking to suppress it.

The ICRC recognized this contradiction, but it also knew that the organization required the military authorities’ approval to achieve its two objectives: the creation of relief societies and of an international treaty. It proceeded to develop a now well-worn argument based on two tenets. The first was that the Red Cross’s role – and, thus, that of the ICRC – was not to put an end to war but rather to make it more humane:

Our mandate is to humanize war – if such a collocation is not a contradiction. Let us declare openly our deep regret, our sorrow that we cannot do more, let us protest against the great collective villainy that we call war, a villainy that is but one of the forms of evil in the world; but after this unambiguous protest, taking war for what it is, let us join our efforts to alleviate the resulting suffering, let us openly and energetically demand that the white flag and red cross of charity flutter above the flag of victory!⁹

This argument was posited very early on. Gustave Moynier used it while speaking at the Geneva International Conference in October 1863, when the ICRC first

7 Gustave Moynier, “Les causes du succès de la Croix-Rouge”, in ICRC, *Mémorial des vingt-cinq premières années de la Croix-Rouge, 1863–1888*, Geneva, 1888, p. 12.

8 André Durand, “Gustave Moynier and the Peace Societies”, *International Review of the Red Cross*, Vol. 36, No. 314, 1996, p. 540.

9 Louis Appia, “Rapport adressé au Comité international par M. le docteur Appia sur sa mission auprès de l’armée alliée dans le Schleswig”, in ICRC, *Secours aux blessés: Communication du Comité international faisant suite au compte rendu de la Conférence internationale de Genève*, Imprimerie J.-G. Fick, Geneva, 1864, p. 144.

announced Dunant’s two objectives to an audience of European government representatives:

Listening to our opponents, it would seem that we are doing nothing less than seeking to legitimize war by making it out to be a necessary evil. Is that criticism serious? I do not believe so. We resolutely wish, as much as anyone, that men will stop slitting each other’s throats and renounce this barbaric heritage handed down from their fathers. ... But, alongside our conviction, we must take into account human passions and their dire consequences for a long while. If we cannot avoid them absolutely and immediately, why not endeavour to lessen them? Charity so instructs us...¹⁰

The second tenet, which came later, is much more powerful. Under that argument, humanitarianism and pacifism are anything but opposing philosophies, and in fact represent complementary approaches towards the same goal:

We must face up to ... a criticism that we often hear mentioned. Some say that the main concern of [National Societies] should not be to help the wounded, but to root out the evil and deliver lasting peace to people. That today’s philanthropists must do more than alleviate the evils of war; that they must pursue a higher ideal. Those who pronounce this grievance surely forget that there are associations whose purpose is to wage war on war. ... [The National Societies] also believe deeply that they usefully serve the aims of peaceful propaganda and that they make a real – albeit indirect – contribution to promoting an aversion to war in people. The need they encounter to depict its horrors to justify their action, the universal sympathy they call for in the name of charity in support of those unfortunate people who suffer from it ... all that is moving, and it gives rise to salutary thoughts that cannot help but have the desired effect.¹¹

The underlying idea here is not solely moral in scope; it is not a “simple” condemnation of war. It goes further by taking on a performative dimension: because the National Societies enter into close contact with victims on the battlefields and are first-hand witnesses to the destructive effects of war, they are in the best position to shape people’s understanding of war and to promote pacifist ideals. As Moynier noted:

Through our efforts to provide relief to all those unfortunate people who fall on the battlefield, we have been indirectly furthering the work of “peace” societies, whose purpose is to spread among nations a sense of fraternity, to combat in all possible ways the spirit of rivalry and, at times, the hatred that comes between people.¹²

10 *Compte rendu de la Conférence internationale réunie à Genève les 26, 27, 28 et 29 octobre 1863 pour étudier les moyens de pourvoir à l’insuffisance du service sanitaire dans les armées en campagne*, Imprimerie J.-G. Fick, Geneva, 1863, p. 8.

11 “Avant-propos”, *Bulletin International des Sociétés de Secours aux Militaires Blessés*, Vol. 1, No. 1, 1869, p. 3.

12 Gustave Moynier, “Les dix premières années de la Croix-Rouge”, *Bulletin International des Sociétés de Secours aux Militaires Blessés*, Vol. 4, No. 16, 1873, p. 241.

The ICRC president further boasted: “Champions of peace have a precious ally in the Red Cross.”¹³

In this way, Moynier – as Dunant did later – invoked both humanitarian and pacifist arguments. He could claim a long-standing belief in pacifism, as, in addition to his personal involvement in the International League of Peace and Freedom, he wrote the following lines in 1870 in his role as the head of the ICRC: “War may be our element, but we see it so closely that our reaction can be nothing less than horror, and that our aspirations, far from belligerent, can be nothing other than peaceful.”¹⁴

Later – and perhaps more opportunely – Dunant affirmed having been a staunch pacifist already when he published *A Memory of Solferino*:

I have tried to show the atrocious consequences of this law of force by describing what I saw at the site of the carnage, so as to instill into nations under orderly governments a horror at this civilized barbarity, in the hope of eradicating national hatreds and prejudices.¹⁵

This two-pronged attack on war could be summarized in this way: pacifism represented a frontal assault, while humanitarianism was a “turning movement”.¹⁶

Law for peace

In pleading the ICRC’s case, Moynier went further, focusing on how IHL could temper armed conflicts and, ultimately, phase them out of existence. Because the Red Cross’s work was framed by IHL, the impact of that body of law would go beyond its initial objective of reducing the evils of war to, *ipso facto*, promote peace.

In an article that has recently resurfaced,¹⁷ Moynier writes first of the stark opposition between the age-old practice of war and the recent “awakening of humanity’s collective conscience that, in becoming increasingly refined, now feels that war should be seen as an affliction that we would be better off without”.¹⁸ The dichotomy Moynier describes has resulted in a “hybrid situation”: “We have not stopped fighting, but we now do it with some restraint.”¹⁹ Moynier then recounts how this progress was achieved. In an era when “there were still almost

13 G. Moynier, above note 7, p. 12.

14 “Travaux du Comité international pendant le dernier trimestre de l’année 1870”, *Bulletin International des Sociétés de Secours aux Militaires Blessés*, Vol. 2, No. 6, 1871, p. 91.

15 Letter from Henry Dunant to Bertha von Suttner, 25 March 1896, as cited in André Durand, “The Development of the Idea of Peace in the Thinking of Henry Dunant”, in Roger Durand (ed.), *De l’utopie à la réalité: Actes du Colloque Henry Dunant*, Société Henry Dunant, Geneva, 1988, p. 358.

16 A turning movement is a military tactic used to attack an enemy from the rear. *Ibid.*, p. 357.

17 The text in question is the manuscript that Moynier wrote in French for an article published by a German magazine in 1892. André Durand drew on the article, entitled “Les rigueurs de la guerre et le droit des gens”, in his study “Gustave Moynier and the Peace Societies”, above note 8. Yet Durand provides only a cursory summary of Moynier’s article, and we spent considerable time searching for this document in the International Committee of the Red Cross Archives (ICRCA). Gustave Moynier, “Les rigueurs de la guerre et le droit des gens”, 1892, ICRCA, P GM, dossier 2.

18 G. Moynier, above note 17, p. 2.

19 *Ibid.*, pp. 2–3.

no limits on the use of force”,²⁰ the 1864 Geneva Convention marked “the advent of a legal regime that took the place of traditions under which arbitrary actions had free rein” and was “a first step on the road that could lead to a broader transformation of martial conduct”.²¹ Penning his article in October 1892, Moynier notes that “the push begun by the social reformers of the 19th century with respect to ways of palliating the evils of war, is ... not over”, and he also feels that “additional international conventions will be agreed ... with the aim of containing the torrent of war and minimizing its ravages”.²² But the ICRC president aims even higher – since war cannot be “civilized” (“a civilized war, to my mind, makes no sense”),²³ it must be eradicated. Furthermore:

I believe we get a healthier assessment by viewing the consequences of restrictive laws imposed on armies in battle ... as a blow to the institution of war itself. When we finally admitted that, among the methods used by belligerents to subdue each other, there were some that served no purpose and we wanted to outlaw them, we embarked on a long journey. ... Step by step, one would inevitably wonder whether it is really necessary to kill thousands of men in order to right the troubled harmony between two states. ... The proof that this question is inevitable is that it was asked, and that is enough to shake the belief that war ... is inescapable.²⁴

For this reason, Moynier believed that, in this struggle, IHL “has a social dimension that is both significant and beneficial”, and that, from this perspective, “the Geneva Convention [was] a memorable act because it marked the start of a new era at the end of which humanity will be spared the great evils that still plague it in this day and age”.²⁵

In reiterating the ICRC’s role at the origin of IHL and as its zealous advocate, Moynier buttressed, for the first time, Dunant’s moral argument – that it was impossible not to despise war after having seen it up close – with a substantiated legal argument on the strength of that body of law. In so doing, Moynier highlighted the crucial role of IHL, and of the Red Cross, in promoting pacifism.

The ICRC’s significance in the pursuit of peace appears to have been recognized, as it culminated in the awarding in 1901 of the first Nobel Peace Prize to Dunant in honour of his role as the founder of the Red Cross. From that point forward, the Movement’s relationship with peace was officially recognized, although it was based on a relatively simplistic condemnation of war; Moynier’s more rational, structured argument about IHL contributing to peace was overlooked. During his tenure as ICRC president, Moynier was nominated for the Nobel Peace Prize in 1902, 1903 and 1905. He had called on a colleague at the Institute of International Law in Gand – Moynier was among eleven co-founders

20 *Ibid.*, p. 3.

21 *Ibid.*, p. 4.

22 *Ibid.*, pp. 8–9.

23 *Ibid.*, p. 10.

24 *Ibid.*, pp. 10–11.

25 *Ibid.*, p. 11.

of that organization and its honorary president – to back his nomination,²⁶ as he felt it natural that an organization with the motto “Justicia et Pace” could have some influence. But Moynier’s efforts to obtain this ultimate distinction were fruitless. Even the fact that Dunant won the Nobel could be viewed as only a mitigated success for him, because he had to share it with Frédéric Passy, a well-known pacifist. Indeed, some viewed Dunant’s pacifist credentials as coming too late to be entirely authentic.

It also appears that even the pacifists of the time did not share Moynier’s views about the Red Cross’s role – or that of IHL – in promoting peace: “The various [National] Societies ... proved to be adversaries of the peace movement, which is understandable given the involvement of members of the military in this institution whose point of departure is war,” wrote Austrian pacifist Bertha von Suttner,²⁷ who also felt that “time spent codifying war was a way of avoiding the real problems – disarmament and arbitration”.²⁸ For others, “alleviating the horrors of war [was] not the same as fighting for peace”.²⁹

The ICRC itself – including its president – painted pacifist societies in a negative light. “While the Red Cross had the satisfaction of providing those who were suffering” with some sort of practical benefit, “peace societies and congresses remained ensconced in the realm of theory and idealistic ambitions”.³⁰

When the Great War came, however, everyone set aside their differences – including the peace and law dichotomy – for over four years.

A way forward (1918–1939)

The Movement divided

Following the armistice on 11 November 1918, at a time when “the world could already discern that so blessed and deeply longed-for figure: peace”,³¹ the ICRC was more circumspect and did not fully share in the prevailing optimism. Although “the war to end all wars” was officially over, the ICRC could see for itself – thanks to its presence on the ground – that the armed violence continued apace. It was also convinced that the Movement’s work was “not about to lessen. At most it will change.”³² With that in mind, it politely but unenthusiastically

26 André Durand, “Le premier Prix Nobel de la paix (1901): Candidatures d’Henry Dunant, de Gustave Moynier et du Comité international de la Croix-Rouge”, *International Review of the Red Cross*, Vol. 82, No. 842, 2001, p. 282.

27 A. Durand, above note 15, p. 368.

28 *Ibid.*, p. 378.

29 *L’Indépendance Belge*, 4 January 1902, cited in *ibid.*, p. 391.

30 “La Croix-Rouge et l’œuvre de paix”, *Bulletin International des Sociétés de Secours aux Militaires Blessés*, Vol. 32, No. 126, 1901, p. 75.

31 “La mission du Comité international de la Croix-Rouge pendant et après la guerre”, Circulaire 174, 27 November 1918, in *International Review of the Red Cross*, Vol. 1, No. 1, 1919, p. 72.

32 “Revue internationale de la Croix-Rouge et Bulletin international des Sociétés de la Croix-Rouge”, *International Review of the Red Cross*, Vol. 1, No. 1, 1919, p. 1.

welcomed various initiatives, such as the one presented by Henry Pomeroy Davison, the president of the American Red Cross. Davison suggested restructuring the Movement so that it would have a greater focus on peacetime activities, which had until then played a small role in the National Societies’ work given their initial focus on preparing for times of war. To that end, he led the National Societies of four allied powers (France, Italy, Great Britain and Japan) in forming a Committee of Red Cross Societies. Although this initiative certainly represented a necessary change in the Red Cross’s role – a change sought by the ICRC itself³³ – it was too radical for the ICRC to get behind. It did not help that the ICRC was of only secondary importance in Davison’s plans. These diverging views resulted in the creation of a new Red Cross body, the League of Red Cross Societies, in May 1919. There ensued a schism in the Movement, with a rivalry forming between the institution created by Dunant and the one set up by Davison. Some even spoke of a “conflict of the Red Crosses”.³⁴ Peace became a thorny topic, as the ICRC and the League were at odds with each other, and the National Societies from the countries that won the war had no intention of participating in events that also involved National Societies from the war’s losers.³⁵

The animosity abated in April 1921 when the League and the ICRC signed an agreement setting out their respective areas of remit and created a new joint commission in the aim, among other things, of issuing international appeals “by and in the name of the ICRC and the League of Red Crosses”. The focus of the first joint appeal, dated 19 July 1921, was on peace³⁶ – or more precisely “against the spirit of war, which could forever ruin peace in the world”.³⁷ The language used in that appeal draws on the ICRC’s nineteenth-century discourse, in which the Red Cross was not just combating the evils of war but was also seeking to “help bring an end to war through disinterested action and universal humanitarian assistance”.³⁸ This language affirms that the Movement, rather than being a pacifist organization, “works for peace”.³⁹ As one historian aptly noted:

The Red Cross made this appeal in an attempt to efface the scars left by the war in the moral sphere and persuade nations to forget their enmity with other nations, without a head-on confrontation with the nationalistic feelings still rife after the return of peace. It was intended primarily to pour oil on troubled waters, leaving the political problems of collective security and abolishing war to the League of Nations.⁴⁰

33 “La mission du Comité international de la Croix-Rouge”, above note 31.

34 Irène Herrmann, “Décrypter la concurrence humanitaire: Le conflit entre Croix-Rouge(s) après 1918”, *Relations Internationales*, No. 151, 2012.

35 The French and Belgian National Societies refused to attend the 10th International Conference of the Red Cross (International Conference), held in 1921, owing to the presence of a German delegation.

36 “Appel de la Croix-Rouge pour la paix”, *International Review of the Red Cross*, Vol. 3, No. 32, 1921.

37 *Ibid.*, p. 791.

38 *Ibid.*, p. 791.

39 *Ibid.*, p. 791 (emphasis in original).

40 André Durand, “Human Rights as Perceived by the Founders of the Red Cross”, *International Review of the Red Cross*, Vol. 28, No. 266, 1988, p. 448.

This policy of avoidance suited the ICRC nicely, as did the slightly ambiguous phrasing used at the 10th International Conference of the Red Cross (International Conference), whose participants supported this appeal. In that phrasing, the ICRC and the League were not asked to issue an appeal *for* peace, but rather one *against* “the spirit of war hanging over the world”.⁴¹ This is a significant nuance, as it shows that the conference participants were not directly attacking war as a historical phenomenon; rather, their main aim was to “demobilize” people’s minds – “just as armies were demobilized” – and rid them of “the spirit of war still lingering in the world”.⁴² It was thus a question of two distinct actions at different points in time. And it was only once the “evil spirit of war” was completely rooted out⁴³ that the spirit of peace would gain strength and war would, perhaps, be eliminated. These words were chosen carefully: unlike the aspirations of pacifist movements seeking a total and immediate end to war, the ICRC and the Red Cross were pursuing what Norwegian political scholar Johan Galtung called positive peace. This refers to a situation marked by cooperation, economic growth and development, justice and equality, and freedom of action; it exists in a dynamic, pluralistic environment that leaves no room for fear, exploitation or need and that admits only a very low level of violence.⁴⁴

The Red Cross and peace

The 10th International Conference, held in 1921, was the first to address the role that the Movement could play in promoting peace, although this topic had already been discussed at the International Conferences held in The Hague in 1899 and 1907. While the National Societies’ peacetime work was sometimes mentioned, this was, as we have seen, “mainly geared towards preparing for their wartime activities”.⁴⁵

When the 10th International Conference took place, however, the Red Cross could no longer completely ignore how important the concept of peace was in a world that was emerging from over four years of brutality and at a time when the League of Nations was advancing its pacifist discourse. However, it was a risky topic for an organization that claimed to be neutral, as any unequivocal statement in favour of peace “could pull it into the political sphere at any moment”.⁴⁶ This explained “a certain reluctance on the part of the [Movement]

41 “Le Comité international de la Croix-Rouge et la Ligue des Sociétés de la Croix-Rouge adresseront un appel à tous les peuples du monde pour les exhorter à combattre l’esprit de la guerre qui plane encore sur le monde”: 10th International Conference, *Dixième Conférence internationale de la Croix-Rouge tenue à Genève du 30 mars au 7 avril 1921: Compte rendu*, Imprimerie Albert Renaud, Geneva, 1921, Res. V, p. 214.

42 *Ibid.*, pp. 98–99.

43 *Ibid.*, p. 98.

44 Johan Galtung, *Theories of Peace: A Synthetic Approach to Peace Thinking*, International Peace Research Institute, Oslo, September 1967, esp. pp. 12, 14, 17.

45 Richard Perruchoud, *Les résolutions des conférences internationales de la Croix-Rouge*, Institut Henry-Dunant, Geneva, 1979, p. 171.

46 *Ibid.*, p. 132.

to go beyond declarations of principle”,⁴⁷ and with its decision in 1921 to come out against the spirit of war rather than against war itself, the Movement could claim to be not a pacifist organization, but a “pacifying” one.⁴⁸ It is useful to view other resolutions adopted at the 10th International Conference through this same prism, including Resolution XII on limiting the means and methods of war, which includes a call for a ban on combat gas and on bombing undefended population centres, “in order to make war less inhumane”;⁴⁹ and Resolution XV, which laid the groundwork for a code to protect prisoners of war, refugees and people who were deported or evacuated. These examples are a sign of the importance of IHL in the process of humanizing war, and they tie back into the arguments that the ICRC had been making regularly since 1863 on the key role of IHL in the quest for peace.

At the 11th International Conference, which was held in Geneva in 1923, the participants affirmed, in Resolution VII, that the Red Cross’s role was to “assert itself at all times as a symbol of peace”.⁵⁰ It is worth noting here that the title of the resolution sharply narrows the practical scope of the subsequent text, as it sets forth a “vow to the spirit of peace”. While the person who wrote the resolution – the Norwegian Jens Meinich – felt that the Red Cross would be most effective in “alleviating the horrors of war by fighting for the elimination of war itself”, the final resolution was much less specific.

In 1930, the principle under which the Red Cross worked to “bring people of the world closer together” was adopted by the 14th International Conference.⁵¹ The proposal came from another Nordic country, Sweden, which, through its National Society, stated that the quest to bring people together “was really a way of addressing the question of achieving lasting peace”.⁵²

Reiterating the importance of the law for peace in the world

ICRC president Max Huber used the 14th International Conference to underscore the extent to which progress towards peace depended on IHL. Numerous legal initiatives designed to “humanize” war arose in the years following the war to end all wars. They included the 1925 Geneva Protocol banning the use of chemical and biological weapons in war, and the two Geneva Conventions – one of which was new – of July 1929.⁵³ The ICRC was also hard at work on the issue of enemy civilians in the territory of a belligerent or occupied State, although no agreements on this were signed during the inter-war period. As some of the treaties that were signed were

47 *Ibid.*, p. 171.

48 *Ibid.*, p. 181.

49 10th International Conference, above note 41, p. 216.

50 11th International Conference, *Onzième Conférence internationale de la Croix-Rouge tenue à Genève du 28 août au 1er septembre 1923: Compte rendu*, Geneva, 1923, Res. VII, p. 200.

51 14th International Conference, *Quatorzième Conférence internationale de la Croix-Rouge tenue à Bruxelles du 6 au 11 octobre 1930: Compte rendu*, Brussels, 1930, Res. XXV, pp. 222–223.

52 *Ibid.*, p. 121.

53 The Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field of 27 July 1929, and the new Convention relative to the Treatment of Prisoners of War of 27 July 1929.

the indirect⁵⁴ or direct⁵⁵ result of steps taken by the ICRC, they can be analyzed in two ways. First, the ICRC maintained its line of reasoning by which the effort to regulate war ran parallel to the effort to eliminate it. Second, and perhaps more tellingly, it becomes clear that there was still little interest in direct pacifist action, notwithstanding the organization's ongoing discourse.

These factors enabled Huber to apply this well-worn reasoning at length in 1930:

For the founders of the Red Cross, war was, indeed, a disheartening practice in the existence of mankind, one that they could not eliminate despite their deepest desire. ... But by hoisting the flag of charity amid the horrors of war, and formalizing [that flag] with a treaty, they delivered the first blow to war as an institution recognized under international law, as the "incompatibility" of war and its legality could only become obvious. ... Since that time, this body of law has made a major leap forward in securing peace and – taken to its logical conclusion – it ended up prohibiting war.⁵⁶ ... The apparent contradiction between banning war and regulating some of its effects internationally cannot be ascribed to the Red Cross. If, by some misfortune, the organizations created to maintain peace were not enough, the space for international collaboration occupied by the Red Cross would perhaps provide precious support for regaining ground temporarily lost. The principle underpinning the Red Cross is not only the oldest of the rules under international law that transcend inter-state competition to achieve a higher moral level; it is also, perhaps, one of the strongest and most resilient of them thanks to the limitation it imposed upon itself.⁵⁷

This speech is significant for the two key ideas put forth by the ICRC from the start: that IHL was a way of weakening war, and that the Red Cross was indispensable to associations and organizations fighting for peace. Once again, the ICRC broke no new ground.

In Resolution XXV, adopted in 1930, it was stated that

the Red Cross must endeavour to seek out all points where it can use its moral strength and prestige ... to promote mutual understanding and conciliation, which are essential conditions of maintaining peace, and to employ all means at its disposal to combat war, thereby preventing suffering – the alleviation of which was the main aim of its work.⁵⁸

The content of this resolution contains the exact wording suggested by the ICRC president,⁵⁹ yet the form of the resolution betrays several differences that weaken its impact. For example, Huber wanted the Movement to fight "with all its strength", which implied no limitations on how that was to be done. The

54 In 1917 the ICRC took the lead in shifting public opinion, which culminated in the 1925 Geneva Protocol.

55 This was true for both Geneva Conventions of 1929.

56 In discussing the prohibition on war, Huber is referring to the Covenant of the League of Nations.

57 14th International Conference, above note 51, p. 126.

58 *Ibid.*, Res. XXV, "La Croix-Rouge, facteur de rapprochement entre les peuples", p. 223.

59 *Ibid.*, p. 128.

conference participants, however, looked no further than the means already at the National Societies’ disposal.

In 1934, the 15th International Conference was held in Japan, a non-Western country. This was a first, as was the fact that it took place in a militaristic country, as Japan was in a simmering conflict with China. Despite that incongruity, the participants once again approved a resolution calling for “enhanced international understanding” and asking the National Societies to intensify, “using all means available, their efforts to prevent war and encourage better understanding among nations”.⁶⁰

During the inter-war period, the Red Cross intended to play a pacifying role, yet this never went much further than wishful thinking. As one legal expert noted cynically, “in truth, the reason [these] resolutions are adopted is mostly for outward justification, to show that the Red Cross International is a moral force working for peace”.⁶¹ The positions held within the Movement had not really changed since the nineteenth century, but, by remaining committed to the path to “positive peace”, the Movement could show that it was sensitive to contemporary concerns without changing its underlying philosophy.

The last International Conference before the Second World War was held in London in 1938. In a sign of the times and of a sense of pessimism among countries, no resolution about safeguarding peace was passed. In fact, the delegates went so far in the other direction as to approve a resolution on wartime cooperation among National Societies.⁶²

During the inter-war period, relations improved between the Red Cross and groups promoting peace, although no real agreement was ever reached. Starting in 1921, the Red Cross invited some of these groups to its International Conferences. Attendees include the International Council of Women, the Inter-Parliamentary Union and the Universal Federation of Pedagogical Societies. Yet while these groups included peace in their agenda, none of them were true pacifist organizations. The ICRC still harboured a sense of distrust towards “real” pacifist associations, but while “humanitarians” and “pacifists” could still not be said to be on the same path, their paths were converging more and more often. More pacifist organizations started attending the International Conferences after the Second World War, including some that were more explicit about their pacifist agenda (including Pax Romana, the World Council of Churches and the World Peace Council).

Peace restored (1945–1962)?

Peace in a divided world

The collective trauma of nearly six years of global warfare set the tone for the 17th International Conference, held in Stockholm in 1948. The participants returned to

60 15th International Conference, *Quinzième Conférence internationale de la Croix-Rouge tenue à Tokyo du 20 au 29 octobre 1934: Compte rendu*, Kokusai Shuppan Insatsusha, Tokyo, 1934, Res. XXIV, p. 246.

61 R. Perruchoud, above note 45, p. 175.

62 16th International Conference, *Sixteenth International Red Cross Conference: Report*, London, 1938, Res. VIII, p. 102.

the topic of “The Red Cross and Peace” fourteen years after the Movement last expressed its pacifist ambitions. Two resolutions reflect this. One of them focused on the role of the Junior Red Cross in achieving peace by promoting “knowledge, diffusion, understanding and application of Red Cross principles”.⁶³ From its founding, the Junior Red Cross was considered particularly apt to help in “the creation of an international spirit of human solidarity among young people with a view to the preparation of a new civilization of peace”.⁶⁴ To our knowledge, this was the first time a cause–effect relationship was established between the Junior Red Cross, which started in the early 1920s, and concrete steps towards peace.⁶⁵ Previously, the International Conferences had “gone no further than” recognizing that “through the friendly relationships that it [was putting in place] between young people in different countries, [the Junior Red Cross bolstered] the cause of improved international understanding”,⁶⁶ and that the Junior Red Cross nurtured an “instinct of mutual assistance” among young people around the world.⁶⁷ In other words, the Junior Red Cross was supposed to “instil the ideal of peace in young people”,⁶⁸ yet it was never made explicit how that should be accomplished. It is also noteworthy that, until that point, the National Societies’ statutes “rarely [mentioned] the ideal of peace as one of the Junior Red Cross’s goals”.⁶⁹

The second resolution in question concerned the entire Movement. It again underscored “the abhorrence of War by the Red Cross and its determination to work constantly for the development of that international understanding which would bring about an enduring Peace amongst all nations of the world”.⁷⁰ The ways to achieve this had not changed: “the relief of suffering wherever it may exist”⁷¹ and the spreading of the “Red Cross principles of selfless service to all quarters of the globe”.⁷² The most salient point was that the International Conference adopted the “Declaration on Peace” as presented at the 20th meeting of the League’s Board of Governors, which was taking place at the same time. This declaration picks up on the arguments heard at the International Conferences, affirming, for example, that “the Red Cross, nationally and internationally, is a vital force for the preservation of peace”⁷³ because it impartially seeks to alleviate human suffering. It ends with a quote purported to be from Dunant, from *A Memory of Solferino*: “To encourage the ideas of

63 17th International Conference, *Seventeenth International Red Cross Conference: Report*, Stockholm, 1948, Res. LXIII, p. 105.

64 League of Red Cross Societies, *Resolutions adopted by the General Council, Geneva, 28–31 March 1922*, 1922, Res. XVIII, p. 6.

65 In 1938, the Polish Red Cross proposed that the Nobel Peace Prize be awarded to the League for its support for the Junior Red Cross. Conference participants backed this idea (in Resolution XXII): 16th International Conference, above note 62, p. 109.

66 15th International Conference, above note 60, Res. X, p. 239.

67 14th International Conference, above note 51, Res. XI, p. 209.

68 R. Perruchoud, above note 45, p. 194.

69 *Ibid.*, p. 195.

70 17th International Conference, above note 63, Res. LXIV, p. 102.

71 *Ibid.*, p. 102.

72 *Ibid.*, p. 102.

73 *Ibid.*, p. 103.

solidarity between nations in doing good is to oppose war.”⁷⁴ Apart from the fact that Dunant never wrote anything of the sort in his 1862 book,⁷⁵ the strength of this declaration is undermined by the absence at the deliberations of any representatives of the Soviet Union or of communist countries in Europe. The Eastern Bloc condemned the ICRC for its actions in the Second World War and boycotted both the Board of Governors meeting⁷⁶ and the International Conference in 1948, owing to the ICRC’s presence. These two gatherings, rather than highlighting the Movement’s single-mindedness on peace – a fundamental issue for humanity – were ultimately associated with a deep schism within the Red Cross, as a significant proportion of its members chose to (temporarily) abstain from participating. The communist States found their way back to subsequent International Conferences, yet tensions between East and West remained high at those events – particularly in 1952 and 1957.

This sometimes hostile climate was not good for discussions on peace. Politics had been injected into what had been a “neutral” issue before the war. Promoting peace within the Movement came to be a way for one side to go after the other, via attacks on their pacifist credentials. This was the thinking behind the communist delegations’ regular attempts to indelibly link the topic of peace with that of general disarmament and with a prohibition on using nuclear weapons. In 1965, at the 20th International Conference in Vienna, a number of Eastern Bloc countries insisted, during the Council of Delegates, that the traditional resolution proclaiming the Red Cross to be a factor of peace in the world mention the (US) bombing of Vietnam.⁷⁷

The International Conference in Vienna is worth remembering for two achievements. First, the seven Fundamental Principles that guide the Movement’s work and philosophy were adopted there. Notably, peace is not among those seven core principles. However, during the Council of Delegates in Prague in October 1961, the Eastern Bloc centred the discussions on promoting peace, which it considered a fundamental principle of the Red Cross alongside humanity and neutrality. The Soviet delegation also prepared a draft resolution containing eight fundamental principles, including the Movement’s peace-promoting dimension,⁷⁸ but this proposal was rejected out of a fear that it would mire the Movement in political controversy.⁷⁹

74 *Ibid.*, p. 103.

75 This quote may have come from the seventh edition of the book, which came out in 1902 and differed markedly from the original version. In the 1902 edition, Dunant – who by then had won the Nobel Peace Prize – brought in pacifist language that was not in the original text published nearly forty years earlier.

76 17th International Conference, above note 63, pp. 5 ff.; League of Red Cross Societies, *Board of Governors, XXth Meeting (Stockholm, August 18, 19 and 31, 1948): Proceedings*, Stockholm, 1948, available at: <https://ifrc.soutron.net/public/catalogue/en-GB/DownloadImageFile.ashx?objectId=10869&ownerType=0&ownerId=26974>.

77 20th International Conference, *XXth International Conference of the Red Cross, Vienna, 2–9 October 1965: Report*, Vienna, 1965, p. 58.

78 “Red Cross Principles (Amended Text Submitted by the Soviet Delegation)”, 2 October 1961, p. 578.

79 ICRC, A PV, Comité, 4 May 1961. For a more in-depth discussion of this episode, see Françoise Perret and François Bugnion, *History of the International Committee of the Red Cross, 1956–1965*, Vol. 4: *From Budapest to Saigon*, ICRC, Geneva, 2009, pp. 466 ff.

The ICRC's lasting commitment to peace

Perhaps more importantly, participants at the 20th International Conference also asked “the ICRC to pursue the development of International Humanitarian Law”.⁸⁰ IHL, and ways to further enhance it, have always been a focus of the International Conferences. While the ICRC's work in this area was broadly approved and supported, controversy erupted at the 19th International Conference, in New Delhi in 1957. The “Draft Rules”⁸¹ submitted by the organization were poorly received by both the Soviet and Western representatives and were “buried” with no further ado.⁸² What is worse, responsibility for this issue was taken away from the ICRC and given to the governments.⁸³ At the following International Conference, in 1965, the situation changed completely. First, ten resolutions were devoted to IHL and how it was to be applied (Resolutions XXI to XXXI); next, the ICRC's role was deemed essential, as the organization was instructed to “take into consideration all possible means and to take all appropriate steps” to further develop IHL, especially in order to protect “the civilian population against the sufferings caused by indiscriminate warfare”.⁸⁴ The ICRC received the same instruction at the 21st International Conference held in Istanbul in 1969. As is widely known, the ICRC then embarked on a sizeable legal project that culminated in two draft Protocols Additional to the Geneva Conventions of 1949, which were adopted by consensus on 8 June 1977.

How did this about-turn take place? For some analysts, it was

only in the mid-1960s that the interest in the law of armed conflicts awoke as a consequence of the conflicts in Vietnam, the Middle East, Nigeria and other parts of the world, later also in connection with the struggles against colonial and alien domination and racist regimes.⁸⁵

In our view, however, the Cuban Missile Crisis in 1962 had more to do with it. The idea that nuclear weapons could conceivably be used to “settle” that dispute showed that IHL was still too permissive, putting global security at risk – particularly if an “indiscriminate” war were to break out. The law of war could not fail to be strengthened – and the ideal of peace affirmed – by filling in these gaps or limiting their impact. After that crisis, it became clear that the ICRC was the only entity capable of doing that legal groundwork on the international level. There were several reasons for this. First, as the guardian of IHL, the ICRC had been labouring for decades, at times fighting an uphill battle, to strengthen the legal

80 20th International Conference, above note 77, Res. XXVIII, p. 109.

81 The title of the document is “Projet de Règles limitant les risques courus par la population civile en temps de guerre”.

82 F. Perret and F. Bugnion, above note 79, pp. 116–117.

83 19th International Conference, *XIXth International Conference of the Red Cross, New Delhi, October–November 1957*, New Delhi, 1957, Res. XIII, p. 153.

84 20th International Conference, above note 77, Res. XXVIII, p. 109.

85 Dietrich Schindler and Jiri Toman, *The Laws of Armed Conflicts*, Martinus Nijhoff, Dordrecht, and Henry Dunant Institute, Geneva, 1988, p. 605.

mechanisms designed to protect victims of war. But the organization also showed that it could be a “factor of peace in the world” by offering, without the backing of any agreed mandate, to act as a neutral intermediary between the Americans and the Soviets in order to stave off catastrophe. Although that offer was never taken up, as the crisis played out without the ICRC’s involvement, the organization’s position was strengthened in two ways, as it was viewed as a champion of both peace and IHL. It was the first time that the ICRC had been recognized for both of these attributes at the same time.

The Council of Delegates, meeting alongside the Red Cross Centenary Congress in 1963, duly approved the ICRC’s actions in the Cuba crisis, congratulating it for “having accomplished that action”.⁸⁶ Participants at the 20th International Conference, with the Cuba crisis in mind, likewise encouraged the ICRC to “to undertake, in constant liaison with the United Nations and within the framework of its humanitarian mission, every effort likely to contribute to the prevention or settlement of possible armed conflicts”.⁸⁷

The ICRC, an institution devoted to peace (1965–1975)?

One step forward...

Starting in the mid-1960s, the international community broadly recognized the role that the ICRC could play in calming tensions and serving as a neutral intermediary. This sentiment was strengthened by several initiatives. In 1968, the Australian Red Cross proposed a resolution for the upcoming International Conference that would enable the ICRC president to broker ceasefire agreements.⁸⁸ The West German National Society supported the idea that, if war threatened, the ICRC could form a “Red Cross commission” to advise the organization, including on how to prevent hostilities from breaking out.⁸⁹ The ICRC itself also seemed keen on getting more involved in “pacifying” conflicts. In 1965, for example, after an internal conflict broke out in the capital of the Dominican Republic, the ICRC managed to secure a truce through its support for the local National Society’s efforts, and with the backing of representatives of both the UN and the Organization of American States. The truce, designed to provide an opportunity to find and hospitalize conflict victims, was ultimately “extended, giving the belligerents a chance to hold negotiations, which culminated in an end to the hostilities”.⁹⁰ Two years later, responding to an “urgent” request from the

86 Council of Delegates, Res. XXIV, “Contribution du Comité international à l’élimination d’une menace contre la paix”, 1963, p. 29.

87 20th International Conference, above note 77, Res. X, p. 101.

88 ICRC, B AG 013.024.02.

89 ICRC, B AG 013.024.03.

90 ICRC and League of Red Cross Societies, *La Croix-Rouge, facteur de paix dans le monde: Rapport présenté par le Comité international de la Croix-Rouge et la Ligue des Sociétés de la Croix-Rouge [à la XXIe Conférence internationale de la Croix-Rouge, Istanbul 1969]*, Geneva, May 1969, p. 29.

Organisation of African Unity, the ICRC agreed to help facilitate a peaceful resolution to a situation in which “European mercenaries” and “Katanga gendarmes” were under siege in Bukavu, in the Democratic Republic of the Congo.⁹¹

These isolated events should not obscure the fact that the ICRC was highly reluctant to provide this type of service. Of course, the ICRC understood that both Cuba and Bukavu were serious crises which required its urgent attention, and that the organization’s willingness to get involved not only helped to defuse the situation but also laid the groundwork for a peaceful outcome.⁹² Furthermore, it only agreed to get involved because no “intergovernmental” entity was in a position to do so.⁹³ For that reason, the ICRC placed itself at the disposal of the international community and of governments.⁹⁴ It faced new tasks in both cases, including the need to evacuate armed soldiers in 1967; this represented a significant departure from its mandate and even its prevailing philosophy. As early as 1963, the ICRC recognized that the Cuban Missile Crisis was “an extremely important precedent that represented a milestone in the International Committee’s evolving humanitarian mission”, and that going forward “it was necessary to set out limits to how far [that mission] could change”.⁹⁵

The Swiss government was not pleased with the ICRC’s involvement in the Cuban Missile Crisis, as it felt that it had been bypassed in the handling of a political problem between States. At the 21st International Conference, the Swiss government’s representative made the other participants aware of “the danger the International Committee of the Red Cross could face if the Conference request it to deal more and more with matters of a political nature”,⁹⁶ including where conflict prevention was concerned. At the same conference, it became clear that the participants would have trouble coming to agreement on the topic of “The Red Cross, a Factor of Peace”. The conference participants adopted a resolution containing the following recommendation:

[I]n case of an impending conflict or of one that had already broken out, the National Red Cross Societies of the countries concerned, in agreement with the International Committee of the Red Cross, could take the necessary humanitarian measures to alleviate suffering, and also, if possible, but this time with the consent of the Governments, to try to bring hostilities to an end.⁹⁷

However, the nature of the deliberations preceding the vote already jeopardized implementation of the resolution.

91 “The Action of the International Committee of the Red Cross in the Congo and Rwanda”, *International Review of the Red Cross*, Vol. 7, No. 81, 1967, pp. 640–646.

92 ICRC and League of Red Cross Societies, above note 90, p. 78.

93 *Ibid.*, p. 79.

94 *Ibid.*, p. 80.

95 ICRC, *Congrès du centenaire de la Croix-Rouge internationale: Conseil des Délégués: La Croix-Rouge, facteur de paix dans le monde: Rapport présenté par le Comité international de la Croix-Rouge*, Geneva, April 1963, p. 7.

96 21st International Conference, *XXIst International Conference of the Red Cross, Istanbul, 6–13 September 1969: Report*, Istanbul, 1969, p. 64.

97 *Ibid.*, p. 65.

...One step back

Aware that peace could become a political issue within the Movement, but also to avoid becoming “a lackey” that States “could use as they wish”, the ICRC put in place some safeguards.⁹⁸ It felt that, as preconditions for getting involved in another Cuba-like crisis, there had to be a risk of atomic war and the UN must acknowledge that it was unable to resolve the situation on its own.⁹⁹

The ICRC’s contribution to peace would now be through IHL. Resolutions from the 21st International Conference, held in 1969, stated that “man has the right to enjoy lasting peace”,¹⁰⁰ and urged

all States to accept and effectively put into practice the standards established by international law, the Charter of the United Nations, international humanitarian Conventions and declarations and all previous humanitarian Resolutions of the International Red Cross and the United Nations.¹⁰¹

At the following International Conference, held in Tehran in 1973, participants unanimously approved a resolution that framed the promotion and teaching of the Geneva Conventions as a “pressing need” in response to violence, showing that they were thus a factor of peace.¹⁰²

In 1970, the ICRC had set up a Dissemination and Documentation Division whose aims included (better) acquainting various target groups with the Geneva Conventions. This was a further step down the path that the ICRC had followed from the start – humanizing war through IHL:

[T]he Red Cross combats war by making it more humane. Although its ultimate object is world peace, it could not, in its present state, hope to banish the scourge of war; it therefore concentrates on lessening the ravages. There is no want of logic in this, it being universally recognized as desirable to try to alleviate evils which cannot be wholly suppressed forthwith. Peace requires that each should make the best use for the means at his disposal.¹⁰³

Conclusion

Over the course of a century, from Moynier to Pictet, the ICRC’s stance on its contribution to peace changed very little, and this continuity in the organization’s philosophy offers several advantages. First, the ICRC has been able to maintain

98 ICRC and League of Red Cross Societies, above note 90, p. 80.

99 ICRC, above note 95, p. 7.

100 21st International Conference, above note 96, Res. XIX, p. 101.

101 *Ibid.*, Res. XX, p. 102.

102 ICRC, *Report of the International Committee of the Red Cross on the Red Cross Contribution to the Application and Development of International Humanitarian Law as a Factor for Strengthening the Foundations of Peace*, February 1975, p. 1.

103 Jean Pictet, “The Red Cross and Peace: Is the Work of the Red Cross Prejudicial to the Movement to Outlaw War?”, *International Review of the Red Cross*, Supplement, Vol. 4, July 1951, p. 133.

its focus on one of the pillars of its mandate: “to work for the understanding and dissemination of knowledge of international humanitarian law applicable in armed conflicts and to prepare any development thereof”.¹⁰⁴ Second, the ICRC can finesse its position on what constitutes peace, as there is no definition or widely accepted conception of this word:

Peace is an extremely complex concept, a multifaceted situation, and people participating in the Red Cross’s international meetings do not always have the same meaning in mind when speaking of various aspects of the word “peace”. That may also be why a number of [the International Conferences’] resolutions are vague and limited to generalities.¹⁰⁵

Peace is also a fluid concept that has changed over the years. In Moynier’s time, peace meant, first and foremost, the absence of war; a century later, in the 1960s, it began to take on social and economic attributes associated with human dignity in all its dimensions.¹⁰⁶ The ICRC never strayed from its traditional, nineteenth-century understanding of peace as the opposite of war, and in this way, the organization has avoided becoming ensnared in debates with ideologically and politically shifting contours.

The ICRC will surely not change its position vis-à-vis peace in the future. In its new four-year strategy, covering 2024 to 2027, the organization acknowledges its responsibility: “As a humanitarian organization, the ICRC also carries the responsibility to speak up for peace, especially in these times when the possibility of war is raised in public discourse with such unsettling casualness and frequency.”¹⁰⁷ But, to this end, the “ICRC firmly emphasizes the inherent connection between IHL, humanitarian principles and peace” and “views IHL as an integral part of the broader international legal framework”.¹⁰⁸ With these words, the ICRC once again proffers an argument dating back more than a century, as it still views the laws of war as a vector of progress, as “indicators of the state of civilization”.¹⁰⁹

This attitude could prove problematic in the future, particularly where the relevance of IHL could be challenged as “dated” or as overly “Western”. The ICRC could also be criticized, once again, for accepting rather than contesting the practice

104 ICRC Statutes, 21 December 2017 (entered into force 1 January 2018), Art. 4(1)(g).

105 Victor Segesvary, *Etude analytique des Résolutions des organes internationaux de la Croix-Rouge concernant la Paix présentée par l’institut Henry Dunant: Document de référence présenté à la Conférence mondiale de la Croix-Rouge sur la Paix, Belgrade, 11 to 13 June 1975*, 1975, p. 3.

106 This was done in part by embracing the concept of the “human right to peace” and by linking human rights and lasting peace: see, for example, Office of the UN High Commissioner for Human Rights, *The Contribution of Human Rights to Peacebuilding and Sustaining Peace*, thematic paper, available at: www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/1_ohchr_thematic_paper_on_the_contribution_of_hr_to_sp_and_recommendations.pdf; International Peace Institute, *Human Rights and Sustaining Peace*, December 2017, available at: www.ipinst.org/wp-content/uploads/2017/12/1712_Human-Rights-and-Sustaining-Peace.pdf.

107 ICRC, *ICRC Strategy 2024–2027*, Geneva, November 2023, p. 3, available at: www.icrc.org/sites/default/files/wysiwyg/Activities/icrc_institutional_strategy_2024-2027.pdf.

108 *Ibid.*, p. 13.

109 H. Meyrowitz, above note 6, pp. 88–90.

of war – without which the organization would have no *raison d’être*. And, at the moral level, we must not overlook the underlying paradox: how can “an organization that accepts the idea that people have the right to kill each other in certain circumstances”¹¹⁰ justify coming to the aid of war victims?

110 Jean-Jacques Frésard, cited in Frédéric Gonseth, “CICR: Que vaut la neutralité face aux bombes”, *Le Temps*, 16 December 2023.