



Newsletter of the ICRC
Pretoria Regional
Delegation

LOOK OUT FOR...

A new publication called *Business and international humanitarian law (IHL): An introduction to the rights and obligations of business enterprises under IHL*.

The globalisation of market economies offers new opportunities for business enterprises, and it also gives rise to risks. As business enterprises explore these opportunities, they are increasingly operating in unstable environments or areas affected by armed conflict. The publication looks at the rights and obligations of businesses in these areas according to IHL.

The book can be obtained through the Pretoria Delegation or can be ordered directly through the ICRC website on www.icrc.org.

MISSION Statement

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.

Red crystal: the "emblem Protocol" comes into force

On 14 January 2007, the Third Additional Protocol (APIII) to the 1949 Geneva Conventions entered into force, six months after the two first countries ratified it. This completes the process of establishing an additional emblem for use by Governments and the International Red Cross and Red Crescent Movement (the Movement).

The coming into force of this Protocol - and with it the additional emblem of the Red Crystal - is considered a concrete sign of the predominance of humanitarian principles over any other considerations governing the mission of the Movement.

The possibility of using the Red Crystal will make it easier for national societies who do not wish to use the Red Cross or the Red Crescent emblems to be recognised and admitted to the Movement. This consolidates the Movement's universality.

The Protocol provides for new flexibility, allowing national societies to include a combination of emblems recognised by the Geneva Conventions inside the Red Crystal for their identification.

Under international law, the Red Crystal offers the same protection as the Red Cross and the Red Crescent when marking military medical personnel, establishments and transport; the staff of national societies; staff, vehicles and structures of the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation). (*Existing law under Additional Protocol I of 1977 also allows the use of the emblem by certain civilian medical establishments*).

The ICRC and the International Federation are allowed to use the Red Crystal in exceptional circumstances, if they consider it necessary for their work; but they will not change their present emblems or names.

The longer-term challenge is now to secure

the same world-wide recognition and respect for the Red Crystal as given to the Red Cross and the Red Crescent. This will facilitate access by humanitarian workers to victims of conflict and other crises, in particular in situations where the use of an emblem, devoid of any perceived political, religious, cultural and connotations, may be an advantage.

The ICRC and the International Federation welcomed the entry into force of AP III, which through the adoption of the Red Crystal reaffirms the determination of the Movement to consolidate its universality and thereby to enhance its strength and credibility. By offering new possibilities for protection and identification to National Societies and States that wish to use the Red Crystal, the Third Protocol exemplifies the Movement's commitment to neutral and independent humanitarian action. Ultimately, the goal is to improve protection for all those who need it, be they beneficiaries of humanitarian aid or persons striving to deliver it.

Background to the new emblem

At the time of writing this article, AP III has been signed by 84 States and ratified by nine. The full list of signatures and

ratifications is on the Swiss Foreign Ministry website www.eda.admin.ch.

AP III was adopted by a large majority of the participants at a diplomatic conference held in Geneva in December 2005, convened by Switzerland and attended by most of the States party to the Geneva Conventions.

The Statutes of the International Movement were amended, to incorporate the Red Crystal and all other relevant rules of AP III, at the Movement's 29th International Conference in June 2006, attended by States party to the Geneva Conventions and Red Cross and Red Crescent Societies, the ICRC and the International Federation.



The additional emblem which can now be used after the Third Additional Protocol to the Geneva Conventions came into force in January 2007.

In attempting to carry out its mandate, declared President Jacob Kellenberger, one of the principal challenges presented to the ICRC is that of ensuring its acceptance – acceptance of the organisation as honest, neutral and independent, and acceptance of its role of assisting all who suffer as a result of armed conflict. It is acceptance that ensures that the ICRC is able to respond – both expeditiously and effectively – to crises when they arise.

The positive consequence of meaningful acceptance was starkly illustrated in the case of the recent conflict in Somalia. The moment hostilities commenced in December 2006 – and thus triggering the application of international humanitarian law (IHL), the ICRC was able to remind all parties of their obligations under IHL. Precisely because all parties acknowledged the crucial role of the ICRC during times of armed conflict, the organisation was able successfully to co-ordinate humanitarian operations that sought to alleviate the plight of the most vulnerable.

It is, too, the need for unequivocal acceptance of an international symbol of protection that constitutes the rationale for the adoption of the new additional emblem – the Red Crystal. From its inception, the founders of the ICRC had recognised the need for an easily recognisable emblem familiar to all. The aim was that the emblem would protect not only persons wounded in battle, but also those coming to their assistance. The idea was that the mere sight of this emblem would prompt combatants to show restraint and respect. Initially, it was the Red Cross on a white background (the reverse of the Swiss national flag), adopted by the International Conference of 1863 and confirmed in its first Geneva Convention of 1864 that was recognised as the distinctive emblem. However, in 1876, the Ottoman Empire decided instead to use a Red Crescent rather than Red Cross. Several states followed suit; and, in 1929 the Red Crescent, too, was granted official recognition. Because of a perceived religious association, in recent years some states have expressed disquiet about using either of the two recognised emblems. Thus the adoption of the red crystal – an emblem free of any possible political, religious or cultural connotation.

One of the many obligations of ICRC personnel is that they assist in encouraging acceptance of the organisation and of the protective nature of the distinctive emblem amongst all sectors of society. Within the Pretoria Regional Delegation, until recently, Christoph Schild and Peter Dnistrianskyj have been fulfilling this role as Delegates to the Armed Forces and to the Police respectively. Christoph has since resigned from the ICRC to read for an MBA degree at the University of Cape Town, while Peter has been transferred to the ICRC's Regional Delegation based in Yaoundé. Christoph has since been replaced in Pretoria by Andrew Carswell. A Canadian national, Andrew has recently completed an LLM in IHL at the prestigious University Centre for International Humanitarian Law in Geneva. Finally, it is the administrator of an ICRC Delegation that ensures that all are able to carry out their respective tasks. Marcel Zumsteg, who fulfilled this role in Pretoria until December 2006, when he returned to his native Switzerland, has been replaced by Pierre Brocher. To colleagues old and new, and their families, we wish every happiness and success in their new ventures.

Garth ABRAHAM

ICRC appeals for more than on

Geneva (ICRC) – “Providing a professional humanitarian response to increasingly diverse and demanding situations of armed conflict and to other forms of armed violence around the world presents a daunting challenge,” said Jakob Kellenberger, president of the International Committee of the Red Cross (ICRC), on launching the ICRC's annual appeal to donors in Geneva in December 2006.

Asking for more than one billion Swiss francs (CHF) to fund the ICRC's humanitarian work in some 80 countries in 2007, Mr Kellenberger said that the organisation “remains determined to meet this challenge while resolutely fulfilling its role as a neutral, independent and impartial actor.”

In 2007, Africa will once again account for over 40 per cent of the ICRC's operational commitments worldwide. Sudan will constitute the largest operation for the fourth consecutive year, at an expected cost of more than CHF 73 million, followed by Israel and the Palestinian territories, Iraq and Afghanistan. These priorities reflect the ICRC's main focus, which is to protect and assist civilians directly affected by ongoing armed conflict. The ICRC will also remain committed to a broad range of activities in countries affected by various forms of armed violence – from simmering crises in Côte d'Ivoire and Timor-Leste to fragile transitions in Liberia and Nepal.

“Perhaps one of the main challenges faced by the ICRC is to effectively address the multiple needs of affected populations in extremely diverse environments,” said Mr Kellenberger. “Ensuring that the ICRC is accepted

by all relevant parties is crucial to achieving this.”

One of the ICRC's top priorities in 2007 will be to establish a dialogue with all parties to conflicts and to remind them of their obligations under international humanitarian law (IHL), not least that of distinguishing between civilians and combatants. “Continued failure to observe that distinction in far too many conflicts has made this issue one of particular concern to the ICRC,” said Mr Kellenberger.

Governments and the European Commission continue to be the ICRC's main source of funding, accounting for over 80 per cent of contributions in 2005. The largest donors last year were the governments of the United States of America, the United Kingdom, Switzerland, the Netherlands and Sweden, and the European Commission.



Liberia, Lofa county, Poluwo. Family reunion where a father found his daughter with a helping hand from the ICRC. ICRC/HEGER B. 2006



Afghanistan, Faryab Province. Assistance is delivered jointly by the ICRC and the Afghan Red Crescent to families whose homes and belongings have been destroyed by heavy floods. ICRC/STOESSEL M. 2006.

e billion Swiss francs for 2007

Facts and figures:

Overall appeal for 2007: CHF 1,2 billion

Headquarters appeal 2007: CHF 159.9 million. This represents an increase of **CHF 6.0 million (+ 3.9 %)** as compared to the 2006 Headquarters appeal.

Emergency field appeal 2007: CHF 843.3 million which includes a contingency of **CHF 40.2 million.** This represents a **decrease of CHF 52.0 million (- 5.8 %)** as compared to the initial 2006 Emergency Appeals i.e. the original (initial) appeal not including any additional budget extensions that occurred during the year.

Africa:

- - CHF 46.9 million or -12% compared to initial budget 2006.
- Significant increases include: Chad (+ CHF 8.5 million or +99%); The Democratic Republic of the Congo (+ CHF 3.9 million or +13%); Uganda (+ CHF 3.5 million or +17%); Yaoundé (regional) (+ CHF 3.2 million or +70%).
- Significant decreases include: Sudan (- CHF 54.5 million or -43%); Liberia (- CHF 5.3 million or -20%); Angola (- CHF 3.2 million or -25%); Guinea (- CHF 2.2 million or -26%).

Top ten operations (in million CHF):

Rank	Top 10 in 2007	Initial budget	Top 10 in 2006	Current budget 2006
1	Sudan	73,1	Sudan	127,6
2	Israel and Occupied Autonomous Territories	71	Lebanon	101,3
3	Iraq	56,3	Pakistan	97,1
4	Afghanistan	48,2	Israel and Occupied and Autonomous Territories	52,9
5	Democratic Republic of Congo	33,5	Somalia	42
6	Colombia	28,5	Afghanistan	39,1
7	Moscow (Regional Delegation)	28	Iraq	38,3
8	Somalia	27,7	Moscow (Regional Delegation)	34
9	Ethiopia	27,5	Sri Lanka	31,6
10	Sri Lanka	26,1	Democratic Republic of Congo	29,6
TOTAL		419,7	TOTAL	593,4
FIELD BUDGET		843,3	FIELD BUDGET	1,939,7

New Head of Delegation ICRC Pretoria

On 5 February 2007, Mrs Catherine Gendre took over the reigns as Head of the International Committee of the Red Cross' Pretoria Regional Delegation.

Mrs Gendre succeeds Mrs Françoise Krill who was with the delegation for nearly three and a half years. During her time in South Africa, Mrs Krill built up good relationships with all parties relevant to the ICRC's work in all six countries covered by the Delegation.

She was very passionate about the work of the ICRC and brought depth to the delegation through her more than 20 years experience with the organisation. Mrs Krill will go on to head the ICRC Delegation in Brussels as of June 2007. All the staff at the Pretoria Delegation would like to thank her for her hard work and dedication during the time she spent here and

wish her all the best in Brussels.

Mrs Catherine Gendre joins the Pretoria Delegation with an equal wealth of experience. She spent the last three years in the ICRC Delegation in New York where she was the focal point for operational matters and the spokesperson for the delegation. Prior to this she served as Deputy Head of Delegation in Sri Lanka, Angola and Kenya.

She started her career with the ICRC in 1989 in Thailand as a trainee delegate after which she was posted in Sri Lanka as a Detention Delegate. Between 1992 and 1993 she was the Detention Coordinator in Mozambique after which she worked at the ICRC Headquarters in Geneva as Deputy in the Protection Section for one year. She also undertook missions for the ICRC to

Rwanda as a Tracing Coordinator and Head of Sub-delegation between 1994 and 1996 and in Ethiopia and Uganda as a Protection Coordinator.

The staff at the Pretoria Delegation welcomes Mrs Gendre and her family to the Delegation and to South Africa and wish her all the success for the time she will spend here.



Mrs Françoise Krill, outgoing Head of Delegation and Mrs Catherine Gendre, incoming Head of Delegation.

PRETORIA Delegation

Head of Delegation:

Catherine Gendre

Co-operation Delegate /Deputy Head of delegation:

Martin Hahn

Communications:

Annemarie Watt

Exploring Humanitarian Law:

Camille Karangwa

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Fundiswa Buthelezi

Protection Delegate:

Ion Smochina

Tracing:

Henrietta Nthathé

Regional Legal Adviser:

Jamie Williamson

Legal & Universities:

Garth Abraham

Delegate to the Armed Forces:

Andrew Carswell

Delegates to the Police:

Erling Melkjorsen

Administrator:

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Somalia: ICRC concerned by the fate of civilians

The situation of the civilian population in Somalia has sharply deteriorated during the past few months, following a series of natural disasters and the heaviest fighting in a decade.

After launching emergency operations in response to the severe drought early in 2006 and the devastating floods which struck Somalia in late October of the same year, the International Committee of the Red Cross (ICRC) swiftly mobilised additional resources to help respond to pressing humanitarian needs arising from the armed conflict. The ICRC has been providing medical facilities treating the wounded with increased first aid and surgical supplies from stocks pre-positioned in Somalia prior to the outbreak of the fighting. An ICRC surgical team has also been sent in to help Somali health professionals cope with the situation.

At the outbreak of new hostilities in December 2006, the ICRC reminded all parties to the conflict of their responsibilities under international humanitarian law (IHL) with regard to the protection of civilians, wounded fighters and people detained in connection with the conflict. It also called on the parties not to hinder or harm the medical mission or personnel engaged in humanitarian action during military operations. During the hostilities, the ICRC maintained regular contact with the belligerent parties and received assurances that it could operate and land its relief planes in Somalia safely.

The ICRC is also involved in restoring family links between many Somalis who are unable to communicate with their relatives because the security situation has restricted their movements and they cannot afford communication services. Thousands of Somalis uprooted by the instability in their country continue to depend on the services of the Somali Red Crescent Society (SRCS) to locate relatives and exchange news with them.

The Movement's response is managed in accordance with the principles of the Seville Agreement and Supplementary Measures with full consultation and cooperation between the SRCS, and the International Federation. In this line, the ICRC, in close partnership with the SRCS, assumes the role of Lead Agency within the Movement with regard to the Movement response to this conflict situation.



Mogadishu, Madina Hospital. A patient is assisted in the Madina Hospital in Mogadishu. The ICRC supports the medical facility run by the Somali Red Crescent Society. ICRC/SCHAEFFER B, 2006

