

# An institution standing the test of time? A review of 150 years of the history of the International Committee of the Red Cross

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## **Abstract**

*This article seeks to explain how the ICRC – the oldest international humanitarian organization still in activity – has managed to pass through 150 years of existence. By analysing some key moments in ICRC history and by examining both its inner workings and their interaction with the context within which the organization has functioned over time, this article finds two characteristics that may help explain the ICRC’s continuity: its unique specificity and its innovative capacity.*

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The International Committee of the Red Cross (ICRC) was born out of a wager on the future by five Geneva citizens. The five met on 17 February 1863 to consider the proposals made by one of them and to simultaneously form a ‘Permanent

\* This article was written in a personal capacity and does not necessarily reflect the views of the ICRC. The original version of this article is in French.

International Committee'.<sup>1</sup> The story is well known. However, the reasons that drove Dunant and his colleagues to consider their work as necessarily permanent are less well known, especially the objective reasons that enabled the ICRC to persevere through the many ups and downs of the last 150 years, even though, as we will see, varying events could have been its undoing.

It is not easy to sum up in one article 150 years of activity of the oldest humanitarian organization, and this task involves making some choices. Choosing, in turn, leads to demonstrating subjectivity, a feature accentuated by the fact that the author has worked for many years for the organization that is under analysis. The reader will therefore understand that the article reflects only the personal opinion of the author. Finding a logical thread to this history in order to avoid writing a linear narrative was another challenge. The option chosen was to address only some of the key moments in ICRC history and, through these turning points, ruptures, or stages of consolidation, to try to understand the evolution of the institution over the last century and a half, and hence explain its continuity over time.

## **1863–1864: the starting point**

Any understanding of the ICRC's longevity necessarily starts with its birth. Moreover, the two crucial years during which the institution was created and gained international recognition highlight the two elements that are intertwined throughout its history, interacting with each other: the inner workings of the institution and the context within which the institution functions.

The ICRC took the form of an association at its birth on 17 February 1863; that is, it brought together several people who pursued a common goal. The structure chosen was not unique. It corresponded to the structure most commonly used at the time, both in Europe and North America, for organizations of private individuals.<sup>2</sup> While the religious, professional, and business worlds were well acquainted with associations, the middle classes discovered them at the start of the nineteenth century in the context of sociocultural activities. The ICRC, therefore, was based on an existing model. The universal dimension of the organization was the innovation of the five Geneva citizens.<sup>3</sup> The innovation was twofold. First, the ICRC was distinguished from the local or, at best, the national character that was specific to other associations. Its ambitions went beyond borders and were clearly international, just as war, the basis of its intended activities, is itself. But the ICRC also gave this notion of 'internationality' a new meaning because it no longer involved regulating relations between nations, but rather those between a group of private citizens and states, or representatives legitimized by them (as would later be

1 ICRC Archives A PV, Minutes, Commission spéciale de la Société [d'utilité publique] en faveur des militaires blessés durant les guerres [Special Commission of the Society (of Public Welfare) in Favour of Soldiers Wounded During the Wars], 17 February 1863.

2 Jean Desfrane, *Histoire des associations françaises*, L'Harmattan, Paris, 2004.

3 This should, however, be put in perspective because the ICRC only intended to act in relation to European wars; ICRC Archives A PV, Minutes, Commission spéciale de la Société. . ., 17 February 1863.

the case for members of National Red Cross Societies). This intention alone could have terminated the ICRC even before it started because the state powers were not designed to listen to personal initiatives, especially to ones coming from citizens of a state well on the margin of the international chessboard. Moreover, by proclaiming itself international, the ICRC exposed itself to criticism because at the time its members were from only one small Swiss canton, Geneva.<sup>4</sup>

But, paradoxically, the ICRC would succeed in its activities precisely because of its distinctive composition. Enjoying considerable leeway due to its associative structure, which only came under Swiss regulation with the adoption of the Civil Code in December 1907,<sup>5</sup> the ICRC also benefited from the fact that the five founders not only came from the same city, but also belonged to the same class and the same religion.<sup>6</sup> Sharing a common world view (*weltanschauung*), they formed a cohesive group, driven by identical convictions.<sup>7</sup> Meanwhile, these five personalities in the ICRC also participated in the success of its plans. Having brought together a lawyer (Gustave Moynier), a tireless ‘publicist’ (Henry Dunant), two surgeons (Theodore Maunoir and Louis Appia),<sup>8</sup> and a military figure (Guillaume-Henri Dufour) who had taken part in military campaigns,<sup>9</sup> the ICRC was able to discuss different aspects of war based on real experiences. In addition, at its inception, the ICRC benefited from the personal networks of its members, both previous links<sup>10</sup> as well as those soon to be forged, especially during Dunant’s tour of the governments of several European capitals. These were elements that strengthened the ICRC’s position.

Finally, although controversial, the Swiss nationality of its members and the neutrality attached to that nationality would be valuable assets in a period of reviving nationalism in Europe, especially after the War of 1870.<sup>11</sup>

4 The ICRC’s mono-nationality was regularly criticized during the ICRC’s first century. See François Bugnion, ‘La composition du Comité international de la Croix-Rouge’, in *Revue internationale de la Croix-Rouge* [hereafter, *RICR*], No. 814, July–August 1995, pp. 473–493; in English see, ‘The Composition of the International Committee of the Red Cross’, in *International Review of the Red Cross* [hereafter, *IRRC*], No. 307, August 1995, pp. 427–446.

5 The Swiss Civil Code came into effect on 1 January 1912.

6 Diego Fiscalini, *Des élites au service d’une cause humanitaire: le Comité international de la Croix-Rouge*, mémoire de licence, Faculté des Lettres, Département d’Histoire, Université de Genève, two volumes, April 1985.

7 Including on the political level. See Daniel Palmieri, ‘Post *Tenebras Lux*. New Perspectives on the Foundation of the Red Cross’, in Wolfgang U. Eckart and Philipp Osten (eds), *Schlachtschrecken, Konventionen. Das Rote Kreuz und die Erfindung der Menschlichkeit im Kriege*, Freiburg, 2011, pp. 17–26.

8 Appia had experience in caring for the war wounded. See Roger Boppe, *L’homme et la guerre. Le Docteur Louis Appia et les débuts de la Croix-Rouge*, Muhlethaler, Geneva, 1959, pp. 30 ff.

9 In 1847, General Dufour commanded federal troops during the last civil war in Switzerland, the Sonderbund War.

10 Dufour was personally acquainted with the emperor Napoléon III.

11 Until this war broke out, the ICRC was in favour of opening up its membership to the members of the National Societies and had even taken the first steps in this direction. See François Bugnion, above note 4, pp. 474–476. The ICRC did not think that this change would put its own existence into question. Following the Franco-Prussian war, with its intensification of nationalism that did not leave the Red Cross societies untouched, the ICRC radically changed its position, henceforth defending its specifically Swiss character.

The second half of the nineteenth century created favourable conditions for the emergence of charitable ideas connected with war. ‘Progress’ in weapons development, especially in artillery and munitions firepower,<sup>12</sup> caused ever more numerous and more serious injuries. The appearance of this new weapons technology coincided with the return of particularly deadly conflict in Europe. The Crimean War (1853–1856) and then the second war of Italian independence (1859) resulted in thousands of casualties. The carnage caused by the Civil War in the United States (1861–1865) showed that war was not unique to the old continent, but corresponded to a turning point in the methods of warfare.

This violence, unknown since the Napoleonic era, moved public opinion even more as the army medical corps seemed powerless to cope with the injuries of war. There was, therefore, scope for third-party intervention to assist the sick and wounded. During the Crimean War, Florence Nightingale from Britain, as well as her Russian contemporary, the Grand Duchess Elena Pavlovna, and later Clara Barton in the United States proved the merits of third-party medical intervention and mobilized middle-class empathy towards their cause. Already sensitized to the need to assist injured soldiers by the pioneering role of these feminine icons of charity, the European middle classes readily focused on the ICRC and its plans.

This public interest fused with that of the European leaders,<sup>13</sup> many of whom had met Henry Dunant. The way was paved for the convening of the International Conference of Experts in 1863, and then for the Diplomatic Conference the following year. As we know, this led to the First Geneva Convention on 22 August 1864.

The adoption of this text – the first of modern international humanitarian law – by a dozen states enhanced the prestige of the ICRC and its founders, and gave it a moral and perhaps political force on the European scene. Indeed, for the first time members of what we now call civil society not only had an idea of universal scope, but above all they had seen it through its development, including at two international diplomatic conferences which the founders had organized and led themselves.<sup>14</sup> The recognition obtained as a result of this work in addition to a context favourable to charity initiatives on the battlefield, and the fortuitous chance that this had arisen in a country which was neutral on the military level, are so many factors which help to explain why the ICRC had won its first gamble, that is, to ensure that its activity would continue long after the initial enthusiasm had passed, and despite the loss of the inspirational figure of Dunant. The establishment of a network of contacts grouped in National Red Cross (and later Red Crescent)

12 Richard Holmes (ed.), *Atlas historique de la Guerre. Les armes et les batailles qui ont changé le cours de l'histoire*, France Loisirs, Paris, 1991, pp. 108–110; in English see, *The World Atlas of Warfare: Military Innovations that Changed the Course of History*, Mitchell Beazley, New York, 1988.

13 Note, however, that government motivations for participating in these meetings were not limited to ‘humanitarian’ aims; international politics also played a role. Daniel Palmieri, ‘De la persuasion à l'autopersuasion : le CICR et le droit humanitaire’, in *Revue Suisse d'Histoire*, Vol. 61, No. 1, 2011, p. 58.

14 This ‘bottom-up’ phenomenon would later be found in the international juridical protection of intellectual property. See the work of Blaise Wilfert.

Societies and the ICRC's role as a conduit between the various associations strengthened the ICRC's position, at least until 1914.

## 1914–1923: metamorphosis

The ICRC passed quietly through the first fifty years of its existence without major changes. The number of members increased slightly from five in 1863 to nine on the eve of the First World War and its structure, based on volunteerism, remained the same.<sup>15</sup> It is also true that it experienced a number of close calls concerning its future. The Russian government attacked the ICRC's composition at international conferences of the Red Cross three times in a fifteen-year period,<sup>16</sup> aiming at really internationalizing it. However, the proposals from St Petersburg were not endorsed by the other participants at the international conferences. In 1874 another Russian initiative threatened the autonomy of the Geneva Convention, aiming at bringing it into one single article within a much broader set of standards on the laws and customs in time of war. The advocacy of the ICRC to the various Red Cross societies, as well as the support of the Swiss Federal Council to the ICRC, successfully defended the integrity of the 1864 Convention<sup>17</sup> and proved that the Committee intended to protect itself energetically.

With the exception of the Franco-Prussian War (1870–1871) where the ICRC worked through its Basel-based International Committee for Relief to the Wounded, during this almost fifty-year period its main activity consisted of 'literary' work, exchanging correspondence with the Red Cross societies, and theoretical considerations on the relief in time of war, as is confirmed by the ICRC minutes from the time. In 1875, during the Eastern Crisis, the ICRC sent a mission – its first –<sup>18</sup> to a theatre of armed conflict to deal with victims of collateral damage.<sup>19</sup> But this was a short experience and would not be repeated before the outbreak of hostilities in August 1914.<sup>20</sup>

The First World War and its aftermath changed the face of the ICRC and modernized it to a degree it might otherwise never have known. The transformation of the small philanthropic association was unparalleled. Less than two months after the outbreak of hostilities, the ICRC membership had multiplied twelve

15 Including in its finances because the ICRC was mostly self-financed. See Jean-François Golay, *Le financement de l'aide humanitaire : l'exemple du Comité international de la Croix-Rouge*, Lang, Berne, 1990, p. 8.

16 In 1884, in 1887, and in 1897.

17 ICRC ARCHIVES, A PV, Minutes of the Committee, 22 June 1874 and 9 September 1874.

18 Contrary to the declarations found in institutional historiography, the mission sent during the Schleswig War of 1864 was not the work of the ICRC but of the Geneva section of the Red Cross. See ICRC ARCHIVES, A PV, Minutes of the meeting of the Geneva section, 17 March 1864.

19 This concerned aiding refugees who had fled Herzegovina and found asylum in Montenegro. See ICRC ARCHIVES, A AF, 21-12, Montenegro and Herzegovina, 1875–76.

20 In 1912, the ICRC delegated Dr de Marval to the Balkan theatre of the First Balkan War, but this was essentially an evaluation mission of the belligerents' medical system. See ICRC ARCHIVES, A AF, 25-8, Report by Marval.

times.<sup>21</sup> At the end of 1914, some 1,200 people worked for it in the *Agence internationale des prisonniers de guerre* (International Prisoners-of-War Agency) (AIPG), and some were even paid employees although the majority were volunteers. This resulted in the establishment of particular structures and methods of work and management for salaried employees, even if the volunteer workers remained a majority. However, the ICRC continued to see itself, in legal terms, as an association governed by the Swiss civil code as stated in its first statutes of November 1915.<sup>22</sup> In fact, it functioned as an organization. Moreover, the statutes concerned only members of the Committee, that is to say, the leaders of the institution who personally have signed them. However, the ICRC then mainly consisted of the AIPG, which was governed by other rules that first were tacit unwritten understandings which were later incorporated into written agreements.<sup>23</sup> It was the AIPG that decided and that issued reports.<sup>24</sup> The AIPG regularly sent out missions during the war to visit the prison camps,<sup>25</sup> and to take care of the repatriation of prisoners at the end of the conflict. These missions required that the ICRC permanently establish relations with expatriate collaborators (some of whom were non-Swiss delegates)<sup>26</sup> in several countries: the first delegations were born! And those delegations already employed 'local' staff.<sup>27</sup> It is thanks to the AIPG that the ICRC acquired competence and operational experience, and also gained visibility amongst the victims of war, helping them directly wherever they were, including on continents where previously the ICRC had no involvement, such as Africa or Asia.

While the ICRC essentially remained a reflective association, this was true mainly at its 'head' (the Committee), while its 'body' (the AIPG) was now an action organization. This dichotomy – which would later be translated into the 'head-quarters' and the 'field' – evolved in the conflict in 1914.

The Great War and its direct aftermath was a turning point in the history of the ICRC, not only giving it an international dimension, this time geographically, but also radically transforming it and adding specific activities to its field of operations. Before 1914 the ICRC only reflected on war; after that date it also became one of the actors in war.

21 ICRC Archives A PV, AIPG, Minutes, 30 September 1914. During this period, the ICRC went from a dozen people to 120.

22 ICRC Archives B CR 92/1, 1-00, ICRC Statutes, 15 November 1915.

23 ICRC Archives C G1 A 01.

24 Except for questions about the Committee's personnel (resignations and recruitment), which remained under the Committee's sole authority and were noted in specific minutes.

25 Some 40 ICRC delegates made 524 prison camp visits, mostly in Europe, but also in Asia and North Africa, from January 1915 to December 1919.

26 Although often thought of as an innovation introduced in the early 1990s, the tradition of non-Swiss delegates in fact goes back to the origins of the ICRC (see Brigitte Troyon and Daniel Palmieri, 'The ICRC delegate: an exceptional player?', in *IRRC*, No. 865, March 2007, pp. 102–105). It seems that it was under the presidency of Max Huber and in relation to the ever closer ties between the Helvetic Confederation and the ICRC that the ICRC decided to have only Swiss expatriate personnel, a policy that was fully justified during the Cold War and that came to an end with it.

27 For example, in the Moscow delegation that lasted during the interwar period. When the ICRC decided to close the delegation in 1938, its staff included fifteen local employees.

But the changes did not stop there. The First World War brought significant social upheavals, including women replacing men who had gone to the front. This also happened in the ICRC since, of the approximately 3,000 people employed by the AIPG, two-thirds were women.<sup>28</sup> The female employees were recruited mainly in one of the new professions open to women: typing. But this feminization process extended to the highest levels of the ICRC. In November 1918, Renée-Marguerite Cramer joined the Committee, the first woman to do so. The ICRC was fully aware of the innovation of this appointment, ‘the first in an international body’.<sup>29</sup> Despite the reluctance of some of its members, it concluded that this novelty was an inevitable result of the ‘full equality between man and woman highlighted and emphasized by the war’.<sup>30</sup> It seems that in this case the prevailing climate had led to the changes in attitudes toward women in the ICRC. There were also some women in the ICRC’s field operations. Although this was only a small percentage of the whole of the ICRC delegates,<sup>31</sup> it had created a precedent.

Another major change concerned the victims and conflicts that would become the focus of the ICRC. The immediate post-war period marked a break with the traditions of fifty years. Since its establishment, the ICRC had clearly defined its activities as within the framework of the ‘big conflicts between the major European powers’, even if it did not close the door, ‘later, after a few more years of experience’, on other types of conflicts and other continents to fulfil its vow of universality.<sup>32</sup> A similar restriction related to the beneficiaries of its activities, who were limited to wounded military personnel in armies in the field, as stated in the First Geneva Convention. Certainly, the ICRC had occasionally been interested in other affected populations prior to 1914 (civilian refugees in 1875–1876; prisoners of war in 1870–1871; soldiers or sailors injured during maritime combat), but these contacts were ephemeral, or even completely theoretical. The First World War and the post-war period forced the ICRC to deal with new combat methods (the use of gas),<sup>33</sup> new contexts of violence (civil wars, revolutions, and insurrections), and new categories of victims (political prisoners, civilians in occupied territories, hostages, missing people, children, and refugees).<sup>34</sup> To meet their humanitarian needs, the institution developed new activities in the fields of medicine and food aid in particular, both

28 From the *Liste des personnes ayant travaillé à l’Agence internationale des prisonniers de guerre (août 1914–décembre 1918)* [List of persons who worked for the International Prisoner-of-War Agency, August 1914–December 1918], in *L’Agence internationale des prisonniers de guerre, Genève 1914–1918*, ICRC, Geneva, 1919, pp. 113 ff.

29 ICRC Archives A PV, AIPG, Minutes, 11 June 1918.

30 ICRC Archives A PV, Minutes, Committee, 29 June 1918.

31 A list of the principal delegates of the institution up to the mid-1920s contains only two women’s names out of a total of 108, that is, some 2 per cent of the total. See *L’expérience du Comité international de la Croix-Rouge en matière de secours internationaux*, ICRC, Geneva, 1925, pp. 52 ff. Previously, the very few women who were present in ICRC delegations were limited to secretarial work (see, for example, the list of expatriate personnel in the *Bulletin international des Sociétés de la Croix-Rouge*, tome LII, No. 221, 15 January 1921, pp. 47–48).

32 ICRC Archives A PV, Minutes, Committee, 17 March 1863.

33 See *l’Appel contre l’emploi des gaz vénéneux* [Appeal Against the Use of Poison Gas] in *Bulletin international de la Croix-Rouge*, Vol. 49, No. 194, April 1918, pp. 185–192.

34 Categories that the ICRC has rediscovered only in recent years when launching specific campaigns on some of them.

alone and in collaboration with other international organizations, including some organizations that it had co-founded, for example, the International Save the Children Union (ISCU). From this action arose a reflection on international humanitarian law and the necessary additions to be made to ensure that these ‘new’ victims, such as prisoners of war and civilian populations that had fallen into the hands of an enemy, would have a legal protection. While the ICRC’s efforts for military captives led to the signing of the 1929 Convention, its diplomatic activity on behalf of civilians would remain, as we know, a dead letter prior to the outbreak of the second world cataclysm. It is an irony that even before its interest in prisoners of war the ICRC’s interests were focused on civilians.<sup>35</sup>

Finally, in the post-1918 period the ICRC almost disappeared. The threat came from the ‘Magnum Opus’ which the institution had undertaken. In February 1919, under the leadership of the powerful American Red Cross, the League of Red Cross Societies was founded. Its name was misleading because the League only brought together the Red Cross societies of the five major victors of the war (USA, UK, France, Japan, and Italy) and was reluctant to welcome the Red Cross societies from the defeated countries. With the support of the Entente (with Britain and the US at its head) and the League of Nations, which wanted to be its humanitarian counterpart, and riding the wave of universal pacifism following ‘the war to end all wars’, the League intended to expedite and modernize the work of the Red Cross by addressing social activities and preventive health care in peacetime. Given these new aims, the ICRC no longer had an active role because the League intended to take over many of its skills and responsibilities. The ICRC was therefore destined to become a ‘museum piece’.<sup>36</sup> This led to a real ‘Red Cross war’,<sup>37</sup> pitting the Genevese David against the Anglo-Saxon Goliath in a struggle that turned in favour of the former. While the ICRC benefited in this ‘fight’ from favourable external circumstances – starting from the fact that, contrary to euphoric predictions, war as such was still going on – its success was primarily due to internal factors, in particular, the composition of the Committee. In addition to being Geneva Protestants, its members all belonged to the local middle classes. Moreover, since 1870, they were linked together by close family ties that were further strengthened through the system of co-optation. Gustave Ador, who had been ICRC president since 1910, was related to five other ICRC members, either alive or deceased. These relationships enabled exceptional cohesion and discipline amongst Committee members in times of crisis. The League, however, did not have such close

35 The civil section of the AIPG was founded in September 1914 (ICRC Archives, A PV, Minutes, AIPG, 16 September 1914), and the first visits to prisoner of war camps took place in January 1915. More than to the ICRC, the civil section is indebted to the fighting spirit of its founder Dr Frédéric Ferrière who had to ‘fight’ against the opposition of other members of the Committee to keep it alive. See Rachad Armanios, *Le Dr Frédéric Ferrière. Les années de formation d’un médecin et d’un philanthrope*, Mémoire de licence en histoire générale, Université de Genève, 2003, pp. 166 ff.

36 Paul Grossrieder, ‘La mononationalité suisse du CICR : une étrangeté organisationnelle...’ [the Swiss mono-nationality of the ICRC: an organizational eccentricity], 14 February 2010, available at: <http://www.grotius.fr/une-etrangete-organisationnelle/> (last visited 11 July 2012).

37 Irène Herrmann, ‘Décrypter la concurrence humanitaire : le conflit entre Croix-Rouge(s) après 1918’, in *Relations internationales*, No. 151, Autumn 2012, pp. 91–102.



relationships, simply because of its multinational structure. In addition, since the First World War the ICRC had enlisted for its missions abroad people who, while they did not all belong to the same milieu, were selected on the basis of personal relationships or recommendations by Committee members. The elitist selection criteria helped weld the ICRC even closer together internally and strengthened its ties with Swiss society from which its delegates came. This point is important, because the rivalry between the League and the ICRC would lead to a rapprochement, including financial support,<sup>38</sup> of the latter with the Swiss Confederation. A major consequence of this rapprochement happened in 1923 with the appointment of the first members of the Committee who were not from Geneva.

### 1936–1946: consolidation

A period of decline by the end of the 1920s followed the period of growth of ICRC activities in the early 1920s. The self-centred contraction of the institution happened because of: a weak financial situation that limited the transnational institution's aspirations; a new chairman at the head of the ICRC<sup>39</sup> who was prone to doctrinaire and legal thinking rather than to action; a return to more traditional activities focused on international conflict; and most importantly, few state wars from the second half of the 1920s in favour of internal armed struggle in which the ICRC was more reluctant to intervene than previously.

The situation changed in the 1930s when major international conflicts resumed. In 1932, after the occupation of Shanghai by the Japanese imperial troops, the ICRC took advantage of a delegate sent to Japan and had him make a stopover in the Chinese province to report on the situation there. The following year, and then again in 1934, the ICRC sent missions – the first to the South American continent – to the Gran Chaco border war between Bolivia and Paraguay. Delegates undertook what are now the traditional activities of the ICRC, that is, camp visits, correspondence, and repatriation for prisoners of war, regardless of their country.<sup>40</sup> In 1935, in its first involvement in sub-Saharan Africa, the ICRC responded in the Italo-Ethiopian conflict. Of course, without knowing it, the institution was experiencing the nature of the coming world war: total and totalitarian.<sup>41</sup>

38 J.-F. Golay, above note 15, p. 49.

39 Max Huber became President of the ICRC in 1928, following the death of Gustave Ador.

40 Cécile Aubert, *Les premiers pas du CICR en Amérique latine. La guerre du Chaco*, mémoire de licence, Département d'histoire générale de la Faculté des lettres, Université de Genève, 2001; Daniel Palmieri, 'Mission humanitaire ou voyage d'étude? Le CICR et la guerre du Chaco', in Nicolas Richard, Luc Capdevilla and Capucine Boidin (eds), *Les guerres du Paraguay aux XIXe et XXe siècles*, CoLibris, Paris, 2007, pp. 49–61.

41 The Red Cross installations were deliberately bombed by Italian planes in full view of the ICRC, which also had proof of the use of poisonous gas (yperrite) by the Italian troops. Poisonous gas had been forbidden by the Protocol of Geneva of 1925, ratified by Italy in 1928. Rainer Baudendistel, 'La force contre le droit: le Comité international de la Croix-Rouge et la guerre chimique dans le conflit italo-éthiopien,

The Ethiopian experience was followed by the Spanish Civil War (1936–1939), the atrocities of which – on both Franco’s side and the Republican’s side – were constant reminders, as well as a warning, to the ICRC of the dangers for civilians in armed conflict. The Spanish Civil War also marked two milestones in the history of the institution. First, it was the ICRC’s first involvement supporting of victims of a fratricidal war of such magnitude. The precedents of the Russian revolution and civil war did compare because the ICRC’s role was ‘diplomatic’. Although Russian victims were assisted, this was because of the terrible famine in the country, rather than because of the armed clashes that took place. The few other civil wars in which the ICRC had intervened – ‘Soviet’ Hungary in 1919, Ireland in 1923 – were neither of the magnitude nor the duration of the Iberian conflict. Second, and most important, from 1936 on there is a professionalization of the role of the delegate, and humanitarianism becomes a real ‘profession’ in the ICRC. Moreover, some of the people involved at that time became active again in 1939–1945.<sup>42</sup> This is not a trivial point because when the Second World War broke out the ICRC had a small set of relatively young and experienced volunteers who already knew the institution and its operations.

The 1939–1945 period was, for the ICRC, a repeat of 1914–1918, but in hitherto unequalled proportions. The 1,700-page ‘summary’ report of the institution’s work during the war years clearly demonstrates this.<sup>43</sup>

As in 1914, the ICRC staff numbers increased dramatically in a few months. By the end of December 1939, 360 employees worked for the ICRC in Geneva, mainly for the Central Prisoners of War Agency. There were 1,300 employees a year later and nearly 2,000 in December 1945. In the field, in 76 delegations around the world, the number of delegates and deputy delegates went from three in 1939 to 179 six years later.<sup>44</sup> These figures do not include the ‘subordinate’ staff employed in Switzerland and abroad.<sup>45</sup> Unlike the employees during the First World War, most of the people who worked for the ICRC during the Second World War did so as salaried employees.<sup>46</sup> Many of them made their career at the institution.

Activities in all areas broke the records of First World War activities, including camp visits (more than 11,000); assistance distributed;<sup>47</sup> number of

1935–1936’, in *RICR*, No. 829, March 1998, pp. 85–110; in English see, ‘Force versus law: The International Committee of the Red Cross and chemical warfare in the Italo-Ethiopian war 1935–1936’, in *IRRC*, No. 322, March 1998.

42 B. Troyon and D. Palmieri, above note 26, p. 99; Daniel Palmieri, ‘Une neutralité sous influence? Le CICR, Franco et les victimes’, in *Revue suisse d’Histoire*, Vol. 59, No. 3, 2009, pp. 279–297.

43 *Rapport du Comité international de la Croix-Rouge sur son activité pendant la Seconde Guerre mondiale* (1<sup>st</sup> septembre 1939–30 juin 1947), three vols., Geneva, May 1948; in English, see, *Report of the International Committee of the Red Cross on its activities during the Second World War*, three vols. and an annex, ICRC, Geneva, 1948.

44 *Ibid.*, Rapport, Vol. I, p. 58.

45 In Switzerland, between 1940 and 1947, the staff (*ibid.*, Rapport, Vol. I, p. 58) worked in 33 auxiliary sections of the *Agence centrale des prisonniers de guerre* [Central Prisoners of War Agency] that were spread throughout the country. Other than the delegates themselves, the number of persons – Swiss or foreigners – who worked in ICRC delegations abroad is unknown.

46 Rapport, above note 43, Vol. I, p. 99.

47 The ICRC estimates the value of aid it distributed at more than 3,000 million current Swiss francs.

individual records of the Central Prisoners of War Agency.<sup>48</sup> These activities were also a reflection of the ICRC's very large financial resources spent in the fulfilment of its humanitarian mandate. For example, money was spent acquiring the ICRC's first fleet of ships and then later trucks, purchases that were modernizing steps. Modernity did not stop there, and the Central Prisoners of War Agency used the first 'computers' for rapid processing of individual files.<sup>49</sup>

The amount and diversity of the work that the ICRC faced led to changes in its operation. Unlike during the First World War, when most of the decision-making was done by the AIPG and only incidentally by the Committee, during the Second World War, forums – in which a variety of issues were discussed – proliferated. Certainly during the interwar period the institution had recourse to internal thematic commissions (*Commission des oeuvres de guerre* [war activities commission], the Spanish and Ethiopian commissions, etc.) which were each responsible for a particular problem, but their number increased sharply with the outbreak of war. The ICRC had seven ad hoc bodies in 1939, including the Committee and the Bureau (the latter made up of members of the Committee). There were eleven ad hoc bodies in 1940, fourteen in 1941, fifteen in 1942, seventeen between 1943 and 1945, and eighteen in 1946.<sup>50</sup> Another feature of the Second World War period was the fact that these various bodies were no longer limited to members of the Committee, but also involved qualified 'subordinate' employees who, in this way, also participated in the decision-making process. Anecdotally, the ICRC started services during the war which were known as 'general services', including a news and information service that became an independent division in 1943, and paved the way for the development of increasingly intense humanitarian 'communications'<sup>51</sup> thanks to the use of audio-visual media.<sup>52</sup>

The institution was directly effected by the horrors of war. The ICRC had its first known hostage taking when members of its Berlin delegation were taken by Soviet forces following the capture of Berlin and detained for several months in a camp in the USSR. Even worse, many of its employees died violent deaths, which

48 Altogether there were over 35 million files, that is, some seven times more than in 1914–1918. See Rapport, above note 43, Vol. II, p. 340.

49 These were Hollerith machines, which used perforated cards, and were made available by International Business Machines Corporation (IBM). See Monique Katz, 'Quand des machines travaillaient pour la Croix-Rouge?', in *RICR*, No. 453, September 1956, pp. 507–511. On IBM perforated or punch cards, see <http://www-03.ibm.com/ibm/history/ibm100/fr/fr/icons/punchcard/> (last visited 12 July 2012).

50 Starting in 1947, the number of commissions declined rapidly, going from nine to six at the start of the 1950s and then to four for the rest of this period, indicating that the Committee and the Presidential Council were taking control of current affairs.

51 However, the ICRC did not wait until the Second World War to launch communications concerning its activities. The publication, starting in 1869, of the *Bulletin des Sociétés de la Croix-Rouge* (ancestor of the *RICR*) illustrates this.

52 The first ICRC films, however, date from 1921. See Enrico Natale, 'Quand l'humanitaire commençait à faire son cinéma : les films du CICR des années 1920', in *RICR*, Vol. 86, No. 854, June 2004, pp. 415–437; for English abstract, see 'Humanitarian organizations enter the world of cinema: ICRC films in the 1920s', in the same issue.

again was unprecedented:<sup>53</sup> Richard Heider, ICRC escort, drowned during the sinking of a cargo ship transporting aid for Greece; Johann Jovanovitz, medical delegate in Germany, was killed by a sentry; Matthaeus Vischer, delegate in Borneo, was executed with his wife, after a summary trial for charges of espionage;<sup>54</sup> Konrad Otto Anderegg, secretary of the delegation in Batavia, was ‘killed by the natives’ in 1946.<sup>55</sup>

This last death was related to the emergence of a new form of conflict, for which the ICRC mobilized for decades: wars of decolonization. In its humanitarian concerns the institution had completely ignored the colonial wars even though the creation of the ICRC coincided with the rise of European colonialism in the last third of the nineteenth century. It was not moved by the plight of indigenous peoples subjected to the yoke of whites, or by colonial massacres.<sup>56</sup> Moreover, coming from the Western world the ICRC had indirectly supported the ‘civilizing mission’ of Europe in the ‘heart of darkness’.<sup>57</sup> After 1945, when decolonization was becoming an even more important question in international relations than the phenomenon of colonialism itself,<sup>58</sup> the ICRC focused on the struggles of the colonized against the colonizers and offered its services in this context, as it had done in its important – but long forgotten – efforts in the (former) Dutch East Indies. Its involvement was not without difficulties because it later caused tensions with the Indonesian government when it was in the grip of its own ‘decolonization’ conflicts.

The 1940s also marked a turning point in the perceptions that the general public and actors in armed conflicts had of the ICRC. No longer seen only with benevolent consideration, the institution entered an era of criticism. While re-cremations against the ICRC were not entirely new – in 1919, for example, Poland accused the ICRC delegate-general, Edward Frick, of ‘political action contrary to the interests of the Polish state . . . [and of] Bolshevik sympathies’<sup>59</sup> – they now were more than rare individual cases. Admittedly, some individuals in the ICRC

53 Volume I of the *Rapport* gives an incomplete list of ICRC representatives who died while on mission, including those who died of natural or accidental causes. Note that for the ICRC, many natural deaths were due to ‘the overwhelming work load’ of the delegates. See *Rapport*, above note 43, Vol. I, pp. 64–65.

54 On the Vischer case, see Ernst Braches, *Bandjermasin Case. The Swiss authorities and the Execution of Dr. C.M. Vischer and B. Vischer-Mylius in Borneo, 20 December 1943*, available at: <http://www.ulimemorial.org/SwissAuthor.pdf> (last visited 13 July 2012).

55 *RICR*, No. 330, June 1946, p. 524.

56 Irène Herrmann and Daniel Palmieri, ‘Humanitaire et massacres : L’exemple du CICR (1904–1994)’, in Jacques Semelin, Claire Andrieu, and Sarah Gensburger (eds), *La résistance aux génocides. De la pluralité des actes de sauvetage*, Les Presses de Sciences Po, Paris, 2008, pp. 237–245.

57 Parallel to his activities as President of the ICRC, Gustave Moynier was also Consul General of the Congo Free State. The ICRC headquarters and the consulate shared the same premises. On the Leopoldian Congo, see Adam Hochschild, *Les fantômes du Roi Léopold : La terreur coloniale dans l’État du Congo, 1884–1908*, Tallandier, Paris, 2007.

58 While the European powers confronted each other over the question of colonialism, it was over the limits of the colonial spheres of influence (as was illustrated by the famous incidents of Fachoda and Agadir), rather than over the methods employed by colonization.

59 ICRC Archives, A PV, Minutes, AIPG, 27 October 1919.

continued to be the objects of criticism,<sup>60</sup> but the most serious complaints were aimed at the institution itself, its activities, and its principles. After the war, the ICRC was accused of not having denounced ‘violations of the Conventions committed by German, Italian and Spanish fascists’.<sup>61</sup> It was also accused of having facilitated the escape of war criminals by issuing false travel documents.<sup>62</sup> It was criticized for its inaction on the questions of captured partisans, Soviet prisoners of war in Germany, and the Holocaust. More generally, its relief activities helping those who had been defeated in the war, especially the Germans, were questioned and aroused misunderstanding and mistrust.

Meanwhile, the belligerents challenged humanitarian law, which, in effect, was a challenge to the ICRC. The most notable aspect of this policy took the form of a refusal, and concerned soldier combatants who had fallen into the hands of an enemy; for example, the Germans who took Italian soldiers prisoner following the 8 September 1943 armistice, as well as the Allies who captured members of the German and Japanese armies, following the unconditional surrender of these two armies, and refused them prisoners of war status.<sup>63</sup>

In addition to the aggressions against ICRC staff, these above elements demonstrate that humanitarian action is not always successful and that it is therefore fallible. Admittedly, it is difficult to demonstrate that this a posteriori analysis was that of the institution at the time. There is the impression that the ICRC’s public discourse denied such explanation. The 1,700 pages of the aforementioned activities report are evidence that the ICRC made every possible effort during the six years of the Second World War. This is also the case concerning the report it published on its activities for the victims held in the Nazi concentration camps.<sup>64</sup> Yet the wealth of detail and the rapidity with which the ICRC published its document on the German concentration camps – the first edition came out in January 1946 – would tend to prove that the ICRC was well aware of having partially failed, but nevertheless tried to answer the criticisms in the report on its work for civilian detainees in German concentration camps. After the publication of

60 Many ICRC delegates were accused of spying for Germany or dealing in looted goods. See Division de presse du CICR, ‘L’action du CICR pendant la Seconde Guerre mondiale’, in *RICR*, No. 821, September–October 1996, pp. 606–611; this article was completed in April 1997 by François Bugnion in the light of further research done by the ICRC in its archives and in the federal Swiss archives, available at: <http://www.icrc.org/fre/resources/documents/misc/5fzgcgb.htm> (last visited 12 July 2012).

61 These accusations were advanced by the Yugoslav Red Cross, but were picked up by other Communist bloc states. See Catherine Rey-Schyr, *Histoire du Comité international de la Croix-Rouge (1945–1955)*, De Yalta à Dien Bien Phu (1945–1955), Georg, Geneva, 2007, p. 71.

62 Gerald Steinacher, *Nazis on the Run. How Hitler’s Henchmen Fleed Justice*, Oxford University Press, Oxford, 2011. For a critique of this thesis, see Irène Herrmann and Daniel Palmieri, “‘Refugees on the Run’: The ICRC travel documents after the Second World War”, in *Contemporanea, rivista di storia dell’800 e del’900*, 1, 2013, in press.

63 Rapport, above note 43, Vol. I, pp. 558–566.

64 *L’activité du CICR en faveur des civils détenus dans les camps de concentration en Allemagne (1939–1945)*, Geneva, 1946; in English see *Documents relating to the work of the International Committee of the Red Cross for the benefit of civilian detainees in German concentration camps between 1939 and 1945*, ICRC, Geneva, 1975, 125 pp.

the report it repressed these events in its collective memory for more than 40 years.<sup>65</sup>

A final point about this period is that, just as after 1918, the end of the war meant threats to the integrity and permanence of the ICRC. Once again the question of the mono-nationality of the Committee and its relations with the League of Red Cross Societies was at the heart of the matter. An increase in the authority of the League, at the expense of the ICRC, was raised. It was even suggested that the two entities amalgamate. The sharpest criticisms once again came from within the Red Cross Movement. The question of the internationalization of the Committee – a recurrent topic since the First International Conference of the Red Cross in 1867 – was raised by the Swedish Red Cross, a ‘partner’ with whom the ICRC had a difficult confrontation during the war.<sup>66</sup> Ultimately, the status quo prevailed. When drawn into east-west ideological confrontations, the Red Cross considered it necessary to preserve the ICRC’s role as well as its specifically Swiss, and thus neutral, character. The institution was, therefore, saved by the outbreak of the Cold War.<sup>67</sup>

## 1967–1974: restructuring

The ICRC was a weakened organization at the end of the second world conflict. In financial terms, in 1946 the ICRC was on the ‘brink of bankruptcy’ and was threatened with ‘liquidation’,<sup>68</sup> a difficult situation that would continue for a number of years. With the Italian, German, and later the Japanese capitulations, the ICRC was no longer able to recover the financial advances it had granted these governments to help their nationals, funds that were blocked by the Allies and would only be gradually released at the start of the 1950s. These defeated states were no longer able to financially assist the ICRC, although their citizens were the primary beneficiaries of ICRC’s work in the post-war period and this work had to be financed through the institution’s own resources. Meanwhile, the ICRC was engaged in a series of new national or international conflicts (Greece, Korea, India-Pakistan, Indochina, and Indonesia), which also used much of its regular budget.<sup>69</sup> Donor

65 Jean-Claude Favez’s work (*Une mission impossible ? Le CICR, les déportations et les camps de concentration nazis*, Nadir Payot, Lausanne, 1988; in English see, *The Red Cross and the Holocaust*, Cambridge University Press, Cambridge, 1999) was the first scientific study of this subject. Concerning the white paper, Fabrice Cahen spoke of an ‘intention of internal orientation with the objective of welding the entire staff around an official defensive line’, in Fabrice Cahen, *Le Comité international de la Croix-Rouge et la Shoah. Une controverse entre histoire et mémoire*, mémoire de maîtrise d’histoire, Université Versailles, Saint-Quentin, 1999, p. 45.

66 Irène Herrmann and Daniel Palmieri, ‘Two crosses for the same aim? Switzerland and Sweden charitable activities during World War II’, in Johannes Paulmann (ed.), *The Dilemmas of International Humanitarian Aid in the Twentieth Century*, in press.

67 This is the opinion of Catherine Rey-Schyr in her analysis of the hostile attitude of Communist countries towards the ICRC. C. Rey-Schyr, above note 61, p. 52.

68 *Ibid.*, p. 38.

69 Jacques Freymond (ed.), *Le Comité international de la Croix-Rouge*, Georg, Geneva, 1984, p. 66; table p. 71.

responses to ICRC financial appeals were limited.<sup>70</sup> Nonetheless, the institution itself had to cover its expenses; therefore expenses regularly exceeded revenue. It was not until the early 1970s that this situation was reversed.

The financial problems affected the staff. Towards the end of the Second World War (in March 1945), the ICRC had 3,700 collaborators, half of whom were paid employees.<sup>71</sup> But as of this date, and parallel to the reduction in the activities of the Central Prisoners of War Agency, as well as the continuing financial difficulties, staff numbers reduced. There were only 722 people – headquarters and field workers combined – working for the ICRC in June 1947,<sup>72</sup> which declined to 420 in January 1949. Personnel numbers reduced further throughout the 1950s. It is estimated that five out of six employees left the institution.<sup>73</sup>

A moral crisis was added to the material one. The institution confronted a ‘vacuum’ in its governance. In December 1944,<sup>74</sup> President Max Huber, elderly, tired, and ill, ceded his position to his ‘right arm’, Carl Jacob Burckhardt. Only just nominated – he took office on 1 January 1945 – Burckhardt was chosen by the Federal Council to serve as Swiss minister (ambassador) to Paris.<sup>75</sup> Huber once again took up the ICRC leadership – temporarily he hoped – in February 1945 as president *ad interim*. His interim presidency lasted until January 1947, however, when joint vice-presidents, Martin Bodmer and Ernest Gloor, took office. Burckhardt, however, remained ICRC president, albeit on leave.<sup>76</sup> The situation at the head of the institution was unclear and precarious, and persisted for more than three years until the appointment of Paul Ruegger in 1948.<sup>77</sup> Of course, alongside the Committee itself and its appendix, the Bureau,<sup>78</sup> the ICRC instituted a Directorate that managed the administration and everyday affairs. But the Directorate was directly dependent on the Bureau and had no real autonomy.<sup>79</sup> It was therefore not in a position to make its own decisions and was not a counterweight to the weakness in the upper echelons of the Committee. The absence of strong personalities at the head of the institution was a factor that weakened the institution in the threatening context of the immediate post-war years.

Before discussing the ‘revolution’ that affected the ICRC – as it did others – twenty years later, two decades elapsed during which the ICRC saw

70 *Ibid.*, p. 85, except for the very great crises such as Palestine (1948) or Hungary (1956).

71 *Ibid.*, p. 134.

72 Rapport, above note 43, Vol. I, p. 58; J. Freymond, *Le Comité international de la Croix-Rouge*, above note 69, p. 139.

73 J. Freymond, *Le Comité international de la Croix-Rouge*, *ibid.*, p. 134.

74 ICRC Archives, A PV, Minutes, Committee, 4 December 1944.

75 ICRC Archives, A PV, Minutes, Committee, 24 February 1945.

76 ICRC Archives, A PV, Minutes, closed session of the Committee, 29 January 1947.

77 Paul Ruegger, the first Catholic president of the ICRC, was elected in February 1948, apparently as a result of an ad hoc procedure. He took office in July 1948.

78 Founded in March 1943, this Bureau took on the functions that had previously been those of the Central Commission which, in November 1940, became the Coordination Commission. The Bureau was the general manager of all ICRC activities and was in charge of all its various committees. This Bureau should not be confused with the previously mentioned Bureau.

79 The fact that the Directorate did not edit its own specific minutes, as did other ICRC autonomous bodies, illustrated this fact (Bureau, Committee, etc.).

important moments, such as the signing of the Four Geneva Conventions of August 1949, which marked the culmination of a long process of reflection and negotiations. At the operational level, the institution was not inactive; from Germany to Palestine, through Korea, Hungary, Algeria, the Congo, and Yemen – to name just a few places of conflict – it was present, often to a significant degree, in all major crises and on all continents. The territorial expansion of ICRC activities, which began in the First World War, was now rooted in the field as general delegations in Africa (Salisbury and Dakar), the Middle East (Beirut), and Asia (Phnom Penh) were opened. At the beginning of the 1970s, the globalization of the ICRC again intensified with the opening of regional delegations<sup>80</sup> from which delegates radiated out to neighbouring countries, whether in peace or in war. However, the institution did not really change its habitual method of working. At most, it reclaimed some areas of work that it had abandoned, such as medical work, for example.

The real turning point took place with the simultaneous involvement of the ICRC in the two major armed conflicts of 1967: The Six Day War and the Biafran War. Each in their own way, these two events led to significant changes in both the internal operations of the ICRC as well as in its perception of the world.

The third Arab-Israeli conflict (5–10 June 1967) provoked a fundamental shift in the behaviour of the institution as it now *anticipated* its possible interventions. As emphasized in the 1967 Annual Report, '[m]indful of the growing tension that prevailed in the Middle East during the first half of 1967, the ICRC *took preparatory steps ten days before the conflict broke out*'.<sup>81</sup> This indicated a shift in the ICRC's attitude toward armed conflict: from being generally reactive, it became proactive, preparing for concrete action before the crisis erupted.<sup>82</sup> This new policy, combined with the ICRC's geographical expansion of its field operations and therefore of its presence in several conflicts simultaneously, had implications for the recruitment of delegates. ICRC funds from 1950–1960 did not allow it to permanently engage a large number of delegates, and at the end of the 1950s the ICRC lacked sufficient staff to meet its commitments. At the instigation of the ICRC President, a *Groupe pour missions internationales* [International Missions Group] (GMI) was created in 1963 which was intended to provide the institution with 'a pool of quality delegates,<sup>83</sup> [who had] undergone a thorough theoretical

80 The first regional delegations were opened in Ethiopia, Cameroon, and Venezuela.

81 *Annual Report*, ICRC, Geneva, 1967, p. 5, emphasis added. (All page references to the *Annual Report* are to the French editions.)

82 In September 1938, during the Munich crisis and prior to the outbreak of the Second World War, the ICRC set up a *Commission des œuvres de guerre* in charge of preparing the ICRC's activities in case of a 'European cataclysm' (ICRC Archives, A PV, Minutes, Committee, emergency session 15 September 1938), a commission that continued its work until September 1939. However, the innovation in the preparation of the ICRC action in the Six Day War was to deploy personnel in the field where the confrontation would take place. Delegates were already in position in the capitals of the future belligerents by the end of May 1967.

83 Members of the GMI were recruited in Switzerland from the universities, the army, the administration, etc. They were highly skilled, especially in the medical field as well as in communications, and were available for missions of two consecutive months.



training<sup>84</sup> and who would be ‘available on call’ and ready to leave at a moment’s notice.<sup>85</sup> However, for various reasons, the ICRC made only modest use of the GMI.<sup>86</sup> The 1967 conflict therefore obliged the institution to (re)think about a recruitment and staff training policy, a process that took ten years before the creation of the policy that, in its broad outlines, is still in force today.

A reflection on ‘expatriable’ human resources was all the more necessary as, starting with the Six Day War, the ICRC was mobilized permanently into armed conflict. This involvement was not unique to the Middle East, as over time it would also concern other continents (Latin America, Africa, and Asia). The long-term involvement of the ICRC in these areas of tension, *ipso facto*, obligated it to have representatives present at all times. Therefore, the proportion of expatriate ICRC staff continued to increase. While field delegates represented 27 per cent of ICRC staff in December 1971, ten years later it was 66 per cent.<sup>87</sup>

The very functioning of the ICRC was changed by the continuing warfare worldwide. Activities aimed at improving the living conditions of people living in conflict, for example, through ensuring water and sanitation, or aimed at giving people a ‘sense of normalcy’ through the distribution of seeds for the cultivation of land or through orthopaedic rehabilitation activities were gradually added to emergency relief (be it assistance or medical care).

The increasing numbers of delegates in the fields of war, as well as the growing number of tasks, had implications on the financing of humanitarian aid, which were highlighted by the Nigeria-Biafra War (July 1967–January 1970). While this conflict was of limited duration, the ICRC’s efforts and mobilization grew to unprecedented proportions, and its action was the most important of the post-war period. In 1968 and 1969, the majority of the overall ICRC budget was devoted to this bloody civil war.<sup>88</sup> The volume of distributed assistance exploded and never again declined to its pre-1967 level. The relief effort coordinated by the ICRC in Nigeria and Biafra ultimately cost 663 million Swiss francs. The ICRC carefully explained that this figure ‘[was] statistical information, not an accurate estimate of expenditures!’<sup>89</sup>

All this led the ICRC to redefine the way it financed itself. Aware that it might become involved in actions going far beyond its means and capabilities, the institution considered it necessary to foresee as much as possible in advance: ‘In light of a situation such as the Nigerian-Biafran War, relief efforts spanning several years . . . can no longer be regarded as emergency aid and therefore financed outside of the regular budget.’<sup>90</sup> The ICRC then integrated such expenses into its regular budget, under the heading of temporary activities (other activities are permanent or extraordinary). Soon, only two items remained: the ordinary, both permanent and

84 ICRC Archives, A PV, closed session of the Committee, 2 July 1964.

85 On the GMI, see J. Freymond, above note 69, p. 137; table p. 140.

86 *Ibid.*, p. 137.

87 Calculations derived from J. Freymond, above note 69, table p. 140.

88 *Ibid.*, p. 61, note 2.

89 *Annual Report*, ICRC, Geneva, 1970, p. 133.

90 J. Freymond, above note 69, p. 63.

temporary, whether at headquarters or in the field, and the extraordinary that today take the form of ‘appeals’. These accounting ‘reforms’ were aimed at greater transparency vis-à-vis the donors. Given the often-huge sums at stake, ‘trust alone is not enough, we must demonstrate that we are capable of properly managing the funds entrusted to us’.<sup>91</sup> Starting with the Nigeria-Biafra activity, fundraising became essential to the conduct of humanitarian action. It was also recognized as such by the creation of a ‘1974 fundraising’<sup>92</sup> sector. Moreover, the ICRC sought and obtained political financial sponsorship, through agreements with the European Economic Community (EEC) and the Swiss government that provided regular support to the institution.<sup>93</sup> Rather than ‘apply the policies of its means’ as it had routinely done since the end of the Second World War, the ICRC was now going to give itself ‘the means of its policies’.<sup>94</sup>

But the ICRC’s ‘growing pains’ (as quoted by Thierry Hentsch) during the Six Day War and the Biafra War also had other internal implications for the institution because these conflicts cast a harsh light on the shortcomings of its operation, particularly with regard to the conduct of field activities. The lack of a real project manager in Geneva to administer the Nigerian crisis led to difficulties in the implementation of action because of a lack of a ‘critical administrative machinery’.<sup>95</sup> Internal reflections arising from this experience, as well as from the extension of ICRC activities throughout the world, led to structural changes, in particular, the creation in 1970 of geographic operational regions, led from headquarters by the Directorate of Operations. The Directorate also brought together support services participating in activities outside the institution (emergency service, medical service, Central Tracing Agency, etc.). Additional structural changes took place and led either to the creation of new services<sup>96</sup> or to greater autonomy for pre-existing ones (for example, financial, personnel). In other words, an administration worthy of the name was established and – in light of the increased activities of the ICRC – organized an increasingly sharp differentiation of internal functions. From 1974 onwards, the administration of the ICRC was by a management body that acted as an executive, and the Committee continued to exercise ‘legal’ power.<sup>97</sup> The fundamental changes to the ICRC were born directly from the changes in the 1967–1974 period. The ICRC was now thought of as a great humanitarian organization and had to manage its activities as such.<sup>98</sup>

91 *Ibid.*, p. 68.

92 *Annual Report*, ICRC, Geneva, 1974, p. 96.

93 J. Freymond, above note 69, p. 86.

94 *Ibid.*, p. 161.

95 Thierry Hentsch, *Face au blocus. La Croix-Rouge internationale dans le Nigeria en guerre (1967–1970)*, Institut universitaire de hautes études internationales, Geneva, 1973, p. 245.

96 A Press and Information Division directly attached to the Presidency was established. The importance of ‘communication’ and the uses made of it during the Biafran conflict, as well as the important role played by the media and its attitude towards the ICRC, certainly explain the creation of this new division.

97 J. Freymond, above note 69, p. 128.

98 *Annual Report*, ICRC, Geneva, 1970, pp. 132–134.

## 1991–2011: expansion

As a result of the methods that evolved during the Biafran War, the years 1970–1980 were marked by ‘humanitarian gigantism’ in the ICRC operations.<sup>99</sup> This is not surprising when one considers that these two decades were characterized by conflicts the duration of which was often inversely proportional to the resulting humanitarian consequences. Thus while the Indo-Pakistan War of December 1971 lasted only thirteen days, the repatriation of prisoners, for which the ICRC was mobilized, lasted almost two-and-a-half years. Other conflicts were longer even beyond this period, for example, the civil wars arising from the Portuguese decolonization, the Iran-Iraq War, etc., and involved the ICRC’s human and financial forces on a long-term basis. However, the management of such operations was not without consequences, and the ‘real’ problems arising from the activities of these years were, in particular, ‘how to manage this growth and its consequences, this bureaucratic mushrooming and the growing number of fields in which the ICRC ... decided to intervene’.<sup>100</sup>

Questions also arose about international humanitarian law and its relevance to conflicts in the 1970s. While the ICRC made a breakthrough in this area, thanks to the adoption of the four Geneva Conventions, these conventions governing war between states were directly inherited from the nineteenth century and seemed outdated in the face of civil wars, such as in Angola, Mozambique, El Salvador, and Nicaragua, in which the ICRC had large-scale operations. And what about the national liberation struggles in Africa (Rhodesia, Namibia, Eritrea, etc.) and Asia (East Timor), which were marked by a particular form of combat – guerrilla struggle? However, while the ICRC was convinced that ‘the fundamental principles of humanitarian law can and should be applied by all and in all circumstances, even in guerrilla warfare’,<sup>101</sup> it lacked the necessary legal instruments to ensure that this wishful thinking would in fact be applied. However, in 1977, two Additional Protocols to the Geneva Conventions, 8 June 1977, were adopted and the second of these protocols applied to ‘non-international armed conflicts’.

Doctrinal issues<sup>102</sup> underlay the 1979 request to an independent historian to analyse the ICRC attitude when confronted with the Nazi concentration and extermination camps. The study, which was published in 1988, was not necessarily appreciated by the Committee,<sup>103</sup> but it at least provided the institution with a scientific – and not emotional – argument in answer to the questions and criticisms about this tragic episode in its history, questions and criticisms that it had received since the end of the Second World War. Moreover, as a result of this

99 Expression used by Simone Delorenzi in *Face aux impasses de l'action humanitaire internationale. La politique du CICR depuis la fin de la guerre froide*, ICRC, Geneva, 1997.

100 *Ibid.*, p. 30.

101 Michel Veuthey, *Guérilla et droit humanitaire*, ICRC, Geneva, 1983 (1st edition, 1976), introduction (1976), p. xvi.

102 This was the hypothesis advanced by Simone Delorenzi along with the purely historical aspects of the question. Based on the results obtained, the ICRC would be able to decide what stance to take in case it was confronted with a similar situation. S. Delorenzi, above note 99, p. 24.

103 See the ICRC postface to the first edition of the work of Jean-Claude Favez, above note 65.

publication – but only following a long process of internal discussions – in 1996 the ICRC decided to open part of its archives, including the 1939–1945 period, to the public. The 1996 decision, renewed in 2004 for an additional period for 15 years, enabled the institution to escape the controversy over its past as interested parties could directly consult the documents, thereby establishing a relative appeasement concerning its own history.<sup>104</sup>

The 1970s and 1980s were marked at the institutional level by the administration taking over some of the roles of the Committee, and of the Presidency. The fact that successive ICRC presidents (Samuel Gonard, Marcel Naville, and Eric Martin) held office only for short periods of time, averaging four years, and were not really able to impose themselves as leaders, led to this ‘reversal’ of roles. Meanwhile, the Committee itself was rejuvenated. In 1970, some 41 per cent of its members had been active in the organization for five years or less. In 1980, 50 per cent of the membership had been active for no more than five years, and in 1990 almost two-thirds of the membership fell into that category. The geographical location of members, most of whom lived outside of Geneva, and their own professional obligations, limited the time they had available for involvement in ICRC activities. In 1960, for example, when of the fifteen members that then made up the Committee, nine were of Geneva origin or residence, and nearly half of them were either retirees or persons of independent means, the time Committee members had for ICRC involvement was greater than thirty years later. The end of the 1960s saw the arrival of a cohort of young delegates who pledged to meet the needs arising from the conflicts in the Middle East and West Africa, and some of whom would rise in the hierarchy to key positions in the administration (general management, operations, etc.). Fortified by this experience and responsibility, it was this skilled staff, both at headquarters and in the field, that would direct the general course of activities – at least until the early 1990s. A sharp reversal<sup>105</sup> took place in 1987 with the arrival of Cornelio Sommaruga at the head of the institution. His appointment confirmed the return, already initiated by his predecessor, of a long-term presidency<sup>106</sup> with the ambition of restructuring the ICRC. The most notable change, which took place in May 1991, was the incorporation of the Directorate – which had previously deliberated in separate way – into an Executive Board, the membership of which now included the members of the Committee and the administration.<sup>107</sup> If it is assumed that the setting up of this new structure constituted a takeover of the Directorate by the presidency (or the Committee) it may at the same time be assumed that by bringing the ‘two powers’ together into

104 In 2011, the Committee decided against a new declassification of ICRC documents in spite of the rules governing access to the archives that this same Committee had adopted in 1996. The decision to open an additional part of its archives was postponed to a later date.

105 Simone Delorenzi even wrote of a ‘rupture’ with his predecessors. See S. Delorenzi, above note 99, p. 31.

106 Alexander Hay, President of the ICRC between 1976 and 1987.

107 Prior to May 1991 the Executive Council, which was the successor of the Bureau and the Presidential Council, was – like its predecessors – composed only of members of the Committee. The new system lasted until 1998 at which point an autonomous Directorate was created.

one place, the ICRC's capacity to face many of the challenges of the post-Cold War period was increased.

From 1991 the institution has had to simultaneously manage an international coalition war (the Second Gulf War), a civil war in a country without a state (Somalia), a civil and later international war (ex-Yugoslavia), as well as more traditional armed conflicts (in Angola, for example), to which have been added the 'new conflicts' or 'anarchic conflicts' – to use the ICRC terminology – in Africa and the former Soviet empire. The 1990s marked the ICRC's entry into new geographical areas<sup>108</sup> – for example, in the countries belonging to the former Soviet Union where the ICRC had not been active since 1938 when its permanent delegation in Moscow was closed – as well as into an era of unprecedented violence of war. Since 1991, more than thirty ICRC staff members have died violently in the course of their humanitarian mission.<sup>109</sup> And there have been dozens, if not hundreds, of other security incidents – a negative trend that affects all humanitarian actors. New working methods, which were the first in the history of the institution, stemmed from this tragic situation, for example, the use of armed escorts in Somalia. Somalia would also see the creation of community kitchens in 1992 – a model that was later exported to other contexts and helped to avoid the problems of storage and theft of food, and the extortion of beneficiaries receiving aid.<sup>110</sup>

Apart from the (too) real violence, the institution also had to manage the potential violence of war. On 17 January 1991, at the beginning of the allied air raids on Iraq and in the face of a very real threat, the ICRC explicitly, in a *note verbale*, warned the warring factions to refrain from the use of atomic weapons.<sup>111</sup>

Also for the first time in its history, in 1994 the ICRC directly lived through a genocide in Rwanda, and faced the same dilemmas as during the Second World War in light of the limited nature of its response, especially considering the scale of the massacres.

But the most remarkable feature that started in 1991 is the phenomenal growth of the institution, both in the number of its personnel – particularly in the field – as well as in its budget and financial expenditures. Although this growth commenced in 1970, from 1991 the growth became exponential. Thus, even if the comparison is not easy because of differences in accounting methods, expenditures for 1990 alone represent a total greater than for the entire decade 1970 to 1979.<sup>112</sup> The year 1991 marked another turning point because in that year the ICRC spent 160 per cent more than in the previous year. Since then, finances have reached levels never before achieved by the institution. During the last twenty years, annual spending has not dropped below 600 million Swiss francs. Moreover, since 2007,

108 The ICRC representatives in the field (delegations, regional delegations, and missions) went from around fifty in 1991 to more than eighty twenty years later, that is, an increase of nearly 60 per cent. This increase, however, should be put in perspective in view of the creation of new states starting in 1990, particularly the ruins of Yugoslavia and the former Soviet empire.

109 This estimation, which unfortunately is incomplete, is based on internal documents.

110 S. Delorenzi, above note 99, p. 46.

111 *Annual Report*, ICRC, Geneva, 1991, p. 97.

112 This calculation based on the annual ICRC reports from 1970 to 1979.

annual spending has been well over a billion francs. This surge, of course, has been accompanied by a considerable and constant increase in ICRC activities and, in turn, in the number of beneficiaries of its actions. As proof, just compare the size of the annual reports at both ends of this period (1991 and 2011) and note that the later one – which is about 500 pages – is twice as thick as the first.

However, this growth has had an impact on the institution itself, giving it a whole new look. From being a humanitarian organization, over the last decade the ICRC has become, although it is still difficult to admit this, a humanitarian *enterprise*.<sup>113</sup> While, of course, its aims differ categorically from that of for-profit companies, the ICRC has adopted certain attributes that formerly existed in the private sector only, for example, its language or terminology. This is not a trivial point because it shows a change of attitude. It is striking to note the recurring use in recent years, in the general vocabulary of the institution, of terms that come directly from marketing (target populations), from the economy (efficiency, result-based management) or from trade (strategic anchor). In the public communications of the institution one can see the particular importance attached to quantifiable results, often to the nearest unit. This is clearly evident in recent ICRC activity reports, where indicators, statistics, and figures play an ever more important role. In the 2001 Annual Report, in the chapter about the activities carried out by the ICRC regional delegation in Nairobi,<sup>114</sup> statistical tables occupy almost a third of this chapter and the text has, in turn, forty-six statistical references. Also in this annual report, the purely financial section has seventy-two pages of tables (pp. 423–495 of the French edition, or 14 per cent of the entire document), which is almost the same number of pages as those on all the ICRC activities for the previous year (pp. 6–76), excluding operations. Certainly, the institution has the duty of justification (accountability) to those who finance it, which obliges it to have very detailed reports on its work, and the duty to constantly adapt its analytical tools, which explains the introduction in 1999 of cost-accounting methods alongside traditional accounting. Today, everything seems to happen as if, through the extensive use made of figures without any accounting framework, numerical data alone can summarize the extent of humanitarian needs and the response that the ICRC should apply through its work with victims of armed violence.

The entrepreneurial nature of the institution is also reflected in its Directorate. Having once again become a decision-making body in its own right since 1998, it not only has control over the daily administration of the ICRC, but it has also taken an increasing role over the years in defining the strategies and guidelines of the institution. By itself it embodies the will to ‘optimize’ (another

113 The usual definition of an enterprise is: ‘The enterprise is a term that refers to a combination of human, material, intangible (services) and financial resources, combined in an organized manner to achieve for-profit or non-profit aims, and most often involves the supply of goods or services to a more or less open group of customers or users in a more or less competitive environment.’ Ignoring the ‘for-profit’ character of the enterprise and replacing the terms ‘clients’ and ‘users’ by ‘beneficiaries of humanitarian action’, this definition covers the mandate of the ICRC as it is today, including the idea of competition with other humanitarian organizations. See <http://fr.wikipedia.org/wiki/Entreprise> (last visited 16 August 2012); for the English, see <http://en.wikipedia.org/wiki/Business>

114 Chosen at random from the *Annual Report*, ICRC, Geneva, 2011, pp. 186–191.

economic concept) ICRC functioning.<sup>115</sup> Calling for staff from the private sector, sometimes without previous professional experience in humanitarian or social action but highly qualified for important administrative functions within the institution, is also part of this policy of searching for efficiency, as are the (many) bodies/ad hoc programmes developed for the planning and monitoring of activities and projects. The overall policy aims to, as indicated by the credo of the institution, obtain first-order results (result-based management). Projecting into the future, as well as developing a vision and a strategy to achieve projected aims and results, are also main characteristics of entrepreneurship.<sup>116</sup>

Moreover, by its desire to be present globally while keeping its main decision-making centre in Geneva, but also through the 'relocation' of some of its services abroad for financial reasons, the ICRC corresponds, in a sense, to the common definition<sup>117</sup> of the multinational, although, again, its fundamental objective differs radically from that of multinational firms. This phenomenon is accentuated by the internationalization of the institution, which (since 1990<sup>118</sup>) has more expatriates than it has staff in its headquarters, but also by the fact that the proportion of foreign staff<sup>119</sup> over the last ten years has been significantly greater than the number of Swiss employees.

These changes, however, are not unique to the ICRC, but mark a trend that can be found to varying degrees in the humanitarian world. This evolution highlights what appears to be a paradox: either economic primacy in an area of activity that in essence should be abstracted from economic rules and criteria, or we recognize that humanitarianism obeys – and perhaps always obeyed – the laws of the market, as it matches an offer (humanitarian needs and means) with a demand (third-party financing). However, in a sluggish macro-economic climate that has seen a series of crises since 2000, we can understand why the specific behaviour of market actors is also demonstrated – certainly unconsciously – by humanitarian organizations. This is a phenomenon further exacerbated by 'natural' competition between them, in a world in which financial resources are shrinking. If money is the sinews of war, it is also those of the humanitarians. The real question is how long the ICRC's growth can last.

## Conclusion

The question of how long the ICRC's growth can last was absent from the minds of its founders in 1863 when they chose to deal with victims of war. Their activity was in fact based on the (very) long term. Certainly, the ICRC immediately minimized the risks of a short existence by relying on 'goodwill' that was not going to disappear

115 'Optimize the ICRC's performance', *Annual Report*, ICRC, Geneva, 2011, p. 51.

116 See <http://fr.wikipedia.org/wiki/Entrepreneuriat> (last visited 20 July 2012); for the English, see <http://en.wikipedia.org/wiki/Entrepreneurship>

117 See Charles-Albert Michalet, *Le capitalisme mondial*, Presses Universitaires de France, Paris, 1998.

118 The locally hired staff are not taken into account here.

119 B. Troyon and D. Palmieri, above note 26, p. 110.

overnight. Moreover, by wanting its action to be to ‘humanize war’,<sup>120</sup> and not to try to abolish it, the five Geneva citizens also kept their future field of action ‘intact’, even to the point of attracting misunderstanding and criticism from pacifist circles.<sup>121</sup> However, this does not sufficiently explain the durability of the ICRC because other similar initiatives, some of which were even contemporaneous, were unsuccessful.<sup>122</sup> It was not enough to be interested, and to attract the interest of others, in war and the suffering it causes in order to aspire to continue through the centuries.

As is true throughout history, chance has certainly played a role in the longevity of the institution, especially in its early stages when it was only a tiny structure. Thus, the fact that General Dufour had previously established links with Louis-Napoleon Bonaparte (the future Napoleon III) when he was an exile in Switzerland was one of those fortuitous events that helped the ICRC – in which sat the same Dufour – when it came to requesting the support of France, then the most powerful state on the continent, for the organization of an international conference in 1864,<sup>123</sup> the prestige of which would also reflect on the Committee of Five. Over time, however, the role of chance diminished as the ICRC’s experience acquired over an ever-increasing number of years enabled it to meet the challenges.

The mention of General Dufour offers a second line of thought about the impact that great personalities had on the future of the institution. Without the tenacity and hard work of Gustave Moynier (first ‘real’ president),<sup>124</sup> the ICRC would have been, despite its title, a minor association vegetating in a provincial town. The fact that the institution emerged victorious from its fight against the League in the early twenties was largely due to the fighting spirit and the ability of Marguerite (Frick) Cramer and Gustave Ador. Under the leadership of Paul Ruegger, the ICRC coped with the combined attack of the Eastern bloc and the Swedish Red Cross after the Second World War. Conversely, some of the ‘great men’ risked all to destroy it, for example, William Rappard, who although a member of the Committee, defended the interests of the League, and Carl Jacob Burckhardt, with his ambiguous role in relation to Hitler’s Germany.<sup>125</sup>

Of course, external events were significant factors in ensuring the permanence of the institution. For example, without the First World War of 1914–1918 and its direct results, the ICRC might not have faced a baptism of fire

120 Dr Louis Appia, *Rapport sur ma mission au Schleswig* [Report on my mission to Schleswig], 1864, quoted by André Durand, *Histoire du Comité international de la Croix-Rouge, De Sarajevo à Hiroshima*, ICRC, Geneva, 1978, p. 160; for the English version see, *History of the International Committee of the Red Cross, From Sarajevo to Hiroshima*, ICRC, Geneva, 1984.

121 André Durand, ‘Gustave Moynier et les sociétés de la paix’, in *RICR*, No. 821, September–October 1996, p. 588.

122 For the example of Henri Arrault, see Véronique Harouel, *Genève-Paris, 1863–1918. Le droit humanitaire en construction*, Société Henry Dunant/CICR/Croix-Rouge Française, Geneva, 2003, pp. 105–110.

123 *Ibid.*, pp. 80 ff., Véronique Harouel even writes, concerning this event, of a ‘conference held under a “French protectorate”’.

124 Officially the first ICRC president was General Dufour (ICRC Archives, A PV, Minutes, Commission spéciale de la Société, 17 February 1863), but he only held office very briefly and his role was marginal.

125 Paul Stauffer, *Sechs furchtbare Jahr: Auf den Spuren Carl J. Burckhardts durch den Zweiten Weltkrieg*, NZZ Verl., Zurich, 1998.



and experienced the transformation from a small-scale 'artisanal' structure into a real international organization with transnational activities. Also, without the East-West confrontation the true value of its role as a neutral humanitarian actor in a divided world would not have been recognized.

The context within which the ICRC evolved also threatened its future. The reluctance of the French general staff (the French army was considered the best on the continent) to support Dunant's plans and the first negative reactions of the French representatives at the 1863 Conference could have been enough to bury the ICRC before it was established. But, paradoxically, the most serious threats came from the organization to which it was the most familiar because it had itself created it: the Red Cross. It was among its 'allies' that the institution finally found its most dangerous opponents – from the Russian Red Cross in the late nineteenth century to the Swedish National Society after 1945, as well as the creation of the League. All these 'enemies' from within attacked it on one point *sui generis* that, however, accounted for its strength vis-à-vis the exterior: the Swiss mono-nationality of the ICRC's members.

However, the institution's 150 years of activity are also largely (if not primarily) due to its unique specificity. Far from being a truism, this element is revealed through two main aspects.<sup>126</sup> First, the ICRC has long functioned as a homogeneous structure that, during its first sixty years, took the form of a Geneva family group. Opening up the institution's management to nearby (Swiss) foreigners in 1923 did little to change the organization's composition because the newcomers were selected on the basis of common political and social criteria for easy integration into the Committee. In the 1930s there was a similarly based selection of personnel engaged in the field, a choice made directly or indirectly by the highest authorities of the ICRC. This meant that its base as well as its head functioned in unison. While some<sup>127</sup> have described the operation of the ICRC as elitist – which it was – in fact, this allowed the institution to be successfully united in its aims in times of crisis.<sup>128</sup> In this case, the relatively small size of the institution,<sup>129</sup> which might be seen to be a handicap, proved to be an additional cohesive force, as did the criterion of the single Swiss nationality. This pattern continued, including from the late 1960s to the early 1970s, when the institution recruited a large staff for operations abroad and the Committee withdrew from the day-to-day management of the institution's activities, leaving it to the administration. But by this time there were entire 'flocks' of delegates with common experiences who ensured the homogeneity and identity of the institution as well as its still semi-familial character.<sup>130</sup> Elitism from the bottom was added to the elitism of the top.

126 The confidential way in which the ICRC acts could also, at least since the 1930's, explain the institution's permanency. Ironically, this confidentiality is what has been the most criticized by the outside world.

127 D. Fiscalini, above note 6.

128 However, this does not mean that the ICRC has not experienced internal dissensions that were often settled in a summary fashion (see the resignations of Rappard or of Sydney Brown, the ICRC General Secretary).

129 Before the 1980s, the ICRC was a relatively small organization. While its numbers increased significantly during important crises (world wars, Biafra, etc.) this was only for short periods.

130 This is illustrated by the delegates' use of nicknames: Doudou, Coco, etc.

Second is the innovative capacity of the ICRC and its employees. Indeed, it has often been through personal initiatives that the institution took up new fields of activity and occupied itself with new categories of victims who previously had not been part of its mandate. The precedent came from the top and members of the Committee were the first to open up new fields of humanitarian action, for example, Dr Frédéric Ferrière and his work in the civil section of the AIPG,<sup>131</sup> a section that he had built from scratch. This innovative capacity also occurred in the field of war where the ICRC delegates, confronted with the needs of victims, tried to alleviate their suffering. The best example took place in Hungary in 1919, where the delegate Rodolphe Haccius replied of his own accord to the invitation of the revolutionary authorities and visited political prisoners for the first time, outside any existing legal framework. This precedent was endorsed two years later, when the Tenth International Conference of the Red Cross recognized the ICRC's authority to intervene in civil wars or revolutionary disorder. Similarly, during the Second World War, delegates delivered 'travel certificates' on their own initiative to people (Yugoslav prisoners of war in Italy, the Jewish population in Romania, etc.) to facilitate their return to their homes or their emigration. Taken up at an institutional level after the war, these activities gave rise to the creation of the ICRC travel documents that are still in force today.<sup>132</sup> Long a constant in ICRC history, the humanitarian gesture has always preceded its codification. These 'advanced actions' were favoured both by external events – which required an immediate response from the delegates, and without time to refer to Geneva<sup>133</sup> – as well as by the ICRC's rudimentary hierarchical structure which gave a greater liberty of action and initiative to its personnel, even if they were subsequently repudiated once the headquarters became aware of them!

Has this very particular dual functioning not ultimately been the explanation of how the ICRC has been able to overcome numerous crises throughout the 150 years of its history? Should not the organization also question itself about its own future when its size, composition, management, its ever more closely supervised working methods,<sup>134</sup> and the very way in which it sees and presents itself represent an unprecedented rupture with its past?

131 Jessica Pillonel, *La Grande Guerre 1914–1918, un nouveau défi pour le CICR ? L'Agence internationale des prisonniers de guerre et son action en faveur des civils*, mémoire de Master, Faculté des Lettres, Université de Genève, 2012.

132 I. Herrmann and D. Palmieri, *Refugees on the Run*, above note 62.

133 This was made even worse by the geographic distances and by the slow and limited means of communications that existed at the time.

134 The counterpart to the higher level of professionalism at the ICRC.