

GYURCSÁN Judit¹:

The ICRC's operations in Hungary between 1956 and the 1960s

It is the role of the ICRC, in its capacity as a neutral institution, to take special action in time of war, civil war or internal disturbances, in order that the military and civilian victims of such conflicts, and their effects, may be given protection and assistance. The following is an account of the efforts made to this humanitarian end in the course of the Hungarian revolution. The aim of this study is to describe and to chronicle the action conducted by the International Committee of Red Cross (ICRC) during and after the revolution.

On the base of the division of Vonèche Cardia² I intend to describe the ICRC's activities in Hungary distinguishing between three separate periods:

- 1.) The ICRC's operations during the insurrection (27 October – 11 November 1956)
- 2.) The setting up and the installation of ICRC delegation in Vienna and Budapest (November 1956- June 1957)
- 3.) Delegates' Temporary Mission in Hungary (1958-1962)

The ICRC's operations during the insurrection (27 October – 11 November 1956)

Relief supplies: Airlift between Vienna and Budapest

Four days after the revolution began, on 27th of October 1956, the Hungarian Red Cross sent an appeal to the ICRC requesting blood plasma, blood transfusion equipment and bandages. After arrangements had been made with the Swiss authorities and the Swiss Red Cross the Committee chartered a plane with a crew of volunteers. The next day the aircraft loaded with relief supplies and bearing the red cross emblem, with a delegate of the ICRC on board, left Kloten for Vienna. From Vienna to Budapest two Hungarian aircraft – also laded with supplies- were to escort the plane. On Monday, on 29th of October, the first ICRC consignments arrived in Budapest. The following days the ICRC airlift continued satisfactorily and on 30th of October the Hungarian Red Cross announced that it had already received 90

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² Vonèche Cardia, Hungarian October, Between Red Cross and Red Flag, The 1956 action of the International Committee of the Red Cross, 1999, p. XVII.

tons of blood plasma, dressing, medicaments, foodstuffs and blankets for which it was very grateful³.

The delegates of the ICRC made several journeys by air between Vienna and Budapest to accompany relief consignments. Thanks to the visits of the wounded of the conflict the ICRC endeavoured to expand the actions.

On 31 October on its sixth flight, the ICRC aircraft was obliged to turn back, when on its way to Budapest, as permission to land had not been given. From that time onwards the Budapest airport could no longer be used. The airplane remained in Vienna in case the sending of supplies might again be made possible, but the route was no longer open. On 3rd of November the ICRC finally decided to send back the aircraft to Switzerland.

Protection of victims and delegates

When the Hungary's airports were closed by Soviet troops, the ICRC immediately encouraged its delegates in Hungary by regularly broadcasting the following appeal on its own wavelength⁴:

„At a time when the International Committee of the Red Cross, in conjunction with the principal National Red Cross Societies, is endeavouring to give Hungary, so sorely tried, the charitable aid the country requires, it wishes to recall several fundamental principles contained in the Geneva Conventions by which all peoples are bound.

(1) All those who take no part in the fighting must be respected. The taking of hostages, in particular, is forbidden.

(2) It is prohibited to kill or wound an enemy who gives himself up. Prisoners must be treated humanely. In no case can any sentence be passed on them without previous judgement pronounced by a regularly constituted court.

(3) The wounded and sick shall be collected and cared for without discrimination. The ICRC appeals to all concerned for the principles of these Conventions, which Hungary ratified in 1954, to be strictly respected.”

Before broadcasting this text there was no consent on the necessity of the appeal. The Executive Director of the ICRC, Robert Gallopin, consulted the delegates in Hungary to see if the Committee ought to issue a formal appeal to the belligerent forces to respect the rules of humanity embodied in the Geneva Conventions. René Bovey, in Budapest, felt it was not worth the trouble in the current situation. Herbert-Georges Beckh believed an appeal was requiring⁵.

The ICRC also sent a memorandum to the Hungarian and Soviet authorities, asking them to grant its delegates in Hungary every facility in their humanitarian work. „In taking these steps,

³ ICRC, Annual Report 1956, p.6.

⁴ Perret, ICRC operations in Hungary and in the Middle East in 1956, International Review of the Red Cross No 313, p.414.

⁵ Vonèche Cardia, op.cit. p. 26.

the ICRC expressed no opinion as to the status of the conflict in legal terms, its main concern being to protect and assist the victims insofar as it could and was allowed to do so.”⁶

Beside the appeals and telegrams, the ICRC headquarters did not undertake any other measures focusing in protection, leaving that area of activity to its delegates⁷.

Agreement between the ICRC and the League

The ICRC, working together with the League of Red Cross Societies, decided that an agreement was needed to demarcate their respective responsibilities. On November 2 the agreement was concluded. It specified that the international relief action in Hungary would be carried out by the ICRC, while the League would assemble and sort, in Vienna, the relief consignments received from National Red Cross Societies on behalf of the Hungarian people. In addition, the agreement provided that the Austrian Red Cross would be responsible for assisting refugees.

ICRC appeal for a truce

The borders were closed when Soviet tanks intervened for the second time. As a result, the ICRC convoys were no longer authorized to pass and the ICRC had no news of its delegates.

The situation having become serious, on November 4, the Hungarian Red Cross appealed to the ICRC during the last telephone calls from Budapest to intervene in order that the provisions of the Geneva Convention for the protection of civilians should be applied during the fighting which was then going on in the capital.

The ICRC immediately launched a father appeal to the Hungarian and the Soviet authorities. At the same time it broadcasted a message to the responsible leaders and combatants in Budapest, asking for the conclusion of an armistice to enable the wounded of recent combats to be collected and cared for. This message was sent out by the ICRC in accordance with the provisions of Article 15 of the first of the four Geneva Conventions of 1949.

Below is the appeal:

„The International Committee of the Red Cross makes a solemn appeal to commanders and combatants in Hungary: The International Committee of the Red Cross is informed that combats are still raging in Budapest, and that numerous wounded have not yet been collected and cared for. It makes an urgent appeal to commanders and combatants to call a truce by mutual agreement in order that the wounded may be collected and evacuated.

⁶ ICRC report on the relief action in Hungary, p. 7. Internal note by Jean-Pierre Maunoir, dated 19 September 1956 - ICRC Archives, file No. 200 (65), in: Perret p. 415.

⁷ Vonèche Cardia, op.cit. p. 27.

*The present appeal is made by the ICRC in accordance with the provisions of Article 15 of the Fourth Geneva Convention.*⁸

„The course of the relief action was thus closely linked to the political events that were rocking country. The Hungarian and Soviet authorities accepted the ICRC's presence except at crucial moments of the uprising and the repression that followed it.”⁹

Operations from Vienna: the forwarding of relief supplies

After the fall of Budapest and the occupation of airports the prompt action was more and more necessary and the ICRC's delegates had to find an alternative overland solution in a short time.

On 6th of November the President of the ICRC also appealed to the President of the Alliance of Red Cross and Red Crescent Societies of the USSR. Recalling the principles of the ICRC the President stressed on the need for the consignments to be dispatched and distributed at the earliest moment. The President underlined that land convoys were being prepared in Vienna to take the road to Hungary.

On 8th of November the preparations were completed. The ICRC's units and its delegates had very adventurous days. The convoy arrived at the Hungarian frontier on 8th of November, but they were held there for 3 days. They had the permission to cross the frontier only on 11th of November morning and the first ICRC relief convoy penetrated into Hungarian territory at 11.00 am. and continued its way to Budapest.

From that time onwards, all convoys under the ICRC's responsibility were allowed to enter Hungary, relief supplies were also shipped by the Danube.

Between November 9, when the first column was dispatched, and 4th of December, sixteen journeys were made to and fro between Vienna and Budapest, enabling the transport of 570 tons of relief supplies; 1057 tons of flour were sent by river. By 31st of December over 6300 tons of sundry relief supplies had been handed over to the ICRC delegates in Budapest, who supervised their distribution by the Hungarian Red Cross¹⁰.

During the first phase of its actions the ICRC intervened almost simultaneously in several spheres. It organized the dispatch of aid, worked to protect victims of the conflict, and dealt with requests for information concerning the refugees, all at the same time. The ICRC fulfilled its mandate, even though neither the Hungarian nor the Soviet authorities facilitated its task, and the Hungarian Red Cross, then in the process of reorganizing, was unable to provide the support needed¹¹.

⁸ Perret, op.cit. p. 415.

⁹ Vonèche Cardia, op.cit. p. 26.

¹⁰ Annual Report, 1956, p. 17.

¹¹ Vonèche Cardia, op.cit. p. 29.

The Installation of the ICRC in Vienna and Budapest (November 1956- June 1957)

Agreement between the ICRC and the Hungarian Red Cross

At the beginning of the second phase of the relief action, the ICRC gave to its Executive Director, Roger Gallopin the task of making contact in Austria with the new leaders of the Hungarian Red Cross.

On 16th of November 1956, the ICRC and the Hungarian Red Cross finally signed an agreement, which was ratified the very same day by the Hungarian Minister, by authority of the Hungarian government.

The terms of the agreement were as follows:

(1) The International Committee of the Red Cross assumes the control of the distribution in Hungary of relief supplies for the Hungarian population which have been or which will be entrusted to it by national Red Cross Societies, either directly or through the intermediary of the League of Red Cross Societies.

*(2) The International Committee of the Red Cross will also assume the control of the distribution of donations made on behalf of the Hungarian population which have been or which will be entrusted to it either directly or through the intermediary of the Secretary-General of the United Nations organization acting in agreement with the
Hungarian
Government.*

(3) The distribution of these supplies through the neutral intermediary of the International Committee of the Red Cross shall be carried out in accord with the fundamental principles governing its action, that is to say, strict impartiality and without any discrimination whatsoever other than that of the needs of the persons to be assisted.

(4) Towards this end the International Committee of the Red Cross shall, in agreement with the Hungarian Red Cross, draw up various programs for assistance which shall be carried out progressively according to the urgency of the needs to be met and function of the available supplies. As an example, it has already been foreseen that assistance should in the first place be given to the sick, the wounded of all kinds, infants, expectant mothers, the aged and the infirm.

(5) All facilities shall be given to the International Committee of the Red Cross in order to enable it to set up a delegation in Hungary immediately, which shall include the following personnel required in order to:

(a) draw up, in agreement with the Hungarian Red Cross, the programs for assistance mentioned above,

(b) assure the protection and the management of the warehouses which the International Committee of the Red Cross will set up in the principal distribution centres,

(c) assure the transportation of supplies to or from these warehouses,

(d) assist in the actual distribution of supplies and in reporting back to the International Committee of the Red Cross in Geneva on these distributions for the information of donors.

This personnel, mainly consisting of Swiss citizens, shall be placed under the orders of a Delegate-in-Chief, with Headquarters in Budapest, who will be acting in close liaison with the representatives designated by the Hungarian Red Cross for this purpose.

(6) In order to allow the efficient execution of the strictly humanitarian action of the International Committee of the Red Cross, the Hungarian Red Cross and the Hungarian Government shall see that in the exercise of its functions, the Delegation of the International Committee of the Red Cross in Hungary receives all aid and protection from all authorities civil or military.

(7) The general dispositions of the present agreement shall be completed by a technical plan of operations drawn up in agreement between the representatives of the Hungarian Red Cross and the Delegate-in-Chief of the International Committee of the Red Cross in Budapest.

(8) The sole object of the present agreement being the distribution of relief supplies to the Hungarian population it cannot be interpreted as restricting the other humanitarian activities which the International Committee of the Red Cross may be called upon to exercise in Hungary in conformity with the statutes of the International Red Cross or the provisions of the Geneva Conventions.

Following the signing of the agreement, the ICRC dispatched another delegate to Budapest, who was specially entrusted with the task of drawing up plans for the most urgent needed assistance, in cooperation with the Hungarian Red Cross. He was also asked to prepare a list of requirements in Budapest and the provinces¹².

In June 1957 the body of the professors heading the Hungarian Red Cross was dissolved and replaced by government appointees.

The ICRC sent additional delegates to back up its staff in Vienna, where relief supplies were arriving without any prior coordination, thus causing considerable confusion¹³.

The plan for supplying foodstuffs to Hungary

On the basis of the agreements the ICRC drew up a food programme. This favoured 175.000 children under 6 years of age among whom powdered milk and cod-liver oil were distributed, as well as children from 6 to 16 years of age were provided a daily hot meal. The third part of the programme concerned gift parcels to persons in distress.

¹² Perret, op.cit. p. 417.

¹³ Minutes of the ICRC Presidential Council's meeting of 22 November 1956, ICRC Archives.

Assistance to Refugees

The ICRC's function with respect to refugees was to collect and convey news between refugees and their relatives, and to reunite families that have been separated. To help the refugees the ICRC took various measures. For example, it began to broadcast over Radio-Intercroixrouge the names of people seeking news of their families. It then set up a central card index for Hungary, which was operational from the beginning of 1957.

The assistance to refugees was the concern, firstly of the Austrian Government, assisted by the United Nations High Commissioner for Refugees and the Inter Governmental Committee for European Migration, and, secondly, of the Austrian Red Cross, supported by the Red Cross movement through the world.

The ICRC's relationship with the United Nations

The agreement between the ICRC and the Hungarian Red Cross mentioned the possibility of assuming the control of the distribution of relief supplies entrusted to the International Committee through the Secretary-General of the United Nations¹⁴.

On December 4, 1956 the Deputy Director of the European Office of the United Nations sent a letter to the President of the ICRC. The director asked the ICRC to co-operate with the United Nations in his humanitarian programme. The letter contained the conditions under which the collaboration could be realised. On the same day ICRC answered to the Secretary-General, Dag Hammarskjöld accepting to take responsibility for the relief supplied by the United Nations as well.

After the correspondence between the two international organisations the President of the ICRC concluded an agreement with the United Nations on 4th of December 1956, whereby the ICRC assumed responsibility for the distribution in Hungary of relief given by the United Nations to the people of that county in accordance with the resolution of the General Assembly meeting November 9.

The agreement read as follows:

(1) The Committee, at the request of the Secretary-General, agrees to use any funds as may be transferred to it by the United Nations for the exclusive purpose of providing immediate aid to the population of Hungary, in particular by furnishing medical supplies, foodstuffs and clothing. The responsibility assumed by the Committee in this respect will commence upon receipt of any such funds and will terminate after the distribution of relief supplies to the Hungarian population or, in the event of cessation of the programme, upon return to the United Nations of any unused portion of such funds or of supplies purchased with such funds.

(2) The Committee will undertake responsibility for the distribution of such supplies as may be furnished by the United Nations. The Committee may indicate to the United Nations the types of relief goods regarded as most appropriate for the purpose of the programme.

¹⁴ see paragraph (2)

(3) *In accordance with the principles of the Red Cross and in the spirit of the Geneva Conventions, the Committee will distribute relief under this programme without discrimination and on the basis of need alone.*

(4) *While making every effort to carry out this programme as rapidly as possible, the Committee will retain responsibility for the schedule (French "cadence") of distribution of relief supplies. In the event of difficulties or obstacles arising in the execution of the programme, the Committee will, if necessary, report to the United Nations but it will be solely responsible for taking appropriate measures.*

(5) *The Committee will supply all organizational, supervisory and technical personnel, services and equipment required for the operation of the programme.*

(6) *The United Nations will defray such administrative and operational costs of the Committee attributable to the performance of the United Nations relief programme as may be agreed between the United Nations and the Committee.*

(7) *The Committee will be the sole agency to carry out the relief programme on behalf of the United Nations with the contributions made pursuant to resolution 399 adopted by the General Assembly at the Second Emergency Special Session on 9 November 1956. This shall not be construed to limit the right of other United Nations agencies to carry out assistance programmes in accordance with their terms of reference and in agreement with the Hungarian authorities.*

(8) *The United Nations recognizes the Committee as an independent and autonomous organization which undertakes to perform the services envisaged in this agreement. The performance of such services will not in any way place the Committee in a subordinate position towards the United Nations, and the Committee will not be required to carry out any other task than those set forth in this agreement.*

(9) *The Committee will submit to the Secretary-General monthly operational reports and financial reports of costs incurred in the performance of its responsibilities under this agreement.*

(10) *The United Nations and the Committee will act in close collaboration in regard to the planning and the implementation of the programme. In particular, the Committee will extend full co-operation to any representative who may be sent to Hungary by the Secretary-General in connection with the programme.*

(11) *Nothing contained in this agreement will affect any of the other activities which the Committee already is carrying out or may carry out in Hungary in the performance of its traditional role.*

(12) *This Agreement may be terminated by either party on one week's notice subject, if possible, to prior consultation. The termination of this Agreement will not affect the responsibilities of either party under the Agreement with respect to the completion of the distribution of supplies still outstanding at the date of termination.*

Rutishauser, the National Councillor, was appointed as the General-Delegate for the relief action in Hungary. Under his leadership the delegation continued to pursue the relief programme in 1957.

Delegates' Temporary Mission in Hungary (1958 – 1962)

After closing its delegation in Vienna and Budapest at the end of June 1957, the ICRC wanted to continue its activities in aid of Hungary. Accordingly, in early 1958 it began to send delegates to the country on temporary missions. The mission maintained in Hungary was composed of five members, under the direction of Mr. E. Fischer. To attend to winding-up of the relief action an agreement for this purpose was concluded on June 27, 1957 between the Ministry of Public Health, the Hungarian Red Cross and the ICRC. The time limit for the operations was prolonged more times¹⁵.

This period, the Hungarian Red Cross that, since November 1956, had been presided over by five professors of the Faculty of Medicine, had been reorganized.

Assistance

The ICRC prolonged its relief action not only for the purpose of assisting the victims of the conflict, but also- and especially- to maintain a presence in Hungary. It hoped that it might thus gain the opportunity to perform its traditional function¹⁶. The ICRC expected that if maintained contact with the Hungarian authorities it might manage to persuade them to authorize visits to political detainees. To keep this foothold in Hungary, then, it continued its relief activities in three spheres: the winding-up of the relief action, the construction of a prosthesis factory, and new material relief programmes¹⁷.

Protection

Simultaneously with its relief action, the ICRC exercised its protective function. It sought to render assistance to political detainees, for whom it made every effort, then to medical personnel, and finally to persons who had been convicted and faced execution.

The ICRC asked several times the Hungarian government if the delegation could visit the detainees but it had not obtain permission. The Hungarian Red Cross had the opportunity to visit the Vac and Kalocsa prisons, and reported that the treatment of female detainees in Kalocsa prison was perfectly satisfactory. The ICRC repeated its request in 1963 in vain. In 1964 the ICRC finally received permission to visit a prison. The ICRC never managed to see a single person who had been arrested for his or her participation in events of 1956. This can be considered a real failure from the ICRC point of view¹⁸.

Family reunification

The ICRC did not become involved in the problem of family reunification on its initiative, but at the request of the governments involved, primarily the Hungarian government. In 1956, Hungary asked the ICRC to take steps to promote the repatriation of all minor children who

¹⁵ Annual Report 1957, ICRC, p. 13.

¹⁶ Vonèche Cardia, op.cit. p. 59.

¹⁷ Vonèche Cardia, op.cit. p. 59.

¹⁸ Vonèche Cardia, op.cit. p. 67.

had taken refuge abroad. During the last phase of its action, the ICRC was still working on the problem, but without much success. The Hungarian Red Cross disregarded the question of emigration and gave priority to repatriation.

In November 1957 the opposition between the ICRC and the Hungarian government was brought before the XIXth International Conference of the Red Cross in New Delhi. The Resolution XX urged all National Societies and governments to "*intensify their efforts ... and to facilitate by every means the reunion of persons, both adults and children, with their families in accordance with the wishes of such persons, and in case of minor children in accordance with the wishes of the recognized head of the family no matter where domiciled*"¹⁹.

No global solution was found during 1959. The High Commission for Refugees asserted that certain repatriated refugees had been arrested and prosecuted.

Between 1960 and 1962 the ICRC handled several cases of family reunification, but no general measures could be applied. Instead, it solved individual problems case-by-case basis in response to requests from the High Commissioner for Refugees or the people involved.

In short, the ICRC never managed to achieve a general agreement governing family reunification, and its role as an intermediary between Hungary and the countries of asylum was useful only in a few isolated cases. This represented an other failure for the ICRC in the protection sphere²⁰.

The problem of the applicability of the Geneva Conventions to the Hungarian conflict

The ICRC is able to intervene in Hungary by virtue of the Geneva Conventions of 1949. The Conventions were ratified by Hungary on 3 August 1954 and by the USSR on 10 May 1954.

The four Conventions are applicable only during international armed conflicts. Only article 3 common to the Conventions is properly applicable to non-international conflicts. It has a fairly wide scope²¹.

The ICRC must face the problem of determining the nature of the conflict.

The ICRC states that in certain aspects the events in Hungary present the characteristics of an international conflict between two Parties – the USSR and Hungary- bounded by the Geneva Conventions of 1949.

¹⁹ Annual Report, 1957, p. 44.

²⁰ Vonèche Cardia, op.cit. p. 72.

²¹ Vonèche Cardia, op.cit. p. 85.

This was the justification for the ICRC's request in telegram of 4th of November to the Governments of these two countries concerning the practical application of these Conventions:

„Given current events Hungary and in accordance with its traditional mission International Committee Red Cross asks your Government practical application four Geneva Conventions 1949 for protection wounded war prisoners and non-combatants ratified by 58 States including USSR and Hungary stop International Committee ready assume tasks provided for it by these Geneva Conventions and offers its help for any humanitarian action considered useful stop...”²²

The Governments of Budapest and Moscow didn't respond to this request.

In numerous many other aspects the hostilities in Hungary called for the application of Article 3 of the Geneva Conventions, an article that is valid for non-international conflicts. In the appeal broadcasted to Hungary by radio on 31st of October 1956, the ICRC referred merely to certain fundamental principles of the Geneva Conventions, principles that in the main corresponded to those laid down in the aforementioned Article 3.

„In light of all this and the necessity of basing the Committee's action on the principles giving it the greatest chance of effectiveness, the Division of General Affairs considers that the measures to be undertaken with respect to participants in the fighting who have fallen in to the hands of the adversary in Hungary must be based above all on Article 3 of the Geneva Conventions. It is understood, however, that the guarantees provided by that article must be considered as a minimum in the case of Hungary. We must underline, moreover, that this acknowledgement of Article 3 as the most appropriate legal basis for action must in no way be considered to constitute an exact legal definition of the conflict in Hungary; such a definition is not currently necessary for humanitarian action.”²³

Article 3, which is common to all four Conventions, is one of their most important articles. It marks a new step forward in the unceasing development of the idea on which the Red Cross is based, and in the embodiment of that idea in the form of international obligations²⁴. To borrow the phrase of one of the delegates, the article 3 is like a „Convention in miniature”.

„Art. 3. In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

²² Vonèche Cardia, op.cit. Annex VIII.

²³ R.J. Wilhelm, Dossier Note, 12 November 1956.

²⁴ Commentary I Geneva Convention, International Committee of the Red Cross, 1952, p. 38.

(b) taking of hostages;
(c) outrages upon personal dignity, in particular humiliating and degrading treatment;
(d) the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.
An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict”.

The valuation of the ICRC activity

The events and facts described in this study show that the ICRC played a key diplomatic role. Of all the world organizations – including the United Nations- only the ICRC was authorized to intervene in Hungary following the events of 1956²⁵.

It was successful in the provision of material aid, but its possibilities were essentially limited in sphere of protection. At the same time, we have to mention the weaknesses that marred the operational strategy adopted by the organization's base in Geneva.

One of the major dilemmas of the ICRC was the determination of the nature of the conflict. As noted, the Hungarian affair bore some of the hallmarks of an international conflict, but “the hostilities in Hungary called rather for the application of Article 3 of the Geneva Conventions, an article that is valid for non-international conflicts”. In fact, the ICRC considered that the implementation of this article would serve to guarantee that a certain minimum of humanitarian principles was respected, making an exact legal definition of the conflict unnecessary for the time being but keeping such an option open for future²⁶.

²⁵ Vonèche Cardia, op.cit. p. 2.

²⁶ Vonèche Cardia, op.cit. p. XIII.

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