



Canadian
Red Cross

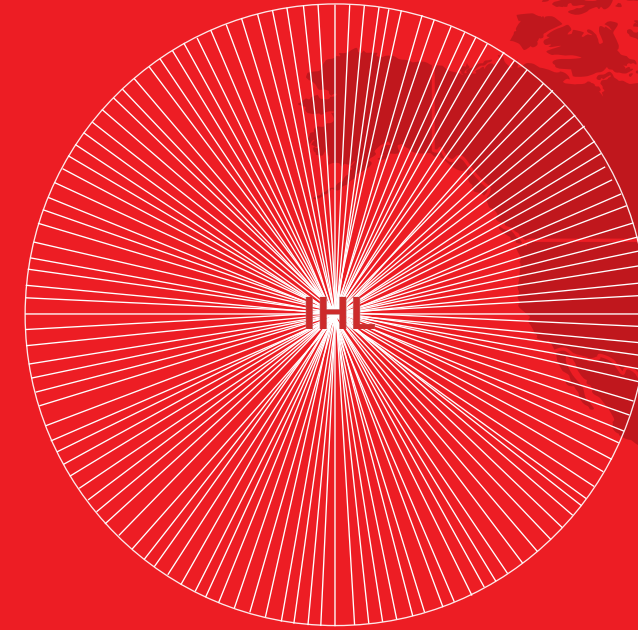
Croix-Rouge
canadienne



Canadian
Red Cross

Croix-Rouge
canadienne

25 / 26



A Guide for Parliamentarians

International Humanitarian Law





INTRODUCTION

In the midst of armed conflict worldwide, which results in devastating human suffering, minimizing harm is a priority for the Red Cross and Red Crescent Movement. Providing rules and expectations to those who engage in the fighting, there exists a universally applicable set of rules binding on all parties to armed conflicts. These rules are found in International Humanitarian Law (IHL).

The Canadian Red Cross assumes a pivotal role in working with the Canadian government in fulfilling various obligations under IHL. The Canadian Red Cross is responsible for disseminating and assisting the Canadian government in its dissemination of IHL. The CRC is also responsible for cooperating with the Canadian government to ensure respect for IHL and to protect the distinctive emblems recognized under the Geneva Conventions and their Additional Protocols. The objective of this guide is to provide government officials with a comprehensive understanding of IHL and the Canadian Red Cross, fostering collaboration towards our shared goal of ensuring respect for IHL.



IHL | A GUIDE

Table of Contents

Goal of the Guide	2
Canadian legal obligations to IHL	4
What is the Movement and how is it organized?	6
7 Principles of the Movement	7
3 Components of the Movement	8
International Committee of the Red Cross ICRC	9
International Federation of Red Cross and Red Crescent Societies IFRC	10
191 Member Red Cross and Red Crescent Societies National Societies	11
Restoring Family Links	12
Syria/Türkiye Earthquake Response	16
What is International Humanitarian Law (IHL)?	18
What are the 4 Geneva Conventions?	19
What is the Canadian Red Cross?	20
Canadian Red Cross International Humanitarian Law Education in Canada	26
How can the Canadian Red Cross and Parliamentarians support one another?	28

Goal of the Guide

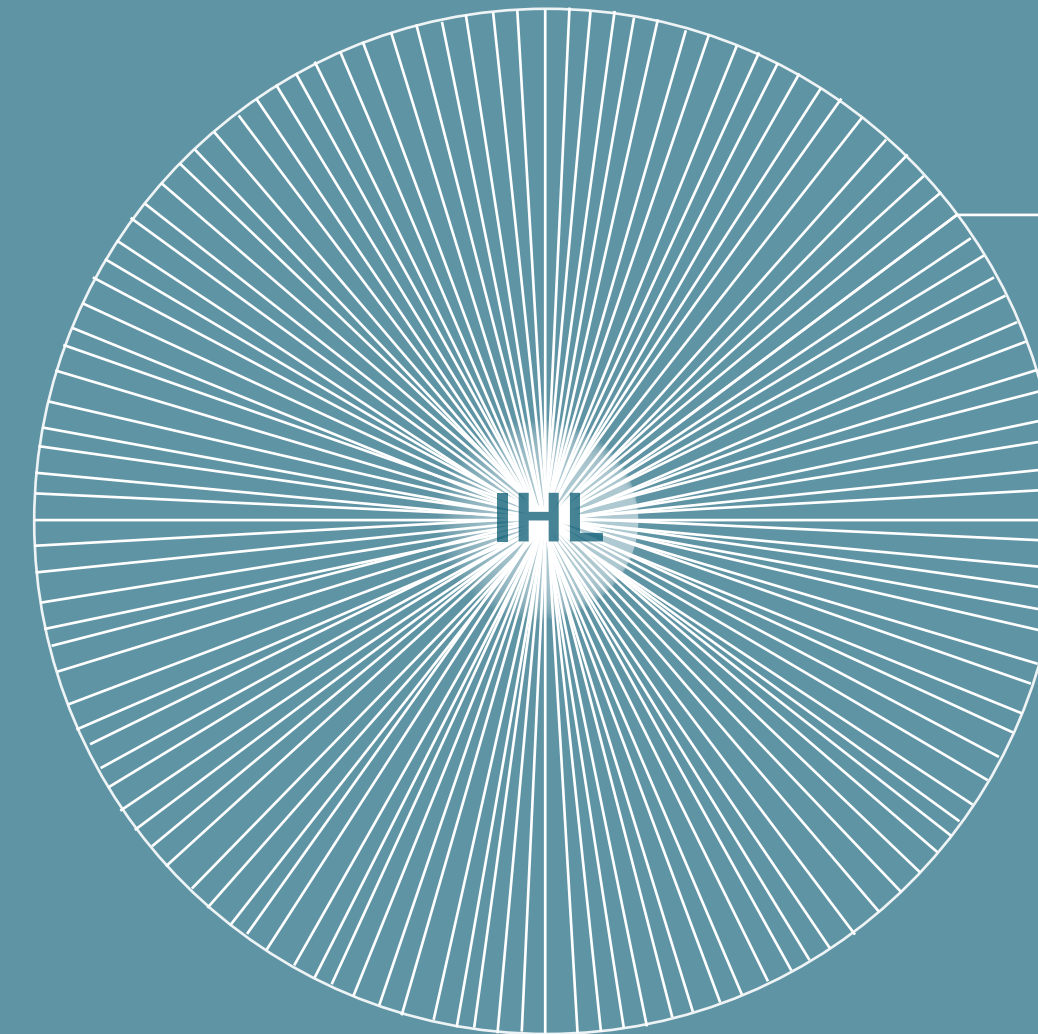
This guidebook aims to familiarize Parliamentarians with the International Red Cross and Red Crescent Movement (the Movement), particularly the role of 191 Red Cross and Red Crescent National Societies (National Societies), including the Canadian Red Cross, and their work in relation to IHL.

The Canadian Red Cross (CRC) is a competent, strong, and active National Society that can do much to assist government and public authorities on all levels in the humanitarian field, including in complex contexts.

Several characteristics that are unique to the Canadian Red Cross distinguish us from other non-government organizations (NGOs), the United Nations (UN), and Civil Society Organizations (CSOs). The area of IHL engagement and dissemination is one of those unique characteristics.

The Canadian Red Cross, along with the International Committee of the Red Cross, have unique core mandates to focus on IHL dissemination and work with the government to ensure respect of IHL.

This guidebook provides information and understanding to build on the significant and valuable relationship between Canadian Parliamentarians and the Canadian Red Cross.



Canadian Red Cross

1 of 191

National Red Cross and Red Crescent Societies (National Societies)

CORE RESPONSIBILITY

International Humanitarian Law

Canadian legal obligations under IHL

States are obligated to teach IHL to their armed forces and to the public, as well as to enact laws to integrate these rules in their domestic law and policy. Canada has ratified many IHL conventions, and has committed to harmonising its domestic laws with the provisions contained in these treaties.

People who commit war crimes or grave breaches of IHL can be tried and punished under Canadian criminal law. The Canadian Armed Forces (CAF) receive training on IHL so that they know the rules and can follow them. The CAF military justice system is also able to address any violations of IHL committed by those subject to the CAF military justice system.

The Canadian Red Cross contributes to the dissemination of the rules of IHL to the armed forces and the public among other stakeholders.

IHL covers a broad range of obligations. Implementation of IHL requires coordination and support from many government departments, Parliament and the Senate. Some states have created inter-ministerial working groups to help the government implement and spread knowledge of international humanitarian law. Canada established The Canadian National Committee for Humanitarian Law in March of 1998 whose mandate is to facilitate the implementation of IHL in Canada, including the 1949 Geneva Conventions and the 1977 Additional Protocols.



ROLE FOR CANADA

“Canada can be a leader in encouraging other countries to respect IHL. Canada was a leader with the Convention on landmines, which could be applied to other areas of IHL. Canada has a good reputation and is listened to in the world; it should use this “aura” to influence and promote respect for IHL”

(Participant at Laval University training. Translated and paraphrased from French)

What is the Movement and how is it organized?

The Red Cross and Red Crescent Movement is the world's largest humanitarian network. Neutral and impartial, it endeavours to prevent and alleviate human suffering – particularly during disasters and conflicts. The Movement is made up of committed volunteers, supporters and staff spanning almost every country and territory in the world.

The Movement has no central authority; each independent organization as listed below has its own legal identity, status, structure and role.

Every four years, all components of the Movement meet with representatives of the 196 States party to the 1949 Geneva Conventions at the International Conference of the Red Cross and Red Crescent. This Conference is the Movement's highest deliberative body and offers an opportunity to examine cross-cutting priorities and challenges.

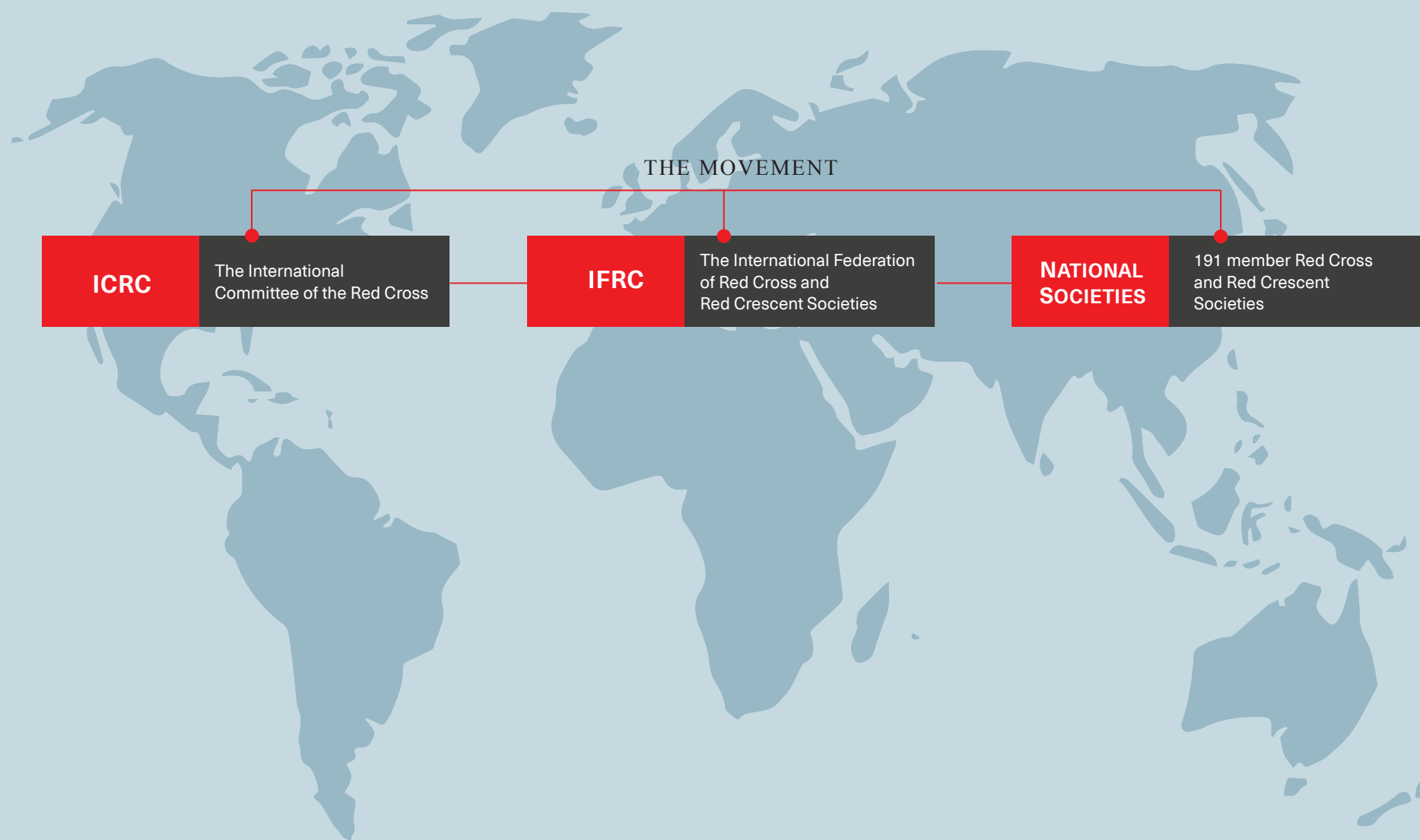
Through the International Conferences, significant commitments are made between the Movement and governments in the form of pledges and resolutions. These commitments build upon the obligations and responsibilities that both governments as well as members of the Movement have towards alleviating suffering.

The Movement as a whole is united by a mission to prevent and alleviate human suffering wherever it may be found, to protect life and health and ensure respect for human beings, and to promote mutual understanding, friendship, cooperation and lasting peace amongst all peoples. In order to do this, all of its components are guided by seven Fundamental Principles.

Fundamental Principles of the Movement



3 Components of The Movement



ICRC

The International Committee of the Red Cross

The International Committee of the Red Cross | ICRC

The **ICRC** is a Swiss-based impartial, neutral, and independent organization whose sole humanitarian mission is to protect the lives and dignity of victims of war and other situations of violence and to provide them with assistance.



One of its roles is to ensure the **protection of and assistance to victims of armed conflicts.**

When coordinated assistance is required from other **National Societies or countries, the ICRC will cooperate with the National Society of the country or countries concerned in accordance with Movement guidance.**

ICRC also promotes the importance of IHL and draws attention to universal humanitarian principles. Being formally recognized in the 1949 Geneva Conventions (GC), the ICRC, working for the faithful application of IHL in armed conflicts, is tasked by the State parties to undertake humanitarian activities such as disseminating IHL, visiting prisoners of war and ensuring the operation of the Central Tracing Agency.

The International Committee of the Red Cross (ICRC) has been given a specific mandate to act in the event of an armed conflict, including the right to offer its impartial humanitarian services.

ICRC works with National Societies, including the Canadian Red Cross to restore family links in Canada and elsewhere. Additionally, the ICRC works in collaboration with the Canadian Red Cross in dissemination of IHL and engaging with relevant stakeholders to ensure respect for IHL. As with other States parties to the 1949 GC, the ICRC also engages in bilateral confidential dialogue with the government of Canada to ensure compliance with IHL in its military operations.

The International Federation of Red Cross and Red Crescent Societies | IFRC

The **IFRC** is a global humanitarian organization aiming to inspire, encourage, facilitate, and promote at all times all forms of humanitarian activities by National Societies with a view to preventing and alleviating human suffering and contributing to the maintenance and promotion of human dignity and peace in the world.

Primarily working outside situations of armed conflict, the IFRC coordinates international assistance before, during, and after **natural and human-made disasters and health emergencies** to meet the needs and improve the lives of people in vulnerable contexts.

Its relief operations are combined with development work, including disaster preparedness programs, health and care activities, promoting humanitarian values.

IFRC also works to combat discrimination and violence, promote humanitarian principles and values, and assist migrants. Through its UN observer status, the international community acknowledges the IFRC as the representative of the interests of National Societies.



National Societies | 191 member Red Cross and Red Crescent Societies

Each **National Society** has a responsibility to help vulnerable people within its own borders, and to work in conjunction with the other components of the Movement to assist the victims of armed conflicts, disasters, and other emergencies.



A **National Society, such as the Canadian Red Cross, is not an NGO, as it plays a role as auxiliary to the Government in the humanitarian field** (see below section: *What is the Canadian Red Cross*).

Indeed, from its inception, a National Society has a unique relationship with its government and public authorities, so their specific activities vary from one national context to the next. National Societies were initially created to provide auxiliary medical support to their respective armed forces' medical services during times of armed conflict and are also recognized in the Geneva Conventions as impartial humanitarian organizations.

National Societies still have a mandate under IHL to serve in this role. They also undertake a range of protection and assistance activities for the benefit of the civilian population and members of the military out of action – both as an auxiliary to the public authorities in the humanitarian field and on their own initiative.

Each National Society supports its communities to become stronger and safer through development projects and humanitarian activities. National Societies also work in cooperation with affected communities, other Movement actors, governments, public authorities, donors, other humanitarian and civil society organizations, and the private sector to assist people experiencing vulnerabilities around the world, no matter who they are and no matter where they live.

National Societies have an obligation to work with their governments to ensure respect of international humanitarian law, to disseminate and assist their governments in disseminating IHL, and to take initiatives in this respect.

In addition, National Societies have the obligation to disseminate the principles and ideals of the Movement and to work with their governments to protect the distinctive emblems recognized by the Geneva Conventions and their Additional Protocols.

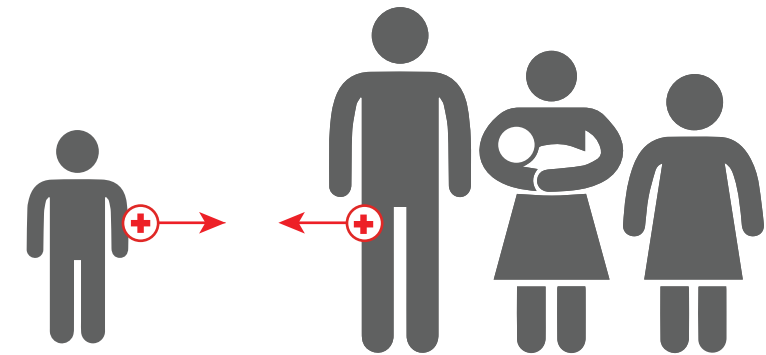
Restoring Family Links

The ICRC and National Red Cross and Red Crescent Societies work together around the world as the Family Links Network to locate people and put them back into contact with their relatives who have been separated as a result of violence or natural disasters.

This work, called Restoring Family Links (RFL), includes tracing family members, re-establishing and maintaining contact, reuniting families, and seeking to clarify the fate and whereabouts of those who remain missing.

The ICRC also aims to provide long-lasting, multidisciplinary, and sustainable support to families and communities forced to deal with the ambiguous loss of missing persons.

Years of displacement have separated thousands of families in Nigeria's northeastern state of Borno. For those who have returned to their homes of origin, the search for missing loved ones never stops. Along their displacement journey, volunteers from the Nigerian Red Cross Society (NRCS) and the ICRC are lending hands to numerous separated families yearning to be reunited.



The Democratic Republic of Congo (DRC), Roger Bimael, 17, who became separated from his family during the fighting in the DRC, is finally reunited with his loved ones.





CICR/Pawel Krzysiek

Rural Damascus, centre of Kessweh, Syria.

In 2017, children froze to death in Syria, Lebanon, and Jordan when a snowstorm, which lasted a week, hit the region. In 2018, around 8 million displaced people and families inside of Syria experienced a harsh winter. Most of them fled their homes with nothing but their clothes on their backs.

Families had to choose between bringing food to their children or keeping them warm; neither was affordable for most of them. People in Syria experienced very tough winters throughout the conflict.



CICR/Pawel Krzysiek

Kessweh, a small town 10km from Damascus, has seen a large influx of displaced people and families. When the conflict in Syria began, 25,000 people were displaced. In 2018, that number rose to 140,000 people and it keeps rising every year. Most displaced people and families live with host families in, rented flats, unfinished buildings, and schools. Many of them have been separated from their families and have been looking for a way to reach their loved ones. The ICRC, along with the National Society, are actively working to support them in tracing back their family members and establishing communication.



CICR/Pawel Krzysiek

Since the beginning of the conflict in Syria, the ICRC and the Syrian Arab Red Crescent have been working together to respond to the increasing needs of the most vulnerable people inside Syria. In 2018 and in the years that followed, the ICRC, with the Syrian Arab Red Crescent distributed warm clothing to over 300,000 children across the country.



Syria

Damascus

IHL | A GUIDE

Syria/Türkiye earthquake response

Damaging earthquakes and aftershocks struck Türkiye and Syria on February 6, 2023, affecting millions of people. The devastation caused buildings to collapse, high numbers of casualties and severe injuries, further disruption of healthcare services and forced evacuations.

The ICRC, the IFRC, alongside the Canadian Red Cross and other partner National Societies, supported the response in Türkiye and Syria. The Canadian Red Cross with the support of Global Affairs Canada was able to send 13 humanitarian experts and deployed more than 22 000 relief items, including family tents, tarpaulins, kitchen sets, and hygiene kits.

The IFRC coordinates international support between partner and host national societies. In the aftermath of the earthquake, 8 external National Societies were present, including the British, Canadian, Danish, French, German, Norwegian, Swedish, and Swiss Red Cross Societies alongside the ICRC.



Syria/Türkiye earthquake response

The Canadian Red Cross, working with Global Affairs Canada, was able to send:

 **22,000+** Relief Items
Family tents, tarpaulins, kitchen sets and hygiene kits

 **13** Humanitarian Experts On-Site



IHL | A GUIDE

What is International Humanitarian Law?

It is a set of rules which seek for humanitarian reasons, to limit the effects of armed conflict. Also known as the law of armed conflict, IHL's main purpose is to reduce suffering during times of armed conflict. It protects people who are not, or no longer participating in the hostilities and restricts the methods and means of warfare.

All parties to an armed conflict- whether States or non-state armed groups- are bound by IHL.

IHL does not address whether the beginning of the armed conflict is legal or not, but rather seeks to regulate the behaviour of combatants once the fighting has started.

The rules of IHL strike a careful balance between humanitarian concerns and the military considerations of states and non-state parties to armed conflict.

International Humanitarian Law protects a range of people and objects during war. IHL protects people who are not taking part in the fighting including civilians, medical and religious military personnel, and Red Cross/Red Crescent workers. IHL also protects the sick, wounded, shipwrecked, prisoners of war and people who are deprived of their liberty. IHL ensures special protections for certain categories of people, including civilian internees and children

THE FOUR GENEVA CONVENTIONS

The four Geneva Conventions of 1949 and their Additional Protocols of 1977 are the core treaties of IHL. The Conventions and Protocols specifically protect people who are not taking part in the hostilities, such as civilians, medical and aid workers, and those who are no longer fighting, including wounded, sick and shipwrecked combatants, and prisoners of war.



Additional Protocols I and II were adopted by states because of changes in warfare throughout the 20th century. Additional Protocol I is primarily concerned with civilian victims of armed conflict during international armed conflicts and Additional Protocol II ensures that there are further protections for civilians during non-international armed conflicts.

IHL | A GUIDE

What is the Canadian Red Cross?

The Canadian Red Cross was established through an Act of Parliament in 1909. After its creation, the Canadian Red Cross continued its work through the First World War, the interwar years, and the Second World War. Today, the Canadian Red Cross is committed to supporting people impacted by disasters and emergencies in Canada and around the world.

The purpose of the Canadian Red Cross is to prevent and alleviate human suffering in accordance with the Fundamental Principles of the International Red Cross and Red Crescent Movement.

In keeping with this purpose, its mission is to help people and communities in Canada and around the world in times of need and support them in strengthening their resilience.

National Societies and the ICRC have unique positions under the Geneva Conventions and their Additional Protocols.

In addition, under domestic legislation and international commitments, National Red Cross and Red Crescent societies, such as the Canadian Red Cross, are recognized as being impartial humanitarian organizations and have a special role as voluntary aid societies, auxiliary to the public authorities in the humanitarian field.

National Societies carry out this role by undertaking various tasks in response to the needs of the impacted communities. This can include any number of services such as Restoring Family Links, helping to provide medical aid and relief supplies when needed, supporting other National Societies during armed conflicts and disasters, and providing support domestically to communities across the country.



Sarita learns how to create a sustainable kitchen garden designed to grow all year long in Okhaldhunga, a small valley in Nepal by Canadian Red Cross Health Delegate Bijay Bharati.



Photo Credits: Marko Kocic/Canadian Red Cross

1. March 23, 2017 Okhaldhunga, Nepal. Bijay Bharati, Canadian Red Cross Health Delegate sits down with Sarita to discuss her kitchen garden in Okhaldhunga, Nepal.

For many years, Sarita and her family have tried to live off their humble farm nestled in a small valley. But the limited space for cultivated land and the short seasonal window has meant they are barely able to get through the year with enough food. But Sarita is hopeful that this will change. With the support of the Canadian Red Cross and other National Societies, Sarita has built a kitchen garden that is designed to grow all year round. The Canadian Red Cross has helped train and provide seed money to families like Sarita to ensure they have sustainable livelihoods. Since the end of Nepal's armed conflict in 2006, the ICRC has been addressing the humanitarian consequences of the conflict and helping people affected by recurrent unrest. The Canadian Red Cross has been a strong and reliable partner in supporting the operations and recovery in the region.

The Canadian Red Cross' work disseminating IHL

Although the Canadian Red Cross is part of the larger Red Cross Red Crescent Movement, its structure is unique to Canada.

It regularly meets with the larger Movement, but its activities are regulated under Canadian law. It's a singular, not-for-profit corporation incorporated under the laws of Canada and a registered charity with the Canada Revenue Agency.

AUXILIARY TO GOVERNMENT

The Canadian Red Cross approaches its humanitarian work in Canada and abroad as being in complement to services provided directly by the relevant government.

While maintaining our Fundamental Principles of independence, impartiality and neutrality, we further our Principle of humanity through confidential dialogues with governmental interlocutors on a variety of humanitarian issues. Our Auxiliary to Government relationship also allows us to offer services that supplement rather than duplicate governmental service offerings.

DISSEMINATING IHL

One of the best examples of the complementary role played by the Canadian Red Cross as a National Society of the Movement is our long-standing work to advise the government and support their work in the dissemination of IHL.

In accordance with IHL, Canada undertakes in times of peace and armed conflict, to disseminate the Geneva Conventions and its additional Protocols as widely as possible. In regard to the study of IHL in particular, Canada also has the obligation to include the study of IHL in military instruction programmes and to encourage its study by the civilian population, so that these rules are known and understood by the armed forces and the civilian population.

According to the Movement's Statutes, as a National Society, the Canadian Red Cross takes initiatives in disseminating IHL, and we assist and cooperate with the Canadian government in its dissemination efforts to ensure respect for IHL and to protect the distinctive emblems recognized by the Geneva Conventions and their Additional Protocols.

The Canadian Red Cross works closely with ICRC on ensuring broad and inclusive outreach to interested Canadians including academics, students, government officials, and other stakeholders on a wide range of IHL and related issues.

In addition, for the years 2019-2023 the Government of Canada and the Canadian Red Cross, building on the success of previous commitments to raise awareness of IHL, jointly agreed to a number of pledges on IHL including on the promotion of International Humanitarian Law.

In the pledge both the Government of Canada and the Canadian Red Cross committed to promote awareness with the general public of the principles and rules of international humanitarian law by working together to increase public discourse and dialogue on humanitarian concerns related to IHL and principles; and to continue the cooperation between the Canadian Red Cross and the Government of Canada in the promotion of humanitarian education activities across Canada.

A Hellenic Red Cross Rescue team volunteer Tasos Papalexiou wrapping a young refugee child into a thermal blanket.

The Greek island of Lesbos is one of the main entering points to Europe for refugees.

Larger vessels, rubber boats, and dinghies from Türkiye cross around 8 kilometres of Mediterranean Sea to arrive in Lesbos. **The Canadian Red Cross supported the Hellenic Red Cross with cash contribution as well as with 4 delegates deployed to support the operation.**

The Canadian Red Cross' work with affected communities



Canadian Red Cross nurse Joan Brooks talks to patient while filling her prescription at a mobile medical clinic in the Haiti, Moline Community in 2018.

The ICRC was present in the Metropolitan area of Port-au-Prince where armed violence has affected access to basic services, such as health care and safe water. The Canadian Red Cross, along with the Haitian National Society and other Movement partners were present at the time and provided support in the region for more than 30 years.



Representatives from the Canadian Red Cross and Somali Red Crescent Society speak with displaced people living in a makeshift settlement near the community of Burao.

The Somali Red Crescent Society works closely with these communities providing emergency assistance and resilience building projects. Food insecurity and its impacts have been steadily increasing across Somalia driven by conflict, climate shocks, economic changes, and the pre-existing drivers of poverty and marginalization.

(Photo Credit: Angela Hill/IFRC)



In Cherkasy, Ukraine Canadian Red Cross Shelter Coordinator, Rodolfo Magirena inspects pipes in the Regional Children's Hospital that have become corroded and are no longer able to efficiently pump heat into the building.

The Canadian Red Cross, working closely with the Ukrainian Red Cross Society, is supporting the refurbishment of the pipes in the hospital that has a Neonatal Intensive Care Unit. This is critical ahead of the winter where temperatures in Ukraine drop to below minus ten degrees Celsius.

(Photo Credit: Canadian Red Cross)



Two Canadian technicians, Sam Dueck (centre) and Marcel McIntyre (right), work alongside members of the local community to unload trucks of equipment to build a field hospital in Mozambique.

Cyclone Idai and the following floods created the worst humanitarian crisis in Mozambique's recent history. The Canadian Red Cross was in the country to operate a field hospital in Nhamatanda, about 100 kilometres north of the port city of Beira.

(Photo Credit: Angela Hill, Canadian Red Cross)



Nurse Annie Beaudette of the Canadian Red Cross showing a child how to breathe deeply so she can hear the condition of his lungs through the stethoscope in Pakistan.

(Photo Credit: Valérie Batselaere / IFRC)

Canadian Red Cross International Humanitarian Law Program

The Canadian Red Cross helps build awareness of the rules of armed conflict and IHL-related issues with academia, government officials, CAF, RCMP, researchers and students, as well as teachers and children associated with armed conflict.

The Canadian Red Cross organizes events such as conferences, panel discussions, and training sessions, across the country to engage Canadians on the importance of IHL and to encourage dialogue on issues such as forced displacement, children associated with armed conflict, sexual and gender-based violence, and attacks on civilians, hospitals and schools.

Additionally, the Canadian Red Cross develops and provides training to strengthen existing capacities to ensure the principles of IHL are implemented and increase understanding by the armed forces, the police and policymakers, Parliamentarians, civil society, Canadian Red Cross staff, and other members of the Red Cross and Red Crescent Movement.

Based on the circumstances through numerous channels including confidential dialogue, formal presentations, law and policy reviews, and public campaigns, the Canadian Red Cross engages nationally and internationally in humanitarian diplomacy and advocacy aimed at persuading authorities and civil society to act in the interests of people affected by conflict and violence in accordance with IHL.

The Canadian Red Cross works closely with our international partner, the ICRC, on many engagements including training of CAF and dialogue with authorities on the faithful implementation of IHL.



How can the Canadian Red Cross and Parliamentarians support one another?

By publishing this guidebook, our goal is to familiarise Parliamentarians with the Red Cross Movement including the Canadian Red Cross and our responsibilities under International Humanitarian Law. We hope that this guidebook helps to inform Parliamentarians how IHL can come into play when dealing with a variety of topics.

For example, IHL rules and principles must be taken into consideration when discussing Canada's obligations regarding the export of weapons, the definition of genocide, or the delivery of humanitarian assistance in conflict zones.

Furthermore, we want to remind Parliamentarians that the Canadian Red Cross, as well as the International Committee of the Red Cross, are made up of teams with a high level of knowledge regarding IHL that can engage in confidential dialogue if needed. We feel that strengthening the already strong and valuable relationship between Canadian Parliamentarians and the Canadian Red Cross is beneficial and desirable. Our teams remain available if you ever need additional information or clarification about potential humanitarian issues.



CONCLUSION

Each step taken towards our humanitarian objectives contributes to the strategic progression of alleviating human suffering. It is an intricate and difficult road, with numerous paths, thoughts, and ideas on how to navigate it. It is crucial for the Canadian Red Cross to work collaboratively with the Canadian government and other partners to ensure that everyone recognizes the importance of alleviating suffering on this journey.

Please contact us for more information

Government Relations Team:
grhub@redcross.ca

