



International Journal of Engineering Sciences & Management Research

THE ROLE OF THE RED CROSS IN PROTECTING HUMAN RIGHTS

Ali Fadhel Jwaid

Alimam University College, Iraq

ABSTRACT

As God has honored man, so have international conventions honored him, and the Universal Declaration of Human Rights. Man in 1948 made clear at the beginning of his two-thirds articles by referring to the importance of preservation on human dignity as stated in the first paragraph of the preamble and did not exaggerate the authors

The declaration considered the preservation of human dignity a basis for the rule of truth, justice and peace Within the national community and within the framework of the international community, which has been proven by national events and the international community during the past half century if wasting the dignity of human beings and peoples Violation of basic rights is a cause for concern, unrest, terrorism and conflict Armed.

INTRODUCTION

Research importance

The International Red Cross seeks to protect human rights and alleviate suffering mitigating it and avoiding the severe damage that afflicts the environment from the large number of destruction And the sabotage that occurs through international and internal conflicts and their devastating effects on the world Population and environment.

The first topic

What is the International Red Cross?

It is an impartial, impartial and independent organization with a mission to protect, And assistance to victims of armed conflicts and internal violence, both civilians and military Both. The Committee intervenes in accordance with the mandate entrusted to it by the States Parties in the Geneva Convention of 1949 and its Additional Protocols of 1977. The Committee seeks to striving to avoid suffering, by promoting international humanitarian law. It is the mission of the ICRC Its legal status distinguishes it from all intergovernmental agencies such as the United Nations,United like ⁽¹⁾.

In most of the countries in which the ICRC operates, it has headquarters agreements with the authorities. Through these agreements, which are subject to the provisions of international law, the ICRC enjoys With the privileges and immunities normally conferred only on intergovernmental organizations,

These include immunities, judicial immunities, building immunities, and other immunities documents, and in fact these immunities and privileges are indispensable to the ICRC As it guarantees two necessary conditions for the work it undertakes, the first is impartiality, and independence The Commission has concluded an agreement of this kind with Switzerland, which guarantees Independence and freedom of action from the Swiss government. Thanks to the founding of the committee⁽²⁾

The first requirement historical upbringing

Signs of the rules of international humanitarian law have appeared since the establishment of the International Committee It belongs to the initiative of (Henzi Dunant), a resident of Geneva, who was doing A visit to the field of battle (Solferino) in the province of Lombardy, as the French forces were waiting Sardinia was defeated by the Austrians and was affected by the sight of the large numbers of wounded who had died.

They left so much care on the battlefield that he devoted the greater part of his life to searching for Practical and legal solutions that would improve the condition of war victims. Solferino (published in 1862 influenced public opinion in Switzerland and elsewhere Country . After that, the Swiss government decided to convene a diplomatic conference in Geneva, and at the end an agreement was signed regarding the amelioration of the condition of the wounded soldiers. of the Field Armed Forces ⁽³⁾.

International Journal of Engineering Sciences & Management Research

And since Switzerland was the initiator of this call It was decided to adopt the colors of the flag of the Swiss Confederation, a white cross on a red ground In reverse, i.e. a red cross on a white ground, as a distinctive sign of relief The wounded were among the military, and the Committee of Five was transformed in 1880 into the International Committee The Red Cross is a name that I have retained to this day and after that it was gradually established Many national societies have adopted the same slogan and at the request of some Islamic countries Permission to use the red crescent and the emblem of the lion and the sun at the request of Iran This country is the only one that used the last slogan and abandoned it in 1982 and adopted The Red Crescent, and the number of National Societies increased little by little, and it was established in Paris in (1919) The Association of Al-Ahmar Societies, which moved its headquarters to Geneva in 1939, and the League⁽⁴⁾

An international organization although it is a non-governmental organization while the International Committee of the Cross

Al-Ahmar is a Swiss legal personality in essence, despite her authority At the international level, only Swiss nationals may join it.

For this reason, the International Committee of the Red Cross is subject to criticism because of its Swiss character This same nature guarantees the committee's complete impartiality and the ability to work without delay when it occurs Armed disputes or disturbances, and some believe that the committee would be an international organization The countries that have encountered many difficulties, and at the forefront of these difficulties are the situation of A system for distributing seats between different countries and regions on the one hand and tomorrow is inevitable. that The decision to rescue this or that country is preceded by long and difficult discussions that reflect political differences that spread disunity in the world, impede rapid action, and make it difficult for them to accept On the part of the concerned parties, it was recently agreed that these international committees will have a slogan Unified and terrible, in which the logo of the national committees is placed. It is noticeable that organizations Specializing in human rights follow-up, she began following the effects of wars and issuing statements abo Violations of international humanitarian law, including Amnesty International and Amnesty International Human Rights Watch and other humanitarian organizations⁽⁵⁾.

When fate wanted the Swiss businessman, Henry Dunant, to witness horrors And the massacres of war that were conducted in a city (Solferino), he wrote in his memoirs two suggestions:

The first: It is to guarantee the immunity of the medical services personnel in the armed forces⁽⁶⁾

The second: is to establish relief societies to take care of wounded and sick soldiers in Convict. The first proposal was a sign of the development of international humanitarian law. This was achieved with the adoption of the Geneva Convention of 1864 and the agreements that followed it. As for the suggestion? The second led to the establishment of the Red Cross Societies, then the Red Crescent Societies. which were also called (National Societies), and Dunant urged The initiative to establish these associations in peacetime, so that they are ready to work as soon as possible The outbreak of armed conflict. ⁽⁷⁾

Another resolution was issued by the 1863 conference that established the principles of internal organization And the relations between those associations that were decided to be established, through a committee Geneva, that committee that became 1875 (International Committee of the Red Cross) With the emergence and increase of new national societies, the specializations of those societies increased The Committee, especially in the field of the so-called (Recognition of National Societies), has reached The number of National Societies recognized by the Committee to date (176). ⁽⁸⁾

There is also a so-called (Initial Federation of Red Cross and Crescent Societies). The Red Cross, which was founded in 1919 in the name of the Association of Red Cross Societies.

Today, this federation has 176 members, the most important recognized national societies It was stipulated in Articles (9), (12), (26) and it is learned from these texts that Employees of the National Societies enjoy the same protection that individuals enjoy Medical services in the armed forces, in time of armed conflict, with conditions deification:

1 - That the work they perform is limited to certain tasks and not others, which are⁽¹⁾

International Journal of Engineering Sciences & Management Research

Searching for, collecting, transporting, treating or preventing the wounded and sick Diseases, or management of medical units and facilities

2- They are subject to military laws and regulations (with the consequences that this has in regards to Related to security, regulations, uniforms.....etc.

3- Be affiliated with an association duly recognized and licensed by its government, provided that other countries are notified of this recognition and authorization. has evolved The activity of the national societies - today - is no longer confined to the relief of wounded soldiers. patients in the field, and other activities associated with armed conflict, but rathe This is to provide assistance to prisoners and civilians, and to work in peacetime for training qualified personnel, the exclusive right to use the emblem for the purpose of identification, and the right to Licensing others to use the emblem under certain conditions. The National Societies of the Cross will become The Red and the Red Crescent are elements of the International Movement once they have been recognized by

The International Committee of the Red Cross, under certain conditions:

- 1 - to be established in the territory of an independent country
- 2 - to be the only cross association The red and red crescent
- 3- To be duly recognized by the The legitimate government
- 4- To use the name and emblem of the red cross or the red crescent.

As for the First Federation of the Red Cross and Red Crescent, which was established in 1919 It aims, according to second Article of its founding document, to inspire, encourage and facilitate It supports at all times all forms of humanitarian activities carried out by associations members with a view to working to prevent and alleviate human suffering and thus contribute to Maintaining and promoting peace in the world⁽⁹⁾

The second requirement

The nature of the organization's work and its relations with the United Nations

first branch

The nature of the organization's work

The International Committee of the Red Cross, from its long experience, has reached Convinced that she must perform a variety of activities in order to be effective in her work, activities Each should not be viewed separately from the other, but rather as activities related to each other some. The complementary nature of these activities has become more and more clear over the past years. Each of these activities is linked to other activities, and all of them fit together to form a Knit group. That is, the humanitarian work in the field raises the debate, which has developed into Expert meetings in various fields, in turn, lead to provisions in treaties, or New international institutions, such as the International Criminal Court, whose statute was adopted in year 1998.⁽¹⁰⁾

As for the task that follows that, it is to work in order to reach the acceptance of a scholar to the new rules, by persuading states through their governments, parliaments, and senior Responsible for it etc... the importance of respecting these rules and ensuring that people know the principles basic human rights and their understanding, and provision of appropriate IHL education, in schools and universities, and integrating this subject into military training, as for the ultimate goal From this activity, it is to benefit the victims of war and to facilitate the task of those who seek to help them . But this will not be enough. War will remain cruel, and there will never be sufficient commitment By the rules that have witnessed curbing their severity. New problems will arise that require new forms⁽¹¹⁾

Thus, the wheel of law will continue to spin, and efforts will continue towards a goal that may be achieved The end of armed conflict is never fully achieved. Putting reality in place This goal sometimes retreated amid the pain and anguish of countless wars We must always progress towards the goal. A lawyer who works in an office is developing International humanitarian law does a different job than a surgeon who heals the wounded, or The nutritionist in the refugee camp. But they all strive to achieve the same goal. Each of his positions is the circle of law and humanitarian work, which is indispensable. However, the emphasis ⁽¹²⁾

International Journal of Engineering Sciences & Management Research

The role played by legal experts is not sufficient to justify a study on Customary human law. As part of the aforementioned process, the Committee has In recent years, the International Committee of the Red Cross has devoted significant resources to a case study Law and dissemination of knowledge of it. However, these resources remain limited, and they have to be selected from among others Multiple options in the legal field. Priority should be given to developing a new law To strengthen national legislation, or to clarify some aspects of practical implementation, or to consult Experts on arithmetic issues, or for training the military, or for mobilizing public opinion, as a means To secure a greater commitment? All of these activities are absolutely necessary⁽¹⁰⁾, but the question is:

Where is the priority? What was unique about the proposed study was Customary law is not valid for settlement and fairness solutions. He was among the Qayyam Studying and making sure of the means to do it well or bypassing it on the basis of its value To be fully determined according to credibility. The decision was finally made to move on The project, and assigned the legal department of the International Committee of the Red Cross with the difficult task.

Give the necessary means to do the whole work. There was no extravagance in spending Essentially, if the ICRC is fortunate to be able to count on the work Voluntary work carried out by a large number of eminent experts on the world⁽⁶⁾ .

First: The oversight role of the International Committee of the Red Cross:

The International Committee of the Red Cross plays an oversight role, through a group of The mechanisms can be summarized through the following presentation:

Issuance of notes:

To ensure the accurate application of the rules of international humanitarian law, the ICRC may resort to The Red Cross may issue verbal or written notes to the parties to the conflict, in order to To remind them of the rules of international humanitarian law, such as reminding them of the obligation to be treated humanely. for victims of conflicts, and a reminder of the obligation to treat victims of conflicts humanely,

And a reminder of the obligation to provide protection to individuals, medical services, and a reminder of the destructive effects Which some of the means of warfare inflict on the environment surrounding the combat operations etc ⁽⁹⁾

And from Examples of notes issued by the International Committee of the Red Cross are those notes that It was issued by the Committee on January 17, 1991, at the time when the forces of The Western coalition led by the United States of America, the mighty air intervention in Iraq On the withdrawal from Kuwait, and it was mentioned in this masculine:

* Wounded, sick and shipwrecked soldiers must be treated, as well as combatants Incapable of fighting every human being.

* The personnel of health services and health facilities must be respected at all times

* The right to choose means and methods of fighting is not an absolute right.

* International humanitarian law prohibits some means and methods of fighting (such as weapons).

Chemical-Biological.

* Recourse to nuclear weapons is incompatible with the rules of international humanitarian law.⁽⁶⁾

*International humanitarian law prohibits any attack that results in widespread damage and permanent and dangerous to the natural environment, and any attack on property is prohibited necessary to preserve the life of the civilian population.

Second: Receiving and transmitting complaints:

The International Committee of the Red Cross receives complaints from the parties affected by the violation The rules of human international law, and transferring them to the party that transgresses these rules to put an end to them The complaints received by the International Committee of the Red Cross are divided according to their nature. into two categories:

First category: Complaints related to non-application or misapplication of the provisions of international conventions humanitarian law, by one of the parties to the conflict, and the ICRC can verify the correctness ⁽⁵⁾.

These complaints are due to the intensification of the efforts of its field representatives, by visiting the prisoner camps. and detainees, for example, if the complaint is related to that, or to see the extent of the damages The civilian environment or the nature surrounding the hostilities, in the case of a complaint about not applying or

International Journal of Engineering Sciences & Management Research

violating the rules of environmental protection, and the ICRC can Field Detection Contact the responsible authorities and convince them to correct any errors or Abuses reported by its delegates ⁽³⁾.

The second category: complaints in terms of serious violations of the rules of international humanitarian law committed in circumstances that the ICRC cannot take direct measures to protect Victims, such as complaints about rules relating to the conduct of hostilities or violations severe environmental protection rules by causing widespread, long-term and severe damage Effect, and in such a case the ICRC finds itself obliged not to be satisfied with the transfer of Complaining to the responsible party, but issuing public statements to stop such violations The grave rules of international humanitarian law⁽⁴⁾

Since its inception, the International Committee of the Red Cross, which is the founding party, has been associated with the International Red Cross and Red Crescent Movement is closely related to the development of law In fact, the ICRC took the initiative in proposing agreements The first Geneva of 1864 for the improvement of the conditions of the wounded and sick in the armies in the field. Since that time, the ICRC has devoted its efforts to developing this law in In light of the development of disputes and its legal experts are working on the development of international law and promoting and explaining it through the comments, so he refrained from contributing to its publication. I have to The ICRC also seeks to enforce international humanitarian law and is mandated to provide Protection and assistance to victims of disputes. In fact, he is changing it)) Seeing the tasks entrusted to it under the Geneva Conventions, and to work on the strict application of international law ⁽⁸⁾: humanitarian law applicable in armed conflicts and to receive any complaints about violations alleged to that law ((and)) seek at all times. As a neutral institution practicing Its humanitarian activity, in particular, at the time of armed conflicts - international or otherwise - and internal disturbances - to provide protection and assistance to the military and civilians from Victims of these events and their direct consequences ⁽⁹⁾.

There are several references to the ICRC in the Geneva Conventions of 1949 and additional protocols. Most of these references require the ICRC to Interfering in a certain way. There are other tasks left to the discretion of the institution - and in the analysis The last, the exercise of the right of initiative is linked to circumstances and needs⁽²⁾

Through its work, the Committee aims to protect and assist, and its work is specifically represented in the following:

1- Visiting people who have been deprived of their liberty as prisoners of war and civilian detainees and detainees for security reasons and visits detention centers (prisons and camps) only To ascertain the physical and psychological conditions of detention.

2 - Relief of victims by giving them a medical assistant, such as providing medical treatment and establishing hospitals. and rehabilitation centers.

3- The ICRC also intervenes through the Central Agency for Tracing Missing Persons The tasks of this agency are as follows:

A - Searching for people whose family news has been cut off, or who have been reported to have been they lost.

b- Transmission of family correspondence when normal means of communication are cut off

C - Organizing family reunification and the repatriation of people to their homelands.

D- Visiting military detainees and civilians inside camps and prisons

and hospitals in many countries as a result of armed conflicts or internal disturbances

e- Reunification of families that had been separated due to the war.

F - Relief of the disabled due to the war from different regions of the world. But as for the foundation The legal work of the International Committee of the Red Cross during any non-international armed conflict or During the internal turmoil, the committee saw that it could contribute to solving problems thanks to Its neutrality and independence, and it represents Article (3) (2) (common among the four Geneva Conventions of the year For the year 1949 the legal basis for the intervention of the International Committee of the Red Cross, which states:

An impartial humanitarian body such as the International Committee of the Red Cross may offer Services to the parties to the conflict⁽⁷⁾

Its humanitarian activity in particular in times of international armed conflicts or other or internal disturbances to provide protection and assistance to the military or civilians from Victims of these events and their direct consequences. The aforementioned third article obliges states to accept the services offered by the ICRC. Rather,

International Journal of Engineering Sciences & Management Research

she must at least research it in good faith and respond to it. considers this offer as interference in its internal affairs and in the event of an armed conflict ⁽¹⁰⁾

States The International Committee must ensure that the parties respect the provisions of third Article Common to the four Geneva Conventions of 1949, no other than the provisions of third Article that Supplemented by Protocol II, and in some cases other provisions shall apply pursuant to recognition The governmental party is in a state of war, which leads to the application of the bulk of the law international humanitarian law, or pursuant to an express or implied agreement between the parties, as it retains The ICRC has the possibility to intervene, outside the framework of non-international armed conflicts And internal disturbances, if you notice a humanitarian problem that can contribute to solving it Thanks to its peculiarity ⁽⁵⁾.

The basic principles of the International Movement of the Red Cross:-

The International Committee of the Red Cross upholds the principles of the Red Cross and Crescent The seven permanent core reds are: the principle of humanity, the principle of impartiality, the principle of Neutrality, the principle of independence, the principle of voluntary, the principle of unity, and the principle of scientism. that movement The International Red Cross and Red Crescent Charter was not drawn up until 1965 During the twentieth conference held in Vienna, in which these seven principles were announced The above-mentioned, and the International Committee of the Red Cross remained its sponsor.⁽⁸⁾

second branch

The International Red Cross and its relationship with the United Nations

Observer status for the International Committee of the Red Cross at the General Assembly of the International On Tuesday, October 16, the United Nations General Assembly decided 1992 Invitation to the International Committee of the Red Cross to participate as an observer in its session A draft resolution was adopted without a vote to grant the ICRC status The Observer This project has been adopted by 138 countries among the member states of the United Nations The United States has 159 countries. The text of the resolution reads: "Granting the International Committee." ⁽⁷⁾

The Red Cross has the status of observer, in view of its special role and special mission conferred on it It has under the Geneva Conventions of August 12, 1949 that the Assembly General, Referring to the tasks granted to the International Committee of the Red Cross under the Conventions Geneva of August 12, 1949, and if it takes into account the special role which, accordingly, the International Committee of the Red Cross in humanitarian relations and desiring to enhance cooperation between the United Nations and the International Committee of the Cross red ⁽³⁾

1 - It was decided to invite the International Committee of the Red Cross to participate in the sessions of the Assembly the public and its activities as an observer.

2 - Requests the Secretary-General to take the appropriate action to implement this resolution. A matter has been registered Granting the International Committee of the Red Cross observer status on the agenda

To the Secretary-General of the United Nations, on 16 August, permanent representatives of one of the Twenty countries. This letter was attached to a memorandum, the text of which is presented below (Document No (191/45/A) and with the draft resolution, the text of which came above, the draft resolution was submitted to General Assembly to the United Nations⁽¹⁰⁾

Red in Solferino. On behalf of the participants in the development of the draft resolution, Al-Sayed district Traxler International Committee of the Red Cross for its contribution to the codification, development and application of International humanitarian law and its role as a neutral, unchanging mediator that has been working perfectly since 125 years since the maintenance and dissemination of the lofty humanitarian ideals in situations of armed conflict. It is worth noting here that the state and other organizations, especially regional or specialized organizations, enjoy Observer status at the United Nations. But this is the first time that the status has been granted to a body Non-governmental organizations and regarding this particular point, as Ambassador Traxler emphasized that The state expressed its sensitivity towards the special state entrusted to it by the international community ⁽¹⁰⁾

The International Committee as well as the tasks entrusted to it under the Geneva Conventions, and that is what It makes the ICRC a unique body. By virtue of its nature and position. And as it came In the words of Mr. Cuznilo Surmaruga, President of the ICRC: "The Committee accepted the Committee." International as an



International Journal of Engineering Sciences & Management Research

observer to the United Nations after a prominent recognition of the state carried out by this body At the international level ((. By adopting this resolution, the General Assembly of the United Nations will be ⁽⁹⁾

It has reaffirmed the tasks of the ICRC and the principles that animate its work, especially the principle of Neutrality and global impartiality. The decision will also contribute to strengthening cooperation between the committee and the United Nations. On the practical level and thanks to the ability to talk about topics It is within its competence to review the documents of the General Assembly and attend its sessions and committees Representatives of the ICRC will be able, both at the United Nations meetings in New York, to Or in Geneva or anywhere else, to intervene quickly and directly with the controllers In the international arena.⁽¹⁾

The second study The role of the Red Cross in protecting human rights

International NGOs play an unquestionable role in the violations

It falls on the human being in countries where human rights are enjoyed. On the international arena, there are A large number of international non-governmental organizations that work to expose the practices of Torture, and holding these governments accountable for it Amnesty International is on top of this organizations for their continuous and continuous efforts in defending human rights and resisting Violations of human rights. Among these organizations is also the Committee The International Committee of the Red Cross, which plays an important role in the pain to which people are exposed. The torturer and the oppressed, as well as the detection of torture and its forms, as well as the violations

And the harsh penalties to which people are subjected by authoritarian government regimes. The work of these organizations is characterized by reliance on accuracy in information and honesty in Work and not make all the false accusations that quickly put the organization itself in a position. Embarrassing makes her lose her credibility and her connection to the public and the victims she claims to be working⁽⁸⁾

The role you play, in particular, is the recognition of every National Society that is created or re-established Regulating them, provided that they meet the recognition conditions stipulated in the law The basis of the movement, the notification of other associations of this recognition. Take a look at the tasks entrusted to it by the Geneva Conventions, and to work on the strict application of international humanitarian law Applicable in armed conflicts, and complaints about any alleged breach of this are received The law. ⁽⁷⁾

Working at all times, as a neutral institution that carries out its activities Human rights in situations of armed conflict - international or otherwise – or internal disturbances. Ensure the functioning of the Central Tracing Agency provided for in the Geneva Conventions, to contribute, in anticipation of armed conflict, to Training and preparing medical personnel and supplies, in cooperation with national societies.

Working to understand and disseminate international human law applicable in armed conflicts, And prepare what improvements may be needed to develop it. The ICRC may take any humanitarian initiative that falls within the scope of its work⁽¹⁰⁾

The International Red Cross and Red Crescent Movement is a global movement All associations have equal rights, and each of them has the duty to support the association the other. Hence, the principle of universality includes the two ideas of reaching all people and spreading In every place. The first idea has a special meaning for the cross and the red crescent. The principles of the organization require that it open its arms to everyone who asks for its help. And that is arranged ⁽⁷⁾

The principle of universality is a natural and necessary consequence of the principles of humanity and equality. And with this Content The principle of universality is rightfully considered one of the goals of the Red Crescent and Red Cross movement. The second idea, which is the spread in all countries, stems from the first idea. Even For the relief work to reach every human being, this must be done on every spot on the surface The earth, and in this sense, universality is a means to an end. In fact . The protection of child victims of armed conflict is one of the priorities of the ICRC. of the Red Cross, and raising several statements issued by the International Committee of the Cross The Red Cross, to protect children affected by armed conflict and on the occasion of the convening of Extraordinary meeting of the United Nations General Assembly in New York from 8 to 12 May⁽³⁾



International Journal of Engineering Sciences & Management Research

2002 devoted to the follow-up to the work of the World Summit for Children. (C.R.C.I) expressed It sincerely hopes that this extraordinary session will lead countries to take measures rigorous and tangible results that actually improve the fate of children in the world The committee confirms The international community here on its determination to actively pursue its humanitarian activities, where children represent

A large proportion of the beneficiaries of the Committee contributed to the Geneva Conventions and Protocol in addition to giving great importance to the protection of children⁽⁴⁾

The first requirement

The role of the International Red Cross in protecting international conflicts All persons who do not participate directly or who desist from Participation in hostilities. Whether their freedom is restricted or not, the right to be respected their persons, their honour, their beliefs and the practice of their religious rites, and they should be treated in all cases are treated humanely without any unfair discrimination. And the danger is that no one will be left On life. The following acts are directed against the persons referred to in paragraph The first is presently present and received at all times and places. And without disturbing the character⁽⁴⁾

The comprehensiveness of the preceding rulings is an attack on the life and health of people and their physical or mental handover, in particular killing and cruel treatment such as torture, mutilation, or Any form of corporal punishment, criminal penalties, hostage-taking, acts Terrorism is insulting to personal dignity, and in particular humiliating and degrading treatment Human beings, rape, forced prostitution, and everything that offends modesty. Slavery The slave trade in all its forms, looting, threatening to commit any of the acts⁽⁶⁾

Care and aid must be provided to children insofar as they need it. Especially . These children must receive an education. including religious upbringing and morals, All appropriate steps shall be taken to facilitate the reunification of families who have been separated for a temporary period. It is not permissible to recruit under the age of fifteen in the armed forces or groups, and it is not permissible to Permitting their participation in hostilities⁽⁷⁾

Protocol I introduced a number of improvements to improve the protection of the civilian population. On the one hand, and on the other hand, it expands the scope of international humanitarian law in its conception It was drafted taking into account the problems of all countries at the present time. With regard to the protection of civilians, it is noted that this protection includes direct effects. resulting from military operations and not limited to the misuse of enemy power as it was The case with the agreements.⁽⁹⁾

Since that time, civilian medical units have become as well Means of transportation, institutions and the medical device enjoy the same protection as the device Medical cities, installations and means of transport belonging to the army. Various rules were set around The conduct of military operations, especially those rules that prohibit the use of some weapons and attacks on the civilian population, and there is an article that expands the categories of combatants to whom they are entitled Enjoy the status of prisoners of war in the event of their detention. While other rules allow strengthening Monitoring the implementation of humanitarian law and prohibiting resorting to starvation and reprisals As a means of war. The First Protocol (Concerning International Disputes) stipulates Also contains provisions facilitating the transfer of relief supplies to civilians in time of war.⁽²⁾

The second requirement

The role of the International Red Cross in protecting internal conflicts

The wounded and sick shall be treated in accordance with Article 7(a), (provide the persons referred to in this The paragraph shall provide food and drink to the same extent as those supplied to the local civilian population They have all health and medical guarantees and protection against climate cruelty and the dangers of conflict The gunman. They are allowed to receive relief individually or collectively, they are allowed to practice their rituals Religious and spiritual aid recipients - from those who receive religious duties such as preachers, if requested If it was appropriate, they would be insured - if they were forced to work - to benefit from the conditions of work and guarantees similar to those enjoyed by the local civilian population Regarding the arrest or detention of the persons referred to in the first paragraph and within the limits of their decisions⁽⁸⁾.

International Journal of Engineering Sciences & Management Research

The following provisions regarding these persons, prepare the women in places separate from the Men, and direct supervision over them is entrusted to women, with the exception of men and women One family, they live together, they are allowed to send and receive letters and cards⁽⁷⁾.

The competent authority may Intervention by the ICRC is only made whenThe National Assembly will be unable to fulfill its responsibilities, but it is difficult, within the framework of internal conflict, in compliance with the basic principles of the Red Cross (independence from the authorities) Neutrality within the conflict, and impartiality in the provision of services)⁽¹⁰⁾

In the context of non-international armed conflicts, there is no doubt that the protection it enjoys Children, as part of the civilian population, are not limited to times of armed conflict international, but also extends to non-international armed conflicts. Article 3 of the Fourth Convention establishes the general protection of children as part of the the civilian population in non-international armed conflicts, by providing for To protect all persons not taking a direct part in the hostilities, as necessary Treat them in all cases humanely, without any discrimination based on race or Color, religion, belief, gender, birth, wealth, or any other criterion. The first paragraph of this article lists the acts that are notified to the parties to any dispute armed non-state actors to carry out against these people, the most important of which are:

- a- Assault on civilian life and safety, and in particular murder
Its forms, mutilation, cruel treatment and torture.
- b- It is also dangerous to take these people as hostages.
- c- Outrages upon personal dignity, in particular humiliating and degrading treatment
with dignity.
- d- Issuing judgments and executing sentences without conducting previous trials before courts

A problem of legal formation, with the need to ensure all the necessary judicial guarantees that It was approved by civilized peoples⁽⁹⁾

The second protocol, which is shorter than the first, aims to complete and develop Article 3 Common among the four Geneva Conventions of 1949, which until that time⁽¹⁰⁾

The only law applicable in non-international armed conflicts. Among the most important improvements which are included in this Protocol are the essential safeguards for the protection of every person who does not participate in war operations. There are detailed rules protecting the wounded, sick and shipwrecked, as well facilities and medical personnel. The medical staff has the possibility to raise the distinctive emblem, i.e. the Red Cross (or the Red Crescent) and finally granting general protection to the civilian population Similar to the broad protection provided for in Protocol I.)) since approval The two additional protocols became noteworthy due to the frequency and severity of conflicts⁽¹¹⁾

The armed forces were not killed, but the situation of the victims worsened, represented in the frequent violations of the agreements

Geneva and the seriousness of these violations. If the case is not subject to this law, such as the occurrence of Internal anxiety, the ICRC has not always been able to Its humanitarian mission is due to the refusal of the concerned authorities to allow it to do so, especially since there are Many governments consider the humanitarian aspects secondary to the political aspects⁽¹²⁾

CONCLUSION

The Islamic religion laid down rules and principles for military operations, based on preference morals and humanity.. Fighting in Islam does not aim to kill others and seize control of People who are not only able to fight and get money, but also aim Fighting leads to the spread of the Islamic religion.. the Muslim does not fight the security, he fights him, and that is why it has been forbidden Islamic law is the killing of children, women and the elderly, and the destruction of property.

Consequences

- 1 - For relief, it takes care of wounded and sick soldiers in the field
Providing assistance to prisoners and civilians.
- 2- Be working towards universal acceptance of the new rules, without persuasion Countries through their governments, and in this sense the global is a means to reach goal.

International Journal of Engineering Sciences & Management Research

3- Its protection extends to include international and non-international armed conflicts and the provision of protection in it.

Recommendations

An example of the recommendations is the issuance of memos: to ensure the strict application of the rules of law international humanitarian law, the International Committee of the Red Cross may resort to issuing notes verbales Or in writing to the parties to the conflict humane treatment of the victims of the conflict, and a reminder of the obligation Providing protection for individuals with medical services.

REFERENCE

1. *The International Committee of the Red Cross, the two Additional Protocols to The Geneva Accords of 12 August 1949, fourth edition, The Committee International Committee of the Red Cross, Geneva Switzerland, 1997.*
2. *John Marie Henkerts, Lowesd and Zwald-Beck, Customary International Humanitarian Law / National Books and Documents House, Cairo, 2007.*
3. *Hussein Shukri Al-Falluji, Fourth Geneva Convention on the Protection of Persons Cities in time of war (dated August 12, 1949) (Protocol The first and second of the year 1977, without Publishing House, Baghdad, 2004*
4. *Suhail Hussain Al-Fatlawy and Dr. Imad Muhammed Rabea, Law Encyclopedia Countries / International Humanitarian Law, first edition, House of Culture for Publishing and Distribution, Amman ,2007.*
5. *Saeed Salem Joly, Introduction to the Study of International Humanitarian Law, Dar Al-Nahda Al-Arabiya, Cairo, 2001 - 2002.*
6. *Sherif Alalm, Lectures on International Humanitarian Law, Fifth Edition, National Library, Cairo, 2005.*
7. *D. Awwad, Excessive Violence / Law of Armed Conflict and Human Rights) International Humanitarian Law), first edition, the author's house, Beirut - Lebanon. 2001 AD - 1422 AH*
8. *Adel Abdullah Al-Masdi, International Protection of Children in Times of Armed Conflict The first edition, Dar Al-Nahda Al-Arabiya, Cairo, 2007.*
9. *d. Faisal Shatnawi, Human Rights and International Humanitarian Law, second edition Dar Al-Hamid for Publishing and Distribution, Amman, 2001.*
10. *d. Mahmoud Said Mahmoud Said, International Protection of Children in Conflict Armed Forces, Arab Renaissance House, Cairo, 2007.*
11. *d. Hisham Bashir. A - Ibrahim Abed Rabbo Ibrahim, Introduction to the Study of International Law Insan, first edition, without a publishing house, Cairo, 2012 .*
12. *Wael Anwar Bunduq, Encyclopedia of Human International Law (with the texts of the law Islam in this field), first edition, Al-Wafa Legal Library, Alexandria, 2013*