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IHL relies on the use of certain emblems to identify and thus protect medical services in armed conflicts. The emblems are also used by components of the Red Cross and Red Crescent Movement for identification purposes.

The use and misuse <sup>[1]</sup> of the emblems is clearly defined in IHL. The two main uses of the emblem are their “protective” and “indicative” uses. Used protectively, the emblems serve as a visible sign in armed conflict of the protection accorded to medical services, equipment and buildings under IHL. Used indicatively, the emblems are employed by National Societies <sup>[2]</sup> around the world to identify themselves as part of the International Red Cross and Red Crescent Movement. The ICRC <sup>[3]</sup> and the International Federation <sup>[4]</sup> may use the emblem at any time.

### **The history of the emblems**

Currently, there are three emblems in use: the red cross, the red crescent and the red crystal, each having different a historical background, but exactly the same meaning and function.

The first emblem came into being in 1864. The governments attending the diplomatic conference which adopted the First Geneva Convention <sup>[5]</sup> in that year decided that a clear neutral sign was needed on the battlefield to protect medical staff and facilities. They opted for a red cross on a white background, the exact reverse of the flag of neutral Switzerland.

The resulting symbol had the advantage of being easily produced and recognizable at a distance because of its contrasting colours.

In the years that followed, a number of national relief organizations started being called “red cross societies” and the indicative use of the emblem became established.

The original intent of the 1864 conference was to create a universal, neutral and distinctive sign of protection, used and recognized by everyone. But just over a decade later, during the Russo-Turkish war, the Ottoman empire adopted the red crescent as its protective sign, while still recognizing and respecting the red cross. Persia, too, adopted its own sign and in 1929 governments formally recognized all three.

This situation lasted until 1980 when Iran dropped the old Persian sign – the red lion and sun <sup>[6]</sup> - in favour of the red crescent. Since the 1990s there had been concern about respect for the neutrality of the red cross or red crescent in certain difficult conflicts. In 1992, the then president of the ICRC called publicly for the creation of an additional emblem devoid of any national, political or religious connotation.

In 2005 governments adopted an additional protective sign, the red crystal.

See ICRC <sup>[3]</sup>; Red Cross, Red Crescent, Red Crystal <sup>[7]</sup>; National Red Cross and Red Crescent Societies <sup>[8]</sup>; Medical personnel <sup>[9]</sup>; Wounded and Sick <sup>[10]</sup>; Medical objects <sup>[11]</sup>;

## OUTLINE

Chapter 7, The Emblem of the Red Cross/Red Crescent <sup>[12]</sup>

Chapter 13, Implementation mechanism, II. Measure to be taken in peacetime, 4. Legislation of application, b) particular field to be covered, bb) use of the emblem

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## LEGAL SOURCE

GCI, 38 <sup>[14]</sup> (see ICRC updated Commentary <sup>[15]</sup>) 44 <sup>[16]</sup> (see ICRC updated Commentary <sup>[17]</sup>)

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PIII <sup>[22]</sup>

CIHL, 30 <sup>[23]</sup>

## DOCUMENT

PIII <sup>[24]</sup>

ICRC, Model Law Concerning the Emblem <sup>[25]</sup>

## CASES

Cameroon, Law on the Protection of the Emblem and the Name “Red Cross” <sup>[26]</sup>

Colombia, Misuse of the Emblem <sup>[27]</sup>

Burkina Faso, Law on the Use and Protection of the Red Cross and Red Crescent Emblems in Burkina Faso, 2003

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ICRC, The Question of the Emblem [29]

Iran, Renouncing Use of The Red Lion and Sun Emblem [30]

Saudi Arabia. Use of the Red Cross Emblem by United States Forces [31]

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UK, Misuse of the Emblem [33]

Afghanistan, Attack on Kunduz Trauma Centre [34]

Libya, Report of the Office of the UN High Commissioner for Human Rights (2014/15) [35]

Italy, Use of force against ambulances in Iraq [36]

Syria, the Battle for Aleppo [37]

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