

## **31-08-1992 Article, International Review of the Red Cross, No. 289**

**Adopted by the 20th Red Cross and Red Crescent International Conference (Vienna, 1965) and revised by the Council of Delegates (Budapest, 1991)**

### **Preamble**

*The Regulations on the Use of the Emblem of the Red Cross or the Red Crescent by the National Societies, adopted by the 20th International Conference in Vienna in 1965, were revised by the Council of Delegates in Budapest in November 1991. After the postponement of the 26th International Conference, the ICRC submitted the text of the present Regulations to all the States party to the Geneva Conventions, inviting them to inform it within a period of six months of any objections they might have. No amendments having been submitted, the Regulations therefore came into force at the end of that period.*

*The main rules governing the use of the emblem are contained in the Geneva Conventions and many countries have made them part of their national legislation, chiefly to be able to repress any misuse of the emblem. The Regulations specify the various conditions governing the use of the emblem by National Societies and their members in greater detail.*

*One of the purposes of revising the Regulations in 1991 was to enable the National Societies to diversify and expand their sources of income, without prejudice to the respect due to the emblem and the name of the red cross or red crescent.*

*The ICRC stressed that the Regulations were in accordance with the law. While it considers that the scope allowed by the revised version is as wide as it possibly can be within the framework of the Geneva Conventions, it nonetheless finds this broad interpretation of them acceptable. There is however, nothing to prevent National Societies from setting narrower limits they so wish.*

### **Regulations on the use of the emblem of the Red Cross or the Red Crescent by the National Societies**

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## **INTRODUCTION**

### **1. Purpose of the Regulations**

These Regulations (hereinafter " the Regulations " ) stipulate the various ways the emblem of the red cross or the red crescent on a white ground may be used by the National Societies, in keeping with the provisions of international humanitarian law and the Fundamental Principles of the International Red Cross and Red Crescent Movement (hereinafter " the Movement " ).

### **2. Legal basis**

The Regulations are based on the Geneva Conventions of 12 August 1949, mainly on the First Convention (Convention for the amelioration of the condition of the wounded and sick in armed forces in the field) and, for certain provisions, on Protocol I of 8 June 1977

additional to the Geneva Conventions, relative to the protection of victims of international armed conflicts.

Article 44 of the First Geneva Convention of 12 August 1949 makes the distinction between the protective use and the indicative use of the emblem and outlines the general rules governing the two uses.

Protocol I extends the protective use of the emblem by giving to the competent State authority (hereinafter " the Authority " ) the possibility of granting such use to categories of persons and objects not covered by the 1949 Conventions. It further introduces the possibility of using distinctive visual, acoustic or electronic signals.

### **3. Field of application**

The Regulations apply to all National Red Cross or Red Crescent Societies. They develop Article 44 of the First Convention which sets out the obligations of the National Societies with regard to the emblem. The limits they impose on the lawful use of the emblem must therefore be respected, but this does not prevent the National Societies from laying down stricter rules.

When Protocol I is applicable, certain provisions of the Regulations take on a broader meaning which concerns the National Society of the State in which Protocol I is in force; it does not concern the National Society of a State not party to Protocol I, except with the consent of the Authority.

### **4. Contents of the Regulations**

The Regulations contain one chapter dealing with the protective use of the emblem and another on its indicative use. The two chapters are preceded by general rules which should provide guidelines for cases not specifically mentioned in either chapter.

The articles of the Regulations are usually accompanied by a commentary, in italics, which refers where necessary to the relevant articles of the Geneva Conventions and Protocol I.

## **CHAPTER I : GENERAL RULES**

### **Article 1**

#### **Purposes of the emblem**

The protective use of the emblem is meant to mark medical and religious personnel and equipment which must be respected and protected in armed conflicts.

The indicative use of the emblem serves to show that persons or objects are linked to the Movement.

*There is only one emblem, but it can be used for two different purposes: the first use of the emblem is as a visible sign of the protection conferred by international humanitarian law on certain persons and objects, in particular those belonging to or made available to the Army Medical Service and medical staff from National Red Cross and Red Crescent Societies and from civil defence organizations (Articles 38 and 44, First Convention; Article 8 [c] of Protocol I). The second use of the emblem indicates only that persons or objects displaying it are linked to the Movement.*

## **Article 2**

### **Competence of the National Society**

The National Society may use the emblem as a protective device only with the consent of and in accordance with the conditions laid down by the Authority.

The National Society may make use of the emblem as an indicative device in peacetime and during armed conflicts within the limits stipulated in national legislation, the Regulations, and its statutes.

**Re paragraph 1 :** *Therefore, the National Society does not have the right to use the emblem as a protective device merely because it is the National Society. It is up to States to take the necessary steps to allow and to supervise the protective use of the emblem. In order to avoid the National Society being caught unprepared in the event of an armed conflict, the Authority should determine already in peacetime the National Society's role as auxiliary to the Army Medical Service and its right to use the emblem for its medical personnel and equipment.*

## **Article 3**

### **Prestige and respect of the emblem**

The National Society may use the emblem only for activities consistent with the principles set out by International Conferences of the Red Cross and Red Crescent. It shall ensure at all time that nothing shall tarnish its prestige or reduce the respect due to the emblem.

*The principles mentioned, the Fundamental Principles in particular, are those which give to the Movement its aims and are the basis of its specific action: voluntary assistance to those who suffer, to the direct and indirect victims of conflicts and of natural and social disasters. The raison d'être of the Red Cross/Red Crescent is set out in the Preamble to the Movement's Statutes.*

*National Societies shall refrain from displaying the emblem when carrying out activities which have only a tenuous connection with their essential mission.*

## **Article 4**

### **Distinction between the two uses**

Any confusion between the protective use and the indicative use of the emblem must be avoided. In armed conflicts, the National Society which continues its peacetime activities shall take all the necessary measures to ensure that the emblem used indicatively, displayed on persons or objects, is seen only as marking their connection with the National Society and not as conferring the right to protection under international humanitarian law. In particular, the emblem shall be relatively small and shall not be placed on armlets or roofs. The National Society shall endeavour to follow the latter rule in peacetime so as to avoid from the very beginning of a conflict any confusion with the emblem used as a protective device.

*It is not so much the design of the emblem that can lead to confusion as the circumstances in which it is displayed. Hence, it is particularly in situations in which the emblem may also be used as a protective device, i.e. in armed conflicts, that it is necessary to avoid any confusion. In order to obviate this risk, it is recommended that the National Societies use as an indicative device, already in peacetime, an emblem of relatively small dimensions. For the same reason, it is further recommended that, also in peacetime, they refrain from placing the emblem on armlets, roofs or even flags. However, the use of a large-size emblem is not excluded in certain cases, such as events where it is important for first-aid workers to be easily identifiable.*

## **Article 5**

### **Design of the emblem**

The emblem used as a protective device shall always retain its original form, i.e. nothing shall be added either to the cross, the crescent or the white ground. A cross formed with two cross-pieces, one vertical and the other horizontal crossing in the middle, shall be used. The shape and direction of the crescent are not regulated. Neither the cross nor the crescent shall touch the edges of the flag or the shield. The shade of the red is not specified. The ground shall always be white.

The emblem used indicatively shall be accompanied by the name or initials of the National Society. There shall be no drawing or writing on the cross or the crescent which shall always be the dominant element of the emblem. The ground shall always be white.

Use of the emblem for decorative purposes is permitted, within the limits of Article 3, on the occasion of public events or on material intended to promote the National Society and the Movement, such as films, publications, medals or other tokens of acknowledgement. For such use a freer design is permitted, provided that national legislation does not prohibit it. Moreover, the emblem used as an indicative device should as far as possible be displayed together with the decorative design.

**Re paragraph 1:** *The design of the emblem must be clear so that persons and objects with the right to use it can be easily identified and thus effectively protected. Protection, however, does not depend on the emblem: a protected person not marked or badly marked obviously does not lose his right to protection because of this.*

**Re paragraphs 2 and 3:** *A distinction must be made between the indicative use showing that a person or an object is linked to the Society, in which case strict design is essential, and indicative use for the purpose of promoting the National Society and the Movement, in which case a freer design is permitted if it is not prejudicial to the prestige of the emblem. With regard to the latter case, it is up to the National Society to decide, depending on the national legislation and the national context, whether it is possible or advisable to authorize such use. The freer design may consist, for example, of a red cross set with gold, a crescent with graded shades of red, a cross cut out, or an emblem with a motif. The Society shall not display such a design on the buildings it uses or on its letterhead, as these are typical cases of indicative use.*

## **Article 6**

### **Visibility of the emblem used as a protective device**

The emblem used as a protective device must be identifiable from as far away as possible. It shall be as large as necessary under the circumstances. At night or when visibility is reduced, it may be lighted or illuminated. It shall as far as possible be made of materials rendering it recognizable by technical means of detection and displayed on flags or flat surfaces visible from as many directions as possible, including from the air.

## **Article 7**

### **Internal regulations of the National Society**

The National Society shall lay down the conditions governing the use of the emblem in regulations or internal directives.

*The regulations or directives may consist, for example, of:*

*A. Concerning the protective use of the emblem:*

- the reference to the national legislation on the subject and to the Regulations;*
- the indication of the competent authorities who can authorize the use of the emblem;*
- the list of steps to be taken at the beginning of a conflict to avoid any confusion with the indicative use of the emblem;*
- the conditions governing the use of the emblem for persons and objects of the National Society.*

*B. Concerning the indicative use of the emblem:*

- the reference to the national legislation on the subject and to the Regulations;*
- the conditions governing the use of the emblem by members of the National Society and by members of the Red Cross or Red Crescent Youth;*
- the mention of other persons not members of the National Society but trained by it and authorized to wear the emblem;*
- the list of aid stations and ambulances run by third parties authorized to use the emblem,.*
- the dimensions and proportions of the emblem;*
- details concerning the use of the emblem for fund-raising and dissemination purposes and on medals or other tokens of acknowledgement;*
- the rules governing the documents carried by persons to justify their use of the emblem, or persons in charge of objects marked with the emblem.*

## **CHAPTER II: PROTECTIVE USE OF THE EMBLEM**

### **SECTION I : GENERAL PRINCIPLE**

#### **Article 8**

#### **Consent of the Authority and conditions governing the use of the emblem**

Before using the emblem as a protective device the National Society must receive permission from the Authority and with it lay down the rules governing its use. The National Society shall take the necessary measures to see that its members respect those rules and to avoid any confusion with the indicative use of the emblem.

*The National Society shall endeavour already in peacetime to lay down with the Authority rules governing the protective use of the emblem, in the event of armed conflict, by its medical personnel and on its medical equipment. Regarding the risk of confusion, see Article 4 above.*

*In cases where it is not practically possible for the Authority to give its permission (for example, in the event of serious disturbances), and where there is an obvious and urgent need for humanitarian measures, the National Society may act on the assumption that such permission has been granted. This is because the principle of humanity requires action to be taken. Furthermore, the National Society need fear no penalty under international law as the essential purpose of international law is to serve mankind; faced with a glaring need for humanitarian action, a formal obstacle such as that mentioned above must not be allowed to block an initiative that so clearly corresponds to the spirit of the law. These points apply to Articles 8 to 10 of the present Regulations.*

## SECTION 2 : PERSONS

### **Article 9**

#### **Medical personnel of the National Society**

The medical personnel of the National Society authorized to wear the emblem as a protective device shall display it during the discharge of their duties in a manner ensuring optimum visibility.

In evidence of their status, such personnel shall carry identity cards issued by the Authority.

**Re paragraph 1:** *Medical personnel status is granted to the National Society personnel when it is placed at the disposal of the Army Medical Service (Article 26, First Convention) and when, in the discharge of its tasks, it is "regularly and solely engaged in the operation and administration of civilian hospitals" (Article 20, Fourth Convention).*

*Protocol I gives the Authority the possibility of granting the right to use the emblem as a protective device to all civil medical personnel, which can thus include National Society medical personnel not covered by the 1949 Conventions. A definition of medical personnel is set out in Article 8, subparagraph (c) of Protocol I.*

*Special emphasis must be put on the visibility of the emblem, particularly when the emblem is worn in occupied territories and areas where fighting has broken out or seems about to break out. See also Article 6 above.*

**Re paragraph 2:** *See Articles 40 and 41 and Annex II, First Convention, and Article 18, paragraph 3, Protocol I and Articles I and 2 of Annex I to Protocol I. The National Society shall, if necessary, remind the Authority of its duty to issue such identity cards to the Society's medical personnel.*

## SECTION 3 : OBJECTS

### **Article 10**

#### **Medical units and transports of the National Society**

The medical units and transports of the National Society authorized by the Authority to display the emblem as a protective device shall do so in a manner ensuring optimum visibility.

*In the Conventions, the medical units and transports include medical units and establishments, medical buildings, medical equipment and transports (see Chapters III, V and VI of the First Convention). With regard to the National Society, these include hospitals, ambulances, hospital ships, aircraft and stores of medical material when placed at the disposal of the Army Medical Service, as well as civilian hospitals belonging to it, when these have been recognized as such and authorized by the Authority to display the emblem (see Article 18 of the Fourth Convention).*

*Protocol I gives the Authority the possibility of granting the right to use the emblem as a protective device to all civilian medical units and means of medical transport, which can therefore include National Society medical units and means of medical transport not covered by the 1949 Geneva Conventions. A definition of medical units, medical transport and means of medical transport is set out in Article 8, subparagraphs (e), (f) and (g) of Protocol I.*

*Detailed comments on the visibility of the emblem are contained in Article 42 of the First Convention and Chapter II of Annex I to Protocol I. See also Article 6 above.*

## **Article 11**

### **Specific rules for marking**

Hospital ships and coastal rescue craft of the National Society shall be marked with the emblem as provided for in Article 43 of the Second Geneva Convention of 1949.

Medical aircraft of the National Society shall be marked in conformity with Article 36 of the First Convention.

**Re paragraph 1:** *Hospital ships and coastal rescue craft (or rescue craft, as they are referred to nowadays since, being often of large tonnage and long range, they may operate far from the coast) must carry a document from the Authority declaring that they were under its control when they were being fitted out or when they set sail. Their names and characteristics must be communicated to all the parties to the conflict. These hospital ships and rescue craft are exempt from capture. More detailed rules for marking are set out in Article 43 of the Second Convention. See also Articles 22 to 35 of the Second Convention and Articles 3 to 11 of Annex I to Protocol I.*

*Moreover, in accordance with Article 23 of Protocol I, other ships and craft of the National Society used temporarily or permanently for medical purposes shall be marked in conformity with the provisions of Article 43, paragraph 2, of the Second Convention. These ships and craft are not exempt from capture.*

**Re paragraph 2:** *The relevant provisions are Articles 36 of the First Convention, 39 of the Second Convention, 22 of the Fourth Convention, Articles 24 to 31 of Protocol I, and 5 to 13 of Annex I to Protocol I.*

## **Article 12**

### **Optional distinctive signals**

With the consent of the Authority, in addition to the emblem, the National Society may make its medical units and transports identifiable by the recognized optional distinctive signals, namely, the blue light signal, the radio signal and electronic means of identification.

*The regulations on distinctive signals can be found in:*

- *Annex I of Protocol I, Articles 5 to 8;*
- *Document 9051 (blue lights) of the Airworthiness Technical Manual issued by the International Civil Aviation Organization (ICAO);*
- *Section II of Article 40 and Section III of Article N 40 (medical transport) of the Radio Regulations issued by the International Telecommunication Union (ITU);*
- *Chapter XIV of the International Code of Signals issued by the International Maritime Organization (IMO).*

## **Article 13**

### **Marking already in time of peace**

With the consent of the Authority, the National Society may, already in time of peace, use the emblem and optional distinctive signals to identify units and transports whose assignment to medical purposes in the event of an armed conflict is definitively decided.

## **SECTION 4 : SPECIFIC RULES**

## **Article 14**

### **Simultaneous use of the emblem as a protective and as an indicative device**

Unless otherwise directed by the Authority, the National Society may authorize its members to display the emblem as an indicative device, together with its name, simultaneously with the emblem used as a protective device.

Under the same conditions, the objects placed at the disposal of the Authority may also bear the emblem with the name of the Society.

In such cases, the emblem used as an indicative device and the name of the National Society must be of small dimensions.

## **Article 15**

### **National Society of a neutral or other State not Party to the conflict**

The National Society of a neutral or other State not Party to the conflict that intends to provide medical personnel or objects to any Party to an armed conflict must obtain prior consent from the said Party and from its own State authorities. The rules governing the protective use of the emblem must be established by the said Party to the conflict. The said persons and objects may display the emblem from the moment of their departure on mission.

*See on this point Article 27, First Convention.*

## **CHAPTER III : INDICATIVE USE OF THE EMBLEM**

### **SECTION I : PERSONS**

#### **Article 16**

##### **Members and employees of the National Society**

The members and the employees of the National Society may wear the emblem, usually of small dimensions, when on duty.

When not on duty, members may only wear an emblem of very small dimensions, for example, in the form of a brooch or a badge.

Save in exceptional circumstances, the emblem shall be accompanied by the name or initials of the National Society.

**Re paragraph 1:** *Although in its indicative use the emblem is usually of small dimensions, it may at times be of large dimensions, especially when meant to allow easy identification of first-aid workers (see Article 4 above and its commentary).*

**Re paragraph 2:** *In this case the emblem must be of very small dimensions because its use is not related to any specific activity carried out on behalf of the Society.*

**Re paragraph 3:** *As a general rule volunteers should be identifiable as members of the National Society. However, in some cases they should be allowed to forego use of the name or initials of the Society alongside the emblem, for example during internal disturbances when such markings may hinder their work.*

#### **Article 17**

##### **Members of the Red Cross or Red Crescent Youth**

Article 16 above is applicable. The emblem shall be accompanied by the words " Red Cross Youth " or " Red Crescent Youth " or the initials " RCY " .

#### **Article 18**

##### **Other persons authorized by the National Society to wear the emblem**

The National Society may authorize, under the conditions laid down in its own internal regulations, persons who are not members of the National

Society but have taken its courses or passed its exams to wear an emblem of very small dimensions and accompanied by the name or the initials of the National Society, for example, in the form of a brooch or a badge.

*These persons are usually first-aid workers or nurses thus brought to the attention of the public.*

## SECTION 2 : OBJECTS

### **Article 19**

#### **Buildings and premises used by the National Society**

The emblem, accompanied by the name of the National Society, may be displayed on the buildings and premises used by the Society, whether or not they belong to it.

When only part of the buildings is used by the National Society, the emblem may be displayed only on the part which it occupies.

The emblem shall be of relatively small dimensions and shall not be displayed on the roof, in order to avoid, in the event of armed conflict, any confusion with the emblem used as a protective device.

**Re paragraph 2:** *When the National Society shares a building with other persons or societies, it shall ensure that the activities of its neighbours are not indirectly detrimental to the prestige of the emblem.*

**Re paragraph 3:** *Regarding the risk of confusion, see Article 4 above.*

### **Article 20**

#### **Buildings and premises belonging to the National Society, not occupied by it**

The National Society shall not mark with the emblem buildings or premises belonging to it, not occupied by it but which it rents or lends to third parties.

### **Article 21**

#### **Hospitals, aid stations [1 ] and means of transportation of the National Society**

The emblem, accompanied by the name of the National Society, may figure on hospitals and aid stations run by the Society and on the means of transportation, especially ambulances, used by its members and employees. Subject to Article 13, the emblem so used shall be of relatively small dimensions in order to avoid, in the event of armed conflict, confusion with the emblem used as a protective device.

*With regard to hospitals, it should be noted that the indicative use of the emblem is reserved exclusively for hospitals of the National Society, not forgetting, however, that those hospitals which the Authority intends to authorize to display the emblem as a protective device in time of armed conflict may - with the consent of the Authority - be marked accordingly already in peacetime (see Articles 10 and 13 above).*

*In order to prevent any misuse, the National Society shall remove or cover the emblem and its name if it lends a means of transportation to other organizations.*

*Regarding the risk of confusion, see Article 4 above.*

## **Article 22**

### **Aid stations [2 ] and ambulances run or used by third parties**

The National Society may permit third parties to use the emblem, in peacetime and in conformity with national legislation, to mark aid stations used exclusively to give free treatment and ambulances.

The National Society shall only give this permission in exchange for the right regularly to control the use of the emblem. It shall reserve the right to withdraw this authorization at all times and with immediate effect.

*Article 44, paragraph 4 of the First Convention allows the marking, besides ambulances, of aid stations "exclusively assigned for the purpose of giving free treatment". Experience has shown that this rule of free treatment is often interpreted with a degree of flexibility. This practice is acceptable, and in conformity with the spirit of the Convention, only in so far as treatment is in no case conditional on payment of a fee and the idea of voluntary service linked to the Movement is upheld.*

## **SECTION 3 : DISSEMINATION AND FUND-RAISING**

### **Article 23**

#### **Campaigns and events organized by the National Society**

The National Society may use the emblem to support the campaigns and events it organizes to make its activities known, to disseminate knowledge of international humanitarian law and of the Movement's Fundamental Principles, or to raise funds, within the limits of Articles 2 to 5 of the Regulations.

When displayed on printed matter, objects or other advertising material of such campaigns, the emblem shall be accompanied, as far as practically possible, by the name of the Society or a text or publicity drawing. The objects shall in no way suggest the

protection of international humanitarian law or membership of the Movement, nor give rise to misuse at some later date. The object shall be of reduced dimensions or else made of rapidly perishable material.

A National Society which co-operates with a commercial company or other organization in order to raise funds or further its dissemination activities may display the company's trademark, logo or name on articles used by the Society, on its advertising material or items which it sells, provided that the following conditions are met:

- (a) no confusion must be created in the mind of the public between the company's activities or the quality of its products and the emblem or the National Society itself,;
- (b) the National Society must retain control over the entire campaign, In particular the choice of articles on which the company's trademark, logo or name is displayed and the siting, form and size of such markings;
- (c) the campaign must be linked to one particular activity and, as a general rule, be limited in time and geographical area;
- (d) the company concerned must in no way be engaged in activities running counter to the Movement's objectives and Principles or which might be regarded by the public as controversial;
- (e) the National Society must reserve the right to cancel its contract with the company concerned at any time and to do so at very short notice, should the company's activities undermine the respect for or the prestige of the emblem;
- (f) the material or financial advantage which the National Society gains from the campaign must be substantial without, however, jeopardizing the Society's independence;
- (g) the contract between the National Society and its partner must be in writing;
- (h) the contract must be approved by the National Society's central leadership.

The National Society may authorize commercial companies or other organizations to mention in their advertising material that they have made a donation to or otherwise contributed to the National Society's work. Such mention may also be authorized on products for sale the proceeds from which are to be donated in full or in part to the National Society. Such authorization shall, however, be subject to strict compliance with the conditions set out in the previous paragraph, subparagraphs (a), (c), (d), (e), (f), (g) and (h). During a promotional campaign, the National Society shall reserve the right to inspect the company's accounts pertaining to that campaign. Moreover, the National Society shall carefully monitor the manner in which the assistance is described in the

advertising material or on the products mentioned above. The same applies to any photographs or other visual material used within the context of the campaign. It shall not authorize the display of its emblem on items for sale and may authorize its display on advertising material only with the utmost restraint and on condition that the emblem be of small dimensions and accompanied by a clear explanation of the assistance received by the Society. The National Society shall ensure that the conditions governing the use of the emblem are an essential part of its contract with the company and that deliberate violation of those conditions entitles the Society to terminate the contract with immediate effect, without being liable for any compensation.

**Re paragraph 1:** *The reference to Article 3 above leads to the conclusion that the name and emblem may be used for fund-raising purposes to sell an Object or give a momentary service, but not, for instance, to sell a lasting or a long-term service, especially if the service has no connection with the Movement's traditional activities or competes with other similar services provided on a commercial basis. The aim is to prevent sales of objects or services of the National Society and the events it organizes from becoming more representative of its work than its humanitarian and social activities.*

**Re paragraph 2:** *Such advertising material, distributed or sold to the public, can consist of printed matter and objects of all kinds: leaflets, publications, posters, philatelic souvenirs, films, pencils, etc. With regard to clothing, flags or banners - given the risk of confusion which such objects could create, in the event of armed conflict, with the emblem used as a protective device - it is essential to ensure that the emblem is accompanied by the name of the National Society, or a text or a publicity drawing.*

**Re paragraph 3:** *The general provisions set out in the first two paragraphs obviously apply to the specific situations described in paragraph 3. Use of the red cross or red crescent emblem or name by "individuals, societies, firms or companies either public or private" is prohibited by international humanitarian law (First Geneva Convention, Article 53). It is nevertheless acceptable for a National Society to mention that it has received certain assistance from a commercial company or other organization. Insisting that the donors of such assistance remain anonymous could mean that the National Society would lose major sources of funds or other benefits. It is nevertheless important that the National Societies closely monitor the manner in which the assistance is publicized so as to avoid any abuse or risk of confusion in the mind of the public. The conditions set out in paragraph 3 provide precise guidelines in that respect.*

**Subparagraphs (a) and (b)**

*It is necessary first and foremost to avoid any confusion in the mind of the public between commercial companies and the emblem or the National Society itself. Thus, when a National Society announces that it is receiving support from a commercial company in a given campaign (for example in producing printed matter or other items), the Society must ensure that the role played by the company is expressly defined and that the emblem can in no way be interpreted as guaranteeing product quality. It must also ensure that the company's trademark, logo or name remains in reasonable proportions compared with the rest of the display.*

### **Subparagraph (c)**

*The National Society may not involve a commercial company in its activities as a whole but only in specific programmes. The duration of its association with the company must be determined in advance and should not exceed three years. Moreover, it must be limited to the country's territory unless there is an agreement with the National Society (or Societies) of any other State on whose territory the campaign would also be held.*

### **Subparagraph (d)**

*Some companies are engaged in activities which are themselves directly contrary to the Movement's objectives (for example the manufacture or sale of arms, tobacco, alcohol or products clearly seen as being harmful to the environment. The linking of the names or logos of such companies with those of a National Society must therefore be avoided.*

### **Subparagraph (e)**

*Association with a commercial company whose activity is not contrary to the Movement's objectives could prove embarrassing for reasons not known to the National Society when it enters into the agreement (serious pollution by the company concerned, for example). It is therefore essential that the National Society be able to end its association with the company very rapidly.*

### **Subparagraph (f)**

*Sponsorship is an important serious matter, which should be envisaged only when major contracts are involved and when substantial advantages will be gained by the National Society concerned. However, the Society must ensure that the advantages gained do not make it dependent on the company concerned. Financial gain, for example, should not exceed a certain percentage of the Society's total resources (20% maximum).*

### **Subparagraph (g)**

*It is also essential that all terms and conditions of the agreement between the National Society and the contracting company or organization be the subject of a written contract.*

### **Subparagraph (h)**

*Before an agreement is reached between the National Society and the contracting company or organization it must be discussed by the body normally responsible for making decisions pertaining to the National Society's administration.*

**Re paragraph 4:** *To avoid the loss of major sources of funds, the National Society may authorize a commercial company or other organization that has contributed to its work to mention this assistance in its advertising material or on products for sale the proceeds from which are to be donated in full or in part to the National Society. However, as this entails a considerable risk of abuse, the conditions set out in paragraph 3, subparagraphs (a), (c), (d), (e), (f), (g) and (h) must be strictly observed.*

*Moreover, the National Society must ensure that such mention remain discreet and not give rise to confusion. The emblem may be reproduced in the companies' advertising material. It is though prohibited to display the emblem on products or items for sale, since they are often designed to last and the National Society has no control over their use.*

Wherever such reproduction in advertising material is authorized, the emblem must be of small dimensions and should be accompanied by an explanation enabling the public to clearly understand the relationship between the National Society and the contracting company or organization.

Furthermore, the National Society shall reserve the right to inspect the company's accounts pertaining to the activities connected with the promotional campaign. The Society may exercise this right itself or through a specialized institution, for example an auditing firm.

Finally, in addition to the right of cancellation stipulated in Article 23. paragraph 3, subparagraph (e), the National Society shall reserve the right to terminate the contract with immediate effect, without being liable for any compensation, should the conditions governing the use of the emblem be deliberately violated by the contracting company or organization.

## **Article 24**

### **Requests by third parties to use the emblem**

With the exception of the cases mentioned in Articles 18, 22 and 23 above, and those provided for in the present Article with a view to promoting the activities of the Society and the Movement, the National Society may not authorize any third parties to use the emblem.

The National Society can accede to a request for the emblem to be put on objects to be sold on the market if such objects represent persons or objects which may display the emblem in reality in accordance with the Geneva Conventions, as a protective or indicative device, and if the emblem is not placed alongside the trademark of the company in question. The authorization shall be limited to a specific time or number of objects. It may be subject to payment but its main aim shall remain dissemination of international humanitarian law or of the activities of the National Society and the Movement.

The National Society may authorize use of the emblem by institutions whose purpose is not commercial but solely to make known or to promote the activities of the Society and of the Movement.

The National Society shall require that third parties provide all facilities necessary to exercise control on the use of the emblem at any time, with the possibility of withdrawing its authorization with immediate effect.

**Re paragraph 1:** *It is therefore clear that, except in the above-mentioned cases, the National Society may not authorize third parties to use the emblem. Such use calls for very strict control on the part of the National Society and must therefore remain an exception.*

**Re paragraph 2:** *These can be, for instance, miniature military ambulances, or figurines representing members of the Army Medical Service or of the National Society. The authorization will be valid only in the country of the National Society giving it, except where there is an agreement with the National Society(ies) of one or several other countries. Moreover, the National Society will have to take care that by granting such authorization it does not favour one company to the detriment of another. Even where permission to use the emblem is not granted in return for a financial contribution, the rules laid down in Article 23 concerning respect for the emblem apply to the cases provided for in the present Article. Likewise, companies wishing to use the emblem, even for purposes other than financial gain, must ask the National Society for permission and the general conditions set out in Article 23 must be met.*

**Re paragraph 3:** *The National Society may grant the authorization to institutions such as associations or foundations whose purpose is to promote the activities of the Society and of the Movement but which -for reasons of opportuneness or some legal reason (for*

*example, fiscal) - are legal entities independent of the National Society. It should be noted that these institutions are entitled to the emblem only in so far as it is used to make known or promote the activities of the Society and of the Movement, and not by their members as such. It is therefore important that the use of the emblem be strictly controlled by the National Society (see paragraph 4 above).*

## SECTION 4 : SPECIFIC RULES

### **Article 25**

#### **Co-operation with other organizations**

In addition to the cases mentioned in Articles 23 and 24, the National Society may in exceptional circumstances use the emblem jointly with that of another humanitarian organization, in the event of a specific undertaking and provided that such use is discreet and does not give rise to confusion in the public mind between the National Society and the other organization.

*In principle, the National Society must not use its emblem jointly with that of other organizations. It must endeavour to find a way of avoiding such a procedure and should have recourse to joint use only in exceptional circumstances, in connection with humanitarian activities or dissemination campaigns (for example, in a joint publication). In such cases, only indicative use may be made of the emblem.*

### **Article 26**

#### **Medals and other tokens of acknowledgement**

The emblem may figure on medals and other tokens of acknowledgement given by the National Society, on condition that it is shown together with its name and, if possible, a few words describing the purpose of the medal or defining the services rendered. Its design may be decorative, in accordance with the conditions set out in Article 5, paragraph 3 above.

### **Article 27**

#### **Relief consignments**

The National Society may use the emblem, accompanied by its name or its initials, to mark relief consignments sent by rail, road, sea or air and intended for victims of armed conflicts or natural disasters. The National Society shall take the measures necessary to prevent any misuse.

*It is important to note that this right applies only to relief consignments themselves, to allow identification of their origin, and not to the means of transport used.*

## **Notes**

1. The United Nations Convention on road signs and signals adopted in Vienna on 8 November 1968, and the European agreement supplementing it, adopted in Geneva on 1 May 1971, include two road signs displaying the emblem:

(a) the sign " First-aid stations " (F, 1a), made up of the red cross or red crescent on a white ground, the whole framed by blue. As this is an indicative use of the emblem, the National Society shall request the authorities to use this sign to mark only aid stations run or authorized by it;

(b) the " hospital " sign (E, 12b), made up of a red cross or red crescent on a blue ground with a white bed. Since this is a misuse of the emblem, the National Society shall request the authorities to use the other " hospital " sign (E, 12a) only. This sign is also provided for in these agreements and is made up of the letter H in white on a blue ground.

2. See (1) Article 21.