

**Protocol additional to the Geneva Conventions of 12 August 1949, and
relating to the Adoption of an Additional Distinctive Emblem (Protocol III),
8 December 2005**

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Since the nineteenth century the Red Cross and Red Crescent emblems have been used as universal symbols of assistance for armed conflict victims. With the adoption of an additional emblem – the red crystal – a new chapter in their long history has just been written.

The original Geneva Convention, adopted on 22 August 1864, established the red cross emblem. From the beginning, the emblem was a visible sign of the neutral status and the protection granted by international humanitarian law to armed forces' medical services and volunteers belonging to relief societies for wounded military personnel. At the time, the adoption of a single distinctive symbol appeared to be an essential condition for this protection. By the end of the nineteenth century, however, the red crescent and the red lion and sun [1] were used by some States and relief societies instead of the red cross. Taking note of the *fait accompli*, the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field of 27 July 1929 granted international recognition to these two additional emblems. The Geneva Conventions of 12 August 1949 subsequently confirmed all three emblems.

The Commentary on Article 38 of the First Geneva Convention of 1949 clearly states that these emblems are intended “to signify one thing only – something which is, however, of immense importance: respect for the individual who suffers and is defenceless, who must be aided, whether friend or enemy, without distinction of nationality, race, religion, class or opinion.” [2] Despite this assertion, the emblems are sometimes perceived in particular contexts as having a religious or political connotation. This perception is the cause of two major difficulties for the International Red Cross and Red Crescent Movement. First, it challenges the notion that neutrality and impartiality serve as the basis for the activities of all components of the Movement. As a consequence, the emblems are not given the respect they are due, which diminishes the protection afforded those displaying them. Second, it has led some States and relief societies to refuse to adopt any of the existing emblems on the grounds that none is suitable for them. Any such refusal prevents the Movement from attaining true universality, since its statutes lay down the use of one or the other of these symbols as a necessary condition for a National Society to be recognized and to become a full member of the Movement.

In order to correct these two problems, the States party to the Geneva Conventions adopted a third protocol additional to the Conventions at a diplomatic conference held in Geneva from 5 to 8 December 2005. This instrument recognizes an additional emblem – composed of a red frame in the shape of a square on edge on a white ground – commonly referred to as the red crystal.[3] The shape and name of this additional emblem were the result of a

long selection process, the goal of which was to come up with a result devoid of any political, religious or other connotation and which could thus be used all over the world. The red crystal is not intended to replace the cross and crescent but to provide a further option.

The persons and entities authorized to display the red crystal are the same as those entitled to use the emblems recognized by the Geneva Conventions of 1949. These include in particular the medical services of the armed forces of States, civilian hospitals with explicit authorization and the various components of the International Red Cross and Red Crescent Movement – namely, the International Committee of the Red Cross (ICRC), the National Societies, and their International Federation. The recognized emblems are equivalent in meaning. They must be treated equally and receive equal protection in the national legislation of States.

The emblems may be employed in two different ways. As a protective device, an emblem is the visible sign of protection conferred by the Geneva Conventions. As an indicative device, an emblem shows that a person or object is linked to the International Red Cross and Red Crescent Movement. Additional Protocol III provides for the red crystal in its pure form to be used as a protective device. If used as an indicative device, however, the red crystal may have incorporated within it one of the emblems recognized by the Geneva Conventions, a combination of these emblems or another emblem which has been in effective use by a State party to Additional Protocol III and was the subject of a communication to the other States Parties and the ICRC prior to the adoption of the Protocol. It is important to note that Additional Protocol III authorizes not only the permanent substitution of the red crystal for the red cross or red crescent as described above, but also temporary use of the red crystal in exceptional circumstances to enhance protection of armed forces' medical services or to facilitate the work of National Societies.

Additional Protocol III is drawn up in such a way as to prevent any future proliferation of other emblems.

Notes

1. The Islamic Republic of Iran – the only State to have employed the red lion and sun – has since abandoned its use.
2. Commentary on Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1952, p. 305.
3. Protocol Additional III refers to this additional emblem as the “third Protocol emblem.” However, paragraph 14 of the final act of the diplomatic conference on the adoption of Protocol III specifies in this regard: “Although Protocol III referred to the additional emblem as the ‘third Protocol emblem,’ the ICRC and the [International Federation] informed the Conference that the designation ‘red crystal’ had gained currency and would be introduced formally at the next International Conference of the Red Cross and Red Crescent.”