

109TH CONGRESS
2D SESSION

H. CON. RES. 435

CONCURRENT RESOLUTION

Whereas international humanitarian law is, quintessentially, about principle, establishing standards of conduct that can not be breached under any circumstance, or for any calculation of political efficacy or utility;

Whereas the International Red Cross and Red Crescent Movement is a worldwide institution in which all national Red Cross and Red Crescent societies have equal status,

whose mission is to prevent and alleviate human suffering wherever it may be found, without discrimination;

Whereas the Magen David Adom (Red Shield of David) Society is the national humanitarian society in the State of Israel and has performed heroically, aiding all in need of assistance, on a purely humanitarian basis, without bias, even those responsible for acts of horrific violence against Israeli civilians;

Whereas since 1949 the Magen David Adom Society has been refused admission into the International Red Cross and Red Crescent Federation and has been relegated to observer status without a vote because it has used the Red Shield of David, the only such national organization denied membership in the Movement;

Whereas the red cross symbol was intended as the visible expression of the neutral status enjoyed by the medical services of the armed forces and the protection thus conferred, and there is not, and has never been, any implicit religious connection in the cross;

Whereas since its establishment in 1930, the Magen David Adom Society, because it does not use either a red cross or a red crescent, has been prevented from full membership in the International Red Cross and Red Crescent Federation;

Whereas Israel acceded to the Geneva Conventions in 1951 with a reservation specifying their intent to continue to use the Magen David Adom;

Whereas international consultations among nations and national Red Cross Societies ensued until 1999, when the International Committee of the Red Cross formally called for adoption of a protocol to the Geneva Conventions cre-

ating a third neutral symbol; allowing the use of either the Red Cross, the Red Crescent, or the third neutral symbol; and allowing for the third neutral symbol to be used in combination with other national Red Cross Society symbols—including the Magen David Adom;

Whereas a diplomatic conference to adopt this proposal into the Geneva Conventions was scheduled for October 2000, but was prevented by the outbreak of the second Palestinian intifada;

Whereas the United States and the American Red Cross have worked ceaselessly to resolve the issue of the third neutral symbol and achieve full membership in the International Red Cross and Red Crescent Federation for the Magen David Adom Society;

Whereas Congress has insisted that funds made available to the headquarters of the International Red Cross and Red Crescent Movement be contingent on a certification by the Secretary of State confirming that the Magen David Adom Society is a full participant in the activities of the International Committee of the Red Cross;

Whereas the American Red Cross has stood alone among all the national humanitarian aid societies, and has withheld over \$45,000,000 in dues to the International Federation of the Red Cross and Red Crescent Societies to protest the exclusion of the Magen David Adom;

Whereas the Government of Switzerland, the depositary state for the Geneva Conventions, convened a Diplomatic Conference of the states parties to the Geneva Conventions in December 2005 for the purpose of adopting a Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Dis-

tinctive Emblem (the “Geneva Protocol III”) and rightly resisted efforts to block the broad international consensus in favor of resolving the third neutral symbol question;

Whereas the efforts by the United States and the American Red Cross at the Diplomatic Conference in December 2005 were critical to achieving both an overwhelming positive vote in favor of adopting the Geneva Protocol III, as well as an extremely important memorandum of understanding between the Magen David Adom and the Palestinian Red Crescent Society;

Whereas sustaining international support for the adoption of the third neutral symbol against efforts to divert the conference into unrelated political matters required extraordinary diplomatic efforts by the United States and the American Red Cross;

Whereas the Geneva Protocol III adopted in Geneva in December 2005 established the new third neutral symbol, the “red crystal” that can be used in conjunction with the Red Shield of David and cleared the way for Israel’s full participation in the international movement;

Whereas in June 2006 the states parties to the Geneva Conventions, the national Red Cross and Red Crescent societies, the Federation of the Red Cross and Red Crescent Societies, and the International Committee of the Red Cross met in Geneva to adopt rules implementing the Geneva Protocol III; and

Whereas following the June 2006 meeting in Geneva, the International Red Cross and Red Crescent Federation accepted the Magen David Adom Society as a full member:
Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That—*

3 (1) Congress—

4 (A) commends the Magen David Adom So-
5 ciety for its long and distinguished record of
6 providing humanitarian assistance to all those
7 in need of aid, even those responsible for hei-
8 nous atrocities against Israeli civilians;

9 (B) congratulates the Magen David Adom
10 Society, and the Government and the people of
11 the State of Israel, for securing full member-
12 ship in the International Red Cross and Red
13 Crescent Federation, 57 years past due;

14 (C) thanks the President, the Secretary of
15 State, and United States diplomatic representa-
16 tives for their tireless pursuit and maintenance
17 of the international support that culminated in
18 the Magen David Adom Society's recent accept-
19 ance as a full member in the International Red
20 Cross and Red Crescent Federation;

21 (D) thanks the American Red Cross for its
22 unwavering and unyielding insistence within the
23 International Red Cross and Red Crescent
24 Movement that the humanitarian principle of
25 universality could not be reconciled with contin-

1 ued exclusion of the Magen David Adom Soci-
2 ety; and

3 (E) thanks the Government of Switzerland
4 and officials of the International Committee of
5 the Red Cross for helping to prepare the nec-
6 essary groundwork and carrying to completion
7 the adoption of the Geneva Protocol III by the
8 states parties to the Geneva Conventions and
9 the rules for its implementation; and

10 (2) Congress commends the President for—

11 (A) submitting the Geneva Protocol III to
12 the Senate for its advice and consent; and

13 (B) pending approval by the Senate, pre-
14 paring for congressional consideration and en-
15 actment of legislation necessary to carry into ef-
16 fect the Geneva Protocol III.

Passed the House of Representatives July 18, 2006.

Attest:

Clerk.

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Congratulating Israel's Magen David Adom Society for achieving full membership in the International Red Cross and Red Crescent Federation, and for other purposes.