

Law of the Republic of Belarus

May 12, 2000 No 382-Z

[Amended as of July 3, 2011]

On Use and Protection of Emblems of the Red Cross, the Red Crescent, the Red Crystal, Distinctive Signals, and also of Designations “the Red Cross”, “the Red Crescent”, “the Red Crystal”

Adopted by the House of Representatives on April 3, 2000

Approved by the Council of Republic on April 26, 2000

The present Law defines, pursuant to international obligations of the Republic of Belarus, the order of use and protection of the emblems of the Red Cross and the Red Crescent, of distinctive signals, and also of the designations "the Red Cross", "the Red Crescent", and "the Red Crystal".

CHAPTER 1
GENERAL PROVISIONS

Article 1. International Obligations of the Republic of Belarus in the Field of Use and Protection of Emblems of the Red Cross, the Red Crescent, and the Red Crystal

International obligations of the Republic of Belarus in the field of use and protection of the emblems of the Red Cross, the Red Crescent, and the Red Crystal arise from the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, from the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12, 1949, from the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949, from the Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12, 1949 (hereinafter – the Conventions), from the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts of June 8, 1977 (hereinafter – Protocol I), from the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts of June 8, 1977 (hereinafter – Protocol II), from the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III) of December 8, 2005 (hereinafter – Protocol III).

Article 2. Basic Terms Used in the Present Law

For the purposes of the present Law the following basic terms are used:

armed conflict – situations as they are defined in Article 2 of the Conventions, in clause 4 of Article 1 of Protocol I and in Article 1 of Protocol II;

religious personnel– clergymen who are, in the order established by the legislation of the Republic of Belarus with the aim of ministering their worship on the permanent or temporary basis, in the armed forces, other military formations, medical formations, sanitary-transportation facilities, civil defense forces;

medical units – stationary or mobile medical institutions and other civil or military formations created on the permanent or temporary basis for searching, picking up, diagnosing or treating the wounded and the sick, shipwrecked persons, including rendering of first aid, and also for preventive measures against diseases;

medical personnel – persons appointed on a permanent or temporary basis for searching, picking up, transporting, diagnosing or treating the wounded and the sick, shipwrecked persons, including rendering of first aid, for preventive measures against diseases, and also for economic, material and technical supplying of medical formations;

International Red Cross and Red Crescent Movement – a movement including the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and national societies of Red Cross or Red Crescent recognized by the International Committee of the Red Cross and being members of the International Federation of Red Cross and Red Crescent Societies;

distinctive signal – a signal or a message specified exclusively for the identification of medical units or transports pursuant to Annex I to Protocol I;

medical transports – air, surface, sea, river military and civil means of transportation, used on a permanent or temporary basis, intended exclusively for transporting of the wounded and the sick, shipwrecked persons, medical personnel, medical

property, and also for other medical purposes, and remaining under the control of a party of an armed conflict.

Article 3. Objects Subject to Protection

The present Law ensures the protection of emblems of the Red Cross, the Red Crescent, and the Red Crystal, of the designations "the Red Cross", "the Red Crescent", "the Red Crystal", and distinctive signals.

Article 4. Emblems of the Red Cross, the Red Crescent, and the Red Crystal

The emblem of the Red Cross represents a red cross on a white ground, composed of two lines (horizontal and vertical) of the same length and width crossing in the middle at a direct angle and not reaching the edge of the ground.

The emblem of the Red Crescent represents a red crescent of any configuration and direction on a white ground, not reaching the edge of this ground.

The emblem of the Red Crystal represents a red frame in the shape of a square on edge on a white ground.

The emblem of the Red Cross, the Red Crescent of the Red Crystal (hereinafter – the emblem, unless otherwise established) may be used as a protective or distinctive sign.

The design and the procedure of using the emblem are determined by the present Law, Conventions, Protocols I, II, III and 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 1965, with changes and additions of 1991 (hereinafter – the Regulations on the Use of the Emblem).

Article 5. Distinctive Signals

Distinctive signals include light signals, radio signal and electronic identification signals.

The procedure of using distinctive signal are determined by Protocol I.

Article 6. Use of the Designations "the Red Cross", "the Red Crescent", "Red Crystal"

The designations "the Red Cross", "the Red Crescent", and "the Red Crystal" (hereinafter – the designations, unless otherwise established) are used only in the designations of organizations included in the International Red Cross and Red Crescent Movement, when they carry out activity in accordance with the principles of this movement.¹

The procedure of using these designations is determined by the present Law, Conventions and Protocols I, II, III.

Article 7. National Organisation of the Red Cross

The Belarusian Society of the Red Cross is recognized the only national organization of the Red Cross in the territory of the Republic of Belarus.

The exclusive right to use the emblem of the Red Cross and the designation "the Red Cross" in the territory of the Republic of Belarus belongs to the Belarusian Society of the Red Cross, unless otherwise stipulated by the present Law.

CHAPTER 2 USE OF THE EMBLEM AS A PROTECTIVE SIGN

Article 8. General Requirements to Use of the Emblem as a Protective Sign

The emblem as a protective sign is used for the identification during the period of an armed conflict of the medical and religious personnel, medical units, medical transports, and medical supplies that enjoy special protection pursuant to the Conventions and Protocols I, II, III in connection with rendering assistance to the wounded, sick, shipwrecked.

The emblem must be, whenever possible, of a large size, to ensure its visual recognition from as far away as possible.

For confirmation of their status during an armed conflict, the medical and religious personnel specified in Articles 9-13 of the present Law are obliged to wear on the left arm armbands and to have on them identity cards of the form established by the Conventions and Protocol I bearing the emblem and an imprint of the seal (hereinafter - Identity cards).

Article 9. Use of the Emblem as Protective Sign by Medical Services of the Armed Forces, Internal Troops of the Ministry of Internal Affairs, Bodies of Border Service and Other Military Formations of the Republic of Belarus, and also Bodies of State Administration on Emergency Situations

Medical services of the Armed Forces, internal troops of the Ministry of Internal Affairs, bodies of border service and other military formations of the Republic of Belarus, and also of the bodies of state administration on emergency situations, during the time of peace and during an armed conflict, use the emblem as a protective sign only for

identification of their medical personnel, medical units, and medical supplies.

Medical personnel specified in part one of the present Article are given the armbands and identity cards by the medical services of, respectively, the Armed Forces, internal troops of the Ministry of Internal Affairs, bodies of border service and other military formations of the Republic of Belarus, and also of bodies of state administration on emergency situations.

Article 10. Use of the Emblem as a Protective Sign by Civil Medical Units

Civil medical personnel, medical units, medical transports and medical supplies are marked during an armed conflict by the emblem used as a protective sign, with a permission and control of the republican body of state administration in the field of public health care.

Armbands and identity cards are issued to civil medical personnel by the republican body of state administration in the field of public health care.

Article 11. Usage of the Emblem as Protective Sign by the Belarusian Society of the Red Cross

The medical personnel, medical units, medical transports, and medical supplies of the Belarusian Society of the Red Cross, provided during an armed conflict at the disposal of medical services of the Armed Forces, internal troops of the Ministry of Internal Affairs, bodies of border service and other military formations of the Republic of Belarus, and also bodies of state administration on emergency situations, are marked by the emblem used as a protective sign. The said personnel, units, transports, and supplies are covered by the legislation of the Republic of Belarus in force during an armed conflict, and also by the orders and commands of the military officials and bodies of military administration.

The medical services of the Armed Forces, internal troops of the Ministry of Internal Affairs, bodies of border service and other military formations of the Republic of Belarus, and also bodies of state administration on emergency situations, at disposal of which the medical personnel specified in part one of the present Article has been provided, issue to this personnel armbands and identity cards with the image of the emblem and imprint of the seal.

Article 12. Use of the Emblem as Protective Sign by Medical Units of National Red Cross and Red Crescent Societies of Neutral and Other Foreign States Not Participating in Armed Conflict

Upon the consent of the Ministry of Defense of the Republic of Belarus and under the control of the Belarusian Society of the Red Cross, the medical personnel, medical units, medical transports, of national Red Cross or the Red Crescent societies of neutral and other foreign states not participating in the armed conflict, may be provided into disposal of medical services of the Armed Forces, internal troops of the Ministry of Internal Affairs, bodies of border service and other military formations of the Republic of Belarus, and also bodies of state administration on emergency situations for rendering the humanitarian aid and may be marked by the emblem used as a protective sign. In this case they are covered by the legislation of the Republic of Belarus in force during the armed conflict, and also orders and commands of the military officials and bodies of military administration.

The medical services of the Armed Forces, internal troops of the Ministry of Internal Affairs, bodies of border service and other military formations of the Republic of Belarus, and also bodies of state administration on emergency situations, at disposal of which the medical personnel specified in part one of the present Article has been provided, issue to this personnel armbands and identity cards with the image of the emblem and imprint of the seal.

Article 13. Status of Religious Personnel

The religious personnel is provided with the same protection and is marked in the same way as the medical personnel, in the order established by the present Law.

CHAPTER 3 USE OF THE EMBLEM AS A DISTINCTIVE SIGN

Article 14. Use of the Emblem as a Distinctive Sign

The emblem is used as a distinctive sign for identification of belonging of persons, vehicles, property, structures and other objects to the International Red Cross and the Red Crescent Movement.

The emblem used as a distinctive sign should be of a smaller size as compared with the emblem used as a protective sign.

Article 15. Use of the Emblem as a Distinctive Sign during Armed Conflict

The emblem used as a distinctive sign during an armed conflict by the Belarusian Society of the Red Cross or other national Red Cross or Red Crescent societies when carrying out activities which meet the principles of the International Red Cross and Red Crescent Movement, not connected with rendering assistance to the wounded, sick, shipwrecked, must

be of a rather small size, and it may not be used on armbands and on roofs of buildings.

Article 16. Use of the Emblem as a Distinctive Sign in Time of Peace

Use of the emblem as a distinctive sign in time of peace for the identification of medical personnel, medical transports and institutions of public health which are rendering a free-of-charge medical aid to the wounded, sick, shipwrecked, is allowed under a special permission of the Belarusian Society of the Red Cross.

CHAPTER 4 SPECIAL PROVISIONS

Article 17. Organisations That Use the Emblem without Special Authorization

The International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies use the emblem and the designation in time of peace or war when carrying out all types of their activities without any special authorization, pursuant to the Conventions, Protocols I, II, III and the Regulations on the Use of the Emblem.

Article 18. Illegal Use of the Emblem, Designations and Distinctive Signals

Legal and natural persons are prohibited to use in the territory of the Republic of Belarus:

the emblem as a protective or distinctive sign, and also distinctive signals contradicting to the present Law, the Conventions, Protocols I, II, III and the Regulations on the Use of the Emblem;

the designations in the names of legal and natural persons, trademarks (service marks), and also with the aims not compatible with the principles of the International Red Cross and Red Crescent Movement;

the image of any signs, including the white cross on a red ground, which may be mistaken with the emblem used as a protective sign.

Article 19. Control Over Use of the Emblem as a Distinctive Sign

Control over the use of the emblem as a distinctive sign is ensured by the Belarusian Society of the Red Cross and by respective state bodies of the Republic of Belarus within the limits of their competence.

Article 20. Liability for Nonfulfilment of the Present Law

Persons guilty of violation or undue fulfilment of the present Law bear liability pursuant to the legislation of the Republic of Belarus.

Article 21. Treaties

If a treaty of the Republic of Belarus establishes other rules than those contained in the present Law, the rules of the treaty are applied

CHAPTER 5 FINAL PROVISIONS

Article 22. Entry of the Present Law into Force

The present Law enters into force ten days after its publication.

Article 23. Bringing Acts of Legislation in Conformity with the Present Law

The Council of Ministers of the Republic of Belarus shall:

within two months after the date of entry into force of the present Law, determine the order of use of the emblem of the Red Cross;

within six months from the day of entry into force of the present Law:

prepare and introduce in the established order to the House of Representatives of the National Assembly of the Republic of Belarus suggestions on bringing acts of legislation in accordance with the present Law;

take other measures necessary for implementation of provisions of the present Law.

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