

# **LAW OF THE REPUBLIC OF AZERBAIJAN**

## **Concerning the use and protection of the red cross and red crescent emblems**

The present law governs rules for the use and protection of the red cross and red crescent emblems in accordance with the international treaties the Republic of Azerbaijan joined and regulates legal relations arisen in this field.

### **CHAPTER I. GENERAL PROVISIONS**

#### **Article 1. Principle terms.**

The basic terms used in the present Law are the following :

medical units -means medical establishments, whether military or civilian, organized for medical purposes, namely search for, collection, transportation, diagnosis or treatment - including first-aid treatment - of the wounded, sick and shipwrecked, or for the prevention of disease. The medical units may be stationary or mobile, permanent or temporal.

medical personnel - means those persons assigned, by a Party to the conflict, exclusively to the medical purposes, as well as for carrying out administrative-technical maintenance (logistical) of medical units or with the purpose to work in the sanitary transports and to carry out their administrative-technical maintenance.

sanitary transports - means any means of transportation, whether military or civilian, permanent or temporary, assigned exclusively to sanitary transportation and under the control of a competent authority of a Party to the conflict

religious personnel - means persons who are exclusively engaged in the work of ministry and attached to the armed forces, medical units or sanitary transports of a Party to the conflict

distinctive emblem - means the representation of the red cross or red crescent on a white ground when used for the protection of medical units, sanitary transports, or medical and religious personnel, equipment or supplies.

distinctive signal - means any signal or message specified for the identification of medical units or sanitary transports.

#### **Article 2. Legislation of the Republic of Azerbaijan concerning the use and protection of the red cross or red crescent emblems**

Legislation of the Republic of Azerbaijan concerning the use and protection of the red cross or red crescent emblems consists of the Constitution of the Republic of Azerbaijan, the present Law and other normative-legal acts as well as international treaties the Republic of Azerbaijan joined.

#### **Article 3. Objects subject to protection by the present Law**

For the purpose of the present Law, objects subject to protection are the following :

the emblem of the red cross or red crescent  
designations "red cross" and "red crescent"  
distinctive signals for the identification of medical units or sanitary transports

#### **Article 4. The red cross or red crescent emblems**

The emblem of the red cross is consist of the image of two red straight lines on a white ground crossing in the middle at the right angle and not reaching the edges of the ground.

The emblem of the red crescent is consist of the image of the red crescent in the middle a white ground not reaching the edges of the ground.

Rules on the use of the red cross and red crescents emblem are defined by the present Law, the Geneva Conventions of the 12th of August of 1949 (hereinafter Geneva Conventions) and their Additional Protocols I and II of the 8th of June 1977 (hereinafter Protocols I and II).

#### **Article 5. Kinds of use of the red cross and red crescent emblems**

The red cross and red crescent emblems are used as a protective or a distinctive sign in accordance with the Geneva Conventions, Protocols I and II and the present Law.

### **II CHAPTER**

#### **RULES ON THE USE OF THE RED CROSS AND RED CRESCENT EMBLEMS**

#### **Article 6. General requirements to the use of the red cross or red crescent emblems as a protective sign**

The red cross and red crescent emblems are used as a protective sign to mark the medical personnel, medical units, religious personnel as well as sanitary transports and medical property which are under special protection according to the Geneva Conventions and Protocols I and II because of providing help for sick, wounded and shipwrecked in time of an armed conflict.

Dimensions of the red cross or red crescent emblems must be as large as possible in order to be identifiable from a distance.

In order to certify their status during an armed conflict, medical and religious personnel shall wear identity card and an armband of the model established by the Geneva Conventions and Protocols I and II.

The identity card shall be worded in Azerbaijani language. The card shall mention the name, the date of birth, the rank and number of the military unit of the holder, and state in what capacity the holder is entitled to the protection of the Geneva Convention. The identity card shall bear the photograph of the holder as well as his signature. The identity card shall bear the stamp of a relevant executive authority of the Republic of Azerbaijan which issued it.

A person that has lost the identity card is entitled to obtain the duplicate of it.

The armband given to medical and religious personnel shall have distinctive sign on itself and bear the stamp of a relevant executive authority of the Republic of Azerbaijan.

#### **Article 7. The use of the emblem of the red crescent as a protective sign by medical services of a relevant executive authority of the Republic of Azerbaijan.**

Medical services of a relevant executive authority of the Republic of Azerbaijan, in order to mark either during peacetime or an armed conflict their medical personnel, medical units, sanitary units and medical property shall use the emblem of the red crescent as a protective sign.

Medical services of a relevant executive authority of the Republic of Azerbaijan shall issue to their medical personnel the identity card and armband.

#### **Article 8. The use of the emblem of the red crescent as protective sign by civilian medical units**

Civilian medical personnel, medical units, sanitary transports and medical property, during an armed conflict, with the consent of and being under direct supervision of relevant executive authority of the Republic of Azerbaijan shall use the emblem of the red crescent as a protective sign.

The relevant executive authority of the Republic of Azerbaijan shall issue to the civilian medical personnel the identity card and armband.

#### **Article 9. The use of the emblem of the red crescent as a protective sign by the Azerbaijan Red Crescent Society.**

Medical personnel, medical units, sanitary transports and medical property provided by the Azerbaijan Red Crescent Society at the disposal of a relevant executive authority of the Republic of Azerbaijan are marked by the emblem of the red crescent used as a protective sign.

During an armed conflict medical personnel, medical units, sanitary transports and medical property stipulated in the first part of this article are subject to the valid normative-legal acts of the Republic of Azerbaijan.

The relevant executive authority of the Republic of Azerbaijan shall issue to such medical personnel the identity card and armband.

#### **Article 10. The use of the red cross and red crescent emblems by the organizations without a special authorisation.**

The International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies use in their activity without a special authorisation the red cross and red crescent emblems and names either during peacetime or an armed conflict in accordance with the Geneva Conventions and Protocols I and II.

#### **Article 11. The use of the red cross or red crescent emblems as a distinctive sign**

The red cross and red crescent emblems are used as a distinctive sign both either during peacetime or an armed conflict to indicate persons', sanitary transportation means', medical property's and other facilities' belonging to the International Movement of the Red Cross and Red Crescent.

The red cross and red crescent emblems used as a distinctive sign must be of a smaller size compared to that used as a protective sign.

#### **Article 12. Distinctive signals**

Distinctive signals may be used by medical units or sanitary transports only. Distinctive signals include: light signals, radio signals, signals of electronic identification.

The light signal, consisting of a flashing blue light is established for the use of sanitary aircraft to signal their identity. No other aircraft shall use this signal

The radio signal shall consist of a radiotelephonic or radiotelegraphic message as described in the International Telecommunication Union Radio Regulations.

Electronic identification shall consist of identifying and following the course of medical aircraft from the Secondary Surveillance Radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944.

The procedure of use of the distinctive signals is defined by Annexes to Protocols I and II.

#### **Article 13. Status of religious personnel**

Provisions of the present Law related to the protection of medical personnel shall also apply to religious personnel without any exception.

### **PART III. FINAL PROVISIONS**

#### **Article 14. Misuse of the red cross and red crescent emblems, their designations and distinctive signals**

In the territory of the Republic of Azerbaijan legal and physical persons are prohibited to use in contradiction to the present Law, the Geneva Conventions and Protocols I and II :

- a) the red cross and red crescent emblems as a protective or distinctive sign

- b) distinctive signals
- c) the red cross and red crescent emblems and their designations in the names of legal persons, in trademarks
- d) the red cross and red crescent emblems and their designations for the purposes incompatible with the principles of the International Movement of the Red Cross and Red Crescent;
- e) any similar signs which can be taken for the red cross and red crescent emblems used as a protective sign

**Article 15. Control on the use of the red cross and red crescent emblems**

In the territory of the Republic of Azerbaijan control on the use of the red cross and red crescent emblems is implemented by Azerbaijan Red Crescent Society and relevant executive authority of the Republic of Azerbaijan within the scope of its competence.

**Article 16. Responsibility for the breach of the present Law**

Legal and physical persons guilty for the breach of the present Law shall bear responsibility in accordance with the legislation of the Republic of Azerbaijan.

**ADOPTED ON THE 8 OF MAY 2001**