

Kyrgyz Republic

Law on the Use and Protection of the Red Crescent and Red Cross Emblem

Adopted by the Legislative Assembly of Jogorkou Kenesh of the Kyrgyz Republic on September 8, 2000

This law governs the procedure and the rules for the use, as well as ensures the legal protection of the red crescent and red cross emblem and of the denominations "Red Crescent" and "Red Cross" in times of peace and in times of armed conflict (internal and international).

I. General rules

Article 1. Object of protection

In accordance with the Geneva Conventions of 12 August 1949, their Additional Protocols of 8 June 1977 and Regulations on the use of the red cross or red crescent emblem by National Societies (adopted at Vienna in 1965 by the XXth International Conference of the Red Cross and Red Crescent and amended by the Council of Delegates in Budapest in 1991) the following objects are protected by this law:

- the red crescent or red cross emblem on a white background;
- the denomination "Red Crescent" or "Red Cross";
- distinctive signals intended to identify medical units and means of transport.

Article 2. Use of the emblem for protective and indicative purposes

In time of armed conflict, the emblem used as a protective device is the visible manifestation of the protection granted to medical personnel as well as to medical units and transports by the Geneva Conventions and their Additional Protocols and will have the largest possible dimensions. .

The emblem used for indicative purposes shows that a person or property has a link with a Red Cross or Red Crescent institution and will be of small dimensions.

II. Procedure and rules for using the emblem

Article 3. Use of the emblem by medical services of the Armed Forces of the Kyrgyz Republic

The medical services of the Armed Forces of the Kyrgyz Republic use, in time of peace as well as in time of armed conflict (international and internal), the emblem of the red crescent to indicate its medical personnel, its medical units and means of transport on land and by air (over sea). The medical personnel concerned will receive armbands and identity cards of an established model bearing the red crescent emblem. Said armbands and identity cards are issued by the Ministry of Defense of the Kyrgyz Republic.

Religious personnel in the event that they are attached to the Armed Forces of the Kyrgyz Republic will benefit from the same protection as medical personnel and will be recognized in the same way.

Article 4. Protective use of the emblem by hospitals and other civilian medical units

With the authorization of the Ministry of Health of the Kyrgyz Republic and under its control, civilian medical personnel, hospitals and other civilian medical units, as well as civilian medical transports, assigned in particular to the transport and treatment of the wounded, sick and shipwrecked, will be indicated, in time of armed conflict, by means of the emblem of the red crescent as a protective measure. Civilian medical personnel in times of armed conflict shall wear an armband and an identity card bearing the red crescent emblem. Armbands and identity cards will be issued by the Ministry of Health of the Kyrgyz Republic.

Religious personnel in the event that they are attached to hospitals and other health units will be recognized in the same way.

Article 5. Protective use of the emblem by the Red Crescent Society of the Kyrgyz Republic

The Red Crescent Society of the Kyrgyz Republic is authorized to provide the medical service of the Armed Forces of the Kyrgyz Republic with medical personnel as well as medical units and means of transport. Such personnel, units and transports, subject to military laws and regulations, shall use the red crescent emblem as a protective device with the authorization of the Ministry of Defense of the Kyrgyz Republic. Said personnel will receive armbands and identity cards provided for in the first paragraph of article 3 of this law.

The Red Crescent Society of the Kyrgyz Republic with the permission of the Ministry of Health of the Kyrgyz Republic uses the emblem as a protective device for its medical personnel and medical units according to Article 4 of this law.

Article 6. Use of the emblem for indicative purposes by the Red Crescent Society of the Kyrgyz Republic

The Red Crescent Society of the Kyrgyz Republic is authorized to use the Red Crescent emblem in indicative title to show that a person or property has a connection with the Red Crescent Society of the Kyrgyz Republic. The emblem will be small in size compared to the protective emblem, and should include the denomination or short name of the Red Crescent Society of the Kyrgyz Republic.

The Red Crescent Society of the Kyrgyz Republic uses the emblem in accordance with the legislation of the Kyrgyz Republic, the Regulations on the Use of the Red Cross or Red Crescent Emblem by National Societies (adopted in Vienna in 1965 by the XXth International Conference of the Red Cross and Red Crescent and amended by the Council of Delegates in Budapest in 1991), to the Geneva Conventions of 1949 and their Additional Protocols of 1977, as well as in accordance with its Statutes .

With the authorization of the Red Crescent Society of the Kyrgyz Republic, the red crescent emblem may be used in times of peace to designate means of medical transport and the location of aid stations exclusively reserved for rendering medical assistance. free to the wounded and sick.

With the consent of the Red Crescent Society of the Kyrgyz Republic, foreign National Red Cross or Red Crescent Societies, present on the territory of the Kyrgyz Republic, will use the emblem under the same conditions as the Red Crescent Society -Red of the Kyrgyz Republic.

Article 7. Use of the emblem by international bodies of the International Red Cross and Red Crescent Movement

The International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies may use the emblem at all times and for all their activities on the territory of the Kyrgyz Republic.

III. Supervision of the application of this law and liability

Article 8. Role of the Red Crescent Society of the Kyrgyz Republic

The Red Crescent Society of the Kyrgyz Republic assists the authorities in questions of prevention and repression of misuse of the emblem. It will have the right to denounce abuses of the emblem to the authority jurisdiction and to participate in criminal, civil and administrative proceedings.

Article 9. Misuse of the emblem

Any person who, intentionally and without being entitled to it, has made use of the red crescent or red cross emblem, of the words "Croissant-Rouge" or "Croix-Rouge", of a distinctive signal or of any other sign, denomination or signal constituting an imitation or likely to lead to confusion, as well as the one, which has in particular included the said emblems or words on signs, posters, announcements, prospectuses or commercial papers, or has affixed them to goods or packages, or has sold, offered for sale or put into circulation goods so marked, shall be liable in accordance with the Code of Administrative Penalties of the Kyrgyz Republic.

Article 10. Misuse of the emblem in time of armed conflict

Any person who intentionally commits, or gives the order to commit, acts which cause death or cause serious bodily injury or serious injury to the health of an adversary by using the red crescent emblem or of the red cross or a distinctive signal by resorting to perfidy, has committed a war crime and will be responsible in accordance with the legislation of the Kyrgyz Republic.

Resort to perfidy means to appeal, with the intent to deceive him, to the good faith of the adversary to make him believe that he had the right to receive or the obligation to grant the protection provided by the rules of the IHL.

Any person who, intentionally and without being entitled to it, has made use of the red crescent or red cross emblem, of a distinctive signal, or of any other sign or signal constituting their imitation or which could lead to confusion, shall be liable in accordance with the legislation of the Kyrgyz Republic.

Article 11. Abuse of the white cross on a red background

Because of the confusion which may arise between the coat of arms of Switzerland and the emblem of the red cross, the use of the white cross on a red background, as well as any other sign constituting an imitation thereof, either as a mark of manufactures or trade or as part of these marks, or for a purpose contrary to the fair commercial activity, or under conditions likely to injure Swiss national sentiment, is prohibited at all times and entails liability in accordance with the laws of the Kyrgyz Republic.

Article 12. Control measures

Monitoring compliance with the provisions of this law governing the use of the red crescent and red cross emblem, the denominations "Red Crescent" and "Red Cross" and distinctive signals by bodies and persons authorized to use them, will be ensured in accordance with the legislation of the Kyrgyz Republic.

Article 13. Registration of legal persons, trade names and trademarks

The registration of legal persons, trade names and trademarks, industrial designs and models using the red crescent or red cross emblem or the designation "Red Crescent" or "Red Cross" in violation of this law shall be prohibited.

IV. Final and transitional provisions

Article 14. Bringing normative acts into line with this law

The Government of the Kyrgyz Republic:

- ensure that its own decisions are in accordance with this law;
- within three months from the date of entry into force of this law, take measures to develop a new distinctive sign to designate medical and pharmaceutical establishments not having the right to use the emblem in accordance with this law;
- adopt other measures necessary for the implementation of the provisions of this law.

Article 15. Transitional provisions

Medical and other establishments and organizations using the red cross or red crescent emblem in violation of this law must change the said emblems within six months of the date of entry into force. of this law.

Article 16. Entry into force

This law shall enter into force on the day of its promulgation.

President of the Kyrgyz Republic
A. Akaev

Bishkek, Government House September 29, 2000