

## HUMANITARIAN MISSION OF THE INTERNATIONAL RED CROSS AND RELATIONS WITH SERBIA

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*Abstract:* The International Red Cross is one of the oldest and most numerous international organizations. All modern states are members of the International Red Cross. The International Red Cross was founded on the personal initiative and commitment of Henri Dunant in Geneva in 1863. Henri Dunant's idea was that the International Red Cross would help the wounded and sick people in the war. Later, with time, the International Red Cross was given a very important and significant role in the humanization of war and armed conflict, especially related to the categories that were not initially part of the plan for the implementation of its activities, namely civilians, prisoners of war, shipwreckers, medical personnel, and religious personnel. Later, the International Red Cross's scope of work was enlarged to encompass peaceful times as well. The Red Cross has taken part in alleviating the consequences of major natural disasters such as earthquakes, volcanic eruptions, tsunamis, tornadoes, epidemics, floods, droughts, fires, and other disasters that cause great human casualties and material damage. In 1876, the International Red Cross was founded in Serbia, and it has played a great humanitarian role in the past period. This article deals with the international legal aspect as well as some of the most important activities and actions of the International Red Cross in cooperation with Serbia from 1876 to 2021.

*Keywords:* International Red Cross, Serbia, humanitarian law, wounded, sick, civilians, prisoners of war.

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## INTRODUCTION

The origin of wars and armed conflicts could be traced back to the very beginning of an organized society or the emergence of states. Wars and armed conflicts have unfortunately been recorded from the first conflicts at the onset of human civilization and continuously throughout the Old and Middle Ages until nowadays, to a greater or lesser extent. Estimates speak in favor of the fact that there have been over 14,500 major and minor wars and armed conflicts since the beginning of human civilization. All wars and armed conflicts result in significant human casualties and the destruction of public and private property, the economy, and infrastructure. For the sake of illustration, we note the two most terrible wars – the First World War, which was waged from 1914 to 1918, when over ten million people were killed, and the Second World War, from 1939 to 1945, in which more than 70 million people were killed (Krivokapić, 2010, pp. 90). From the Old Ages until the mid-19th century, there were no rules, regulations, or international conventions on warfare, nor did the existing customary international law of war govern it in a generally accepted manner. War was considered a legal right of every state (*jus belli gerendi*). For centuries, this was treated as a generally accepted international regulation. In practice, the rules of warfare were most often prescribed and applied by victorious states and, later on, by great powers. Existing customary international law was not generally accepted, and it was applied and interpreted very differently. However, various attempts were made to regulate wars and armed conflicts through general rules as early as the Middle Ages. These attempts were primarily focused on humanizing warfare and thus protecting specific categories of participants in wars and armed conflicts. First of all, these were prisoners of war, wounded and sick, and the civilian population. Some ideas implied the protection of cities and other settlements of a non-military nature in times of war. The ideas about the humanization of wars and armed conflicts have been recorded from ancient times to modern times, originating from various philosophers, priests, scientists, politicians, and writers, such as Plato, Aristotle, Thucydides, Tacitus, Cicero, the Chinese writer Sun Tzu, and others. However, those ideas remained recorded in history as failed attempts. The great powers, in particular the colonial powers, were uninterested in regulating customary international law of war or in humanizing the law of war. After all, in those past epochs, wars and armed conflicts were allowed. There was customary international law that classified wars and armed conflicts into just and unjust wars. The decisions, assessments, and interpretations of just or unjust wars were made by the

victors or by the great powers. The fact is that the classification into just and unjust wars exists in modern international relations (Nis, 1985, pp. 205-286; Vozler, 2010, pp. 36-85; Krivokapić 2010, pp. 57-80). The reason for the lack of interest of these colonial forces was their expansion by conquering foreign territories through wars in which they ruthlessly killed enemy soldiers and local civilians while bearing no criminal liability. Keeping this in mind, one discovery is that the modern world demonstrates "different power configurations in different policy domains. This dynamic change in the structure of power refines the exercise of leadership. Aside from power and authority, leadership requires moral persuasion, all necessary strategies to build alignments" (Vasić 2018, pp.146-147). In the Middle Ages, the idea of the humanization of war continued to be developed by St. Augustine, Machiavelli, Thomas Hobbes, Francisco de Vitoria, Balthazar Ayala, Alberico Gentili, Hugo Grotius, Kant, Montesquieu, Hegel, Marx, Engles, Hitch, and many other authors who dealt with the law of war, war crimes, and the regulation and codification of customary law of war. Aside from these individuals who attempted to humanize customary international law of war, various scientific institutes and international organizations attempted to codify the same field with the same goal. Trust in the intentions of these persons was an important factor in history. However, the concept of trust as it exists among close friends is "something we can do without when it comes to relationships with leaders who are the embodiment of power. What has been overlooked is that perhaps they are the ones who created that crisis and that they should actually be held accountable for their actions" (Vasić 2018, p. 15). The mid-nineteenth century marked the beginning of the regulation of customary international law of war. It continued throughout the 20th century, with the adoption of the first international conventions on the law of war and the humanization of international law of war. The first was the Convention for the Amelioration of the Condition of the Wounded in Armies in the Field, adopted in 1864. The second was the St. Petersburg Declaration, adopted in 1868, renouncing the use of specific explosive projectiles in times of war (Petković, 1979, pp. 13-281). This is considered the beginning of the progressive codification of international public law (Šahović, 1971, p. 1495). Further on, in the 20th century, a whole series of multilateral international conventions were adopted, governing international war and international humanitarian law. The Hague Conventions, adopted in 1899 and 1907, were significant because they further influenced the adoption of several international multilateral conventions that at least partially humanized international law of war and gave direction and encouragement for further codification and

humanization of customary international law. These conventions are classified as: Protection of civilians in time of war; Law of war; Prohibited means of warfare; Protection of facilities; and Liability for violations of international humanitarian law. However, regardless of international conventions, the number of casualties in wars and armed conflicts has been steadily increasing, especially after the discovery of new weapons, primarily firearms, and later artillery, air force, submarines, missile weapons, poison gases, biological agents, radioactive agents, and atomic weapons (Lopičić, 1999, pp. 19-37).

### ESTABLISHING INTERNATIONAL RED CROSS

The International Red Cross was founded in Geneva in 1863. The entire concept of establishing the International Red Cross was a matter of coincidence related to one Swiss man, Henry Jean Dunant (Levey, 1983; Greenhall, 1983, p. 245). The Swiss merchant Henry Dunant happened to be in northern Italy, near the town of Solferino, on June 24, 1859, where a great battle took place between the French and the Italians, on the one hand, and the Austrian occupation army, on the other. More than 300,000 soldiers participated in this battle. The battle itself, which lasted fifteen hours, was dreadfully bloody. There were over 40,000 dead and wounded who remained on the battlefield. The medical service could not provide medical assistance to a great number of wounded soldiers, so they remained on the battlefield. The whole battle was observed by Swiss merchant Henry Dunant, who happened to be there by coincidence. Dunant was horrified by the scenes and the suffering of the wounded soldiers. Therefore, he invited the nearby residents of Solferino and the residents of the nearby town of Castiglione, who were participants in this war conflict, to join him in organizing and providing medical assistance to the wounded soldiers no matter which side they fought on. A substantial number of residents of Solferino and Castiglione responded to Henry Dunant's "cry for help" in order to provide medical assistance as per their abilities to the wounded soldiers on both sides of the front (Kashoven, 1991, pp. 8-9; Starčević, 2010, pp. 7-8). Henry Dunant was haunted by tremendous and tragic impressions of the battle of Solferino in 1859, as well as the massive number of human casualties and the wounded that could not be provided with the necessary medical help. The lack of medical assistance caused the deaths of soldiers. For this reason, and at his own expense, in Geneva in 1862, he published a book titled *A Memory of Solferino* (Dunant, 1998). Henry Dunant's book was well received by a wide range of readers. Dunant sent this book to rulers

across Europe, as well as to politicians, public workers, government officials, and officers, and a wide circle of his friends. The goal of such a wide distribution of Dunant's book was to spread the word of the horrors of war and armed conflicts in a direct and documented way. The emphasis was primarily on improving the status and destiny of the wounded people and all other victims of wars and armed conflicts. In this truly unique action, Dunant visited all European courts. He met politicians, publicists, journalists, writers, professors, and intellectuals, with the clear goal of introducing them to all the horrors of wars and armed conflicts, and thus inviting them to join him in the humanitarian action to improve the fate of all participants in warfare through the humanization of the law of war (Dunant, 1998). Henry Dunant had in mind two ideas for his mission, along with the idea of humanizing the existing customary international law of war. The first was to create "relief societies" in various countries during peacetime, which would gather and train volunteers to assist the wounded in times of war and armed conflicts. The other idea was to adopt an international agreement that would recognize the status of these societies and provide protection for them. With these ideas that he conceived and presented to people, Henry Dunant managed to win over four other famous and respectable citizens of Geneva: Théodore Maunoir, M.D., General Gustave Moynier, Louis Appia, M.D., and Moynier, a lawyer. Together with four prominent and renowned persons, on February 17, 1863, in Geneva, Dunant founded an informal committee known as the Committee of Five.

The first activity of the Committee of Five was the organization of an international conference in Geneva on October 26, 1863, which was attended by representatives of 16 countries. The Committee of Five was renamed the "International Committee for Relief to the Wounded" prior to the start of the Conference. In this way, both Henry Dunant's idea and the plan came true. After this first international conference, national Red Cross societies were founded in ten European countries until the middle of 1864. The countries in which the national Red Cross societies were founded included: Wittenberg, Oldenburg, Mecklenburg-Schwerin, Prussia, Belgium, the Netherlands, Denmark, France, Italy, and Spain (Boisser, 1985, pp. 45-67). Another fundamental and significant idea of Henry Dunant and the International Committee for Relief to the Wounded was the International conference held in Geneva in August 1864. At the International conference in Geneva, the first international convention on the humanization of the existing customary international law of war was adopted. It was called the Convention for the Amelioration of the Condition of the Wounded in Armies in the Field (Međunarodne konvencije o ratnom pravu i o sigurnosti

1979, p. 281). The International Geneva Convention, which was adopted in 1864, confirmed the Red Cross sign as a sign of recognition, becoming a symbol for medical personnel protection. The International Committee adopted the Red Cross sign as its own mark. The first International Conference of the Red Cross, organized by the International Committee for Relief to the Wounded, was held in Paris in 1867, and it was attended by the representatives of national societies and states. The international conferences of the Red Cross with representatives of national committees and member states discussed current issues through the prism of international humanitarian law. Then, recommendations would be made to all members and all other stakeholders on further activities regarding improvements in the field of humanitarian law.

### ESTABLISHING THE SERBIAN RED CROSS

Back then, the Principality of Serbia followed the founding of the International Committee of the Red Cross with great attention. On February 6, 1876, the Serbian Red Cross Society was founded in Belgrade, and it has continued to exist to this very date. The founder of the Serbian Red Cross Society was Vladan Đorđević, a medical doctor, politician, diplomat, and writer (Đorđević, 2007, pp. 522-525). At the time, Turkey opposed Serbia's accession since, under its rule, Serbia was not yet internationally recognized as an independent state. On March 24, 1876, the Government of the Principality of Serbia acceded to the 1864 Geneva Convention. It fulfilled all the necessary conditions for international recognition, so the Serbian Red Cross Society became an equal member of the International Committee of the Red Cross. From the aspect of international public law, this accession of the Principality of Serbia to the Red Cross was significant due to the fact that it was yet another formal and *de facto* international recognition of its statehood and independence. Very quickly, the Serbian Red Cross Society expanded its activities and organization throughout Serbia. Therefore, before the very beginning of the First World War in 1914, it had over 500 subcommittees. The Serbian Red Cross Society, together with the Serbian government and army, crossed Albania to Corfu, where it continued its work and activities (Starčević, 2010, pp. 20-21). During the First World War, the International Red Cross was especially active. In addition to Serbian Red Cross members, there were a large number of volunteers who provided medical care to hospitals during the most severe epidemics of typhus, diphtheria, tuberculosis, and other infectious diseases, which decimated not only soldiers, wounded, sick, and civilians, but these diseases also decimated

doctors and other medical staff. Primarily, volunteers provided great humanitarian and medical aid to prisoners of war, the wounded and the sick, and then to the civilians, whom Austria-Hungary detained in numerous concentration camps without even the minimum conditions of accommodation, food, or healthcare in times of constant outbreaks of typhus, cholera, tuberculosis, diphtheria, and dysentery (Lopičić-Jančić, 2012, pp. 32-50). In the Austria-Hungarian concentration camps, primarily Serbs suffered. They were not only in the category of prisoners of war, wounded or sick, but they were also civilians. There were even children who were non-military personnel; ergo, regulations on prisoners of war could be applied on any grounds (Đuković, 2002; Lopičić-Jančić, 2015, pp. 355). On the other hand, the army of the Kingdom of Serbia in the First World War (1914-1918) fully complied with all international multilateral conventions on the law of war, so there was no retribution for the mass and horrific crimes of Austria-Hungary and its allies against the Serbs (Hrabak, 1964, pp. 107; Đuković, 2008, pp. 15-95). Other activities of the International Red Cross at the time were reflected in helping flows of refugees or forcibly expelled or displaced persons. The aftermath of the First World War induced a considerable rise in poverty for a large number of civilians who had a Phard time surviving the famine. Poverty and famine led them to death, so the International Red Cross provided humanitarian help in that field as well. The fact is that the aggressor states, such as Austria-Hungary, Germany, Bulgaria, and Turkey, all massively violated the existing international multilateral conventions about prisoners of war, wounded, sick, and civilians that they had all previously signed and adopted (Rajs, 1928, pp. 35-45; Rajs, 1995, pp. 57-90; Rajs, 2000, pp. 66-89; Tinhoven. 2014, pp. 43-47; Šturceneger, 1989, pp. 57-79). With the creation of the new state of the Kingdom of Serbs, Croats, and Slovenes, the Serbian Red Cross Society continued its work from 1918 until December 25, 1921, when the last 35th Assembly was held. Forty-five years after its establishment, it continued working as part of the new Red Cross Society of the Kingdom of Serbs, Croats, and Slovenes (Starčević, 2010, pp. 21-22). There was no autonomous Red Cross in Vojvodina when it was part of Austria-Hungary. However, in some places, there were Red Cross branches: in Pančevo in 1881, in Novi Sad in 1882, in Bela Crkva in 1884, and in Subotica and other places. After the defeat of Austria-Hungary, the decision of the Grand National Assembly of Vojvodina on November 28, 1918, actually declared the secession of Vojvodina from Austria-Hungary and eventually its annexation to the Kingdom of Serbia. Shortly afterwards, on December 1, 1918, the Serbian Red Cross Society in Banat, Bačka, and Baranja was founded, seated in Novi

Sad. Local committees of the Serbian Red Cross Society were created across the territory of Vojvodina. The result of establishing these local committees was a large amount of humanitarian aid provided for the devastated areas in Serbia. After the Second World War, the Red Cross in Vojvodina was renamed the Provincial Committee, i.e., the Provincial Organization of the Red Cross of Vojvodina, a part of the Serbian Red Cross (*Ibid.*, 22-24). The main goal of the International Red Cross was defined at its beginnings and referred to the fight for humanity and the further contribution to the development of every society and overall international relations. Then, other goals were introduced in the further development of humanitarian activities, such as preventing or mitigating human suffering. This principle is reflected in the motto *Inter arma caritas*, already defined by the initial activities of the Red Cross. The primary activity was expanded, and in 1961, the motto "*Per humanitatem ad pacem*" (with humanity towards peace) was established. That undoubtedly corresponds to the modern understanding of the principles of humanity (Jakovljević, 1981, p. 7). The twentieth International Conference of the International Committee of the Red Cross, held in Vienna in 1965, was the event when the fundamental principles of humanity, neutrality, impartiality, independence, voluntary service, unity, and universality were adopted. Humanity is the core activity and ultimate goal of the International Red Cross, which aims to alleviate and prevent human suffering. This principle, among other things, implies that every person should be provided with care and assistance in order to protect their lives and health. It also implies and emphasizes the protection of human integrity, along with the improvement of the environment, and the further dissemination of knowledge about international humanitarian law contained in the program of the International Committee of the Red Cross. The program implies an impartial approach, meaning that it makes no discrimination among nationalities, religions, classes, or political views. Based on impartiality, the International Red Cross strives to alleviate the suffering of affected persons and meet their needs as much as possible. The International Red Cross is guided solely by the principle and criterion of assisting affected people. Neutrality is a principle that the International Red Cross constantly implements. It implies choosing no sides in wars or armed conflicts, and it also emphasizes resisting any kind of engagement in political, racial, religious, or ideological debates. In this way, by applying the principle of neutrality, the International Red Cross has gained and preserved its integrity worldwide (Starčević, 2010, pp. 29-30). Independence is also one of the essential principles of the International Committee of the Red Cross. In practice, this means that the International Committee of the



Red Cross, as an international organization, does not depend materially or politically on any country or any other international organization. In its humanitarian activities, it bases its independence primarily on its members and the national Red Cross societies, which must act in compliance with the laws of their country (*Ibid.*, pp. 30-32). Voluntary service is one of the first principles of the very idea of the International Red Cross Movement. Practically, it comes down to the work of volunteers. This volunteering is the main driving force of all activities of the International Committee of the Red Cross, as a strong conviction which implies humanitarian work for the benefit of all vulnerable people in various situations, whether in times of war, armed conflict, or natural disasters around the world. In addition to volunteers, a significant number of various humanitarian organizations and institutions participate in these activities purely on a voluntary basis (*Ibid.*, pp. 32). Unity means that there can only be one Red Cross or Red Crescent Society in one country. The Red Cross or Red Crescent Society must carry out its humanitarian activities across the territory of the particular country, and they must be available to all interested parties. Consequently, the Red Cross or Red Crescent Society is recognized throughout the country by competent public authorities as a humanitarian organization. The head of the Red Cross or Red Crescent Society must be a central body that represents the organization without inclination to discrimination, nationalistic attitudes, disrespect for religious convictions, and political views. This body is competent to make decisions binding on all societies in the country (*Ibid.*, pp. 33-34). Universality is also one of the essential principles of the International Red Cross and Red Crescent, according to which all societies have equal status and the right and duty to help one another. The idea of universality has been undoubtedly realized since the International Red Cross and Red Crescent Movement includes 185 internationally recognized national societies as their members. Based on the known principles and ideas, national societies are obliged to provide assistance to all societies that have difficulties or problems in carrying out their humanitarian activities (*Ibid.*, pp. 33-34). The twenty-second International Conference in Bucharest also adopted the definition of the Red Cross mission, which determined the elements common to all national and international Red Cross organizations (Jakovljević, pp. 7-9; Starčević, 2010, pp. 27-34). The International Red Cross, as a complex international organization, has its own bodies. These are the National Red Cross and Red Crescent Societies, the International Committee of the Red Cross, and the League of Red Cross Societies. There is also the Statute of the International Red Cross, which legally regulates the functions and competencies of the International Red Cross bodies (*Ibid.*, pp. 10). The

International Red Cross, as a complex international organization, has very diverse activities. It is difficult to list all these numerous and diverse functions reflected in practical solutions. However, there is an agreement that these functions can be reduced to only three basic functions: Humanitarian Aid, Protection, and Community Service. Humanitarian aid is one of the basic and traditional functions that have existed since the founding of the Red Cross. This humanitarian aid is provided not only in times of wars and armed conflicts but also in times of natural disasters (earthquakes, floods, volcanoes, droughts, famines, cyclones, fires, landslides, and epidemics), including conditions of human suffering. The Red Cross provides humanitarian aid for the benefit of war victims both during and after the war. In addition to humanitarian aid, the International Red Cross also often acts as an intermediary between the parties that are engaged in a conflict. Also, the International Red Cross operates outside of war zones, primarily while providing humanitarian aid to refugees. Namely, it is well-known that every war or armed conflict results in refugees fleeing the war zone in order to save their lives. In those conditions, they need the bare necessities, starting with accommodation, food, and medical care. Another critical function of the International Red Cross is protection for the benefit of victims of war and natural disasters. Certainly, one of the critical and successful protections is the adoption of two Additional Protocols to the Geneva Conventions of 1977, based on which international humanitarian law has been significantly expanded and adjusted to modern needs and conditions. The third basic function of the International Committee of the Red Cross is Community Service. This activity implies constant and long-term tasks that the Red Cross has to achieve in its work. These activities primarily imply the improvement of health and social standards for the people, with the aim of visibly improving the general health level, especially in the prevention of various mass diseases (Jakovljević, 1982, pp. 17-24). The connection between the Red Cross and international humanitarian law also has to be emphasized. Namely, Henry Dunant's idea was to adopt rules that would prescribe and regulate the inviolability and neutrality of medical personnel that provide assistance to the wounded and sick in times of war and armed conflicts. This should be regulated by international humanitarian law. The fact is that the International Red Cross was the initiator of the adoption of many international multilateral conventions and other decisions related to the humanization of the law of war. There are many definitions of international humanitarian law, and they are more or less similar. Contemporary International Humanitarian Law is recognized as a special branch of

international public law. It consists of several international multilateral conventions, various rules, decisions, declarations, as well as rules of customary international war law containing rules for the protection of all victims of wars and armed conflicts (prisoners of war, wounded, sick, shipwreckers, civilians); they also include protection of certain facilities, as well as the prohibition of certain means and methods of warfare. In addition to the above mentioned, international humanitarian law also contains a number of conventions related to protecting cultural property, and banning certain types of weapons, such as biological and chemical weapons, cluster munitions, radioactive weapons, and ammunition (Starčević, 2002, p. 45). This paper represents an opportunity to state one definition of international humanitarian law, which, in our opinion, is quite acceptable, especially for members of the International Committee of the Red Cross: "International humanitarian law is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are no longer participating in hostile activities and it further restricts the means and methods of warfare. International humanitarian law is also known as the law of war or the law of armed conflict. Whichever definition is used, we could say that these rules do not vary much from one another, as they are basically humanitarian in their own nature" (Starčević, 2010, pp. 34-35). Although after the end of Second World War in 1945, a number of international multilateral conventions were adopted, regulating the manner of waging wars and armed conflicts as well as the protection of prisoners of war, wounded, sick, and civilians, numerous and mass violations of these conventions were committed (Ganzer, 2008, pp. 67-463).

## CONCLUSIONS

This paper, which deals with the topic of the connection between the International Red Cross and Serbia, strives to present the history of the International Red Cross from 1863. It also had the aim of explaining the humanitarian activities of its founder, Henry Dunant, along with all phases of the development of relations between the Red Cross and the Principality of Serbia (Durand, 2017, pp. 45-78). The fact is that the International Red Cross is the biggest and most numerous humanitarian organization globally, which has generally been accepted since its inception, and it has achieved enormous humanitarian results in its field of work. The world of the 21st century expresses different power configurations in different policy domains. This dynamic change in the structure of power redefines the exercise of leadership. Along with power and authority, leadership requires

moral persuasion and every single strategy needed to build strong alignments (Vasić 2018, pp. 146-147). Soft power is important in this context, and the International Red Cross considers soft power tools when carrying out its activities. For example, soft power is of crucial importance for employing pressure and encouraging pragmatic engagement and especially for managing conflicts between great powers (*Ibid.*, pp. 147) Although many books, systematic works, monographs, collections of papers, collections of conventions, articles, comments, debates, feuilletons, and reviews have been written about the International Red Cross, there is still a need to continue writing about the International Committee of the Red Cross, especially for the scientific and professional public as well as the general readership and young populations, with the aim of providing them with the opportunity to learn about the International Committee of the Red Cross and eventually give them the chance to become its volunteers.

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