

2346

Act
Amending the Regulations on the German Red Cross
of 5 December 2008

The German Bundestag has passed the following Act:

Article 1

Act
on the German Red Cross and other voluntary aid societies as defined in the Geneva
Conventions
(DRK-Gesetz – DRKG)

Chapter 1

German Red Cross

Section 1

Legal Status

The “Deutsches Rote Kreuz e.V.” (German Red Cross e.V.) is the National Red Cross Society on the territory of the Federal Republic of Germany and Voluntary Aid Society, auxiliary to the German authorities in the humanitarian field. It adheres to the principles of the International Red Cross and Red Crescent Movement.

Section 2

Tasks

(1) As voluntary aid society, the “Deutsches Rote Kreuz e.V.” assumes the tasks that arise from the Geneva Conventions of 1949 and their Additional Protocols, in particular

1. rendering assistance to the regular medical service of the German armed forces as defined in Article 26 of the First Geneva Convention including the utilization of hospital ships pursuant to Article 24 of the Second Geneva Convention;
2. the dissemination of knowledge of International Humanitarian Law as well as the principles and ideals of the International Red Cross and Red Crescent Movement and the assistance to the German Federal Government in this field;

3. the assumption of the tasks of an official Information Bureau pursuant to Article 122 of the Third Geneva Convention and pursuant to Article 136 of the Fourth Geneva Convention;
4. the conveyance of correspondence under the preconditions stipulated by Article 25 paragraph 2 of the Fourth Geneva Convention and the provision of tracing services according to Article 26 of the Fourth Geneva Convention and Article 33 paragraph 3 as well as Article 74 of the First Additional Protocol.

(2) For the tasks pursuant to paragraph 1 no. 3, the “Deutsches Rote Kreuz e.V.” receives grants within the framework of the budgetary funds available in the Federal Budget, pursuant to Section 44 of the Federal Budget Code and the respective administrative regulations and consequential provisions.

(3) The “Deutsches Rote Kreuz e.V.” further fulfils the tasks being allocated to it by federal or state law.

Section 3

Protection of the Emblem and the Names

The entitlement to use the emblem “red cross on white ground” and the names “Rotes Kreuz” (“Red Cross”) and “Genfer Kreuz” (“Geneva Cross”) is assigned to the “Deutsches Rote Kreuz e.V.”. This does not confer an entitlement to prohibit a descriptive use of the emblem and the names by any third party when this use is not liable to cast doubt on the attribution according to sentence 1. The rights of other organisations of the International Red Cross and Red Crescent Movement remain unaffected.

Chapter 2

Other Voluntary Aid Societies

Section 4

Legal Position

The “Johanniter” (*“Johanniter-Unfall-Hilfe e.V.”*) and the “Malteser” (*“Malteser Hilfsdienst e.V.”*) are voluntary aid societies as defined in Article 26 of the First Geneva Convention.

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Section 5

Tasks

The “Johanniter-Unfall-Hilfe e.V.” and the “Malteser Hilfsdienst e.V.” are authorised to render assistance to the regular medical service of the German armed forces. The “Johanniter-Unfall-Hilfe e.V.” and the “Malteser Hilfsdienst e.V.” also perform the tasks being assigned to them by federal or state law.

Article 2

Pursuant Amendments

- (1) Article 2 of the Act on the Additional Protocols I and II to the Geneva Conventions of 1949 of 11 December 1990 (BGBl. 1990 II pg. 1550) is repealed.
- (2) The second Act on the revision of Federal Law Under the Authority of the Federal Ministry of Justice of 23 November 2007 (BGBl. I pg. 2614) is amended as follows:
 1. Article 7 is repealed.
 2. In Article 80 paragraph 2, statement “7” is omitted.

Article 3

Entry into Force, Expiry

This Act enters into force on the day after promulgation. At the same time, the German Red Cross Act of 9 December 1937 expires (RGBl. I p. 1330; BGBl. III 2128-2).

The constitutional rights of the Federal Council of Germany are preserved.

The preceding Act is hereby executed. It must be promulgated in the Federal Law Gazette.

Berlin, 5 December 2008

The Federal President
Horst Köhler

The Federal Chancellor
Dr. Angela Merkel

The Federal Justice Minister
Brigitte Zypries

The Federal Foreign Minister
F.-W. Steinmeier

The Federal Defence Minister
F.J. Jung