

National legislation on the use and protection of the names
“Red Cross” and “Red Crescent” and other designations protected
under the 1949 Geneva Conventions and their Additional Protocols

(for the 21 National Societies that have requested the reservation of the words “red cross” or “red crescent” in their national languages:

Afghanistan, Azerbaijan, Bosnia and Herzegovina, Brazil, Cambodia, China, Czech Republic, Finland, Kenya, Kyrgyzstan, Lithuania, Norway, Malaysia, The Netherlands, Palestine, Paraguay, Somalia, Sweden, Tanzania, Turkey, Ukraine)

Note: As a reminder, the 1949 Geneva Conventions and their Additional Protocols protect the designations “Red Cross and “Red Crescent” from all forms of improper and unauthorized use.

High Contracting Parties to the Geneva Conventions are obligated, if their national legislation is not already adequate, to take measures necessary including penal measures, for the prevention and repression of misuse of the said designations in their domestic jurisdictions.

quote

**GENEVA CONVENTION
FOR THE AMELIORATION OF THE
CONDITION OF THE WOUNDED AND SICK
IN ARMED FORCES IN THE FIELD
OF 12 AUGUST 1949**

[...]

*Misuse of
the emblem*

ART. 53. — The use by individuals, societies, firms or companies either public or private, other than those entitled thereto under the present Convention, of the emblem or the designation “Red Cross” or “Geneva Cross”, or any sign or designation constituting an imitation thereof, whatever the object of such use, and irrespective of the date of its adoption, shall be prohibited at all times.

[...]

ART. 54. — The High Contracting Parties shall, if their legislation is not already adequate, take measures necessary for the prevention and repression, at all times, of the abuses referred to under Article 53.

*Prevention of
misuse*

unquote

Without entering into the debate as to whether the national legal orders of the above mentioned National Societies are *monist* or *dualist* legal systems (and whether international law is directly applicable without the requirement of national implementing legislation), it must be reminded that all States are parties to the 1949 Geneva Conventions and are legally held to implement and enforce the protections of the Red Cross and Red Crescent designations.

Below are relevant extracts from the national legislation of *Azerbaijan, Bosnia and Herzegovina, Cambodia, China, Czech Republic, Finland, Kenya, Kyrgyzstan, Lithuania, Malaysia, Paraguay, Sweden, and Ukraine*. Extracts of a draft legislation of the Islamic Republic of Afghanistan *on the Afghan Red Crescent Society and on the use and protection of the emblems* are also included.

AFGHANISTAN

National legislation protecting the designations “Red Cross” and “Red Crescent”:

By State > Afghanistan > Emblems protection



Law on Regulation Affairs of Red Crescent Society, 2016

Date of adoption : 08.10.2016

In force : Yes

Source : [Official gazette], No. 1228, 17.07.1395 [08.10.2016], p. 1-27
http://moj.gov.af/content/files/OfficialGazette/01201/OG_01228.pdf (last accessed on 19.12.2016)

The current Afghan *Law on the Regulation of the Affairs of the Afghan Red Crescent* does not include any stipulation regulating the use or protecting the designations “Red Crescent” or “Red Cross”.

+++++

A new Afghan *Combined Law on the Afghan Red Crescent Society and on the Use and Protection of the Emblem* is in preparation and is under consideration by the Afghan Government.

Relevant extracts on the protection of the Red Crescent and Red Cross names/designations are copied below:

Quote (Draft new legislation)



Combined Law on the Afghan Red Crescent Society and on the Use and Protection of the Red Cross and Red Crescent Emblems



Proposed revision of the "Afghan Red Crescent Society Coordination Law of Affairs and Emblems", endorsed by Joint Commission of the Parliament on 28 June 2016 (Endorsement Nr. 201), approved by the State President on 31 July 2016 (Decree Nr. 77) and published in the Official Gazette by the Ministry of Justice on 08 October 2016 (Official Gazette Nr. 1228)

[...]

Control measures

Article 19:

- (1) The Government of the Islamic Republic of Afghanistan, through the Ministries of Defense [and Public Health], shall ensure strict oversight of the use of the red crescent and red cross and other emblems **and designations** protected under international humanitarian law in accordance with the present Law and other relevant national laws.
- (2) The Islamic Republic of Afghanistan shall oversee cases of misuse in cooperation with the ARCS and other organizations, and shall take all appropriate measures to prevent the misuse of the emblem **and designations** in accordance with this law and other relevant national laws. Such measures shall include:
 - a) Disseminating knowledge of the emblems to members of the armed and security forces, health workers and members of the public at large.
 - b) Issuing instructions on the use of the emblems in accordance with the Geneva Conventions and establishing administrative and disciplinary penalties in case the emblem is misused.
- (3) The ARCS shall cooperate with the Ministries of Defence [and Public Health] in their efforts to prevent and repress any misuse. It shall be entitled to report any such misuse to the Ministries and to relevant organizations based on the provisions of this Law.

[...]

Article 21:

- (1) The registration of associations and trade names, and the filing of trademarks, commercial marks and industrial models and designs making use of the emblem of the red cross and red crescent **or the designation "red cross" and "red crescent"** in violation of the present Law shall be refused.
- (2) Companies, corporations, organizations and others, who have previously used or registered **the names** and emblems stated in Article 1 of the present Law, shall endeavor immediately after the adoption of the present Law to amend their names and emblems. All non-authorized use of the red cross and red crescent emblem **or names** shall cease within 6 months (180 days) after the publication of this law.

[...]

unquote

AZERBAIJAN

National legislation protecting the designations "Red Cross" and "Red Crescent":

By State > Azerbaijan > Emblems protection



Law of the Republic of Azerbaijan governing the use and protection of the red cross and red crescent emblems

Date of adoption : 08.05.2001

Date of entry into force : 20.06.2001

Source : Newspaper Azerbaijan, No. 137 (2850), 20 June 2001. Unofficial ICRC translation.

[...]

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

[...]

Chapter 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.

[...]

BOSNIA AND HERZEGOVINA

National legislation protecting the designations "Red Cross" and "Red Crescent":

By State > Bosnia and Herzego... > Emblems protection



Law on the use and protection of the red cross emblem and the title of the Red Cross Society of Bosnia and Herzegovina, 2002

Zakon o uporabi i zaštiti znaka Crvenog križa i naziva Društva crvenog križa Bosne i Hercegovine, 2002

Date of adoption : 29.04.2002

Date of entry into force : 08.06.2002

In force : Yes

Source : Official Gazette, BiH, Year VI, No 11, page 274-276, 30 May 2002/
Službeni glasnik Bosne i Hercegovine Broj 11, 30. svibnja 2002., str. 274-276

[...]

Article 4

No one can use the emblem of the Red Cross or Red Crescent on a white background, the designation "Red Cross" or "Red Crescent", the distinctive signals for identifying medical units and transports, or the title of the Red Cross Society of Bosnia and Herzegovina, unless entitled to make such use in accordance with the provisions of this Law and the Geneva Conventions.

Article 5

Only the Red Cross Society of Bosnia and Herzegovina is entitled to use the title of the Red Cross.

[...]

Original text of the legislation

ZAKON

O UPORABI I ZAŠTITI ZNAKA CRVENOG KRIŽA I NAZIVA DRUŠTVA CRVENOG KRIŽA BOSNE I HERCEGOVINE

Članak 4.

Nijedna osoba ne može uporabljivati znak Crvenog križa ili Crvenog polumjeseca na bijeloj pozadini, oznaku "Crveni križ" ili "Crveni polumjesec", znakove raspoznavanja za identifikiranje sanitetskih jedinica u sredstvima sanitetskog prijevoza, ili naziv Društva crvenog križa Bosne i Hercegovine, ukoliko nema pravo na takvu uporabu sukladno odredbama ovog zakona i Ženevskih konvencija.

Članak 5.

Samo Društvo crvenog križa Bosne i Hercegovine ima pravo na naziv Crvenog križa.

CAMBODIA

National legislation protecting the designations "Red Cross" and "Red Crescent":

By State > Cambodia > Emblems protection



Royal Decree on the Use and Protection of the Red Cross or Red Crescent Emblem, 2002

Date of adoption : 06.05.2002

Date of entry into force : 06.05.2002

In force : Yes

[...]

SECTION V

Misuse of the emblem of the red cross and red crescent

Article 8:

The public authorities of Cambodia shall at all times ensure strict compliance with the rules governing the use of the emblem of the red cross or red crescent, **the name "Red Cross" or "Red Crescent"** and the distinctive signals. They shall exercise strict control over the persons authorized to use the said emblem, **name** and signals.

They shall take every appropriate step to prevent misuse, in particular by disseminating the rules in question as widely as possible among the armed forces, the police forces, the public authorities and the civilian population.

[...]

SECTION VI

Registration of associations, trade names and trademarks

Article 10:

The registration of associations and trade names, and the filing of trademarks, commercial marks and industrial models and designs making use of the emblem of the red cross or red crescent or the designation "Red Cross" or "Red Crescent" in violation of the present Royal Decree shall be refused.

Only the Cambodian Red Cross shall be registered for the use of the red cross emblem.

[...]

SECTION VII

Control measures and sanction of misuse

Article 11:

Anyone who, wilfully and without entitlement, has made use of the emblem of the red cross or red crescent, the words "Red Cross" or "Red Crescent", a distinctive signal or any other sign, designation or signal which constitutes an imitation thereof or which might lead to confusion, irrespective of the aim of such use, and in particular anyone who, in particular, has displayed the said emblem or words on signs, posters, announcements, leaflets or commercial documents, or has affixed them to goods or packaging, or has sold, offered for sale or placed in circulation goods thus marked, shall be punished according to the applicable law.

If the offence is committed in the management of a corporate body (commercial firm, association, etc.), the punishment shall apply to the persons who committed the offence or ordered the offence to be committed.

[...]

Article 14:

The Courts shall have jurisdiction to order the seizure of objects and any material marked in violation of the present Royal Decree , to demand the removal of the emblem of the red cross or red crescent and of the words "Red Cross" or "Red Crescent" at the cost of the instigator of the offence, and to order the destruction of the instruments used for their reproduction.

[...]

CHINA

National legislation protecting the designations “Red Cross” and “Red Crescent”:

By State > China > National RC / RC S...



Amended Law of the People’s Republic of China on the Red Cross Society

中华人民共和国红十字会法

Date of adoption : 24.02.2017

Date of entry into force : 08.05.2017

In force : Yes

Source : Published on 24 February 2017 under the Order of the President of the People’s Republic of China No. 36, available at http://www.npc.gov.cn/npc/xinwen/2017-02/24/content_2008112.htm

Amended Law on the People’s Republic of China on the Red Cross Society (adopted on 24 February 2017)

(Unofficial ICRC Translation)

[...]

Article 16 The emblem and name of the Red Cross shall be protected by law. Making profit by utilizing the emblem and name of the Red Cross is prohibited; any improper use, misuse or imitation of the emblem and name of the Red Cross is prohibited.

[...]

Article 27 In case natural persons, legal persons or other organizations commit one of the followings, if damages are incurred, the civil liabilities shall be assumed in accordance with laws; if public security administration is violated, public security administrative penalties shall be imposed; if crimes are committed, the criminal liabilities shall be pursued in accordance with laws:

- 1) improperly using, misusing and imitating the emblem and name of the Red Cross;
- 2) making profit by utilizing the emblem and name of the Red Cross;

[...]

CZECH REPUBLIC

National legislation protecting the designations “Red Cross” and “Red Crescent”:

By State > Czech Republic > Emblems protection



Law of 5 March 1992 on the protection of the emblem and the name of the Red Cross and on the Czechoslovak Red Cross [as last amended on 06.11.2011]

Zákon č. 126/1992 ve znění zákona č. 375/2011

Date of adoption : 05.03.1992

Date of entry into force : 01.06.1992

Amended by :

Zákon ze dne 6. listopadu 2011, kterým se mění některé zákony v souvislosti s přijetím zákona o zdravotních službách, zákona o specifických zdravotních službách a zákona o zdravotnické záchranné službě

In force :

Yes

Sbírka zákonů Částka 131, 8. prosince 2011, str. 4849-4898,

Source :

<http://aplikace.mvcr.cz/sbirka-zakonu/ViewFile.aspx?type=c&id=6059>
(last accessed on 11.12.2012)

[...]

PART ONE

PROTECTION OF THE RED CROSS EMBLEM AND NAME

§1

(1) The emblem of the red cross on the white ground and the words “Red Cross” or “Geneva Cross” protected by the Geneva Conventions of August 12, 1949, and their Additional Protocols of June 8, 1977, (hereafter Geneva Conventions) can be used on the territory of the Czech and Slovak Federal Republic in time of peace only by:

- a) military medical service to indicate and to protect the medical units and establishments, medical personnel and material protected by the Geneva Conventions and other international conventions dealing with similar matters, that have been recognised by the Czech and Slovak Federal Republic;
- b) Czechoslovak Red Cross (§3), its units and establishments, by providing activities mentioned under the a) and by its other activities in time of peace under the conditions stated by the Geneva Conventions;
- c) international organisations of the Red Cross and their personnel;
- d) providers of the vehicles used as ambulances and providers of aid stations exclusively assigned to the purpose of giving free treatment to the wounded or sick persons – to indicate such ambulance cars and aid stations in time of peace, however, this can be done only after the approval of the Czechoslovak Red Cross (§3).

(2) The emblem and the name mentioned in the (1) or the emblem and the name similar to the above mentioned ones must not be used by other subjects or to purposes not mentioned above.

§2

(1) The one, who misuses the emblem or the name mentioned in § 1 or that one, who assists by such misuse, shall be penalised in the amount to 10,000.- CZK or to 50,000.- CZK in case, that the act was done at times to which the Geneva Conventions apply.

(2) The income from fines belongs the Czechoslovak Red Cross.

(3) The paragraph 1 is not applied when the act mentioned is considered as the crime.

(4) Unauthorised indication of any item by the emblem or the name mentioned in §1 must be removed without delay; if not, then this is ordered to the owner by the relevant administration body. If it cannot be removed, then the administration body is entitled to take the item from the owner and give it to the Czechoslovak Red Cross without any compensation.

[...]

FINLAND

National legislation protecting the designations "Red Cross" and "Red Crescent":

By State > Finland > Emblems protection



Act on the use of certain internationally protected symbols, 1979

Laki eräiden kansainvälisesti suojattujen tunnusten käytöstä, 1979

Date of adoption : 21.12.1979

Amended by : Amendment 333/2013 (published 8.5.2013).

In force : Yes

Source : <http://www.finlex.fi/fi/laki/ajantasa/1999/19990731> (last accessed on 15.05.2013)

[...]

§ 1

The distinctive emblem of the Red Cross, the terms "Red Cross" or "Geneva Cross", and the international distinctive sign of civil defence shall not be used in cases other than those provided for in this Act.

[...]

§ 2

Signs, pictures or terms which resemble the emblems, signs or terms referred to in § 1 to such a degree that confusion may arise, shall not be used.

[...]

§ 3

The distinctive emblem of the Red Cross and the terms referring to the Red Cross shall be used during armed conflicts to protect medical services as provided for in the Conventions and Protocols Additional to them referred to in sub-paragraph 2 of § 1 above, as well as in peace time to indicate military medical services as provided for in the Conventions referred to in sub-paragraph 2 of § 1.

The international organizations of the Red Cross as well as their duly authorized personnel are entitled to use the distinctive emblem and the terms pertaining to the Red Cross. Subject to the national legislation of each state the same applies to the national Red Cross societies of foreign states.

The Finnish Red Cross is entitled to use the distinctive emblem and the name of the Red Cross in its activities in accordance with the Conventions referred to in sub-paragraph 2 of § 1.

[...]

§ 6

Whosoever makes use of the emblems, signs, pictures or **terms** referred to in §§ 1 and 2 in commerce or other unauthorized activity shall be sentenced to pay a fine or a prison sentence of maximum six months for the *unauthorized utilization of an internationally protected emblem or sign* unless a more severe penalty is provided elsewhere.

KENYA

National legislation confirming the entitlement of the Kenya Red Cross to use the words “Red Cross”:

By State > Kenya > Emblems protection



Kenya Red Cross Society Act, 1965

The Kenya Red Cross Society Act [1965] : an act of Parliament to provide for the incorporation of the Kenya Red Cross Society and for matters incidental thereto and connected therewith

Date of adoption : 24.11.1965

Date of entry into force : 21.12.1965

In force : Yes

Source : Kenya gazette supplement, no. 92, 30th November 1965, p. 279-282

[...]

6. The Society is hereby recognized by the Government as a voluntary aid society auxiliary to the public authorities both for the purpose of the Scheduled Conventions and otherwise, and shall have the right in conformity with the Scheduled Conventions to use the heraldic emblem of a red cross on a white ground, formed by reversing the Swiss Federal colours, or the emblems of the red crescent or red lion and sun on a white ground or any colourable imitations thereof or **the words “Red Cross”**.

Recognition of Society as a voluntary aid society.

[...]

KYRGYZSTAN

National legislation protecting the designations "Red Cross" and "Red Crescent":

By State > Kyrgyzstan > Emblems protection



Law No. 82 on the Use and Protection of the Red Crescent and Red Cross Emblems, 2000

Date of adoption :	08.09.2000
Date of entry into force :	29.09.2000
In force :	Yes
Source :	Unofficial ICRC French translation.

Extract:

[...]

La présente loi régit la procédure et les règles de l'utilisation, ainsi qu'assure la protection juridique de l'emblème du croissant-rouge et de la croix-rouge et des dénominations "Croissant-Rouge" et "Croix-Rouge" au temps de paix et au temps d'un conflit armé (interne et international).

[...]

Article 1. Objet de la protection

Conformément aux Conventions de Genève du 12 août 1949, leurs Protocoles additionnels du 8 juin 1977 et Règlement sur l'usage de l'emblème de la croix-rouge ou du croissant-rouge par les Sociétés nationales (adopté à Vienne en 1965 par la XXème Conférence internationale de la Croix-Rouge et du Croissant-Rouge et modifié par le Conseil des Délégués à Budapest en 1991) les objets suivants sont protégés par la présente loi :

- l'emblème du croissant-rouge ou de la croix-rouge sur fond blanc;
- la dénomination "Croissant-Rouge" ou "Croix-Rouge";
- les signaux distinctifs destinés à identifier les unités et moyens de transport sanitaires.

[...]

Article 9. Abus de l'emblème

Celui qui, intentionnellement et sans y avoir droit, a fait usage de l'emblème du croissant-rouge ou de la croix-rouge, des mots "Croissant-Rouge" ou "Croix-Rouge", d'un signal distinctif ou de tout autre signe, dénomination ou signal en constituant une imitation ou pouvant prêter à confusion, ainsi que celui, qui a notamment fait figurer lesdits emblèmes ou mots sur des enseignes, affiches, annonces, prospectus ou papiers de commerce, ou les a apposés sur des marchandises ou des emballages, ou a vendu, mis en vente ou en circulation des marchandises ainsi marquées, seront responsables conformément au Code des peines administratives de la République Kirghize.

[...]

Article 12. Mesures de contrôle

Le contrôle du respect des dispositions de la présente loi régissant l'utilisation de l'emblème du croissant-rouge et de la croix-rouge, des dénominations "Croissant-Rouge" et "Croix-Rouge" et des signaux distinctifs par des organes et des personnes autorisées à leurs utilisations, sera assuré conformément à la législation de la République Kirghize.

Article 13. Enregistrement des personnes morales, de raisons de commerces et de marques de fabrique

L'enregistrement des personnes morales, de raisons de commerce et de marques de fabrique, de dessins et modèles industriels utilisant l'emblème du croissant-rouge ou de la croix-rouge ou la dénomination "Croissant-Rouge" ou "Croix-Rouge" en violation de la présente loi, sera interdit.

[...]

By State > Kyrgyzstan > Emblems protection



Resolution No. 361 on the realization of the suggestions relating to the implementation of the norms of international humanitarian law in the Kyrgyz Republic, 2003

Date of adoption : 18.06.2003

Source : Unofficial translation by ICRC-Tashkent.

Extract:

[...]

The ratification of the listed documents envisages an adoption of state measures necessary for the prevention and repression at all times of any type of illegitimate use or misuse of the Red Crescent and Red Cross emblem.

In this regard, the Law of the Kyrgyz Republic "On the Use and Protection of the Red Crescent and Red Cross Emblem" determined the procedure and the rules of use of, as well as the provision of the legal protection to, the Red Crescent and Red Cross emblem and the designations "Red Crescent" and "Red Cross" in peacetime and in times of armed conflict (internal and international).

[...]

LITHUANIA

National legislation protecting the designations “Red Cross” and “Red Crescent”:

By State > Lithuania > Emblems protection



Law on National Red Cross Society, red cross and red crescent emblem and designation 2000 (as of 2008)

Lietuvos Raudonojo Kryžiaus draugijos, Raudonojo Kryžiaus ir Raudonojo Pusmenulio emblemos ir pavadinimo istatymo pavadinimo, III skyriaus pavadinimo ir 1, 2, 3, 4, 5, 8, 10, 13, 14, 15, 16, 17, 18, 19, 20, 25, 27 straipsniu pakeitimo ir papildymo istatymas [18.01.2008]

Date of entry into force : 10.10.2000

Amended by : Law on the Lithuanian Red Cross Society, the emblem and designation of the Red Cross, Red Crescent and Red Crystal [as last amended on 18.01.2008]

In force : Yes

Source : Law no. X-1434 originally published in : Valstybes ziniuos, No. 15-517, 05.02.2008; Source : http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_bin?p_id=313963 (last accessed on 12.12.2012) ; Translation: http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_bin?p_id=317451 (last accessed on 07.01.2013)

[...]

CHAPTER I GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law shall establish the status, functions and financing of the Lithuanian Red Cross Society, also the use and legal protection of the emblem and designation of the Red Cross, Red Crescent and Red Crystal.

[...]

Article 3. Emblem and Designation of the Red Cross, Red Crescent and Red Crystal

The legal protection specified in this Law shall apply to:

- 1) the emblem of the Red Cross, which is a red cross on a white ground;

2) the emblem of the Red Crescent, which is a red crescent on a white ground;
3) the emblem of the Red Crystal, which is a red frame in the shape of a square on edge on a white ground and which is referred to in the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III) as the third Protocol emblem;

4) the designation “Red Cross”;

5) the designation “Red Crescent”;

6) the designation “Red Crystal”, which is used to refer to the third Protocol emblem according to Resolution 1 of the 29th International Conference of the Red Cross and Red Crescent.

[...]

CHAPTER III EMBLEM AND DESIGNATION OF THE RED CROSS, RED CRESCENT AND RED CRYSTAL

SECTION ONE GENERAL PROVISIONS

Article 13. Use of the Emblem and the Designation

The emblem and the designation of the Red Cross, Red Crescent and Red Crystal shall be used in the Republic of Lithuania under the conditions and in accordance with the procedure laid down by the 1949 Geneva Conventions for the protection of war victims and their Additional Protocols, this Law and other laws.

[...]

SECTION THREE USE OF THE EMBLEM AS AN IDENTIFICATION SIGN

Article 17. Use of the Emblem by the Lithuanian Red Cross Society

1. The right to use the emblem of the Red Cross and the designation “Red Cross” as identification signs shall be granted to the Lithuanian Red Cross Society in order to indicate a person’s or an object’s link with the International Red Cross and Red Crescent Movement.

[...]

[...]

SECTION FIVE SPECIAL PROVISIONS

Article 20. Use of the Emblem of the Red Cross and the Designation “Red Cross” by the Lithuanian Red Cross Society for Information and Fund Raising Purposes

1. The Lithuanian Red Cross Society shall have the right to use the emblem of the Red Cross and the designation “Red Cross” for information and fund raising purposes.

2. The emblem of the Red Cross and the designation “Red Cross” shall be used when disseminating information about the activities of the International Red Cross and Red Crescent Movement and international humanitarian law for information purposes.

3. The emblem of the Red Cross and the designation “Red Cross” shall be used for fund raising purposes when requesting natural and legal persons to provide support to the Lithuanian Red Cross Society.

[...]

Article 21. Award Symbols of the Lithuanian Red Cross Society

The emblem of the Red Cross and the designation “Red Cross” may be used in award symbols of the Lithuanian Red Cross Society in accordance with the procedure laid down by the Statutes of the Society.

[...]

SECTION FIVE PROTECTION OF THE EMBLEM

Article 25. Prohibition of the Use of the Emblem and the Designation

With the exception of the cases specified by this Law, all Lithuanian state institutions, enterprises, agencies, organisations and natural persons shall be prohibited from using:

- 1) the sign of a red cross on a white ground and the wording “Red Cross”;
- 2) the sign of a red crescent on a white ground and the wording “Red Crescent”;
- 3) the sign of a red frame in the shape of a square on edge on a white ground and the wording “Red Crystal”;
- 4) the emblems and the designations imitating the sign of a red cross on a white ground or the wording “Red Cross”;
- 5) the emblems and the designations imitating the sign of a red crescent on a white ground or the wording “Red Crescent”;
- 6) the emblems and the designations imitating a red frame in the shape of a square on edge on a white ground or the wording “Red Crystal”.

[...]

MALAYSIA

National legislation authorizing the Malaysian Red Crescent to make use of the designation "Red Crescent" and protecting the words "Red Cross" and "Red Crescent" from misuse:

By State > Malaysia > Emblems protection



Malaysian Red Cross Society (Incorporation) Act, 1965 (as of 2006)

Act No. 47 of 1965. An Act to incorporate the Federation of Malaysia Red Cross Society and the Branches of the British Red Cross Society in Sabah and Sarawak under the name of Persatuan Palang Merah Malaysia (or in English the Malaysian Red Cross), and for purposes connected therewith

Date of adoption : 22.06.1965

Date of entry into force : 01.07.1965

In force : Yes

Source : http://www.commonlii.org/my/legis/consol_act/mrcsa19651995528/
(last accessed on 25.05.2013)

[...]

Use of the "Red Cross"

10. Without prejudice to the right of any person on and after the appointed day, the right to use the heraldic emblem of the red cross on a white background formed by reversing the Federal Colours of Switzerland, or the words "Red Cross" or "Geneva Cross" shall vest in the Corporation.

Malaysian Red Cross Society (Change of Name) Act, 1975 (as of 2006)

Act No. 162 of 1975: an Act to change the name and emblem of the Malaysian Red Cross Society

Date of adoption : 21.08.1975

Date of entry into force : 29.08.1975

In force : Yes

Source : Gazette, 4 September 1975, <http://www.agc.gov.my/Akta/Vol.%204/Act%20162.pdf> (last accessed on 25.05.2013)

[...]

Use of emblem and words

4. (1) Without prejudice to the rights of other persons, upon the commencement of this Act, the right to use the emblem of a red crescent on a white background, as depicted in the Schedule, and the words “*Bulan Sabit Merah*” or, in English, “*Red Crescent*”, shall vest in the Corporation, and the Corporation, shall use such emblem.

(2) Upon the commencement of this Act, section 10 of the Incorporation Act shall cease to have effect, and the right vested in the Corporation by that section to use the emblem of the red cross on a white background and the words “*Red Cross*” and “*Geneva Cross*” shall cease to vest in the Corporation, and the Corporation shall cease to use such emblem and those words.

[...]

Prohibition of use of emblem without authority

5. (1) It shall not be lawful for any person, other than the Corporation and its staff, officials and members, to use for the purpose of his trade or business, or for any other purpose whatsoever, in the Federation without the authority of the Minister, the emblem of a red crescent on a white background, as depicted in the Schedule and the words “*Bulan Sabit Merah*” or, in English, “*Red Crescent*”.

(2) If any person contravenes subsection (1), he shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred ringgit; and any goods upon or in connection with which the emblem or words, as the case may be, was or were used may be forfeited.

(3) Where an offence committed by a body corporate or society is proved to have been committed with the consent or connivance of any director, manager, secretary or other officer of the body corporate or society, he, as well as the body corporate or society, shall be deemed to be guilty of the offence and shall be liable to be prosecuted and punished accordingly.

Trade Marks Regulations, 1997

Date of adoption : 13.08.1997

Date of entry into force : 16.12.1997

In force : Yes

Source : Official Gazette 16 November 1997,
http://www.commonlii.org/my/legis/consol_reg/tmr1997230/ (last accessed on 25.05.2013)

[...]

PART IV

REGISTRABLE TRADE MARKS

13. Marks subject to statutory restriction.

(1) The Registrar shall refuse to accept any application for the registration of a mark upon which any of the following appears:

[...]

- (f) the words “Red Crescent” or “Geneva Cross” and representations of the Red Crescent, the Geneva Cross and other crosses in red, or of the Swiss Federal Cross in white or silver on a red ground, or such representations in a similar colour or colours.

PARAGUAY

National legislation protecting the designations "Red Cross" and "Red Crescent":

By State > Paraguay > Emblems protection



Amendment of the 1928 Law prohibiting the use of the name, distinctive signals and emblems of the Red Cross, 2004

Ley n° 2.365 que modifica la Ley n° 993 del 6 de agosto de 1928 "Que prohíbe el uso del nombre, distintivos y emblemas de la Cruz Roja

Date of adoption : 23.04.2004

In force : Yes

Source : http://www.buscoley.com/pdfs/l_2365_2004.pdf (last accessed on 10.01.2014)

LEY N° 2.365.- QUE MODIFICA LA LEY N° 993 DEL 6 DE AGOSTO DE 1928 "QUE PROHIBE EL USO DEL NOMBRE, DISTINTIVOS Y EMBLEMAS DE LA CRUZ ROJA".

EL CONGRESO DE LA NACION PARAGUAYA SANCIONA CON FUERZA DE

LEY

Artículo 1°.- Modifícase la Ley N° 993 del 6 de agosto de 1928 "Que prohíbe el uso de nombre, distintivos y emblemas de la Cruz Roja", en la siguiente forma:

CAPITULO I DISPOSICIONES GENERALES

Artículo 2°.- Objeto de la Ley

El objeto de la Ley es regular las condiciones y modalidades para el uso del nombre de la Cruz Roja y de la Media Luna Roja, así como la del emblema de la Cruz Roja sobre fondo blanco y la Media Luna Roja sobre fondo blanco.

Artículo 3°.- Nombre de la Cruz Roja

La Cruz Roja Paraguaya, con personería jurídica reconocida por Resolución N° 13.666, de fecha 3 de agosto de 1921 por el Poder Ejecutivo, es la única sociedad nacional autorizada a utilizar la denominación "Cruz Roja", y tiene derecho de hacer uso indicativo del emblema para sus actividades humanitarias, conforme a los principios sustentados por el Movimiento Internacional de la Cruz Roja y de la Media Luna Roja.

[...]

SWEDEN

National legislation protecting the designations "Red Cross" and "Red Crescent":

Lag (2014:812) om skydd för kännetecken i den internationella humanitära rätten

unofficial translation: "Act relating to the protection of the hallmarks of international humanitarian law"

[...]

Skyddade kännetecken

2 § Följande kännetecken är skyddade enligt denna lag:

1. ett märke som består av ett rött kors mot vit bakgrund, eller benämningen "röda korset" eller "Genèvekorset",
2. ett märke som består av en röd ram i form av en kvadrat ställd på sin spets mot vit bakgrund, eller benämningen "röda kristallen",
3. ett märke som består av en röd halvmåne mot vit bakgrund, eller benämningen "röda halvmånen",
4. ett märke som består av ett rött lejon och en röd sol mot vit bakgrund, eller benämningen "röda lejonet och solen",

[...]

English summary:

The protected elements in this law include the following:

- i. The Red Cross emblem, consisting of a red cross on a white background, or the name "Red Cross" or "Geneva Cross";
- ii. The Red Crystal emblem, consisting of a red frame in the shape of a square placed on its tip, on a white background, or the name "Red Crystal";
- iii. The Red Crescent emblem, consisting of a red crescent on a white background, or the name "Red Crescent";
- iv. The Red Lion and Sun emblem, consisting of a red lion and a red sun on a white background, or the name "Red Lion and Sun".

[...]

5 § Internationella rödakorsorganisationer och nationella föreningar som är knutna till dem får använda kännetecknen i 2 § 1-4.

English summary:

International Red Cross organisations and associated national societies are entitled to use the distinctive emblems and names referenced in Section 2, 1-4.

[...]

Straffansvar

9 § Den som i strid med denna lag använder ett kännetecken i 2 § för varor, tjänster eller verksamheter eller för utmärkning på skyltar, anslag eller liknande döms för otillåten användning av kännetecken i den internationella humanitära rätten till böter eller fängelse i högst sex månader. Detsamma gäller den som i näringsverksamhet på annat sätt använder ett sådant kännetecken i strid med denna lag.

Första stycket gäller också den som använder ett kännetecken som kan förväxlas med ett kännetecken i 2 §.

I ringa fall ska det inte dömas till ansvar.

English summary:

To use the distinctive emblems and signs in section 2 for the purpose of goods, services or business, or on signs or similar, is punishable with fines or imprisonment for up to six months. This also applies when using a similar emblem or sign that could be confused with a distinctive emblem or sign.

UKRAINE

National legislation protecting the designations "Red Cross" and "Red Crescent":

By Topic > Emblems protection > Ukraine



Law about symbolics of the Red Cross, Red Crescent, the Red Crystal in Ukraine, 1999

Law No. 862-XIV

Date of adoption :	08.07.1999
Date of entry into force :	26.08.1999
Amended by :	Law implementing Additional Protocol III to the Geneva Conventions, 2009
In force :	Yes
Source :	Golos Ukraïny (official journal) on 26 August 1999. Unofficial French Translation

[...]

Article 15. Interdiction de l'usage illégal de l'emblème de la croix rouge et du croissant rouge.

Sont prohibés l'usage de l'emblème de la croix rouge ou du croissant rouge, ou de la croix rouge et du croissant rouge, des dénominations "Croix-Rouge" ou "Croissant-Rouge", ou "Croix-Rouge et Croissant-Rouge", du signe distinctif ou de tout autre signe, dénomination ou signal en constituant une imitation (utilisation de mêmes couleurs ou images) ou pouvant prêter à une confusion, quel que soit le but de cet usage, en violation des dispositions de la présente loi et du Règlement.

Sont prohibés l'utilisation desdits emblèmes ou dénominations sur des enseignes, affiches, annonces, prospectus ou papier de commerce, ou leur apposition sur des marchandises ou des emballages, ou leur vente, mise en vente ou en circulation des marchandises ainsi marquées; ou l'utilisation desdits emblèmes ou mots comme éléments du signe d'autres emblèmes ou dénominations contrairement aux dispositions de la présente loi et du Règlement.

Sont prohibés l'utilisation des dénominations "Croix-Rouge" et "Croissant-Rouge" dans les noms des entreprises, des institutions, des organisations quel que soient les formes de propriété; l'image des emblèmes de la croix rouge et du croissant rouge sur les signes des marchandises et des services, sur les spécimens industriels; l'usage de ces mots ou images comme éléments des signes des marchandises ou des services, des spécimens ou des dénominations industriels conformément à la législation ukrainienne en vigueur.

[...]
