

**Together for  
humanity**



**30th** INTERNATIONAL CONFERENCE  
OF THE RED CROSS AND RED CRESCENT  
GENEVA, 26-30 NOVEMBER 2007

COUNCIL OF DELEGATES  
OF THE INTERNATIONAL RED CROSS  
AND RED CRESCENT MOVEMENT  
GENEVA, 23-24 NOVEMBER 2007

**RESOLUTIONS**

The resolutions are available on the websites of the International Committee of the Red Cross ([www.icrc.org](http://www.icrc.org)), the International Federation ([www.ifrc.org](http://www.ifrc.org)) and the Standing Commission ([www.rcstandcom.info](http://www.rcstandcom.info)), in the sections devoted to the 30th International Conference and 2007 Council of Delegates.

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## Foreword

It is a pleasure for us to present this booklet containing the resolutions adopted by the 2007 Council of Delegates of the International Red Cross and Red Crescent Movement and by the 30th International Conference of the Red Cross and Red Crescent. The Council of Delegates and the International Conference achieved impressive results and reaffirmed their willingness to work “together for humanity.” The components of the Movement expressed their determination to form partnerships among themselves as well as with States in order to meet the needs of the most vulnerable people.

**The Conference** adopted by consensus six resolutions and a declaration. With the declaration *Together for Humanity* (Resolution 1), Governments and National Societies acknowledge the threats posed in humanitarian terms by environmental degradation and climate change, international migration, urban violence and emergent and recurrent diseases, and affirm their commitment to work closely with each other and with other organizations to address those threats.

Resolution 2 complements the work of the Council of Delegates (Resolution 3) and clarifies the specific role of National Societies as auxiliaries to their public authorities in the humanitarian field. Their specific and distinctive partnership is recognized, entailing the need for National Societies to remain and be respected as neutral and independent.

It was of particular importance for the Conference, with the States party to the Geneva Conventions represented, to forcefully reaffirm the relevance and adequacy of the basic tenets of international humanitarian law (IHL) to preserve human life and dignity in armed conflict. Resolution 3 re-emphasizes in particular the fundamental guarantees applicable to protected persons, which leave no one bereft of legal protection during armed conflict. It also restates the obligation of all parties to armed conflict to respect and to protect those providing humanitarian and medical assistance, as well as the essential principles applicable to the conduct of hostilities. The text highlighted the role to be played by all members in enhancing effective implementation, especially the need to incorporate IHL into domestic law and practice, into doctrine and procedures guiding the conduct of military operations, and into relevant training and educational programmes. Finally, the need to make criminal justice more effective is cited with a view to ending impunity for those responsible for serious violations of IHL.

Resolution 4 calls for strengthening of the legal framework for international response to disasters. The adoption of the *Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance* is the result of a broad and lengthy consultation process led by the International Federation within the Movement, with States and with many other organizations. Based on the conviction that more lives can be saved if law supports – rather than impedes – the relief effort, it is hoped that the Guidelines will be taken into account in related initiatives concerning development of the law, disaster management and risk reduction.

Finally, Resolution 5 endorses the Council of Delegates' Resolution 2 encouraging the Palestine Red Crescent Society and the Magen David Adom in Israel, with the support of all the authorities concerned, to enhance their cooperation to achieve the full implementation of their Memorandum of Understanding and its associated Agreement on Operational Arrangements of 28 November 2005. The ICRC and the International Federation are particularly committed to fulfilling their responsibility to strengthen the monitoring of this implementation process.

For its part, the 2007 **Council of Delegates** adopted ten resolutions, including those mentioned above. Other decisions are worth highlighting, in particular when the Movement's components are called upon to interact with States on specific humanitarian issues.

The adoption of its 10-year Restoring Family Links Strategy (Resolution 4) reveals the ambition of the Movement's worldwide tracing network to remain the leader in the field of restoring and maintaining contact between members of families separated by armed conflict or other situations of violence, natural or technological disasters and other circumstances requiring a humanitarian response. Partnerships aimed at strengthening National Society capacity in terms of restoring family links are encouraged both within the Movement and between Movement components and State authorities.

Confirming the need to address the challenges for humanitarian endeavour posed by international migration as emphasized in the Conference Declaration, the Movement's components have committed themselves to developing a comprehensive framework to guide their provision of impartial protection and assistance to migrants in need, regardless of their legal status (Resolution 5). A dialogue between National Societies and their public authorities is certainly essential to ensuring access to these vulnerable migrants as well as to clarifying respective roles and to building capacity for an enhanced humanitarian response.

With the adoption of Resolution 6 on implementation of the Seville Agreement and of Resolution 7 on implementation of the Strategy for the Movement updated in 2005, the Movement's components confirm their commitment to become stronger and more effective together in helping vulnerable people throughout the world. While the ICRC *Study on Operational and Commercial and Non-operational Issues involving the Use of the Emblems* is welcomed by the Council, the work on the Study will continue within the Movement and with States to uphold the protective value of the distinctive emblems recognized by the Geneva Conventions and their Additional Protocols.

In Resolution 8, the Movement's components committed themselves to raising awareness about the consequences of cluster munitions from a humanitarian viewpoint and to promoting both national measures and a new IHL treaty that will end the use of inaccurate and unreliable cluster munitions. The text also urges States to work urgently toward this goal.

The ICRC and the International Federation will maintain contact with Governments and National Societies on the follow-up to the Conference and the Council. However, it is now essential for members of these two major humanitarian forums to ensure that progress is made in implementing both these decisions and their pledges.

We can make a difference *Together for Humanity*.



Juan M. Suárez del Toro R., President  
International Federation of Red Cross  
and Red Crescent Societies



Dr Jakob Kellenberger, President  
International Committee of the Red Cross

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# Council of Delegates of the International Red Cross and Red Crescent Movement

Geneva, 23-24 November 2007

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# 30th International Conference of the Red Cross and Red Crescent

## Geneva, 26-30 November 2007

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# Council of Delegates of the International Red Cross and Red Crescent Movement

Geneva, 23-24 November 2007

## Agenda

### **OPENING SESSION**

Keynote address on the state of the Movement by the Chairman of the Standing Commission

#### **1. ELECTIONS, AGENDA AND PROCEDURAL MATTERS**

- 1.1** Opening of the meeting by the Chairman of the Standing Commission of the Red Cross and Red Crescent
- 1.2** Election of the Chairperson, Vice-Chairperson and Secretaries of the Council of Delegates
- 1.3** Adoption of the agenda for the Council

#### **2. WORK OF THE STANDING COMMISSION OF THE RED CROSS AND RED CRESCENT**

Report on the work of the Standing Commission since the 2005 Council of Delegates and on work undertaken within the Movement pursuant to the 29th International Conference

[For decision] – Draft resolution including a renewed sharing key for funding of the Commission by the components of the Movement

#### **3. SPECIFIC NATURE OF THE RED CROSS AND RED CRESCENT: A WAY TO A PRIVILEGED / UNIQUE RELATIONSHIP AND EFFECTIVE PARTNERSHIPS BETWEEN STATES AND THE COMPONENTS OF THE MOVEMENT**

[For decision] – Draft resolution to establish a toolbox on good partnerships, including those relevant to the auxiliary role of National Societies, with a view to preparing the endorsement by the International Conference of a framework for and a common understanding of the auxiliary role of National Societies

#### **4. RESTORING FAMILY LINKS**

[For decision] – Draft resolution to adopt the Restoring Family Links Strategy (and Implementation Plan) for the International Red Cross and Red Crescent Movement (2008-2018)

## **5. MIGRATION**

[For decision] – Draft resolution to address the need for a framework for action on the issue of migration

## **6. THE SEVILLE AGREEMENT AND ITS SUPPLEMENTARY MEASURES**

Report and recommendations of the group established pursuant to Resolution 8 of the 2005 Council of Delegates

[For decision] – Draft resolution to adopt the seven recommendations of the report and ensure full implementation of the Seville Agreement and its Supplementary Measures

## **7. STRATEGY FOR THE MOVEMENT**

### **7.1 Implementation of the Strategy for the Movement**

Report by the Standing Commission on the implementation of the 10 actions of the Strategy and on Action 4 regarding the review of Movement fora as carried out pursuant to Resolution 6 of the 2005 Council of Delegates.

[For decision] – Draft resolution to continue the implementation of the Strategy and:

- to remind National Societies of their commitment to examine their Statutes by 2010 (Action 3),
- to take into account the recommendations submitted by the Standing Commission on the organization of international meetings within the Movement (Action 4),
- to consider the ICRC's Study on Operational and Commercial and other Non-Operational Issues involving the Use of the Emblems with a view to enhancing the implementation of the rules governing the use of the emblems (Action 10).

### **7.2 Study on Operational and Commercial and other Non-Operational Issues involving the Use of the Emblems (Action 10)**

[For information] – Study by the ICRC

### **7.3 Review of National Society Statutes (Action 3)**

[For information] – Activity report by the Joint ICRC/International Federation Commission for National Society Statutes

## **8. WEAPONS AND INTERNATIONAL HUMANITARIAN LAW**

Follow-up report by the ICRC on Resolution 2 of the 2005 Council of Delegates  
[For decision] – Draft resolution sponsored by a group of National Societies and the ICRC to address the humanitarian consequences resulting from the use of cluster munitions



**9. REPORT ON THE EMPRESS SHÔKEN FUND**

[For information] – Activity report on the Empress Shôken Fund for 2006 and the first half of 2007

**10. STATUTORY TASKS RELATING TO THE 30th INTERNATIONAL CONFERENCE OF THE RED CROSS AND RED CRESCENT**

The commissions will convene on 23 November 2007. The components of the Movement will be briefed on the agenda and the issues to be taken up by the 30th International Conference: the four Conference objectives, the work in the commissions and the drafting committee, the election of the members of the Standing Commission, the workshops and any questions raised by National Societies as members of the Conference (three commissions will address the same issues in parallel)

**10.1 Adoption of the provisional agenda of the Conference**

[For decision] – In conformity with Article 14.2 (b) of the Statutes of the Movement, the Council of Delegates will adopt the provisional agenda of the Conference

**10.2 Proposals of persons to fill posts at the Conference: Chairman, Vice-Chairmen, Secretary-General, Assistant Secretaries-General and other officers**

[For decision] – In conformity with Article 14.2 (a) of the Statutes of the Movement, the Council of Delegates will propose to the Conference persons to fill the posts mentioned in Article 11.3

**11. ANY OTHER BUSINESS**

**12. DATE AND VENUE OF THE NEXT COUNCIL OF DELEGATES**

**Evening of 23 November**

**Award ceremony for the Henry Dunant Medal, followed by a reception hosted by the ICRC and the International Federation**



## Resolution 1

# Work of the Standing Commission of the Red Cross and Red Crescent

The Council of Delegates,

*taking note* of the report submitted by the Standing Commission of the Red Cross and Red Crescent (Standing Commission) on its work since November 2005,

*commending* the Standing Commission for its continued efforts to seek the views, active cooperation and involvement of National Societies in the identification and analysis of issues important to the International Red Cross and Red Crescent Movement (Movement) as a whole,

*appreciating* in particular the input obtained from National Societies, the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation) in consultations held in preparation for the Council of Delegates and the 30th International Conference in 2007,

*taking note with appreciation* of the work carried out with the aim of clarifying the procedures and principles for the election of the Standing Commission to ensure more equitable geographic representation,

*recalling* Resolution 4 of the 2005 Council of Delegates requesting the Standing Commission to review the modes of financing its work and to present its recommendations to the 2007 Council of Delegates,

1. *requests* the Standing Commission to continue actively to promote cooperation and harmony within the Movement and among its components through consultations, through involvement in the preparation of issues important to the Movement as a whole and by participating in existing Movement fora where it finds it useful and necessary for these purposes;
2. *encourages* the Standing Commission to continue, in line with Article 18 of the Statutes of the Movement and with established practice, to involve personalities from National Societies and from the ICRC and the International Federation and to set up such ad hoc working groups or consultative mechanisms as it deems necessary;



3. *invites* the Standing Commission to maintain an advisory working group, with representatives of all the components, on timely planning for the 2009 Council of Delegates and actively to promote and follow up resolutions adopted by this Council and the 30th International Conference;
4. *adopts* the revised principle for financing the work of the Standing Commission and the implications of paragraphs 1-3, which shall be based on a two-year plan of action and budget to be the joint financial responsibility of the International Federation, the ICRC and the National Societies, on the basis of one-third each, with the National Society contributions continuing on a voluntary basis.

## Resolution 2

### Towards the implementation of the Memorandum of Understanding and the Agreement on Operational Arrangements between the Palestine Red Crescent Society and the Magen David Adom in Israel

The Council of Delegates,

*taking into account* the report presented to it by Mr Pär Stenbäck, the independent monitor appointed by the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation) with the agreement of the Magen David Adom in Israel (MDA) and the Palestine Red Crescent Society (PRCS) to monitor the progress achieved in the implementation of the Memorandum of Understanding (MoU) and the Agreement on Operational Arrangements (AOA) of 28 November 2005 between the PRCS and the MDA,

*noting* with profound concern the information brought by the monitor on the suffering of the population in the occupied Palestinian territories,

*noting* also that the report indicates clearly that much remains to be done for the MoU and AOA to be implemented,

1. *calls upon* the authorities concerned to facilitate the implementation of the MoU, as referred to in the report presented by the independent monitor, since this will contribute to the alleviation of the suffering of the population of the occupied Palestinian territories;
2. *requests* the ICRC and the International Federation to continue to support and strengthen the monitoring of the implementation of the MoU as well as the cooperation between the two National Societies envisaged in the MoU;
3. *requests* the ICRC and the International Federation to arrange for the provision of a report on progress towards the full implementation of the MoU to the Council of Delegates, and through it to the International Conference;
4. *calls upon* the National Societies concerned to continue their dialogue with the authorities on their obligation to respect the principles and rules of the Movement as well as international humanitarian law;
5. *requests* the Chairman of the Council of Delegates to bring this resolution to the attention of the 30th International Conference.

## Resolution 3

### Specific nature of the International Red Cross and Red Crescent Movement in action and partnerships and the role of National Societies as auxiliaries to the public authorities in the humanitarian field

The Council of Delegates,

*recalling* the Movement's Fundamental Principle of independence as well as Articles 3 and 4.3 of the Statutes of the Movement whereby the National Societies are recognized by all governments as auxiliaries to the public authorities in the humanitarian field,

*recalling* Articles 24, 26 and 27 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949, Articles 24 and 25 of the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of 12 August 1949, and Article 63 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

*recalling* Resolution 9 of the Council of Delegates of 2005,

*reaffirming* the obligation of all the components of the Movement to act at all times in conformity with the Fundamental Principles, the Statutes of the Movement and the rules governing the use of the emblems and to take full account of the relevant Movement policies,

1. *recognizes* that the public authorities, and National Societies as auxiliaries, enjoy a specific partnership, entailing mutual responsibilities and benefits, based on international and national laws, in which the national public authorities and the National Society agree on the areas in which the National Society supplements or substitutes for public humanitarian services; the National Society must be able to deliver its humanitarian services at all times in conformity with the Fundamental Principles, in particular those of neutrality and independence, and with its other obligations under the Movement's Statutes as agreed by States at the International Conference of the Red Cross and Red Crescent;
2. *emphasizes* that National Societies, as auxiliaries to the public authorities in the humanitarian field,
  - a have a duty to consider seriously any request by their public authorities to carry out activities within the agreed framework,

- b have a duty to decline any request by their public authorities related to the above activities if it is in conflict with the Fundamental Principles, the Statutes or the mission of the Red Cross and Red Crescent Movement;
3. *underlines* the need for the public authorities to respect the above decisions of the National Societies;
4. *calls upon* National Societies to engage in a balanced relationship with their respective public authorities, with clear and reciprocal responsibilities in the humanitarian field, and thereafter to maintain and enhance a permanent dialogue at all levels within this agreed framework for humanitarian action;
5. *stresses* that the National Society, whilst acknowledging that its personnel and assets are provided to the medical services of the State's armed forces in accordance with Article 26 of the First Geneva Convention of 1949 and are thus subject to military laws and regulations, must respect the Fundamental Principles, including that of neutrality, and at all times maintain its autonomy and ensure that it is clearly distinguishable from military and other governmental bodies;
6. *calls upon* National Societies to build capacity enabling them to promote their auxiliary role domestically in their dialogue with the government and *encourages* the International Federation of Red Cross and Red Crescent Societies (International Federation) and the International Committee of the Red Cross (ICRC) to support the National Societies therein;
7. *welcomes* the concept of a toolbox on good partnerships for use by National Societies when concluding partnership arrangements, including those relevant to the auxiliary role of National Societies, and invites the International Federation and the ICRC to develop this toolbox and put it at the disposal of the National Societies;
8. *welcomes* the Code of Good Partnership initiative, encourages all the components of the Movement to further develop this Code and tools to implement it and to take part in open consultation processes that build on experiences from various partnership initiatives and to make recommendations or submit a resolution, as appropriate, to the Council of Delegates in 2009;
9. *requests* the International Federation and the ICRC to further assist members in ensuring that their respective domestic legislation provides for the appropriate legal framework for the effective functioning of the National Society as auxiliary to the public authorities in the humanitarian field, in conformity with the Fundamental Principles of the Movement.

## Resolution 4

### Restoring Family Links Strategy (and Implementation Plan) for the International Red Cross and Red Crescent Movement (2008-2018)

The Council of Delegates,

*recalling with deep concern* the suffering endured by those who have lost contact with, or have no news of, their loved ones as a consequence of armed conflict or other situations of violence, natural or man-made disasters or other circumstances requiring a humanitarian response,

*recognizing* that families provide the basis for all individuals to cope with the consequences of these tragic events, and *reiterating* the responsibility of each component of the International Red Cross and Red Crescent Movement (Movement) to help in the restoration or maintenance of contact between members of families separated in such circumstances,

*recalling* the role which the Central Tracing Agency (CTA) of the International Committee of the Red Cross (ICRC) plays as a coordinator and as a technical adviser to National Societies and governments and the specific responsibility of the National Societies in restoring family links and also *recalling* the importance for the Movement of relying on a sound international Red Cross and Red Crescent network in order to take effective action in restoring family links (RFL) as recognized in Resolution 16 of the 25th International Conference of the Red Cross, *recognizing* and *reaffirming* the lead role of the ICRC in RFL within the Movement, *noting* the need to strengthen the capacity of the Family Links Network to assist people who are without news of their families,

*recalling further* the Agenda for Humanitarian Action adopted in Resolution 1 of the 28th International Conference, in particular its General Objective 1 on respecting and restoring the dignity of missing persons and their families and General Objective 3 on reducing the risk and impact of disasters,

*expressing appreciation* for the efforts and the commitment of the ICRC to develop the Restoring Family Links Strategy (and Implementation Plan) for the International Red Cross and Red Crescent Movement 2008-2018 (RFL Strategy) as part of the implementation of the Agenda for Humanitarian Action,

*noting with satisfaction* the consultation process within the Movement that led to the successful development of the RFL Strategy, in particular the role played by the Advisory Group composed of 19 National Societies, the International



Federation of Red Cross and Red Crescent Societies (International Federation) and the ICRC and by the four regional RFL conferences attended by the leaders of National Societies in 2006,

1. *reaffirms* the commitment of the Movement to RFL and *reinforces* its resolve to stay the leader in this field;
2. *adopts* the Restoring Family Links Strategy (and Implementation Plan) for the International Red Cross and Red Crescent Movement 2008-2018;
3. *commends* the commitment expressed so far by all the components of the Movement to contribute to the implementation of the RFL Strategy;
4. *calls upon* all National Societies, the ICRC and the International Federation to:
  - a promote knowledge and understanding of this Strategy at all levels of their respective organizations,
  - b implement the actions outlined in this Strategy as part of their organizational strategies and plans at national, regional and international levels,
  - c allocate the necessary resources to carry them out;
5. *recommends that* the ICRC and the International Federation further enhance their cooperation with a view to supporting National Societies in their efforts to implement the Strategy, taking into consideration the challenges that National Societies have identified and highlighted during the consultation process;
6. *encourages* partnerships amongst National Societies to support each other in building their RFL capacity;
7. *requests* the ICRC to bring the RFL Strategy to the attention of the 30th International Conference of the Red Cross and Red Crescent with a view in particular to encouraging member States to better understand and support the RFL activities carried out by the Movement;
8. *welcomes* the ICRC's initiative to establish and chair an implementation group composed of National Societies, the International Federation and the ICRC, to provide guidance and support in the implementation process as well as to develop the criteria for its success and indicators to measure that success;
9. *further requests* all the components of the Movement to carry out the required self-assessments on the implementation of the Strategy and provide this information to the ICRC for monitoring and reporting purposes;
10. *invites* the ICRC to report to the 2011 and 2015 Council of Delegates on the results achieved through the implementation of the Strategy.

## Annex - Resolution 4

# Restoring Family Links Strategy (and Implementation Plan) for the International Red Cross and Red Crescent Movement (2008-2018)

Document prepared by the Central Tracing Agency of the International Committee of the Red Cross in consultation with National Societies and the International Federation of Red Cross and Red Crescent Societies, Geneva, August 2007 (Original: English)

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## 1. Vision and introduction

*Whenever people are separated from, or without news of, their loved ones as a result of armed conflict, other situations of violence, natural disaster or other situations requiring a humanitarian response, the International Red Cross and Red Crescent Movement responds efficiently and effectively by mobilizing its resources to restore family links.*

Armed conflicts, other situations of violence, natural and man-made disasters, international migration and other hardships leave countless people seeking news of family members. Respect for family unity goes hand in hand with respect for human dignity. A person's well-being depends greatly on his/her ability to stay in touch with loved ones or at least receive information about what has happened to them. The various components of the International Red Cross and Red Crescent Movement (Movement) have been striving for decades to restore family links (RFL). This unique service, with the moral support it affords, lies at the heart of the Movement's work. Every year RFL benefits hundreds of thousands of people.

RFL is the generic term given to a range of activities that aim to prevent separation and disappearance, restore and maintain contact between family members and clarify the fate of persons reported missing. These activities are often interconnected with psychological, legal and material support for families and persons affected, resettlement or reintegration programmes and social-welfare services. Other activities include the management of human remains and forensic identification.

The International Committee of the Red Cross (ICRC) is strongly committed to helping people left without news of their relatives. In reaffirming and implementing the commitments it made at the International Conference of Governmental and Non-Governmental Experts on the Missing and their Families (2003) and as part of the Agenda for Humanitarian Action of the 28th International Conference of the Red Cross and Red Crescent (2003), the organization launched a global initiative to strengthen the Movement's ability to restore family links. The RFL Strategy for the International Red Cross and Red Crescent Movement is the outcome of this initiative. It is also a reaffirmation of the ICRC's support for National Societies in meeting their RFL obligations, as defined in the Movement's Statutes and in resolutions adopted over the years by the Council of Delegates and the International Conference of the Red Cross and Red Crescent.

Today, the Family Links Network (comprising the Central Tracing Agency, the tracing agencies in ICRC delegations, and the National Societies' tracing services) faces significant challenges. Across the Network there is insufficient understanding of the work of restoring family links and an inadequate sense

of commitment and responsibility. When this is combined with the problem of scarce resources, the increasing scale and complexity of the situations requiring humanitarian action, and the growing number of other entities involved in this traditional field of Movement activity, great effort is needed if the various components of the Movement are to retain their high profile.

The ICRC, the National Societies and the International Federation of Red Cross and Red Crescent Societies (International Federation) all have a responsibility to build, strengthen and maintain the Family Links Network. The effectiveness of this unique international network depends on the components' ability to strengthen capacity, intensify cooperation and prioritize action. To address these issues, the Movement needs to take a more global approach to building capacities across the Network by:

- increasing National Society participation;
- strengthening the operational efficiency of the ICRC and its partnership approach with National Societies in operational contexts;
- increasing cooperation between the ICRC and the International Federation to support both the development of National Societies and their RFL activities.

The RFL Strategy for the Red Cross and Red Crescent Movement builds on the Movement's Statutes and on resolutions of the International Conference and the Council of Delegates, and is underpinned by the Agreement on the Organization of the International Activities of the Components of the International Red Cross and Red Crescent Movement (Seville Agreement, Council of Delegates, November 1997) and its subsequent Supplementary Measures (Council of Delegates, Seoul, November 2005). The Strategy was not drawn up in a vacuum. It is based on the strengths and knowledge of individual National Society tracing services and the experience and expertise of the ICRC, and seeks to develop a consistent approach that will enhance RFL work, both locally and worldwide.

Effective change takes time and needs resources. The RFL Strategy for the Red Cross and Red Crescent Movement recognizes the importance of the task and expresses the Movement's long-term commitment to shouldering it.

## **2. Restoring Family Links Strategy**

### **2.1 Restoring family links and the role of the Movement's components**

The RFL activities of the various components of the International Red Cross and Red Crescent Movement, in particular the ICRC and the National Societies, are drawn from the Geneva Conventions and their Additional Protocols, the Movement's Statutes, and the resolutions of the International Conference of the Red Cross and Red Crescent and those of the Council of Delegates. They are further based on resolutions of the International

Federation's statutory meetings, together with the policy frameworks of the ICRC, individual National Societies and the International Federation.

Under international law, everyone has the right to know what has happened to missing relatives, and to correspond and communicate with members of their family from whom they have been separated. The main responsibility for ensuring that these rights are respected lies with authorities of the State (including armed security forces) and, in situations of armed conflict, any other organized armed groups. However, they may be unable or unwilling to do so.

The Movement's principal strength lies in its potential to provide a worldwide RFL Network and at the same time a grassroots network in each country that can apply the same principles and working methods. The Movement can thus achieve greater results than any other humanitarian organization in the world.

The relevant components of the Movement undertake RFL activities whenever required and for as long as needed, helping people whose loved ones are unaccounted for or who are separated from them as a consequence of specific situations such as:

- armed conflicts and other situations of violence;
- natural and man-made disasters;
- population movements including international migration;
- other situations requiring a humanitarian response and where the specific capacities and mandates of the components of the Movement and the Red Cross/Red Crescent principles represent added value.

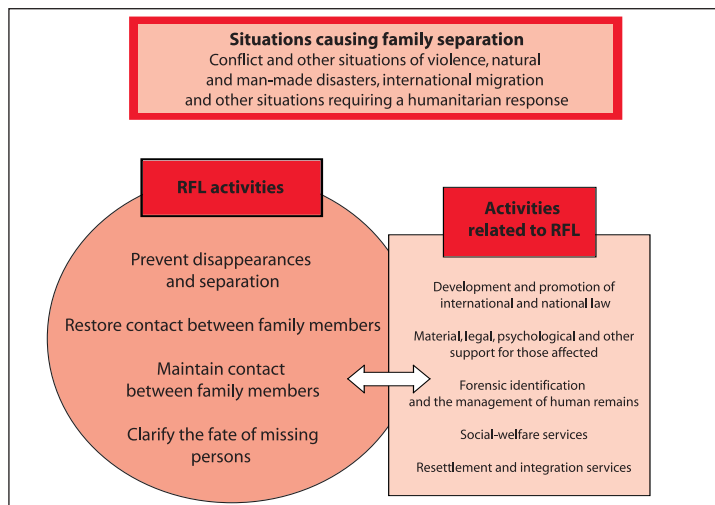
RFL activities may take various forms, depending on the situation and context:

- organizing the exchange of family news;
- tracing individuals;
- registering and following up individuals (children or adults) to prevent their disappearance and to enable their families to be informed;
- reuniting families and repatriation;
- collecting, managing and forwarding information on the dead (location, recovery and identification);
- transmitting official documents, such as birth certificates, identity papers or various other certificates issued by the authorities;
- issuing attestations of individual detention and documents attesting to other situations that led to individual registration;
- issuing ICRC travel documents;
- monitoring the integration of those reunited with their family members;
- promoting and supporting the establishment of mechanisms to clarify the fate of persons unaccounted for.

These activities imply regular contact and interventions with the authorities on the right of relatives to communicate with one another and be informed of each other's whereabouts or fate.

These activities relate to other activities including:

- the development and promotion of international law and support for its application, including reform of existing law where needed;
- the management of human remains and forensic identification;
- material, legal and psychological support to the families of missing persons;
- resettlement services or reintegration programmes for vulnerable groups, such as street children, where family reunification has failed or is not possible;
- dealing with cases of successful reunification where, however, there may be a need for integration (e.g. children formerly affiliated with fighting forces);
- social-welfare services.



### Restoring Family Links

This requires a cross-disciplinary approach and almost always involves working with actors outside the Movement, including the private sector.

Protecting personal data and confidential handling of other sensitive information are crucial to people's safety. This must be kept in mind when using public information networks, forwarding data electronically, conducting active searches in the field and making use of other organizations or individuals.

The safety of Red Cross and Red Crescent workers must also be ensured.

The Seville Agreement and its Supplementary Measures re-emphasize the crucial importance of coordinating the efforts of the Movement's components to optimize assistance. They also confirm the organizational concept of a "lead

role” based on specific competencies assigned to a component by the Geneva Conventions, the Movement’s Statutes and/or resolutions of the International Conference of the Red Cross and Red Crescent. The concept of lead role implies the existence of other partners with rights and responsibilities in these matters.

### **The role of the ICRC**

As a neutral and independent organization, the ICRC has the role of protecting and assisting the victims of international and non-international armed conflict and other situations of violence. Article 5.3 of the Movement’s Statutes expands this role to include other types of situations, and establishes a permanent basis on which the ICRC can take any humanitarian initiative compatible with its status as a specifically neutral and independent organization and intermediary.

The ICRC has the important task of reminding the authorities of their obligations under international humanitarian law and other relevant bodies of law with regard to family links, and carrying out direct action in the field when and for as long as required and possible. In this regard the ICRC takes a comprehensive approach to RFL and aims to prevent separation, restore and maintain contact between separated family members, clarify what has happened to persons reported missing, and provide support for their families. Unaccompanied children separated from their families are of particular concern to the ICRC, given their vulnerability, as are other affected persons such as women acting alone as heads of households.

The part played by the ICRC in RFL, including its lead role within the Movement, is more precisely defined by the following instruments:

- the Geneva Conventions and their Additional Protocols;
- the Statutes of the Movement, in particular Article 5.2 (e) specifying that the ICRC must ensure the operation of the Central Tracing Agency (CTA) as stipulated by the Geneva Conventions;
- resolutions of the Movement’s statutory bodies, in particular, those of the 25th and 26th International Conferences (Geneva, 1986 and 1995), which draw the attention of the States to the role of the ICRC’s CTA as coordinator and technical adviser to National Societies and governments;
- resolutions of the Council of Delegates, and the Seville Agreement and its Supplementary Measures.

In addition to its operational responsibilities the ICRC, through the CTA, must coordinate, advise and strengthen the capacity of its partners within the Movement in RFL matters, whether in connection with a conflict or other situation of violence, natural or man-made disaster, international migration or other situations requiring a humanitarian response from the Movement.

The CTA promotes consistency within the Network and provides the National Societies with methods and guidelines.<sup>1</sup>

As coordinator, the CTA decides what action is to be taken in armed conflict or other situations of violence. In other circumstances requiring an international effort it coordinates the activities of National Society tracing services to ensure the most effective possible response to RFL needs.

As technical adviser, the CTA establishes working practices for tracing services in all situations. Training seminars and regional meetings are held for the purpose of pooling experience and consolidating shared knowledge.

### **The role of the National Societies**

The functions of the National Societies are set out in Article 3 of the Movement's Statutes. The National Societies must carry out their humanitarian activities in conformity with their own statutes and national legislation and act as auxiliaries to their national authorities in the humanitarian field. In particular, their role is to assist the victims of armed conflict as stipulated by the Geneva Conventions, and the victims of natural disasters and other emergencies for whom help is needed (Arts 3.1 and 3.2). They contribute, as far as they are able, to the development of other National Societies (Art. 3.3). The Seville Agreement stresses that a National Society is responsible for its own development.

As outlined in Resolution XVI of the 25th International Conference of the Red Cross, National Societies have an important role as components of the international network for tracing and reuniting families. They must continue their work as long as needs exist, and this may extend well beyond the end of a conflict, natural or man-made disaster, or other emergency.

National Societies are also called upon to take action in accordance with the resolutions of regional Red Cross and Red Crescent conferences and the policy frameworks established within the International Federation. These cover migration as well as natural and man-made disasters.

In view of the Movement's responsibility for helping to preserve or restore the family unit, the National Societies need to incorporate their RFL activities in an overall plan of action. They must also draw the attention of the public, humanitarian agencies and governments to the existence and significance of their RFL activities.

Individual National Societies are responsible for setting up or consolidating an effective national RFL network. Depending on the circumstances, they must work with the CTA, the relevant ICRC delegations and/or the tracing services of other National Societies. They must decide

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<sup>1</sup> Such as *Restoring Family Links: A guide for National Red Cross and Red Crescent Societies* (ICRC, November 2000) and the *Recommendations and Conclusions of the International Conference of Governmental and Non-Governmental Experts on the Missing and their Families* (2003).



what action is to be taken during national disasters, and may call on the ICRC where the RFL response is beyond their capacity.

### **The role of the Secretariat of the International Federation**

The functions of the Secretariat of the International Federation are defined in Article 6 of the Movement's Statutes, and in the Seville Agreement and its Supplementary Measures. The Secretariat has the lead role regarding the development of National Societies and coordinating support for those Societies in terms of institutional development.

Although the Movement's Statutes do not specifically mention the part played by the International Federation in RFL, the Federation Secretariat strives, in coordination with the ICRC, to have RFL activities included in National Society development plans and to ensure that disaster-preparedness and response plans emphasize the role and importance of RFL.

In the event of a natural or man-made disaster, the Secretariat will ensure that assessments of the situation take into account the need for RFL and the degree to which the National Societies of affected countries can respond. The role of the Secretariat also includes liaising with the ICRC, particularly the CTA (so that the ICRC can play its lead role), and cooperation in the deployment of tracing delegates.

## **2.2 The status of the Family Links Network**

To determine how the Movement will achieve its vision in RFL, it is necessary to understand the current capabilities of the National Society tracing services, the CTA and ICRC delegations, and to identify the key issues.

### **The capacities of the National Societies**

In 2005, a global mapping exercise was initiated to assess the capacities of the National Societies' tracing services. Over a 12-month period, 154 National Societies completed an RFL assessment, often in consultation with ICRC delegations.

The capacity assessment considered five core areas:

- programme ownership;
- programme planning and organization;
- the skills and expertise needed to carry out and manage RFL activities;
- the network of relationships;
- tools and other resources needed to achieve professionalism and efficiency.

The assessment indicates that there is an overall lack of a sense of commitment to RFL activities within the National Societies. While some Societies see RFL as part of their responsibilities, generally RFL is not viewed as something that

should be placed at the centre of the Movement's humanitarian response. While some National Societies are well able to conduct RFL activities, capacity across the Network is uneven and in some areas insufficient. Very few National Societies have assessed needs in terms of RFL. Such assessments are an important means of identifying individuals and populations requiring help and of supporting programme planning, resource allocation and service delivery.

While some National Societies have a good understanding of RFL and of the expertise needed to conduct and manage those activities, the majority could improve in this area. Programme tools and resources require further development if the National Societies are to fully provide professional and effective services. Without the knowledge, skills and material resources required to carry out RFL, it is impossible to meet the needs.

It is essential for a National Society to develop and maintain relationships with other components of the Movement, and to have contact with other humanitarian agencies and national authorities as well as affected individuals and populations, if it is to engage in strategic dialogue, develop targeted services and disseminate information. However, the majority of National Societies have few or no relationships of this sort, and have little or no regular contact with other components of the Movement regarding RFL, at either strategic or service delivery levels.

Overall, the capacity of National Society tracing services to identify and meet RFL needs is insufficient. The Movement faces significant challenges if it is to have a truly functional worldwide Network to help people who are without news of loved ones. However, strengths do exist within National Societies in all areas covered by the capacity assessment. The Network must capitalize on these strengths, making better use of information, skills, tools and resources to enhance the capacity of individual Societies and to strengthen the Network as a whole.

### **The capacity of the ICRC, through the CTA, to act as coordinator and technical adviser on RFL**

In 2006, the ICRC/CTA undertook a review of its capacity to act as coordinator and technical adviser on RFL to National Societies. This assessment entailed interviews with headquarters staff, field questionnaires and visits involving other humanitarian actors, national authorities and some National Societies.

The assessment considered several key areas:

- the role of coordinator and technical adviser;
- the management and development of human resources;
- RFL methods and tools.

The review highlighted the importance of the ICRC's proximity to individuals and populations through its extensive, long-term field presence, and the

strength this provides. Its solid experience in the field of RFL and its ability to mobilize financial resources are well recognized and considered a strength that could be further exploited. Nevertheless, the ICRC could do more to mainstream RFL in emergency and contingency planning. Systematic deployment of RFL specialists in emerging situations or in the start-up phase of new operations would enhance both assessment and planning.

The definition and positioning of RFL within the ICRC plays an important role in communication, promotion and lobbying, both internally and externally. There is a need for clear definitions of the role of coordinator and technical adviser, and of RFL itself. These terms are understood in different ways within the ICRC and this has an impact on how National Societies and others outside the Movement understand the concepts. Clear terminology should be consistently applied in all documentation and communication regarding RFL.

One of the strengths of the CTA is its expertise in protecting and managing personal data and its tradition of confidentiality. The value of this cannot be overstated.

On the other hand, the ICRC/CTA could strengthen its quality-assurance role by clearly defining the desired RFL results and developing indicators for monitoring and performance management. Systematic consultation of beneficiaries would also provide an opportunity to learn more about their needs and expectations.

RFL knowledge management has a significant impact on the effectiveness by which the Network and the ICRC undertake RFL. While tools are available, they are often not known, or are not used consistently. Up-to-date, accessible, high-quality tools are essential to improving performance and to raising the ICRC's and National Societies' profile in the field of RFL.

As coordinator of the Family Links Network, the CTA has the role of both facilitating and leading. The ICRC/CTA nevertheless needs to improve its understanding of the needs of the Network and its activities. The ICRC could strengthen this role by aiming to become a centre of excellence while broadening access across the Network to RFL knowledge, principles and tools. In addition, the ICRC/CTA could take greater advantage of the experience and interest of National Societies to build capacity across the Network.

Overall, the ICRC/CTA has great ability in terms of its traditional tasks. However, further investment is needed in building National Society capacity and exploiting the resources available within the Network.

### **2.3 The external environment**

The work of restoring family links takes place in an ever-changing environment to which the Movement must constantly adapt. The changing nature of armed conflict and other situations of violence, the increase in the number of natural and man-made disasters, massive population movements

and forgotten social cases, and the emergence of new technologies all affect the environment in which the Movement undertakes RFL.

### **Armed conflicts and other situations of violence**

- Today, internal armed conflicts and other types of internal violence account for most cases of armed violence. These are generally characterized by the widespread proliferation of weapons and by mass displacement, especially from the countryside to towns, resulting in sprawling urban centres in many countries. In such situations, families become dispersed, combatants and civilians are wounded, people are killed and their bodies are not properly identified, and people are detained without anyone being notified. In addition, regions become inaccessible and means of communication are disrupted. While the total number of refugees has decreased in recent years to an estimated 8.4 million persons,<sup>2</sup> the number of internally displaced persons resulting from conflict and other situations of violence is currently estimated at around 23.7 million, involving some 50 countries.<sup>3</sup>

### **Natural and man-made disasters**

- Global climate change is expected to have wide-ranging effects on the natural environment, on societies and on economies. Scientists predict that this change will increase the number of extreme weather events. Population growth, urbanization and the impact of poverty on people's ability to move make it more likely that increasing numbers will be vulnerable to natural disasters. From 2004 to 2006, millions of people were displaced and hundreds of thousands lost their lives or livelihoods as a result of tsunamis, earthquakes and hurricanes.

### **Management of human remains and information on the dead**

- Failure to identify people who have died during emergencies – especially armed conflicts or other situations of violence – significantly increases the number of persons classified as missing. Very often, little or nothing is done to find, collect and deal with the remains of those killed in fighting or in other circumstances. Human remains are often buried without being identified and graves are often not marked. As a result, valuable information on the dead is lost or unavailable, and families either do not know that their missing relatives have died at all, or are aware of their death but do not know the location of their bodies.

Managing human remains is also one of the most difficult aspects of the response to natural and man-made disasters. Recent events – the continuing

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2 *Global Refugee Trends* (UNHCR, 9 June 2006): "By the end of 2005, the global number of refugees reached an estimated 8.4 million persons, the lowest level since 1980." This figure does not include 4.3 million Palestinian refugees falling under the responsibility of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East.

3 *Internal Displacement: Global Overview of Trends and Developments in 2005* (Internal Displacement Monitoring Centre, March 2006).

plight of relatives of persons missing in connection with the conflicts in the Balkans and the massive loss of life following the South Asian tsunami in 2004 and several other recent major disasters in the Americas and South Asia – highlighted limits to the ability of local systems to enable identification of human remains. There are also challenges involving inter-agency coordination, especially in situations where fact-finding missions are taking place alongside humanitarian operations, with clear differences in mandates and priorities.

### **International migration**

- Cross-border population movements have steadily increased and now constitute one of the most complex issues faced by governments, humanitarian organizations and other bodies. The United Nations<sup>4</sup> estimated the number of migrants<sup>5</sup> at 191 million in 2005 and this figure is projected to reach 230 million by 2050. International migration affects countries at different levels of economic development and of varying ideologies and cultures. Migrants are now to be found in every part of the world, with many States being simultaneously countries of origin, transit and destination. Increasingly restrictive migration policies have resulted in the proliferation of processing and detention centres and the increased involvement of various organizations in helping people deprived of their freedom in the areas of legal and psychological support, family tracing and integration. In addition, trafficking in persons and human smuggling are two of the fastest growing areas of international criminal activity.

According to various studies, 600,000 to 800,000<sup>6</sup> people are allegedly trafficked each year, the majority women and children. Extreme poverty, lack of economic opportunity, civil unrest, political uncertainty and disregard for the basic principles of humanity all contribute to an environment that encourages the smuggling and trafficking of human beings.

### **Civil society**

- Demands on public services for support to individuals and whole communities continue to grow as a result of conflicts, natural and man-made disasters, poverty and the movement of populations within and from outside countries. Public services will face increasing pressure to meet the need for:
  - information on the whereabouts of family members,
  - legal advice and social and psychological support for the families of missing persons and for migrant populations,
  - family reunification, integration and resettlement services.

4 *Trends in Migrant Stock* (United Nations, Revision 2005).

5 People who crossed an international border.

6 "Migration in an interconnected world: New directions for action", *Report of the Global Commission on International Migration* (October 2005).

### **Science**

- Forensic sciences play an increasingly important role in the management and identification of the remains of people who have disappeared or been killed in connection with conflict or other man-made or natural disasters. In particular, forensic procedures (autopsies, fingerprinting, dental examinations and DNA analysis) are used to identify remains and to find out what has happened to missing persons.

### **Technology**

- Access to information technology continues to grow across the world, providing greater opportunities for communication and shortening the time needed for a humanitarian response. Major differences in access to and use of these technologies persist, but substantial change has taken place. Mobile-phone capacity has grown significantly in recent years in nearly all parts of the world, particularly Asia and Latin America. Despite major differences between countries and areas, Africa is also experiencing impressive growth in mobile-phone use. Increased access to the Internet, greater use of computers and regionally accessible protected databases are providing more effective ways of communicating and transmitting data. At the same time this raises issues for the protection of personal data and other sensitive information.

### **Media**

- The media are present on the ground in selected crises of humanitarian concern, playing a catalytic role as formers of public opinion and affecting the way in which governments and humanitarian agencies deal with those crises. The immediacy of international news (especially television) and widespread access to information technologies increase, it is true, the ability of the humanitarian sector to respond rapidly to needs. But they also generate unrealistic expectations. Meanwhile, other crises – often with a more severe impact in humanitarian terms – receive little media attention. The media can today define what is and what is not a “humanitarian emergency” by emphasizing or ignoring an event.

### **Other actors**

- The number of organizations conducting, or willing to conduct RFL continues to increase, especially in connection with unaccompanied minors and/or minors separated from their families. The United Nations Children’s Fund, the Office of the United Nations High Commissioner for Refugees, the Save the Children Fund, the International Rescue Committee and World Vision International are some of the best-known organizations helping these children. The International Organization for Migration is stepping up its work in the field of migration, and other bodies such as the International

Commission on Missing Persons are intensifying their work to resolve cases of persons unaccounted for. Increasingly the Movement finds itself in competition with international and national organizations that today engage in this traditional Movement activity. There is often a lack of inter-agency cooperation and coordination owing to inadequate specialized skills and common standards and procedures, to an absence of operational planning and knowledge of activities carried out by others, to limited financial resources and to a desire to promote one's own organization. The corporate sector – especially software companies – is increasingly itself taking RFL action or supporting others in this realm during high-profile natural and man-made disasters.

In an increasingly competitive environment, the impact of external trends must be anticipated, with services reviewed and adapted to render them increasingly professional, targeted and innovative. Intensified coordination within the Movement and cooperation with external actors is essential if the Family Links Network is to help affected groups and individuals and if the service is not to be taken over by other humanitarian organizations.

## **2.4 Strategic objectives**

The capacity assessments and the factors in the external environment highlight the significant challenges faced by the Movement in improving RFL performance. While conflicts and other situations of violence account for the bulk of its work, the Family Links Network also meets RFL needs arising from natural and man-made disasters, population movements (including international migration) and other situations requiring a humanitarian response.

Specific situations require specific RFL responses. Before any services can be provided, the needs related to dispersed family members and missing persons must first be identified, then the gaps in services and the resources required to fill them. This process must ensure that RFL needs are met somehow either by components of the Movement or by other entities.

The RFL Strategy for the Movement therefore proposes three objectives. These objectives flow from an analysis of the current status of the Family Links Network and the present and future challenges presented in the external environment.

### **Strategic Objective 1**

Improving restoring family links capacity and performance

- Building a Family Links Network that is robust and meets the needs of affected individuals and populations requires medium- and long-term investment in order to enhance and effectively utilize skills and resources. Building capacity requires coherent methodology, effective

mobilization of human resources, training and systematic exchange of information to ensure that the best practices are employed.

The Movement must also better understand the environment in which it works and be able to adapt and fully utilize modern technologies.

### **Strategic Objective 2**

Enhancing coordination and intra-Movement cooperation

- The Movement's ability to effectively meet the needs of people separated from their families depends on the efficiency and effectiveness of the Family Links Network. Improving capacity to respond rapidly in emergencies, enhancing functional cooperation and coordination within the Movement at all times and strengthening interaction with the authorities and other organizations will improve performance across the Network.

As coordinator of the Family Links Network, the ICRC draws more than previously on National Society contributions to build capacity, strengthen regional linkages and share responsibility for building a stronger Network.

### **Strategic Objective 3**

Strengthening support for restoring family links

- The Movement is in a unique position to conduct RFL since it is the only organization having a worldwide network with the potential to aid affected individuals and populations everywhere. To lead in the field of RFL, the Movement must place its work on a solid foundation, encourage and motivate staff and volunteers to adopt its vision and practices, and improve communication so as to assume a commanding position in the humanitarian sector. The Movement can enhance its leading role in RFL by strengthening its components.

For the Family Links Network, building capacity means investing in the development and strategic orientation of RFL activities. The Implementation Plan for the RFL Strategy focuses on the following actions:

- understanding RFL and the related needs of separated and missing people;
- strengthening programme ownership for RFL activities;
- raising the profile of RFL and enhancing its positioning;
- improving RFL capability and services;
- improving cooperation between National Societies and across the Network as a whole;
- coordinating more effectively and consistently; and
- understanding and improving coordination with authorities and other organizations providing services in this field.



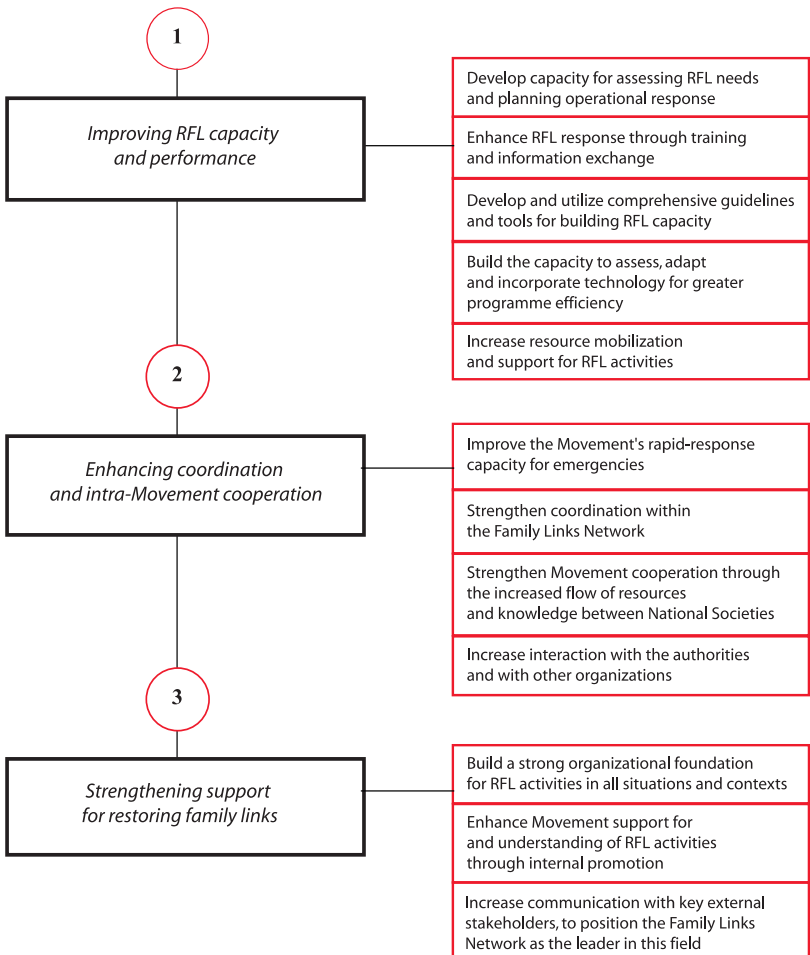
## Restoring Family Links Strategy for the International Red Cross and Red Crescent Movement – Summary chart

### Vision

Whenever people are separated from their loved ones as a result of armed conflict and other situations of violence, natural disaster or other situations requiring a humanitarian response, the Movement responds efficiently and effectively by mobilizing its resources to restore family links.

### Actions

Strategic Objectives



### 3. Implementation plan for the Movement

The ultimate aim of the RFL Strategy for the International Red Cross and Red Crescent Movement is to better meet the needs of individuals and entire populations by improving the performance of the Family Links Network.

The three strategic objectives cover performance management, coordination and cooperation, and leadership and positioning in the field of RFL. The strategic objectives are all interlinked and the measures taken for one will affect the others.

The Implementation Plan outlines the actions to be taken to achieve each of the strategic objectives and lists the results expected. It also proposes implementation measures and sets out the responsibilities and time frames for the Movement components concerned.

The time frames proposed for implementation of the various measures should guide all components in adapting the Strategy and developing their individual plans. The time frames take into consideration – and may be adapted according to – global, regional, national and local particularities. They are intended to be specific enough to indicate the measures required but general enough to allow adaptation to local circumstances and needs.

Underpinning the Strategy is the effort to enhance participation in the Family Links Network by all the Movement's components. The Strategy and Implementation Plan outlines a Movement-wide approach which recognizes that meeting RFL needs and building capacity is not only an ICRC responsibility but a responsibility for all the components within the framework of their respective mandates.

#### **Strategic Objective 1:**

##### **Improving restoring family links capacity and performance**

Building a Family Links Network that is robust and meets the needs of affected individuals and populations requires medium- and long-term investment in order to enhance and effectively utilize skills and resources. Building capacity requires coherent methodology, effective mobilization of human resources, training and systematic exchange of information to ensure that the best practices are employed.

The Movement must also better understand the environment in which it works and be able to adapt and fully utilize modern technologies.

##### **Action 1: Develop capacity for assessing RFL needs and planning operational response**

RFL needs and the capacity to meet them must be systematically and meticulously assessed. The Movement must regularly review and adapt its

services to account for needs, capacities, resources and the operational context.

### **Expected results**

- RFL needs are identified, the ability to meet them known. There is regular assessment and adaptation.
- The affected individuals and populations take part in the RFL assessments.
- Plans of action are developed to provide suitable programmes for affected individuals and populations.
- Operational plans clearly respond to national, regional and international needs in emergencies and non-emergencies.

### **Implementation**

The **National Societies** and the **ICRC/CTA** will:

- 1.1.1 Undertake, in consultation with the affected individuals, populations and other concerned parties, comprehensive RFL assessments incorporating:
  - existing and potential populations in need of RFL assistance (RFL core activities and interconnected activities);
  - the capacity of the National Society or the ICRC to respond;
  - the role and activities of authorities and other organizations in this field;Assessments of RFL needs should include, according to the respective contexts;
  - people affected by armed conflict (international and non-international);
  - people affected by internal disturbances and other situations of internal violence;
  - refugees and asylum seekers;
  - migrants
  - people affected by natural and man-made disasters.
  - particularly vulnerable people (children, the elderly and social cases, where the components of the Movement may play a specific role by virtue of their respective mandates);
- 1.1.2 Develop operational plans to meet the needs of affected populations and respond to enquiries from within the Family Links Network. Plans should include systematic consultations with beneficiaries and review of RFL action, and consider, where necessary, combining RFL activities with other programmes (e.g. health, social-welfare, disaster preparedness and response, first aid).
- 1.1.3 Revise, by 2010, the assessment tools needed to systematically include RFL in surveys of vulnerable populations.

The **ICRC** will:

- 1.1.4 Develop, by 2009, comprehensive RFL assessment tools in consultation with National Societies.
- 1.1.5 Support National Societies, where requested, in the incorporation of RFL in operational plans.

The **International Federation** will:

- 1.1.6 Include RFL in disaster-preparedness and emergency-response plans.
- 1.1.7 Encourage and, in coordination with the ICRC, support National Societies in their incorporation of RFL in operational plans.

### **Action 2: Enhance RFL response through training and information exchange**

To improve performance and build professional practices, it is important to develop the knowledge and skills required for RFL. Greater awareness of the connections between RFL and other Movement programmes leads to better service.

Investing in professional development for staff and volunteers will have a direct, positive impact on performance and enhance the Movement's credibility.

#### **Expected results**

- RFL staff and volunteers possess the professional skills and adopt the practices needed for high-quality RFL.
- Greater exchange of information between RFL practitioners at the ICRC and in National Societies.
- International Federation Secretariat staff and delegates understand RFL and the connection between RFL and other programmes.

#### **Implementation**

The **National Societies** will:

- 1.2.1 Devise and run training programmes for professional staff and volunteers covering RFL response to national needs and to requests from the Family Links Network. RFL will be incorporated into training programmes for volunteers wherever possible.
- 1.2.2 Develop RFL programmes to supervise and support RFL practitioners at headquarters and in the branches.
- 1.2.3 Carry out staff exchanges, programme visits or internships involving other National Societies, convey useful practices and build an understanding of RFL across a variety of contexts.

The **ICRC/CTA** will:

- 1.2.4 Devise and conduct, by 2010, a professional training and development programme enabling heads of National Society tracing services and ICRC practitioners to build skills, consolidate knowledge and enhance information exchange.
- 1.2.5 Devise, by 2011, RFL training modules for various types of situation on the basis of the *Restoring Family Links Manual for the Movement*.
- 1.2.6 Incorporate the following into professional development programmes for ICRC staff: staff exchanges, programme visits to or internships in National Societies.

- 1.2.7 Every three years conduct regional capacity-building courses for RFL practitioners (commencing in 2011). These workshops will focus on developing professional skills and knowledge, regional and inter-regional issues and the Implementation Plan of the RFL Strategy for the Red Cross and Red Crescent Movement.
- 1.2.8 Further develop and run training programmes for ICRC staff covering RFL response to national needs and response to requests from the Family Links Network. Increase involvement and training of locally hired ICRC staff in RFL.
- 1.2.9 Increase knowledge and understanding of RFL capacity-building principles and concepts among ICRC staff.
- 1.2.10 Encourage National Societies to carry out staff exchanges, programme visits and internships with other National Societies.  
The **International Federation** will:
  - 1.2.11 Include, by 2010, RFL in training programmes for Secretariat staff, disaster-preparedness and emergency-response teams and field delegates, utilizing the RFL modules devised in cooperation with the ICRC.
  - 1.2.12 Include, by 2010, RFL in training programmes for organizational development delegates.

### **Action 3: Develop and utilize comprehensive guidelines and tools for building RFL capacity**

Restoring family links across a range of diverse situations of humanitarian concern requires common guidelines and tools for building coherent methods, practices and understanding across the Network. To measure performance and ensure that services are of high quality and truly benefit those in need, performance indicators, monitoring and evaluation tools must be used.

#### **Expected results**

- Standard guidelines and tools for the development of RFL activities are developed and utilized across the Movement.
- Performance management in RFL is improved through the development and use of indicators, monitoring, evaluation and regular reporting systems.

#### **Implementation**

The **National Societies** will:

- 1.3.1 Regularly collect, by 2013, data on RFL using the *Family Links Network data collection tool* and analyse that data to ensure high-quality service and optimum use of resources.
- 1.3.2 Establish, by 2013, processes for the monitoring and evaluation of RFL activities, using the *Family Links Network performance management tools*.

- 1.3.3 Develop, by 2013, RFL guidelines and tools adapted to the context and culture, in accordance with the *Restoring Family Links Manual for the Movement* and the *Family Links Network performance management tools*.
- 1.3.4 Disseminate, by 2014, RFL guidelines and tools throughout their headquarters and branches.

The **ICRC/CTA** will:

- 1.3.5 Lead the development of a comprehensive *Restoring Family Links Manual for the Movement*. Such a manual will build on *Restoring Family Links: A Guide for National Red Cross and Red Crescent Societies, Conclusions and Recommendations of the Expert Conference on the Missing and their Families, Guiding Principles for Separated and Unaccompanied Children, Guidelines for Tracing in Disasters, Management of Dead Bodies after Disasters: A Field Manual for First Responders*, and the forthcoming *Field Manual for Restoring Family Links in Disasters*, to be completed by 2011.
- 1.3.6 Finalize, by 2008, the *Field Manual for Restoring Family Links in Natural or Man-made Disasters*.
- 1.3.7 Adapt, by 2009 and in cooperation with National Societies and the International Federation, traditional RFL guidelines and tools for use in migration situations and human trafficking.
- 1.3.8 Develop, by 2011, a single RFL *data-collection tool* for use by all National Societies and the ICRC, and produce periodic reports on the activities of the Family Links Network.
- 1.3.9 Develop, by 2011 and in consultation with National Societies, *performance-management tools* for the Family Links Network including: indicators (for example timeliness, situations analysis), monitoring, evaluation and impact assessment.
- 1.3.10 Support National Societies in incorporating RFL guidelines into disaster-preparedness and response plans, and performance-management systems.
- 1.3.11 Increase, by 2012, the use of qualitative data collection and analysis in the monitoring systems for ICRC operations.

The **International Federation** will:

- 1.3.12 Encourage and, in coordination with the ICRC, support National Societies in incorporating the ICRC's RFL guidelines and tools in disaster preparedness and response, and in performance-management systems.

**Action 4: Build the capacity to assess, adapt and incorporate technology for greater programme efficiency.**

The Movement's components use methods and technologies adapted to the context. To ensure that the Network is responsive and effective, they use electronic data transmission, mobile computers, database systems, the

Internet, and new technologies. Modern technologies are assessed and integrated to provide increasingly professional, targeted and innovative services, and thus improved response.

All RFL activities must ensure the protection of individual data and of any other sensitive information, at all times. The confidentiality of personal and other sensitive data is paramount and the principles for their protection must be respected by all.

### **Expected results**

- The Movement has the ability to use the methods and technology best suited to each situation. It anticipates, reviews, adapts and applies new methods and technologies to improve its services.
- The Family Links Network utilizes information technologies according to need, culture and operational context to ensure maximum effectiveness. It protects personal and other sensitive data.

### **Implementation**

The **National Societies** will:

- 1.4.1 Ensure that their tracing services have access to the Internet and other technologies that help improve performance.
- 1.4.2 Share with the ICRC applications or technologies developed for RFL.
- 1.4.3 Contribute, by 2012 and in cooperation with the ICRC, to the appraisal and development of new RFL methods and technologies.
- 1.4.4 Approach the CTA to use the ICRC's Family Links website for RFL response in major natural or man-made disasters.

The **ICRC** will:

- 1.4.5 Conduct, by 2010, regular assessments of existing and new RFL methods and technologies.
- 1.4.6 Propose and implement, by 2012, new methods and technologies, backed up by guidelines, for the Family Links Network. These will be based on needs, culture and context.
- 1.4.7 Assess, by 2012, the feasibility of cooperation with private companies to further develop technical tools and provide support materials in accordance with Movement standards.
- 1.4.8 Develop, by 2012 and in consultation with National Societies, standardized software with training materials for National Society RFL activities.
- 1.4.9 Continue to provide National Societies with space on the ICRC's Family Links website, in accordance with defined guidelines.

The **International Federation** will:

- 1.4.10 Support, in coordination with the ICRC, National Societies in making the Internet available to tracing services and accessing other needed technologies.

### **Action 5: Increase resource mobilization and support for RFL activities**

In order to support the development and delivery of RFL activities, the Movement's components must better utilize the resources they have and increase the resources at their disposal. All the components can boost their ability to raise funds. In addition to financial resources, the Movement will better identify the skills, capacities and contributions that the various components need to share. In this way, resources can be better utilized across the Network.

#### **Expected results**

- National Societies have the capacity and expertise to raise funds for RFL activities and to support service delivery.
- The different components of the Movement mobilize the resources (financial and non-financial) required to meet the need for RFL.
- Governments and private donors provide financial and material support for RFL.

#### **Implementation**

The **National Societies** will:

- 1.5.1 Ensure cooperation between fundraising, communication and tracing services and develop plans of action to raise funds for RFL that are part of the overall fundraising policy.
- 1.5.2 Share with each other information and best practices regarding fundraising.
- 1.5.3 Allocate core funds to develop and maintain RFL, and assess diversified funding sources.
- 1.5.4 Incorporate RFL in their regular fundraising appeals.
- 1.5.5 Participate, in 2008, 2011, 2014 and 2017, in the RFL *contributions assessment* that will identify the skills, capacities, time and resources that can be shared across the Network.

The **ICRC** will:

- 1.5.6 Coordinate a pan-Movement effort to devise tools to raise funds for National Society RFL, a process to be completed by 2011.
- 1.5.7 Work with National Societies to devise communication and marketing tools for RFL by 2010.
- 1.5.8 Commencing in 2008, undertake every three years an RFL *contributions assessment* together with National Societies to identify the skills, capacities, time and resources available within the Network and to maximize their use.

The **National Societies and the ICRC** will:

- 1.5.9 Devise fundraising proposals based on identified RFL projects.
- 1.5.10 Talk to donors about RFL to ensure that this work is known and understood.



The **International Federation** will:

- 1.5.11 Work with the ICRC to support National Societies in their efforts to ensure cooperation between their fundraising, communication and tracing services, and to include RFL as part of their overall fundraising policies.

## **Strategic Objective 2:**

### **Enhancing coordination and intra-Movement cooperation**

The Movement's ability to effectively meet the needs of people separated from their families depends on the efficiency and effectiveness of the Family Links Network. Improving capacity to respond rapidly in emergencies, enhancing functional cooperation and coordination within the Movement at all times and strengthening interaction with the authorities and other organizations will improve performance across the Network.

As coordinator of the Family Links Network, the ICRC draws more than previously on National Society contributions to build capacity, strengthen regional linkages and share responsibility for building a stronger Network.

### **Action 1: Improve the Movement's rapid-response capacity for emergencies**

Increasingly major and complex emergencies, combined with varying capacities for RFL response within the Movement, require better coordinated and faster response. Reducing the time taken to assess needs and deliver RFL activities is essential for effectiveness.

Taking into account that RFL operational activities are coordinated by:

- the ICRC in conflicts and other situations of violence or in disasters requiring an international response,
  - individual National Societies during national disasters, and
  - the ICRC at the request of the National Society where the RFL response is beyond the latter's capacity during national disasters,
- greater emphasis must be placed on a rapid and coordinated response, making better use of Movement resources and experienced RFL specialists.

### **Expected results**

- The Movement's various components have incorporated RFL in emergency-preparedness and response plans.
- The components respond rapidly and effectively to RFL needs in emergencies.
- The components mobilize resources at a local, regional and/or international level, as required by the emergency.

## Implementation measures

### The **National Societies** will:

- 2.1.1 Incorporate RFL action in emergency-preparedness and response plans in accordance with ICRC guidelines for RFL response in natural or man-made disasters, and ensure appropriate training for all first responders.
- 2.1.2 In national disasters, call on the ICRC without delay for support where the need for RFL outstrips their capacity.
- 2.1.3 In accordance with the Framework for the Deployment of International RFL Specialists during Disasters, provide the ICRC/CTA with trained RFL specialists for rapid deployment.  
Such specialists for rapid deployment will be taken from a predefined pool only with the agreement of each National Society.
- 2.1.4 Assess, by 2011, the need for, and feasibility of, establishing National Society sub-regional focal points for RFL response in natural or man-made disasters. If deemed useful, establish such RFL focal points.

### The **ICRC/CTA** will:

- 2.1.5 Systematically deploy RFL specialists in conflict or other situations of violence to assess the situation and plan action. Ensure that RFL is included as part of the general rapid-response approach.
- 2.1.6 Help National Societies, in cooperation with the International Federation, to incorporate RFL in emergency-preparedness training programmes.
- 2.1.7 Launch and guide, by 2008, the development and management of an international disaster-response mechanism for rapid deployment of RFL specialists and devise a Framework for the Deployment of International RFL Specialists during Disasters.
- 2.1.8 Activate, according to established criteria and at the request of the National Societies, the disaster-response mechanism in natural or man-made disasters.
- 2.1.9 Ensure suitable training for staff to be deployed and monitor and evaluate both the deployment and RFL response.
- 2.1.10 When coordinating the RFL response in natural or man-made disasters, deploy RFL specialists to assess and plan an action strategy, and disseminate information through the Family Links Network. Ensure cooperation with the International Federation disaster-response teams.
- 2.1.11 Help National Societies, by 2011, to assess the need for, and feasibility of, establishing sub-regional RFL focal points for natural or man-made disasters, in collaboration with the International Federation and other National Societies. Support the establishment of such focal points if deemed useful.

### The **International Federation** will:

- 2.1.12 Support National Societies, in cooperation with the ICRC, and help them include RFL in their disaster-preparedness and response plans in accordance with ICRC guidelines for RFL response in natural or man-made disasters.

- 2.1.13 Ensure that any RFL-relevant information gathered by emergency-response teams will be shared with the host National Society and the CTA to ensure optimum RFL response.
- 2.1.14 Incorporate RFL requirements in emergency appeals where requested by the ICRC.
- 2.1.15 Encourage National Societies to share with the ICRC/CTA best RFL practices in natural and man-made disasters.

### **Action 2: Strengthen coordination within the Family Links Network**

Harmonizing the Movement's work to provide an internationally consistent response over the short, medium and long terms requires participation by all components. This should not be a static exercise – coordination requires increased interaction, the exchange of information, the identification of issues and the building and retention of RFL knowledge. Employing a specific regional focus, enhance services and make better use of existing knowledge and skills within the Family Links Network.

#### **Expected results**

- Information exchange is stronger, leading to better building and coordination of organization-wide RFL knowledge.
- Regional interaction is increased and issues identified. Consistent action is taken to address existing and emerging RFL needs.
- The role of the ICRC as the facilitator and coordinator of the Family Links Network is strengthened and National Society participation is increased.

#### **Implementation**

The **National Societies** will:

- 2.2.1 Contribute to greater regional coordination in RFL by prioritizing this subject in regional forums, strengthening the exchange of information and best practices with other National Societies and the ICRC/CTA, and building stronger links with other National Societies in their respective regions.
- 2.2.2 Seek to harmonize criteria for the acceptance of RFL cases, ensuring that they take into account regional particularities.

The **ICRC/CTA** will:

- 2.2.3 Devise, by 2010, a new interactive *Family Links Network Extranet* that provides on-line training tools and offers the possibility of exchanging best practices, data, tracing criteria and thoughts on development issues, among other things.
- 2.2.4 Explore, by 2011, the establishment of new regional ICRC/CTA RFL units that act as focal points for networking and information exchange, professional development training and capacity building in restoring family links. If deemed useful, set them up.

- 2.2.5 Commencing in 2009, conduct biennial regional RFL meetings for National Society practitioners, ICRC staff and representatives of the International Federation to coordinate and develop consistency in RFL policy, implementation and methodology.

The **International Federation** will:

- 2.2.6 Incorporate RFL in regional meetings with National Societies, when needed to improve coordination.

**Action 3: Strengthen Movement cooperation through the increased flow of resources and knowledge between National Societies.**

High-quality RFL in both emergency situations and stable environments means involving different components of the Family Links Network at different times. The Network's resources are better utilized and cooperation strengthened if the National Societies play a greater role in RFL capacity building (within an agreed framework).

**Expected results**

- Strategic partnerships between National Societies and the CTA support long-term capacity development.
- Sufficient RFL specialists are available for capacity-building programmes and operational deployment.
- Stronger relationships exist between RFL practitioners and there is an improved exchange of best practices.

**Implementation measures**

The **National Societies** will:

- 2.3.1 Contribute, by 2009 and in coordination with the ICRC, to a framework for partnerships addressing the international involvement of National Societies in programmes to build the capacity of tracing services.
- 2.3.2 Use, commencing in 2010 and for all international RFL, the ICRC's capacity-building framework for RFL together with National Societies.
- 2.3.3 Contribute, by 2011 and in cooperation with the ICRC, to the development of training modules for RFL capacity building.
- 2.3.4 Increase the availability and training of, and support for, experienced RFL staff to create a pool of capacity-building experts for international work.
- 2.3.5 Regularly engage in bilateral contacts with the tracing services of other National Societies, to improve RFL results and better share information.

The **ICRC** will:

- 2.3.6 Review and revise, by 2009 and in coordination with interested components of the Movement, the framework for partnerships for National Societies working internationally in programmes to build the capacity of tracing services.

- 2.3.7 Promote and support partnerships with National Societies working internationally to build the capacity of individual National Societies or across regions within the above-mentioned framework.
- 2.3.8 Maintain an overview of bilateral cooperation and exchanges between the tracing services of National Societies.
- 2.3.9 Create, by 2012, a pool of RFL capacity-building experts to work with National Societies, supervised and coordinated by the ICRC at the regional and worldwide levels.
- 2.3.10 Adapt and further develop RFL capacity-building tools, including training modules, all by 2011.
- 2.3.11 Devise, by 2008, minimum conditions for commencing RFL capacity-building programmes with National Societies, and indicators to measure progress.
- 2.3.12 Support joint pilot initiatives by National Societies wishing to be involved in RFL for specific situations, particularly migration.

The **International Federation** will:

- 2.3.13 In conjunction with the ICRC, help National Societies incorporate RFL in organizational-development programmes.
- 2.3.14 Work in cooperation with the ICRC to ensure best use of resources, programme planning and management for organizational-development activities and capacity-building programmes.

#### **Action 4: Increase interaction with the authorities and with other organizations**

Successful implementation requires a better integrated, more compatible and better coordinated approach when dealing with the various interested parties outside the Movement. To avoid duplication of effort and achieve better results, there must be greater understanding of the role and activities of non-Movement parties concerned with RFL, the development of common principles for RFL and improved consistency in selecting target populations, identifying areas of expertise and determining which activities are needed.

#### **Expected results**

- Common definitions and principles regarding RFL are applied by the various components of the Movement and other parties concerned with this work.
- Optimum interaction is achieved with the authorities and other organizations, thus improving RFL response.
- State authorities comply with their obligations under international law regarding dispersed family members and missing persons and cooperate with National Societies and the ICRC on the basis of the Geneva Conventions and the resolutions of the International Conferences of the Red Cross and Red Crescent.

## Implementation

The **National Societies** will:

- 2.4.1 Regularly both remind State authorities of their responsibilities towards affected individuals and populations requiring RFL assistance and seek their increased support for that work.
- 2.4.2 Ensure that they comply with national laws on the protection of personal data.
- 2.4.3 Develop a close relationship with governmental services in order to avoid delays in response. Consider memorandums of understanding with governmental bodies.
- 2.4.4 Establish and strengthen relationships with the authorities and other organizations providing similar or related services at the local and national levels.
- 2.4.5 Review national legislation to ensure that family links issues are included in national disaster-preparedness and response plans, and engage with State authorities for their inclusion where necessary. This should include ensuring that such plans set out the role of the National Society in restoring family links.

The **ICRC/CTA** will:

- 2.4.6 Regularly remind State authorities, armed groups and security forces of their obligations under international law and commitments undertaken at the International Conference of the Red Cross and Red Crescent.
- 2.4.7 Support National Societies, where needed, in their discussions with State authorities on their responsibilities and the role of the National Societies and the ICRC in RFL. Support adaptation of relevant national legislation if necessary.
- 2.4.8 Work for the development, by 2013, of common principles for RFL. Such principles would include common definitions, professional standards and ethical norms, compatible procedures and systems, the definition of target populations, specific aspects of RFL activities (e.g. child protection), data protection and needed coordination mechanisms.
- 2.4.9 By 2010, collect examples of good practice in collaboration with international and national organizations, and draw up a list of factors contributing to success.
- 2.4.10 Draw up, by 2012, guidelines on how the Movement can cooperate with international and national organizations on RFL in emergencies, and disseminate those guidelines throughout the Movement and as appropriate within other international organizations.
- 2.4.11 Strengthen dialogue with international organizations with which the Movement seeks coordination regarding RFL and, where necessary, explore framework agreements aimed at better meeting needs.

## **Strategic Objective 3:**

### **Strengthening support for restoring family links**

The Movement is in a unique position to conduct RFL since it is the only organization having a worldwide network with the potential to aid affected individuals and populations everywhere. To lead in the field of RFL, the Movement must place its work on a solid foundation, encourage and motivate staff and volunteers to adopt its vision and practices, and improve communication so as to assume a commanding position in the humanitarian sector. The Movement can enhance its leading role in RFL by strengthening its components.

### **Action 1: Build a strong organizational foundation for RFL activities in all situations and contexts.**

The Movement's ambition is to lay a solid foundation for RFL. Much remains to be done for its components to shoulder their responsibility in this field. The process of revising both National Society statutes and the policy frameworks of the various components to reflect RFL signals a commitment to improving RFL activities and working toward a consistent response to needs. So too does the effort to improve service development and management.

#### **Expected results**

- National Society statutes and policy frameworks reflect the legal basis for RFL, its objectives and the specific tasks involved.
- National Society strategic and development plans specifically address RFL commitments made at statutory meetings of the Movement.
- National Societies have management structures that support and develop RFL activities.

#### **Implementation**

The **National Societies** will:

- 3.1.1 Define their precise RFL roles and functions in the different situations that may arise, taking into account the Movement's resolutions.
- 3.1.2 Revise their Statutes, in accordance with the International Federation's Guidance for National Society Statutes, to reflect their RFL roles and responsibilities as defined in the Movement's Statutes and resolutions.
- 3.1.3 Create or revise national strategic and development plans to include national and international RFL activities.
- 3.1.4 Establish operational links between tracing services, disaster-preparedness and disaster-response programmes, volunteer management and other relevant units such as dissemination and information.
- 3.1.5 Develop an internal system to support RFL, including management, service development and involvement of volunteers.

The **ICRC** will:

- 3.1.6 Coordinate with the International Federation in supporting revision and amendment by the National Societies of their Statutes, development plans and strategies.
- 3.1.7 Review, by 2009, internal policies and guidelines in situations of violence (including conflict) and other situations to ensure that RFL activities are included.

The **International Federation** will:

- 3.1.8 Review and revise, by 2011, policy and strategic documents, tools and guidelines for inclusion of National Society RFL activities across all programme areas.
- 3.1.9 Support, and actively promote, the inclusion of RFL in the revision of Strategy 2010.
- 3.1.10 Support, in conjunction with the ICRC, the National Societies in revising their Statutes and incorporating RFL in their development plans and strategies.
- 3.1.11 Undertake, by 2009, a mapping exercise with National Societies for organizational development and work closely with the ICRC to ensure the incorporation of RFL.

**Action 2: Enhance Movement support for and understanding of RFL activities through internal promotion**

Making RFL responsibilities and action better known among the Movement's components will increase both understanding and support. Since RFL needs are inadequately communicated within the Network, continuous effort is required to raise awareness and pool information. This will lead to National Society leaders feeling a greater sense of direct responsibility for RFL activities and to volunteers and staff better identifying needs, and to a more integrated response.

**Expected results**

- All governance representatives, volunteers and staff understand the importance of RFL and the respective roles of the Movement's different components.
- National Societies have a consistent approach to promoting their RFL activities.
- Knowledge and understanding of RFL is strengthened across organizational departments and programmes.

**Implementation**

The **National Societies** will:

- 3.2.1 Keep governing bodies, volunteers and staff informed about the RFL roles of the National Society and the Family Links Network.
- 3.2.2 Incorporate RFL news in meetings and other means of disseminating information within the organization.



- 3.2.3 Strengthen relationships between communication departments and tracing services and draw up plans of action for publicly promoting this work.
- 3.2.4 Regularly communicate to governing bodies, staff and volunteers the outcomes and commitments regarding RFL of the Movement's statutory meetings.

The **ICRC** will:

- 3.2.5 Undertake, by 2009, an inventory of guidelines and communication tools, and revise them to ensure clear terminology regarding the definition of RFL-related terms.
- 3.2.6 Regularly remind all staff of the importance of RFL and the role played by the ICRC and the Family Links Network.

The **International Federation** will:

- 3.2.7 Undertake, by 2009, a knowledge inventory, both within its Secretariat and together with field staff, of RFL activities across all programming areas, and draw up action plans to fill gaps.
- 3.2.8 Regularly remind all staff of the respective roles of the Movement's components regarding RFL.

### **Action 3: Increase communication with key external stakeholders, to position the Family Links Network as the leader in this field**

To be more effective in RFL, the Movement's components must disseminate information and raise public awareness of the needs of people separated from their families. The Movement must promote a strong and consistent image of this unique and very human service, raising its profile and ensuring that the general public, governments, donors and others all view the Movement's RFL activities as a vital humanitarian service.

#### **Expected results**

- A consistent image of the Family Links Network is projected to key external stakeholders concerned by this work.
- The Movement's components take clear positions on the need for RFL, highlighting its impact on affected individuals and populations.
- Those concerned recognize and support the RFL role played by the National Societies and the ICRC/CTA.

#### **Implementation**

The **National Societies** and the **ICRC** will:

- 3.3.1 Draw up and share with the Family Links Network, by 2009, a *worldwide communications plan* to support implementation of the RFL strategy. This plan will include:
  - key messages on RFL activities adapted to the various target groups and contexts;

- communication tools to explain and promote RFL activities, the role of the Network and the plight of people left without news of loved ones;
  - an increased focus on RFL in the various promotional activities;
  - devising a visual identity for the Family Links Network;
  - exploring the concept of “goodwill ambassadors” to raise awareness of the impact of family separation and to promote RFL activities;
  - identifying promotional opportunities;
  - engaging media representatives in raising awareness of RFL needs and promoting RFL itself.
- 3.3.2 Undertake regular meetings with affected individuals and populations to promote RFL and the Family Links Network.
- 3.3.3 Give regular information on RFL to donors, the authorities and other organizations.
- The **National Societies** will:
- 3.3.4 Devise, by 2013, a communication plan to support RFL. National Society communication plans can be further strengthened on the basis of the *worldwide communication plan*.
- The **International Federation** will:
- 3.3.5 Disseminate to National Societies, by 2009, the *Communication Guide* for use in promoting RFL.
- All **components of the Movement** will:
- 3.3.6 Use existing forums, meetings and networks to spark interest about individuals and populations affected by family separation and to promote the Movement’s RFL work.

## 4. Monitoring Implementation of the Strategy

Responsibility for implementing the RFL Strategy for the Movement is shared by all the components.

The National Societies, the ICRC and the International Federation are individually responsible for incorporating the Strategy’s contents in their own strategies, plans and training programmes at the national, regional and international levels.

Each action defined in the Strategy has expected results and implementation measures. It will be possible to achieve some of the expected results via the annual operational plans of the various components, while others can be achieved through the capacity-building programmes of the ICRC, the organizational-development or disaster-management programmes

of the International Federation, or in partnership with National Societies working internationally. Regional meetings that the ICRC organizes for RFL practitioners constitute further opportunities for implementation, as do regional disaster-preparedness and response meetings conducted by the International Federation. Additional opportunities exist within the Movement's regional statutory meetings.

As the Movement's RFL coordinator and technical adviser, the ICRC will supervise the Strategy's implementation in cooperation with other components. It will set up an Implementation Group, including National Societies and the International Federation, to provide guidance and support for the implementation process. The Group will, as a priority, clarify what success would look like if the Movement were to achieve the strategic objectives and individual actions, and devise guidelines to measure that success. Indicators will be developed at the global, regional and national levels to measure performance and progress in implementing the strategy. Given the considerable differences in criteria for success across the Network, different degrees of implementation should be expected and varying practical targets aimed at as a result. The emphasis will be on the grassroots level (including branches and volunteers) in order to build on existing practical examples.

At the 2011 and 2015 Council of Delegates, the ICRC will present the results achieved based on a self-assessment of the Movement's components. In this way the actions and/or objectives may be adjusted where needed. On each occasion, the report presented will include a brief overview of any new external trends, together with recommendations for any modifications to the strategic approach.

In 2016 the ICRC will undertake a reassessment of the global mapping of the Family Links Network, as a means of measuring progress and generating recommendations for changes to the Strategy.

## **5. Resources for Implementation**

The resources needed to implement the Strategy go beyond the realm of fundraising. Human resources, various skills, different kinds of knowledge, greater cooperation and participation by all the components of the Movement – all play a role in ensuring successful implementation.

The key is a sense of direct responsibility and commitment.

As a first step toward ensuring that sense, RFL must be recognized as a core activity at all levels, first and foremost by the leadership. Recognition and ownership will ultimately lead to RFL being incorporated in the National Society structures. This is indispensable for sustainability. To successfully

raise funds and mobilize resources for RFL, emphasis must therefore be placed entirely on further promoting recognition, which will lead to a sense of responsibility and commitment, to incorporation of RFL and, ultimately, to sustainability.

Regarding fundraising, in its lead role for RFL within the Movement the ICRC will explore the establishment of funding tools.

Since developing the capabilities of National Societies and strengthening the Family Links Network are long-term commitments, the ICRC and participating National Societies will establish partnerships to support capacity development within the Network.

All National Societies are responsible for helping people without news of their families, so individual Societies will include RFL activities in national fundraising plans as a means of supporting self-sustaining RFL.

## Glossary

### **Contributions assessment**

A contributions assessment across the Family Links Network will gather information on the skills, resources, tools, time and interest that exist in RFL within each National Society, and maximize the use of those resources to address needs within the Network.

### **Family Links Network**

The Family Links Network comprises the ICRC (CTA and tracing units in the delegations) and the National Society tracing services. Also referred to as “the Network”.

### **Family Links Network data-collection tool**

Data-collection tool used jointly by all National Societies and the ICRC to gather standardized information on RFL.

### **Family Links Network Extranet**

An interactive Extranet for Restoring Family Links. The Extranet is a web-based resource centre incorporating online training tools, RFL information by context, films, photos, networking and information exchange.

### **Framework for deployment of international RFL specialists during disasters**

The framework will incorporate information on the mechanism for deployment, human-resource management and training.

### **Global mapping exercise**

A global mapping of the status of the Family Links Network was undertaken between 2005-2006 by the ICRC and National Societies. It comprised three assessments: (i) capacity of National Society tracing services, (ii) capacity of the ICRC/CTA to act as coordinator and technical advisor on RFL to National Societies, and (iii) an initial RFL needs survey.

### **International disaster-response mechanism for RFL**

To mobilize Movement resources for rapid response where needed at national, regional or international levels.

### **Performance-management tools in RFL**

Such tools would include: performance indicators (incorporating tools to measure timeliness of action and contextual analysis), monitoring and evaluation, and impact assessment.

### **Regional ICRC/CTA units**

The ICRC will explore the establishment of regional ICRC/CTA units to act as focal points for capacity building, professional development, networking and information exchange in RFL. Such units would explore RFL-related issues from the regional perspective and develop plans to address these issues with the National Societies concerned.

### **Restoring Family Links (RFL)**

Restoring Family Links is the generic term given to a range of activities aimed at preventing separation, restoring and maintaining contact between family members and clarifying what has happened to persons reported missing (*see point 2.1 above*).

### **Restoring Family Links manual for the Movement**

A comprehensive handbook covering a wide range of situations in which the Movement must take action. Such a manual would contain training modules and case studies, explain how to provide emotional support for beneficiaries, staff and volunteers, give advice on community networking and referral models, teach presentation skills, and present guidelines for different beneficiary populations.

### **Sub-regional National Society focal points for natural or man-made disasters**

Consortiums of National Societies within a sub-region might designate one Society as the focal point for RFL response in disasters. The focal point could provide RFL assistance to the Society of the affected country.



### **Tracing services**

Tracing services are units within National Societies that help to restore or maintain contact between members of families separated as a consequence of armed conflict or other situations of violence, natural disasters or any other situations requiring a humanitarian response. The National Society tracing services form part of the Family Links Network. Each tracing service works in accordance with CTA guidelines. *(N.B. In some countries tracing services may be named differently.)*

## Resolution 5

### International migration

The Council of Delegates,

*recalling and reaffirming* the resolutions on topics relating to migration adopted by the International Conference of the Red Cross and Red Crescent (Resolution XXI, Manila, 1981; Resolution XVII, Geneva, 1986; Resolution 4A, Geneva 1995; and Goal 2.3 of the Plan of Action of the 27th International Conference, Geneva, 1999) and the resolutions adopted by the Council of Delegates (Resolution 9, Budapest, 1991; Resolution 7, Birmingham, 1993; and Resolution 4, Geneva, 2001),

*taking into account* the respective roles and mandates of the different components of the International Red Cross and Red Crescent Movement (Movement) as outlined in the Statutes of the Movement and the Seville Agreement and as inspired by the Movement's Fundamental Principles,

1. *recognizes* that migration is a multifaceted and complex global issue, which today affects every country in the world;
2. *calls upon* the components of the Movement to seek to give more prominence to the humanitarian consequences of migration at international, regional, national and local levels;
3. *welcomes* the decision by the General Assembly of the International Federation of Red Cross and Red Crescent Societies (International Federation) to develop a policy on migration for National Societies,<sup>1</sup> noting that it will benefit from the specific role, experience, and expertise of the International Committee of the Red Cross (ICRC) in restoring family links and other protection issues, in particular regarding persons deprived of their liberty, and *requests* the International Federation to report back on this at the next Council of Delegates in 2009;
4. *takes into account* previous resolutions on restoring family links and its relevance to the field of migration;

<sup>1</sup> In 2003 the International Federation adopted a Policy on Refugees and other Displaced People. However, feedback from National Societies shows that this policy does not provide them with sufficient guidance in their work to address the plight of persons made vulnerable as a consequence of migration.

5. *requests* the ICRC, in close consultation with the International Federation and National Societies, to develop guidelines for National Societies working or wishing to work in places where migrants are being detained, basing itself on the work already initiated by the ICRC and several National Societies in this respect, and to report back on this to the next Council of Delegates in 2009;
6. *endorses* the general orientations described in the background note concerning the respective roles of the different components of the Movement in the field of cross-border migration;
7. *requests* the ICRC and the International Federation, in accordance with their respective mandates, to support the efforts of National Societies to gain access and provide impartial humanitarian services to migrants in need, regardless of their status, and to do so without being penalized for such action;
8. *invites* National Societies to utilize their capacity as auxiliaries to the public authorities in the humanitarian field to engage in a dialogue with their public authorities to clarify their respective roles relating to the humanitarian consequences of migration, noting that while acting in an auxiliary capacity National Societies will be in a position to base their services strictly on vulnerabilities and humanitarian needs and maintain their independence and impartiality at all times;
9. *calls upon* the different components of the Movement, in accordance with their respective mandates, to promote in this context respect for international law, including international human rights law, refugee law and international humanitarian law;
10. *requests* the various components of the Movement, in conformity with their respective mandates, to cooperate in the development of advocacy strategies addressing the humanitarian consequences of migration;
11. *requests* the International Federation, National Societies and the ICRC, in accordance with their respective mandates, to cooperate closely and coordinate within and beyond the Movement to support the provision of the necessary services and protection to vulnerable persons throughout the entire migratory cycle, including return and reintegration.



## Resolution 6

### Implementation of the Seville Agreement

The Council of Delegates,

*recalling* Resolution 8 of its 2005 session, including the adoption of the Supplementary Measures of the Seville Agreement,

*noting* the positive momentum created by the implementation of the Supplementary Measures and acknowledging the importance of the Seville Agreement and its preamble emphasizing a collaborative spirit among the components of the International Red Cross and Red Crescent Movement (Movement),

*recognizing* that the Movement's components are responsible for coordinating their international activities in accordance with Movement policies to deliver optimal benefit for people affected by conflict and disasters,

1. *welcomes* the report of the Group on the Implementation of the Seville Agreement established pursuant to Resolution 8 of its 2005 session;
2. *adopts* the following seven recommendations of the report;
3. *calls* upon each Movement component – the National Societies, the International Federation of Red Cross and Red Crescent Societies (International Federation) and the International Committee of the Red Cross (ICRC) – to ensure full implementation of the Seville Agreement and its Supplementary Measures and of the following recommendations of the Group's report:
  - a The Seville Agreement and its Supplementary Measures should continue to be applied as the framework for organizing the Movement's international relief operations.
  - b Training of senior operational managers and members of governance within all the Movement's components must be compulsory. National Societies, with the support of the International Federation and the ICRC, must develop and implement a training action plan. In the first instance, training should focus on countries with large-scale international relief operations.

- c All the Movement's components must develop their capacities to work together in partnership. The ICRC, the International Federation and National Societies working internationally should build their capacities to be effective partners to host National Societies, whereby each institution emerges strengthened from operational cooperation. Practical measures taken in this regard must, where necessary, enhance the ability of the host National Society to be the primary partner and, where applicable, lead agency.
- d National Societies, the International Federation and the ICRC must place emphasis on preparedness measures that facilitate working together in emergencies as provided for in the Seville Agreement and its Supplementary Measures. Such measures include:
  - i. Meetings between Movement components present in a country: information exchange, analysis and opportunities to build the working relationships and trust required to assist affected persons and vulnerable groups appropriately.
  - ii. Negotiation processes opened to develop country-level memorandums of understanding that define the roles and responsibilities of Movement components articulated in the Seville Agreement and its Supplementary Measures.
  - iii. Contingency planning that assesses risks and the resources that could be mobilized within the Movement and considers how such resources would be coordinated to deliver effective services to beneficiaries.
- e Coordination efforts must first and foremost focus on the needs of affected persons and vulnerable people, be results oriented, always take the local context into consideration and be established within the framework of the Seville Agreement and its Supplementary Measures.
- f National Societies, the International Federation and the ICRC must ensure that learning and best practices are documented and shared so that the Movement as a whole can benefit and improve its performance for beneficiaries.
- g In order to build on the positive momentum and achievements that followed the adoption of the Supplementary Measures, implementation of the Seville Agreement and its Supplementary Measures must be continuously monitored. The International Federation and the ICRC must regularly inform National Societies of progress in implementation in accordance with the monitoring framework.

## Resolution 7

# Strategy for the International Red Cross and Red Crescent Movement

The Council of Delegates,

*recalling* Resolution 6 of the 2005 Council of Delegates, which adopted the updated Strategy for the International Red Cross and Red Crescent Movement (Movement) reinforcing the ambition of building a stronger Movement through enhanced cooperation for effective humanitarian action throughout the world,

*taking note with appreciation* of the consolidated implementation report by the Standing Commission, the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation), and in particular of the initial work done by the Standing Commission on improving the efficiency and effectiveness of meetings within the Movement to “enhance dialogue and consultations within the Movement through better use of existing fora, and improved coordination of the agendas of statutory and other meetings,” as per Action 4 in the Strategy,

*welcoming* the Study on Operational and Commercial and other Non-operational Issues Involving the Use of the Emblems (the Study) prepared by the ICRC,

*reaffirming* the validity of the existing rules governing the use of the emblems, notably those contained in the 1949 Geneva Conventions, their Additional Protocols and the 1991 Regulations on the use of the emblem<sup>1</sup> by the National Societies, and *emphasizing* the vital importance of respect for those rules to guarantee the protective value of the emblems and access to people in need of protection and assistance and to strengthen the identity of the Movement as a neutral and independent humanitarian actor,

*further welcoming* the report of the Joint ICRC/International Federation Commission for National Society Statutes emphasizing that the adoption of a strong legal base is a crucial element allowing National Societies to perform their mandate efficiently and in compliance with the Fundamental Principles,

<sup>1</sup> Regulations adopted by the 20th International Conference (Vienna, 1965) and revised by the Council of Delegates (Budapest, 1991)

*acknowledging* the continued relevance and importance of the Strategy for the Movement,

*bearing in mind* the need for ongoing analysis on how the components of the Movement can improve their individual and collective functioning in response to changing contexts and new challenges,

1. *urges* all the components of the Movement to continue and, if possible, increase their efforts to implement the 10 Actions of the Movement's Strategy and to report on their achievements, through the International Federation and, when relevant, through the ICRC, to the Standing Commission for an updated report to the 2009 Council of Delegates;
2. *urges* the National Societies, the ICRC and the International Federation to generate better links to the local communities to which our humanitarian action is addressed, so that our mission is accomplished with quality and efficiency with full recognition of victims and vulnerable persons as an integral part of the Strategy;
3. *invites* the International Federation, the ICRC and the Standing Commission to continue to monitor the implementation of the Strategy, with greater focus on measurable progress made by National Societies, and to submit a consolidated implementation report to the 2009 Council of Delegates along with recommendations as necessary;

**On Action 3**

*Monitor and protect the integrity of the components, and ensure that every component complies with the Fundamental Principles*

4. *urges* all National Societies, as requested under Action 3 of the Strategy for the Movement, to examine and update their Statutes and related legal texts by 2010, in accordance with the Guidance for National Society Statutes and relevant International Conference resolutions;

**On Action 4**

*Enhance dialogue and consultations within the Movement through better use of existing fora, and improved coordination of the agendas of statutory and other meetings*

5. *invites* National Societies, the ICRC, the International Federation and the Standing Commission, involved in the organization of international meetings within the Movement, to take into account the recommendations submitted by the Standing Commission:
  - to increase the efficiency of meetings and to ensure better articulation and continuity between different statutory and non-statutory meetings within the Movement, and

- to enhance the involvement of National Societies in preparations, discussions and follow-up relating to meetings within the Movement;
6. *requests* the Standing Commission to continue its work on Action 4, including making further recommendations in the way it finds appropriate;

***On Action 10***

*Strengthen the components of the Movement's  
relationship with the private sector*

7. *invites* the components of the Movement to utilize the recommendations of the Study to enhance the implementation of the rules governing the use of the emblems and to provide feedback to the ICRC on the content and use of the Study;
8. *requests* the ICRC to continue its work on the Study, taking into account feedback received from the components of the Movement and further extending its consultations to States, and to inform the Council on progress made.

## Resolution 8

# International humanitarian law and cluster munitions

The Council of Delegates,

*recalling* its Resolution 2 on Weapons and International Humanitarian Law (Seoul, 16-18 November 2005), and welcoming the ICRC's follow-up report, *stressing* that adequate controls on the use and proliferation of weapons are essential to protecting civilians from indiscriminate effects and combatants from unnecessary suffering,

*deeply concerned* by the severe consequences of cluster munitions for civilian populations and humanitarian action during and after conflicts, and acknowledging the obstacles these weapons pose for post-conflict reconstruction and development,

*alarmed* by the millions of inaccurate and unreliable cluster munitions in national stockpiles around the world,

*welcoming* the ICRC's report on its Expert Meeting on the Humanitarian, Military, Technical and Legal Challenges of Cluster Munitions held in Montreux in April 2007,

*welcoming* the commitment made by States at an international conference in Oslo in February 2007 to conclude an international treaty by the end of 2008 prohibiting cluster munitions that cause unacceptable harm to civilians, and the agreement by States party to the Convention on Certain Conventional Weapons to negotiate a proposal to address the humanitarian impact of cluster munitions,

*welcoming* the commitment in the Protocol on Explosive Remnants of War to minimize the post-conflict effects of explosive remnants of war, as well as the increasing number of States that have decided to enact a moratorium on the use of cluster munitions that are inaccurate or unreliable and to eliminate such weapons,

1. *encourages* all work currently under way to alleviate the suffering of victims of cluster munitions and to remove submunitions and other explosive remnants of war already contaminating war-affected countries;

2. *urges* the components of the Movement to promote adherence to and full implementation of the Protocol on Explosive Remnants of War of the Convention on Certain Conventional Weapons;
3. *encourages* all components of the Movement to promote national measures to address the humanitarian concerns resulting from the use of cluster munitions, including ending the use and transfer of inaccurate and unreliable cluster munitions, providing assistance to victims, enhancing clearance efforts and eliminating inaccurate and unreliable cluster munitions from national stockpiles;
4. *urges* all components of the Movement to raise awareness of the severe human and socio-economic costs of cluster-munition use and to help build national support for an effective new treaty of international humanitarian law that will prohibit inaccurate and unreliable cluster munitions;
5. *urges* governments that support the Oslo Declaration to fulfill their commitment to conclude a treaty in 2008 prohibiting the use, production, stockpiling and transfer of cluster munitions that cause unacceptable harm to civilians;
6. *urges* States party to the Convention on Certain Conventional Weapons to continue their efforts and to work towards developing legally binding rules on cluster munitions as a matter of urgency;
7. *requests* the ICRC to report to the 2009 Council of Delegates on the progress made in implementing these objectives.

## Resolution 9

# Agenda and programme of the 30th International Conference of the Red Cross and Red Crescent

The Council of Delegates,

*having examined* the Provisional Agenda and Programme of the 30th International Conference of the Red Cross and Red Crescent, prepared by the Standing Commission of the Red Cross and Red Crescent,

*adopts* the Agenda and Programme of the 30th International Conference of the Red Cross and Red Crescent.

*(N.B. See Agenda and programme, page 67.)*



## Resolution 10

### Proposal of persons to fill posts at the 30th International Conference of the Red Cross and Red Crescent

The Council of Delegates,

*having examined* the list of candidates nominated for election as officers of the 30th International Conference of the Red Cross and Red Crescent,

*endorses* the list of candidates and *requests* the Chairman of the Council of Delegates to submit it to the 30th International Conference of the Red Cross and Red Crescent for approval.

## Annex - Resolution 10

### Proposals of persons to fill posts at the 30th International Conference of the Red Cross and Red Crescent

Chairman of the Conference

**Ms Mandisa Kalako-Williams** (Red Cross – South Africa)

Vice-Chairmen of the Conference

**Ambassador Boudewijn J. Van Eenennaam** (Netherlands)

**Ambassador Juan Martabit** (Chile)

**Mr Abdul Rahman Attar** (Red Crescent – Syrian Arab Republic)

**Ms Annemarie Huber-Hotz** (Red Cross – Switzerland)

Rapporteur of the Conference

**Ambassador Ichiro Fujisaki** (Japan)

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#### Drafting Committee

Chairman

**Ambassador Masood Khan** (Pakistan)

Vice-Chairmen of the Drafting Committee

**Mr Ian Courtenay** (Red Cross – Belize)

**Mr Abbas Gullet** (Red Cross – Kenya)

**Ambassador Valery Loshchinin** (Russian Federation)

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## Commission A

Chairman

**Ms Jane McGowan** (Red Cross – Canada)

Vice-Chairman

**Ambassador Makarim Wibisono** (Indonesia)

Rapporteur

**Mr Muctarr A.S Jalloh** (Red Cross - Sierra Leone)

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## Commission B

Chairman

**Ambassador Nicholas Thorne** (United Kingdom)

Vice-Chairman

**Ambassador Mabel Gómez Oliver** (Mexico)

Rapporteur

**Mr Jeffrey Chan Wah Teck** (Red Cross – Singapore)

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## Commission C

Chairman

**Dr Raymond Forde** (Red Cross – Barbados)

Rapporteur

**Ambassador Ahmet Üzümcü** (Turkey)

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Secretary-General of the Conference

**Ambassador Stephan Husy** (Switzerland)

Assistant Secretaries-General

**Mr Frank Mohrhauer** (International Federation)

**Mr Bruce Biber** (ICRC)



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# 30th International Conference of the Red Cross and Red Crescent

## Geneva, 26-30 November 2007

### Agenda and programme

15:00 – 18:50

#### Monday, 26 November 2007

##### OPENING CEREMONY

###### Welcome addresses

- Chairman of the Standing Commission
- President of the Swiss Confederation

###### Reading of the Fundamental Principles

#### 1 Opening of the Conference

##### FIRST PLENARY MEETING

#### 2 Election of the Chairman, Vice-Chairmen, Secretary-General, two Assistant Secretaries-General and other officers of the Conference, and establishment of the Conference's subsidiary bodies (Commissions, Drafting Committee)

#### 3 Organization of work

#### 4 Keynote addresses

- President of the International Committee of the Red Cross
- President of the International Federation of Red Cross and Red Crescent Societies

#### 5 Collaborative action and partnerships to address humanitarian challenges

##### **Panel discussion** (not part of the formal agenda of the Conference):

- *Environmental degradation, including climate change*  
Panelist 1: **Dr Han Seung-Soo**, United Nations Secretary-General's Special Envoy on Climate Change
- *International migration*  
Panelist 2: **Ms Ndioro Ndiaye**, Deputy Director-General of the International Organization for Migration
- *Violence in urban settings*  
Panelist 3: **Dr Sima Samar**, Chairperson of the Afghanistan Independent Human Rights Commission

- *Emergent and recurrent diseases and other public-health challenges*  
*Panelist 4: **Dr David Heymann**, Assistant Director-General of the World Health Organization*
- *Voice of the Red Cross and Red Crescent youth on partnerships and humanitarian challenges*  
*Panelist 5: **Mr Shaban Mawanda**, Member of the Youth Commission, Uganda Red Cross Society*

*Panel discussion facilitated by Ms Lyse Doucet, presenter and special correspondent, BBC World*

18:50 – 21:00

**RECEPTION** (not part of the formal agenda of the Conference)

- Welcome address by the authorities of the Republic and Canton of Geneva and of the City of Geneva  
*Reception hosted by the Swiss Federal Council and the authorities of the Republic and Canton of Geneva and of the City of Geneva*

**Tuesday, 27 November 2007**

**SECOND PLENARY MEETING**

9:30 – 13:00

14:30 – 18:00

(18:00 – 21:00)

- 3 Organization of work** (continued)
  - Workshops, side events, pledges
  - Procedure for electing the members of the Standing Commission
- 5 Collaborative action and partnerships to address humanitarian challenges** (continued)
  - Summary of the panel's presentations
  - General debate on partnerships to address the humanitarian consequences of:
    - *environmental degradation, including climate change*
    - *international migration*
    - *violence in urban settings*
    - *emergent and recurrent diseases and other public-health challenges*

18:00 – 19:00

**Presentation of the candidates for election to the Standing Commission**  
(not part of the formal agenda of the Conference)

10:00 – 13:00

14:30 – 18:00

**DRAFTING COMMITTEE**

### **Wednesday, 28 November 2007**

9:30 – 13:00

#### **COMMISSIONS (debate in parallel Commissions A and B)**

Commission A: **The specific nature of the Red Cross and Red Crescent Movement in action and partnerships and the role of National Societies as auxiliaries to the public authorities in the humanitarian field**

- introduction
- discussion

Commission B: **Reaffirmation and implementation of international humanitarian law: Preserving human life and dignity in armed conflict**

- introduction
- discussion

14:00 – 18:00

#### **COMMISSIONS (debate in parallel Commissions A and C)**

Commission A: **The specific nature of the Red Cross and Red Crescent Movement in action and partnerships and the role of National Societies as auxiliaries to the public authorities in the humanitarian field** (continued)

- introduction
- discussion

Commission C: **Strengthening the legal frameworks for international response to disasters**

- introduction
- discussion

18:15 – 20:00

***WORKSHOPS (please refer to the separate programme of workshops)***  
*(not part of the formal agenda of the Conference)*

9:30 – 13:00 and  
14:30 – 18:00

#### **DRAFTING COMMITTEE**

### **Thursday, 29 November 2007**

9:00 – 13:00

***WORKSHOPS (please refer to the separate programme of workshops)***  
*(not part of the formal agenda of the Conference)*

14:00 – 18:00

#### **THIRD PLENARY MEETING**

### **6 Election of the members of the Standing Commission**

- roll call
- launch of the election

- 5 **Collaborative action and partnerships to address humanitarian challenges** (continued)
  - Report on the general debate
  
- 7 **The specific nature of the Red Cross and Red Crescent Movement in action and partnerships and the role of National Societies as auxiliaries to the public authorities in the humanitarian field**
  - Report on the work of Commission A
  
- 8 **Reaffirmation and implementation of international humanitarian law: Preserving human life and dignity in armed conflict**
  - Report on the work of Commission B
  
- 9 **Strengthening the legal frameworks for international response to disasters**
  - Report on the work of Commission C
  
- 10 **Follow up to previous conferences**
  - 28th International Conference of the Red Cross and Red Crescent: Implementation of the Declaration and Agenda for Humanitarian Action and of the pledges
  - 29th International Conference of the Red Cross and Red Crescent: Follow up to the implementation of the Memorandum of Understanding of 28 November 2005 between the Palestine Red Crescent Society and the Magen David Adom in Israel.
  
- 6 **Standing Commission election** (continued): **Proclamation of results or continuation of election on the evening of Thursday 29 November or on the morning of Friday 30 November (9:00)**

9:30 – 13:00 and  
14:30 – 18:00

**DRAFTING COMMITTEE**

10:00 – 12:00

**Friday, 30 November 2007**  
**FOURTH AND FINAL PLENARY MEETING**

- 11 **Overview of the workshops**
- 12 **Overview of the pledges made at the 30th International Conference**
- 13 **Report of the Drafting Committee**
- 14 **Adoption of the resolutions of the Conference**
- 15 **Closing ceremony**



## Resolution 1

### Together for humanity

The 30th International Conference of the Red Cross and Red Crescent,

*taking account of* the views expressed during the Conference on the humanitarian consequences of major challenges facing the world today, *welcoming* the many pledges made by members and observers of the Conference in response to these humanitarian challenges,

*taking note with appreciation of* the measures taken by States and the components of the International Red Cross and Red Crescent Movement<sup>1</sup> to implement the 2003 Agenda for Humanitarian Action, Declaration “Protecting human dignity” and pledges as requested in Resolution 1 of the 28th International Conference, and *welcoming* the follow-up report prepared by the ICRC and the International Federation on progress made,

1. *adopts* the Declaration “Together for humanity” of the 30th International Conference;
2. *encourages* all members of the Conference, in accordance with their respective powers, mandates and capacities, to work together to alleviate the suffering caused by the humanitarian consequences of the challenges outlined in the Declaration;
3. *urges* all members of the Conference to include the resolutions adopted and their pledges made at the Conference in their efforts to optimize interaction and partnerships amongst themselves and together with other actors at the international, regional and local levels;
4. *invites* all members of the Conference to keep the ICRC and the International Federation informed of actions taken and progress made with respect to the implementation of the Declaration and the resolutions of the Conference as well as of their pledges;

<sup>1</sup> The International Red Cross and Red Crescent Movement is composed of the International Committee of the Red Cross (ICRC), the National Red Cross and Red Crescent Societies (National Societies) and the International Federation of Red Cross and Red Crescent Societies (International Federation). Throughout this document, the term “Movement” covers all the aforementioned components.

5. *requests* the ICRC and the International Federation to report to the 31st International Conference on the follow up by Conference members to the resolutions and pledges of this Conference;
6. *welcomes* the adoption by the Movement of its Restoring Family Links Strategy (2008-2018) in Resolution 4 of the 2007 Council of Delegates and *calls upon* State authorities to continue their support for the activities of the components of the Movement in the field of restoring family links, particularly by strengthening National Societies' capacities, in conformity with their role and mandate;
7. *notes* that the International Federation has circulated its Global Health and Care Strategy 2006-2010 to member States and National Societies within the framework of the World Health Assembly and on other occasions, and *expects* that this document will add value to partnerships aimed at meeting public-health challenges, including those identified at this Conference;
8. *thinks* the ICRC for its comprehensive work on the study on customary international humanitarian law and for initiating, with the British Red Cross, the updating of the "practice" volume of the study;
9. *expresses* its appreciation to the ICRC for its report on International Humanitarian Law and the Challenges of Contemporary Armed Conflicts, and invites it to continue to analyse current and emerging challenges, to generate reflection and to conduct broad consultations on the issues identified;
10. *urges* all members of the Conference to continue and intensify their efforts to implement the 2003 Agenda for Humanitarian Action as a relevant and comprehensive framework for action to address:
  - the suffering caused by family separation and the persistent tragedy of persons missing in connection with armed conflict or other situations of armed violence;
  - the human costs of the uncontrolled availability and misuse of weapons in armed conflicts;
  - the risk and impact of disasters and the improvement of preparedness and response mechanisms;
  - the risk and impact of HIV and other infectious diseases in relation to vulnerable people.

## Annex - Resolution 1

### Declaration: Together for humanity

Gathered in Geneva for the 30th International Conference of the Red Cross and Red Crescent, we, the members of this Conference, have focused on the humanitarian consequences of four great challenges facing the world today which affect the individual and specifically the most vulnerable people:

- environmental degradation and climate change;
- humanitarian concerns generated by international migration;
- violence, in particular in urban settings;
- emergent and recurrent diseases and other public-health challenges, such as access to health care.

The global scale of each of these challenges requires a collective response as it exceeds the coping capacity of individual States or humanitarian organizations. In addressing the humanitarian consequences of those challenges, and in the spirit of the slogan of this Conference, "Together for humanity", we need to intensify operational interaction and partnerships among ourselves, and with other institutions – e.g., intergovernmental, supranational, non-governmental, academic – as well as with the media and the private sector. For the components of the International Red Cross and Red Crescent Movement (Movement) this must be done in accordance with the Fundamental Principles and policies of the Movement.

### **Humanitarian consequences of environmental degradation and climate change**

We are deeply concerned that people everywhere, especially the poorest of the poor, face an increased burden due to the rise in disasters and the scarcity of resources induced by multiple factors, such as environmental degradation and climate change, which contribute to poverty, migration, health risks and an aggravated risk of violence and conflict.

We are resolved to work with partners to raise awareness of these serious humanitarian concerns, including their causes, and to provide humanitarian assistance to the most vulnerable people, in particular those in affected developing countries.

We will capitalize on the community base of National Societies to decrease the vulnerability of communities where environmental hazards and degradation are severe and adaptive capacity is low.

We reaffirm that preparedness for disaster is a key element in the management of response, and we will seek to improve individual and collective capacity to respond swiftly to humanitarian challenges induced by environmental degradation and climate change.

We are resolved to ensure that environmental degradation and adaptation to climate change are integrated, where relevant, in disaster-risk-reduction and disaster-management policies and plans. We will seek to mobilize the necessary human and financial resources to implement them, giving priority to actions for the most vulnerable people.

We acknowledge the commitment of States to the United Nations Framework Convention on Climate Change (UNFCCC) as the core mechanism for addressing climate change at the global level, and we affirm that aspects of the Movement's work support and complement elements of the UNFCCC.

## **Humanitarian concerns generated by international migration**

While acknowledging the many benefits of international migration as well as its complex and multifaceted nature, we recognize that migration may generate issues of humanitarian concern in all regions of the world. We are particularly concerned that migrants, irrespective of their status, may live outside conventional health, social and legal systems and for a variety of reasons may not have access to processes which guarantee respect for their fundamental rights.

We reaffirm the importance of examining ways and means to reinforce international cooperation at all levels to address the humanitarian concerns generated by international migration.

We acknowledge the role of governments, within the framework of national laws and international law, especially international human rights law, refugee law and international humanitarian law, to address the humanitarian needs of persons negatively affected by migration, including families and communities, and to take effective measures. We are deeply concerned by all forms of human trafficking and exploitation, in particular those involving children and women, and we acknowledge the role of governments in preventing such practices, in providing protection and assistance to all victims of such practices and in ensuring respect for the national and international instruments prohibiting them. We also acknowledge the role of the International Red Cross and Red Crescent Movement in this respect.

When addressing the humanitarian needs of persons negatively affected by migration, particularly migrants and members of their families, in their countries of origin, transit and destination, we take into account, where relevant, the considerable experience of the Red Cross and Red Crescent with respect to:

- a Humanitarian assistance: e.g., providing food, shelter, clothing, health care, first aid, psycho-social support, etc.
- b Protection: e.g., restoring family links, legal and administrative advice, acting against exploitation and deception, providing information on the risks of irregular migration, visiting migrants in detention with a view to helping improve their detention conditions and their treatment when necessary.
- c Advocacy: bringing a humanitarian perspective to policy decisions, combating racism, xenophobia and discrimination, promoting international norms in that respect.
- d Integration and reintegration: e.g., reception services, fostering social participation and solidarity (e.g., as Red Cross and Red Crescent volunteers).
- e Human dignity: promoting respect for human dignity.

Taking into account the negative consequences of large-scale influxes resulting from humanitarian crises, international actors should consider the needs of host-country communities.

We acknowledge the role of National Societies, based on the principles of humanity and impartiality, and in consultation with public authorities, in providing humanitarian assistance to vulnerable migrants, irrespective of their legal status.

## **Violence, in particular in urban settings**

We recognize that violence is a leading cause of preventable death, injury and human suffering worldwide. Violence in urban areas poses a particular challenge, where problems are often aggravated by rapidly growing populations, poverty and economic inequalities, unemployment, social exclusion and marginalization, insufficient public security and services, and the easy availability of drugs and weapons.

We acknowledge that States are responsible for providing safety and ensuring adequate care and support for the victims of violence, to the extent feasible, and for the creation of policies and legal frameworks which aim to prevent and mitigate violence. Such policies and frameworks may also need to address cases of urban armed violence between organized groups.

We are resolved to work together to develop at all levels comprehensive violence-prevention and reduction programmes in order to build safer communities through practical measures that take into account social and economic development objectives, and to facilitate the rehabilitation of youth affected by violence in order to reduce their alienation and radicalization and reduce their vulnerability to drugs and crime. We will intensify efforts to mobilize community respect for diversity and action against racism, discrimination, xenophobia, marginalization and other forms of exclusion, faced by all vulnerable groups, also empowering volunteers and youth in humanitarian activities to prevent, defuse or mitigate violence, particularly in urban settings, basing ourselves on the considerable experience of National Societies.

## **Emergent and recurrent diseases and other public health challenges**

We recognize that HIV, pandemic influenza, tuberculosis, malaria and other communicable diseases as well as other public-health threats endanger individuals and communities everywhere in the world, and particularly women and children. We also note the disproportionate impact of HIV, tuberculosis and malaria on communities in Sub-Saharan Africa. The decline in capacity of the public-health infrastructure in many countries and in its ability to cope, as well as demographic change, water and sanitation shortcomings, food insecurity and poor nutrition and their consequences for increased morbidity and mortality have also exacerbated these threats, with a particular impact on the poorest of the poor.

We stress the need to strengthen health systems and develop national health plans with the involvement of National Societies, and to include the empowerment of volunteers and affected groups to ensure that programming and its implementation reach all affected and vulnerable populations – such as people living with HIV, drug users, communities exposed to the threat of emergent and recurrent diseases, victims of sexual exploitation and human trafficking and other forms of violence, prisoners and former prisoners and orphaned children.

We acknowledge the need for these vulnerable people to have access, without discrimination, to prevention, health promotion and curative care as well as to essential medicines, vaccines and other health-care products. Access to safe blood through voluntary non-remunerated blood donation is and will remain an essential public-health objective.

We also stress the importance for medical services to have access to any individual in need, on the basis of accepted domestic and international norms and regardless of his/her legal status, and the importance for such services to enjoy the necessary protection.

We are resolved to include public health as an integral part of effective disaster management (comprising public health, water and sanitation, epidemic control and public-health emergencies).

We recognize that a comprehensive public-health approach must address the issue of tuberculosis, HIV and other health threats in prisons, including the necessary follow up of former prisoners.

In responding to all of these challenges, we will:

- take into consideration the varying capacities of States and National Societies;
- strengthen our operational capacity and resources accordingly;
- optimize the role of National Societies as auxiliaries to the public authorities at all levels in the humanitarian field;
- capitalize on the community and volunteer base (particularly the youth) of National Societies to influence positively and act upon vulnerable communities from within, particularly in situations beyond the reach of the public authorities;
- take into account considerations of diversity;
- ensure that gender considerations are mainstreamed into all programmes and activities;
- learn from the experiences and best practices worldwide of the various components of the Movement;
- promote knowledge of and respect for the relevant provisions of international law, including international humanitarian law, international human rights law and refugee law;
- build on the unique ability of the components of the Movement, in acting at all times in accordance with the Fundamental Principles, to gain the confidence of all in order to have access to those in need;
- intensify and coordinate operational interaction and partnerships among ourselves, the members of this Conference, and with other institutions, whenever there is a clear benefit for the victims and the most vulnerable people.

Our work together needs to be measurable, with transparency accompanying action at the national level and through sharing best practices and experiences. The International Federation and the ICRC agree to support National Societies in their work, including through representation of their interests and concerns at the international level, and will provide the necessary knowledge-sharing mechanisms to facilitate these tasks.

## Resolution 2

### Specific nature of the International Red Cross and Red Crescent Movement in action and partnerships and the role of National Societies as auxiliaries to the public authorities in the humanitarian field

The 30th International Conference of the Red Cross and Red Crescent,

*acknowledging* that strong partnerships between States, the components of the International Red Cross and Red Crescent Movement (Movement) and other humanitarian actors, such as international organizations, non-governmental organizations and civil society, are essential to address effectively the needs of vulnerable people worldwide, in the spirit of the slogan of the Conference "Together for humanity",

*acknowledging* the different mandates of the various components of the Movement,

*recalling* the Movement's Fundamental Principle of independence as well as Articles 2.3, 3 and 4.3 of the Statutes of the Movement whereby National Societies are recognized by all governments as auxiliaries to the public authorities in the humanitarian field,

*recalling* Articles 24, 26 and 27 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949, Articles 24 and 25 of the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of 12 August 1949, as well as Article 63 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

*noting* the resolution of the General Assembly of the United Nations (A/RES/49/2 of 27 October 1994) which recalls that National Societies are recognized by their respective governments as auxiliaries to the public authorities in the humanitarian field on the basis of the Geneva Conventions of 12 August 1949,

*recalling* the Agenda for Humanitarian Action adopted at the 28th International Conference, whereby States, recognizing the importance of the independent and auxiliary role of National Societies, agreed, *inter alia*, to negotiate clearly defined roles and responsibilities with their respective National Societies in risk-reduction and disaster-management activities, as well as in public-health, development and social activities,



*recalling* Resolution 1 of the 28th International Conference which welcomed the study carried out by the International Federation of National Red Cross and Red Crescent Societies (International Federation) as Auxiliaries to the Public Authorities in the Humanitarian Field and contained the concept of the “characteristics of a balanced relationship,” and *noting* the work done by the International Federation in consultation with the International Committee of the Red Cross (ICRC) pursuant to that resolution,

*recognizing* that the cooperation and dialogue of National Societies with their respective governments includes the key role and responsibilities of National Societies in the fields of promotion, dissemination and implementation of international humanitarian law,

*recognizing* that National Societies represent reliable partners for national and local public authorities that provide service through their diverse volunteer base and their unique capacity to mobilize human and material resources at the community level,

*noting with appreciation* that the Council of Delegates, in its Resolution 3 of 2007, endorsed the concept of a toolbox for use by National Societies when concluding partnership arrangements, including those relevant to auxiliary relationships,

*reaffirming* the obligation of all the components of the Movement to act at all times in conformity with the Fundamental Principles, the Statutes of the Movement and the rules governing the use of the emblems and to take full account of the relevant Movement policies,

*acknowledging* that the autonomy of National Societies and their commitment to neutrality and impartial assistance provide the best available means to gain the confidence of all in order to have access to those in need,

*recalling* Article 2.4 of the Statutes of the Movement adopted by the 25th International Conference of the Red Cross at Geneva in 1986, as amended in 1995 and 2006, which stipulates that “the States shall at all times respect the adherence by all the components of the Movement to the Fundamental Principles”;

1. *reaffirms* that it is the primary responsibility of States and their respective public authorities to provide humanitarian assistance to vulnerable persons on their respective territories and that the primary purpose of National Societies as auxiliaries to the public authorities in the humanitarian field is to supplement them in the fulfilment of this responsibility;

2. *calls upon* National Societies and their respective public authorities to consolidate a balanced relationship with clear and reciprocal responsibilities, maintaining and enhancing a permanent dialogue at all levels within the agreed framework for humanitarian action;
3. *recognizes* that the public authorities and the National Societies as auxiliaries enjoy a specific and distinctive partnership, entailing mutual responsibilities and benefits, and based on international and national laws, in which the national public authorities and the National Society agree on the areas in which the National Society supplements or substitutes for public humanitarian services; the National Society must be able to deliver its humanitarian services at all times in conformity with the Fundamental Principles, in particular those of neutrality and independence, and with its other obligations under the Statutes of the Movement as agreed by States at the International Conference;
4. *emphasizes* that
  - a National Societies as auxiliaries to the public authorities in the humanitarian field have a duty to consider seriously any request by their public authorities to carry out humanitarian activities within their mandate,
  - b States must refrain from requesting National Societies to perform activities which are in conflict with the Fundamental Principles or the Statutes of the Movement or its mission, that National Societies have the duty to decline any such request and *underlines* the need for the public authorities to respect such decisions by the National Societies;
5. *invites* National Societies and governments to clarify and consolidate the areas in which National Societies as auxiliaries cooperate at all levels with the public authorities;
6. *stresses* that the National Society, whilst acknowledging that its personnel and assets are provided to the medical services of the State's armed forces in accordance with Article 26 of the First Geneva Convention of 1949 and are thus subject to military laws and regulations, must respect the Fundamental Principles, including that of neutrality, and at all times maintain its autonomy and ensure that it is clearly distinguishable from military and other governmental bodies;
7. *invites* the International Federation and the ICRC, in consultation with States and National Societies, to make available and further develop relevant information material for National Societies, the public authorities and other interested bodies, including guidelines, legal advice and best practices, in support of partnerships between National Societies and the public authorities in the humanitarian field.

## Resolution 3

# Reaffirmation and implementation of international humanitarian law

### "Preserving human life and dignity in armed conflict"

The 30th International Conference of the Red Cross and Red Crescent,

*recalling* the Declaration and the Agenda for Humanitarian Action adopted by the 28th International Conference of the Red Cross and Red Crescent, *stressing* that these documents remain as pertinent today as they were in 2003, and *encouraging* all members of the Conference to continue to work towards their full implementation,

*convinced* that international humanitarian law remains as relevant today as ever before in international and non-international armed conflicts and continues to provide protection for all victims of armed conflict,

*underlining*, in this regard, that the protection offered by human rights law does not cease in the event of armed conflict, save through the effect of provisions for derogation, *recalling* that while some rights may be exclusively matters of international humanitarian law, others may be exclusively matters of human rights law and yet others may be matters of both these branches of international law, and *emphasizing* that human rights law, international humanitarian law and refugee law provide protection to victims of armed conflict, within their respective spheres of application,

*renewing* the unequivocal commitment of all members of the Conference to respect and ensure respect for international humanitarian law in all circumstances,

*stressing*, however, that international humanitarian law governs only situations of armed conflict, and should not be extended to other situations,

*welcoming* ongoing discussions on international humanitarian law in view of its reaffirmation and implementation in facing the challenges posed by contemporary armed conflict,

*deeply concerned* that civilian populations and individual civilians continue to bear the brunt of armed conflicts and remain the main victims of violations of international humanitarian law committed by parties to an armed conflict, and *strongly condemning*, in this regard, attacks on civilian objects and civilians not taking a direct part in hostilities, including

humanitarian relief personnel, journalists, other media professionals and associated personnel, as well as the use of human shields,

*recalling* the need to take into account the specific requirements in terms of protection, health and assistance of women, children, the elderly, the disabled, the infirm, displaced persons, refugees, persons deprived of their liberty and other persons with specific needs,

*welcoming* the universal ratification of the 1949 Geneva Conventions, *expressing* the hope that other international humanitarian law treaties will also achieve universal acceptance and *calling upon* all States to consider adhering to international humanitarian law treaties to which they are not yet party,

*noting* the entry into force of Protocol III additional to the 1949 Geneva Conventions on 14 January 2007,

*noting* that the principles and provisions of international humanitarian law derive not only from international treaties, but also from customary international law,

*recalling* that the obligation to respect international humanitarian law binds all parties to an armed conflict, and *emphasizing* that this obligation is not based on reciprocity,

*welcoming* the progress made in the implementation of international humanitarian law and *acknowledging* the importance of taking measures at all levels to achieve effective implementation, dissemination and enforcement of international humanitarian law,

*noting* with appreciation the increasing number of partnerships and synergies, in the fields of implementation, dissemination and development of international humanitarian law, between States, international and regional organizations, the ICRC, National Red Cross and Red Crescent Societies and their International Federation, academic institutions, non-governmental organizations and civil society,

*recalling*, in particular, the special responsibilities of National Societies, as auxiliaries to the public authorities of their respective States in the humanitarian field, to cooperate with and assist their governments in the dissemination and implementation of international humanitarian law, including its provisions for the protection of the emblems,

*acknowledging* that, while progress has been made, efforts to enforce international humanitarian law at the domestic and international levels still fall far short of the requirements of justice, and *recognizing* that impunity for crimes under international law is not acceptable and that victims' rights can no longer be disregarded,

Resolves as follows:

## **Respect and ensure respect**

1. *reaffirms* the obligation of all States and parties to an armed conflict to respect and ensure respect for international humanitarian law in all circumstances;
2. *stresses*, in this regard, the obligation of all States to refrain from encouraging violations of international humanitarian law by any party to an armed conflict and to exert their influence, to the degree possible, to prevent and end violations, either individually or through multilateral mechanisms, in accordance with international law;

## **Fundamental guarantees**

3. *reaffirms* that all persons in the power of a party to an armed conflict, including persons deprived of their liberty for reasons related to the armed conflict, are entitled to the fundamental guarantees established by international humanitarian law in both international and non-international armed conflict and that, as a result, no one can be outside the law;
4. *stresses* that these fundamental guarantees apply without any adverse distinction based upon race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or upon status, or on any other similar criteria;
5. *reaffirms*, in this regard, the continued importance of full compliance with Article 3 common to the 1949 Geneva Conventions, which expresses certain fundamental guarantees, as supplemented by applicable treaty law and customary international law;
6. *reaffirms* the obligation of humane treatment for all persons in the power of a party to an armed conflict, including persons deprived of their liberty for reasons related to the armed conflict, and the obligation to respect their personal convictions and religious practices, and *reaffirms*, in this regard, the prohibition of murder, torture, whether physical or mental, cruel or inhuman treatment, outrages upon personal dignity, in particular humiliating and degrading treatment, corporal punishment, mutilations, medical or scientific experiments, rape and other forms of sexual violence, the taking of hostages, enforced disappearance and collective punishments;

7. *stresses* the vital importance of providing all persons deprived of their liberty for reasons related to an armed conflict, whether detained or interned, with procedural safeguards aimed at ensuring that such detention or internment is lawful and does not amount to arbitrary deprivation of liberty, including a review of the basis for and continued legality of the detention or internment by an independent and impartial body, without prejudice to the legal regime applicable to prisoners of war;
8. *reaffirms* that all persons subject to arrest on a criminal charge and those on trial are entitled to a fair trial affording all the essential judicial guarantees, including the presumption of innocence, trial by an independent, impartial and regularly constituted court, and necessary rights and means of defence;
9. *recognizes* that additional, specific protections are provided under international humanitarian law to prisoners of war and other protected persons, such as civilian internees;

## **Humanitarian and medical assistance**

10. *reaffirms* the obligation of parties to an armed conflict, as well as third States, to grant humanitarian relief and relief workers rapid and unimpeded access to civilian populations in need, subject to and in accordance with international humanitarian law, including sovereign consent, and further *reaffirms*, in this regard, the obligation to respect and to protect humanitarian relief personnel;
11. *recalls* the obligation to respect and to protect medical personnel, including Red Cross and Red Crescent workers, their means of transport, as well as medical establishments and other medical facilities at all times, in accordance with international humanitarian law, and *recognizes* the importance of medical personnel having access to any place where their medical services are required;
12. *stresses* the obligation of all parties to an armed conflict to recognize and uphold the protective value of the distinctive emblems recognized by the Geneva Conventions and, where applicable, their Additional Protocols;
13. *deplores* the misuse of medical establishments and other medical facilities and of the distinctive emblems to carry out military operations that place civilians, the wounded and sick, and medical personnel in danger;

## Conduct of hostilities

14. *reaffirms* the principle of distinction between civilians and combatants and between civilian objects and military objectives as a cardinal principle of international humanitarian law to be strictly observed by all parties to armed conflict at all times, regardless of the motives underlying the armed conflict;
15. *reaffirms* the prohibition of attacks directed at civilians or civilian objects, the prohibition of indiscriminate attacks, the principle of proportionality in attack, the obligation to take all feasible precautions in attack as well as against the effects of attack and, to protect and spare the civilian population, and the prohibition on using human shields;
16. *reaffirms* the prohibition of acts or threats of violence, the primary purpose of which is to spread terror among the civilian population;
17. *reaffirms* that the right of the parties to an armed conflict to choose methods and means of warfare is not unlimited and that it is prohibited to employ weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering;
18. *calls* on all States to increase their efforts to strengthen the protection of civilians against the indiscriminate use and effects of weapons and munitions and *recognizes*, in this regard, the need to urgently address the humanitarian impact of explosive remnants of war and cluster munitions, including through rigorous application of existing rules of international humanitarian law and additional national and international actions that will minimize the harmful effects of these munitions on civilians and on assistance to victims;
19. *recalls* the obligation as expressed in Additional Protocol I (Art. 36) to review the legality of new weapons, means and methods of warfare and *urges* all States to consider establishing specific review mechanisms to this effect;
20. *stresses* that, in light of the obligation of States to respect and ensure respect for international humanitarian law, adequate measures to control the availability of arms and ammunition are required so that they do not end up in the hands of those who may be expected to use them in violation of international humanitarian law;

## Achieving effective implementation

### a. National implementation

21. *recalls* that the obligation to respect international humanitarian law cannot be fulfilled without domestic implementation of international obligations and therefore *reiterates* the need for States to adopt all the legislative, regulatory and practical measures that are necessary to incorporate international humanitarian law into domestic law and practice;
22. *emphasizes*, in this regard, the need to adopt such measures for the use and protection of the distinctive emblems, the repression of serious violations of international humanitarian law, the protection of cultural property, the regulation of means and methods of warfare and the protection of the rights of missing persons and their families, among others;
23. *acknowledges* with satisfaction the effective role and increasing number of national committees and other bodies involved in advising and assisting national authorities in implementing, developing and spreading knowledge of international humanitarian law, and *encourages* States which have not yet established such a national committee or similar body to consider doing so;

### b. Doctrine, training and education

24. *recalls* that, in order to ensure respect for international humanitarian law in the conduct of military operations, it is essential that the law be translated into measures and mechanisms, at the level both of doctrine and of procedures. It is equally important that armed forces personnel at all levels be properly trained in the application of international humanitarian law;
25. *stresses*, in this regard, the responsibility of military commanders for the training of their personnel and for the orders they give to their subordinates, and *recalls* that it is essential therefore that commanders receive training commensurate with their responsibility;
26. *recalls* the importance, to this end, of the availability within the armed forces of legal advisers to advise commanders, at the appropriate level, on the application of international humanitarian law;
27. *reaffirms* that it is equally important that the civilian population be educated about international humanitarian law and, in this regard, *encourages* States to intensify their efforts and, in particular, to adopt educational programmes for young people, such as the Exploring Humanitarian Law education modules, and *encourages* National Societies to increase their efforts to spread knowledge of international humanitarian law in all sectors of society;



### **c. Ending impunity**

28. *recognizes* that while implementation, training and education are prerequisites for States to comply with their obligation to respect international humanitarian law, enforcement, in particular through the rigorous application of the system of individual responsibility for serious violations of international humanitarian law, is required to put an end to impunity and to encourage future respect;
29. *stresses*, in this regard, that it is indispensable that all States create a domestic legal framework for the investigation of crimes under international law, in particular war crimes, and for the prosecution or extradition of persons suspected of having committed such crimes;
30. *underlines* the importance of visible, predictable and effective sanctions, whether penal or disciplinary, in order to ensure respect for international humanitarian law and to deter future violations;
31. *urges* States to make further progress in promoting accountability for the commission of crimes under international law by making domestic criminal justice more effective through, *inter alia*, assistance to States in developing the capacities of their domestic courts, by improving international judicial cooperation among States, as well as between States and international and “mixed” criminal courts and tribunals, by considering becoming party to the Statute of the International Criminal Court and by providing for jurisdiction over such crimes consistent with international law;
32. *encourages* the use of fact-finding mechanisms, such as the International Fact-Finding Commission established under Article 90 of Additional Protocol I, in restoring respect for international humanitarian law;
33. *invites* the ICRC, in furtherance of its previously reported efforts, to continue its reflection and work on improving compliance with international humanitarian law, and to include, where appropriate, an update in its reporting to the next International Conference on this issue;
34. *reminds* States of the need to address victims’ rights in accordance with international law;
35. *calls upon* all members of the Conference to take effective measures to implement this resolution.

## Resolution 4

# Adoption of the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance

The 30th International Conference of the Red Cross and Red Crescent, *concerned* by the serious plight of all those who urgently require emergency relief and recovery assistance in the wake of disasters;

*reaffirming* that the fundamental concern of mankind and of the international community in disaster situations is the protection and welfare of the individual and the safeguarding of basic human rights, as stated in the Declaration of Principles for International Humanitarian Relief to the Civilian Population in Disaster Situations, adopted by the 21st International Conference of the Red Cross in 1969;

*recalling* that the International Red Cross and Red Crescent Movement (Movement) considers it a fundamental right of all people both to offer and receive humanitarian assistance, as stated in the Principles and Rules of the Red Cross and Red Crescent in Disaster Relief as amended by the 26th International Conference of the Red Cross and Red Crescent in 1995;

*reiterating* that relief actions are an expression of international solidarity and that the extending of relief strengthens friendly relations among peoples and thus contributes to the consolidation of world peace, as stated in Resolution 18 of the 20th International Conference of the Red Cross in 1965;

*noting* that the United Nations General Assembly has repeatedly highlighted the importance of humanitarian assistance to persons affected by disasters, including in Resolutions 46/182 of 1991, 43/131 of 1988, and 57/150 of 2002, and that both United Nations General Assembly Resolution 32/56 of 1977 and Resolution 6 of the 23rd International Conference of the Red Cross of 1977 adopted a set of “Measures to Expedite Emergency Relief” to facilitate international relief operations;

*recalling* the commitments undertaken by the international community in the Millennium Declaration of 2000 to intensify cooperation to reduce the number and effects of natural and man-made disasters, and in the Hyogo Declaration and Framework for Action of 2005 to improve national institutional and legal frameworks and to strengthen disaster

preparedness for increased resilience and effective response to disasters at all levels;

*noting with appreciation* the practice of many States to facilitate international disaster relief and recovery assistance when needed and the increased attention and activity of the international humanitarian community to improve the coordination and effectiveness of disaster relief and recovery assistance;

*welcoming* the progress that has been made in the elaboration and operation of the International Search and Rescue Advisory Group with the support of the United Nations Office for the Coordination of Humanitarian Affairs and the pioneering efforts made by international humanitarian organizations to develop minimum quality and accountability standards and mechanisms for disaster relief and recovery assistance, such as the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief of 1994 and the Sphere Humanitarian Charter and Minimum Standards in Disaster Response as amended in 2004;

*recalling* Final Goal 2.1.1 of the 27th International Conference of the Red Cross and Red Crescent of 1999 calling upon States, where necessary, to incorporate linkages to international systems of disaster response in their national disaster-preparedness plans as well as to include clearly defined roles and responsibilities for National Red Cross and Red Crescent Societies, including representation on appropriate national policy and coordination bodies;

*recalling further* Final Goal 3.2 of the 28th International Conference of the Red Cross and Red Crescent of 2003, and its determination that improved awareness, clarification, application and development of laws, rules and principles applicable to international disaster response will assist in facilitating and improving the coordination, timeliness, quality and accountability of international disaster-response activities and can therefore make a major contribution to the protection of human dignity in situations of disasters;

*noting* the findings of the International Federation of Red Cross and Red Crescent Societies (International Federation), as expressed in the background document to the Conference (30IC/07/9.1), that the framework of international laws and standards on international disaster relief and recovery remains dispersed and under-utilized, that there is often a lack of harmonization between national law and international standards, and that legal barriers to effective international disaster relief and recovery assistance still persist;

*recognizing* that the increasing breadth and diversity of international actors involved in disaster relief and recovery has brought important opportunities but also some challenges to assisting persons in need effectively and ensuring the complementarity of international disaster relief and recovery assistance with domestic response efforts and mechanisms;

*recognizing* the sovereign right of affected States to seek, accept, coordinate, regulate and monitor disaster relief and recovery assistance provided by assisting actors in their territory;

*considering* the crucial role of domestic law and policy in this respect, which should be further developed consistent with relevant norms and principles of international law;

1. *adopts* the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance;
2. *encourages* States to make use of the Guidelines to strengthen their national legal, policy and institutional frameworks as well as when developing, if appropriate, bilateral and regional disaster-assistance agreements, understanding that the Guidelines do not constitute binding legal obligations;
3. *emphasizes* that, with regard to Red Cross and Red Crescent disaster relief and recovery activities, the Guidelines will be read consistent with the established rules, principles and practices of the Movement, including the Statutes of the Movement as amended in 1995 and 2006, the Principles and Rules for Red Cross and Red Crescent Disaster Relief as amended in 1995, the Seville Agreement on the Organization of the International Activities of the Components of the International Red Cross and Red Crescent Movement of 1997, and the Supplementary Measures to Enhance the Implementation of the Seville Agreement of 2005, and will not affect any existing legal arrangements between the individual components of the Movement and concerned States;
4. *invites* States, the International Federation and National Societies to bring these Guidelines to the attention of international and regional inter-governmental and non-governmental organizations concerned with disaster relief and recovery assistance;
5. *invites* the International Federation and National Societies, in close collaboration with the United Nations as well as other relevant international and regional organizations, to:
  - i. disseminate and support the use of the Guidelines in strengthening national legal, policy and institutional frameworks for disaster response;

- ii. promote the mainstreaming of the Guidelines in all relevant existing legal-development, disaster management and risk reduction initiatives, particularly the strengthened International Strategy for Disaster Reduction (ISDR) system and its regional platforms for disaster risk reduction; and
  - iii. continue their research and advocacy efforts, and the development of tools and models for the improvement of legal preparedness for disasters;
6. *invites* the International Federation, in consultation with National Societies, to submit a progress report on the implementation of this resolution to the 31st International Conference of the Red Cross and Red Crescent.

## Annex - Resolution 4

# Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance

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## Introduction

### 1. Purpose and scope

1. These Guidelines are non-binding. While it is hoped that States will make use of them to strengthen their laws, policies and/or procedures related to international disaster response, as appropriate, the Guidelines do not have a direct effect on any existing rights or obligations under domestic law.
2. They draw from many existing international instruments, including United Nations General Assembly Resolutions 46/182 of 1991 and 57/150 of 2002, the Measures to Expedite International Relief of 1977 and the Hyogo Framework for Action of 2005.
3. Their purpose is to contribute to national legal preparedness by providing guidance to States interested in improving their domestic legal, policy and institutional frameworks concerning international disaster relief and initial recovery assistance. While affirming the principal role of domestic authorities and actors, they recommend minimum legal facilities to be provided to assisting States and to assisting humanitarian organizations that are willing and able to comply with minimum standards of coordination, quality and accountability. It is hoped that the use of these Guidelines will enhance the quality and efficiency of international disaster relief and initial recovery assistance in order to better serve disaster-affected communities.
4. These Guidelines are not intended to apply to situations of armed conflict or to disasters that occur during armed conflicts, or to imply changes in any rules governing relief in those contexts. They are also not intended to recommend any changes to, or affect the meaning or implementation of, any existing international law or agreements, including but not limited to:
  - a. International humanitarian, human rights and refugee law;
  - b. The legal personality and status of States, inter-governmental organizations, the International Federation of Red Cross and Red Crescent Societies (International Federation) and the International Committee of the Red Cross (ICRC);
  - c. International law related to privileges and immunities;
  - d. The Statutes and regulations of the International Red Cross and Red Crescent Movement (Movement) and existing legal arrangements between the individual components of the Movement and States; and
  - e. Existing agreements between States or between States and assisting actors.

## 2. Definitions

For the purposes of these Guidelines,

1. **“Disaster”** means a serious disruption of the functioning of society, which poses a significant, widespread threat to human life, health, property or the environment, whether arising from accident, nature or human activity, whether developing suddenly or as the result of long-term processes, but excluding armed conflict.
2. **“Disaster relief”** means goods and services provided to meet the immediate needs of disaster-affected communities.
3. **“Initial recovery assistance”** means goods and services intended to restore or improve the pre-disaster living conditions of disaster-affected communities, including initiatives to increase resilience and reduce risk, provided for an initial period of time, as determined by the affected State, after the immediate needs of disaster-affected communities have been met.
4. **“Goods”** means the supplies intended to be provided to disaster-affected communities for their relief or initial recovery.
5. **“Services”** means activities (such as rescue and medical care) undertaken by disaster-relief and initial-recovery personnel to assist disaster-affected communities.
6. **“Equipment”** means physical items, other than goods, that are necessary for disaster relief or initial recovery assistance, such as vehicles and radios.
7. **“Personnel”** means the staff and volunteers providing disaster relief or initial recovery assistance.
8. **“Affected State”** means the State upon whose territory persons or property are affected by a disaster.
9. **“Assisting State”** means a State providing disaster relief or initial recovery assistance, whether through civil or military components.
10. **“Originating State”** means the State from which disaster relief and initial recovery personnel, goods and equipment begin travel to the affected State.
11. **“Transit State”** means the State through whose territorial jurisdiction disaster relief or initial recovery assistance has received permission to pass on its way to or from the affected State in connection with disaster relief or initial recovery assistance.
12. **“Assisting humanitarian organization”** means a foreign, regional, inter-governmental or international non-profit entity whose mandate and activities are primarily focused on humanitarian relief, recovery or development.
13. **“Eligible assisting humanitarian organization”** means an assisting humanitarian organization determined to be eligible to receive legal



facilities pursuant to Part V by the originating, transit or affected State, as applicable.

14. **“Assisting actor”** means any assisting humanitarian organization, assisting State, foreign individual, foreign private company providing charitable relief or other foreign entity responding to a disaster on the territory of the affected State or sending in-kind or cash donations.

## **Part I: Core responsibilities**

### **3. Responsibilities of affected States**

1. Affected States have the primary responsibility to ensure disaster risk reduction, relief and recovery assistance in their territory. National Red Cross and Red Crescent Societies, as auxiliaries to the public authorities in the humanitarian field, and domestic civil society actors play a key supporting role at the domestic level.
2. If an affected State determines that a disaster situation exceeds national coping capacities, it should seek international and/or regional assistance to address the needs of affected persons.
3. Affected States have the sovereign right to coordinate, regulate and monitor disaster relief and recovery assistance provided by assisting actors on their territory, consistent with international law.

### **4. Responsibilities of assisting actors**

1. Assisting actors and their personnel should abide by the laws of the affected State and applicable international law, coordinate with domestic authorities, and respect the human dignity of disaster-affected persons at all times.
2. Assisting actors should ensure that their disaster relief and initial recovery assistance are provided in accordance with the principles of humanity, neutrality and impartiality, and in particular that:
  - a. Aid priorities are calculated on the basis of need alone;
  - b. It is provided without any adverse distinction (such as in regards to nationality, race, ethnicity, religious beliefs, class, gender, disability, age and political opinions) to disaster-affected persons;
  - c. It is provided without seeking to further a particular political or religious standpoint, intervene in the internal affairs of the affected State, or obtain commercial gain from charitable assistance;
  - d. It is not used as a means to gather sensitive information of a political, economic or military nature that is irrelevant to disaster relief or initial recovery assistance.

3. To the greatest extent practicable, their disaster relief and initial recovery assistance should also be:
  - a. Responsive to the special needs, if any, of women and particularly vulnerable groups, which may include children, displaced persons, the elderly, persons with disabilities, and persons living with HIV and other debilitating illnesses;
  - b. Adequate for the needs of affected persons and consistent with any applicable international standards of quality;
  - c. Coordinated with other relevant domestic and assisting actors;
  - d. Provided and conducted in a manner that is sensitive to cultural, social and religious customs and traditions;
  - e. Carried out with adequate involvement of affected persons, including women, youth and the elderly, in their design, implementation, monitoring and evaluation;
  - f. Provided by competent and adequately trained personnel;
  - g. Commensurate with their organizational capacities;
  - h. Built upon and conducted in a manner that strengthens local disaster risk reduction, relief and recovery capacities and reduces future vulnerabilities to disasters;
  - i. Carried out so as to minimize negative impacts on the local community, economy, job markets, development objectives and the environment; and
  - j. Provided in a transparent manner, sharing appropriate information on activities and funding.

#### **5. Additional responsibilities of all States**

1. States providing funding to other assisting actors should encourage them to act in a manner consistent with the provisions of paragraph 4.
2. All States should actively encourage members of the public interested in contributing to international disaster relief or initial recovery to make financial donations where possible or otherwise donate only those types of relief goods expressly requested by the affected State.

#### **6. Responsibilities concerning diversion and the intended use of resources**

1. States and assisting humanitarian organizations should cooperate to prevent unlawful diversion, misappropriation, or fraud concerning disaster relief or initial recovery goods, equipment or resources and initiate proceedings as appropriate.
2. Affected States should use funds and relief goods donated to them, and which they have accepted in relation to a disaster, in a manner consistent with the expressed intent with which they were given.

## **Part II: Early warning and preparedness**

### **7. Early warning**

1. In order to minimize transboundary impacts and maximize the effectiveness of any international assistance that might be required, all States should have procedures in place to facilitate the expeditious sharing of information about disasters, including emerging hazards that are likely to cause disasters, with other States and assisting humanitarian organizations as appropriate, including the United Nations Emergency Relief Coordinator.

### **8. Legal, policy and institutional frameworks**

1. As an essential element of a larger disaster risk reduction programme, States should adopt comprehensive legal, policy, and institutional frameworks and planning for disaster prevention, mitigation, preparedness, relief and recovery which take full account of the auxiliary role of their National Red Cross or Red Crescent Society, are inclusive of domestic civil society, and empower communities to enhance their own safety and resilience. States, with the support, as appropriate, of relevant regional and international organizations, should devote adequate resources to ensure the effectiveness of these frameworks.
2. These frameworks should also adequately address the initiation, facilitation, transit and regulation of international disaster relief and initial recovery assistance consistent with these Guidelines. They should allow for effective coordination of international disaster relief and initial recovery assistance, taking into account the role of the United Nations Emergency Relief Coordinator as central focal point with States and assisting humanitarian organizations concerning United Nations emergency relief operations. They should also clearly designate domestic governmental entities with responsibility and authority in these areas. Consideration should be given to establishing a national focal point to liaise between international and government actors at all levels.
3. Where necessary and appropriate, national governments should encourage other domestic actors with authority over areas of law or policy pertinent to international disaster relief or initial recovery assistance, such as provincial or local governments and private regulatory bodies, to take the necessary steps at their level to implement the Guidelines.

### **9. Regional and international support for domestic capacity**

1. With a view to increasing resilience and reducing the need for international disaster relief and initial recovery assistance, the international community, including donors, regional and other relevant actors, should support developing States, domestic civil society actors and National Red Cross and

Red Crescent Societies to build their capacities to prevent, mitigate, prepare for and respond to disasters domestically.

2. The international community should also support developing States to build their capacity to adequately implement legal, policy and institutional frameworks to facilitate international relief and initial recovery assistance. This support should be provided to States in a coordinated manner by the relevant actors.

## **Part III: Initiation and termination of international disaster relief and initial recovery assistance**

### **10. Initiation**

1. Disaster relief or initial recovery assistance should be initiated only with the consent of the affected State and, in principle, on the basis of an appeal. The affected State should decide in a timely manner whether or not to request disaster relief or initial recovery assistance and communicate its decision promptly. In order to make this decision, the affected State should promptly assess needs. Consideration should be given to undertaking joint needs assessments with the United Nations and other assisting humanitarian organizations.
2. Requests and offers for assistance should be as specific as possible as to the types and amounts of goods as well as the services and expertise available or required, respectively. Affected States may also wish to indicate particular types of goods and services likely to be offered that are not needed.
3. Affected States should make available to assisting actors adequate information about domestic laws and regulations of particular relevance to the entry and operation of disaster relief or initial recovery assistance.

### **11. Initiation of military relief**

Military assets should be deployed for disaster relief or initial recovery assistance only at the request or with the express consent of the affected State, after comparable civilian alternatives have been considered. Prior to any such deployment, terms and conditions (including such issues as the duration of deployment, whether they must be unarmed or may be armed, the use of their national uniforms, and mechanisms for cooperation with civilian actors) are to be agreed by the affected and assisting States.

### **12. Termination**

When an affected State or an assisting actor wishes to terminate disaster relief or initial recovery assistance, it should provide appropriate

notification. Upon such notification, the affected State and the assisting actor should consult with each other, bearing in mind the impact of such termination on disaster affected communities.

## **Part IV: Eligibility for legal facilities**

### **13. Facilities for assisting States**

It is recommended that transit and affected States grant, at a minimum, the legal facilities described in Part V to assisting States with respect to their disaster relief or initial recovery assistance.

### **14. Facilities for assisting humanitarian organizations**

1. Subject to existing international law, it is the prerogative of originating, transit and affected States to determine which assisting humanitarian organizations will be eligible to receive the legal facilities described in Part V with respect to their disaster relief or initial recovery assistance.
2. It is recommended that States establish criteria for assisting humanitarian organizations seeking eligibility for legal facilities. These criteria should include a showing by the organization of its willingness and capacity to act in accordance with the responsibilities described in paragraph 4 of these Guidelines.
3. Any additional requirements imposed on assisting humanitarian organizations should not unduly burden the provision of appropriate disaster relief and initial recovery assistance.
4. Determination of eligibility by the State granting the facilities should be possible in advance of a disaster, or as soon as possible after its onset. Applicable procedures and mechanisms should be as simple and expeditious as possible. They should be clearly described and information about them should be made freely available. They might include the use of a national roster, bilateral agreements or reliance upon international or regional systems of accreditation, if available.
5. Retention of the legal facilities in Part V should be made dependent on ongoing compliance with the provisions of subsection 2 of this paragraph. However, entitlement to legal facilities should not be changed arbitrarily, retroactively or without notice appropriate to the circumstances.

### **15. Facilities for other assisting actors**

Affected States may also wish to extend, upon request, some of the legal facilities in Part V to assisting actors other than those covered by paragraphs 13 and 14, such as private companies providing charitable

relief, provided this does not negatively affect operations of assisting humanitarian organizations or assisting States. Any actor receiving such facilities should be required to abide, at a minimum, by the same conditions described in paragraph 14.

## **Part V: Legal facilities for entry and operations**

*It is recommended that States provide the legal facilities described in paragraphs 16-24 to assisting States and eligible assisting humanitarian organizations. It is understood that the granting of these facilities will be subject to the interests of national security, public order, public and environmental health, and public morals of the concerned affected, originating and transit States. Measures to protect such interests should be tailored to the exigencies of the specific disaster and be consistent with the humanitarian imperative of addressing the needs of affected communities.*

*Where specific facilities recommended here are within the competence of authorities other than the national government, the national government should, where possible and appropriate, encourage those authorities to provide the relevant facilities to assisting States and eligible assisting humanitarian organizations.*

### **16. Personnel**

1. With regard to disaster relief and initial recovery personnel of assisting States and eligible assisting humanitarian organizations, affected States should:
  - a. Grant visas and any necessary work permits, ideally without cost, renewable within their territory, for the time necessary to carry out disaster relief or initial recovery activities;
  - b. In disaster relief operations, waive or significantly expedite the provision of such visas and work permits;
  - c. Establish expedited procedures for temporary recognition of professional qualifications of foreign medical personnel, architects, and engineers, driving licences and other types of licence and certificate that are necessary for the performance of disaster relief or initial recovery functions and that have been certified as genuine by the concerned assisting State or eligible assisting humanitarian organization, for the time necessary to carry out disaster relief or initial recovery activities;
  - d. Facilitate freedom of access to and freedom of movement in and from the disaster affected area, bearing in mind the safety of disaster relief and initial recovery personnel.

2. Upon request, originating and transit States should likewise waive or promptly issue, ideally without cost, exit or transit visas, as appropriate, for the disaster relief and initial recovery personnel of eligible assisting humanitarian organizations.
3. Assisting States and eligible assisting humanitarian organizations should consider to what degree disaster relief and initial recovery objectives can be met through hiring local staff.

## **17. Goods and equipment**

1. With regard to disaster relief and initial recovery goods and equipment exported or imported by, or on behalf of, assisting States and eligible assisting humanitarian organizations, originating, transit and affected States should:
  - a. Exempt them from all customs duties, taxes, tariffs and governmental fees;
  - b. Exempt them from all export, transit, and import restrictions;
  - c. Simplify and minimize documentation requirements for export, transit and import;
  - d. Permit re-exportation of any equipment or unused goods which the assisting State or assisting humanitarian organization owns and wishes to retain.
2. With regard to disaster relief goods and equipment only, originating, transit and affected States should additionally:
  - a. Waive or reduce inspection requirements; where waiver is not possible, clear relief goods and equipment rapidly and as a matter of priority, through a pre-clearance process where feasible; and
  - b. Arrange for inspection and release outside business hours and/or at a place other than a customs office, as necessary, to minimize delay, in accordance with the safety regulations of the affected State. Assisting States and eligible assisting humanitarian organizations should respect any routes and delivery points prescribed by the affected State.
3. In order to benefit from the above facilities, assisting States and assisting humanitarian organizations should, in accordance with agreed international standards, appropriately pack, classify and mark disaster relief and initial recovery goods and equipment, and include detailed manifests with each shipment. They should additionally inspect all such goods and equipment to ensure their quality, appropriateness for the needs in the affected State, and conformity with the national law of the affected State and international standards.
4. Assisting States and eligible assisting humanitarian organizations should assume responsibility for removing or disposing of any unwanted and unused disaster relief and initial recovery goods, particularly if they may pose a threat to human health or safety, or to the environment.

## 18. Special goods and equipment

In addition to the facilities described in paragraph 17:

1. Affected States should grant temporary recognition to foreign registration and plates with regard to vehicles imported by assisting States and eligible assisting humanitarian organizations or on their behalf in disaster relief and initial recovery assistance.
2. Affected States should waive or expedite the granting of any applicable licences and reduce any other barriers to the use, import or export of telecommunications and information technology equipment by assisting States and assisting humanitarian organizations, or on their behalf, in disaster relief and initial recovery assistance. Without discrimination against or negative impact to domestic relief actors, affected States should also grant (or, where appropriate, encourage other domestic actors to grant) assisting States and eligible assisting humanitarian organizations priority access to bandwidth, frequencies and satellite use for telecommunications and data transfer associated with disaster relief operations.
3. Originating, transit and affected States should reduce legal and administrative barriers to the exportation, transit, importation and re-exportation of medications and medical equipment by assisting States and eligible assisting humanitarian organizations, or on their behalf, in disaster relief and initial recovery assistance, to the extent consistent with public safety and international law. Assisting States and eligible assisting humanitarian organizations should take all reasonable steps to ensure the quality, appropriateness and safety of any such medications and equipment and in particular:
  - a. Any medications they import should be approved for use in the originating and affected States;
  - b. Medications they use in their own operations should be:
    - i. transported and maintained in appropriate conditions to ensure their quality and;
    - ii. guarded against misappropriation and abuse.
  - c. Any medications they donate for use by others in the affected State should be:
    - i. at least 12 months from their expiry date upon arrival, unless otherwise agreed by the receiving authorities;
    - ii. transported and maintained in appropriate conditions to ensure their quality until they reach the affected State; and
    - iii. appropriately labelled in a language understood in the affected State with the International Nonproprietary Name or generic name,



batch number, dosage form, strength, name of manufacturer, quantity in the container, storage conditions and expiry date.

4. Originating, transit and affected States should consider whether normal requirements regarding fumigation and prohibitions and restrictions on food imports and exports by assisting States and eligible assisting humanitarian organizations in disaster relief operations can be modified or reduced.

## **19. Transport**

1. Originating, transit and affected States should grant, without undue delay, permission for the speedy passage of land, marine and air vehicles operated by an assisting State or eligible assisting humanitarian organization, or on its behalf, for the purpose of transporting disaster relief or initial recovery assistance and, ideally, waive applicable fees.
2. In particular, permission should be granted for overflight, landing and departure of aircraft. Such aircraft should also be authorized to operate within the territory of the affected State as required for the delivery of assistance.
3. Any applicable exit, transit and entry visas for the operating personnel of such transport vehicles should be promptly issued.

## **20. Temporary domestic legal status**

1. Affected States should grant relevant entities of assisting States and eligible assisting humanitarian organizations, upon entry or as soon as possible thereafter, at least a temporary authorization to legally operate on their territory so as to enjoy the rights, *inter alia*, to open bank accounts, enter into contracts and leases, acquire and dispose of property and instigate legal proceedings, for the purpose of providing disaster relief and initial recovery assistance.
2. Assisting States and eligible assisting humanitarian organizations should also be granted the right to freely bring the necessary funds and currencies in or out of the country through legal means and to obtain legal exchange rates in connection with their disaster relief or initial recovery assistance.
3. Affected States should allow assisting States and eligible assisting humanitarian organizations to legally hire and terminate the contracts of local personnel.

## **21. Taxation**

Affected States should provide exemptions to assisting States and eligible assisting humanitarian organizations from value-added and other taxes or duties directly associated with disaster relief and initial recovery assistance.

## **22. Security**

Affected States should take appropriate measures to address the safety and security of disaster relief and initial recovery personnel of assisting States and eligible assisting humanitarian organizations and of the premises, facilities, means of transport, equipment and goods used in connection with their disaster relief or initial recovery assistance. Assisting States and assisting humanitarian organizations should also take appropriate steps in their own planning and operations to mitigate security risks.

## **23. Extended hours**

Affected States should endeavour to ensure, when necessary, that State-operated offices and services essential to the timely delivery of international disaster relief function outside of normal business hours.

## **24. Costs**

1. The costs of providing international disaster relief or initial recovery assistance pursuant to these Guidelines should normally be borne by the assisting State or assisting humanitarian organization. However, assisting States may agree in advance with the affected State for the reimbursement of certain costs and fees, or for the temporary loan of equipment.
2. Affected States should consider, when it is in their power and to the extent possible under the circumstances, providing certain services at reduced or no cost to assisting States and eligible assisting humanitarian organizations, which may include:
  - a. In-country transport, including by national airlines;
  - b. Use of buildings and land for office and warehouse space; and
  - c. Use of cargo handling equipment and logistic support.

## Resolution 5

### Follow-up to the implementation of the Memorandum of Understanding of 28 November 2005 between the Palestine Red Crescent Society and the Magen David Adom in Israel

The 30th International Conference of the Red Cross and Red Crescent,

*recalling* the Memorandum of Understanding (MOU) and its associated Agreement on Operational Arrangements (AOA) signed by the Palestine Red Crescent Society (PRCS) and the Magen David Adom in Israel (MDA) on 28 November 2005;

*noting with concern* the report on the implementation of the MOU presented to the Council of Delegates on 24 November 2007 by Mr Pär Stenbäck, the independent monitor appointed by the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation) at the request of the signatories of the MOU;

1. *endorses* Resolution 2 adopted by the Council of Delegates on 24 November 2007 concerning the implementation of the MOU and the AOA between the PRCS and the MDA, and *expresses its full support* for the steps called for therein;
2. *supports* the efforts by the International Red Cross and Red Crescent Movement (Movement) to strengthen monitoring, and in this regard:
  - Requests the ICRC and the International Federation to appoint an independent monitor, after seeking the views of the two National Societies, who shall enjoy the institutional backing and support of the Movement;
  - Invites interested National Societies to support the work of the independent monitor in appropriate ways upon his request;
3. *encourages* the MDA and the PRCS to enhance their cooperation to achieve full implementation of the MOU consistent with the Statutes and all applicable rules and principles of the Movement;
4. *calls on* all authorities concerned to support the full implementation of the MOU;
5. *calls upon* the independent monitor to report to the International Federation and the ICRC, for appropriate follow up, on the following two topics:

- Progress towards the full implementation of the MOU, and
  - Steps taken to support and strengthen the monitoring of the implementation of the MOU, as well as to support cooperation between the two National Societies, by 31 May 2008;
6. *decides* to include the progress reports referred to above on the agenda of the 31st International Conference of the Red Cross and Red Crescent.

## Resolution 6

### Date and place of an International Conference of the Red Cross and Red Crescent in 2011

The 30th International Conference of the Red Cross and the Red Crescent,

*decides* to hold an International Conference in 2011, the date and place of which is to be determined by the Standing Commission of the Red Cross and Red Crescent.

# Components of the International Red Cross and Red Crescent Movement



**The International Committee of the Red Cross (ICRC)** is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the International Red Cross and Red Crescent Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the Movement.



**National Red Cross and Red Crescent Societies** embody the work and principles of the Movement in 186 countries. National Societies act as auxiliaries to the public authorities of their own countries in the humanitarian field and provide a range of services including disaster relief, health and social programmes. During wartime, National Societies assist the affected civilian population and support the army medical services where appropriate.



**The International Federation of Red Cross and Red Crescent Societies** works on the basis of the Principles of the Movement to inspire, facilitate and promote all humanitarian activities carried out by its member National Societies to improve the situation of the most vulnerable people. Founded in 1919, the Federation directs and coordinates the Movement's international assistance to victims of natural and technological disasters, to refugees and in health emergencies. It acts as the official representative of its member Societies in the international field. It promotes cooperation between National Societies and works to strengthen their capacity to carry out effective disaster-preparedness, health and social programmes.

## Universal statutory bodies of the Movement

**The International Conference of the Red Cross and Red Crescent** is the supreme deliberative body for the Movement and is one of the most important humanitarian forums in the world. It brings together the components of the Movement and the **194 States party to the Geneva Conventions** to examine and decide upon humanitarian matters of common interest and any other related matter. It meets about every four years.

**The Council of Delegates of the Movement** constitutes the assembly of the representatives of the ICRC, the International Federation and the National Red Cross and Red Crescent Societies. It meets every two years to discuss and take decisions on all matters which concern the Movement as a whole, such as joint strategies, policies and positions in the humanitarian field.

The International Conference and the Council foster unity within the Movement and help it carry out its mission in full accordance with its Fundamental Principles.



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## The Fundamental Principles of the International Red Cross and Red Crescent Movement

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### Humanity

The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples.

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### Impartiality

It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

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### Neutrality

In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

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### Independence

The Movement is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

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### Voluntary service

It is a voluntary relief movement not prompted in any manner by desire for gain.

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### Unity

There can be only one Red Cross or one Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

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### Universality

The International Red Cross and Red Crescent Movement, in which all Societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.