

## **NATIONAL RED CROSS AND RED CRESCENT SOCIETIES AS AUXILIARIES TO THE PUBLIC AUTHORITIES IN THE HUMANITARIAN FIELD: CONCLUSIONS FROM THE STUDY UNDERTAKEN BY THE INTERNATIONAL FEDERATION OF RED CROSS AND RED CRESCENT SOCIETIES**

The study on the auxiliary role of National Societies in the humanitarian field is in follow-up by the International Federation of Red Cross and Red Crescent Societies to the Plan of Action of the 27th International Conference of the Red Cross and Red Crescent (Geneva, 1999) and the Strategy for the Movement adopted by the Council of Delegates in 2001.

The Plan of Action, (final goal 3.3, Action 15) called for:

"an in-depth study into the working relationship between States and National Societies, taking into account the changing needs in the humanitarian, health and social fields, the auxiliary role of National Societies and the evolving role of the State, the private sector and voluntary organizations in service provision".

The study:

- > analyzes how the environment for humanitarian action, on the one hand, and the concept of auxiliary status on the other hand, have evolved over the years;
- > reviews several aspects of the relationship between Red Cross and Red Crescent National Societies and States, in particular the interactions related to the *functioning* of the National Society and those related to the *activities* of the National Society;
- > examines how a number of existing texts, including the Statutes of the Movement, Geneva Conventions and various texts adopted by the relevant bodies of the Movement and the Federation, affect the relationship between States and National Societies;
- > aims at better defining the concept of auxiliary to the public authorities in the humanitarian field, because, over the years, the initial scope of the concept (related to the relief to wounded and sick soldiers on the battlefield) has blurred, thus affecting the universality of the concept;
- provides practical guidance to National Societies and States in order to help ensure their mutually beneficial relations.

The conclusions of the study, reproduced below, constitute an official document submitted to the 28th International Conference of the Red Cross and Red Crescent. The complete study, will be available from the International Federation, at the Conference.

- Cooperation in respect of other tasks related to international humanitarian law where both the State and the National Society are involved, such as tracing services;
- Consultation of the National Society on major humanitarian issues;
- Participation of the National Society in the health and social sector and in actions of relief and disaster preparedness. This involves not only the National Society's own service delivery action but also its contribution on the basis of its experience, and the policy of the International Federation, to governmental policy making in these sectors;
- Cooperation respecting the distinct role of the Red Cross/Red Crescent in international operations. Such operations include response to the needs of conflict and disaster victims, and building the capacity of National Societies in other countries to respond to needs in the health and social sectors.
- Utilization of the Capacity of the National Society in the fields in which it is competent, and of its ability to act as a link between the organizations of civil society and the State (including, where necessary, the armed forces);
- Support from the National Society to the humanitarian activities of the State, including acceptance of appropriate mandates.

At all levels, the representatives of the State and the National Society understand the importance of the Fundamental Principles and ensure that the work of the National Society is guided by the Fundamental Principles'. In particular:

- The benchmark against which the status of auxiliary to the public authorities should be evaluated is above all whether or not a National Society can act in conformity with the Principle of Humanity, that of Impartiality (guided solely by needs and absence of discrimination) and the objective of the Principle of Neutrality ("to enjoy the confidence of all");
- The State and the National Society ensure the long-term interests of a National Society that is sufficiently independent and acts in conformity with the Fundamental Principles, in all circumstances, including in times of internal strife or non international armed conflicts;
- The State and the National Society seek to maintain the best possible image of the National Society, by showing that its action is in conformity with the Fundamental Principles and is perceived as such;
- The involvement of State representatives in the decision-making process of the National Society is designed in such a way that the autonomy of the National Society is maintained, taking into account the "Guidance for National Society Statutes"<sup>2</sup>;
- The States does not interfere in the functioning of the National Society, the selection of its activities (including the selection of beneficiaries, the scope of programmes and services and the choice of operational partners), the appointment of its leaders and amendments to its legal texts;

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<sup>2</sup> Statutes of the International Red Cross and Red Crescent Movement, adopted by the 25th International Conference of the Red Cross and Red Crescent, 1986, Preamble (<http://www.icrc.org/Webeng/siteeng0.nsf/html/movement>).

Adopted by the Governing Board (May 2000) on a mandate from the General Assembly (1999) ([www.ifrc.org](http://www.ifrc.org)).

- The State and the National Society use the "Characteristics of a Well-Functioning National Society"<sup>5</sup> and "Guidance for National Society Statutes" to facilitate changes in the legal status of the National Society, its structure and its rules of functioning. In this context, public authorities take into account the comments that the ICRC and the Federation may formulate in respect of National Society's statutes;
- The inclusion of the Statutes of the National Society in the national legislation is avoided, in order to facilitate the modification of the Statutes, if necessary, at the Society's own initiative;
- The State and the National Society cooperate in order to promote and guarantee the specific nature of the National Society, both in the context of international organizations as well as in the development and implementation of international law;
- Mechanisms for dialogue and safeguards are established for all forms of State — National Society cooperation. This includes National Society contribution to governmental policy making in the fields of disaster management, health and social services. The roles and responsibilities are established in general and for each operation or programme, preferably by agreement between both parties.

Should the integrity of the National Society be in jeopardy, the International Federation and the ICRC may provide advice or assistance to the National Society according to the Movement's Statutes, and the Federation's policies and procedures. The State should recognise and support this internal consultation and support process within the Movement. In cases where the State is concerned by an issue of National Society integrity it should first consult the National Society leaders and then as appropriate the Federation and/or ICRC. Any action by government in such cases should not adversely affect the National Society's ability to respect the Fundamental Principles.

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<sup>5</sup> Welcomed by the General Assembly (1995), decision 30, as an important institutional development tool ([www.ifrc.org](http://www.ifrc.org))