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32IC/15/R8
Original: English
Adopted

**32nd INTERNATIONAL CONFERENCE
OF THE RED CROSS AND RED CRESCENT**

Geneva, Switzerland
10 December 2015

**Implementation of the
Memorandum of Understanding and Agreement on Operational
Arrangements dated 28 November 2005 between the Palestine Red
Crescent Society and
Magen David Adom in Israel**

Resolution

RESOLUTION

Implementation of the Memorandum of Understanding and Agreement on Operational Arrangements dated 28 November 2005 between the Palestine Red Crescent Society and Magen David Adom in Israel

The 32nd International Conference of the Red Cross and Red Crescent,

1. *notes* the adoption of Resolution 10 of the Council of Delegates on 7 December 2015 on the implementation of the Memorandum of Understanding and Agreement on Operational Arrangements dated 28 November 2005 between the Palestine Red Crescent Society and Magen David Adom in Israel (see annex for the text of the Resolution);
2. *endorses* this Resolution.

ANNEX CD/15/R10**RESOLUTION****Implementation of the Memorandum of Understanding and Agreement on Operational Arrangements dated 28 November 2005 between the Palestine Red Crescent Society and Magen David Adom in Israel**

The Council of Delegates,

recalling the Memorandum of Understanding (MoU) signed by the Palestine Red Crescent Society (PRCS) and Magen David Adom in Israel (MDA) on 28 November 2005, in particular the following provisions:

1. MDA and PRCS will operate in conformity with the legal framework applicable to the Palestinian territory occupied by Israel in 1967, including the Fourth Geneva Convention of 1949 on the Protection of Civilians in Time of War.

2. MDA and PRCS recognize that PRCS is the authorized National Society in the Palestinian territory and that this territory is within the geographical scope of the operational activities and of the competences of PRCS. MDA and PRCS will respect each other's jurisdiction and will operate in accordance with the Statutes and Rules of the Movement.

3. After the Third Additional Protocol is adopted and by the time MDA is admitted by the General Assembly of the International Federation of Red Cross and Red Crescent Societies:

a. MDA will ensure that it has no chapters outside the internationally recognized borders of the State of Israel.

b. Operational activities of one society within the jurisdiction of the other society will be conducted in accordance with the consent provision of resolution 11 of the 1921 international conference.

(...)

4. MDA and PRCS will work together and separately within their jurisdictions to end any misuse of the emblem and will work with their respective authorities to ensure respect for their humanitarian mandate and for international humanitarian law.

(...)

6. MDA and PRCS will cooperate in the implementation of this Memorandum of Understanding (...).

taking note of the report of November 2015 on the implementation of the MoU prepared by the Standing Commission of the Red Cross and Red Crescent (Standing Commission),

recalling Resolution 5 adopted by the Council of Delegates on 17 November 2013 concerning the implementation of the MoU and AOA between MDA and the PRCS,

reaffirming the importance for all of the components of the International Red Cross and Red Crescent Movement (Movement) to operate at all times in accordance with international

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humanitarian law as well as the Fundamental Principles, the Statutes and the rules and policies of the Movement,

noting that National Societies have an obligation to operate in compliance with the Constitution of the International Federation of Red Cross and Red Crescent Societies (International Federation) and the existing policy “on the protection of integrity of National Societies and bodies of the International Federation” adopted in November 2009,

recalling both the dispute resolution mechanism set out in Resolution 11 of the 1921 International Conference as well as by the Compliance and Mediation Committee of the International Federation, and recognizing the rights of National Societies thereunder,

while noting the humanitarian and political environment, *expresses* disappointment that after 10 years the MoU is not yet fully implemented and *reaffirms* our collective determination to support its full implementation,

taking note of the letter of 15 November 2015 from the Ministry of Foreign Affairs of the State of Israel in which the Israeli Government stated that “it is ready to support the MDA to ensure the full implementation of its commitments [under the MoU],”

reaffirming the necessity for effective and positive coordination between all components of the Movement in support of the full implementation of the MoU between the PRCS and MDA,

1. *while noting* with full appreciation the progress made and acknowledging the steps taken by both the PRCS and MDA over the last decade to fulfil the MoU/AOA, *notes* however and with deep regret the Standing Commission’s conclusion “that no additional steps since 2013 have been reported as having been taken in regard to the geographical scope provisions of the MoU”;
2. *strongly urges* MDA to comply with its obligations with respect to the geographic scope provisions of the MoU and take appropriate actions to end non-compliance;
3. *requests* MDA and other concerned parties, in Israel and beyond, to undertake further concrete measures to stop misuse of the MDA logo in the territory considered within the geographic scope of the PRCS;
4. *calls on* the State of Israel to continue to support MDA to ensure the full implementation of its commitments under the MoU;
5. *requests* the International Committee of the Red Cross (ICRC) and the International Federation to facilitate the full implementation of the MoU by proposing, for endorsement by the Standing Commission, the appointment of an independent monitor by 31 March 2016;
6. *urges* the ICRC and the International Federation to define the terms of reference for the monitoring process within 45 days of the adoption of this resolution, to include, but not be limited to, the following main functions:
 - a) undertake regular monitoring and report twice annually to the Movement and to the 2017 Council of Delegates;
 - b) validate the information provided by the two National Societies regarding the implementation of the MoU;
 - c) explore constructive options within the Movement to address issues identified in the reports;

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7. *recognizes* that the independent monitor may wish to call upon assistance from National Societies and eminent individuals from within or outside the Movement to reach full implementation of the MoU;
8. *urges* MDA and the PRCS to enhance their cooperation in fulfilling their humanitarian mandates and commitments, including through regular meetings;
9. *requests* the ICRC and the International Federation to provide logistical and technical support to the monitoring process and to ensure the provision of a report on implementation of the MoU to the next Council of Delegates and through it to the 33rd International Conference;
10. *expresses* the sincere desire that full implementation of the MoU will be achieved and validated prior to the 2017 Council of Delegates.