

Power of humanity

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

8 December 2019, Geneva



EN

CD/19/XX

Original: English

For information

**COUNCIL OF DELEGATES
OF THE INTERNATIONAL RED CROSS
AND RED CRESCENT MOVEMENT**

Geneva, Switzerland

8 December 2019

**Restoring Family Links: Strategy for the International Red Cross
and Red Crescent Movement 2020–2025**

Background document

Document prepared by

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of the RFL Strategy Implementation Group (24 National Societies and the International
Federation of Red Cross and Red Crescent Societies)**

Geneva, July 2019

EXECUTIVE SUMMARY

The impact of people being separated or going missing on individuals, families and the community at large is one of the most damaging and long-lasting humanitarian tragedies. People will not stop searching until they know the fate and whereabouts of their missing family members. This background document provides an outline of the elements and rationale of a proposed resolution on Restoring Family Links: Strategy for the International Red Cross and Red Crescent Movement 2020–2025. At the 2007 Council of Delegates (CoD), the Movement adopted its first Restoring Family Links (RFL) strategy for the period from 2008 to 2018. As this strategy has come to an end, it is crucial for the CoD to adopt the new RFL strategy, which takes into account the new environment and needs of affected people and reinforces and reorients previous efforts by the International Red Cross and Red Crescent Movement (Movement).

While RFL needs caused by armed conflict, other situations of violence and natural and man-made disasters remain as important as ever, over the last decade, we have witnessed the mounting engagement of the Movement in addressing the needs of separated and missing migrants and their families, which have often remained unattended. As a result of the risks migrants face along migration routes, large numbers are dying or going missing. All too often, dead migrants remain unidentified. In the absence of effective mechanisms and inter-state cooperation to clarify the fate and whereabouts of missing migrants, families seeking information about their missing relatives are left alone in uncertainty.

To improve the response to these challenges and provide answers to families, cooperation, coordination and the harmonization of practices among the components of the Movement and among a wide range of actors across multiple countries, regions and continents is crucial. We call upon all components of the Movement to promote knowledge and understanding of the strategy, to integrate its implementation into their own strategies and plans and to allocate the resources necessary to successfully implement it.

The effective and efficient performance of RFL activities necessarily entails the continuous processing of personal data, including cross-border data transfers. Without the ability to transmit and match data, RFL would simply be impossible. The exponential growth in the development of digital technology and the use of data has made it possible to gather large quantities of personal data faster and more easily. The RFL Code of Conduct on Data Protection represents a crucial tool to ensure that personal data is processed in compliance with data protection standards and the transfer of personal data will continue to be possible for the Family Links Network. We call upon the CoD to continue to support the application of the Code and ask all components of the Movement to provide the required expertise and resources to ensure its effective implementation.

1) INTRODUCTION

Restoring Family Links (RFL) is the generic term given by the International Red Cross and Red Crescent Movement (Movement) to a range of activities that aim to prevent separation and disappearance, clarify the fate and whereabouts of people reported missing, restore and maintain contact between family members and facilitate family reunification¹ whenever possible.

The demand for a strong global Family Links Network (FLN)² is illustrated by the growing numbers of people approaching the Movement and requesting RFL services. Population

¹ Facilitating family reunification refers to the efforts of the Family Links Network to assist families in coming together, rather than the promotion of a governmental migration policy related to family reunification.

² The FLN comprises the Tracing/RFL services of National Red Cross and Red Crescent Societies and ICRC delegations, under the coordination and with the technical advisory support of the Central Tracing Agency of the ICRC.

movements in a variety of contexts and a rise in humanitarian crises lead to large numbers of people being in need of humanitarian protection and assistance. With 257 million migrants worldwide,³ this demand is likely to persist, and it is therefore vital that the RFL service continues to meet the needs of separated families and the families of missing persons as effectively and efficiently as possible. The essential humanitarian nature of helping people find answers about the fate and whereabouts of their loved ones and the unique position of the Movement to provide this service are uncontested and remain relevant today and for the future. Based on more than a hundred years of experience and expertise in this domain and with a network stretching across all borders and continents and rooted in communities around the world, this unique core service is best placed for the task.

Innovations in digital technology and the importance of data are having a transformative impact on all aspects of people's lives as well as on humanitarian work. These developments mean that we must modernize our efforts to assist and protect people who access our services to reconnect with their family members or ascertain their fate. While doing so, we need to ensure careful protection of their personal data.

2) BACKGROUND

Following the successful adoption of Resolution CD/17/R9 at the 2017 Council of Delegates (CoD), the RFL Strategy Implementation Group (IG)⁴ and the newly formed RFL Leadership Platform⁵ have further developed the strategic orientations presented in 2017. In addition to a global survey carried out in 2017 on the RFL capacities of NSs, three pieces of research were commissioned to inform the strategy. These focused on: RFL needs in relation to migration in Europe; "coproduction" with affected people;⁶ and a capacity assessment of the FLN. Consultations on the draft strategy were conducted within the FLN during 2017 and 2018, followed by a full consultation with the Movement between February and April 2019. The resulting new draft RFL strategy for the Movement will be presented as an integral part of Resolution CD/19/XX for the Council's approval. Meanwhile, the RFL Code of Conduct on Data Protection (CoC) Application Group has continued to promote minimum standards of data protection across the FLN.

3) ANALYSIS

The impact of people being separated or going missing on individuals, families and the community at large is one of the most damaging and long-lasting humanitarian tragedies. People will not stop searching until they know the fate and whereabouts of their missing family members.⁷ While RFL needs caused by armed conflict, other situations of violence and natural and man-made disasters remain as important as ever, over the last decade, we

³ As at 2017, <http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates17.shtml>.

⁴ The RFL IG comprises representatives from 24 NSs, the IFRC and the ICRC. The NSs represented in the IG are those of the following countries: Australia, Austria, Bangladesh, Cambodia, Colombia, Côte d'Ivoire, Croatia, Dominican Republic, Ecuador, Ethiopia, France, Germany, Iran, Jordan, Kazakhstan, Kenya, Mali, Mexico, Nepal, Qatar, Rwanda, Sweden, United Kingdom and United States of America.

⁵ The RFL Leadership Platform was established on the basis of the RFL resolution adopted by the Council of Delegates in 2017 and is composed of the ICRC, the IFRC, NS leaders and external actors, such as UNHCR. Throughout 2018, the Platform engaged in addressing critical issues, such as establishing baseline data for the Network, understanding RFL needs and the Movement's role in responding to them, resource mobilization, visioning and further shaping the new RFL strategy. In addition, the members act as ambassadors of RFL services at the global and regional level, both internally and externally, to enhance the recognition, coherence and strength of the FLN.

⁶ This research aims to provide a better understanding of the needs of affected people, in particular in relation to the prevention of separation and access to the service, and how to best involve them in designing and delivering the service.

⁷ It is one of the key ambitions of the FLN to find answers about the fate and whereabouts of missing family members. This is reflected in Strategic Objective (SO) 3 on "Increased answers to families" of the new RFL strategy. During this process, it is crucial for the FLN to accompany and support people finding themselves in this painful uncertainty. This is reflected in SO 4 on "Personalized support to families of missing persons and separated families".

have witnessed the mounting engagement of the Movement in addressing the needs of separated and missing migrants and their families, which have often remained unattended. As a result of the risks migrants face along migration routes, large numbers are dying or going missing. All too often, dead migrants remain unidentified. In the absence of effective mechanisms and inter-state cooperation to clarify the fate and whereabouts of missing migrants, families seeking information about their missing relatives are left alone in uncertainty. Children are especially vulnerable when separated and may be exposed to risks such as abuse and trafficking. The recent IFRC report *Alone and Unsafe* notes that the number of children on the move, including those travelling alone, has increased five-fold in the past decade and estimates that over 300,000 unaccompanied and separated child migrants were in transit in 80 countries in 2017.

Rapid advances in digital technology and the increase in mobile phone use, social media use and internet access are changing the way people connect globally and enhancing their ability to do so. An increasing number of people can trace and contact family members through such means, and connectivity has become a primary request. However, reliance on connectivity makes people vulnerable when it is taken away, whether this is due to detention or confiscation or loss of devices, and is challenging for those who are not able to use technology due to problems of literacy, disability, age or lack of access. People fleeing persecution may also be deeply concerned about using social media or technology because they fear their personal data may be used against them or their family.

We are taking these concerns into account and adapting our response. This is reflected in the new RFL strategy which includes the provision of connectivity as one of its measures. In parallel to the development of digital proximity through secure channels of communication with affected people,⁸ we must strengthen our personal outreach and personalized response.

The fact that many people stay in touch by themselves through technology also means that the cases that RFL services now receive are often particularly difficult and complex. The exponential growth in the development of digital technology and the use of data has also made it possible to gather and analyse large quantities of data much faster and more easily. The Movement recognizes this immense potential and seeks to incorporate it into the way it processes personal data to provide answers to families on the fate and whereabouts of their relatives, including through digital technology for matching data within the FLN and with other stakeholders.⁹

Delivering effective and efficient RFL services requires the collection and processing of large amounts of (sensitive) personal data. Yet, the Movement is aware of the potential for intrusion into the private sphere of individuals and remains convinced that safeguarding the personal data of individuals, particularly in the fragile and volatile conditions in which the Movement operates, is an essential aspect of protecting people's lives, their physical and mental integrity and their dignity and ensuring that they are not exposed to additional dangers. The growing awareness of both the benefits and the risks that the processing of large amounts of (sensitive) personal data entails has brought attention to the vital importance of observing and developing appropriate data protection standards.¹⁰ This is also needed to ensure that the Movement is capable of maintaining its RFL services, while at the same time ensuring that the Movement's Fundamental Principles are not compromised.

⁸ This is reflected in SO 1 on "The prevention of separation and disappearance and maintaining family links" and in SO 2 on "Increased accessibility and availability of RFL services".

⁹ This is reflected in SO 3 on "Increased answers to families".

¹⁰ This is reflected in Enabler 3 on "Protection of individuals by protecting their personal data".

In the course of the last ten years, during which the Movement implemented the current RFL strategy 2008–2018, some significant achievements were made, which we address in the new RFL strategy.¹¹

- Significant progress has been made to increase service provision, casework, efficiency and collaboration within the FLN. While some NSs have strong, well-functioning and adequately resourced RFL services, others, for a variety of reasons, remain weak. This may be due, for example, to organizational weaknesses, lack of interest or prioritization by leadership or a high turnover of staff and volunteers. The majority of NSs are dependent on the ICRC for financial support to carry out RFL services.¹²
- Advances have been made in integrating RFL into NS emergency response. Furthermore, members of the RFL pool of experts, created in 2009, had been deployed 29 times to large-scale crises as at April 2019. RFL was also integrated into the IFRC's emergency response mechanisms and their training schemes.¹³
- Although RFL is recognized by a vast majority of State authorities as a humanitarian service provided by NSs,¹⁴ its role in national disaster preparedness and response plans and in response to migration¹⁵ should be more clearly spelled out.¹⁶
- Important progress was made in understanding RFL needs through needs assessments in over 60 different contexts and the inclusion of RFL in strategic planning. However, affected people still need to be more involved in the design of the RFL response, and mechanisms for accountability towards affected people need to be developed.¹⁷
- A key achievement of the RFL strategy 2008–2018 is the development of an RFL web-based ecosystem for the entire FLN, which includes a publicly accessible website¹⁸ that provides information on service access and online tracing, a platform for the exclusive use of FLN members to securely transfer files, share information and best practices and access policy guidelines, and two databases used by NSs¹⁹ and the ICRC to manage individual cases. There is a need for the FLN to use unified ICT tools, and appropriate resourcing for the maintenance and development of ICT tools is critical to the successful functioning of the system and the reputation of the RFL service.²⁰
- A total of 22 online tracing pages have been launched on the Family Links website for specific disasters as well as 4 data-sharing platforms, with the highest number of visits occurring during the 2015 Nepal Earthquake (219,599 visits). NSs used the alert banner on the website 48 times to inform people worldwide about emergency telephone lines or provide information to people concerned about loved ones during major incidents.

¹¹ Two progress reports were submitted to the CoD in 2011 and 2015. See <https://www.icrc.org/en/doc/assets/files/red-cross-crescent-movement/council-delegates-2011/council-delegates-2011-progress-report-rfl-strat-11-11-6-en.pdf> and http://rcrcconference.org/wp-content/uploads/2015/03/CD15-Progress-Report-Restoring-Family-Links-Strategy_EN.pdf.

¹² This is reflected in Enabler 2 on “Investment in strengthening RFL capacity and response”.

¹³ *Ibid.*

¹⁴ In the 2017 survey, 82% of the more than 140 NSs that responded agreed with this statement.

¹⁵ Only 42% of NSs in the 2017 survey reported having a specific role for the RFL service in their response to migration.

¹⁶ This is reflected in Enabler 5 on “Mobilization and partnerships with other actors” and Enabler 6 on “Addressing RFL needs within the context of migration”.

¹⁷ This is reflected in Enabler 1 on “Participation of affected people in the development of RFL services” and Enabler 2 on “Investment in strengthening RFL capacity and response”.

¹⁸ See <https://familylinks.icrc.org/en/Pages/home.aspx>.

¹⁹ By February 2019, 44 NSs had introduced the Familylinks ANSWERS casework management tool as part of the RFL ICT ecosystem, leading to more effective and secure data exchange globally and an opportunity for further standardization.

²⁰ This is reflected in Enabler 3 on “Protection of individuals by protecting their personal data”.

- The Trace the Face²¹ online tracing tool was established in 2013. In the last two years, its use has increased (with 26 NSs and 6 ICRC delegations now using it). As at February 2019, 4,600 photos of enquirers had been published, over 28,000 identities had been added to the non-public “back office”, and there had been 138 positive matches, 58 of them made in 2018, representing a nearly four-fold increase in successful results since 2015. This exponential growth is set to continue and, while initially developed for RFL in the context of migration towards Europe, this tool is increasingly being used by countries of origin and is being replicated for migration in Asia and Southern Africa.
- There is a need to further strengthen transregional cooperation and the standardization and harmonization of data collection and processing. This is evidenced, in particular, by the growing importance of RFL in relation to migration.²²
- The creation and strengthening of regional RFL platforms in many parts of the world has provided the basis for growing exchanges on practices and the development of common strategies at the regional level.
- A number of working groups have been created or strengthened, such as the new Family Reunion Working Group and the Immigration Detention Working Group. These have led, for instance, to a stronger collective voice on RFL advocacy issues, such as reducing the barriers to family reunification and detention-related issues.
- Despite this progress, numerous assessments have shown that RFL services are still not sufficiently known among affected people and other stakeholders, in particular amongst donors.²³
- Sufficient progress has been made in raising awareness of data protection, and the FLN has developed a specific CoC on Data Protection for its RFL services. It now remains to implement the data protection principles and processes as outlined in the CoC in all aspects of RFL work across the FLN.²⁴

The importance of data protection has grown substantially in the last decade, with the development of new data protection regulations in many countries. In recognition of protection as a key pillar of RFL, the implementation of the RFL CoC on Data Protection²⁵ constitutes a key element of the new RFL strategy. Applicable to all components of the Movement, the CoC is benchmarked on the highest standards of data protection, tailoring them to humanitarian action generally, and RFL services specifically. By standardizing good practices, it reinforces proper data management within the FLN and secure data transfers within the Movement and to other actors. The CoC therefore instils confidence in both individuals and regulators with regard to the work of the Movement and provides reassurance to members of the Movement who need to transfer personal data between each other.

The processing of personal data is more crucial for RFL than for any other of the Movement’s services, as it requires the ability to transmit and match personal data. To continue to do so, we must obtain recognition from States of the Movement’s need to manage and transfer personal data and to do this for humanitarian purposes.

It is critical for the functioning of the FLN to reaffirm with States our specific role and capacity in RFL and the support we can provide to the authorities in fulfilling their obligations and

²¹ See <https://familylinks.icrc.org/europe/en/Pages/Home.aspx>.

²² This is reflected in Enabler 6 on “Addressing RFL needs within the context of migration”.

²³ This is reflected in Enabler 4 on “Systematic and targeted RFL promotion and communication”.

²⁴ This is reflected in Enabler 3 on “Protection of individuals by protecting their personal data”.

²⁵ The Code of Conduct on Data Protection Application Group convened for the first time in February 2017. It comprises the ICRC data protection adviser, technical RFL specialists from the ICRC and representing NSs from each region, and the IFRC adviser. This group leads the FLN in enhancing the understanding of and compliance with the RFL CoC on Data Protection.

commitments, including those related to missing migrants.²⁶ We must cooperate with the authorities and other key stakeholders, exercising careful consideration and implementing transparent procedures that adequately protect the people who access our services and their sensitive data.

Based on the observations made above, RFL is the ideal starting point for discussing and exploring agreements between the Movement and States on data protection. For these reasons, the topic has been placed on the agenda of the International Conference (IC) and further elaborated on in the proposed resolution on RFL and data protection and the related background document.

4) RESOURCE IMPLICATIONS

An efficient and effective FLN for the years ahead requires technical expertise and leadership at global, regional and national levels, dedicated, well-trained staff and volunteers, access to digital technology, an ability to respond and scale up in emergencies and flexibility to offer the best service through the most appropriate means. Well-functioning and adequately resourced RFL services are essential, in view of the interdependent nature of the global service, in order to create a sustainable FLN. Additional financial support is required to meet the objectives of the RFL strategy 2020–2025. All components of the Movement will need to allocate core budget resources and seek support from governments, the corporate sector and individual donors in order to diversify funding.

5) IMPLEMENTATION AND MONITORING

The responsibility for implementing this strategy is shared by all components of the Movement. The NSs, the ICRC and the IFRC are individually responsible for incorporating the strategy's content into their own strategies, plans and training programmes at the national, regional and international level.

It is understood that NSs, the ICRC and the IFRC are not in a position to carry out every single implementation measure of this strategy in every country. Rather, they should identify priority measures of particular relevance for the specific context, based on assessments of needs, their own capacities and those of other actors. While global coherence and harmonization is indispensable, contextual adaptation is necessary in relevant aspects.

The RFL strategy will serve as the framework for developing contextual action plans. Regional RFL platforms aim to offer suitable fora to establish regional strategies and action plans based on this strategy, to drive forward its implementation and to identify appropriate indicators to monitor its implementation.

The IG will support and monitor the implementation of the RFL strategy at the global service level and provide guidance and direction for the regional RFL platforms. It will further develop a monitoring and evaluation framework for the new RFL strategy, including measurement of progress against key indicators through a global survey of the FLN to be conducted in 2024. The RFL CoC Application Group will provide technical expertise on data protection. With the support of the IG, the Leadership Platform will steer implementation at the strategic level and report back to the CoD and the 34th IC in 2023.

6) CONCLUSION AND RECOMMENDATIONS

The Movement is at a critical juncture for RFL services. It is essential that the new RFL strategy 2020–2025 both builds on and maintains current achievements and creates a cycle of continuous improvement to adapt to future needs. There is a tremendous opportunity to

²⁶ This is reflected in Enabler 5 on “Mobilization and partnerships with other actors” and Enabler 6 on “Addressing RFL needs within the context of migration”.

leverage the significant transformation that has already happened in the services, with a blend of new technology, credibility and trust and with the personal presence and interaction with affected people on the ground that set the Movement apart. The CoD will be invited to adopt the draft resolution and the new RFL strategy 2020–2025, included as an integral part of it, and call upon leaders of all components of the Movement to take RFL into this new era where it is of primary relevance and importance.