



Power of humanity

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

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Call for respect and support for principled humanitarian action

DRAFT ELEMENTS OF RESOLUTION

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BACKGROUND

The draft elements of the proposed resolution seek to provide an outline of the possible substance of individual paragraphs, without providing a definitive draft text. Each paragraph is followed by a rationale explaining why it would be useful to include such a paragraph in the resolution.

This document is being shared for consultation with the members of the Council of Delegates of the International Red Cross and Red Crescent Movement in order to gather a first round of comments and feedback, and to gain an initial understanding of whether the proposed approach would be acceptable and garner consensus.

When providing comments and feedback on this document, please consider the following questions:

- Do you agree with the proposed elements for the preambular and operative paragraphs of the proposed resolution?
- Are there any elements that are missing or should be included in the resolution?

Detailed comments on the wording of the draft elements of this resolution are not expected at this stage. There will be an opportunity to comment on specific wording at a later stage, once the draft zero of the resolution is available.

INTRODUCTION

Across the world, we see principled humanitarian action being increasingly challenged by political and societal polarization and the politicization of humanitarian assistance. We see neutral and impartial humanitarian actors subjected to abuse, threats and acts of violence.

It is therefore critical and timely for the International Red Cross and Red Crescent Movement (Movement) to continue to focus on principled humanitarian action, and to anticipate what will be needed to ensure it is upheld and promoted in the future. Respect for principled humanitarian action is key for National Red Cross and Red Crescent Societies (National Societies), as mandated local responders, to fulfil their humanitarian mission in their own domestic context, and for the International Federation of Red Cross and Red Crescent Societies (IFRC) and the International Committee of the Red Cross (ICRC) to fulfil their mandates in certain countries and internationally. The Movement's commitment to its Fundamental Principles – coupled with its comprehensive statutory, regulatory and policy frameworks – is the foundation of its principled and ethical humanitarian action. This commitment is imperative to conducting its humanitarian work effectively and is core to gaining and maintaining the acceptance and trust of the people and communities it serves, including in sensitive and insecure contexts. The Movement must also continue to make concerted efforts to strengthen trust, accountability and integrity, including respect for the Fundamental Principles.

This resolution – “Call for respect and support for principled humanitarian action” – would build on the “Appeal for respect for neutral and impartial humanitarian action” (2022 Appeal) by the chair of the Standing Commission of the Red Cross and Red Crescent and the presidents of the IFRC and ICRC, which the 2022 Council of Delegates welcomed in Resolution 13.

The resolution’s operative paragraphs would:

- contain an appeal to states to fulfil their obligation to respect impartial, neutral and independent humanitarian action at all times, in particular that of their National Society, the IFRC and the ICRC
- reaffirm the Movement’s commitment to act at all times in accordance with the Fundamental Principles, in particular impartiality, neutrality and independence, as a vital means to access the most vulnerable people and to fulfil our collective mission and respective mandates
- reaffirm the Movement’s commitment to strengthen integrity, accountability and transparency, and to build trust with the people it serves
- request the chair of the Standing Commission and the presidents of the ICRC and the IFRC to communicate the appeal to states at the 34th International Conference of the Red Cross and Red Crescent, along with the text of this resolution, and
- propose a follow-up to the resolution.

The structure of the draft elements below is such that the appeal to states is contained in the resolution itself (in OP 1). Alternatively, the appeal to states could be added as an annex, which the resolution would endorse in one of the operative paragraphs. In both cases, the resolution would mandate the chair of the Standing Commission and the presidents of the ICRC and the IFRC to communicate the appeal to the International Conference of the Red Cross and Red Crescent (International Conference).

Preambular paragraphs (PP)

PP 1:

A preambular paragraph could *express alarm* at the magnitude of human suffering caused by the increasing number of armed conflicts and other situations of violence, disasters and other humanitarian crises worldwide, with the number of people in need of humanitarian assistance and protection more than doubling in the last decade and reaching record levels, and *express deep concern* for the safety and well-being of all people affected and for their ability to access life-saving assistance.

Rationale:

This paragraph describes the global humanitarian context in which the Movement is operating. It draws in part on the 2022 Appeal and on National Societies’ feedback on the outline of proposed agenda topics for the statutory meetings.

PP 2:

A preambular paragraph could *express deep concern* about the growing impediments to the ability of principled humanitarian actors to deliver assistance and protection to people who most need it, due to increasing political and societal polarization, the instrumentalization and politicization of aid, public authorities questioning if neutrality and impartiality is “helping the enemy”, states imposing restrictions on the funding of principled humanitarian actors and on their access to affected people, restrictions resulting from sanctions and counterterrorism measures that impede the capacity of humanitarian actors to operate in accordance with humanitarian principles and international humanitarian law (IHL), the spread – through social media and other channels – of misinformation and disinformation that affects the safety of humanitarian workers and the people in their care, the persistence of threats and acts of

violence directed at health-care workers, and governmental interference in the independence of their National Society.

Rationale:

This paragraph draws in part on the 2022 Appeal and describes some of the key challenges to neutral, independent and impartial humanitarian action, including those highlighted by National Societies in their feedback on the outline of proposed agenda topics for the statutory meetings.

PP 3:

A preambular paragraph could *deplore* the dehumanizing language and rhetoric prevalent in many armed conflicts, other situations of violence and other contexts, especially when used by governmental and community leaders and other persons in authority. Its use negates the principle of humanity and contributes to an environment that is conducive to endangering affected people and the neutral and impartial humanitarian actors serving them, and to violations of IHL, international human rights law and basic humanitarian principles.

Rationale:

This paragraph reflects the moral imperative for the Movement to call out dehumanizing language and rhetoric, which induces violations of IHL, international human rights law and basic humanitarian principles, and additionally creates a climate of deep insecurity for vulnerable people and for the Movement components and other principled humanitarian actors serving them.

PP 4:

A preambular paragraph could *recall* that the Fundamental Principles are at the heart of our Movement's distinctive identity and mission, based on over 160 years of operational experience and normative developments, including the formal proclamation of the Fundamental Principles by the International Conference in 1965 and their adoption in the Statutes of the Movement by the International Conference in 1986. The Fundamental Principles are the foundation of its principled and ethical humanitarian action, and crucial to gaining and maintaining the acceptance and trust of and safe access to the people and communities it serves.

Rationale:

This paragraph is a reminder that the Fundamental Principles are at the core of the Movement's identity and principled humanitarian action, and key to building and maintaining trust. This paragraph could also recall the recommendations of the ICRC and the IFRC's background report to the 32nd International Conference 2015: *The Fundamental Principles in action: A unique ethical, operational and institutional framework*.

PP 5:

A preambular paragraph could *recall* that the ICRC's role as a specifically neutral and independent institution and intermediary as recognized by the Geneva Conventions and the Statutes of the Movement, its primary responsibility to maintain and disseminate the Fundamental Principles in collaboration with National Societies and the IFRC, and the key role of National Societies in upholding and disseminating the Fundamental Principles within their own country as a critical means to foster understanding of and promote respect for principled humanitarian action.

Rationale:

This paragraph is to recall the roles and responsibilities of the ICRC, the IFRC and National Societies in relation to principled humanitarian action and their commitment to collaborate with each other, in accordance with Articles 3, 5, 6 and 7 of the Statutes of the Movement, as well as Article 12 of the Movement Coordination for Collective Impact Agreement (Seville Agreement 2.0).

PP 6:

A preambular paragraph could *recall* Article 4 of the Statutes of the Movement, Resolution 2 of the 30th International Conference 2007 on the “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”, Resolution 4 of the 31st International Conference 2011 on “Furthering the auxiliary role” and the background report to the 32nd International Conference in 2015 on *The Fundamental Principles in action: A unique ethical, operational and institutional framework*, which highlight the importance of clearly defining the auxiliary relationship between a National Society and its public authorities in domestic legislation in order to maintain the National Society’s operational independence and to formalize the commitment of states to respect the duty and ability of National Societies to abide by the Fundamental Principles.

Rationale:

This preambular paragraph could recall the auxiliary role of National Societies in the humanitarian field, which is central to their identity, and the importance of a strong legal base in domestic legislation, which defines the auxiliary relationship between the National Society and its public authorities, enabling it to carry out this role at all times in conformity with the Fundamental Principles.

PP 7:

A preambular paragraph could *recall* the IFRC’s primary responsibility to safeguard the integrity of National Societies in accordance with Article 6 of the Statutes of the Movement, and the responsibilities of each Movement component to address integrity concerns within their respective organization. It could *also recall* collective Movement commitments and efforts to ensure and strengthen integrity, accountability and trust.

Rationale:

This preambular paragraph could recall the IFRC’s primary responsibility to safeguard the integrity of National Societies in accordance with Article 6 of the Statutes of the Movement, which is further developed in the IFRC’s *Policy on the Protection of Integrity of National Societies and Organs of the IFRC*. It could recall the key commitments of Article 14 of the Seville Agreement 2.0 and highlight some of the Movement’s commitments to integrity, accountability and trust, such as Resolutions 1 and 2 of the 2019 Council of Delegates, the “Movement-wide Commitments for Community Engagement and Accountability” and the “Statement on Integrity of the International Red Cross and Red Crescent Movement”, respectively.

PP 8:

A preambular paragraph could *recall* the commitment of states party to the Geneva Conventions to at all times respect the adherence by all components of the Movement to the Fundamental Principles, and *remind* them of their obligations under IHL to allow National Societies, the ICRC and the IFRC to pursue their activities in accordance with these principles.

Rationale:

This paragraph is to remind states party to the Geneva Conventions of their obligations to respect and allow the Movement’s principled humanitarian action, in accordance with Article 2.4 of the Statutes of the Movement, Common Article 3 of the Geneva Conventions, Article 63(a) of the Fourth Geneva Convention and Article 81 of the Additional Protocols, and as recognized in resolutions of the International Conference, including Resolution 8 of the 20th International Conference 1965 proclaiming the Fundamental Principles and Resolution 2 of the 30th International Conference 2007 adopting them.

PP 9:

A preambular paragraph could *welcome* the landmark United Nations Security Council Resolution 2664 of December 2022, which aims to mitigate the impact of UN financial sanctions on humanitarian activities and activities to meet basic human needs through exemptions from sanctions (“humanitarian carve-outs”) for humanitarian organizations, including Movement components.

Rationale:

This paragraph is to recall this important resolution, which aims to safeguard humanitarian assistance and activities to meet basic human needs from UN financial sanctions, and relates to OP 1.4.

PP 10:

A preambular paragraph could *recall* the “Appeal for respect for neutral and impartial humanitarian action” by the chair of the Standing Commission and the presidents of the ICRC and the IFRC, which was welcomed by the 2022 Council of Delegates in Resolution 13, and *recognize* the need to strengthen and expand on the 2022 Appeal in order to address current and future challenges to principled humanitarian action.

Rationale:

This paragraph signals that this resolution will build on the 2022 Appeal and sets the scene for the operative paragraphs.

Operative paragraphs (OP)**OP 1:**

An operative paragraph could *appeal* to states, as High Contracting Parties to the Geneva Conventions and as members of the International Conference, to fulfil their obligations to respect at all times the adherence by all components of the Movement to the Fundamental Principles, in particular those of impartiality, neutrality and independence, and to support and facilitate the humanitarian mission and activities of the components of the Movement.

Rationale:

Considering the challenges to principled humanitarian action (outlined in PP 2 and in the introduction to these elements), this paragraph contains the overarching appeal to states to reaffirm their obligation to respect the adherence by all Movement components to the Fundamental Principles, which states have made in Article 2.4 of the Statutes of the Movement, in Resolution 8 of the 20th International Conference 1965 proclaiming the Fundamental Principles, as well as in other resolutions as set out in PP 6. It emphasizes in particular the obligation of states to respect the impartiality, neutrality and independence of Movement components.

This overarching commitment could be complemented by specific calls in subparagraphs as follows:

OP 1.1:

An operative subparagraph could *appeal* to states to take all appropriate measures to safeguard the Movement’s principled humanitarian action, including by preventing, stopping and remedying any abuse, pressure, misinformation, disinformation and dehumanizing rhetoric, through social media or otherwise, that harms the physical, psychological and reputational integrity of people in need and the staff and volunteers of the Movement components serving them.

Rationale:

This subparagraph is drawn in part from the 2022 Appeal and is based on the challenges highlighted in PP 2. Consideration could be given to specifying the key measures the

Movement is calling on states and other actors to take, such as legal, administrative and practical measures.

OP 1.2:

An operative subparagraph could *appeal* to each state to renew its commitment to respect the ability of its National Society, including in its role as auxiliary to the public authorities in the humanitarian field, to operate in accordance with the Fundamental Principles, in particular impartiality, neutrality and independence, as a means to ensure unhindered and safe access to people in need, including by strengthening the legal base of its National Society in domestic law. It could *also appeal* to each state to refrain from requesting its National Society to perform activities that are not in accordance with the Fundamental Principles.

Rationale:

This subparagraph reaffirms the key commitments of states made in the Statutes of the Movement – specifically in Resolution 2 of the 30th International Conference 2007 on the “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” and in Resolution 4 of the 31st International Conference 2011 on “Furthering the auxiliary role” – and appeals to states to recommit to respect the ability of their National Society to conduct its activities in accordance with the Fundamental Principles, including by strengthening the legal base of its National Society in domestic law.

OP 1.3:

An operative subparagraph could *call on* states to work with their National Society, with the support of the IFRC and ICRC, to ensure that all levels of government and all public authorities understand, respect and facilitate the mission, mandate and principled humanitarian action of their National Society (including in the exercise of its role as auxiliary to the public authorities in the humanitarian field) and of the ICRC and the IFRC.

Rationale:

This subparagraph emphasizes the importance of all relevant parts of government and all public authorities being aware of their National Society’s, the IFRC’s and the ICRC’s mission and principled humanitarian action, as a means to facilitate the Movement components’ work.

OP 1.4:

An operative subparagraph could *call on* states to ensure that sanctions and counterterrorism measures do not impede the ability of neutral and impartial humanitarian organizations, such as Movement components, to have access to people in need and to deliver assistance and protection activities. It could *also call on* states to swiftly and faithfully implement the humanitarian exemptions required by United Nations Security Council Resolution 2664 and to include similar humanitarian exemptions in their autonomous sanctions. It could *add* that counterterrorism criminal laws should include similar exemptions.

Rationale:

This paragraph calls on states to ensure that restrictive measures do not hinder principled humanitarian action, and it draws on National Societies’ feedback on the outline of proposed agenda topics for the statutory meetings. States may impose sanctions and counterterrorism measures collectively or individually. However, any such sanctions or counterterrorism measures must comply with IHL and should include humanitarian exemptions so that they do not hinder the delivery of exclusively humanitarian activities undertaken by independent humanitarian organizations.

OP 2:

An operative paragraph could *reaffirm* the obligation of all components of the Movement to act at all times in accordance with the Fundamental Principles, particularly impartiality, neutrality and independence, as an imperative to safely access, assist and protect people in need.

Rationale:

This paragraph is to reaffirm the Movement components' own commitments to principled humanitarian action, especially as we have asked states in OP 1 to respect the ability of Movement components to abide by impartial, neutral and independent humanitarian action.

This overarching commitment by Movement components is supported by the following specific commitments:

OP 2.1:

An operative subparagraph could *commit* National Societies, the IFRC and the ICRC, individually and collectively, to enhance understanding of and respect for principled humanitarian action within their respective organizations, and in particular to ensure that the behaviours expected from impartiality, neutrality and independence are well known, understood and applied at all levels of their respective organizations, bearing in mind the crucial reputational and operational importance of principled humanitarian action to enable safe access to people in need.

Rationale:

This subparagraph underscores the importance of each Movement component working to ensure that the expectations of impartial, neutral and independent humanitarian action are fully understood and followed by their governance teams, staff and volunteers. The subparagraph could also provide a non-exhaustive list of measures that they could employ, such as codes of conduct and training. The elements of this subparagraph also draw on National Societies' feedback on the outline of proposed agenda topics for the statutory meetings.

OP 2.2:

An operative subparagraph could *commit* the leaders of the ICRC, the IFRC and National Societies to lead by example in abiding by impartiality, neutrality and independence in all of their words and actions, which is crucial to safeguard the Movement's reputation and uphold principled humanitarian action.

Rationale:

This subparagraph recognizes the special responsibility incumbent upon the executive leaders and governance teams of all Movement components to abide by impartiality, neutrality and independence in all of their words and actions, and in so doing lead by example and set an example for their staff, volunteers and external stakeholders.

OP 2.3:

An operative subparagraph could *also commit* the ICRC, the IFRC and National Societies to work together on outreach and advocacy activities with states, local authorities, communities and other stakeholders, as well as with the general public, to promote greater understanding of and respect for impartial, neutral and independent humanitarian action, which is essential to increase trust and counter misinformation and disinformation, and to ensure safe and effective access to all people in need.

Rationale:

This subparagraph commits the Movement components to work together to promote respect for the Movement's principled humanitarian action with governments, communities and other key stakeholders, as well as with the general public, bearing in mind that broad stakeholder understanding of the role of Movement components and our Fundamental Principles helps us to access communities in need. Efforts could take place at national, regional and/or global

levels to build understanding and trust, and could include joint dialogue and forums with relevant stakeholders (governments, donors, communities, think tanks, media, academia, etc.) to discuss the Movement's operational ways of working, any issues related to principled humanitarian action and public communication campaigns.

OP 2.4:

An operative subparagraph could *call on* each National Society, with the support of the IFRC and the ICRC, to further its dialogue with its public authorities with a view to strengthening its independent action and decision-making, including by strengthening its legal base in domestic law, in particular in relation to its auxiliary role in the humanitarian field, and in accordance with the Movement's agreed standards as defined in the Statutes of the Movement and in line with Resolution 2 of the 30th International Conference 2007 on the "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" and Resolution 4 of the 31st International Conference 2011 on "Furthering the auxiliary role".

Rationale:

This subparagraph is based on the importance, recalled in PP 6, for the National Society to pursue and consolidate a dialogue with its public authorities in order to ensure that it can perform its mission and mandate, including its auxiliary role in the humanitarian field, in a manner allowing it to operate in accordance with the Fundamental Principles. It is also grounded in the crucial importance for all National Societies to enjoy a strong and sound legal base in domestic law that defines the National Society's distinctive auxiliary status.

OP 2.5:

An operative subparagraph could *call on* each National Society to regularly review, and if necessary revise, its statutes or constitution to ensure that they conform with the Movement's agreed standards as set out in the *Guidance for National Society Statutes 2018*, including the commitment of the National Society, as well as its leaders, members, staff and volunteers, to abide at all times by the Fundamental Principles and the requirements of principled humanitarian action.

Rationale:

This subparagraph recalls the commitments of National Societies to adopt and maintain sound and comprehensive statutory or constitutional base instruments and related regulatory or policy texts that ensure that the National Society – including its leaders, members, staff and volunteers – are enabled at all times to abide by the standards and requirements of impartial, neutral and independent humanitarian action, as called for in past resolutions of the Council of Delegates and the International Conference, most recently in Resolution 3 of the 2019 Council of Delegates on the "Movement approach to strengthening National Society statutory and constitutional base and complementary frameworks such as the Volunteer Charter", which requires National Societies to review their statutes and related regulatory frameworks by the end of 2024.

OP 2.6:

An operative subparagraph could *reaffirm* the commitment of each component of the Movement - National Societies, the IFRC and the ICRC - to build and maintain trust with the people we serve, communities, governments and local authorities, donors, external partners and the wider public by demonstrating integrity, transparency and accountability in all our actions, as reflected in relevant Movement commitments. In accordance with Article 14 of the Seville Agreement 2.0, it could *also reaffirm* that each component of the Movement is to address any integrity concerns through its respective internal mechanisms; National Societies are supported, as required, by the IFRC and in accordance with the IFRC policy on *Protection of Integrity of National Societies and Organs of the IFRC*; and IFRC and ICRC consult each

other, as required, when there are concerns related to respect for the Fundamental Principles, in dialogue with the National Society concerned.

Rationale:

This subparagraph reaffirms the commitment of Movement components to maintain strong accountability, integrity and transparency, based on Movement commitments such as Resolutions 1 and 2 of the 2019 Council of Delegates, namely the “Movement-wide Commitments for Community Engagement and Accountability” and the “Statement on Integrity of the International Red Cross and Red Crescent Movement” and, specifically for the ICRC, the ICRC’s 2019 *Accountability to Affected People Institutional Framework*. This subparagraph also recommits Movement components to address any integrity concerns in their respective organizations in line with Article 14 of the Seville Agreement 2.0.

OP 2.7:

An operative subparagraph could *call on* National Societies, the IFRC and the ICRC to step up their collective efforts to share their experience and learning on strengthening integrity and trust. The subparagraph could *note* the progress report on the follow-up to the “Statement on Integrity of the International Red Cross and Red Crescent Movement”, *welcome* the development of a community of practice on strengthening integrity for continued learning and improvement, and *encourage* all components of the Movement to join and contribute to it.

Rationale:

This subparagraph highlights recent collective efforts to share and learn about strengthening integrity, particularly through the work to follow up on the 2019 “Statement on Integrity of the International Red Cross and Red Crescent Movement”, and invites Movement components to engage in continued learning and development through the community of practice.

OP 3:

An operative paragraph could *request* that the chair of the Standing Commission and the presidents of the ICRC and the IFRC, on behalf of the Movement, make the appeal to states to respect impartial, neutral and independent humanitarian action (contained in OP 1) at the 34th International Conference.

Rationale:

This paragraph aims to ensure that the Movement’s appeal to states (OP 1) is made at the 34th International Conference, with the chair of the Standing Commission and the presidents of the ICRC and the IFRC deciding how to communicate the appeal.

OP 4:

An operative paragraph could *propose* measures to follow up on the commitments made in this resolution.

Rationale:

For example, the paragraph could invite Movement components to report to the next Council of Delegates on the measures they are taking and the challenges they are facing to ensure that their governance teams, staff and volunteers act at all times in accordance with the Fundamental Principles, in particular impartiality, neutrality and independence. Movement components could also be invited to report on progress achieved in increasing understanding of the Fundamental Principles among governments and other external stakeholders, and in advocating for a strong auxiliary role and legal base for National Societies. Drawing on National Societies’ feedback on the outline of proposed agenda topics for the statutory meetings, discussions could include providing operational examples of how the Fundamental Principles are used and respected in the planning and implementation of humanitarian programmes, highlighting the challenges and dilemmas that arise, and the consequences for affected people when principled humanitarian action is not respected or facilitated.

Movement components will be invited to actively engage with the community of practice on strengthening integrity in order to share their experience, challenges and good practice in strengthening integrity and trust.