



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

BACKGROUND DOCUMENT

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BACKGROUND DOCUMENT

Call for Respect and Support for Principled Humanitarian Action

EXECUTIVE SUMMARY

The proposed resolution “Call for respect and support for principled humanitarian action” has been prompted by deep concern regarding the various current global challenges to principled humanitarian action. These include increasing political and societal polarization, the politicization of humanitarian assistance, and misinformation and disinformation, which all threaten the safety of humanitarian workers and their access to the communities they serve.

The resolution contains an appeal to States to fulfil their obligation to respect impartial, neutral and independent humanitarian action at all times, in particular that of the National Red Cross and Red Crescent Societies (National Societies), the International Federation of Red Cross and Red Crescent Societies (IFRC) and the International Committee of the Red Cross (ICRC). This appeal is contained in an annex to the resolution and will be communicated by the presidents of the ICRC and the IFRC to States at the 34th International Conference of the Red Cross and Red Crescent (International Conference).

The resolution contains a number of commitments for the International Red Cross and Red Crescent Movement (Movement). It reaffirms 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 its mission and the respective mandates of Movement components. It also reaffirms the Movement’s commitment to strengthen integrity, accountability and transparency, and to build trust with the people it serves.

The resolution proposes several actions as a follow-up, including engaging with States, local authorities and communities to strengthen respect for principled humanitarian action and having dialogue with States to ensure a clearly defined auxiliary role in domestic law for National Societies. It also proposes actions within the Movement, including for governance, management, staff and volunteers, to strengthen knowledge and learning programmes and to cultivate behavioural competencies in accordance with the Fundamental Principles. It further proposes that Movement components actively engage with the community of practice on strengthening integrity to share experiences, challenges and good practice in order to enhance integrity and trust.

1) 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 impartial and neutral humanitarian actors subjected to abuse, threats and acts of violence. We see increasing numbers of lives of humanitarian workers and volunteers lost in the service of humanity.

It is therefore critical and timely for the Movement to continue to focus on principled humanitarian action, and to anticipate what will be needed to ensure it is upheld and promoted into the future. Respect for principled humanitarian action is key for National Societies, as mandated local responders, to fulfil their humanitarian mission in their own domestic context and in their international activities, and for the IFRC and the ICRC to fulfil their mandates in particular 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 humanitarian action. It 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 particular in sensitive and insecure contexts. The Movement must also pursue its concerted efforts to strengthen trust, accountability and integrity, including respect for the Fundamental Principles.

The proposed resolution “Call for respect and support for principled humanitarian action”:

- contains an appeal to States to fulfil their obligation to respect impartial, neutral and independent humanitarian action at all times, in particular that of the National Societies, the IFRC and the ICRC
- reaffirms 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 its mission and the respective mandates of Movement components
- reaffirms the Movement's commitment to strengthen integrity, accountability and transparency, and to build trust with the people it serves
- mandates the presidents of the ICRC and the IFRC to communicate the Appeal to States at the 34th International Conference
- proposes a follow-up to the resolution.

2) BACKGROUND

The resolution is based on the Fundamental Principles proclaimed by the International Conference in 1965 and adopted in the Statutes of the Movement by the International Conference in 1986. It builds on previous work on the Fundamental Principles, such as the “Appeal for respect for neutral and impartial humanitarian action” (2022 Appeal) by the chair of the Standing Commission and the presidents of the IFRC and ICRC, which the Council of Delegates welcomed in 2022 (CD/22/13), 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 give many operational examples of the Fundamental Principles in action.

The resolution also focuses on National Societies' auxiliary role in the humanitarian field. This builds on previous resolutions, including Resolution 2 of the 30th International Conference in 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 in 2011 on “Furthering the auxiliary role”, which highlight the importance of clearly defining the auxiliary relationship between a National Society and the public authorities in domestic legislation in order to maintain the National Society's operational independence and formalize the commitment of States to respect the duty and ability of National Societies to abide by the Fundamental Principles.

In terms of the Movement's commitments related to integrity, the resolution would build on the commitment of each Movement component to address integrity concerns in their individual organizations and on the collective Movement commitments to strengthen 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.

3) ANALYSIS / PROGRESS

A) NEED FOR THE RESOLUTION

The resolution has been prompted by deep concern about the lack of respect for the Fundamental Principles and the growing number of impediments to the ability of principled humanitarian actors to deliver assistance and protection to people who most need it. Some of the key challenges to principled humanitarian action include:

- increasing political and societal polarization
- the politicization of aid
- false characterization of the humanitarian principles of impartiality and neutrality as furthering the interests of an adversary
- the need for improved understanding of and support for the independence of National Societies
- 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 imperils the safety of humanitarian workers and people in their care
- the persistence of threats and acts of violence directed at humanitarian workers and volunteers.

Another contributing factor is the dehumanizing language and rhetoric prevalent in many armed conflicts, other situations of violence and other emergencies, especially by people in authority, which contributes to an environment that endangers affected people and the impartial and neutral humanitarian actors serving them, and to violations of IHL, international human rights law and basic humanitarian principles. It is the moral imperative of the Movement to confront such language and rhetoric.

The Fundamental Principles are at the heart of the Movement's distinctive identity and mission. While promoting respect for the Fundamental Principles has been the subject of past resolutions and initiatives, changes in operational environments and the associated threats to principled humanitarian action detailed above necessitate an urgent, renewed commitment and call to action by States and Movement components alike.

B) PARTS OF THE RESOLUTION

Appeal to States

The Appeal to States, as High Contracting Parties to the Geneva Conventions of 1949 and as members of the International Conference, calls on States to safeguard the Movement's principled humanitarian action. It is critical that States, as they have committed to do in Article 2.4 of the Statutes of the Movement, recommit to and fulfil their obligations to respect at all times the adherence by all components of the Movement to the Fundamental Principles, in particular humanity, impartiality, neutrality and independence, and to support and facilitate the humanitarian mission and activities of the components of the Movement.

The Appeal to States contains a number of specific elements, appealing to States to:

- (a) prevent, stop and remedy abuse, pressure, misinformation, disinformation and dehumanizing rhetoric that may harm people in need or the staff and volunteers of the Movement who are serving them;

- (b) renew their commitment to respect the ability of the ICRC, the IFRC and the National Societies to operate in accordance with the Fundamental Principles, including in their role as auxiliary to the public authorities in the humanitarian field, to strengthen the legal base of the National Societies in domestic law where needed and to refrain from requesting National Societies to perform activities that are not in accordance with the Fundamental Principles;
- (c) work with the National Societies, with the support of the ICRC and the IFRC, to ensure that all levels of government understand, respect and facilitate the mission, mandate and principled humanitarian action of the National Societies, the IFRC and the ICRC, which emphasizes the importance of all relevant parts of government and the public authorities being aware of the Movement's mission and principled humanitarian action as a means of facilitating the Movement's work;
- (d) ensure that sanctions and counterterrorism measures do not impede the ability of the Movement to access people in need. It calls upon States to implement United Nations Security Council Resolution 2664 of December 2022 to mitigate the impact of UN financial sanctions on humanitarian activities and activities to meet basic human needs through exemptions from sanctions for humanitarian organizations, including Movement components, and to include similar humanitarian exemptions in autonomous sanctions and counterterrorism criminal laws.

Provisions for Movement components on impartial, neutral and independent humanitarian action

The resolution reaffirms the Movement components' own commitments to act in accordance with principled humanitarian action, especially as States are being asked to respect the ability of Movement components to abide by impartial, neutral and independent humanitarian action. The resolution's provisions are directed at actions by individual organizations within the Movement, as well as actions to increase knowledge and understanding among the Movement's primary stakeholders, in accordance with the respective roles of different Movement components.

The resolution recalls the ICRC's role as a specifically neutral and independent organization and intermediary, as recognized by the Geneva Conventions and the Statutes of the Movement, and its primary responsibility to maintain and disseminate the Fundamental Principles; it recalls the role of the IFRC, in collaboration with the ICRC, to disseminate the Fundamental Principles among National Societies; and it recalls the key role of National Societies in upholding and disseminating the Fundamental Principles within their own country as a critical means of fostering understanding of and promoting respect for principled humanitarian action.

There is a particular focus on National Societies, their volunteers, the trust and access they have within local communities and the importance of their having a strong legal base in domestic law, including a clearly defined auxiliary relationship with the public authorities in the humanitarian field, in order to maintain their operational independence. This also strengthens their humanitarian diplomacy and formalizes the commitment of States to respect the duty and ability of National Societies to abide by the Fundamental Principles. There is also an acknowledgement of the complementary actions of the international Movement components to amplify and support local National Societies' voices and roles as principled humanitarian actors in their own countries.

The resolution contains several specific commitments. The resolution:

- (a) reaffirms the obligation of all components of the Movement to act in accordance with the Fundamental Principles, particularly humanity, impartiality, neutrality and independence;

- (b) commits Movement components to enhance understanding and respect for principled humanitarian action within their organizations, in particular to ensure that the behaviours expected with regard to impartiality, neutrality and independence are understood and applied at all levels of their respective organizations through a number of measures, including through the application of codes of conduct;
- (c) commits 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, behaviours and actions;
- (d) commits the Movement to strengthen its collective work on engagement and humanitarian diplomacy activities with States, local authorities, communities and other stakeholders, as well as with the general public, to promote greater understanding of and respect for principled humanitarian action, acknowledging that broad stakeholder understanding of the role of Movement components and of our Fundamental Principles helps us to access communities in need. Specific actions could include joint dialogue and forums with relevant stakeholders to discuss the operational procedures of Movement components and any issues related to principled humanitarian action;
- (e) calls upon each National Society, with the support of the IFRC and the ICRC where needed, to further its dialogue with public authorities with a view to strengthening its independent action and decision-making, including by strengthening its legal base in domestic law, particularly in relation to its auxiliary role in the humanitarian field;
- (f) calls upon 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*.

Provisions for the Movement on strengthening integrity

Respect for the Fundamental Principles is part of a broader commitment of Movement components to act with integrity and to address integrity concerns that may arise within their respective organizations. This was reaffirmed recently in the Movement Coordination for Collective Impact Agreement (Seville Agreement 2.0).

The resolution:

- (a) reaffirms the commitments of Movement components to build and maintain trust with the people they serve and with governments, local authorities, communities, donors, external partners and the public by demonstrating integrity, transparency and accountability throughout their actions;
- (b) reaffirms the commitment of each Movement component to address integrity concerns through its respective internal mechanisms. National Societies are supported as required by the IFRC, which has the primary responsibility to safeguard the integrity of National Societies, as set out in the IFRC's *Policy on the Protection of Integrity of National Societies and the Organs of the International Federation*. The resolution provides that the IFRC and the ICRC consult each other, as required, when there are concerns related to a National Society's respect for the Fundamental Principles, in dialogue with the National Society concerned;
- (c) following on from recent efforts to implement the 2019 Movement Statement on Integrity, calls on National Societies, the IFRC and the ICRC to intensify their collective efforts to share experiences and learning on strengthening integrity and trust, including the development of a community of practice on strengthening integrity for continued learning and improvement.

4) RESOURCE IMPLICATIONS

Implementing and leading the work of the resolution will require human and financial resources from all Movement components, and it will include activities to increase dialogue and create appropriate forums to do so and carry out awareness-raising initiatives to strengthen respect

for principled humanitarian action and to strengthen integrity. Specific activities are set out in the following section.

5) IMPLEMENTATION AND MONITORING

The resolution proposes that the ICRC, the IFRC and National Societies take action in line with their respective mandates to follow up on the commitments made in the resolution, to increase understanding of and adherence to the Fundamental Principles. This could include engaging with States, local authorities and communities on strengthening respect for principled humanitarian action, and dialogue with States to ensure a clearly defined auxiliary role for National Societies in domestic law. It also proposes actions for the Movement, including for governance, management, staff and volunteers, to build knowledge and learning programmes, and to cultivate behavioural competencies in accordance with the Fundamental Principles. It further proposes that Movement components actively engage with the community of practice on strengthening integrity to share experiences, challenges and good practice in enhancing integrity and trust. The resolution invites Movement components to promote the Appeal to States and to report to the next Council of Delegates on the measures taken and the achievements and challenges faced in implementing the proposed actions.

6) CONCLUSION AND RECOMMENDATIONS

The main issue raised by the resolution – the lack of respect for principled humanitarian action and the consequential risks to humanitarian access, activities and actors – will be addressed by the resolution with provisions for Movement components and an Appeal to States. The resolution emphasizes the need to ensure that the Fundamental Principles are respected even in challenging times – when they are all the more critical – and that as the Movement and States navigate global uncertainty, special attention is paid to them. The resolution contains concrete actions for both the Movement and States, which combined aim to improve the Movement's humanitarian action for affected and vulnerable people and communities.