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

Geneva, 26 November 2011 – For humanity



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

Geneva, Switzerland  
26 November 2011

**Joint ICRC/International Federation Commission  
for National Society Statutes**

**Revision on National Society Statutes and legal base**

**Resolution**

**Document prepared by the Joint ICRC/International Federation  
Commission for National Societies Statutes**

## RESOLUTION

### Revision of National Society statutes and legal base

The Council of Delegates,

*reaffirming* the objective of Action 3 of the Strategy for the Movement, which called upon all National Red Cross and Red Crescent Societies to examine their Statutes and related legal texts and where necessary, to adopt new constitutional texts, in accordance with the “Guidance for National Societies Statutes” (Guidance document) and relevant resolutions of the International Conference,

*recalling* Resolution 3 of the 2009 Council of Delegates urging National Societies to continue to work closely with the ICRC and the International Federation, to consult with the Joint Statutes Commission in order to ensure that all National Societies have examined and updated their Statutes and related texts by the end of 2010,

*welcoming* the report of the Joint ICRC/International Federation Commission for National Society Statutes (Joint Statutes Commission), which summarizes the progress achieved, the experience gained and the work still to be undertaken;

*taking note* with appreciation that close to 90 per cent of all National Societies have initiated a process of review of their Statutes and related legal texts since the adoption of the 2001 Strategy for the Movement; while *acknowledging* however that significant work is still required by many National Societies in order to bring their constitutional and statutory base instruments in line with the Minimum Requirements of the Guidance document;

*expressing its deep appreciation* to those National Societies which have successfully completed a revision of their Statutes and related legal texts in accordance with the Guidance document;

*noting* that many National Societies continue to face challenges in their efforts to work in accordance with the Fundamental Principles in their respective operational contexts, and *reiterating* the crucial importance of high-quality Statutes, and the imperative of a strong legislative base for National Societies' in domestic law in order to ensure their ability and capacity to deliver services to people in need effectively;

*recognizing* that the regular and periodical review of a National Society's legal base instruments (e.g. every 10 years) is important in assisting National Red Cross and Red Crescent Societies to adapt to new challenges and circumstances;

*recognizing* the many challenges which National Societies may face in order to comply fully with the minimum requirements and recommendations defined in the Guidance Document due to their respective contexts of operation,

*reaffirming* in this regard the primary responsibility of National Societies at the level of their leadership and management to ensure that adequate constitutional and statutory instruments are in place and duly implemented,

1. *congratulates* National Societies for their continuing and considerable efforts invested in the last decade in the revision of their Statutes and related legal texts and in the strengthening of their legal base in domestic law;

2. *expresses its appreciation* to National Societies who have established a constructive dialogue with the ICRC and the International Federation, as well as with the Joint Statutes Commission, which has allowed the Red Cross/Red Crescent Movement to progress toward fulfilling the objective of strengthening National Societies' legal base;

3. *recommends* that National Societies which have not yet initiated or successfully completed a Statutes revision process to undertake the necessary steps in order to update their statutory or constitutional base instruments in accordance with the Guidance document and relevant Council of Delegates and International Conference resolutions;

4. *invites* National Societies undertaking a revision of their Statutes and related legal texts to pay special attention to the following questions identified by the Joint Statutes Commission as the issues most often at variance with the Guidance document including the definition of

- The National Society's relationship with its public authorities, in particular its status and role as an auxiliary in the humanitarian field, in line with the Fundamental Principle of Independence;
- The Society's governing bodies (composition, duties, procedures and rotation);
- The roles and responsibilities of governance and management;
- The Society's membership;
- The branch structure (e.g. how branches are created, what bodies govern them and the relationship between branches and headquarters);

5. *encourages* National Societies to initiate or pursue a dialogue, as required, with their national authorities in order to strengthen their legal base in domestic law, through high quality Red Cross/Red Crescent laws, so as to formalise their auxiliary role in the humanitarian field and to recognize the commitment of national authorities to respect the ability of National Societies to work and operate in accordance with the Fundamental Principles;

6. *calls* upon National Societies, in particular at the level of their respective leadership, to continue working closely with the ICRC and the International Federation delegations in the revision of their statutes and related legal texts and in the strengthening of their legal base in domestic law, to take the recommendations of the Joint Statutes Commission into account, as well as to keep the Joint Statutes Commission duly informed of any progress or new developments;

7. *calls* upon the ICRC and the International Federation and the Joint Statutes Commission, to pursue actively their support to National Societies and to seek ways of increasing their capacity and the effectiveness of their working methods. In their work to support National Societies, they should pay particular attention to NS laws and regulations, to develop new advisory notes for National Societies as needed, and to ensure that the new institution building mechanisms and tools established within the Movement duly include and reflect the objective of strengthening the legal and statutory base instruments of National Societies.

8. *invites* the ICRC and the Federation to initiate a consultation with National Societies on the most effective ways to continue the process of strengthening National Society legal base instruments in the future, and thus to explore and implement new and innovative ways and models to support National Societies, to draw further on existing resources, partnerships and legal expertise within the Movement, including the use of new learning platforms and relevant National Society capacities and networks;

9. *invites* the ICRC and the International Federation to draw on the work of the Joint Statutes Commission in order to report on the achievement of the ongoing objective of strengthening the legal and statutory base instruments of National Societies to the 2013 and subsequent Council of Delegates.