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Council of Delegates of the International Red Cross
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**COUNCIL OF DELEGATES
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AND RED CRESCENT MOVEMENT**

Geneva, Switzerland
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**National Societies Preparing for and Responding to Armed Conflict
and Other Situations of Violence**

Resolution

Document prepared by

**The International Committee of the Red Cross
in consultation with the International Federation of Red Cross and Red Crescent
and National Societies**

RESOLUTION

National Societies Preparing for and Responding to Armed Conflict and Other Situations of Violence¹

I. Background

Situations of violence can develop at any time and anywhere, as recent events demonstrate. They often give rise to issues of humanitarian concern that require an immediate response by National Red Cross or Red Crescent Societies (National Societies). In addition, armed conflicts, chronic and sometimes protracted over several years or decades, require similar forms of humanitarian response. Demonstrations, which lead to violence pose another kind of challenge to the humanitarian sector – to adapt its working procedures, designed primarily for rural settings, to urban environments as well.

To enhance access to people and communities affected by armed conflict and other situations of violence,ⁱ and to respond effectively to their needs, it is essential that all the components of the International Red Cross and Red Crescent Movement (Movement) work together in preparedness, response and recovery, to maximize their respective capacities and competencies.

Converging and Complementary Movement Mandates and Capacities

National Societies have a mandate, as described in the Statutes of the International Red Cross and Red Crescent Movement (hereafter called the Statutes) to "organize, in liaison with the public authorities, emergency relief operations and other services to assist the victims of armed conflicts as provided in the Geneva Conventions, and the victims of natural disasters and other emergencies for whom help is needed."ⁱⁱ A number of resolutions adopted at Councils of Delegates and International Conferences reinforce the mandate of National Societies to act as auxiliaries to the public authorities in the humanitarian fieldⁱⁱⁱ and to provide humanitarian assistance and protection to those in need, including those affected by armed conflict and other situations of violence within their own countries.^{iv}

The International Committee of the Red Cross (ICRC) has a statutory mandate "to endeavour at all times – as a neutral institution whose humanitarian work is carried out particularly in time of international and other armed conflicts or internal strife^v – to ensure the protection of and assistance to military and civilian victims of such events and of their direct results."^{vi} In such situations, the ICRC works in close partnership with the National Society of the affected country as well as with participating National Societies and the International Federation of Red Cross and Red Crescent Societies (International Federation) to prepare and carry out emergency humanitarian operations.

The International Federation's statutory mandate includes the following: "to inspire, encourage, facilitate and promote at all times all forms of humanitarian activities by the National Societies, with a view to preventing and alleviating human suffering and thereby contributing to the maintenance and the promotion of peace in the world"; "to act as the permanent body of liaison, coordination, and study between the National Societies and to give them any assistance they might request"; and "to bring help to victims of armed conflicts in accordance with the agreements concluded with the International Committee."^{vii}

The mandates and capacities, as well as the unique positioning of each of the Movement's components must be taken fully into consideration when preparing for and responding to armed

¹ Other situations of violence as a component of the National Societies' overall mandate, as set out in the Statutes of the Movement

conflict and other situations of violence, in order to maximize the impact of the protection and assistance provided to the populations most in need. Activities should be allocated bearing these factors in mind as well as considering the level of acceptance provided to the various Movement components and whether the ICRC, the National Society or the two together would be better placed to respond. Improved Movement coordination and further discussion among the components of the Movement on the specific questions raised by 'other situations of violence' which results in an increased convergence of preparedness, response and recovery actions is required, in accordance with Movement agreements and mechanisms, and on the basis of context-specific circumstances and needs, to enhance access and response to the humanitarian needs of people and communities affected by armed conflict and other situations of violence.

The ICRC's Response to a Request by National Societies

To adapt to the ever-changing environment, many National Societies have taken important measures in recent years to strengthen their response during armed conflict and other situations of violence.

Based upon the best practices of National Societies, the ICRC developed the Safer Access Framework.^{viii} This Framework outlines the numerous interconnected actions that a National Society needs to carry out in order to increase its acceptance by individuals, communities, weapon bearers and authorities and thereby gain safer access to people and communities during armed conflict and other situations of violence.

During a plenary session at the 2009 Council of Delegates,^{ix} National Societies requested the ICRC to develop operational guidance for National Societies working in armed conflict and other situations of violence. It was determined through a comprehensive consultation process with National Societies that the Safer Access Framework and the lessons learned from current National Society experience would be used as the foundation to develop a practical guide to strengthen the capacity of all National Societies to prepare for and respond to armed conflict and other situations of violence.

The guide will also enhance the practical application of the Seville Agreement and its Supplementary Measures, in particular by providing support for host National Societies to fulfil their mandates and play their roles in a Movement coordinated response to armed conflict or to other situations of violence.

II. Challenges

Today, armed conflict and other situations of violence pose new, evolving challenges for the Movement's response. Some of the most significant are set out below.

Recurrent attacks against Movement personnel, including National Society staff and volunteers, their facilities and equipment, and the harm caused to beneficiaries are causing alarm.

Some National Societies are prevented by all those who can influence access to beneficiaries, from providing humanitarian services to those in need on all sides of an armed conflict or other situations of violence, or they are challenged or even harassed when they attempt to do so. In this respect, there is, in some countries, a need to strengthen the National Society's statutory and legal instruments to better reflect its role in armed conflicts and other situations of violence. This should take into account the Fundamental Principle of Independence, which balances the autonomy of National Societies with their status and role as auxiliaries to the public authorities in the humanitarian field.

There are many recent examples of well-coordinated Movement responses during armed conflict and other situations of violence. However, our response to the humanitarian needs of the people and communities affected could be improved. It is important to deepen our shared Movement

knowledge and understanding of emerging trends in such situations and their consequences for humanitarian action, in order to improve the quality of our response and develop a uniform Movement approach. Overall, the Movement components need to improve their level of readiness to respond to the needs of affected people rapidly and effectively in a coordinated and complementary manner, taking into account the changing environments in which they work. The ICRC and National Societies should pay particular attention to developing contingency plans that are coordinated and complement one another, to guide their responses during armed conflict and other situations of violence.

Adherence to the Fundamental Principles, and fostering respect in others for our adherence to the principles, are permanent challenges for all Movement components and are vitally important in increasing the degree of acceptance that is required to secure safer access to the people and communities affected by armed conflict and other situations of violence. The Statutes of the Movement and relevant Councils of Delegates resolutions^x emphasize this point.

III. Decisions

Recognizing the mandate of National Societies as per the Statutes of the Movement to operate and respond to armed conflict, natural disasters and other emergencies including internal strife and other situations of violence and in order to strengthen the Movement's response to armed conflict and other situations of violence, the 2011 Council of Delegates:

1. *encourages* National Societies to intensify their commitment and efforts to adopt appropriate security/risk management systems, and to take other concrete measures to increase their safer access in armed conflict and other situations of violence. This includes the need to enhance the operational application of the Fundamental Principles and other relevant Movement policies as well as to obtain insurance coverage^{xi} for staff and volunteers working in crises, to adequately compensate them for possible injury, including psychological trauma/stress, or death in the line of duty;
2. *urges* National Societies, where necessary, to engage in a dialogue with all concerned governments on the need for access to all populations affected by armed conflict and other situations of violence and to exert influence, where possible, on all those who can influence access to beneficiaries to respect the National Societies' role to provide neutral, impartial and independent humanitarian services, (as defined by the Fundamental Principles), with the support and involvement of the ICRC as appropriate;
3. *urges* National Societies, ICRC and the International Federation to continue to explore and analyse, emerging trends and challenges to humanitarian action during armed conflict and other situations of violence, with a view to making such shared analyses the basis of coordinated contingency planning for the provision of rapid, effective and coherent response to the humanitarian needs of people and communities affected, while also strengthening their resilience;
4. *encourages* National Societies to further define their mandates, roles and responsibilities in armed conflict and other situations of violence within their statutory and legal base instruments, as appropriate, and to promote their role broadly, both within their National Society, and with external actors and communities;
5. *invites* the ICRC and the International Federation to work closely with National Societies to define how the mandates, roles and responsibilities of National Societies in armed conflict and other situations of violence may best be reflected in National Societies' statutory and legal base instruments and to advise National Societies engaged in revising their statutes accordingly;

6. *recommends* that National Societies, as part of their permanent dialogue with their respective governments, work towards strengthening domestic legislation, policies, agreements and plans in order to establish the framework required to enable them to provide effective assistance and protection to populations affected by armed conflict and other situations of violence;
7. *invites* the components of the Movement, to continue to develop a practical guide to further clarify the term other situations of violence and to strengthen the capacity of all National Societies to prepare for and respond to armed conflict and other situations of violence – based on the Fundamental Principles, the Statutes of the Movement, relevant Movement policies and current National Society experience, as a valuable contribution towards building a Movement approach in this area;
8. *encourages* the International Federation to work closely with the ICRC and National Societies to develop effective mechanisms that ensure the aforementioned guide and ICRC's programmes and capacity strengthening expertise that support National Societies to prepare for and respond to armed conflict and other situations of violence, are taken into account in the approach toward the development of strong National Societies, with a particular emphasis on incorporating relevant elements into emergency preparedness, response, recovery and organizational development initiatives.

IV. The Background Report and Annex

The Background Report and Annex are for information purposes only and are not a part of decisions.

V. Follow-up

All the components of the Movement are requested to consider including the decisions listed above in their strategies, plans and objectives, where relevant.

Progress in implementing the decisions listed above will be included in the report to the Council of Delegates on the Implementation of the Seville Agreement and its Supplementary Measures in 2013 and 2015.

The ICRC, with the continued involvement of National Societies and the Secretariat of the International Federation, will develop the practical guide, which will address many of the challenges identified in this resolution, and more. It will be completed by the end of 2012 and will be introduced to Movement partners in 2013.

ⁱ An ICRC description of 'Other situations of violence' can be found in the Background Report supporting this resolution.

ⁱⁱ Article 3, clause 2 of the Statutes of the International Red Cross and Red Crescent Movement.

ⁱⁱⁱ Two such recent resolutions are: Resolution 2 of the 30th International Conference and Resolution 3 of the 2007 Council of Delegates 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."

^{iv} For example, the General Principles contained in Resolution XIV of the 10th International Conference in 1921, on Non-International Armed Conflicts, Civil War state: "The Red Cross (...) affirms its right and duty of affording relief in case of civil war and social and revolutionary disturbances (...) In every country in which civil war breaks out, it is the National Red Cross Society which, in the first place is responsible for dealing, in the most complete manner, with the relief needs of the victims ..."

^v As defined in Part II, Article 5, clause 2 (b) of the Seville Agreement, internal strife "does not necessarily imply armed action but serious acts of violence over a prolonged period or a latent situation of violence, whether of political, religious, racial, social, economic or other origin, accompanied by one or more features such as: mass arrests, forced disappearances, detention for security reasons, suspension of judicial guarantees, declaration of state of emergency, declaration of martial law."

^{vi} Article 5, clause 2 (d) of the Statutes of the International Red Cross and Red Crescent Movement.

^{vii} Article 6, clauses 3 and 4 (i) of the Statutes of the International Red Cross and Red Crescent Movement.

^{viii} The Safer Access Framework is based on the concept of applying the Fundamental Principles and other Movement policies during response operations which helps to position a National Society to secure greater acceptance and safe access to beneficiaries. Its elements include context/risk analysis, National Society legal and policy base to respond in armed conflict and other situations of violence, securing the organization's acceptance, acceptance of the National Societies' staff, volunteers and members, identification of the National Societies' people, facilities and vehicles, internal and external communications and security management (guidelines and protective measures).

^{ix} 2009 Council of Delegates, Workshop 5 (Improving our Combined Output by Fostering Collective Responsibility and Partnerships) and the plenary linked to the discussion of the Seville Agreement and its Supplementary Measures.

^x For instance: 2009 Council of Delegates, Resolution 8, Respecting and protecting health care in armed conflict and other situations of violence; 30th International Conference, 2007, Resolution 1, Annex Declaration: Together for humanity; 2005 Council of Delegates, Resolution 7, Relations between the components of the Movement and military bodies; 2003 Council of Delegates, Resolution 9, Promote respect for diversity and fight discrimination and intolerance – clause 4 (f) of the annex to the Resolution.

^{xi} Ideally, insurance coverage should be provided to all volunteers, particularly those involved in emergency response operations, by the National Society through a national insurance company that provides insurance appropriate to the context and adapted to local realities. To deal with situations where this is not available, the Secretariat of the International Federation has put in place global accident insurance available through the headquarters of all National Societies.

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