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Movement Approach to Strengthen the National Society Legal and Statutory Base

**PROGRESS REPORT
OF THE JOINT STATUTES COMMISSION**

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PROGRESS REPORT OF THE JOINT STATUTES COMMISSION

Movement Approach to Strengthen the National Society Legal and Statutory Base

1) INTRODUCTION

This progress report provides a brief update on the work of the Joint Statutes Commission (“Commission” or “JSC”) for the period 2025–2026. The Commission provides recommendations to National Red Cross and Red Crescent Societies that request advice on statutes, recognition laws, domestic legal base and related legal frameworks.

Sound domestic legal bases and statutory (constitutional) frameworks – consistent with the Model Law and Guidance Document, respectively, as well as the Fundamental Principles – provide solid foundations for National Societies to effectively fulfil their mandates, including as auxiliaries to public authorities in the humanitarian field. Both the legal base (the law or laws recognizing a National Society in its domestic legal system) and its statute (governing its internal functioning) are key legal instruments, including for safeguarding its integrity and making it a relevant humanitarian actor providing support to those most in need.

In Resolution 3, adopted by the 2019 Council of Delegates, the International Red Cross and Red Crescent Movement called on National Societies to review their statutes and related regulatory and policy frameworks in accordance with the Guidance Document standards by the end of 2024 and undertake regular reviews at least once every ten years. The Council of Delegates also requested that the Commission report on the progress made by National Societies in revising and strengthening their statutes in line with the Guidance Document, which it did in 2024.

Between 2019 and 2024, the Commission issued 214 letters to National Societies with advice and recommendations on updating their statutes consistent with the Guidance Document, and issued 32 letters with its recommendations on updating domestic recognition laws and legal bases consistent with the Model Law. As of the publication date of this report, the Commission has issued, since 2019, a total of 262 letters to National Societies with its recommendations. The Commission is handling a significant workload at present, which indicates that National Societies are availing themselves of the Commission’s services, requesting advice and acting on its recommendations. In addition, the Guidance Document has proved to be a useful tool in guiding those National Societies that are updating their statutes and applying best practices, including with respect to membership, management, governance, checks and balances, integrity and compliance.

2) THE JSC IMPLEMENTED RESOLUTION 3 OF THE 2019 COUNCIL OF DELEGATES

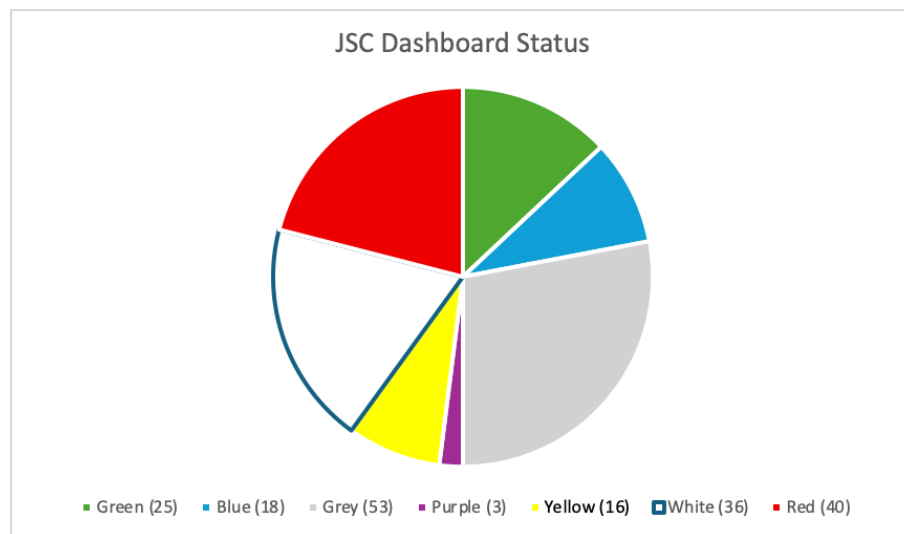
In issuing its advice, the Commission continues to use its standard letter format, which follows the approach and structure of the Guidance Document. This includes the Guidance Document’s distinction between:

- ☐ *Recommendations* that constitute “musts”, which establish, under each standard, minimum requirements with which a National Society’s statute must comply, and
- ☐ *Suggestions* that constitute “coulds”, which include, under each standard, a series of suggestions aimed at improving the quality of National Society statutes that can be considered by a National Society and adapted to its specific context and needs.

With respect to the recognition of a newly established National Society, the Commission has not received any such requests in the reporting period.

3) REPORT ON NATIONAL SOCIETY STATUTES' COMPLIANCE WITH THE GUIDANCE DOCUMENT

Since issuing its 2024 report, the Joint Statutes Commission assessed compliance with the Guidance Document and issued recommendations through more than 50 letters. Since the publication of the Guidance Document in 2018, the Commission has issued more than 262 letters. Although the resolution's deadline of 2024 has passed, the Commission continues to monitor compliance of statutory documents with the Guidance Document, consistent with the spirit of the resolution. More broadly, and since 2018, the Joint Statutes Commission identified that out of 191 National Societies:



- **25 National Societies** (13 per cent) have statutory base texts and frameworks (statutes) that include all minimum standards (“musts”), as defined in the Guidance Document.
- **18 National Societies** (9 per cent) have reviewed their statutes with the Joint Statutes Commission’s support. However, some minimum standards still need to be incorporated.
- **53 National Societies** (28 per cent) are actively engaged in reviewing and revising their statutes.
- **3 National Societies** (2 per cent) have carried out the process without the support of the Joint Statutes Commission.
- **16 National Societies** (8 per cent) have reached out to the ICRC, the IFRC and/or the Joint Statutes Commission informing them of their intention to review their statutes.
- **36 National Societies’** statutes (19 per cent) are in the process of being revised by the Joint Statutes Commission.
- **40 National Societies** (21 per cent) still need to conduct and complete a revision of their statutes, which is a 7 percentage point reduction since 2024.

Overall, 105 National Societies are currently or have been in dialogue with the Joint Statutes Commission. This represents approximately 55 per cent of all National Societies. The Commission's responses continue to reveal deficiencies in statutes and provide opportunities to solidify National Societies' foundations to effectively fulfil their mandates. Overall, indicators are encouraging as they show that National Societies are willing to engage in the process of revising their statutes and take into account the Commission's recommendations. The Commission encourages National Societies to continue to engage with it to promote broader compliance with the Guidance Document, foster continuous improvement and seek to ensure good governance.

Recently, the number of requests to the Joint Statutes Commission has increased, partly because more attention is being paid to governance and integrity queries have gone up. The Commission receives numerous requests from National Societies of varying legal complexity, in several languages, and endeavours to respond on a timely basis based on its existing resources. Since the 2019 resolution, the Commission has delivered each year a higher number of responses to requests from National Societies, but has employed the same, existing resources. The Commission is exploring how to improve its efficiency and reduce its response time.

A. TRENDS AND DEVELOPMENTS OVER THE PAST TWO YEARS

- *Improved leadership rotation.* In line with the Guidance Document standard of ensuring rotation and leadership renewal, the majority of National Societies have tended to include term limits of two terms of four years for governance positions.
- *Integrity and financial accountability needs.* Integrity standards and sound financial practices show moderate compliance, yet there are ongoing gaps in effective integrity mechanisms and regular, external audits. Further efforts are needed to strengthen these areas.
- *Progress in leadership organization and governance.* While there is moderate improvement in leadership organization, issues such as governance role, clarity, meeting frequency, and impediments on calling (extraordinary) general assemblies persist. National Societies should continue to strive to ensure checks and balances.
- *Improvement in legal status, structural clarity and the National Society as a component of the Movement.* There has been significant progress in ensuring that statutes reference National Societies' legal status and define their organizational structures.
- *Membership and volunteer challenges.* Ongoing issues in ensuring that membership and volunteering are open to all remain significant. The ways in which National Society statutes may protect volunteers' and members' rights, and engage these groups in leadership and decision-making processes, should be explored.

B. THE JSC'S CONTRIBUTION TO DEVELOPING THE REVISED MODEL LAW

The Joint Statutes Commission has contributed to the development of the revised Model Law, the subject of a separate resolution before the 2026 Council of Delegates. The JSC is part of the drafting group, has provided comments, and presented in the Council of Delegates preparatory webinars. The Council of Delegates' resolution recalls the Commission's important role in reviewing draft laws and providing recommendations to National Societies.

C. THE JSC ANALYSES LEGAL BASE AS PART OF ITS PRACTICE

Although the word “Statutes” appears in its name, the Joint Statutes Commission has further served National Societies by providing, upon request, legal analysis of the recognition laws and domestic legal bases of National Societies and applying the standards of the 1999 Model Law. Resolution 4 of the Council of Delegates (2011) calls upon National Societies to, among other things, work with the ICRC, IFRC and the JSC in “strengthening their legal base in domestic law”, consult with the JSC, and take its recommendations into account. This practice has crystallized, promoted legal renewal and helped ensure consistency within the Movement and with the Statutes of the Movement.

4) THE WAY FORWARD: THE ROLE OF THE JSC BEYOND 2026

A. IMPLEMENTATION AND MONITORING

The Joint Statutes Commission continues to promote the updating by National Societies of their statutes based on the Guidance Document. In an effort to provide ongoing support, National Society networks, as well as the delegations and offices of the ICRC and the IFRC at regional and sub-regional levels, are ready, as far as possible, to provide support.

B. THE JSC’S ROLE AND WORKING METHODS

The Joint Statutes Commission encourages National Societies to submit their existing statutes and/or any envisaged revisions to the Commission with ample time in advance of any General Assembly that will consider their amendments, and indicate clearly the requested date for the Commission to complete its review.

It is worth noting that the Joint Statutes Commission issues *recommendations*, and it does not have a mandate to *approve* statutes. While there exists a duty on National Societies, before adopting amendments to their statutes, to take into account the recommendations of the Joint Statutes Commission, notably in ensuring that the minimum requirements (“must” standards) are incorporated, it understands that there may exist compelling reasons not to incorporate all the Commission’s recommendations, typically because of the domestic context or national legislation considerations. Bearing in mind that the revision of a National Society’s statutes is not a static process but a continuous one and that each National Society has committed to regularly review its statutes (at least every ten years, under Resolution 3 of the 2019 Council of Delegates), the Commission considers that its recommendations should be kept and considered for future revisions.

CONCLUSION AND RECOMMENDATIONS

Resolution 3 of the 2019 Council of Delegates, entitled “Movement approach to strengthening National Society statutory and constitutional base and complementary frameworks such as the Volunteer Charter”, committed all National Societies to revise their statutory or constitutional base frameworks in line with the 2018 Guidance Document by the end of 2024. As noted above, a large number of National Societies have taken on the task, using the Guidance Document to update their statutes. According to the information available to the Joint Statutes Commission, some National Societies have yet to engage in a review of their statutes. Even though the deadline passed two years ago, it remains of the utmost importance that these National Societies (numbering close to 40, according to the Joint Statutes Commission’s dashboard) continue or start working on their statutes. In the meantime, the Joint Statutes

Commission encourages National Societies that have not yet done so, to communicate to it any steps taken or progress made to initiate a revision process.

The Joint Statutes Commission will continue to reflect on the above issues and those most frequently addressed in the Commission's recommendations, as well as on which forms of support could be further developed.

The Joint Statutes Commission, the ICRC and the IFRC, together with their departments concerned with National Society development, as well as their respective delegations and representations at regional, cluster or country level, remain available to provide any support or advice required in this respect.

Referenced website

[Dashboard of Compliance with the Guidance for National Society Statutes, 2018 – Joint Statutes Commission report to the 2024 Council of Delegates \(updated 30 June 2024\).](#)