

**Twenty-sixth International Conference
of the Red Cross and Red Crescent**

Geneva, 1995

RESOLUTIONS

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CONFERENCE OF THE RED CROSS AND RED CRESCENT

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1

International humanitarian law: From law to action
Report on the follow-up to the International Conference
for the Protection of War Victims

The 26th International Conference of the Red Cross and Red Crescent,

noting with great concern the increasing number of armed conflicts taking place in various parts of the world,

alarmed by the gross and persistent violations of international humanitarian law that are being committed, particularly against civilians, including the most vulnerable,

deeply concerned about the grief and suffering resulting from such violations,

deploring the decrease in respect for international humanitarian law,

noting that States party to the 1949 Geneva Conventions and States party to the 1977 Additional Protocols have the obligation not only to respect but also to ensure respect for those Conventions and Protocols, and that all States must respect relevant customary international humanitarian law,

recalling that, in cases not covered by international agreements, the human person remains under the protection of the principles of humanity and the dictates of the public conscience,

convinced that all appropriate measures must be taken in order that all should know and understand the fundamental principles of international humanitarian law,

recalling that the Swiss Government convened in Geneva an International Conference for the Protection of War Victims, from 30 August to 1 September 1993, and an Intergovernmental Group of Experts for the Protection of War Victims, from 23 to 27 January 1995,

having taken note of the report of the Chairman of the Intergovernmental Group of Experts for the Protection of War Victims,

noting the document drawn up by the Swiss authorities on meetings of the States party to the 1949 Geneva Conventions to consider general problems regarding the application of international humanitarian law (Document 95/C.I/2/3),

stressing the importance of holding the International Conference of the Red Cross and Red Crescent at regular intervals to help improve the protection of war victims,

1. *strongly condemns* the violations of international humanitarian law taking place in various parts of the world;
2. *solemnly reaffirms* that every State must respect in all circumstances the relevant principles and norms of humanitarian law and that States party to the 1949 Geneva Conventions and States party to the 1977 Additional Protocols must ensure respect for the Conventions and Protocols;
3. *endorses* the Final Declaration of the International Conference for the Protection of War Victims,¹ adopted on 1 September 1993, which confirms the need to reinforce implementation of and respect for international humanitarian law and which is attached to the present resolution;
4. *also endorses* the Recommendations drawn up by the Intergovernmental Group of Experts (Recommendations),² which aim at translating the Final Declaration of the Conference into concrete and effective measures and which are attached to the present Resolution;
5. *strongly urges* States to implement the Recommendations addressed to them, especially by adopting appropriate measures at the national and international level and supporting international organizations working in this field, and *invites* them to consider further steps towards the effective protection of war victims;
6. *encourages* States and National Red Cross and Red Crescent Societies (National Societies) to organize meetings, workshops and other activities on a regional basis to enhance the understanding and implementation of international humanitarian law;
7. *recommends* that the outcome of meetings convened by the Depositary of the 1949 Geneva Conventions, including those mentioned in Recommendation VII of the Intergovernmental Group of Experts, be transmitted to the next International Conference of the Red Cross and Red Crescent as well as to States party to those Conventions;
8. *urges* the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (International Federation) and the National Societies to carry out the tasks entrusted to them by the Recommendations and *calls upon* States to give them adequate support in this regard;

¹ See Annex I, pp. 79-82.

² See Annex II, pp. 83-88.

9. *invites* States to respond generously to the annual Appeal made jointly by the ICRC and the International Federation in pursuance of Recommendation VIII of the Intergovernmental Group of Experts for the financing of concrete dissemination projects proposed by National Societies, to support financially the dissemination component of regular relief and development programmes of the ICRC and of the International Federation, and to support domestic dissemination programmes of the National Societies of their respective countries;
10. *invites* the ICRC, in cooperation with the International Federation, to report to the 27th International Conference on the implementation of the present resolution.

2

Protection of the civilian population in period of armed conflict

The 26th International Conference of the Red Cross and Red Crescent,
deeply alarmed

- by the spread of violence and the massive and continuing violations of international humanitarian law throughout the world,
- by the immense suffering this causes among the civilian population in cases of armed conflict or foreign occupation of a territory, and in particular by the spread of acts of genocide, the practice of “ethnic cleansing”, widespread murder, forced displacement of persons and the use of force to prevent their return home, hostage-taking, torture, rape and arbitrary detention, all of which violate international humanitarian law,
- by the serious violations of international humanitarian law constituted by acts aimed at the expulsion of the civilian population from certain areas or even the extermination of the civilian population, or by compelling civilians to collaborate in such practices,
- by the serious violations of international humanitarian law in internal as well as international armed conflicts constituted by acts or threats of violence the primary purpose of which is to spread terror among the civilian population and by acts of violence or of terror making civilians the object of attack,
- by the difficulties encountered by humanitarian institutions in performing their tasks in armed conflicts, in particular when State structures have disintegrated,

- by the growing disparity between the humanitarian pledges made by certain parties to armed conflicts and the profoundly inhumane practices of those same parties,
- by the rapid expansion of the arms trade and the uncontrolled proliferation of weapons, especially those which may have indiscriminate effects or cause unnecessary suffering,

stressing the importance of full compliance with and implementation of international humanitarian law, and *recalling* that international humanitarian law and international instruments relating to human rights offer basic protection to the human person,

recalling the obligation of States to repress violations of international humanitarian law and *urging* them to increase international efforts

- to bring before courts and punish war criminals and those responsible for serious violations of international humanitarian law,
- to establish permanently an international criminal court,

reaffirming that any party to an armed conflict which violates international humanitarian law shall, if the case demands, be liable to pay compensation,

aware that the urgency of alleviating the suffering of the civilian population in times of armed conflict should not distract attention from the pressing obligation to fight the root causes of conflicts and the need to find solutions to conflicts,

alarmed by the deliberate and systematic destruction of movable and immovable property of importance to the cultural or spiritual heritage of peoples, such as places of worship and monuments of architecture, art or history, whether religious or secular,

particularly concerned by the plight of women, children, dispersed families, the disabled and elderly, and civilian populations stricken by famine, deprived of access to water and subjected to the scourge of anti-personnel landmines as well as other weapons used indiscriminately,

A. With regard to the whole of the civilian population:

- (a) *reaffirms* the obligation of all States to respect in all circumstances the relevant principles and norms of international humanitarian law, and of States party to the 1949 Geneva Conventions and States party to the 1977 Additional Protocols to ensure respect for the Conventions and Protocols;

- (b) *strongly condemns* the systematic and massive killing of civilians in armed conflicts;
- (c) *urges* States and all parties to armed conflicts to comply in all circumstances and to ensure compliance by their armed forces with the relevant principles and norms of international humanitarian law and, with the support of the International Red Cross and Red Crescent Movement (Movement), to take the necessary measures to disseminate them;
- (d) *stresses* that international humanitarian law provides for the protection of the civilian population in case of foreign occupation and against attacks, the effects of hostilities and dangers arising from military operations;
- (e) *welcomes* the efforts being undertaken to develop the rules of international humanitarian law applicable to multilateral peacekeeping operations and enforcement actions;
- (f) *stresses* also the utmost importance, in all circumstances, of humanitarian standards and the necessity to respect applicable human rights norms;
- (g) *condemns* sexual violence directed against any person and *stresses* that rape and forced prostitution in the course of an armed conflict or instigated by any party to a conflict constitute war crimes;
- (h) *strongly reasserts* the right of a civilian population in need to benefit from impartial humanitarian relief actions in accordance with international humanitarian law;
- (i) *emphasizes* the importance for humanitarian organizations to have unimpeded access in times of armed conflict to civilian populations in need, in accordance with the applicable rules of international humanitarian law;
- (j) *invites* States party to Additional Protocol I to implement and disseminate the rules of the Protocol regarding civil defence and *recommends* that the International Committee of the Red Cross (ICRC), in collaboration with the International Civil Defence Organization, encourage international cooperation in this field and the inclusion of this question in international meetings on international humanitarian law;
- (k) *urges* the ICRC, the National Red Cross and Red Crescent Societies (National Societies) and the International Federation of Red Cross and Red Crescent Societies (International Federation), in accordance with the requirements of their mandates, to intensify their efforts to disseminate those rules, and to assist and protect the civilian population in armed conflicts;

B. With regard to women:

- (a) *expresses* its outrage at practices of sexual violence in armed conflicts, in particular the use of rape as an instrument of terror, forced prostitution and any other form of indecent assault;
- (b) *recognizes* the fundamental link between assistance to and protection of women victims of conflict, and *urges* that strong measures be taken to provide women with the protection and assistance to which they are entitled under national and international law;
- (c) *strongly condemns* sexual violence, in particular rape, in the conduct of armed conflict as a war crime, and under certain circumstances a crime against humanity, and *urges* the establishment and strengthening of mechanisms to investigate, bring to justice and punish all those responsible;
- (d) *underlines* the importance of providing appropriate training to prosecutors, judges and other officials in handling such cases, in order to preserve the dignity and interests of the victims;
- (e) *encourages* States, the Movement and other competent entities and organizations to develop preventive measures, assess existing programmes and set up new programmes to ensure that women victims of conflict receive medical, psychological and social assistance, provided if possible by qualified personnel who are aware of the specific issues involved;

C. With regard to children:

- (a) *urgently draws attention to* the obligation to take all requisite measures to provide children with the protection and assistance to which they are entitled under national and international law;
- (b) *strongly condemns* deliberate killing and sexual exploitation of, and abuse of and violence against children, and *calls for* particularly stringent measures to prevent and punish such behaviour;
- (c) *also strongly condemns* recruitment and conscription of children under the age of 15 years in the armed forces or armed groups, which constitute a violation of international humanitarian law, and *demand*s that those responsible for such acts be brought to justice and punished;
- (d) *recommends that* parties to conflict refrain from arming children under the age of 18 years and take every feasible step to ensure that children under the age of 18 years do not take part in hostilities;

- (e) *supports* the work being done by the United Nations Commission on Human Rights on the involvement of children in armed conflicts with a view to adopting an optional Protocol to the 1989 Convention on the Rights of the Child, the purpose of which is to increase the protection of children involved in armed conflicts;
- (f) *takes note of* the efforts of the Movement to promote a principle of non-recruitment and non-participation in armed conflicts of children under the age of 18 years, and *supports* its practical action to protect and assist all children who are victims of conflict;
- (g) *encourages* States, the Movement and other competent entities and organizations to develop preventive measures, assess existing programmes and set up new programmes to ensure that child victims of conflict receive medical, psychological and social assistance, provided if possible by qualified personnel who are aware of the specific issues involved;

D. With regard to the reunification of families:

- (a) *demands* that all parties to armed conflict avoid any action aimed at, or having the effect of, causing the separation of families in a manner contrary to international humanitarian law;
- (b) *appeals* to States to do their utmost to solve the serious humanitarian issue of dispersed families without delay;
- (c) *emphasizes* that family reunification must begin with the tracing of separated family members at the request of one of them and end with their coming together as a family;
- (d) *stresses* the particular vulnerability of children separated from their families as a result of armed conflict, and *invites* the ICRC, the National Societies and the International Federation, within the scope of their respective mandates, to intensify their efforts to locate unaccompanied children, to identify them, to re-establish contact and reunite them with their families, and to give them the necessary assistance and support;
- (e) *notes* that the form of a family may vary from one culture to the other, *recognizes* the aspiration of separated families to be reunited and *appeals* to States to apply criteria for family reunification in such a way that they take into account the situation of those family members who are most vulnerable;
- (f) *requests* that the legal status of family members in a host country be determined swiftly and in a humanitarian spirit, with a view to ensuring the facilitation of family reunification;

- (g) *calls upon* States to facilitate the tracing activities of their respective National Red Cross or Red Crescent Societies by granting them access to the relevant data;
- (h) *encourages* National Societies to maximize their efficiency in carrying out tracing work and family reunifications by strengthening their tracing and social welfare activities and maintaining close cooperation with the ICRC, government authorities and other competent organizations, such as the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and non-governmental organizations (NGOs) involved in such work;
- (i) *calls upon* States to support National Societies in carrying out such tracing work and family reunifications;
- (j) *commends* the role of the ICRC's Central Tracing Agency (CTA) in tracing and reuniting family members, and *encourages* the CTA to continue to coordinate, whenever necessary, National Society activities in tracing and reuniting families and to train National Society staff in the principles and techniques of tracing;
- (k) *stresses* the need and the right of families to obtain information on missing persons, including missing prisoners of war and those missing in action, and *strongly urges* States and parties to armed conflict to provide families with information on the fate of their missing relatives;
- (l) *urges* States and parties to armed conflict to cooperate with the ICRC in tracing missing persons and providing necessary documentation;
- (m) *notes* the increasing importance of the psychological and social aspects of the needs of victims of armed conflict, and *encourages* the International Federation to advise and train National Societies in this field;

E. With regard to the civilian population affected by famine:

- (a) *strongly condemns* attempts to starve civilian populations in armed conflicts;
- (b) *stresses* the following provisions of international humanitarian law:
 - the prohibition on using starvation of civilians as a method of warfare and on attacking, destroying, removing or rendering useless, for that purpose, objects indispensable to the survival of the civilian population,
 - the prohibition on attacking, destroying, removing or rendering useless any objects indispensable to the survival of the civilian population,

- the general prohibition on forced displacement of the civilian population, which often causes widespread famine,
 - the obligation to accept, under the conditions prescribed by international humanitarian law, impartial humanitarian relief operations for the civilian population when it lacks supplies essential to its survival;
- (c) *urges* parties to conflict to maintain conditions in which the civilian population is able to provide for its own needs, in particular by refraining from any measure intended to cut it off from its sources of supply or access to its crops or arable land or generally depriving it of objects indispensable to its survival;

F. With regard to the civilian population deprived of water:

- (a) *stresses* that water is a vital resource for victims of armed conflict and the civilian population and is indispensable to their survival;
- (b) *calls upon* parties to conflict to take all feasible precautions to avoid, in their military operations, all acts liable to destroy or damage water sources and systems of water supply, purification and distribution solely or primarily used by civilians;
- (c) *requests* parties to conflict not to hinder access by the civilian population to water, and to facilitate access for the repair of water supply systems damaged by hostilities, also by ensuring the protection of personnel engaged in that task;
- (d) *requests* every State to encourage all efforts to bring back into operation water supply, purification or distribution systems damaged by military operations;

G. With regard to anti-personnel landmines:

- (a) *expresses deep concern and indignation* that anti-personnel landmines kill or maim hundreds of people every week, mostly innocent and defenceless civilians, obstruct economic development and have other severe consequences for years after emplacement, which include inhibiting the return and rehabilitation of refugees and internally displaced persons and the free movement of all persons;
- (b) *takes note* of the fact that the Movement and a growing number of States, international, regional and non-governmental organizations have undertaken to work urgently for the total elimination of anti-personnel landmines;
- (c) *noting* also that the ultimate goal of States is to achieve the eventual elimination of anti-personnel landmines as viable alternatives are developed that significantly reduce the risk to the civilian population;

- (d) *welcomes* the unilateral steps which some States have taken towards eliminating all types of anti-personnel landmines and the moratoria on the export of anti-personnel landmines instituted by many States, *urges* States that have not yet done so to take similar unilateral measures at the earliest possible date, and *encourages* all States to take further steps to limit transfers;
- (e) *regrets* that the Review Conference of States party to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, held from 25 September to 13 October 1995, could not complete its work;
- (f) *urges* States party to the 1980 Convention and the Movement to redouble efforts to ensure that the resumed sessions of the above-mentioned Review Conference in 1996 result in strong and effective measures;
- (g) *urges* all States which have not yet done so to become party to this Convention and in particular to its Protocol II on landmines, with a view to achieving universal adherence thereto, and further *underlines* the importance of respect for its provisions by all parties to armed conflict;
- (h) *urges* all States and competent organizations to take concrete action to increase their support for mine-clearance efforts in affected States which will need to continue for many decades, to strengthen international cooperation and assistance in this field and, in this regard, to provide the necessary maps and information and appropriate technical and material assistance to remove or otherwise render ineffective minefields, mines and booby traps, in accordance with international law;
- (i) *invites* the ICRC to continue to follow these matters in consultation with the International Federation and National Societies, and to keep the International Conference of the Red Cross and Red Crescent informed;

H. With regard to blinding and other weapons:

- (a) *recalling* Resolution VII of the 25th International Conference of the Red Cross concerning the work on international humanitarian law in armed conflicts at sea and on land;
- (b) *reaffirms* that international humanitarian law must be respected in the development of weapons technology;
- (c) *welcomes* the adoption by the above-mentioned Review Conference of a new fourth Protocol on blinding laser weapons as an important step in the development of international humanitarian law;

- (d) *emphasizes* the prohibition on the use or transfer of laser weapons specifically designed to cause permanent blindness;
- (e) *urges* States to declare themselves bound by the provisions of this Protocol at the earliest possible date and to ensure they have in place necessary national measures of implementation;
- (f) *welcomes* the general agreement achieved at the Review Conference that the scope of application of this Protocol should apply not only to international armed conflicts;
- (g) *requests* States to consider, for example at a subsequent Review Conference, further measures on the production and stockpiling of blinding laser weapons prohibited by this Protocol and *requests* that other issues, such as measures concerning compliance, should be further considered;
- (h) *underlines* that proper attention should be given to other existing conventional weapons or future weapons which may cause unnecessary suffering or have indiscriminate effects;
- (i) *concerned* about the threat to civilian shipping posed by free-floating naval mines, and *notes* that a proposal to deal with problems such as this has been under discussion;
- (j) *invites* the ICRC, in consultation with the International Federation and National Societies, to follow developments in these fields, in particular the expansion of the scope of application of the new fourth Protocol, and to keep the International Conference of the Red Cross and Red Crescent informed.

3

International humanitarian law applicable to armed conflicts at sea

The 26th International Conference of the Red Cross and Red Crescent,

recalling Resolution VII of the 25th International Conference of the Red Cross, which called for further efforts as to the reaffirmation, clarification and development of international humanitarian law applicable to armed conflicts at sea,

noting the report by the International Committee of the Red Cross (ICRC) on this subject,

noting with satisfaction the efforts that have been made at the national level to draw up manuals specifying the content of international humanitarian law applicable to armed conflicts at sea,

particularly welcoming the completion of the *San Remo Manual on International Law Applicable to Armed Conflicts at Sea*³ and its accompanying *Explanation*, and *appreciating* the efforts of the International Institute of Humanitarian Law of San Remo, the ICRC and the experts in the preparation of the *Manual* and the *Explanation*,

1. *urges* States that have not yet done so to draft manuals on international humanitarian law applicable to armed conflicts at sea;
2. *encourages* States to take into account, whenever possible, the provisions of the *San Remo Manual* when drafting manuals and other instructions for their naval forces;
3. *invites* the ICRC, the International Federation of Red Cross and Red Crescent Societies and the National Red Cross and Red Crescent Societies to promote knowledge of contemporary international humanitarian law applicable to armed conflicts at sea.

4

Principles and action in international humanitarian assistance and protection

The 26th International Conference of the Red Cross and Red Crescent,

conscious that the number of people in need of assistance as a result of disasters, and the number of refugees and internally displaced persons in need of assistance and protection, has increased dramatically over the past decade,

conscious of the International Red Cross and Red Crescent Movement's (Movement) unique position as a global, neutral and independent provider of assistance and protection to victims of disaster and war victims, benefiting from the complementarity of its components,

desirous to improve the framework in which humanitarian organizations, in particular the components of the Movement, perform their humanitarian activities, and *welcoming* the standing invitation to the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation) to participate in the Inter-Agency Standing Committee of the United Nations convened by the Department of Humani-

³ See *IRRC*, No. 309, November-December 1995, pp. 595-637.

tarian Affairs, as a means of ensuring operational cooperation by humanitarian organizations in the delivery of humanitarian assistance,

recalling that, according to the Statutes of the Movement, each component of the Movement should respect at all times the Fundamental Principles enshrined in these Statutes (Fundamental Principles), and that States should at all times respect the Movement's adherence to the Fundamental Principles,

recalling that in situations of armed conflict refugees and internally displaced persons together with the remainder of the civilian population are protected by international humanitarian law and that, in addition, refugees are protected by the Convention relating to the Status of Refugees of 1951 and its 1967 Protocol,

reaffirming the principle of non-refoulement,

taking note of Resolution 11 of the Council of Delegates of the Movement held in 1993 in Birmingham concerning the "Principles of Humanitarian Assistance", which *inter alia* reminded States of:

- the victims' right to receive humanitarian assistance,
- the States' duty to assist people who are placed under their authority or their obligation to authorize humanitarian agencies to do so, and
- the right of humanitarian agencies - abiding by the principles of humanity, neutrality, impartiality and independence - to have access to victims,

recalling Resolution XXI and the accompanying Statement of policy on aid to refugees adopted by the 24th International Conference of the Red Cross, and Resolution XVII on the Movement and refugees adopted by the 25th International Conference of the Red Cross,

recalling Resolution XXI on disaster relief in case of technical and other disasters adopted by the 25th International Conference of the Red Cross,

noting that religious and ethical values can foster respect for human dignity and the principles of international humanitarian law,

A. With regard to internally displaced persons and refugees:

1. *calls upon* States:

- (a) *to respect and ensure respect* for international humanitarian law, in particular the general prohibition of forced displacement of civilians, and *to respect* the Convention relating to the Status of Refugees of 1951 and its 1967 Protocol, in particular the fundamental principle of non-refoulement, as well as other relevant regional instruments,

- (b) *to accede to*, for those States which have not already done so, and *to implement* fully the Convention relating to the Status of Refugees of 1951 and its 1967 Protocol,
 - (c) *to provide* humanitarian assistance to internally displaced persons and to assist States having accepted refugees,
 - (d) *to ensure* efficient and adequate access to internally displaced persons and refugees for neutral, impartial and independent humanitarian organizations, in particular National Red Cross and Red Crescent Societies (National Societies), the ICRC and the International Federation, as well as other international organizations, in particular the United Nations High Commissioner for Refugees (UNHCR), according to their respective mandates, so that they may provide protection and humanitarian assistance to these persons,
 - (e) *to ensure* a rapid response to appeals by the ICRC, the International Federation, the National Societies and other international organizations for funding of emergency assistance and protection for refugees, internally displaced persons and returnees,
 - (f) *to renew* their support, through appropriate funding, for the provision of food aid and other supplies for humanitarian assistance to long-standing but unsolved refugee and displaced persons situations, keeping in mind the needs of the most vulnerable,
 - (g) *to recognize* that National Societies, the ICRC and the International Federation can play a vital role in providing protection and humanitarian assistance to internally displaced persons, refugees and returnees, in accordance with the relevant provisions of international humanitarian law;
2. *invites* the components of the Movement, in accordance with their respective mandates:
- (a) *to continue* to provide assistance and protection to, and to work with determination on behalf of and together with, internally displaced persons, refugees and returnees,
 - (b) *to devise and apply* innovative approaches to humanitarian response, including mechanisms for rapid action, based on effective mobilization and use of resources, which will enable them to provide timely and appropriate assistance for internally displaced persons and refugees, taking due account of the action of other humanitarian organizations,
 - (c) *to promote* conflict prevention through the promotion of humanitarian principles and values, as well as the dissemination of international humanitarian law, in particular at the community level,

- (d) *to stand ready* to work in the framework of international relief operations in accordance with the Statutes of the Movement,
 - (e) *to continue and promote* operational cooperation with the United Nations, including in particular the UNHCR, in a spirit of complementarity, as well as with other international humanitarian organizations, as appropriate;
3. *invites* National Societies:
- (a) *to continue*, in accordance with their status as auxiliaries to the public authorities in the humanitarian field, to offer their services to their governments, in order to respond to the needs of refugees, internally displaced persons and returnees,
 - (b) *to call upon* the resources of the ICRC and the International Federation to make effective use of the Movement's capacity when needs exceed the resources locally available,
 - (c) *to seek* efficient cooperation with other organizations, including non-governmental organizations (NGOs) and the United Nations, in particular the UNHCR, recalling the provisions of Resolution XXI of the 24th International Conference concerning International Red Cross aid to refugees, and in particular the provision on agreements between National Societies and the UNHCR;

B. With regard to natural and technological disasters:

- 1. *calls upon* States to take note of the guidelines on National Society involvement in technological disasters (Annex I of the background paper);⁴
- 2. *encourages* National Societies and the International Federation to intensify their activities in favour of the victims of natural and technological disasters, to develop their expertise in this field and to mobilize financial resources;

C. With regard to the Principles and Rules for Red Cross and Red Crescent Disaster Relief:

takes note of the revised Principles and Rules for Red Cross and Red Crescent Disaster Relief (Annex II of the background paper)⁵ and *calls upon* the components of the Movement to implement them;

⁴ See Annex III, pp. 89-101.

⁵ See Annex IV, pp. 102-112.

D. With regard to the need to build longer-term developmental perspectives into humanitarian assistance:

1. *calls upon* States:
 - (a) *to ensure* that their international relief funding policies allow for the strengthening of the operational capacities of recipient National Societies,
 - (b) *to explore* ways of encouraging a developmental approach to relief through their humanitarian assistance programming, and *to take note* in this context of Annex III of the background paper⁶,
 - (c) *to promote*, in international organizations of which they are members, including in particular the International Monetary Fund and the International Bank for Reconstruction and Development, the implementation of a development approach that takes into account emergency situations and humanitarian needs,
2. *calls upon* the International Federation and the ICRC to further develop tools and approaches in order to implement a more developmental approach to relief as well as to give due emphasis to the strengthening of Red Cross and Red Crescent structures, as outlined in the guidelines presented in Annex III of the background paper;

E. With regard to the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief:

1. *takes note of and welcomes* the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief (Annex IV of the background paper)⁷, and further;
2. *invites* all States and National Societies to encourage NGOs to both abide by the principles and spirit of the Code and consider registering their support for the Code with the International Federation;

F. With regard to the humanitarian consequences of economic sanctions:

1. *encourages* States to consider:
 - (a) *when designing, imposing and reviewing* economic sanctions, the possible negative impact of such sanctions on the humanitarian situation of

⁶ See Annex V, pp. 113-118.

⁷ See Annex VI, pp. 119-128.

the civilian population of a targeted State and also of third States which may be adversely affected by such measures,

- (b) *assessing* the short- and long-term consequences of United Nations-approved economic sanctions on the most vulnerable, and *monitoring* these consequences where sanctions have been applied,
 - (c) *providing*, including when subject to economic sanctions, and to the extent of their available resources, relief for the most vulnerable groups and the victims of humanitarian emergencies in their territories;
2. *calls upon* States to permit relief operations of a strictly humanitarian character for the benefit of the most vulnerable groups within the civilian population, when required by international humanitarian law;
 3. *calls upon* the ICRC, the International Federation and National Societies to contribute to the reduction of the undesirable side-effects of sanctions on the humanitarian situation of civilian populations, through assessing the impact thereof and providing relief to the most vulnerable persons, in accordance with their respective mandates;

G. *With regard to the need for independence of humanitarian action in times of crisis:*

1. *takes note* of the Movement's commitment to carrying out its humanitarian work in accordance with its Fundamental Principles, recognizing that humanitarian assistance and protection are primarily directed at the effects of humanitarian crises, not the causes;
2. *calls upon* States:
 - (a) *to recognize* the need for the Movement to maintain a clear separation between its humanitarian action, on the one hand, and actions of a political, military or economic nature carried out by governments, intergovernmental bodies and other agencies during humanitarian crises, on the other hand, bearing in mind the need for the Movement to maintain, in its humanitarian work, its independence, impartiality and neutrality,
 - (b) *to redouble* their efforts in the resolution and prevention of conflicts, peacekeeping, disaster preparedness and disaster mitigation, to which the humanitarian work of the Movement acts as a necessary complement,
 - (c) *to take note* that the security of the operations and personnel of the ICRC, the National Societies and the International Federation is based on their adherence to the Fundamental Principles and that they do not use armed

protection unless confronted with exceptional circumstances and not without the approval of the authority in control of the territory concerned,

- (d) *to fully respect* humanitarian operations and the personnel engaged therein, in all circumstances, and to take due precautions to refrain from acts that would endanger such operations and personnel.

5

Strengthening national capacity to provide humanitarian and development assistance and protection to the most vulnerable

The 26th International Conference of the Red Cross and Red Crescent,

recalling Article 2 of the Statutes of the International Red Cross and Red Crescent Movement (Movement), according to which each State shall promote the establishment on its territory of a National Red Cross or Red Crescent Society (National Society) and encourage its development, and respect adherence by all the components of the Movement to the Fundamental Principles,

recalling, furthermore, the aims and content of resolutions XXV and XXII of, respectively, the 24th and 25th International Conference of the Red Cross on, respectively, the “Development of National Societies in the context of national development plans” and “Development of National Societies as a Contribution to National Development”, and the background papers supporting these resolutions,

recognizing the major role played at the local, national and international levels by all components of the Movement in disaster preparedness and relief, as well as the range of service and development programmes carried out by National Societies, notably in the health, social welfare and blood sectors,

recognizing that the combined resources of National Societies represent a great force for promoting human betterment and the further development of civil society at a time when numerous social and economic trends are having a negative impact on the quality of life of the most vulnerable sections of the population of some countries,

acknowledging nevertheless that wide disparities exist between the relatively small number of National Societies that possess substantial capacity and financial resources and the many that do not,

taking note of the background paper and the deliberations on the subject of strengthening the Movement’s capacity to assist and protect the most vulnerable people,

1. *calls upon States*

- (a) *to reaffirm* the mandate of National Societies as autonomous humanitarian organizations auxiliary to their governments and as institutions that play a special role in enhancing respect for humanitarian values and human dignity,
- (b) *to recognize* the need for National Societies to maintain their independence and autonomy of action in order to act in accordance with the Fundamental Principles and the values that they stand for, and *to respect* the National Societies' right to adjust their statutes, in accordance with national legislation, whenever they deem it necessary in order to improve their functioning,
- (c) *to make better use* of the potential of National Societies as cost-effective providers of health care, social services and emergency assistance for the most vulnerable, and *to recognize* that National Societies will need to develop new ways, including systems of cost recovery, to fund work carried out in cooperation with the public authorities,
- (d) *to recognize* the specific role of the National Society of their country in disaster preparedness and tracing services, ensuring that it has a clearly defined role in the context of the country's overall disaster preparedness plans,
- (e) *to help* create a beneficial environment for the overall development of National Societies in their own countries, by providing, for example, financial and fiscal benefits or other arrangements that recognize the not-for-profit nature of the National Societies and their role as auxiliaries to the public services,
- (f) *to support* the development of the global network of National Societies by providing adequate financial resources to development cooperation programmes in order to address the needs of the growing number of the most vulnerable populations, both in normal times and in times of disaster,
- (g) *to support* the efforts of all components of the Movement, according to their respective mandates, to assist in the development of National Societies;

2. *calls upon* all components of the Movement to continue their support towards the development of a network of National Societies, in accordance with their agreed coordination mechanisms, and *notes with appreciation* the efforts made in institutional, resource and programme development by National Societies and the International Federation of Red Cross and Red Crescent

Societies (International Federation), and the complementary efforts of the International Committee of the Red Cross (ICRC) concerning National Societies' preparations for their role in a conflict situation;

3. *calls upon* the International Federation and the ICRC, in cooperation with National Societies, to draw up a model law of recognition of a National Society suitable for adaptation to individual national requirements, and present it to the 27th International Conference;
4. *calls upon* the States concerned and the International Federation, in cooperation with the ICRC, to promote in every country the establishment and development of an independent National Society, in order to meet the statutory conditions for recognition, and the subsequent admission to membership of the International Federation of National Societies which do not have full membership;
5. *calls upon* the International Federation, in the spirit of its Strategic Work Plan for the Nineties, to vigorously strengthen National Societies and the cooperation between them;
6. *calls upon* the National Societies to search constantly for new means to strengthen their own capacity to identify and assist the most vulnerable, and to share experience and resources with other National Societies, so as to maximize the capacity of the Movement as a whole;
7. *requests* the International Federation, in cooperation with the ICRC, to report to the 27th International Conference on the action and the principal measures taken to implement this resolution on the basis of information received from National Societies and States.

6

**Election of the members of the Standing Commission
of the Red Cross and Red Crescent**

The 26th International Conference of the Red Cross and Red Crescent, *elects* the following as members of the Standing Commission of the Red Cross and Red Crescent:

- (a) HRH Princess Margriet of the Netherlands (The Netherlands Red Cross);
- (b) Mrs Christina Magnuson (Swedish Red Cross);
- (c) Dr Guillermo Rueda Montaña (Colombian Red Cross);
- (d) Mr Tadateru Konoe (Japanese Red Cross Society);
- (e) Dr Byron R. Hove (Zimbabwe Red Cross Society).

7

**Amendment to the Statutes and Rules of Procedure of the
International Red Cross and Red Crescent Movement**

The 26th International Conference of the Red Cross and Red Crescent,
adopts, in conformity with Article 20 of the Statutes and with immediate effect, the amendment to the Statutes and the Rules of Procedure of the International Red Cross and Red Crescent Movement presented in document 95/P.II/4/1, whereby the name of the League of Red Cross and Red Crescent Societies in these Statutes and Rules is changed to the International Federation of Red Cross and Red Crescent Societies.⁸

8

**Date and place of the 27th International Conference
of the Red Cross and Red Crescent**

The 26th International Conference of the Red Cross and Red Crescent,
decides to hold the 27th International Conference in 1999, the date and place to be decided by the Standing Commission of the Red Cross and Red Crescent.

⁸ See Annex VII, pp. 129-130.

**FINAL DECLARATION
OF THE INTERNATIONAL CONFERENCE FOR THE
PROTECTION OF WAR VICTIMS¹**

(Geneva, August 30-September 1, 1993)

The participants in the International Conference for the Protection of War Victims, held in Geneva from August 30 to September 1, 1993, solemnly declare the following:

I

1. We refuse to accept that war, violence and hatred spread throughout the world, and fundamental rights of persons are violated in an increasingly grave and systematic fashion. We refuse to accept that wounded are shown no mercy, children massacred, women raped, prisoners tortured, victims denied elementary humanitarian assistance, civilians starved as a method of warfare, obligations under international humanitarian law in territories under foreign occupation not respected, families of missing persons denied information about the fate of their relatives, populations illegally displaced, and countries laid to waste.
2. We refuse to accept that, since war has not been eradicated, obligations under international humanitarian law aimed at limiting the suffering caused by armed conflicts are constantly violated. We vigorously condemn these violations which result in a continued deterioration of the situation of persons whom the law is intended to protect.
3. We refuse to accept that civilian populations should become more and more frequently the principal victim of hostilities and acts of violence perpetrated in the course of armed conflicts, for example where they are intentionally targeted or used as human shields, and particularly when they are victims of the odious practice of "ethnic cleansing". We are alarmed by the marked increase in acts of sexual violence directed notably against women and children and we reiterate that such acts constitute grave breaches of international humanitarian law.
4. We deplore the means and methods used in the conduct of hostilities which cause heavy suffering among civilians. In that context we reaffirm our

¹ See also *IRRC*, No. 296, September-October 1993, pp. 377-381.

determination to apply, to clarify and, where it is deemed necessary, to consider further developing the existing law governing armed conflicts, in particular non-international ones, in order to ensure more effective protection for their victims.

5. We affirm the necessity to reinforce, in accordance with international law, the bond of solidarity that must unite mankind against the tragedy of war and in all efforts to protect the victims thereof. In that spirit, we support peaceful bilateral and multilateral initiatives aimed at easing tensions and preventing the outbreak of armed conflicts.
6. We undertake to act in cooperation with the UN and in conformity with the UN Charter to ensure full compliance with international humanitarian law in the event of genocide and other serious violations of this law.
7. We demand that measures be taken at the national, regional and international levels to allow assistance and relief personnel to carry out in all safety their mandate in favour of the victims of an armed conflict. Stressing that peace-keeping forces are bound to act in accordance with international humanitarian law, we also demand that the members of peace-keeping forces be permitted to fulfil their mandate without hindrance and that their physical integrity be respected.

II

We affirm our responsibility, in accordance with Article I common to the Geneva Conventions, to respect and ensure respect for international humanitarian law in order to protect the victims of war. We urge all States to make every effort to:

1. Disseminate international humanitarian law in a systematic way by teaching its rules to the general population, including incorporating them in education programmes and by increasing media awareness, so that people may assimilate that law and have the strength to react in accordance with these rules to violations thereof.
2. Organize the teaching of international humanitarian law in the public administrations responsible for its application and incorporate the fundamental rules in military training programmes, and military code books, handbooks and regulations, so that each combatant is aware of his or her obligation to observe and help enforce these rules.
3. Study with utmost attention practical means of promoting understanding of and respect for international humanitarian law in armed conflicts in the event that State structures disintegrate so that a State cannot discharge its obligations under that law.

4. Consider or reconsider, in order to enhance the universal character of international humanitarian law, becoming party or confirming their succession, where appropriate, to the relevant treaties concluded since the adoption of the 1949 Geneva Conventions, in particular:
 - the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts of 8 June 1977 (Protocol I);
 - the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts of 8 June 1977 (Protocol II);
 - the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons and its three Protocols;
 - the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict.
5. Adopt and implement, at the national level, all appropriate regulations, laws and measures to ensure respect for international humanitarian law applicable in the event of armed conflict and to punish violations thereof.
6. Contribute to an impartial clarification of alleged violations of international humanitarian law and, in particular, consider recognizing the competence of the International Fact-Finding Commission according to Article 90 of Protocol I mentioned in Part II, paragraph 4 of this Declaration.
7. Ensure that war crimes are duly prosecuted and do not go unpunished, and accordingly implement the provisions on the punishment of grave breaches of international humanitarian law and encourage the timely establishment of appropriate international legal machinery, and in this connection acknowledge the substantial work accomplished by the International Law Commission on an international criminal court. We reaffirm that States which violate international humanitarian law shall, if the case demands, be liable to pay compensation.
8. Improve the coordination of emergency humanitarian actions in order to give them the necessary coherence and efficiency, provide the necessary support to the humanitarian organizations entrusted with granting protection and assistance to the victims of armed conflicts and supplying, in all impartiality, victims of armed conflicts with goods or services essential to their survival, facilitate speedy and effective relief operations by granting to those humanitarian organizations access to the affected areas, and take the appropriate measures to enhance the respect for their safety, security and integrity, in conformity with applicable rules of international humanitarian law.

9. Increase respect for the emblems of the red cross and red crescent as well as for the other emblems provided for by international humanitarian law and protecting medical personnel, objects, installations and means of transport, religious personnel and places of worship, and relief personnel, goods and convoys as defined in international humanitarian law.
10. Reaffirm and ensure respect for the rules of international humanitarian law applicable during armed conflicts protecting cultural property, places of worship and the natural environment, either against attacks on the environment as such or against wanton destruction causing serious environmental damage; and continue to examine the opportunity of strengthening them.
11. Ensure the effectiveness of international humanitarian law and take resolute action, in accordance with that law, against States bearing responsibility for violations of international humanitarian law with a view to terminating such violations.
12. Take advantage of the forthcoming Conference for the review of the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons and the three Protocols thereto, which provides a platform for wider accession to this instrument, and to consider strengthening existing law with a view to finding effective solutions to the problem of the indiscriminate mines whose explosions maim civilians in different parts of the world.

With this Declaration in mind, we reaffirm the necessity to make the implementation of international humanitarian law more effective. In this spirit, we call upon the Swiss Government to convene an opened intergovernmental group of experts to study practical means of promoting full respect for and compliance with that law, and to prepare a report for submission to the States and to the next session of the International Conference of the Red Cross and Red Crescent.

*
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In conclusion we affirm our conviction that, by preserving a spirit of humanity in the midst of armed conflicts, international humanitarian law keeps open the road to reconciliation, facilitates the restoration of peace between the belligerents, and fosters harmony between all peoples.

Meeting of the Intergovernmental Group of Experts for the Protection of War Victims¹

(Geneva, 23-27 January 1995)

RECOMMENDATIONS

I

The Experts recommend that:

- the International Committee of the Red Cross (“the ICRC”) continue its dialogue with States with a view to promoting their adherence to international humanitarian law (“IHL”) the instruments and assisting them in dealing with issues that arise in this respect;
- the Depositaries of IHL instruments appeal to States not party to adhere to such instruments, carry out appropriate promotional activities for that purpose and publish periodically, e.g. in the *International Review of the Red Cross* and other public sources of information, the list of States Parties;
- in their regular programme of activities, the competent organs of the UN and other intergovernmental organizations, universal and regional, encourage States to adhere to specific IHL instruments;
- the States Parties to IHL instruments support the efforts of the ICRC, the Depositaries and the organizations mentioned above, to promote adherence to such instruments;
- the States Parties that have recognized the competence of the International Humanitarian Fact-Finding Commission established under Article 90 of Additional Protocol I to the 1949 Geneva Conventions (“Protocol I”) support, where appropriate, the Commission’s efforts to promote recognition of its competence; and that voluntary contributions be encouraged to increase the Commission’s funds available for that purpose;
- States consider availing themselves of the services of National Red Cross and Red Crescent Societies (“the National Societies”) and national committees referred to in Chapter V in the process of adhering to pertinent IHL instruments.

¹ See also *IRRC*, No. 304, January-February 1995, pp. 33-38.

II

The Experts recommend that:

- the ICRC be invited to prepare, with the assistance of experts in IHL representing various geographical regions and different legal systems, and in consultation with experts from governments and international organizations, a report on customary rules of IHL applicable in international and non-international armed conflicts, and to circulate the report to States and competent international bodies.

III

The Experts recommend that:

- the ICRC, with the assistance of National Societies, the International Federation of Red Cross and Red Crescent Societies (“the International Federation”) and academic institutions, strengthen its capacity to provide advisory services to States, with their consent, in their efforts to implement and disseminate IHL;
- States and National Societies indicate to the ICRC or, as appropriate, to the International Federation the specific needs they may have for such advisory services;
- the ICRC submit reports on its advisory services to the States parties to the 1949 Geneva Conventions and other interested bodies on an annual basis, and to the International Conference of the Red Cross and Red Crescent (“the Conference”).

IV

The Experts recommend that:

- the ICRC, in carrying out its mandate to disseminate IHL, work together, wherever possible, with other interested bodies including the International Federation, UN organs and specialized agencies, and regional organizations;
- States, on a regional and global basis, promote exchanges of information on dissemination and implementation of IHL;
- the ICRC prepare, in cooperation with experts from various geographical regions, a model manual for armed forces on the law of international and non-international armed conflicts;
- States produce national manuals on the law of armed conflicts, use them as an integral part of military training, and, where possible, consult among themselves with a view to harmonizing such manuals;

ANNEX II

- States increase their efforts, at national and international levels, to train civilian and military instructors in IHL, and to train in that law the members of civilian administrations, armed forces, security forces and paramilitary forces, and members of armed forces engaged in international peacekeeping operations, according to their specific ranks and functions;
- States, where appropriate with the assistance of National Societies, increase the civilian population's awareness of IHL, thus contributing to the dissemination of a culture based on respect for the individual and human life, in all circumstances;
- States, in collaboration with National Societies, take advantage of the celebration of World Red Cross and Red Crescent Day to promote the dissemination of IHL;
- States, where appropriate with the assistance of National Societies and academic institutions involved in public education, make every effort to produce specific programmes and teaching materials designed to imbue students of all ages with the principles of IHL and make those programmes available to interested States;
- States, the ICRC, National Societies and the International Federation, encourage the production of audiovisual materials and the organization of seminars in order to heighten awareness of IHL issues among representatives of the national and international media;
- the ICRC and States make efforts to provide technical assistance in order to ensure that basic documents of IHL are widely available in national languages;
- the Conference note that religious and ethical values foster respect for human dignity and the principles of IHL.

V

The Experts recommend that:

- States be encouraged to create national committees, with the possible support of National Societies, to advise and assist governments in implementing and disseminating IHL;
- States be encouraged to facilitate cooperation between national committees and the ICRC in their efforts to implement and disseminate IHL;
- the ICRC organize a meeting of experts from States having already established national committees and from other interested States, and report on

the meeting's conclusions to States interested in the establishment of such committees.

VI

The Experts recommend that:

- States, in order to comply with their commitments in this regard under IHL instruments,
 - be invited by the Conference to provide to the ICRC any information which might be of assistance to other States in their efforts to disseminate and implement IHL;
 - make every effort to participate in the fullest possible exchange of information on the measures that they have taken to implement their obligations under IHL instruments;
- the ICRC, in order to facilitate these measures,
 - continue to participate actively in efforts to disseminate and implement IHL;
 - be encouraged to draw up guidelines, from time to time, for the purpose of enhancing the exchange of information;
 - collect, assemble and transmit the information provided to States and to the Conference.

VII

The Experts recommend that:

- States, in order to fulfil their basic obligation to respect and ensure respect for IHL in all circumstances, and taking into account, in particular, the vulnerability of civilian populations, and the responsibility of States which violate IHL,
 - act, jointly or individually, in situations of serious violations of IHL, in cooperation with the United Nations and in conformity with the United Nations Charter;
 - establish, wherever possible, and in conformity with IHL, safety zones, demilitarized zones, humanitarian corridors and other forms of protection for civilian populations, in situations of armed conflict, and cooperate to ensure respect for decisions adopted by the competent UN organs to that end, in accordance with the UN Charter;

- enact and rigorously implement whatever legislation is necessary to give effect to their obligations to ensure that those who commit, or order to be committed, violations of IHL do not go unpunished; and afford one another the greatest measure of assistance in criminal proceedings, including the provision of evidence and information from relevant sources, e.g. refugees;
- participate actively in the ongoing discussions within the UN on the establishment of a permanent international criminal court, and implement all national measures to ensure the functioning of the ad hoc tribunals for the former Yugoslavia and Rwanda established by the UN Security Council;
- cooperate with relevant international and regional intergovernmental organizations and, if they so wish, the International Humanitarian Fact-Finding Commission established under Article 90 of Protocol I, in conducting enquiries into violations of IHL, including by providing them, whenever possible, with funds, experts or logistical support;
- the Depositary organize periodical meetings of the States parties to the 1949 Geneva Conventions to consider general problems regarding the application of IHL.

VIII

The Experts call upon the ICRC:

- (a) to analyse measures which could ensure, *inter alia*,
 - universal respect for IHL, particularly as it relates to civilians who are more and more often the victims of the use of means and methods of war consisting of systematic and large-scale killings by any armed groups, of “ethnic cleansing” and of other violations of IHL in any armed conflict;
 - full protection for women and children from violations of IHL, taking into account any contribution on these subjects which might be available, in particular from the 1995 World Conference on Women and from relevant UN organizations, including UNICEF and UNHCR;
 - full protection of the rights of refugees and of displaced persons from violations of IHL and the 1951 Convention relating to the status of refugees and its Protocol, taking into account any information which might be available, in particular from UNHCR;
- (b) to examine situations where State structures have disintegrated as a result of non-international armed conflicts;

- (c) to examine, on the basis of first-hand information available to it, the extent to which the availability of weapons is contributing to the proliferation and aggravation of violations of IHL in armed conflicts and the deterioration of the situation of civilians;
 - (d) to prepare, in collaboration with the International Federation, a draft recommendation for consideration by the Conference, encouraging voluntary contributions to support programmes for the dissemination and implementation of IHL, with particular emphasis on the protection of war victims.
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**THE ROLE OF THE RED CROSS
AND RED CRESCENT SOCIETIES
IN RESPONSE TO
TECHNOLOGICAL DISASTERS**

**International Federation
of Red Cross and Red Crescent Societies**

Geneva

PREAMBLE

The objective of this document is to describe the effects of technological disasters, notably chemical and nuclear disasters, and the appropriate roles of, and actions by, National Societies

The policy-making bodies of the National Societies are the main target group.

Like any global document, it deals with generalities. Its conclusions need to be judged against the situation of each National Society.

1. Executive Summary

In recent years the world has seen an increase in the number of technological accidents and disasters, accompanied by deaths, material losses and dangerous environmental pollution. Several conditions may lead to a further increase in the vulnerability of populations to technological disasters.

Technological disasters are defined here as resulting from the release of chemical or nuclear material or ionizing radiation into the environment (disasters as a result of the use of chemical or nuclear weapons are not considered in this document).

Although every disaster — be it natural, technological or conflict — is unique in itself, technological disasters may create an extra dimension. In almost every country in the world chemical and/or nuclear material is used, yet the probability of technological disasters occurring is very dependent on human factors.

Unlike many naturally triggered disasters, the occurrence of technological disasters cannot be predicted. This type of disaster may happen everywhere and at any time. Minor technological incidents can turn suddenly into major accidents and disasters. All of a sudden, communities — even in countries far away from the actual site of the disaster — may become *involved as* victim of this disaster. The Bhopal chemical disaster and the Chernobyl nuclear disaster are striking examples.

At several international meetings (e.g. the International Conference of the Red Cross in 1986 and the Regional Conference of European National Red Cross and Red Crescent Societies in 1992) participation of National Societies in relief activities for the victims of technological disasters was recommended.

But, what should be the role of the Federation (National Societies, the Secretariat and the delegations) in another “Bhopal” or “Chernobyl”? What can National Societies do and what can they not do? For instance, are National Societies able to work in contaminated areas? Do National Societies have to limit themselves to their traditional roles or are they able to take up new roles? How should National Societies prepare themselves for technological disasters and what kind of support can be given by the Secretariat?

The document gives information about the different aspects of technological disasters, their potential risks on the health of the affected population, aspects of relief operations and the possible roles of the National Societies and the Federation’s Secretariat. In the annexes some background information about technological disasters is given.

It is recommended that National Societies should only work in sectors where they have, or can build, competence, and where they can provide auxiliary support and additionality to the disaster response system.

2. Why should the Federation be concerned with technological disasters?

In 1986 the Twenty-fifth International Conference of the Red Cross adopted the resolution “Disaster relief in case of technical and other disasters” (Resolution XXI). In this resolution the participants of the Conference recommended that “the League and the Henry Dunant Institute undertake a study concerning the possibilities and the necessities of improved assistance from the Movement in case of technical and other disasters”. After the 1989 General Assembly a “Study on the role of the National Societies in the event of technological disaster” was started. This present document is a direct result of the Study.

In recent years the world has seen an increase in the number of technological accidents and disasters, accompanied by deaths, material losses and dangerous

environmental pollution. At any time technological incidents can turn suddenly into major accidents and disasters. Damaging situations of this kind can also occur below the threshold of disaster, which require immediate and preventive action on the part of all agencies called upon to help. Immediate action may prevent a (major) accident from becoming a real disaster.

The effects of major accidents and disasters may — independently of where they occur in one State — spread to the territory of other States. These kind of accidents and disasters require special and additional measures of prevention, assistance and mutual information and support, which must be planned and carried out both by States and by (inter-)national organizations.

Rapid industrial growth in developing countries combined with (often imported) new technology, lack of legislation, inadequate supervision of safety procedures by public authorities and the lack of or insufficient training of local workers are some conditions for an increasing risk for technological disasters.

Developed countries are faced with outdated nuclear and chemical installations and in industrial States with rapidly changing social and political systems there is often little chance of these installations being renovated or rebuilt.

In almost all countries of the world many people live in close proximity to chemical or nuclear installations, often forced to do so due to poverty or ignorance of the danger. Moreover, millions live near rivers, railways and roads, along which chemical or nuclear materials are transported.

Nuclear and chemical disasters are “cross-border” disasters. People living in neighbouring countries (and sometimes even in countries which are much further away) may become victims of technological disasters. Any of these conditions may lead to an increasing vulnerability of the population to technological disasters.

Based on the Fundamental Principles, the International Federation of Red Cross and Red Crescent Societies endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found.

From the humanitarian perspective, the cause of any disaster - be it technological, natural or conflict - is of secondary importance. What is important is that Red Cross/Red Crescent actions, as described in the Strategic Work Plan for the Nineties, should seek to assist the most vulnerable and reduce their future vulnerability. Furthermore, like any professional organization, the Federation should work in sectors where it has, or can build, competence, and where it can provide auxiliary support and additionality to the disaster-response system.

The objective of this document is to describe the potential risks of technological disasters, notably chemical and nuclear disasters, and the appropriate roles of, and actions by, National Societies.

Like any global document, it deals with generalities. Its conclusions need to be judged against the situation of each National Society.

The document is a tool to help National Societies:

- to understand the diversity and nature of technological disasters,
- to decide whether involvement in technological disaster response is a priority for them, and
- (if it is a priority) to decide upon the role they may play in technological disaster response.

Comments on the documents and suggestions to improve the support by the Federation's Secretariat and Delegations in technological disasters are welcomed and should be addressed to the Federation's Secretariat in Geneva.

3. Some considerations about technological disasters

Technological disasters are defined here as resulting from the release of chemical or nuclear material or ionizing radiation into the environment.

The probability of technological disasters occurring is very dependent on human factors. The nature of technological disasters means that the technology and procedures to deal with them are often improvised on an ad-hoc basis for each disaster that occurs. Responses to technological disasters in impoverished countries remain severely limited due to lack of resources, and the failure of those who impart technology to the developing world. This places them outside the scope of most countries' disaster preparedness plans.

Technological disasters may have both a short- and a long-term impact on people and the environment. The short-term impact on people happens immediately or within a few days after a disaster, for example injuries (wounds and burns), poisoning, and radiation disease.

Often people have questions about the long-term impact of the incident with regard to their future health or well-being. These questions have to do with the possibility of mutagenic or carcinogenic effects and possible genetic defects in their offspring. It must be clear how future exposure to contaminating agents will be stopped or limited to safe levels.

Radio-active particles, gases and aerosols are carried by air. Often, this material is spread over a large area. After the Chernobyl disaster radio-active material was found as far afield as northern Canada. Such aerial pollution is impossible to contain once the hazardous substance has been released, though dilution of the pollutants will depend upon the prevailing meteorological situation (e.g. in a coastal area with strong winds gases will be diluted in a quicker way

than in areas without wind). The hazardous material may affect people mostly not with direct effects but with questions and fear.

Radioactive particles and liquid or solid chemical substances may come into the water and be carried by it or dissolved by it. Toxic effects on people are possible when contaminated water is ingested.

Also hazardous material can be stored in soil. Usually the exposure will not be in a range where immediate health effects can be expected. However — especially with contaminated food products — preventive levels can be exceeded.

Short- and/or long-term contamination of organisms living in the water is possible. The hazardous material will enter the food-chain. For instance, fish living in contaminated rivers will ingest or absorb the toxic material. The toxic material may cumulate in the fish; eating contaminated fish may result in an increased body burden. A well-known example is the accumulation of mercury in fish. Persistence and accumulation of pollutants in ground water is also possible. The effects on people may not be caused by the same substance as the short- and long-term effects on the environment. The disaster in Schweizerhalle (Switzerland) for example had some minor short-term effects on people from the gases released at the explosion, but the effects on the environment were caused by the chemicals released into the river.

Some disasters have short- and long-term effects on the environment but do not affect people directly.

4. Risks of technological disasters

4.1 Health risks of chemical disasters

The risk of acute exposure to chemical agents is not limited to people living in the vicinity of chemical installations or storage facilities. During the transport of chemical substances by road, rail or water accidents may happen, whereby people can face a direct threat. Moreover, during the disaster relief operation relief workers can be affected when no proper protective measures have been taken.

Exposure to chemical agents can be jeopardized by the release of combinations of chemical agents or the release of pyrolytic or combustion products due to heating. In such situations, victims with different or combined injuries can be found. For instance, in case of fires, people with burns will be found, explosions will result in mechanical traumas, and poisonous gases can result in respiratory problems.

Various situations may lead to the release of chemical agents:

- manufacturing, processing or storage accidents;

- transport accidents;
- accidents during use of chemicals (e.g. by ignorance of used substances, handling error, inadequate mixture or storage);
- natural catastrophes and armed conflicts leading to damage or destruction of chemical installations.

4.2 Health risks of nuclear disasters

The risk of acute exposure to nuclear radiation is also not limited to people living in the vicinity of nuclear installations or storage facilities. People living along roads, railways or rivers and relief workers can be affected.

Contrary to mechanical and chemical injuries, acute life-threatening situations will occur very rarely after exposure to ionizing radiation, although in combination with other injuries (e.g. due to an explosion) obviously acute life-threatening situations may occur. Treatment of vital injuries has a higher priority than evaluation of possible radiation injuries.

Only in case of an explosion and/or big fire in a nuclear reactor, one may expect a large group of people with an acute radiation disease.

Various situations may lead to the release of radioactive material:

- accidents with nuclear installations like nuclear reactors;
- accidents with radioactive sources (e.g. during transport). These sources can be divided into open sources and closed sources. From an open source radioactive material can leak; over-radiation may occur by closed sources.

People can be exposed to:

- external irradiation (whole body or parts of body);
- external contamination (radioactive particles on the skin or clothes);
- internal contamination (by inhalation, ingestion, or injection through wounds).

4.3 Psychological and social effects

The psychological effects of a disaster are normal reactions to an abnormal event. This is very important to know for people struck by a disaster. The various symptoms of the psychological effects can be very different from one person to another.

The maximum of the psychosocial disruption will emerge from disasters characterized by:

- suddenness;
- high uncertainty;
- prolonged duration;
- broad scope of physical destruction, death and injury;
- occurrence at night;
- massive exposure of survivors to dead and badly injured individuals.

If the affected people do not get help and support in their suffering, the psychological problems may increase and lead to serious psychological and physical diseases which have consequences for the social life and welfare of the family and community.

Long-term psychological effects may have a serious impact on a community. People unable to work as a consequence of their psychological illness may find it hard to feed their families and earn their living. Others may face a destroyed life and an uncertain future and may have difficulty in finding the will to go on.

To reduce suffering and aid recovery it is vital that relief agencies are able to identify those who are affected and contribute to their psychosocial recovery.

An appropriate and timely psychological support may help to avoid some of these psychological effects. It is important to provide informed humanitarian support based on a knowledge of common human needs rather than relying solely upon complex mental health interventions by specialists.

5. Relief actions in technological disasters

General

A toxic gas-release has a great and most sudden impact on many people. Therefore the emergency response to these chemical accidents must be very fast. (Liquid or solid chemical material spread by water or soil allow more response time and usually do not have a major impact on people. More often they cause long-term effects on the environment.) In addition to the toxic effects, victims may have injuries caused by fire or explosion.

Chemical and radioactive material can be spread over large areas. However, the problem with chemical agents is that it is quite difficult to detect them.

Contaminated zone

Experts **must** evaluate the situation and analyse the nature and concentration of the hazardous material involved as quickly as possible and make recommendations on protective measures for the relief workers and the affected population (e.g. evacuation of the population). Based on the level of radiation the experts decide how long relief workers may stay in the contaminated area. Protective measures for relief workers include protective gloves and/or clothes and gasmasks.

In addition to the presence of chemical material, risks of explosion and lack of oxygen may exist.

Decontamination zone

Before people from the contaminated zone are allowed to enter the safe zone, they have to be decontaminated in order to prevent the spread of chemical material. Decontamination can be done by removing contaminated clothes, and by cleansing with water and soap. (Major problems in a decontamination procedure are the availability of and the access to water; in the "cold areas" decontamination may even lead to hypothermia).

6. Possible role of the Red Cross and Red Crescent Societies

6.1 General

Primary responsibility for the prevention of disasters, assistance to victims and reconstruction must remain the domain of public authorities, even in the most underdeveloped countries. While most industrialized countries have an extensive civil defence infrastructure, countries in the developing world frequently lack the capability from both expertise and resource standpoint to fulfil this crucial role.

The role of an operating National Society has to be seen in the light of its national context, e.g. limitations within national legislation and the Fundamental Principles. Most of the roles are not unique for technological disasters, but are applicable for all types of disasters. For instance, is there any difference whether evacuees come from an area stricken by e.g. a flood or by a nuclear disaster. The strength of National Societies lies in their constant readiness for rapid action and the flexibility of the various forms of assistance. The best possible preparedness — be it for natural or technological disasters — should be maintained. This is in clear accordance with the traditional role of National Societies.

It is recommended that National Societies should work only in sectors where they have, or can build, competence, and where they can provide auxiliary support and additionality to the disaster response system.

6.2 Prevention

Raising awareness

Technological disasters are a threat to humanity just like the risk of mass starvation or war. National Societies may consider playing a role in increasing people's knowledge about technological hazards to which they may be exposed. People should be informed about technological risks in their region, by evaluating the dangers resulting from chemical or nuclear installations, by providing information and consultation to interested and worried people and by collecting addresses of voluntary local experts (toxicologists, doctors, technicians, fire-fighters etc.).

Advocacy role

The Federation seeks to assist the most vulnerable and to reduce their future vulnerability. This can be done through advocacy and lobbying as well as direct actions.

For instance:

- Defending the rights of the most vulnerable individuals and groups by lobbying for safety measures in hazardous industries in order to achieve better working and living conditions and for strict environmental and housing rules for people living in the vicinity of chemical or nuclear installations;
- Urging the government to establish and to test regularly emergency plans for technological disasters.

6.3 Relief and rehabilitation

6.3.1 Operating National Society

First aid and transport of injured

In addition to the standard knowledge about first aid, first aid workers have to know how to work in an area with chemical or nuclear contamination, unless the First Aid activities take place only in safe zones. Working in contaminated areas also means that First Aid workers have to know how to use protective clothes etc. Finally they have to know the basic principle of triage.

Working in areas contaminated by chemical or radioactive material or radiation can only take place when certain conditions can be fulfilled. Experts should be present to evaluate the level of contamination and to give recommendations about protection for the First Aid workers. Also decontamination facilities should be available. Rehearsals of working in contaminated areas should take place very regularly.

Before taking a decision whether the National Society should or should not work in contaminated areas, some ethical questions have to be answered. For instance, what to do when it is not clear that an area is contaminated because of a lack of reliable measurement results? And what to do when no protective clothes will be available for their First Aid workers? Do we leave the patients where they are or do we send our volunteers to help while knowing that they might become victims themselves?

Social services

A second traditional activity of National Societies is in the provision of social services to the most vulnerable in a disaster (e.g. distribution of food and clothes and sheltering). Experiences from Chernobyl and other (technological) disasters have shown that psychosocial support to the disaster victims is also of tremendous importance throughout the relief operation.

Rehabilitation

National Societies can take care of victims of disasters with long-term health and psychological effects. They may organize relief programmes to help the affected population in order to return to a normal life by integrating the affected people into ongoing health programmes of the country or the Society.

Tracing

Many people might be evacuated to safer places. Families will be split up in the havoc. Tracing family members will have a positive psychological impact.

Information during and after the disaster

Clear and reliable information to the victims of the disaster helps to reduce the psychological effects of the emergency. National Societies should try to establish their own sources and expertise for the independent gathering of information in the disaster area.

Not only during the disaster is it important to give people reliable information, but also (even many years) after the disaster. Many scientific programmes monitor the affected population without giving individual feedback to the persons examined; this may lead to the impression of being used as guinea pigs. The Chernobyl Programme run by the Belorussian, the Russian and the Ukrainian Red Cross Societies and supported by the Federation checks and immediately informs the affected population whether late effects of nuclear radiation have been discovered and how nuclear contamination can be prevented.

6.3.2 Participating National Society

The role of Participating Societies in technological disasters is in itself not unique, but may be the same as for all types of disasters. Participating National Societies should focus on material and financial support. Examples of material support are shelter materials for evacuees and water supply systems. Due to the response time it is not opportune to send experts to the disaster stricken country. Moreover, it is the primary responsibility for the public authorities and the intergovernmental organizations to send these experts.

6.4 Federation's Secretariat

Also the role of the Federation's Secretariat in technological disasters is not unique, but is in principle the same as for all types of disasters.

In addition to its coordination role, the Secretariat should be able to support National Societies in preparing for technological disasters (e.g. guidelines for First Aid to victims of technological disasters).

The Federation may create a "Reference Centre for Technological Disasters", operated by the Federation's Secretariat or hosted by a National Society. This Centre will collect and distribute information related to prevention and relief of technological disasters.

7. Acknowledgement

The Federation would like to thank the original authors of this document, Christopher Muller and Andrea Weber, and their supervisor, Prof. Ch. Schlatter (University of Zurich, Switzerland).

ANNEXES

RESOLUTION XXI "DISASTER RELIEF IN CASE OF TECHNICAL AND OTHER DISASTERS"

(Adopted at the final plenary meeting of the XXVth International Conference of the Red Cross, 1986)

The Twenty-fifth International Red Cross Conference,

recognizing that technological developments in many areas constantly progress and that many States carry out nuclear activities,

being aware that in the development and application of existing and new technologies it cannot be totally excluded that at any time technical incidents can

turn suddenly into serious accidents and disasters, which directly endanger the health and life of a great number of people,

recognizing that damaging situations of this kind can also occur below the threshold of disaster, which require immediate and preventive action on the part of all agencies called upon to help,

knowing that the effects of such serious accidents and disasters can — independently of where they occurred in one State — spread to the territory of other States,

being aware that these kinds of accidents and disasters require special and additional measures of prevention, assistance and mutual information and support, which must be planned and carried out both by States and by international organizations,

expressing the wish that to this end international co-operation may be reinforced and intensified,

acknowledging the fact that the International Red Cross and Red Crescent Movement is more especially obliged to provide mutual assistance and support in any kind of disaster,

recognizing the necessity for the Movement to address itself more comprehensively and more intensively than up to now to the issue of possible dangers and consequences of technical or other disasters with a view to more adequate and improved assistance,

noting with gratitude that the members of the International Atomic Energy Agency meeting in Vienna recently adopted a Convention on early notification of nuclear accidents and on mutual assistance,

1. *requests* governments to intensify future international co-operation for the safe development and application of new technologies and to undertake efforts to conclude further bilateral and multilateral agreements on mutual, timely and comprehensive information as well as on measures for mutual assistance,
2. *recommends* to governments and international organizations when concluding such agreements and conventions also to take proper account of the capacity of their corresponding National Red Cross and Red Crescent Societies and of the entire Movement to participate in relief action and to include them in their information system at an early stage,
3. *further recommends* to governments vigorously to support their National Red Cross and Red Crescent Societies in their efforts to improve their capacity for assistance in the field,

4. *calls upon* National Red Cross and Red Crescent Societies to approach their governments in the manner outlined above and to undertake efforts that promote improvement of their own capacity for assistance,
 5. *encourages* National Red Cross and Red Crescent Societies to intensify their efforts to arrive at bilateral and multilateral agreements and commitments to mutual assistance in case of major disasters of any kind,
 6. *recommends* that the League of Red Cross and Red Crescent Societies and the Henry Dunant Institute undertake a study concerning the possibilities and necessities of improved assistance from the Movement in case of technical and other disasters and that the result of this study be reported to the next International Conference,
 7. *calls upon* the Movement not to slacken its efforts to support National Red Cross and Red Crescent Societies in their endeavour to conclude agreements for mutual assistance in case of technical disasters and all other kinds of disasters in as comprehensive a manner as possible and in the spirit of human solidarity and to carry out a regular exchange of experience.
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THE PRINCIPLES AND RULES FOR RED CROSS AND RED CRESCENT DISASTER RELIEF

**Prepared by the International Federation of Red Cross
and Red Crescent Societies in consultation with the
International Committee of the Red Cross**

Basic Principles

1. Field of application

- 1.1 The present Principles and Rules apply to disasters resulting from natural or other calamities.
- 1.2 Every disaster relief operation carried out in a country where there is war, civil war, or internal disturbances, shall be regulated by the provisions of the Agreement of 1989 between the ICRC and the Federation, or by any subsequent such agreement.
- 1.3 However, Articles 24 to 29 of the present Principles and Rules shall also apply to situations described under paragraph 1.2.

2. The duty to assist

- 2.1 The Red Cross and Red Crescent in its endeavour to prevent and alleviate human suffering, considers it a fundamental right of all people to both offer and receive humanitarian assistance. Hence it has a fundamental duty to provide relief to all disaster victims and assistance to those most vulnerable to future disasters.
- 2.2 We recognize that, in helping disaster victims to survive, relief programmes must also look to the future and ensure that people are not left more vulnerable to future disasters. Wherever possible, relief programmes should attempt to build upon the capacities of those being assisted, involve them in the management and implementation of the programme and act with a sense of accountability towards the beneficiaries.

3. Role of the Red Cross and Red Crescent

- 3.1 Prevention of disasters, assistance to victims and reconstruction are first and foremost the responsibility of the public authorities. The International Federation of Red Cross and Red Crescent Societies, (hereinafter referred to as the Federation¹) will actively offer assistance to disaster victims through the agency of the National Society in a spirit of cooperation with the public authorities. In principle, Red Cross and Red Crescent help is of a complementary and auxiliary nature and is given primarily in the emergency and reconstruction phase. However, if circumstances require, and provided the Red Cross and Red Crescent is assured of the necessary resources and means, it may undertake longer-term disaster assistance programmes. Such programmes should be designed to reduce vulnerability to disasters, and prepare for future possible disasters.

4. Coordination

- 4.1 Considering that assistance to disaster victims requires coordination at both the national and international levels, the Red Cross and Red Crescent, whilst remaining true to its Principles, should, in the implementation of its programme, endeavour to take into account the help given by other national and international organizations.
- 4.2 Considering the Federation's position as one of the leading disaster response agencies, the National Society should offer its service to their disaster affected government to assist with the coordination of NGO disaster relief. The Federation should support such endeavours.

5. Role of the Federation

- 5.1 The Federation acts as the information centre for its member Societies regarding situations caused by disaster and coordinates, at the international level, the assistance provided by National Societies and the Federation or channelled through them.
- 5.2 The Federation should also support National Societies in their contacts with their governments with a view to establishing and developing their position and role in disaster preparedness and response.

¹ In the Federation, the organization of disaster relief actions is one of the responsibilities assigned to the Secretary General, assisted by the Secretariat.

6. Preparedness and mutual aid

- 6.1 It is the duty of National Societies to prepare themselves to give assistance in the event of a disaster.
- 6.2 In view of the solidarity binding them together they shall help one another when faced with a situation exceeding the resources of any one Society.
- 6.3 In assisting each other in this way, while respecting the independence of each other and the sovereignty of the stricken country, National Societies contribute to the strengthening of friendship and peace among peoples.

7. Ways and means of assistance

- 7.1 Red Cross and Red Crescent assistance to victims is given without any distinction as to sex, nationality, race, religion, social condition or political opinion. It is made available solely on the basis of the relative importance and urgency of individual needs.
- 7.2 Red Cross and Red Crescent relief is administered with economy, efficiency and effectiveness. Its utilization is the subject of reports, including audited accounts of income and expenditure, reflecting a true and fair view of the operation.

Disaster Preparedness

8. National relief plan

- 8.1 In order to cope with the effects of disaster, each country should have a national plan outlining an effective organization of relief. If such a plan does not exist, the National Society should instigate its establishment.
- 8.2 The national plan shall assign to all sections of the community — public services, Red Cross and Red Crescent, voluntary agencies, social welfare organizations and qualified persons — precise tasks in the fields of disaster prevention, relief and reconstruction.
- 8.3 To ensure rapid mobilization as well as complete and effective use of material and personnel resources, the national plan should envisage coordination through the establishment of a centralized managing body. Such a body should be able to provide authoritative information on the effects of a disaster, its evolution and needs.

9. Preparedness of the National Society

- 9.1 The extent of the Red Cross and Red Crescent relief programme depends on the magnitude of the disaster, the needs already covered by others and the responsibilities delegated to the National Society by its government or by the national relief plan.
- 9.2 Each National Society must prepare itself to assume the responsibility devolving on it in the case of disaster. It must establish its own plan of action, adapt its organization accordingly, recruit, instruct and train the necessary personnel and ensure the availability of the reserves in cash and kind which it might need in the emergency phase of a relief operation. Such plans must be regularly reviewed and capacity further developed in the light of experience.
- 9.3 All National Societies face the possibility of responding to disasters beyond their capacities. National Societies should therefore make preparations for receiving and managing international assistance provided by the Federation.
- 9.4 National Societies should make every effort to obtain facilities from governmental or private transport services in their countries for the rapid transport, whenever possible free or at reduced rates, of relief supplies, including goods in transit, for disaster victims.
- 9.5 National Societies should also endeavour to obtain from their governments exemption from all taxes and customs duties, concerning the entry into and transit through the country, of funds and relief supplies intended for the victims of disasters.
- 9.6 Furthermore, they should seek to obtain travel facilities and the quick granting of visas for Red Cross and Red Crescent personnel taking part in relief operations.

10. Preparedness of the Federation

- 10.1 The Federation will endeavour to assist National Societies with their organization and preparedness for relief actions. In particular by offering them the services of technically qualified personnel (delegates) and by contributing to the instruction and training of their personnel. It will encourage and facilitate exchanges of information between Societies so that the experience of some will be of benefit to others. It will encourage investment by Federation members in disaster preparedness activities in the most disaster prone countries.

11. Agreements on mutual assistance

- 11.1 As part of their disaster preparedness strategy, National Societies should endeavour to conclude agreements on future mutual assistance in the event of disaster, with the National Societies of neighbouring countries. The Federation shall be informed.
- 11.2 For the most disaster prone countries, the Federation shall endeavour to negotiate pre-disaster agreements with the National Society of the disaster prone country aimed at enhancing the disaster preparedness activities of the Operating National Societies and improving the timeliness and effectiveness of Federation response to major disasters. Where appropriate these agreements may be tripartite, involving a Participating National Society.

International Disaster Relief Assistance

12. Initial information

- 12.1 To enable the Federation to act as the disaster information centre, National Societies shall immediately inform it of any major disaster occurring within their country, including data on the extent of the damage and on the relief measures taken at the national level to assist victims. Even if the National Society does not envisage appealing for external assistance, the Federation may, in the spirit of Federation solidarity, send a representative/s to the disaster-affected area to gather information and assist the National Society in dealing with the international dimensions of the disaster.

13. Use of the Disaster Relief Emergency Fund

- 13.1 In accordance with its rules, as amended by the 1991 General Assembly, the Disaster Relief Emergency Fund may be used by the Federation to finance emergency pre-disaster activities or initial emergency response to disasters.

14. Request for assistance and appeal

- 14.1 Any request from a National Society of a stricken country for international assistance shall be addressed to the Federation. Such a request must contain an overview of the situation in the disaster area, the number of persons to be helped and the nature, quantities and priorities of relief supplies needed by the National Society.

- 14.2 On receipt of such a request, the Federation will, when conditions call for it, launch an Appeal to all National Societies or, depending on the circumstances, to a certain number of them. No Appeal will be launched by the Federation without a request from the National Society of the stricken country or without its agreement.
- 14.3 The Federation may, however, take the initiative to offer assistance, even though the National Society has not asked for it. The National Society will consider such offers with urgency and goodwill, bearing in mind the needs of the disaster victims and the spirit in which such offers are made.

15. Relations with the international news media

- 15.1 Since the media can have a major influence on public support for a relief operation and the generation of funds, the National Society of a stricken country should make every effort, consistent with the efficient conduct of the relief operation and any regulations laid down by the authorities, to facilitate journalists' coverage of an emergency situation.
- 15.2 When a disaster situation attracts large-scale international media interest, the Federation may assign a delegate, or delegates, to assist the National Society in coping effectively with the requirements of the media and responding to the public information needs of Participating National Societies and the Federation's Secretariat in Geneva.

16. Regular communication of information

- 16.1 The National Society of the stricken country will keep the Federation informed on the development of the situation, the relief given and the needs still to be met. The Federation will forward this information to National Societies to which the Appeal had been made.

17. Information on assistance

- 17.1 When, as a result of a Federation Appeal or as a result of mutual agreement or other special circumstances, a National Society gives assistance to the Society of a stricken country it will immediately inform the Federation. Such information will contain the amount of gifts in cash and all available data on gifts in kind, including quantity, value and means of transportation.

18. Implementation of Federation assistance

- 18.1 When a National Society is in receipt of international assistance, the Federation may assign to that National Society a representative or a team of delegates, whose name or names will be communicated to it as rapidly as possible and whose number will depend on the magnitude of the disaster.
- 18.2 Where technical assistance personnel are provided, the Head of Delegation will be responsible for the judicious and effective utilization of the team of experts with a view to helping the National Society with such activities as the reception, warehousing and distribution of relief supplies received from abroad, as well as information, communication and all other activities that will contribute to the effectiveness both of the relief operation itself, undertaken by the National Society involved, and of the assistance of sister Societies.
- 18.3 All staff assigned by the Federation will have the task of assisting the National Society and not of taking over its basic responsibilities.
- 18.4 The Representative or Head of Delegation shall be given all necessary communication facilities for the swift dispatch to the Federation, of all the information likely to enable it to back up its Appeals to National Societies and inform them as fully as possible on the needs resulting from the disaster and then on the use made of the relief received. He/she should advise the National Society concerned of the measures taken and foreseen, both by the Federation and National Societies, which are giving their support.

19. Execution entrusted to the Federation

- 19.1 When the administrative organization of the Society in the stricken country does not enable it to meet the situation, the Federation, at the request of that Society and with its cooperation, may assume the local direction and execution of the relief action.

20. Representatives of Participating Societies

- 20.1 Participating Societies wishing to send representatives to the spot, particularly to collect information material to enhance public support for the relief actions, shall obtain the prior agreement of the central headquarters of the National Society of the stricken country. They should also inform the Federation.
- 20.2 Any such representatives will be bound by the Rules of Conduct for Federation field personnel and shall report on their actions to the Federation Representative or Head of Delegation.

21. Foreign personnel

- 21.1 All personnel provided by Participating Societies to assist in the implementation of the operation, will be placed under the direction of the Federation, when the direction and execution of the relief operation have been entrusted to it.

22. Transmission and forwarding of relief

- 22.1 Assistance donated by a National Society to a stricken country shall always be sent through Red Cross and Red Crescent channels, either direct to the National Society or through the intermediary of the Federation. Funds sent to the Federation will be specifically earmarked for the disaster for which they are contributed and will either be sent to the National Society of the stricken country or, with its concurrence, be utilized by the Federation according to the needs of the relief operation.
- 22.2 National Societies and the Federation may agree to transmit relief from non-Red Cross sources to a stricken country. In such cases, the relief will be utilized by the National Society or, with its concurrence, by the Federation in conformity with the present Principles and Rules.

23. Soliciting of contributions abroad

- 23.1 Unless there is a previous agreement, the National Society of a stricken country will not try to obtain, either directly or indirectly, funds or any other form of assistance in the country of another Society and will not permit its name to be used for this purpose.

Accounting and Auditing for Joint or Separate Federation and/or ICRC Operations

24. Principle of accountability

National Societies receiving gifts from sister Societies, the Federation, the ICRC or any other source in the context of a joint or separate Federation and/or ICRC operation or programme must conform to the following rules as regards accounting and auditing:

24.1 Gifts in cash

24.1.1 Bank accounts

The Operating Society shall open in its own name a special bank account whose sole purpose shall be to receive all the funds and cover all the expenditure

of the operation/programme. It shall not be used for any other transactions. There shall be one bank account per operation/programme. If for unforeseen reasons, it is not possible to open a separate bank account, a separate cash ledger should be maintained per operation/programme.

24.1.2 Financial reporting

The Operating Society shall render a periodic account of the funds held by it for the operation/programme showing: opening balance brought forward from the previous period; income from all sources during the current period; actual disbursements during the period and the closing balance for the period. The periodicity of these reports shall be established in the agreement, but under no circumstances should be less than quarterly. Additional information required for the following period comprises: anticipated income, an estimate of expenditure and cash requirements. The Federation and/or the ICRC would in that way be prepared to give consideration to making an appropriate supplementary advance in cash.

24.1.2.1 The actual disbursements charged to the operation/programme shall be shown in a detailed statement which, together with copies of vouchers for all amounts debited and recapitulatory bank statements, shall be submitted promptly to the Federation and/or the ICRC local Delegation, no later than the end of the following month. In the event of such reports not being submitted, the local Delegation should take appropriate steps to assist the Operating Society in producing the necessary report. In exceptional circumstances, where monthly reports are not forthcoming, the Federation and/or the ICRC may decide on the suspension of the financial assistance.

24.1.2.2 In recognizing the importance of financial reporting, the Federation and/or the ICRC shall undertake to provide or make available technical assistance to the Operating Society in order to ensure the timely production of accurate and complete financial reports. Such reports should be regarded both as a management tool for the Operating Society, and as a reporting service to the Federation.

24.1.3 Auditing

Auditing is a normal, integral step in any professionally managed operation. In the interest of sound financial administration, the National Society's accounts related to the operation/programme shall be audited at least yearly by auditors designated by the Federation and/or the ICRC. The cost of the audit will be met from the funds available for the operation/programme. This audit shall result in the Auditor's Report and a Management Letter. The said results shall be communicated to the National Society and, if necessary, corrective actions to be taken shall be indicated. In the exceptional event when no corrective actions have

taken place, the Federation and/or the ICRC may consider suspension of financial assistance.

24.2 Gifts in kind

Where gifts in kind are made, records of the stocks showing the origin and use of such contributions shall be submitted monthly and upon completion of the operation/programme.

25. Exceptional Rules of Procedures

25.1 The Federation and/or the ICRC may, in certain exceptional circumstances, not be fully satisfied with the way in which resources for Federation and/or the ICRC operations and programmes are managed and accounted for by either Participating or Operating Societies.

25.2 In such circumstances, the Federation and/or the ICRC is authorized to entrust a qualified Federation and/or the ICRC representative to look into the matter.

25.3 The National Society in question, be it operating or participating, shall ensure that the Federation and/or the ICRC representative, has access to such records of the Society as the Federation and/or the ICRC representative considers necessary for the purpose of their task.

26. Use made of gifts

26.1 A National Society which benefits from the assistance of sister Societies will give the Federation's and/or ICRC's Representative or Head of Delegation the opportunity to see, on the spot, the use made of the gifts received.

27. Unsolicited relief supplies

27.1 If a National Society wishes to send relief supplies which are not mentioned in the Appeal launched by the Federation and/or ICRC, it shall first obtain the agreement of the National Society of the stricken country or of the Federation and/or ICRC. When there has been no Appeal but a National Society nevertheless wishes to send relief supplies to the Society of a stricken country, the previous agreement of that Society is also required and the Federation and/or ICRC shall be informed.

27.2 In the absence of such an agreement, the receiving National Society is free to use unsolicited relief supplies at its own discretion, without being bound by the provision of Article 29.3.

28. Donating supplies while receiving assistance

28.1 A National Society in receipt of international assistance for its own country shall not contribute assistance of a similar nature to a sister Society without the prior authorization of the Federation and/or ICRC.

29. Use of gifts

29.1 Gifts sent to a National Society may be used only for the purpose designated and will serve in the first place to give direct assistance to the victims.

29.2 An Operating Society may in no event use cash gifts to cover administrative expenses included in its ordinary budget, nor may it transfer cash gifts donated to it to another organization or group for use by that organization or group.

29.3 If in the course of a relief operation it becomes necessary to sell or exchange a part of the goods received, the donors will be consulted through the Federation and/or ICRC. The funds or goods thus obtained may only be used for the relief action.

30. Relief balances

30.1 Goods or funds remaining on hand after the termination of a relief action may be: used for subsequent rehabilitation activities, used for Society disaster preparedness activities, transferred to other priority programmes, or returned to the Participating Society. All such use of funds or goods should take place under an agreement between the National Society of the stricken country and the Federation after consultation by the Federation with the Participating Societies concerned.

Final Provisions

31. Obligations

31.1 A National Society which accepts spontaneous or special assistance is bound to conform to the obligations laid down in the present "Principles and Rules" even though it has not requested assistance within the terms of Article 12.1.

XXIst, XXIIInd, XXIIIrd, XXIVth International Conferences of the Red Cross, Istanbul (1969), Tehran (1973), Bucharest (1977), Manila (1981) and Geneva (1986).

KEY FACTORS FOR DEVELOPMENTAL RELIEF

Prepared by the International Federation of Red Cross and Red Crescent Societies

In February 1995, the International Federation, in collaboration with the Danish Red Cross, the European Community Humanitarian Office (ECHO) and DANIDA undertook an examination of a number of recent relief operations to identify those factors which should typify a relief programme that uses a developmental approach to implementation.

Nine key factors were identified. These factors are now being incorporated into the Federation's training programmes and disaster response methodology.

I. Building on capacities as well as addressing vulnerabilities: The need to access vulnerabilities is recognized as being important, but relief programmes that deliberately seek out and work with capacities, skills, resources and organizational structures within the disaster survivors, will be more effective than those that assume the survivors are a passive, helpless, recipient community.

II. Identifying the needs and capacities of the diverse groupings of disaster survivors: Developmental relief programmes recognise that the survivor population is made up of many groups with different capacities, vulnerabilities and needs. The relief programme is shaped to address these diverse groups and their capacities as well as their different needs.

III. Participation: Developmental relief programmes deliberately involve disaster survivors in the decision making process which empower them to re-take charge of their lives. Even in particularly difficult situations, such as relief to large-scale displaced populations a beginning may be made by engaging diverse community leaders in the assessment of the situation, and identifying the resources that they have available to cope.

IV. Accountability: In relief programmes, agencies traditionally see themselves as being accountable upwards, towards their headquarters and donors, but they should also practice accountability towards the disaster survivors. At a minimum, information on the planning, execution and expected duration of the relief programme should be openly shared with the programme beneficiaries.

V. Strategies based on the reality of the disaster faced: Relief programmes address many different types of disasters, those triggered by natural events, those which develop slowly over vast areas of a country, those caused by war and economic collapse. Developmental relief programmes adapt their strategies to suit the environment of the disaster rather than relying solely on pre-packaged delivery derived from a model of only one type of disaster.

VI. Decentralized control: A developmental relief programme allows management decisions to be taken as close to the beneficiary population as possible.

VII. Demonstrating a concern for sustaining livelihoods: Developmental relief programmes are concerned with what comes after relief as well as how the relief programme is carried out. They provide assistance that complements rather than competes with the normal means of livelihood of the disaster survivors.

VIII. Building on local institutions: Imposed relief programmes can undermine local structures, often use them without strengthening them and often abandon them after the relief operation. Developmental relief programmes look to work with local institutions and build their capacities to carry on humanitarian work after the need for relief has passed.

IX. Setting sustainable standards services: Relief programmes often set in motion the development of service and welfare systems, in health, education and water provision which will need to carry on after the relief ends. These should be of a standard and provided in a manner which has a realistic chance of being sustained after the relief operation ends.

Overcoming the constraints of existing systems

In between relief operations, aid workers and agencies all agree that they should find ways of doing relief in a more developmental way, but when the crisis hits and decisions have to be made quickly with minimal information, managers shy away from taking the risk of using other than the tried and tested responses.

The international aid system contains many actors, all of whom need to participate in a change process if the end product of the system, relief delivery, is to change. Being committed to finding better ways of providing relief the International Federation makes the following recommendations to implementing agencies, donors and research institutions.

Recommendations to implementing agencies

1. Altering staffing structures and attitudes

In composing relief teams, it should be assured that sufficient expertise is included and responsibility assigned for focusing the relief activities on developmental implementation and maximising utilisation of community capacity. Staff training programmes need to include the concepts of programming relief for development.

2. Programming standards

In order to practice developmental relief, agencies must set themselves high and defensible humanitarian standards. We recommend that as a starting point, agencies subscribe to the standards laid down in the Code of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief.

3. Specialized competence and co-ordination

Large relief programmes attract large numbers of external relief agencies. In order to improve the effectiveness and quality of the services we deliver, we recommend that agencies critically examine their own strengths and seek to develop greater competence, in limited fields if necessary, rather than a breadth of mediocrity in service delivery.

In addition we recommend that agencies recognize the need to balance their right to independence of action against the humanitarian value to be gained through coordination. Agencies should be willing to coordinate when it adds to the greater good of the relief programme.

4. Altering budget structures

We recommend that agencies build into their plans of action and associated budgets the flexibility necessary to address longer term perspectives, building on local capacities as well as addressing vulnerabilities. This requires a change to current budgeting practices.

5. Supporting local people and structures

We recommend that agencies seek to strengthen local capacities by employing local staff, purchasing local materials and trading with local companies. Wherever possible, agencies should work through local humanitarian organisations as partners in planning and implementation, and cooperate with local government structures.

6. Programming for sustainability, disaster prevention and preparedness

Agencies should seek to sustain livelihoods as well as lives. Relief programmes must not undermine the long-term sustainability of the assisted population. We recommend that all relief programming should address the issue of sustainability and disaster preparedness.

7. Consistency of action, policy and messages

We recommend that agencies examine their present policies for disaster response and adapt them to reflect a developmental approach to relief. In addition agencies should ensure that their publicity and advocacy material is consistent with this approach, and that they advocate rigorously for their partner organizations in government and the international community to also address relief in a developmental fashion.

8. Programme reviews

Many relief programmes go on year after year in the same way. We recommend agencies to review programmes annually to identify changes that progressively make more use of local leadership, skills and capacities.

9. Sharing experience with donors and the media

Agencies need to get better at sharing field experience of success and failure with donors and engage in a dialogue about needed policy change. Equally they need to work more effectively with the media to build understanding of the issues and to break down stereotypes such as those of "helpless disaster victims".

Recommendations to donors

10. Linking relief and development programming

The present organizational structure and funding mechanisms of many donor institutions reflects the view of relief and development as two divorced activities. We recommend that donor institutions seek ways of promoting dialogue between their relief and development divisions and seek ways of allowing a degree of development funding into relief programmes.

11. Accountability, measuring the quality of relief programmes

Measuring the quality of developmental relief programmes requires a different set of parameters and associated skills from evaluating simple relief delivery. We recommend that donor institutions explore new ways of evaluating and

reporting in relation to relief programmes which reflect the attributes of a developmental approach.

12. Support for local structures in relief and disaster preparedness

Working through, enhancing and supporting local structures is central to the developmental approach to relief. We recommend that donor institutions recognize and support the legitimacy of funding local structure strengthening as part of disaster preparedness and relief programmes.

13. Supporting review activities

Promoting new ways of working require an enhanced learning process. We recommend that donor institutions support both national and international relief programme reviews with a view towards promoting developmental relief.

Recommendations to research bodies

14. Development of practical methods of capacity and vulnerability analysis for disaster situations

Developmental relief places greater emphasis on understanding local capacities and vulnerabilities than does needs-driven assistance delivery relief, yet few methodologies exist to help assess these features. We recommend that research bodies develop methods of capacity and vulnerability analysis which are appropriate for relief situations, by drawing upon existing experience.

15. Development of methods for evaluating the quality of the relief process

Measuring and evaluating the quality of developmental relief programmes requires a different set of parameters and associated skills from evaluating simple relief delivery. Few methodologies have been developed to allow such appropriate evaluations to take place. We recommend that research bodies develop such evaluation techniques, building on existing experiences and in close collaboration with implementing agencies and donor institutions.

16. Developing accountability systems

Present relief accountability systems stress financial reporting supported by process descriptive narrative. We recommend that research bodies assist in the development of more holistic reporting systems which provide information on features of relief programmes additional to quantitative delivery information, i.e. capacity building, participation, accountability to the disaster survivors.

17. Impact evaluation of international relief on local organizations

Many implementing agencies are concerned with the negative impact major relief programmes have on local institutions, yet little systematic documentation and research have been done in this area. We recommend that research bodies be commissioned to carry out such research.

18. Popularizing the results of research

Good research has effect only if it gets into the hands of the implementors. We recommend that the results of the research mentioned above be popularized through publications, meetings and other methods targeted at the implementing and donor agencies.

THE CODE OF CONDUCT¹ FOR THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT AND NGOS IN DISASTER RELIEF

**Prepared jointly by the International Federation
of Red Cross and Red Crescent Societies and
the International Committee of the Red Cross**

Purpose

This Code of Conduct seeks to guard our standards of behaviour. It is not about operational details, such as how one should calculate food rations or set up a refugee camp. Rather, it seeks to maintain the high standards of independence, effectiveness and impact to which disaster response NGOs and the International Red Cross and Red Crescent Movement aspires. It is a voluntary code, enforced by the will of organization accepting it to maintain the standards laid down in the Code.

In the event of armed conflict, the present Code of Conduct will be interpreted and applied in conformity with international humanitarian law.

The Code of Conduct is presented first. Attached to it are three annexes, describing the working environment that we would like to see created by Host Governments, Donor Governments and Intergovernmental Organizations in order to facilitate the effective delivery of humanitarian assistance.

Definitions

NGOs: NGOs (Non-Governmental Organizations) refers here to organizations, both national and international, which are constituted separate from the government of the country in which they are founded.

¹ Sponsored by: Caritas Internationalis*, Catholic Relief Services*, International Federation of Red Cross and Red Crescent Societies*, International Save the Children Alliance*, Lutheran World Federation*, Oxfam*, World Council of Churches*, International Committee of the Red Cross. (* members of the Steering Committee for Humanitarian Response)

NGHAs: For the purposes of this text, the term Non-Governmental Humanitarian Agencies (NGHAs) has been coined to encompass the components of the International Red Cross and Red Crescent Movement — The International Committee of the Red Cross, The International Federation of Red Cross and Red Crescent Societies and its member National Societies — and the NGOs as defined above. This code refers specifically to those NGHAs who are involved in disaster response.

IGOs: IGOs (Inter-Governmental Organizations) refers to organizations constituted by two or more governments. It thus includes all United Nations Agencies and regional organizations.

Disasters: A disaster is a calamitous event resulting in loss of life, great human suffering and distress, and large scale material damage.

THE CODE OF CONDUCT

PRINCIPLES OF CONDUCT FOR THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT AND NGOS IN DISASTER RESPONSE PROGRAMMES

1. The humanitarian imperative comes first

The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries. As members of the international community, we recognize our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering amongst those least able to withstand the stress caused by disaster. When we give humanitarian aid it is not a partisan or political act and should not be viewed as such.

2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone

Wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster victims and the local capacities already

in place to meet those needs. Within the entirety of our programmes, we will reflect considerations of proportionality. Human suffering must be alleviated whenever it is found; life is as precious in one part of a country as another. Thus, our provision of aid will reflect the degree of suffering it seeks to alleviate. In implementing this approach, we recognize the crucial role played by women in disaster-prone communities and will ensure that this role is supported, not diminished, by our aid programmes. The implementation of such a universal, impartial and independent policy, can only be effective if we and our partners have access to the necessary resources to provide for such equitable relief, and have equal access to all disaster victims.

3. Aid will not be used to further a particular political or religious standpoint

Humanitarian aid will be given according to the need of individuals, families and communities. Notwithstanding the right of NGHAs to espouse particular political or religious opinions, we affirm that assistance will not be dependent on the adherence of the recipients to those opinions. We will not tie the promise, delivery or distribution of assistance to the embracing or acceptance of a particular political or religious creed.

4. We shall endeavour not to act as instruments of government foreign policy

NGHAs are agencies which act independently from governments. We therefore formulate our own policies and implementation strategies and do not seek to implement the policy of any government, except in so far as it coincides with our own independent policy. We will never knowingly — or through negligence — allow ourselves, or our employees, to be used to gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those which are strictly humanitarian, nor will we act as instruments of foreign policy of donor governments. We will use the assistance we receive to respond to needs and this assistance should not be driven by the need to dispose of donor commodity surpluses, nor by the political interest of any particular donor. We value and promote the voluntary giving of labour and finances by concerned individuals to support our work and recognize the independence of action promoted by such voluntary motivation. In order to protect our independence we will seek to avoid dependence upon a single funding source.

5. We shall respect culture and custom

We will endeavour to respect the culture, structures and customs of the communities and countries we are working in.

6. We shall attempt to build disaster response on local capacities

All people and communities — even in disaster — possess capacities as well as vulnerabilities. Where possible, we will strengthen these capacities by employing local staff, purchasing local materials and trading with local companies. Where possible, we will work through local NGHAs as partners in planning and implementation, and cooperate with local government structures where appropriate. We will place a high priority on the proper coordination of our emergency responses. This is best done within the countries concerned by those most directly involved in the relief operations, and should include representatives of the relevant UN bodies.

7. Ways shall be found to involve programme beneficiaries in the management of relief aid

Disaster response assistance should never be imposed upon the beneficiaries. Effective relief and lasting rehabilitation can best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme. We will strive to achieve full community participation in our relief and rehabilitation programmes.

8. Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs

All relief actions affect the prospects for long term development, either in a positive or a negative fashion. Recognizing this, we will strive to implement relief programmes which actively reduce the beneficiaries' vulnerability to future disasters and help create sustainable lifestyles. We will pay particular attention to environmental concerns in the design and management of relief programmes.

We will also endeavour to minimize the negative impact of humanitarian assistance, seeking to avoid long-term beneficiary dependence upon external aid.

9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources

We often act as an institutional link in the partnership between those who wish to assist and those who need assistance during disasters. We therefore hold ourselves accountable to both constituencies. All our dealings with donors and beneficiaries shall reflect an attitude of openness and transparency. We recognize the need to report on our activities, both from a financial perspective and the perspective of effectiveness. We recognize the obligation to ensure appropriate monitoring of aid distributions and to carry out regular assessments of the impact of disaster assistance. We will also seek to report, in an open fashion, upon the impact of our work, and the factors limiting or enhancing that impact. Our programmes will be based upon high standards of professionalism and expertise in order to minimize the wasting of valuable resources.

10. In our information, publicity and advertising activities, we shall recognize disaster victims as dignified humans, not hopeless objects

Respect for the disaster victim as an equal partner in action should never be lost. In our public information we shall portray an objective image of the disaster situation where the capacities and aspirations of disaster victims are highlighted, and not just their vulnerabilities and fears. While we will co-operate with the media in order to enhance public response, we will not allow external or internal demands for publicity to take precedence over the principle of maximizing overall relief assistance. We will avoid competing with other disaster response agencies for media coverage in situations where such coverage may be to the detriment of the service provided to the beneficiaries or to the security of our staff or the beneficiaries.

THE WORKING ENVIRONMENT

Having agreed unilaterally to strive to abide by the Code laid out above, we present below some indicative guidelines which describe the working environ-

ment we would like to see created by donor governments, host governments and the inter-governmental organizations — principally the agencies of the United Nations — in order to facilitate the effective participation of NGHAs in disaster response.

These guidelines are presented for guidance. They are not legally binding, nor do we expect governments and IGOs to indicate their acceptance of the guidelines through the signature of any document, although this may be a goal to work to in the future. They are presented in a spirit of openness and cooperation so that our partners will become aware of the ideal relationship we would seek with them.

ANNEX I

Recommendations to the governments of disaster-affected countries

1. Governments should recognize and respect the independent, humanitarian and impartial actions of NGHAs

NGHAs are independent bodies. This independence and impartiality should be respected by host governments.

2. Host governments should facilitate rapid access to disaster victims for NGHAs

If NGHAs are to act in full compliance with their humanitarian principles, they should be granted rapid and impartial access to disaster victims, for the purpose of delivering humanitarian assistance. It is the duty of the host government, as part of the exercising of sovereign responsibility, not to block such assistance, and to accept the impartial and apolitical action of NGHAs. Host governments should facilitate the rapid entry of relief staff, particularly by waiving requirements for transit, entry and exit visas, or arranging that these are rapidly granted. Governments should grant over-flight permission and landing rights for aircraft transporting international relief supplies and personnel, for the duration of the emergency relief phase.

3. *Governments should facilitate the timely flow of relief goods and information during disasters*

Relief supplies and equipment are brought into a country solely for the purpose of alleviating human suffering, not for commercial benefit or gain. Such supplies should normally be allowed free and unrestricted passage and should not be subject to requirements for consular certificates of origin or invoices, import and/or export licences or other restrictions, or to importation taxation, landing fees or port charges.

The temporary importation of necessary relief equipment, including vehicles, light aircraft and telecommunications equipment, should be facilitated by the receiving host government through the temporary waiving of licence or registration restrictions. Equally, governments should not restrict the re-exportation of relief equipment at the end of a relief operation.

To facilitate disaster communications, host governments are encouraged to designate certain radio frequencies, which relief organizations may use in-country and for international communications for the purpose of disaster communications, and to make such frequencies known to the disaster response community prior to the disaster. They should authorize relief personnel to utilize all means of communication required for their relief operations.

4. *Governments should seek to provide a coordinated disaster information and planning service*

The overall planning and coordination of relief efforts is ultimately the responsibility of the host government. Planning and coordination can be greatly enhanced if NGHAs are provided with information on relief needs and government systems for planning and implementing relief efforts as well as information on potential security risks they may encounter. Governments are urged to provide such information to NGHAs.

To facilitate effective coordination and the efficient utilization of relief efforts, host governments are urged to designate, prior to disaster, a single point-of-contact for incoming NGHAs to liaise with the national authorities.

5. *Disaster relief in the event of armed conflict*

In the event of armed conflict, relief actions are governed by the relevant provisions of international humanitarian law.

ANNEX II

Recommendations to donor governments

1. Donor governments should recognize and respect the independent, humanitarian and impartial actions of NGHAs

NGHAs are independent bodies whose independence and impartiality should be respected by donor governments. Donor governments should not use NGHAs to further any political or ideological aim.

2. Donor governments should provide funding with a guarantee of operational independence

NGHAs accept funding and material assistance from donor governments in the same spirit as they render it to disaster victims; one of humanity and independence of action. The implementation of relief actions is ultimately the responsibility of the NGHAs and will be carried out according to the policies of that NGHAs.

3. Donor governments should use their good offices to assist NGHAs in obtaining access to disaster victims

Donor governments should recognize the importance of accepting a level of responsibility for the security and freedom of access of NGHAs staff to disaster sites. They should be prepared to exercise diplomacy with host governments on such issues if necessary.

ANNEX III

Recommendations to intergovernmental organizations

1. IGOs should recognize NGHAs, local and foreign, as valuable partners

NGHAs are willing to work with UN and other intergovernmental agencies to effect better disaster response. They do so in a spirit of partnership which respects the integrity and independence of all partners. Intergovernmental agencies must respect the independence and impartiality of the NGHAs. NGHAs should be consulted by UN agencies in the preparation of relief plans.

2. IGOs should assist host governments in providing an overall coordinating framework for international and local disaster relief

NGHAs do not usually have the mandate to provide the overall coordinating framework for disasters which require an international response. This responsibility falls to the host government and the relevant United Nations authorities. They are urged to provide this service in a timely and effective manner to serve the affected state and the national and international disaster response community. In any case, NGHAs should make all efforts to ensure the effective coordination of their own services.

In the event of armed conflict, relief actions are governed by the relevant provisions of international humanitarian law.

3. IGOs should extend security protection provided for UN organizations, to NGHAs

Where security services are provided for intergovernmental organizations, this service should be extended to their operational NGHAs partners where it is so requested.

4. IGOs should provide NGHAs with the same access to relevant information as is granted to UN organizations

IGOs are urged to share all information, pertinent to the implementation of effective disaster response, with their operational NGHAs partners.

Registration form

Non-governmental organizations which would like to register their support for this Code and their willingness to incorporate its principles into their work should fill in the form below and return it to:

**The Disaster Policy Department
The International Federation of Red Cross and Red Crescent Societies**

PO Box 372

1211 Geneva 19

Switzerland

Tel +41 (022) 7304222

Fax +41 (022) 7330395

We would like to register our support for the Code of Conduct and will endeavour to incorporate its principles into our work.

Agency Name	
Address	
Telephone	
Fax	
Signature	
Position in organization	
Date	

**AMENDMENT TO THE STATUTES AND
THE RULES OF PROCEDURE OF THE INTERNATIONAL
RED CROSS AND RED CRESCENT MOVEMENT**

1. Preamble

Former text:

“The International Conference of the Red Cross and Red Crescent,

Proclaims that the National Red Cross and Red Crescent Societies, the International Committee of the Red Cross and the League of Red Cross and Red Crescent Societies...”

New text:

The International Conference of the Red Cross and Red Crescent,

Proclaims that the National Red Cross and Red Crescent Societies, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies...

2. General provisions

Article 1: Definition

Former text:

“1. The International Red Cross and Red Crescent Movement (hereinafter called the Movement) is composed of the National Red Cross and Red Crescent Societies recognized in accordance with Article 4 (hereinafter called National Societies), of the International Committee of the Red Cross (hereinafter called the International Committee) and of the League of Red Cross and Red Crescent Societies (hereinafter called the League).”

New text:

“1. The International Red Cross and Red Crescent Movement (hereinafter called the Movement) is composed of the National Red Cross and Red Crescent Societies recognized in accordance with Article 4 (hereinafter called National Societies), of the International Committee of the Red Cross (hereinafter called

the International Committee) and of the *International Federation of Red Cross and Red Crescent Societies* (hereinafter called the Federation).”

3. Components of the Movement

Former text:

“Article 6: The League of Red Cross and Red Crescent Societies

1. The League is the International Federation of the National Red Cross and Red Crescent Societies. It acts under its own Constitution with all rights and obligations of a corporate body with a legal personality.

2. The League is...”

New text:

“Article 6: The International Federation of Red Cross and Red Crescent Societies

1. The International Federation of Red Cross and Red Crescent Societies comprises the National Red Cross and Red Crescent Societies. It acts...

2. The Federation is...”

(rest unchanged)

All relevant articles of the Statutes and of the Rules of Procedure of the International Red Cross and Red Crescent Movement shall be amended accordingly.