

Resolutions of the Council of Delegates

Geneva, 1-2 December 1995

1

26th INTERNATIONAL CONFERENCE OF THE RED CROSS AND RED CRESCENT

The Council of Delegates,

alarmed by the increasing number of vulnerable people continuously suffering from or threatened by man-made and natural disasters all over the world,

committed to the Movement's Fundamental Principles, which include humanity, neutrality, impartiality and independence, that enable it to act on behalf of the victims and vulnerable people and to advocate their cause,

emphasizing that it is necessary, in the interest of all those whom the Movement seeks to assist and protect, to strengthen the unique relationship between the Movement and the States party to the Geneva Conventions, which finds one concrete expression in the International Conference of the Red Cross and Red Crescent,

stressing that the International Conference is a forum for dialogue on humanitarian matters whose effectiveness for victims and vulnerable people depends on the participation of all those concerned with humanitarian issues, and that the 26th International Conference was convened in conformity with the Statutes of the Movement,

concerned to avoid a situation in which issues of a political nature may disrupt the International Conference or divide the Movement,

1. *reaffirms* its commitment to holding the 26th International Conference in 1995;
2. *appeals* to all participants in the International Conference, in the interest of all victims and vulnerable people, to safeguard its exclusively humanitarian

character, in particular by respecting the Fundamental Principles during the Conference, in conformity with the Statutes of the Movement;

3. *requests* all National Societies to convey this appeal to their respective governments at their earliest convenience;
4. *confirms* the commitment of all components of the Movement to act in conformity with the Fundamental Principles throughout the International Conference in order to preserve the unity of the Movement.

2

RED CROSS AND RED CRESCENT ACTION FOR PEACE

The Council of Delegates,

having considered the final report of the Commission on the Red Cross, Red Crescent and Peace on its activities since the 1991 session of the Council of Delegates in Budapest, and the Commission's recommendations,

recalling all the resolutions adopted and the efforts made to promote peace, in particular the "Programme of Action of the Red Cross as a Factor of Peace" and the "Fundamental Guidelines for the Contribution of the Red Cross and Red Crescent Movement to a True Peace in the World", adopted respectively by the World Red Cross Conference on Peace (Belgrade, 1975) and the Second World Red Cross Conference on Peace (Aaland - Stockholm, 1984),

reaffirming the importance of the preamble to the Statutes of the International Red Cross and Red Crescent Movement, which recalls the Movement's definition of peace and declares that "by its humanitarian work and the dissemination of its ideals, the Movement promotes a lasting peace, which is not simply the absence of war, but is a dynamic process of co-operation among all States and peoples, co-operation founded on respect for freedom, independence, national sovereignty, equality, human rights, as well as on a fair and equitable distribution of resources to meet the needs of peoples",

aware of the influence that the Movement, which upholds and propagates the values of tolerance, solidarity and dialogue, wields or can wield through its activities to reduce tension and prevent armed conflicts, thereby contributing to a climate conducive to peace,

stressing the need for the Movement to pursue its work in this regard and for the Movement's contribution to peace to be regularly re-examined in the light of constant changes in the present international situation and the new challenges to humanitarian action resulting from the increase in the number of both internal

and international conflicts and the concomitant sharp rise in violations of the fundamental rights of the individual,

1. *takes note* of the final report of the Commission and thanks it for its work and its contribution to the Movement's action for peace;
2. *reaffirms* the importance of implementing the resolutions adopted to promote peace and respect for human rights on the basis of the work and recommendations made by the Commission on the Red Cross, Red Crescent and Peace;
3. *requests* the National Societies, the ICRC and the International Federation, in cooperation with the Henry Dunant Institute, to pursue implementation of the "Programme of Action of the Red Cross and Red Crescent as a Factor of Peace", and of the "Fundamental Guidelines for the Contribution of the Red Cross and Red Crescent Movement to a True Peace in the World";
4. *calls upon* all components of the Movement to undertake specific actions to strengthen understanding between different cultures and ethnic, social, cultural and religious groups with a view to reducing tension and preventing conflict, in conformity with the study on minorities and conflict prevention presented by the Henry Dunant Institute;
5. *strongly recommends* the implementation of the proposals submitted by the Commission regarding children and respect for their rights, and supports in particular the pursuit of efforts in favour of children in armed conflicts and street children;
6. *recommends*, in particular, that National Societies draw the attention of their respective governments to the need for measures to be adopted nationally in order to punish the especially shocking abuse of children's rights constituted by child prostitution, particularly in the form that goes by the regrettable name of "international sex tourism";
7. *stresses and reaffirms* the importance of keeping issues linked to examination of the Movement's contribution to peace, particularly through activities conducive to reducing tension and preventing conflict, at the centre of the Movement's concerns;
8. *desires* that the Movement's role and attitude concerning the problem of arms transfers be studied and clarified;
9. *decides* to regularly include in its agenda an item on the promotion of activities contributing to peace and respect for human rights, in order to reassert the need for particular attention to be paid to these matters during its discussions, and *recommends* that its discussions on these issues be prepared by the Standing Commission or an *ad hoc* body that the latter may set up.

3

**FUTURE OF THE MOVEMENT:
REPORT OF THE POLICY AND PLANNING ADVISORY
COMMISSION ESTABLISHED BY RESOLUTION 1/1993**

The Council of Delegates,

recalling that its Resolution 1 of 1993 established the Policy and Planning Advisory Commission and confirmed the view that the Movement must adapt itself to changing world realities while maintaining and operating in accordance with the Fundamental Principles,

taking into account the decision expressed in Resolution 1 of 1993 to make progress towards the formal recognition and establishment of the Council of Delegates as the supreme deliberative body for internal matters of the Movement,

welcoming the report of the Policy and Planning Advisory Commission (Document 95/CD/6/1),

expressing satisfaction that the Advisory Commission reached the conclusions contained in its report by consensus,

1. *decides* to improve the preparation of its own agendas, and to devote these in the future to the definition of those policies and strategies which are common to the Movement's components and which require priority attention;
2. *requests* the Standing Commission to take due note of this decision; to make appropriate provision in the future for the Council of Delegates to meet for a sufficient period of time to allow it to debate and decide on policies and strategies of the Movement needing priority attention and to establish under the provisions of Article 18, para. 7, of the Statutes of the Movement an ad hoc body to prepare and ensure the follow-up to future Councils of Delegates;
3. *recommends* that the Standing Commission, led by its Chairman, play an active role within the Movement in fulfilling the functions assigned to it under Article 18, para. 3, of the Statutes, namely:
 - (a) to promote harmony in the work of the Movement and, in this connection, coordination among its components,
 - (b) to encourage and further the implementation of resolutions of the International Conference,
 - (c) to examine, with these objects in view, matters which concern the Movement as a whole and, in furtherance of this objective, to follow a policy of open, structured and regular communication with the compo-

- nents of the Movement, notwithstanding that some matters are of a confidential nature;
4. *recommends* that the Standing Commission establish:
 - (a) independent secretarial support services with adequate facilities,
 - (b) under Article 18, para. 7, one or more *ad hoc* bodies to prepare and ensure the follow-up to future International Conferences,
 - (c) under Article 18, para. 7, an *ad hoc* independent body, as and when required, to arbitrate, with the agreement of the parties, differences between the components of the Movement where conciliation and mediation have failed,
 - (d) consultations with a representative group of government experts on all aspects of the use of the emblem and report to the Council of Delegates with the ultimate objective of reaching agreement with States;
 5. *reaffirms* the commitment of the components of the Movement to recognize the statutory role of the Standing Commission in ensuring respect for the provisions of the Statutes of the Movement;
 6. *endorses* the candidate profile for election to the Standing Commission drawn up by the Policy and Planning Advisory Commission, and commends it to all delegations to each International Conference of the Red Cross and Red Crescent;
 7. *notes with satisfaction* the steps taken so far by the ICRC and the International Federation to improve mutual understanding and functional cooperation;
 8. *considers* that steps should be taken by the ICRC, the International Federation, National Societies and States at the legislative, preventive and repressive levels to ensure greater respect for the emblem;
 9. *further decides* to re-establish on a temporary basis an independent Advisory Commission, under the provisions of Article 14, para. 7, of the Statutes of the Movement, with a mandate until the next Council of Delegates, to:
 - (a) keep under review the implementation of the above recommendations concerning the Standing Commission and the Council of Delegates,
 - (b) review, in the light of the report of the Policy and Planning Advisory Commission (Document 95/CD/6/1) and of the results achieved through implementation of the above recommendations, the statutory provisions (including the Rules of Procedure) concerning the role, competencies and functioning of statutory bodies of the Movement; identify areas calling for potential clarification; if necessary, draw up subsequent proposals for statutory amendments; and report to the Council of Delegates,

- (c) follow developments in the field of functional cooperation between the ICRC and the International Federation, in close cooperation with the senior management of both institutions,
- (d) further develop proposals for a common strategy for the Movement,
- (e) work on a clear definition of the organization of the international activities of the Movement's components, on the basis of the Geneva Conventions, of the existing Statutes and of the Fundamental Principles; and, working closely with the senior management of the two Geneva-based institutions and in consultation with National Societies, draft an agreement between all components of the Movement, replacing the 1989 Agreement between the ICRC and the International Federation, for endorsement by the next Council of Delegates, which would bind all components of the Movement,
- (f) keep under review the external factors affecting the Movement; disseminate its findings to all components of the Movement; recommend how the process may be permanently institutionalized; and report to the Council of Delegates,
- (g) follow up those concerns of the Study Group on the Future of the Movement which have not yet been addressed;

10. *decides* that

- (a) the independent Advisory Commission shall be composed of 12 persons, the ICRC and the International Federation each appointing three members and the others coming from National Societies,
- (b) all members of the Advisory Commission shall be appointed *ad personam*; by joint decision of the Presidents of the International Federation and the ICRC and the Chairman of the Standing Commission, in consultation with the Chairman of the outgoing Policy and Planning Advisory Commission, the names of those appointed shall be announced within 60 days of this Council of Delegates,
- (c) the Advisory Commission shall elect its chairperson from among its members and take its decisions and make its recommendations by consensus,
- (d) the Advisory Commission shall have independent secretarial support services to assist it in its work;

11. *decides* that the financing of the budget of the new Advisory Commission shall be the joint responsibility of the International Federation, the ICRC and National Societies on the basis of 25% from the ICRC; 25% from the

International Federation and 50% through voluntary contributions of National Societies;

12. *requests*

- (a) the International Federation and the ICRC to address the issue of the organization and financing of the common bodies of the Movement, including the secretarial support services proposed in this resolution, with a view to achieving cost effectiveness and taking into account existing institutions,
- (b) the Bureau of the outgoing Policy and Planning Advisory Commission to take responsibility for ensuring the preparation of the new Advisory Commission's first meeting.

4

**REPORT OF THE ICRC AND THE INTERNATIONAL FEDERATION
ON THEIR FUNCTIONAL COOPERATION**

The Council of Delegates,

recalling that Resolution 1 of the Council of Delegates in 1993 called *inter alia* on the ICRC and the International Federation, in cooperation with the Policy and Planning Advisory Commission, to take immediate action to improve functional cooperation between the components of the Movement, taking into account the recommendations of the report of the Study Group on the Future of the Movement, and to report to the next Council of Delegates on progress made,

noting the close interrelationship between the report of the ICRC and the International Federation on functional cooperation, on the one hand, and the report of the Policy and Planning Advisory Commission, on the other,

1. *welcomes* the report submitted by the ICRC and the International Federation on their functional cooperation and the joint working process of the senior management of the two institutions to assess difficulties and develop solutions;
2. *invites* the ICRC and the International Federation to continue their joint working process so as to:
 - (a) further develop functional cooperation, based on the vision and goals outlined in this report,
 - (b) develop, on the basis of operational experience and their report on functional cooperation, proposals for elements to be included in the new

Agreement defining the organization of the international activities of the components of the Movement proposed in the report of the Policy and Planning Advisory Commission;

3. *invites* National Societies to support the development of functional cooperation both in their relations with the International Federation and the ICRC, within the framework of their respective mandates, and through the development of their own capacities to be used in international cooperation.

5

CHILDREN IN ARMED CONFLICTS

The Council of Delegates,

recalling Resolution IX of the 25th International Conference of the Red Cross (1986) entitled "Protection of Children in Armed Conflicts", Resolution 14 of the Council of Delegates (1991) entitled "Child Soldiers" and Resolution 4 of the Council of Delegates (1993) entitled "Child Soldiers",

also recalling with appreciation the study entitled "Child Soldiers" undertaken by the Henry Dunant Institute,

recognizing that the 1949 Geneva Conventions and the 1977 Additional Protocols, as well as Articles 38 and 39 of the 1989 United Nations Convention on the Rights of the Child, accord children special protection and treatment,

deeply concerned that children suffer particular hardship during armed conflicts,

taking note of the joint report of the International Federation and the ICRC on the implementation of Resolution 4 of the Council of Delegates (1993),

deploring that children under the age of 15 are used as soldiers in many parts of the world, in violation of international law,

1. *urges* the ICRC, National Societies and the International Federation to work for improved implementation, at the national level, of existing international legal standards and increased dissemination thereof;
2. *endorses* the Plan of Action for the Red Cross and Red Crescent Movement, prepared by the International Federation and the ICRC in cooperation with the Henry Dunant Institute, which aims to promote the principle of non-participation and non-recruitment of children below the age of 18 years in armed conflicts and to take concrete action to protect and assist child victims of armed conflicts;

3. *urges* all National Societies, the International Federation and the ICRC to implement or support the implementation of the Plan of Action;
4. *requests* the International Federation and the ICRC, in order to monitor and facilitate the implementation of the Plan of Action, to establish a coordinating group comprised of representatives of the International Federation, the ICRC and five National Societies implementing or supporting programmes for children in armed conflicts;
5. *requests* the International Federation and the ICRC to report on progress in implementing the Plan of Action to the Council of Delegates in 1997.

6

INFORMATION POLICY OF THE MOVEMENT

The Council of Delegates,

having examined the "Information Policy of the Movement, Work Plan 1995-1997" submitted to it pursuant to the request by the 1993 Council of Delegates (Resolution 10),

1. *welcomes* the increasing level of cooperation between the Communication divisions of the ICRC, the International Federation and individual National Societies;
2. *agrees* with the proposed action put forward in the Work Plan;
3. *notes* that, as communication is vital to the Movement's work, the information policy approved by the Movement in 1989 needs amending and updating;
4. *believes* that, in view of new technology in matters of communication and great competition from other non-governmental organizations, a revised policy is needed;
5. *is anxious to ensure* that the Movement does not lose its share of attention from the general public, governments and the media to other global organizations communicating in a highly sophisticated manner;
6. *invites* the ICRC and the International Federation to work skilfully with all National Societies to deliver clear and concise messages to the world, inspired by the Fundamental Principles of the International Red Cross and Red Crescent Movement;
7. *salutes* the important role that the international media has in highlighting violations of international humanitarian law and the interest they show in the actions of the components of the Movement;

8. *bears in mind* that, in order to be effective, communication needs adequate resources;
9. *notes with concern*, however, that the request by the 1993 Council of Delegates (Resolution 10, operative paragraph 2) to work towards a communication policy for the Movement as a whole has not been totally fulfilled;
10. *requests* the ICRC and the International Federation to analyse, in consultation with the National Societies, further development of the communication policy of the Movement, taking into account both existing policy and the proposals with regard to the Movement's vision and goals put forward in the paper on functional cooperation submitted to the Council of Delegates by the ICRC and the International Federation;
11. *therefore calls upon* the ICRC and the International Federation to convene a geographically representative forum of key communicators from National Societies and, with outside advisory assistance if necessary, to produce a set of coherent project plans to run from 1996 to the millennium;
12. *also calls upon* the ICRC and the International Federation Secretariat to recognize the interest of National Societies in being informed of direct contacts with national news agencies regarding campaigns or appeals; to include this matter as a subject for discussion at the above-mentioned forum at its meeting in 1996; and to report the findings to both the Executive Council of the International Federation and to the ICRC's Assembly at appropriate meetings;
13. *appeals* to all National Societies to support this forum;
14. *invites* the Executive Council of the International Federation and the ICRC's Assembly to regularly review these plans at their meetings;
15. *asks* that a status report be reviewed by the Council of Delegates at its 1997 meeting;
16. *emphasizes* the importance of communication at all levels in order to promote the humanitarian values of the Movement and to be able to advocate real concern for the world's most vulnerable groups and victims of armed conflict;
17. *renames* the document for this item the "Information Work Plan for the Movement 1995-1997".

7

FINANCING OF THE ICRC BY NATIONAL SOCIETIES

The Council of Delegates,

having taken note of the report submitted by the Commission for the Financing of the ICRC,

being aware of the ever-increasing responsibilities of the Movement as a whole, and of the ICRC in particular, as regards implementing and promoting international humanitarian law and coping with the considerable expansion in operational activities stemming therefrom,

recalling the resolutions of successive International Conferences since 1948 and that of the Council of Delegates in 1991,

wishing to indicate its support for the ICRC in the pursuance of objectives to which the entire Movement is dedicated and which reflect the solidarity of all its components,

1. *renews* for two years the mandate of the Commission for the Financing of the ICRC, founded on the initiative of five National Societies;
2. *appoints*, as new members of the Commission, the National Societies of the Republic of Korea, Hungary, Lebanon and Zimbabwe;
3. *confirms* the mandate of the National Societies of Australia, Colombia, Costa Rica, Finland, Germany, Japan, the Libyan Arab Jamahiriya and Sierra Leone;
4. *requests* the Commission to review its role and working methods and to decide, together with the ICRC, upon the most appropriate procedures;
5. *thanks* the National Societies that provide support for the work of the ICRC;
6. *urges* all National Societies to take part in the effort to help the victims whom the ICRC has been mandated to protect and assist;
7. *requests* the Commission to report to it during the next meeting of the Council of Delegates in 1997.

8

HENRY DUNANT INSTITUTE

The Council of Delegates,

appreciating the 30 years of activity of the Henry Dunant Institute and its contribution to the strengthening of the Movement's unity and universality and to its development worldwide,

affirming the value of research and training,
noting the ever-growing number of efficient research and training institutions,
realizing the increasing possibilities of new information and communication technologies,
taking note of the fact that the ICRC, the International Federation and many National Societies have set up their own information, research and training systems,

1. *invites* the ICRC, the International Federation and the Swiss Red Cross, as the co-founding bodies of the Institute, to examine and redefine, before the end of 1996, the role and functions of the Henry Dunant Institute so as to devote its intellectual, financial and material resources to activities that serve to clarify and illuminate the policies and strategies that are common to the Movement;
2. *invites* National Societies to give full support to the redefinition and reinforcement of the Henry Dunant Institute;
3. *requests* the ICRC, the International Federation and the Swiss Red Cross to report on progress to the 1997 meeting of the Council of Delegates.

9

ARMED PROTECTION OF HUMANITARIAN ASSISTANCE

The Council of Delegates,

recalling Resolution 5 of the 1993 Council of Delegates calling upon the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies to form a joint working group to study the issue of armed protection for humanitarian assistance and asking that working group to report back to the ICRC and the International Federation, as well as to the Policy and Planning Advisory Commission,

being aware of the increased level of violence in many parts of the world which directly affects or is directed against victims of disaster, war and situations of internal violence, the most vulnerable in a situation of chronic need and those who seek to alleviate their suffering,

recalling the fundamental need for all actions of the Movement to reflect a spirit of humanity, neutrality, impartiality and independence,

being aware also of the need to ensure that urgent relief is delivered in a timely fashion to those who need it most,

1. *takes note* of the report submitted by the ICRC and the International Federation on the basis of the findings and recommendations of the above-mentioned working group;
2. *reiterates* the basic principle that the components of the Movement do not use armed protection;
3. *endorses* the guiding principles laid down in Section III of the report* and particularly the minimal criteria laid down for the exceptional use of armed protection of humanitarian convoys.

10

ANTI-PERSONNEL LANDMINES

The Council of Delegates,

deeply alarmed by the increasing number of innocent civilians affected by anti-personnel landmines,

taking into account Resolution 3 of the 1993 Council of Delegates,

1. *expresses* its great concern about the indiscriminate effects of anti-personnel landmines and the consequences for civilian populations and humanitarian action;
2. *urges* all components of the International Red Cross and Red Crescent Movement, in accordance with their respective mandates and within their capabilities, to work for a total ban on anti-personnel landmines which, from a humanitarian viewpoint, is the only effective solution;
3. *invites* National Societies to intensify contacts with their respective governments in order to obtain a total ban on anti-personnel landmines;
4. *encourages* all measures to alleviate the suffering of victims and to remove mines already in place;
5. *requests* the ICRC and the International Federation to report to the 1997 meeting of the Council of Delegates on progress made in introducing a total ban in international law and in alleviating the suffering of victims.

* Doc. 95/CD/12/1, p. 8.