

## **Statutory Meetings of the Movement**

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### **COUNCIL OF DELEGATES**

*(Birmingham, 29-30 October 1993)*

The Council of Delegates held its biennial meeting on 29 and 30 October 1993 in Birmingham, England. Some 500 delegates from 148 National Societies were present, as were delegations from the ICRC and the Federation. The latter were led by their respective Presidents, Mr. Cornelio Sommaruga and Mr. Mario Villarroel Lander.

#### **I. OPENING SESSION**

The meeting was opened by Botho Prince of Sayn-Wittgenstein-Hohenstein, Chairman of the Standing Commission of the Red Cross and Red Crescent.

In his address to the delegates, Prince Botho said that the Movement faced an unprecedented challenge and must redouble its efforts to meet that challenge. "The higher the level of efficiency we reach in our work and the stronger the evidence of our active solidarity with the vulnerable," he said, "the more we will be listened to". To achieve this end, the universal network of the Red Cross and Red Crescent Societies must be strengthened, ever more volunteers must be recruited, and activities must continue to comply with the Fundamental Principles.

Raising the problem of frequent infringement of minority rights, he said that the Movement should encourage the National Societies to assist minorities and help reduce tension, while strictly observing the principles of neutrality and impartiality. The same applied to immigrants, asylum-seekers and refugees, he said.

Concluding his address, Prince Botho made two appeals, one to the media to pay more attention to the examples of courage and "active compassion" for people in distress, the second to those who wield political power, calling on them to devote greater resources to research into conflict prevention and ways of reducing violence.

The assembled delegates then proceeded to elect ICRC President Cornelio Sommaruga as Chairman of the meeting, Federation Vice-President Judge Darrell D. Jones of Canada as Vice-Chairman and Mr. Olivier Dürr of the ICRC and Ms. Yolande Camporini of the Federation as secretaries.

In his opening address the ICRC President stressed the importance of the Movement's Fundamental Principles. "We must endeavour", he said, "to recognize them as the vital force that inspires the humanitarian mission".

The independence of the National Societies from their respective governments was, he remarked, a very important matter that concerned the Movement as a whole. The very credibility and survival of the Movement was at stake, as the corporate identity of the Red Cross and Red Crescent was yet to become a reality.

A National Society's independence was primarily a moral attitude. To the question whether the notion would be more readily understood if one were to speak instead of "autonomy", Mr. Sommaruga replied that perhaps it would but that independence, like all the other Fundamental Principles, was an ideal towards which one had constantly to strive. The important thing was to maintain one's commitment without antagonizing political forces.

Humanitarian action must not be used to attain political goals. On the contrary, political forces should have a constant interest in supporting independent, impartial and neutral humanitarian action.

The Red Cross and Red Crescent, Mr. Sommaruga concluded, must find new ways of approaching its task and revive the pioneering spirit of Henry Dunant so as to achieve the Movement's primary objective: to uphold the intrinsic value of the individual.

## **II. PROCEEDINGS**

The Council then took up its agenda. The following is a summary of its deliberations on the various items.

### **1. Future of the Movement**

Resolution 1 of the 1991 Council of Delegates called for the setting-up of a study group with the following mandate:

- “1. To review, study, research and discuss current and future trends and issues in the humanitarian field with a view to achieving common positions on matters of concern to all components of the Movement.
2. To study governing and operating structures of the Movement and to suggest appropriate courses of action which will enable the Movement to carry out its humanitarian mandate with the utmost effectiveness and cohesion.”

Under the chairmanship of Mr. Gudjon Magnusson, President of the Icelandic Red Cross, the nine-member group met seven times.

Its discussions focused on the following issues:

- external changes modifying the environment in which the Movement's components act;
- new challenges facing the Movement;
- the governing structures of the Movement;
- the promotion of new attitudes and cultural changes within the Movement;
- improving functional cooperation between the Movement's components.

Mr. Magnusson presented the Study Group's report and recommendations to the Council of Delegates. The main recommendations gave rise to lively debate. They are summarized below.

- The Council of Delegates should be the Movement's supreme deliberative body for internal matters. It should set priorities for review policy.
- The International Conference of the Red Cross and Red Crescent should in future concentrate on matters of common interest to the Movement and to States. The Conference should be renamed to reflect this change.
- A policy and planning advisory commission should be set up to study suggestions from the Movement's components and formulate, by consensus, recommendations for submission to the decision-making bodies. Among other things, it should study matters relating to the use of the emblem and the functions of the Standing Commission.
- The Movement's response to the reality of military intervention to make peace, to keep peace and to protect humanitarian action should be thoroughly analysed and a policy defined.

- The Movement should do more to promote knowledge of the specific nature of the protection which international humanitarian law affords to the victims of conflict.

The Study Group's report was greatly appreciated and its recommendations supported by many delegates. Some said that, while certain recommendations should be implemented immediately, others required further consideration.

The discussions ended with the adoption of a resolution taking note of the report. It was decided to set up a policy and planning advisory commission with the following tasks:

- to study policy matters of interest to all the Movement's components and to examine possible courses of action;
- to work out procedures for establishing the Council of Delegates as the Movement's supreme deliberative body for internal matters;
- to set up an appropriate independent secretariat to assist it in its work;
- to ensure that the Study Group's report is followed up;
- to report on these matters twice a year to the ICRC Assembly and the Federation's Executive Council;
- to report to a joint meeting in 1994 of the ICRC Assembly and the Federation's Executive Council as well as to the 1995 Council of Delegates.

The new Advisory Commission, which will comprise 12 members (three from the ICRC, three from the Federation and six from the National Societies) appointed in a personal capacity, was also mandated to study the functions of the Standing Commission.

The Presidents of the Federation and the ICRC were asked to appoint a small group to draw up, by 30 April 1994, a draft agenda for the first meeting of the Commission.

The Council also decided that the Commission on the Red Cross, Red Crescent and Peace should continue its activities until its mandate expires in 1995.

## **2. Protection and humanitarian assistance in armed conflicts**

### **(a) Protection of war victims**

The ICRC presented a report on the International Conference for the Protection of War Victims, held in Geneva from 30 August to 1 Sep-

tember 1993.<sup>1</sup> The Conference was widely described as a success, but that success will ultimately be measured in terms of the action taken on the recommendations contained in the Final Declaration.

The significance of the Conference did not escape the delegates, who spoke at length about the outcome, stressing the various aspects of conflict prevention, including dissemination, the need to promote respect for the emblem, and the importance of taking steps to ensure compliance with international humanitarian law and to repress violations.

Emphasis was placed on the role that the National Societies and their Federation could play in encouraging States to meet the commitments made in the Final Declaration. As an ICRC representative put it in his concluding remarks, "the important thing is to maintain the power of emotion to counter indifference and apathy".

The resulting resolution urgently requested the National Societies, the ICRC and the Federation to do everything possible, including mobilizing governments, to ensure that the Final Declaration was followed up by tangible measures. The ICRC was asked to work with the Federation to support the intergovernmental group of experts set up by the Conference to study practical means of promoting full respect for humanitarian law.

## **(b) Mines**

A symposium on anti-personnel landmines was held in Montreux, Switzerland, in April 1993 to pool the information and ideas necessary for coordinating the future activities of organizations working to help mine victims and to take preventive action. More specifically, the participants were expected to describe as accurately as possible current practice in mine use and its consequences; to study existing means of limiting the use of mines and relieving the suffering of mine victims and to identify shortcomings; to determine the best way of remedying the situation; to devise a strategy to coordinate the activities of the various organizations involved; and, finally, to draw up a report on the meeting to serve as a reference document for future work.

The report was sent to all governments in August 1993.

The symposium made recommendations concerning a number of areas in which the National Societies can play an important role. They could, for example, help develop and distribute items to be used by surgeons and other medical personnel in the treatment and rehabilitation of mine

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<sup>1</sup> For details, see the September-October 1993 issue of the *Review* (No. 296, pp. 355-445) which was largely devoted to the Conference.

victims. They could gather information on the long- and short-term social and economic damage done by anti-personnel mines, and work to raise awareness of the problem among government authorities and the general public. Finally, the National Societies have an important contribution to make in rehabilitating mine victims in their own countries.

The report presented by the ICRC elicited much comment, especially from National Societies of countries such as Afghanistan which are directly confronted by the medical, social and economic problems caused by mines. Some delegates stressed the need to revise the 1980 UN Convention on the use of certain conventional weapons, while others felt that action should be taken at the level of those who produce and sell arms.

The resolution adopted on this subject urges States which have not yet done so to ratify the 1980 Convention and to seek, during the forthcoming Review Conference on the Convention, effective means of dealing with the problem of mines by reinforcing the Convention's provisions and introducing implementation mechanisms. The resolution invites the National Societies to approach their governments to this end and to take specific steps to help mine victims.

**(c) Dissemination of international humanitarian law and of the principles and ideals of the Movement**

A member of the ICRC presented the report on this important subject. It focused on the action taken to implement the recommendations on dissemination made in the Guidelines for the '90s, adopted by the 1991 Council of Delegates.

Indeed, the National Societies have stepped up dissemination within their own organizations with training programmes for leading officials, staff and volunteers. Others have devised programmes to reach young people through their schoolteachers.

The ICRC, for its part, concentrated its dissemination activities on emergency or high-risk situations, giving priority to combatants. Owing to the growing confusion that characterizes current conflict situations, these programmes had to be especially adapted to difficult political and cultural contexts.

The Conference for the Protection of War Victims showed how important it is to work with defence ministries and military academies to improve dissemination within the armed forces.

Delegates from National Societies and the Federation shared their experience in the area of dissemination. They placed particular emphasis

on instruction to the armed forces and reaching young people, expressing the view that dissemination should be incorporated in national education programmes at various levels.

The Federation reaffirmed its willingness to help the ICRC in the promotion and development of international humanitarian law and to cooperate closely in dissemination activities aimed at National Societies. The Federation placed particular stress on dissemination in the educational environment.

This discussion highlighted the need to step up efforts to devise appropriate dissemination programmes to reach all target groups.

#### **(d) Child soldiers**

Child soldiers are a cause of great concern for the Movement. The Council of Delegates was invited to comment on a study of the problem prepared for the Henry Dunant Institute. On the basis of research carried out at first hand in the field, the authors examined the factors that lead some States and other entities to send children to war. They concluded that children who take part in hostilities are subject to psychological, social, cultural, religious and material influences as well as simple coercion, and looked in detail at the long- and short-term consequences of that participation. The study set out and explained the applicable rules of international humanitarian law in a clear and easily understood form, and proposed mechanisms that could ensure monitoring and compliance.

Finally, the study made recommendations aimed at promoting the principle that there should be neither recruitment nor participation, whether voluntary or forced, of children in hostilities. The recommendations also addressed the physical and psychological consequences of such participation, the need to improve compliance with national and international law on the subject and, above all, the importance of spreading knowledge of existing rights, rules and procedures, an area in which the National Societies, NGOs and the media have a responsibility.

Taking note of this study, the Council adopted a resolution urging all the Movement's components to assist children exposed to the effects of armed conflict. The ICRC and the Federation were asked to draw up and implement a plan of action for the Movement aimed at promoting the principle of non-recruitment and non-participation of children under 18, and to take practical action to protect and assist child victims of armed conflict.

### **(e) Armed protection of humanitarian assistance**

The Council of Delegates also considered the problems caused by the conditions in which humanitarian operations have had to be carried out on several occasions in disaster situations. It appealed to the United Nations and governments employing military force in order to ensure the implementation of UN resolutions to use personnel who have, as part of their training, received proper instruction in humanitarian law.

It also recommended that the various components of the Movement, when faced with the possibility of undertaking operations under armed protection, should take into account the long-term interests of the victims and the Movement's Fundamental Principles. Finally, it asked the ICRC and the Federation jointly to articulate the Movement's policy and practice on the delivery of humanitarian assistance under armed protection.

## **3. Humanitarian assistance in peacetime**

### **(a) Code of conduct for humanitarian assistance**

As part of the discussion on humanitarian assistance in peacetime, the Federation reported on its work since 1991 to coordinate non-governmental relief for victims of peacetime disasters and to prevent such disasters from occurring.

The Council of Delegates then turned its attention to the draft Code of Conduct for organizations bringing humanitarian relief to the victims of natural and man-made disasters. This text, which was drawn up by the Federation in conjunction with a number of humanitarian organizations, was not initially intended to cover situations of armed conflict. However, the ICRC and the Federation agreed that it would be appropriate to include such situations and the ICRC lent its support to the project.

The Council adopted the Code of Conduct, which lays down a series of principles to guide the Movement and NGOs in their disaster-relief work, and contains recommendations for the governments of the countries affected, donor governments and international organizations.

The Council urged the Federation and the ICRC to promote implementation of the Code within the Movement and to encourage its adoption by other disaster-relief organizations. It also urged all the Movement's components to bring the Code to the attention of the governments.

## **(b) The Movement, refugees and displaced persons**

The work of the various components of the Movement in behalf of refugees and displaced persons has grown considerably over the past two years. This fact was attested to by the joint ICRC/Federation report on the two institutions' main activities in 1992-1993, which included an account of the difficulties they had faced. Given that violations of international humanitarian law are one of the causes of mass population displacement, the report recommended that the Movement, and in particular the ICRC, take preventive measures as well as providing protection and assistance. In addition to ensuring the survival of large groups of displaced people by meeting their most urgent needs, the Movement's strategy should include approaches to the civilian and military authorities concerned to improve compliance with humanitarian law.

The deliberations culminated in a resolution which, among other things, invited the various components of the Movement to promote the protection of refugees, asylum seekers and displaced persons, regardless of their status, and to train and inform staff and volunteers appropriately. The National Societies were strongly encouraged to set up emergency assistance programmes for such victims.

## **(c) Women in Red Cross/Red Crescent development**

The Council of Delegates took note of a document prepared by the Federation on updating the Strategic Work Plan for the Nineties as far as women are concerned. The objectives are twofold:

- to ensure that women as well as men benefit from traditional activities and that these activities contribute to reducing the vulnerability of women;
- to help National Societies draw up and carry out special programmes for women (and, in certain cases, for men) where their economic, social and cultural situation so requires, especially for capacity-building.

The document also contained a report on Federation and National Society activities in behalf of women as a major beneficiary group for Red Cross/Red Crescent development programmes.

## **4. Use of the emblem by National Societies**

A report drawn up by the ICRC in cooperation with the Federation presented the results of the questionnaire sent to the National Societies

in December 1992 regarding the applicability and application of the Regulations on the use of the emblem of the red cross or the red crescent, adopted by the Council of Delegates in November 1991.

These regulations have not yet come into force everywhere and in their replies several National Societies related difficulties in interpreting and applying certain provisions. These remarks were corroborated by some of the delegates.

The Council therefore adopted a resolution encouraging the National Societies to continue to submit any questions regarding compliance with and interpretation of the 1991 Regulations to the ICRC and the Federation. It also urged the National Societies to ensure that the emblem was indeed used in conformity with international humanitarian law and those Regulations.

## **5. Respect for and dissemination of the Fundamental Principles of the Movement**

After studying the final report on this subject, the Council of Delegates reaffirmed the importance of the Fundamental Principles as an ethical charter for the Red Cross and Red Crescent, and asked the ICRC, in cooperation with the Federation, to help the National Societies implement the Principles, especially when they are under pressure to do otherwise.

The Council also asked the National Societies, in cooperation with the ICRC and the Federation, to develop and intensify their activities to spread knowledge of the Principles at the national, regional and international levels.

## **6. Information policy of the Movement**

The report presented by the ICRC and the Federation covered the two institutions' joint activities in this regard over the past few years, as well as ongoing projects. In response to technological progress and changing needs, both have restructured their information and public relations services and revised their communication strategies. This was necessary to meet the demand for more openness while preserving the Movement's credibility and safeguarding its identity and image.

The National Societies expressed the wish that the Movement's information policy be further unified and proposed that a communication policy and plan of work be drawn up.

## **7. Commission on the Red Cross, Red Crescent and Peace**

Mr. Maurice Aubert, Commission Chairman and member of the ICRC, presented the Commission's report on its work over the previous two years.

During the period under review the Commission closely examined the concept of the right to humanitarian assistance, the problem of refugees and displaced people and the Movement's role in promoting respect for human rights. It also examined a study that it had asked the Henry Dunant Institute to carry out on the role of National Societies in preventing problems involving minorities.

The Council of Delegates took note of the report and the complementary report and approved the Commission's decision to maintain its present composition in order to complete its work by the time its mandate ends in 1995.

Finally, the Council adopted a resolution on the principles of humanitarian assistance which had been proposed by the Commission.

## **8. Report on the activities of the Henry Dunant Institute**

The Council of Delegates took note of the Henry Dunant Institute's report on its activities and congratulated it on the work done in the fields of training and publication.

In particular, the delegates heard an account of the Institute's research on minorities, conflict prevention, training for Red Cross and Red Crescent Youth leaders and voluntary service in today's society, as well as a report on the study carried out for it on child soldiers.

## **9. Expo '92 in Seville**

The Council of Delegates took note of a report presented by the President of the Spanish Red Cross on *Expo '92* and on the Red Cross and Red Crescent pavilion in Seville. The Council paid tribute to the Spanish Red Cross and its President.

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The Council of Delegates meeting was honoured by a visit on 30 October from H.M. Queen Elizabeth II, Patron and President of the British Red Cross, who gave the following address:

## **Her Majesty Queen Elizabeth II addresses the Movement**

*As Patron and President of the British Red Cross Society, I am delighted to welcome you all to the United Kingdom and to Birmingham. I have always been proud of my association with the Red Cross and, as Head of the Commonwealth, it gives me special pride and pleasure to see so many Commonwealth Societies represented here.*

*Down the ages, successive generations have taken the view that change in their lifetimes has been more dramatic than ever before. 'Twas ever thus, but there is no doubt that, in our lifetimes, a revolution in communications has enabled us to see all too vividly the scale of suffering endured by the victims of natural and man-made disasters across the globe.*

*That, perhaps, is just one of the reasons for your growth, from 62 National Societies to over 160, in the 47 years since you last met in this country. It is, to say the least, encouraging that the Red Cross and Red Crescent Movement, always the rock on which the world's efforts to give help and comfort to our fellow human beings is founded, is still growing in size and scope.*

*You are, of course, uniquely qualified, as the world's largest humanitarian organization, to provide this life-saving help and comfort. The protection, medical assistance, and tracing services of the International Committee, and the relief coordinated by the Federation are vital for the survival of countless men, women and children in all continents.*

*But what, perhaps, is less well recognised is the untiring work of the National Societies in caring for the daily demands of their own populations: for the sick, the injured, for the disabled people, the old, for refugees and for children.*

*Within this Movement, you have no truck with that depressing and cynical phrase "compassion fatigue": on the contrary, the human and material resources you devote to the relief of hardship grows greater each year.*

*This is especially admirable in view of recent instances where dedicated and courageous members of the Movement have lost their lives in the course of duty. I pay tribute to them, and I deplore the disregard for the Geneva Conventions which brought about their death.*