

# Resolutions of the Council of Delegates

## 1 REPORT OF THE STUDY GROUP ON THE FUTURE OF THE MOVEMENT

The Council of Delegates,

*confirming* the viewpoint expressed in Resolution 1/91 that the Movement must adapt itself to the changing world realities while maintaining and operating in accordance with the Fundamental Principles,

*having taken note* of the report of the Study Group on the Future of the International Red Cross and Red Crescent Movement constituted pursuant to the above-mentioned Resolution,

*noting with satisfaction* that the Study Group has reached a consensus on various recommendations intended to improve the performance of the Movement and make it better able to resolve tomorrow's difficulties,

1. *considers* that some of the recommendations could be implemented immediately while others require more in-depth study and analysis;
2. *considers* that the Study Group has fulfilled its mandate and thanks it for its services;
3. *decides*, in order to make progress towards the formal recognition and the establishment of the Council of Delegates as the supreme deliberative body for internal matters of the Movement:
  - a) to establish a Policy and Planning Advisory Commission made up of 12 persons, three of them appointed by the International Committee, three appointed by the Federation and six belonging to National Societies; the members of the Commission shall be appointed *ad personam*; the President of the Federation is invited to submit to the May 1994 Executive Council proposals for the appointment of the six members from National Societies; the Advisory Commission shall elect its Chairperson from among its members and take its decisions and make its recommendations by consensus;

- b) to request the Advisory Commission:
    - i) to study policy matters of common interest to all components of the Movement and possible courses of action and to advise the Council of Delegates on the Movement's priorities and policies;
    - ii) to identify the modalities of establishing the Council of Delegates as the supreme deliberative body for internal matters of the Movement;
    - iii) to set up an appropriate independent Secretariat to assist in carrying out its functions — the financing of which should be carried by the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, and National Societies;
    - iv) to ensure the follow-up to the Report of the Study Group with a view to strengthening the capacity of the Movement to prevent and alleviate more effectively the suffering of vulnerable people;
    - v) to report on these matters twice a year to the Assembly of the ICRC and to the Executive Council of the Federation;
    - vi) and to report to a joint ("Yverdon") meeting in 1994 of the ICRC Assembly and the Executive Council of the Federation, as well as to the 1995 Council of Delegates;
  - c) and further to request the Advisory Commission to study the functions of the Standing Commission, consider the implication of possible changes and report its conclusions and recommendations in writing at least six months before the 1995 meeting of the Council of Delegates, recommendations to be submitted also to the Standing Commission; the report should take account of progress made to reconvene the 26th International Conference;
4. *decides further* that the Commission on the Red Cross, Red Crescent and Peace will continue until its present mandate expires;
  5. *appeals to the* International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, in cooperation with the Advisory Commission, to take immediate action in order to improve the functional cooperation between the components of the Movement; in doing so all the recommendations relating to Chapter 6 in the Report of the Study Group on the Future of the Movement should be considered, and a report on the results of the examination, and implementation where appropriate, of these recommendations and other initiatives which might improve the functional cooperation between the components of the Movement shall be given to the Council of Delegates in 1995;
  6. *appeals to* all components of the Movement to keep the Advisory Commission informed of their current actions and new policies and to put before the

Commission all suggestions for the study of matters related to the effective functioning of the Movement;

7. *requests* the President of the Federation, together with the President of the ICRC, to appoint a small group to prepare, not later than 30 April 1994, a draft agenda for the first meeting of the Advisory Commission; included in this draft agenda should be concrete proposals for the establishment of the independent Secretariat mentioned in operative paragraph 3. b) iii) and for financing the work and the functioning of the Advisory Commission;
8. *invites* the National Societies, the ICRC and the Federation to give their full support to the Advisory Commission.

## 2

### THE INTERNATIONAL CONFERENCE FOR THE PROTECTION OF WAR VICTIMS

The Council of Delegates,

*deploring* the increasing number of armed conflicts, of deliberate violations of international humanitarian law, and consequently, of war victims,

*stressing* the importance of the Final Declaration adopted by the International Conference for the Protection of War Victims held in Geneva from 30 August to 1 September 1993,

*noting with satisfaction* that in the Final Declaration, States refused to accept the untold suffering inflicted on war victims in blatant violation of the provisions of international humanitarian law, and endorsed practical measures to improve the situation of war victims,

*welcoming* the reaffirmation by States of their responsibility under Article 1 common to the Geneva Conventions of 1949 to respect and ensure respect for international humanitarian law,

*underlining* in particular the States' determination:

- to disseminate systematically international humanitarian law, especially among the armed forces,
- to take firm action with respect to those States which are responsible for serious violations of international humanitarian law, to punish war crimes and to consider setting up an international criminal court,
- to support the humanitarian organizations which provide protection and assistance for the victims of armed conflicts and to improve the security of their personnel,
- to increase respect for the red cross and red crescent emblems,

*convinced* that it is the duty of all components of the International Red Cross and Red Crescent Movement to do everything in their power to alleviate the

sufferings of war victims and to work to ensure respect for international humanitarian law,

1. *urgently requests* the National Societies, the ICRC and the Federation to do everything possible, through their own action and by mobilizing governments, to ensure that the Final Declaration of the International Conference for the Protection of War Victims is followed up by tangible steps which lead to a substantial improvement in the situation of the victims, and accordingly;
2. *calls upon* all components of the Movement to continue and to intensify their action in favour of war victims at the national, regional and international levels;
3. *invites*
  - a) all components of the Movement to follow closely the work of the intergovernmental group of experts entrusted by the International Conference for the Protection of War Victims with the task of studying practical means of promoting full respect for and compliance with international humanitarian law,
  - b) the ICRC, with the collaboration of the Federation, to give its support to this group,
  - c) the Standing Commission, in its preparations for the 26th International Conference of the Red Cross and Red Crescent, to give due consideration to the report to be established on the basis of the work of the group of experts;
4. *urges* all belligerents to abide strictly by international humanitarian law;
5. *expresses the hope* that the momentum created by the International Conference for the Protection of War Victims will help strengthen the spirit of solidarity with all victims of war.

### 3

## MINES

The Council of Delegates,

*deeply concerned* with the enormous numbers of civilian victims of mines in the many countries that have been, or are still, involved in an armed conflict, *noting* the indiscriminate effects of mines which cannot distinguish between the footfall of a soldier and that of a civilian, and the fact that mines are being used in large numbers and indiscriminately,

*noting* the fact that most mines remain active for a very long period of time, and continue to claim victims years or even decades after the end of hostilities,

*concerned* that huge areas of land in many parts of the world are littered with millions of mines that are extremely difficult to remove, rendering those areas unusable for habitation, cultivation or pasturing,

*noting* that the countries most affected by mines have little or no medical infrastructure capable of fulfilling the needs of the injured as both the medical care and rehabilitation needed require an enormous input of resources and expertise,

*being aware* that the disabilities suffered by mine victims and the difficulty they encounter in receiving the necessary rehabilitation have a profound effect on families and entire societies but that there is a lack of data on the social and economic effects of the damage caused by mines,

*noting* that the use of mines is regulated by the general rules on the conduct of hostilities as codified in Additional Protocol I of 1977 and by particular rules contained in Protocol II of 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,

*concerned* that the 1980 United Nations Convention has not been ratified widely enough, that its provisions are frequently not observed and that the Convention has certain shortcomings,

*welcoming* the fact that the law relating to the use of mines will be on the agenda of the Review Conference of the 1980 United Nations Convention,

1. *urges* States which have not yet done so to ratify 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 and to seek, during the forthcoming Review Conference, effective means to deal with the problem caused by mines by reinforcing the normative provisions of the Convention and by introducing implementation mechanisms;
2. *appeals* to States to consider as a matter of urgency the need to clear minefields and to provide the medical care and rehabilitation that mine victims need;
3. *urges* National Red Cross and Red Crescent Societies to encourage their governments to ratify, if they have not yet done so, the 1980 United Nations Convention;
4. *invites* National Red Cross and Red Crescent Societies to impress on their governments the urgent need to find effective legal solutions to the problems caused by mines;
5. *invites* National Red Cross and Red Crescent Societies supported by the Federation and the ICRC to bring to the attention of the general public and international bodies the extensive medical, social and economic problems caused by mines and the need to provide sufficient means to alleviate these problems;
6. *encourages* National Red Cross and Red Crescent Societies and the Federation to intensify their efforts to provide resources and personnel for the

- medical care and the rehabilitation of mine victims and to develop mine-awareness programmes;
7. *urges* National Societies to bring to the attention of arms manufacturers the terrible effects of mines, and thus influence them to abandon the production of mines;
  8. *invites* National Red Cross and Red Crescent Societies to try to obtain data on the social and economic effects of mines that may have been laid in their own countries or in countries where their personnel are working;
  9. *invites* the components of the Movement to seek the expertise of specialized governmental and non-governmental organizations;
  10. *proposes* that the problem of mines be reexamined at the 26th International Conference of the Red Cross and Red Crescent.

#### 4

### CHILD SOLDIERS

The Council of Delegates,

*recalling* Resolution IX entitled "Protection of children in armed conflicts" of the 25th International Conference of the Red Cross (1986), and Resolution 14 entitled "Child soldiers" of the Council of Delegates (1991),

*taking note* with satisfaction of the study entitled "Child soldiers" submitted by the Henry Dunant Institute as requested in the above-mentioned Resolution 14 of the Council of Delegates (1991),

*recalling* that the 1949 Geneva Conventions and the 1977 Additional Protocols, as well as Article 38 of the United Nations Convention on the Rights of the Child, accord children special protection and treatment,

*welcoming* the proposed draft optional protocol to the Convention on the Rights of the Child raising the age limit for participation in hostilities to eighteen years,

*deeply concerned* that some States fail to take action to avoid the recruitment and arming of children,

*deeply concerned* by the great number of children who bear arms in armed conflicts,

*noting* that many children are subject to forced recruitment into armed forces, while others volunteer to participate in armed conflicts for social, economic and political reasons,

*concerned* by the fact that consequences for children participating in armed conflicts include physical and psychosocial damage, as well as injury to family and community,

*stressing* the role of adults in preventing the participation of children in armed forces,

*stressing further* the responsibility of recruiters and commanders in armed forces or groups to prevent the recruitment and enrolment of children,

1. *urges* all components of the International Red Cross and Red Crescent Movement to assist children exposed to armed conflicts and protect them from physical and mental injury or abuse;
2. *appeals* to all components of the International Red Cross and Red Crescent Movement to present and disseminate the study "Child soldiers" to States, relevant international organizations and the general public;
3. *asks* the National Societies to encourage the governments of their respective countries to ratify the Convention on the Rights of the Child;
4. *requests* the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, in cooperation with the Henry Dunant Institute, 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 below the age of eighteen in armed conflicts, and to take concrete action to protect and assist child victims of armed conflicts;
5. *requests* the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies to report on the progress in implementing this resolution at the next meeting of the Council of Delegates.

## 5

### ARMED PROTECTION OF HUMANITARIAN ASSISTANCE

The Council of Delegates,

*deeply concerned* about the hazardous and dangerous conditions under which humanitarian assistance has had to be carried out in various disaster areas in recent years,

*realizing* the complexity of the issue of armed protection of humanitarian assistance,

1. *appeals* to the United Nations and governments when employing military forces in order to ensure the implementation of United Nations Resolutions to employ military personnel which have as part of their training been properly educated in international humanitarian law;
2. *recommends* that the 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;

3. *recommends* that the ICRC and the Federation urgently convene a joint working group to articulate Movement policy and practice on the delivery of humanitarian assistance in disaster areas where United Nations peace-keeping and peace-making operations are in progress or are likely to occur, and to transmit the results of the deliberations of that working group to the ICRC and the Federation, as well as to the Advisory Commission as soon as it is in operation.

## 6

### A CODE OF CONDUCT FOR ORGANIZATIONS TAKING PART IN DISASTER RELIEF OPERATIONS

The Council of Delegates,

*noting* Resolution 17 of the 1991 meeting of the Council of Delegates, and the report on the Code of Conduct,

*noting* that on the Federation's initiative, discussions have taken place with other members of the Humanitarian Response Steering Committee and the ICRC, culminating in the drafting of a Code of Conduct, which covers disaster response in natural and technological disasters, and in situations of armed conflict,

*recognizing* that for the components of the International Red Cross and Red Crescent Movement, the Fundamental Principles of the Movement and then the Principles and Rules for Red Cross and Red Crescent Disaster Relief have precedence over the Code of Conduct,

*recognizing* that in disaster response, assistance by foreign disaster response agencies is not always necessary,

*also recognizing* that the components of the International Red Cross and Red Crescent Movement may seek the protection of intergovernmental security services only in exceptional circumstances, while bearing in mind the Movement's Fundamental Principles of Independence and Neutrality, and

*recognizing* the need to maintain operational complementarity between the components of the Movement, in conformity with the Statutes of the Movement,

1. *approves* the Code of Conduct;
2. *urges* the Federation and the ICRC to take steps to promote the Code's implementation within the Movement and to disseminate the Code amongst disaster response agencies, encouraging them in turn to endorse the Code through their governing bodies;
3. *recognizes* that, because of the need for approval by the governing bodies of other agencies, amendments may still be needed to the text of the Code of Conduct, and therefore authorizes the Federation, in agreement with the

other members of the Humanitarian Response Steering Committee and the ICRC, to approve these amendments;

4. *calls on* the components of the International Red Cross and Red Crescent Movement to bring the Code of Conduct to the attention of governments, by all appropriate means, and in particular to draw their attention to Annexes I, II, and III of the Code;
5. *further calls* upon the Federation and the ICRC to report to the next session of the Council of Delegates on the dissemination and implementation of the Code of Conduct within the Movement and the NGO community, and also to report upon the reception given by governments and intergovernmental organizations to the Code.

## 7

### THE MOVEMENT, REFUGEES AND DISPLACED PERSONS

The Council of Delegates,

*having taken note* of the report of the ICRC and the Federation on the Movement, refugees and displaced persons,

*recalling* Resolutions XXI (Manila, 1981) and XVII (Geneva, 1986) and in particular Resolution 9 of the Council of Delegates held in Budapest in 1991 which, *inter alia*, appeal to the various components of the Movement to act vigorously in favour of refugees, asylum-seekers, displaced persons and returnees,

*reaffirming* that armed conflicts and violations of international humanitarian law are among the main causes of forced population movements,

*recalling* that in situations of armed conflict or internal violence, refugees and displaced persons, as civilians affected by the events, are protected by international humanitarian law and by humanitarian principles,

*concerned* by the persistence of the phenomenon and the dramatic aggravation of the plight of numerous refugees, displaced persons and asylum-seekers in different parts of the world,

*expressing its deep concern* about the surge of intolerance, xenophobia and racial or ethnic discrimination in communities of countries receiving refugees and asylum-seekers,

1. *invites* the components of the Movement, in accordance with their respective mandates:
  - a) to call upon the parties to conflict to respect international humanitarian law and to ensure that it is respected in order to avert population movements,

- b) to continue to act vigorously in favour of refugees, asylum-seekers, displaced persons and returnees,
  - c) to strengthen cooperation among themselves and between the Movement and the United Nations system, in particular the United Nations High Commissioner for Refugees (UNHCR), in a concerted approach which maintains the unity of the Movement,
  - d) to promote, in the spirit of the Fundamental Principles of the Red Cross and Red Crescent, the protection of refugees, asylum-seekers and displaced persons, including the protection of those persons who have fled from armed conflict or other situations of extreme danger, but who are not covered by the refugee definition of the 1951 Convention on the Status of Refugees; and to train and inform volunteers and staff appropriately;
2. *urges* the National Societies to respect their obligation to inform the Federation and/or the ICRC in advance of any negotiations likely to lead to a formal agreement between a Society and UNHCR;
  3. *strongly encourages* the National Societies:
    - a) to implement, whenever necessary, programmes for refugees, asylum-seekers and displaced persons which provide emergency assistance as well as long-term solutions,
    - b) to orient their assistance programmes towards the needs of the most vulnerable groups,
    - c) to carry out vigorous information campaigns to denounce and combat xenophobia and racial or ethnic discrimination while at the same time organizing education programmes based on tolerance,
    - d) to establish networks for regional cooperation — in particular through the organization of regional workshops in cooperation with the ICRC and the Federation — in fields such as voluntary repatriation, tracing activities aimed at restoring family links and preparation for emergency situations, with emphasis on training,
    - e) to focus attention on the psychological problems encountered by most refugees, asylum-seekers, displaced persons and returnees,
    - f) to seek actively the support of governments with a view to finding durable solutions, and to seeing that the voluntary character of repatriation and the safety of returning refugees in their countries of origin are fully ensured;
  4. *calls upon* the ICRC and the Federation to continue to examine ways and means for cooperation between the components of the Movement and the United Nations system in favour of refugees and displaced persons;
  5. *requests* the ICRC and the Federation to report to the next session of the Council of Delegates on the practical measures taken to put these recommendations into effect.

**8**  
**USE OF THE EMBLEM**

The Council of Delegates,  
*taking note* of the report presented by the ICRC, in cooperation with the Federation, on the use of the emblem by National Societies,

*recognizing* the importance for the International Red Cross and Red Crescent Movement of a uniform interpretation and application of the 1991 Regulations on the use of the emblem of the red cross or the red crescent by the National Societies,

1. *urges* the National Societies to ensure that the emblem is used in conformity with international humanitarian law and with the 1991 Regulations;
2. *encourages* the National Societies to continue to submit any question with regard to compliance with and interpretation of the 1991 Regulations to the ICRC and the Federation as envisaged in Resolution 5 of the 1991 Council of Delegates;
3. *invites* the National Societies to take into account advice received on such questions, subject to their national legislation;
4. *also invites* the ICRC and the Federation to observe the rules governing the use of the emblem for indicative and decorative purposes as laid down in the 1991 Regulations.

**9**  
**RESPECT FOR AND DISSEMINATION**  
**OF THE FUNDAMENTAL PRINCIPLES:**  
**FINAL REPORT**

The Council of Delegates,  
*recalling* Resolution 7 of the 1989 Council of Delegates and Resolution 7 of the 1991 Council of Delegates,

*reaffirming* the importance of the Fundamental Principles as an ethical charter for the Red Cross and Red Crescent and the abiding duty of all components of the Movement to respect them and make them more widely known,

*recalling* that the States party to the Geneva Conventions are obliged to respect at all times the adherence by the Movement's components to the Fundamental Principles, in accordance with the Movement's Statutes,

*noting with satisfaction* the final report on the consultation of the National Societies, entitled "Respect for and dissemination of the Fundamental Principles",

1. *calls upon* all the components of the Movement to take the specific forms of action recommended in the aforesaid report;
2. *asks* the ICRC, in cooperation with the Federation, to help the National Societies in implementing the Fundamental Principles and especially in facing pressures to which they might find themselves subjected, and invites the National Societies to follow the recommendations drawn up to this effect;
3. *requests* the National Societies, in cooperation with the ICRC and the Federation, to develop and intensify their activities to spread knowledge of the Fundamental Principles at the national, regional and international levels;
4. *thinks* those National Societies that took part in the consultation for their valuable responses;
5. *thinks* the ICRC for carrying out the consultation, in cooperation with the Federation.

## 10

### INFORMATION POLICY OF THE MOVEMENT

The Council of Delegates,  
*having taken cognizance* of the Federation/ICRC report on implementation of the Information Policy of the Movement,

1. *notes* with satisfaction that the Communicators' Guide, *Red Cross/Red Crescent* magazine and World Red Cross and Red Crescent Day continue to be used to unify the information work of the Movement;
2. *encourages* the Federation and the ICRC to continue to cooperate in the communications field to increase awareness and understanding of Red Cross and Red Crescent work worldwide, and to work towards a Communications Policy and Work Plan;
3. *calls upon* National Societies to implement the Information Policy of the Movement and support information initiatives with funding wherever possible;
4. *invites* the Federation and the ICRC to continue their work in this field and to present a report to the next Council of Delegates.

## 11

### PRINCIPLES OF HUMANITARIAN ASSISTANCE

The Council of Delegates,  
*having examined* the report of the Commission on the Red Cross, Red Crescent and Peace, in particular the point concerning the concept of humanitarian assistance,

*having taken note* of the Final Declaration of the International Conference for the Protection of War Victims and of the reports of the ICRC and the Federation,

*bearing in mind* the various resolutions of the United Nations General Assembly and the reports by the Secretary General regarding the “new international humanitarian order”,

*noting with concern* that the recognized institutions of the International Red Cross and Red Crescent Movement, in particular the International Committee of the Red Cross, continue to encounter difficulties in implementing humanitarian protection and assistance operations,

*anxious to ensure* that humanitarian assistance is not jeopardized by the confusion that all too often arises in the discharge of the respective and specific mandates of States and humanitarian organizations,

1. *reminds* States, in particular, of the basis for and the nature of humanitarian assistance, as established by international humanitarian law, the Fundamental Principles and the Statutes of the International Red Cross and Red Crescent Movement:
  - a) with respect to victims: the right to be recognized as victims and to receive assistance,
  - b) with respect to States: the duty - which is in the first instance theirs - to assist people who are placed *de jure* or *de facto* under their authority and, should they fail to discharge this duty, the obligation to authorize humanitarian organizations to provide such assistance, to grant such organizations access to the victims and to protect their action,
  - c) with respect to humanitarian agencies: the right to have access to victims and to bring them assistance, provided that the agencies respect the basic principles of humanitarian work — humanity, neutrality, impartiality, independence;
2. *solemnly reaffirms* that access to the victims is the indispensable condition for humanitarian work, that such access is the ultimate aim of the four principles mentioned above, and that humanitarian relief operations which are in conformity with these principles cannot therefore be regarded as constituting unlawful intervention in the internal affairs of a State;
3. *points out* that under the humanitarian treaties States undertake “to respect and to ensure respect” for all the obligations contained in the instruments which constitute international humanitarian law — in particular, the four Geneva Conventions of 12 August 1949 and their two Additional Protocols of 1977 — and to take steps to put an end to serious violations of international humanitarian law jointly or individually, in cooperation with the United Nations and in conformity with the United Nations Charter;

4. *requests* all National Societies, the ICRC and the Federation to draw the attention of States to this resolution and to stress, in particular, the duty of States to implement these principles.

12

**COMMISSION ON THE RED CROSS,  
RED CRESCENT AND PEACE**

The Council of Delegates,

*having considered* the interim report by the Commission on the Red Cross, Red Crescent and Peace on its activities since the meeting of the Council of Delegates in 1991 in Budapest,

1. *thanks* the Commission for the work it has accomplished in follow-up to Resolution 3 of the 1991 Council of Delegates;
2. *endorses* the decisions taken by the Commission with respect to maintaining its current composition until the completion of its work, within the framework of the mandate conferred on it, and in conformity with the indications contained in its complementary report;
3. *requests* the Commission to submit its final report to the next Council of Delegates.

13

**MESSAGE OF THANKS TO HER MAJESTY QUEEN ELIZABETH II  
AND THE BRITISH RED CROSS SOCIETY**

The Council of Delegates,

*in appreciation* of the inspiring address by Her Majesty Queen Elizabeth II, Patron and President of the British Red Cross Society, and

*in recognition* of the excellent arrangements, generous hospitality and helpful cooperation extended to the meeting by the officials, staff members and volunteers of the British Red Cross which enabled the meeting to undertake its deliberations in a harmonious atmosphere,

1. *requests* the British Red Cross Society to convey its deep gratitude to Her Majesty;
  2. *places on record* its gratitude and congratulations to the British Red Cross Society.
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