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31st International Conference of the Red Cross Red Crescent
Geneva, 28 November–1 December – For humanity



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**31st INTERNATIONAL CONFERENCE
OF THE RED CROSS AND RED CRESCENT**

Geneva, Switzerland
28 November – 1 December 2011

Follow up to the 30th International Conference

**"Report on the implementation of Resolution 2 –
Specific Nature of the International Red Cross and Red Crescent Movement in
action and partnerships and the role of National Societies as auxiliaries to the
public authorities in the humanitarian field"**

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

Geneva, October 2011

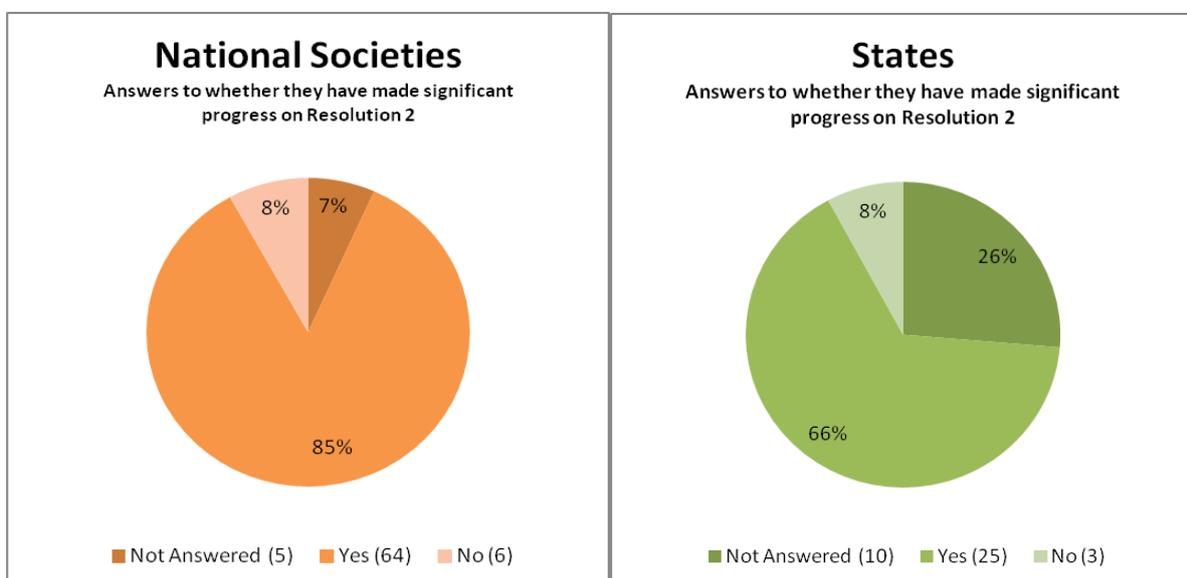
Introduction:

At the 30th International Conference of the Red Cross and Red Crescent in 2007, the members of the Conference adopted six resolutions; this report covers the implementation by the International Federation, ICRC, National Societies and governments of Resolution 2 for the period 2007-2011. Resolution 2 builds on previous work undertaken by members of the Conference, including resolutions of earlier Conferences, in defining and managing the auxiliary relationship between National Societies and their governments in the humanitarian field. The resolution calls for reflection on the role of National Societies as auxiliaries to public authorities, especially in their domestic activities, and on both parties to consolidate the relationship in a variety of ways. These include the strengthening of a National Society's legal base in domestic law and statutory base instruments, the provision of information and training in both the auxiliary role and the Fundamental Principles of the Movement and the establishment, or maintenance, of a 'permanent dialogue'.

The resolution also called on the International Federation and ICRC to support National Societies and governments in developing their relationship both within and outside the parameters of the auxiliary role. Paragraph seven refers:

The Conference "*invites* the International Federation and the ICRC, in consultation with States and National Societies, to make available and further develop relevant information material for National Societies, the public authorities and other interested bodies, including guidelines, legal advice and best practices, in support of partnerships between National Societies and the public authorities in the humanitarian field."¹

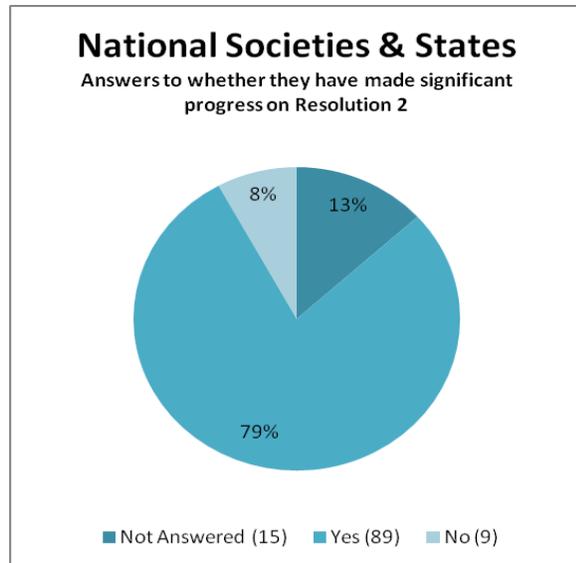
In order to produce this report, as well as the other three reports² being presented on the follow up actions taken on the other resolutions of the last Conference, a questionnaire was sent to all National Societies and governments³. The questionnaire asked for them to report if they had taken any significant action on each of the resolutions. In all, 113 questionnaires were received before the 30th of September 2011 and the answers form the basis of this report. The three charts below show what percentage of National Societies and governments, both individually or jointly, have taken action on the provisions of Resolution 2 in the past four years.



¹ The full text of the resolution can be found in annex 1.

² Reports on follow-up to: Resolution 1 and the Declaration "Together for humanity"; Resolution 3: "Reaffirmation and implementation of international humanitarian law"; and Resolution 4: "Adoption of the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance".

³ More information about the replies to the questionnaire can be found in the general introduction which covers all four reports.



In addition to this, respondents to the questionnaire were asked to outline specific examples of action taken as a follow-up to Resolution 2⁴. 65 National Societies⁵ and 26 governments⁶ provided answers to this section of the questionnaire. Respondents were also asked to provide information on Pledges made at, and since, the 30th International Conference in support of the substance of the resolution. Information on the implementation of the Pledges relevant to this area was received from 28 participants⁷. This report also contains input from both the International Federation and the ICRC.

Of particular interest, given that the substance of the Resolution is concerned with the relationship between a State and its National Society, were the reports presented jointly by National Societies and their governments on the subject (e.g. Lesotho and France). In other instances, as in the case of Australia, Belgium,

Bulgaria, Canada, Chad, Colombia, Germany, Ireland, Italy, Japan, Morocco, Netherlands, Norway, Portugal, Switzerland, United Kingdom and Ukraine, separate reports and assessments were received from both National Societies and State authorities.

This report aims to explore the specific areas in which National Societies, governments, the ICRC and the International Federation have been active in promoting or implementing the auxiliary status in the past four years. It does not seek to expand on the meaning or character of the auxiliary role or provide suggestions on how to consolidate the relationship between National Societies and governments. The first section of this report presents an overview of the status of relations between National Societies and their governments and the areas where they operate in partnership. The second section considers the legal and statutory base for National Societies to operate effectively and from which they derive their auxiliary role as well as other legal issues. The third outlines how the International Federation and ICRC help National Societies and governments to develop their relationship. The fourth, and final part, concentrates on actions taken by either National Societies or governments to develop their relationship such as training on the auxiliary role or fundamental principles, ways of engaging in a 'permanent dialogue' and issues

⁴ see annex 2 for an excerpt from the questionnaire

⁵ Afghan Red Crescent Society, Armenian Red Cross Society, Australian Red Cross, Red Crescent Society of Azerbaijan, Belgian Red Cross, Brunei Darussalam Red Crescent Society, Bulgarian Red Cross, Cambodian Red Cross Society, Canadian Red Cross Society, Red Cross of Chad, Colombian Red Cross Society, Cook Islands Red Cross, Croatian Red Cross, Czech Red Cross, Ecuadorian Red Cross, Salvadorian Red Cross Society, Egyptian Red Crescent Society, Estonia Red Cross, Fiji Red Cross Society, French Red Cross, Red Cross Society of Georgia, German Red Cross, Red Cross Society of Guinea, Hellenic Red Cross, Iraqi Red Crescent Society, Irish Red Cross Society, Italian Red Cross, Japanese Red Cross Society, Kiribati Red Cross Society, Red Crescent Society of Kyrgyzstan, Latvian Red Cross, Lesotho Red Cross Society, Liberian Red Cross Society, Lithuanian Red Cross Society, Mexican Red Cross, Micronesia Red Cross Society, Red Cross of Monaco, Mongolian Red Cross Society, Red Cross of Montenegro, Moroccan Red Crescent, Myanmar Red Cross Society, Nepal Red Cross Society, Netherlands Red Cross, New Zealand Red Cross, Norwegian Red Cross, Palestine Red Crescent, Peruvian Red Cross, Palau Red Cross Society, Portuguese Red Cross, Qatar Red Crescent Society, Samoa Red Cross Society, Red Cross of Serbia, Sierra Leone Red Cross Society, Solomon Islands Red Cross, Spanish Red Cross, Swedish Red Cross, Swiss Red Cross, Tonga Red Cross Society, Red Crescent Society of Turkmenistan, Tuvalu Red Cross Society (Observer status), Ukrainian Red Cross Society, British Red Cross, American Red Cross, Red Crescent Society of Uzbekistan, Vanuatu Red Cross Society.

⁶ Australia, Kingdom of Belgium, Republic of Bulgaria, Canada, Republic of Chad, Republic of Colombia, Republic of Cyprus, Republic of France, Federal Republic of Germany, Ireland, Republic of Italy, Japan, Kingdom of Lesotho (joint with Lesotho Red Cross Society), Republic of Malawi, Republic of Mauritius, Kingdom of Morocco, Kingdom of the Netherlands, Kingdom of Norway, Republic of Poland, Republic of Portugal, State of Qatar, Romania, Swiss Confederation, Kingdom of Thailand, United Kingdom of Great Britain and Northern Ireland, Ukraine

⁷ Armenian Red Cross Society, Australia, Australian Red Cross, Kingdom of Belgium, Belgian Red Cross, Republic of Bulgaria, Canada, Canadian Red Cross Society, Czech Red Cross, Republic of France (joint with French Red Cross), Italian Red Cross, Latvian Red Cross, Kingdom of Lesotho (joint with Lesotho Red Cross Society), Lithuanian Red Cross Society, Namibia Red Cross, Netherlands Red Cross, Kingdom of Norway, Norwegian Red Cross, Republic of Portugal, Portuguese Red Cross, Sierra Leone Red Cross Society, Swiss Confederation, United Kingdom of Great Britain and Northern Ireland, British Red Cross.

surrounding the balance between the auxiliary role and fundamental principles. Throughout the report, specific examples given in response to the questionnaire have been placed in text boxes to illustrate a particular issue. By necessity, this report proposes only a snapshot of some of the relations between a State and its National Society and is, consequently, not comprehensive but rather indicative of their interaction over the past four years.

1. Status of the relationship between Governments and National Societies

a. General overview

On the whole, many National Societies and States which supplied information on this topic characterised their relations as positive and useful⁸. They spoke of: “active cooperation”, “close partnership”, “reliable, effective cooperation”, “a strong relationship”, “being a premium partner”, “a balanced relationship of mutual understanding and cooperation”, “a strong operating partner” and “a balanced relationship with clear and reciprocal responsibilities”. In many instances they also referred to the legal basis which underpins and delineates the relationship (see the next section) and also the very broad array of topics which formed the body of their interaction, such as disaster risk reduction, disaster management, health, migration, violence prevention, promotion of international humanitarian law and the protection of the distinctive emblems.

United Kingdom of Great Britain: “The United Kingdom Government and its key departments have worked closely with the British Red Cross [BRC] in the humanitarian field. The BRC has demonstrated its role as an auxiliary and has maintained a strong relationship with key government departments, providing advice and support when needed but also proactively. The FCO [Foreign and Commonwealth Office] have been able to call upon a team of skilled and trained volunteers from the BRC to deploy as part of a team it sends out to provide humanitarian assistance to British citizens involved in conflict or natural disasters overseas. Recent deployments include Libya, Egypt and Japan.”

New Zealand Red Cross (NZRC): “We have a clearly defined role in the national emergency plan and this was put to the test recently in the aftermath of the Christchurch earthquake. NZRC worked well alongside key government players and was part of the integrated planning and response plan.”

Croatia Red Cross: “The work of the Croatian Red Cross is well-recognized in Croatian society. The Croatian Parliament declared 2008 as “The year of the Croatian Red Cross in the Republic of Croatia” marking 130th Anniversary of the Croatian Red Cross.”

It is clear that in many instances there is mutual benefit in engaging in partnership on issues of humanitarian concern and that the complementary role that National Societies can play in support of their public authorities is welcome. The relationship between a State and its National Society is in many

instances an important and longstanding one. As the Irish Red Cross Society points out: “historically, there has always been a clear understanding between Irish Red Cross and the public authorities of the nature of the auxiliary role of national societies in accordance with the Movement’s Fundamental Principles.”

However, when one looks deeper into what exactly the auxiliary role entails on a day to day basis, it becomes difficult to define and altogether more complex. This is especially the case as many National Societies are engaged in new or growing areas of humanitarian concern such as climate change, migration and violence prevention. In this context, it may be necessary to redefine the areas and modes of cooperation between a State and its National Society either simply on an operational level, or more formally by signing agreements between various government ministries and National Societies or on a national level by the revision of the legal base instruments of the Society.

Solomon Islands Red Cross Society (SIRC): “In 2009 a meeting was held between the Minister for Foreign Affairs, SIRC, IFRC and ICRC. The outcome was positive, resulting in an expression of support for Movement activities in the Solomon Islands.”

⁸ In particular: Armenian Red Cross Society, Canadian Red Cross Society, Red Cross of Chad, Colombian Red Cross, Cook Islands Red Cross, Croatian Red Cross, Egyptian Red Crescent Society, German Red Cross, Irish Red Cross Society, Italian Red Cross, Lesotho Red Cross Society, Moroccan Red Crescent, Myanmar Red Cross Society, Netherlands Red Cross, New Zealand Red Cross, Portuguese Red Cross, Sierra Leone Red Cross Society, Solomon Islands Red Cross, Spanish Red Cross, Swiss Red Cross, British Red Cross. Governments: Australia, Canada, Republic of Colombia, Federal Republic of Germany, Kingdom of the Netherlands, Republic of Portugal, State of Qatar, Romania, Kingdom of Thailand, United Kingdom of Great Britain and Northern Ireland.

Qatar: “There is continuous consultation and support on the part of government bodies (Ministry of Foreign Affairs, the Interior Ministry and Justice Ministry) to the Red Crescent Society and its work is facilitated, its independence guaranteed.”

It is for this reason that the steps taken by the Netherlands Red Cross and Government are particularly interesting (see box below). Their attempt to analyse the auxiliary role and determine how best to proceed are based on a sound understanding of their national context and, while this will be different from other national contexts, it may still provide a useful template for other National Societies and

governments looking to evaluate their relationship. As previously noted, in a number of instances replies were received to the auxiliary role section of the questionnaire from National Societies and governments of the same States and the box below also serves as an example of how a comparison of these reports can prove useful.

Netherlands Red Cross (NLRC): “Over the last four years the process on the auxiliary status of the NLRC has been focusing on three main issues:

What kind of legal document is the most suitable form for acknowledgement of the NLRC?

Which tasks can be defined as ‘auxiliary’?

How can a better understanding on the content and scope of the auxiliary role be established on the side of the public authorities?

The NLRC has organized a roundtable conference and several working-level meetings on the topic of the auxiliary role. During these consultations it was concluded that the Red Cross Order 1988 (Royal Decree) had to be updated and supplemented on a number of issues. This concerned primarily the absence of some tasks the NLRC has been conducting for a long period of time.

It was also concluded that the auxiliary role was not being reflected sufficiently in the Royal Decree. These findings have led to the amendment of the Royal Decree: tracing and IHL are now envisaged as integral components of the NLRC activities. It also clarifies the relationship between government and the NLRC. The updated Royal Decree is likely to become legally effective in September 2011.

In the coming year the NLRC will focus on having a more structured relationship with the Dutch government on a high strategic level, an interdepartmental level and on an operational level. Besides this, the NLRC will invest in the overseas branches to have more ownership on the Royal Decree.”

The Netherlands: “Due to the many mutual interests, the Dutch Government and the NRCS have a unique partnership. After 2007 this partnership was reappraised to ensure an effective and durable relationship in the future. In 2007 en 2008 a series of meetings and consultations took place between the NRCS and the relevant ministries in the Dutch government. This exercise resulted in the successful prolongation of this partnership. Five humanitarian themes were formulated on which the Government and the NRCS intent to share knowledge and explore opportunities for cooperation in the coming years. These themes are: migration, climate change, international humanitarian law, self-reliance in relation to disaster relief and international aid. To continue this constructive dialogue an annual Round Table Conference is held between the NRCS and senior officials of the relevant ministries in the Dutch government. This conference gives the opportunity to identify the most pressing humanitarian challenges ahead and to explore possibilities for cooperation in addressing these challenges.”

b. Specific areas of cooperation and of implementation of the auxiliary relationship:

Over half of the National Societies which responded mentioned their work in partnership with their government on national emergency or disaster management issues. These are the traditional areas of cooperation between a State and its National Society. In a number of cases, they are actively engaged in different disaster management structures, sit on national emergency response coordination bodies and provide advice and expertise in setting up structures to limit, as much as possible, the effects of disaster on the local population as well as providing relief if a disaster occurs.

In addition, National Societies are increasingly active in other areas of humanitarian concern and have built or expanded links with a number of government ministries over the past four years through informal contacts, by signing cooperation agreements or by concluding a Memorandum of Understanding (MoU).

The sheer number of ministries mentioned is testament to the broad scope of engagement nationally. These include the Ministries or Government departments of: Health (including Centre for Disease Control and Prevention); Education and Science; Youth Affairs and Sport; Emergency Situations; External Relations (including divisions dealing with aid programmes); Labour and Social Policy; Interior; Defence; Public Safety; Agriculture; Migration; Human Right and Justice; Environment; Community and Local Government and the Prison Service. Naturally, which links exist depends very much on domestic structures, the division of responsibilities and the competencies and interests of National Societies (informed by their understanding of the domestic humanitarian challenges).

Georgia Red Cross (GRCS): “Based on its past experience and active recent involvement in emergency response activities, the Georgia Red Cross Society has been assigned specific tasks in the State Emergency Response Plan. In accordance with the Presidential Decree #415 adopted on 26 August, 2008 the GRCS is charged to provide its support to the respective State Institutions in performing Rescue Services, First Aid activities and Provision of Food and Water to affected citizens and is the coordinating body of Non Governmental Organizations in time of Emergency Situations within the country, thus obtaining in reality its auxiliary role to the state authorities.”

i. Disaster Risk Reduction and Disaster Management

The information provided covers a wide range of examples of good cooperation between public authorities and National Societies in disaster response. They ranged from the Bulgarian Red Cross’s large scale food distribution to the relief provided by the Italian Red Cross during the Abruzzo earthquake and the joint appeals made and fulfilled by the Australian Government and Red Cross during the fires in Victoria in 2009 and the recent floods. The Red Cross of Montenegro spoke of its role in assisting the affected population during the 2010 floods and how they had coordinated with their government the launching of an appeal for international support.

ii. Health

Health is another area in which National Societies have traditionally provided complementary services to state authorities. This ranges from providing ambulance services to running local health clinics, education campaigns, nursing support and pandemic prevention programmes. The British Red Cross, Canadian Red Cross, Canada, Republic of Colombia, Colombian Red Cross Society, Republic of Chad, Ecuadorian Red Cross, Fiji Red Cross Society, Palau Red Cross Society, Samoa Red Cross Society and Vanuatu Red Cross Society all gave examples of how they worked in partnership especially in relation to the Flu pandemic and providing healthcare during and after disasters. The report on the implementation of the Declaration “Together for Humanity” provides more details on joint action in this area.

The more a National Society and government work together in different areas the greater the strength of the relationship. This, in turn, makes it easier to work in more areas of humanitarian concern. This virtuous circle also has an effect on the access provided by States to their National Societies, for instance in soliciting their views on humanitarian issues, and contributes to greater trust and to enlarging the National Society’s humanitarian space and fields of intervention.

2. Legal developments

a. General

The legal basis which underpins the relationship between a State and its National Society is of paramount importance to developing and strengthening the auxiliary role. National Society laws/decrees are crucial in this respect: they recognise the National Society as an independent legal entity and as a “voluntary aid society, auxiliary to the public authorities in the humanitarian field”. They also reaffirm the commitment of public authorities to respect the National Society’s adherence to and ability to operate at all times in accordance with the Fundamental Principles of the Movement.

Furthermore, through the adoption of Resolution 2, National Societies and their public authorities recognised the central importance for National Societies to maintain a sustained dialogue with their counterparts in public bodies on the legal base of National Societies in domestic law and on the implementation of their auxiliary role in practice. A strong legal base of National Societies in national legislation should notably serve to ensure a strong yet balanced relationship between National Societies and their public authorities, guaranteeing the ability of the National Society to work and operate at all times autonomously and in accordance with the Fundamental Principles. This is reflected in the number of National Societies and States which mentioned either existing laws, plans to update them, updated laws or revised National Society statutes. The Afghan Red Crescent Society, American Red Cross, Colombian Red Cross Society, Czech Red Cross, Micronesia Red Cross Society, Red Cross of Montenegro, Palau Red Cross Society, Qatar Red Crescent Society, Samoa Red Cross Society, Tonga Red Cross Society, Ukrainian Red Cross Society, the Governments of the Republic of Bulgaria and the Republic of Cyprus alluded to how existing laws regulated their relations.

The Italian Red Cross stated that they were engaging in discussions about a deep reform of the law and the Italian Government, in their submission, mentioned this also in terms of: “A legislative reform involving the IRC [Italian Red Cross] is currently under review, with the aim of privatizing part of the IRC structure, in order to better respond to the needs of the population and to a more flexible structure.” The New Zealand Red Cross spoke of their intention to consolidate the auxiliary relationship by seeking an Act of Parliament on the issue. The Sierra Leone Red Cross Society mentioned that there are currently positive strides taken towards the reviewing of the national legislation on the National Society in order to ensure a complete distinction of the Society from other organizations that are also government agencies. The Red Crescent Society of Uzbekistan stated that they are working on a draft law to clarify the status of the Society.

Swedish Red Cross: “The Swedish Red Cross has initiated a dialogue with the Swedish government as regards the auxiliary role. In 2007 the Swedish Red Cross sent a request to the Swedish government asking for permission to use the Red Cross emblem in accordance with the national legislation; and asking for a formal recognition of the status as the only national society in Sweden and as auxiliary to the public authorities in the humanitarian field. In May 2008 the government decided to authorize the Swedish Red Cross to use the Red Cross in accordance with the applicable legislation. As regards the recognition, the government found that it did not have formal authority to grant the Swedish Red Cross the status requested. Consequently, the latter part of the request could not be subject to the government’s decision. Nevertheless, the government in its motivation for the decision argued that the Swedish Red Cross de facto is the only national society in Sweden and that it has been given an auxiliary role to the public authorities in certain areas through specific legislation. The government concluded that, even if it does not have formal authority to recognize the auxiliary status of the Swedish Red Cross, facts show that the Swedish Red Cross is the only national society in Sweden and that it has been given an auxiliary role in relation to the public authorities through national legislation.”

Due to the importance for National Societies to define and to formalise their specific and privileged partnership with their public authorities, National Societies are increasingly requesting the assistance of other components of the Movement in better defining and structuring this relationship in domestic law. The need for National Society to engage with governmental authorities in relation to strengthening their legal base in domestic law continues to constitute a central feature in the regular dialogue of the ICRC and the International Federation with National Societies on organisational development and capacity building. The Joint ICRC/International Federation for National Society Statutes, as well as the ICRC and the

International Federation field Delegations, remain fully committed to providing their assistance in this regard.

b. Laws which were updated during the reporting period

Several provisions are common to all existing National Society laws, those that were updated and those that were created. These are: the establishment of one, and only one, National Society on the territory of the country, the recognition of the auxiliary role that National Societies enjoy with their public authorities in the humanitarian field and the protection of the distinctive emblem and principles of the Movement.

The Croatian Red Cross stated that on the 28th of May 2010 the Croatian Parliament adopted a new law on the Red Cross. The Latvian Red Cross described how, after 15 years of discussions, a new law had been adopted in 2009. The Norwegian Red Cross was, in 2009, recognized by the King in Council as an auxiliary to the Norwegian Government in peacetime. This royal decree resulted in increased dialogue between the Government and the Red Cross on how to improve cooperation to ensure humanitarian assistance to vulnerable people. The Lithuanian Red Cross Society reported that in 2008 the Lithuanian Parliament has made amendment to the Red Cross Law of 2000 concerning Red Crystal emblem and name. The Swedish Red Cross gave an example that shows that adapting and maintaining a dialogue with state authorities can overcome some difficulties in clarifying the legal status of a National Society. The German Red Cross supported the entry into force of the German Red Cross Act of 2008. In 2010 the Government of the Republic of Kiribati adopted the Kiribati Red Cross Society Act.

German Red Cross: “The German Red Cross supported the entry into force of the “Act Amending the Regulations on the German Red Cross” on 11 Dec. 2008 substituting the ‘Law on the German Red Cross’ of 09 Dec. 1937 which was literally applicable only between 1937 and 1945. The 2008 German Red Cross Act regulates legal status and tasks of the German Red Cross Society as well as a substantial improvement of the protection of the Red Cross Emblem within the German legal system. Section 1 on the legal status provides that “the German Red Cross society is the National Society of the Red Cross on the territory of the Federal Republic and voluntary aid society of the German public authorities in the humanitarian field” and that “it observes the principles of the International Red Cross and Red Crescent Movement”.”

c. Statutes which were updated during the reporting period

Many National Societies have undertaken significant new work to update their Statutes and constitutional base instruments since 2007. For instance, the Croatian Red Cross reported that after the update of the Croatian law on the Red Cross in 2010, they updated their Statutes in line with the new law. The Mongolian Red Cross Society is also in the process of adopting new Statutes.

Mongolia Red Cross (MRCS): “The MRCS is now embarking in a new stage in its organizational life, and the adoption of the new statutes is a positive step to strengthen the organization and continue with the process of modernization for the MRCS. The national society is emphasizing importance of working in closer cooperation and seeking an opportunity to be considered and recognized as an implementing entity of governmental humanitarian policy which will facilitate a process of gaining financial independence and operational sustainability.

(...) In March the MRCS submitted to the government its request for closer collaboration which was approved on 16 March 2011 as resolution No83 by the Mongolian Government. Currently the MRCS are in the process of developing a detailed plan of action on how each programme is seeking support from relevant ministries and government agencies.”

The ICRC and the International Federation both through their field representations and through their respective Headquarters have long assisted National Societies in this work by offering support in organisational development and capacity building. They also participate and provide assistance to National Societies in the strengthening of their legal and statutory bases instruments through the Joint ICRC / International Federation Commission for National Society Statutes (Joint Statutes Commission).

According to data collected by the Joint Statutes Commission, approximately 90 National Societies worldwide have reviewed and drafted Statutes and over 100 National Societies have adopted revised Statutes. In that respect the situation as of 31 August 2011 is as follows: 44 National Societies Statutes meet the minimum requirements defined in the “Guidance for National Societies Statutes” and 116 National Societies are in the process of reviewing and revising their statutory base instruments. More information, including an updated list of National Societies and of their respective statutory and constitutional base instruments, is available on the International Federation’s internal website (FedNet).⁹

d. National Society involvement in other law making functions

Again, the extensive engagement of National Societies in traditional and new areas of humanitarian concern is mirrored in their increasing involvement in the promotion and pursuit of other legal aims. Their opinions are sought by their governments in areas which go beyond national disaster management structures as in the example given by the Bulgarian Red Cross of how they cooperate with the Council of Ministers and National Assembly and are represented on various working groups dealing with national legislation. They can also include non-legally binding solutions to framing the relationship as described by the Government of Australia: “The Department of Immigration and Citizenship (DIAC) signed a MoU with the Australian Red Cross on 16 December 2009. The objectives of the MoU are to provide a non-legally binding framework in relation to the Australian Red Cross’ Humanitarian Observer role, access to people in immigration detention by Australian Red Cross representatives, the provision of certain services by Australian Red Cross to people in immigration detention and establishing clear lines of communication and consultation between DIAC and the Red Cross. In November 2010, AusAID and Australian Red Cross strengthened their relationship by signing a three year Partnership Agreement to the value of AUD19.2 million to collaborate on shared global priorities to achieve humanitarian and development outcomes and acknowledging the auxiliary status of the Australian Red Cross.”

The Bulgarian Red Cross (BRC) “...also actively cooperates with the Council of Ministers and the National Assembly and is represented in various working groups dealing with national legislation. Recent examples to this are the participation of NS representatives in the inter-institutional working groups for revision of the Bulgarian Disaster Protection Law and elaboration of the Law on Volunteering. It is also represented in the National Commission for working out of a Concept on Active Ageing and in the Commission which elaborated the National Strategy for Demographic Development 2006 – 2020.”

e. Promoting respect for the distinctive emblems

Among the responsibilities of National Societies carried out in support of their public authorities and recognized as forming a key element of a Society’s auxiliary role, one may cite the role of National Societies in monitoring and preventing misuse of the distinctive emblems recognized under the 1949 Geneva Conventions and their 1977 and 2005 Additional Protocols. Several National Societies made reference to their work in promoting respect for the emblems. The British Red Cross reported its continued efforts “...to assist the Ministry of Defence in fulfilling its obligation to regulate use of the Red Cross emblem within the UK, by approaching alleged misusers on their behalf.” The Swedish Red Cross alluded to their specific role relating to the protection of the emblem which “...was confirmed by a governmental commission

Lesotho Red Cross (LRCRS): “The Society has had the Red Cross Emblem campaign where the nation was informed and taught about the difference between the logo and the Emblem and who is entitled to use what and why. The response the Society received after approaching both private medical practitioners and Chinese Doctors under the Government main hospital was tremendous. Mostly private practitioners removed the Emblem from the establishment and used alternative logos. The nation was informed about the Lesotho Red Cross Society logo and who is entitled to use it and why. Another issue regarding the proper use of the Emblem and logos which is still a challenge is the multiple uses of different uses of logos in one visibility material or item. For example, the use of LRCRS logo together with Red Cross partners’ logo and the Donor’s logo (EU for example, which has very strict rules about visibility in projects that funded by them).”

⁹ The list is available at: <https://fednet.ifrc.org/en/our-federation/about-the-federation/legal-base/joint-statutes-commission/summary-list-tableau-de-bord/>

of inquiry, tasked to review the implementation of international humanitarian law in Sweden, in its final report and recommendations to the Government in October 2010.” The Lesotho Red Cross Society ran a very successful Red Cross Emblem campaign. Further information on the responsibilities of National Societies in the dissemination and promotion of international humanitarian law as a function of their auxiliary role is highlighted below.

Section 3: The International Federation and the ICRC

a. The International Federation's work in support of National Societies

Example given by the International Federation of its work in supporting National Society dialogue with their governments

National Societies have been active in the Oslo process (which aimed to draft and promote the adoption of an international convention to combat the use of cluster munitions) since the adoption of Resolution 8 at the Council of Delegates in 2007. Using their auxiliary role, and with the support of the International Federation together with the International Committee of the Red Cross, National Societies conducted humanitarian diplomacy activities which made a significant contribution to the adoption of the Convention on Cluster Munitions (CCM) in 2008. Since its adoption, many National Societies have advocated for the universalisation of the Convention. Their support to governmental legislation bodies has assisted in the ratification of the Convention in country. In affected countries they are often appointed as the focal point for casualty data collection and analysis and in identifying amputees in need of assistance. Activities to reduce risk and provide immediate and long-term support to the victims are also being carried out at local level.

This contribution by National Societies, along with the work carried out the Movement in the 1990s, which led to the ban of anti-personnel landmines was recognised by the international community and resulted in their inclusion in the Convention. This recognition was also extended to the National Societies for their effort in humanitarian diplomacy for the adoption of the CCM. Article 6 "International cooperation and assistance" outlines National Societies' assistance to States party to the CCM, along with that of the ICRC and International Federation. National Societies as auxiliary to public authorities and with experience in addressing explosive remnants of war related issues provide support to their governments in fulfilling their commitments. This partnership is clearly stated in Action #1 of the Vientiane Action Plan adopted by the first Meeting of States Party (MSP) to the CCM in 2010.

Fulfilling its role as described in the "Movement Strategy on Landmines, Cluster Munitions and other Explosive Remnants of War: Reducing the Effects of Weapons on Civilians", the International Federation, together with the ICRC, support National Societies in raising their profile at the international level, including at the annual Meeting of States Parties of the CCM. The Federation delegation to the MSP is led by the President of the hosting country's National Society. The statements delivered cover a wide range of activities that National Societies conduct in supporting their governments to the affected population.

Following the adoption of this Movement Strategy in 2009, the Federation set up an e-mail group to share information and updates on the latest news, positions and activities in the area of landmines and cluster munitions at the international level with about 30 interested National Societies. It provides a link to issues on the international agenda and, in combination with the local knowledge of National Societies, enables them to enhance efforts in this area. This network is then able to use the combined weight of all the National Societies and of the Movement as a whole to advocate for issues of humanitarian concern. The advocacy through international representation and statements has contributed to further the understanding of National Society's auxiliary role and trust by governments and international community. It also strengthens the links between National Societies and their governments in relation to the implementation of the Convention and related humanitarian and development programs.

The International Federation, mindful of its obligations under Resolution 2 to 'further develop relevant information material for National Societies, the public authorities, and other interested bodies, including guidelines, legal advice and best practice', has produced a number of tools aimed at fostering more understanding and awareness of the auxiliary role. These include:

- An Auxiliary Role Toolbox;
- A Federation – wide power point presentation on the auxiliary role;
- A Legislative Advocacy Manual with a chapter dedicated to the auxiliary role; and
- Best practice case-studies of the auxiliary role in action.

The auxiliary role toolbox has been made available to all National Societies through the International Federation's 'FedNet' website which is accessible to all members of the Movement. It includes key

documents and a history of the evolution of the auxiliary role concept. The power point presentation has proved to be an effective means of explaining the auxiliary role to National Societies. It was most recently presented as part of training exercises for National Societies in the Pacific Islands, and in parts of Africa and is regularly presented as part of the RCRC leadership training modules.

Since 2007, the objective of strengthening the auxiliary role has also been given stronger institutional support through its inclusion in major strategy and policy documents, including 'Strategy 2020'¹⁰, which will guide the Secretariat's work over the next ten years and the humanitarian diplomacy policy¹¹.

The International Federation is committed to scaling up its awareness raising efforts even further. The 'Guide for Parliamentarians to the International Red Cross and Red Crescent Movement', produced by the Australian Red Cross, is a model the International Federation will be adapting for more widespread dissemination to Parliamentarians across the world (see box on page 14 for a brief description of the guide given by the Australian Red Cross in answer to the questionnaire).

b. The role of National Societies in the dissemination and implementation of international humanitarian law: a particular area of cooperation with the ICRC

One particular area of responsibility of National Red Cross and Red Crescent Societies in support of their national authorities relates to the role and mandate of National Societies in the dissemination, promotion and national implementation of international humanitarian law. Such a responsibility is stipulated in the Statutes of the Movement under Article 4, paragraph 2, which foresees that:

"[National Societies] disseminate and assist their governments in disseminating international humanitarian law; they take initiatives in this respect. They disseminate the principles and ideals of the Movement and assist those governments which also disseminate them. They also cooperate with their Government to ensure respect for international humanitarian law and to protect the distinctive emblems recognized by the Geneva Conventions and their Additional Protocols".

This particular role was reaffirmed in a preambular paragraph of Resolution 2 of the 30th International Red Cross and Red Crescent Conference, which recognized that "the cooperation and dialogue of National Societies with their respective Governments includes the key roles and responsibilities of National Societies in the fields of promotion, dissemination and implementation of international humanitarian law". Such a role was further restated in a preambular paragraph of Resolution 3 of the 30th International Conference ("Reaffirmation and implementation of international humanitarian law: Preserving human life and dignity in armed conflict") which [in particular] recalled "the special responsibilities of National Societies as auxiliaries to their public authorities in their respective States in the humanitarian field, to cooperate with and assist their governments in the dissemination and implementation of international humanitarian law, including its provisions for the protection of the emblems"¹².

A number of National Societies reports included specific reference to their particular role in the promotion of international humanitarian law (IHL) in support of their national authorities. Several National Societies among them the Australian Red Cross, British Red Cross, Irish Red Cross Society, Lithuanian Red Cross Society and Polish Red Cross underlined their continued efforts to assist their governments in the dissemination, promotion and national implementation of IHL, *inter alia* through their active support and participation in the work of the national inter-governmental committee on IHL established in their respective countries. The Mongolian Red Cross Society noted in this regard its active involvement in the establishment, in May 2009, of a national IHL committee under the authority of the Deputy Prime-Minister, which main achievements so far have included the incorporation of the ICRC's Exploring Humanitarian Law programme into the secondary school curriculum. Several National Societies, including the Lithuanian Red Cross Society and the Romanian Red Cross further reported a close and structured cooperation with

¹⁰ Available at: <http://www.ifrc.org/en/who-we-are/vision-and-mission/strategy-2020/>

¹¹ Available at: http://www.ifrc.org/Global/Governance/Policies/Humanitarian_Diplomacy_Policy.pdf

¹² A separate report on the implementation of Resolution 3 was prepared by the ICRC and will be available at the same time as this report.

their national Defence and Interior Ministries in the dissemination and training in the law of armed conflict, including for example through the organisation of joint courses or the invitation of the National Society to participate in national or international military exercises.

Australian Red Cross (ARC): The Australian Red Cross works closely with the Australian Government in the fulfillment of its international obligations under the Geneva Conventions and their Additional Protocols. The ARC is also an active member of the Australian National IHL Committee, composed of representatives of all concerned Governmental agencies. The ARC provides secretarial support to the activities and sessions of the Committee.

The ARC also administers a national IHL dissemination program across the country, for which the Australian Government has provided financial assistance since 1991. In the period 2010-2011, the Government's support was notably used to fund the ARC's IHL program staff across the country, to contribute to the costs of an Australian Red Cross IHL professorial Chair at the University of Melbourne, as well as to cover the publication of a special edition of the ARC's IHL Magazine on the occasion of the 60th Anniversary of the Geneva Conventions.

The Australian Government further supports the Australian Red Cross in fulfilling a range of other activities, including the conduct of IHL instructors courses for Australian Defence Forces personnel and pre-deployment briefings for the Australian Federal Police International Deployment Group; monitoring the use of the Red Cross emblem in Australia in conjunction with the Legal Department of the Australian Defence Force; providing advice and support as required to concerned Australian Government departments or parliamentary committees; supporting secondary and tertiary educational activities through guest lectures, writing and debating competitions; holding community outreach activities such as public seminars, conferences, campaigns and exhibitions; providing training on IHL for humanitarian agencies such as Oxfam, World Vision and the Australian Council for International Development, as well as Australian media agencies.

Section 4: Managing and developing the relationship

a. Information and training

i. Auxiliary role

Several National Societies provided information on how they promote knowledge of the auxiliary role. The New Zealand Red Cross stated: “We have undertaken a comprehensive outreach programme to raise awareness of the Movement and the auxiliary role of the New Zealand Red Cross (NZRC) with members of parliament, which included several high level events. We will be building upon this shortly by launching a new publication which includes more information on NZRC’s auxiliary role which will be beneficial to the New Zealand Government and members of the general public alike”. The Norwegian Red Cross also worked in this area: “the Norwegian Red Cross has, amongst other things, produced a pamphlet which elaborates on the areas where the Norwegian Red Cross can work as auxiliaries with the Norwegian government. Twice a year we also organize a course for our volunteers and employees on the auxiliary role and the fundamental principles.” The Cook Islands Red Cross Society mentioned that they plan to visit the Deputy Prime Minister (who is also the Minister of Foreign Affairs) to gain support for a cabinet session explaining the auxiliary role as a newly elected government took office at the end of 2010.

Australia Red Cross: “Since 2007 Australian Red Cross has undertaken a range of activities in order to advance the understanding of auxiliary status both externally and internally to Australian Red Cross. Australian Red Cross produced a concise and accessible document called ‘A Guide for parliamentarians to the International Red Cross and Red Crescent Movement’ which explained not only the Movement but also the importance of a National Society being auxiliary to authorities in the humanitarian field. This clearly explains that auxiliary status involves responsibilities and obligations and both sides (i.e. the national society and the authorities) and that at all times Australian Red Cross must be both able to assist the authorities in humanitarian tasks but in a manner which always follows the fundamental principles.”

ii. Fundamental Principles

The Afghan Red Crescent Society, Brunei Darussalam Red Crescent Society, Cambodian Red Cross Society, Canadian Red Cross Society, Croatian Red Cross, Czech Red Cross, Egyptian Red Crescent Society, Latvian Red Cross, Lesotho Red Cross Society, Liberian Red Cross Society, Myanmar Red Cross Society, Palau Red Cross Society, Palestine Red Crescent, Peruvian Red Cross, Portuguese Red Cross, Samoa Red Cross Society, Sierra Leone Red Cross Society, Solomon Islands Red Cross Society, Swiss Red Cross, Tonga Red Cross Society, Ukrainian Red Cross Society and Vanuatu Red Cross Society as well as the Government of the Republic of Cyprus reported on their activities to promote knowledge of and adherence to the Fundamental Principles of the Movement. This was done through workshops, training, brochures and meetings, delivered to government officials, members of the military and para-military, in schools of all levels, to staff and volunteers (especially youth) of National Societies and the wider public. The aim in promoting the Fundamental Principles in this context is to explain and clarify why a National Society works as it does and how it operates independently and as an auxiliary to public authorities. What it can and cannot do and its mission to help the most vulnerable. The effect is a smoother relationship with public authorities, greater confidence from the general public, increased access and space in which to assist the vulnerable and more resources to conduct operations.

Myanmar Red Cross (MRCS): “To ensure that Red Cross activities in the country respect and adhere to the Fundamental Principles and other obligations under the Statutes of the Movement, the National Society organized a round of dissemination workshops for Red Cross Executive/Supervisory Committee Members in States and Regions.

The MRCS’ dissemination activities reached a total of 24,857 people in the reporting period, including Red Cross staff and volunteers at various levels, workers, students, military officers, local authorities, teachers and government officials. These dissemination activities were carried out in the form of workshops, integrated with Red Cross programmes and presentation on Red Cross activities during various events organized by other institutions or organizations. The topics of dissemination included the history and Fundamental Principles of the Red Cross Red Crescent Movement, the history, vision, mission and activities of the MRCS, emblem use, the Code of Conduct, and International Humanitarian Law.

Dissemination activities have helped people and the authorities to gain a better understanding of MRCS activities and contributed to facilitating these activities during emergencies. The increased public awareness of MRCS activities made it easier for the National Society to operate in affected areas during the recent Cyclone Giri operation (2010) and benefit from closer cooperation from the authorities concerned.”

b. “Permanent dialogue” and other ways of building the relationship

In a sense, the training activities described above form part of the permanent dialogue between States and their National Societies. The legal provisions and agreements with Ministries underpin and regulate the interaction and the engagement of National Societies with their local communities provide an avenue for information to flow from these communities to central government on issues of humanitarian concern. The Brunei Darussalam Red Crescent Society, Canadian Red Cross Society, Salvadorian Red Cross Society, Latvian Red Cross and Sierra Leone Red Cross Society and the Government of Japan stated that they engaged in a permanent dialogue with their counterparts.

Swiss Red Cross (SRC): “The SRC produced a booklet for its staff members and selective distribution in order to facilitate the explanation of the auxiliary role to partners. The booklet is available in German and French and explains the special function of the SRC in its supportive role to the Swiss state. The booklet was produced in 2010 and will be introduced in 2011.”

Several other National Societies also gave examples of different ways in which they engaged with state authorities, including: the Bulgarian Red Cross which stated that: “Ministries and other state authorities are regularly invited to public events, organized by the National Society, to its General Assembly, as partners in variety of projects, implemented by the National Society, while the departments at the Bulgarian Red Cross maintain regular communication with their counterparts at the State institutions on topics related to the implementation of activities in favour of the vulnerable people.”

The Red Cross Society of Georgia conducts Non State actors meeting on regular base in every second month, where NGOs share their experience and activities. The Hellenic Red Cross translated Strategy 2020 (produced by the International Federation to guide its work for the next ten years) and promoted it internally. The Italian Red Cross also used Strategy 2020 as a way to redefine the relationship or scope of its interaction with public authorities as well as engaging in youth partnership initiatives as an alternate means of building links with state authorities. The Australian Red Cross established senior positions to increase their capacity for active cooperation “including National Manager –

Italy Red Cross: “New Rules of procedures and Regulations putting the National Society in the position to implement Strategy 2020 were adopted, and agreements with National Authorities defining roles and responsibilities were made in order to bring assistance to the most vulnerable groups, such as migrants and Roma populations, in the full respect of the Fundamental principles.

A proactive relationship was set up or strengthened between the Italian Red Cross Youth and the Ministry for the Youth, the Ministry of Health, the National Forum of the Youth and other NGOs, resulting in the participation of the Italian Red Cross Youth in institutional for a as well as in a series of trainings and activities related to the Youth 5 main Areas of intervention (see Pledge 129) in schools and other places of gathering such as discos and festivals.”

Parliamentary and Government Relations, National Manager – Advocacy, and Strategic Advisor – International Law”. The Belgian Red Cross organised a seminar on the role of the Belgian Red Cross as auxiliary to the public authorities during the “Assemblée communautaire de la Croix-Rouge de Belgique”

in March 2010. This seminar covered an analysis of the existing partnerships between the National Society and State authorities at all levels (federal, regional, provincial and local) and included recommendations on reinforcing the auxiliary role.

Canada and the Canadian Red Cross

“As part of Canada’s Department of Public Safety’s (PS) Policy Development and Contribution Program, the CRCS received funding to advance the Auxiliary Role Project (ARP). PS received the Canadian Red Cross’ (CRCS) final ARP report titled “Partnering to Build a Resilient Civil Society” in which it outlined its recommendations on how to improve the relationship with the Government of Canada following public consultations held across Canada. Discussions are ongoing to explore ways of moving the ARP forward.”

c. Negotiating the balance between the auxiliary role and the Fundamental Principles and other challenges

A number of National Societies stated that they had never been asked to carry out operations which were not compatible with the fundamental principles of the Movement. Furthermore, a few States reported that were mindful of the neutrality and independence of their National Societies and had not interfered in their internal affairs. This coupled with the generally positive information contained in part one of this report points to a functioning and mutually beneficial relationship with works well in most cases.

However, occasionally there are difficulties, both within a National Society in reconciling the fundamental principles with operational imperatives and also between a National Society and the public authorities in if or how the National Society should engage. This can be mitigated through awareness raising of the fundamental principles and auxiliary role, a clear legal basis for the National Society which explains its role and through permanent dialogue. One National Society stated: “Retaining the balance between our auxiliary function and neutrality and independence: There have been a few occasions when the requests made to us might have served to compromise our independence or neutrality. In those situations we have always considered the request carefully and engaged with the relevant department to explore potential alternatives. This dialogue has always been successful and has enabled us to maintain our adherence to the Fundamental Principles.”

A couple of National Societies touched on an issue which can prove a barrier to the smooth running of the auxiliary role: change of lack of continuity in government administrations. This is neither a new problem, nor one which is unique to the auxiliary role. It is true that in a relationship built on trust and a mutual understanding of roles and responsibilities, there can always be a period of learning at the beginning of a new administration. In addition problems can occur around interpretation as mentioned by another National Society: “However, recognizing the Red Cross as an auxiliary to the Government has in some cases been open to varying interpretation.” These can only be resolved by “continuous dialogue with the authorities.”

Conclusions

The breadth of information provided in response to the questionnaire shows that the fundamental relationship between National Societies and States is both in good shape and assessed as fruitful and mutually positive from both sides. The auxiliary role speaks to the unique nature of how National Societies and States work in partnership to address issues of humanitarian concern. While it is, in many cases, a longstanding and well defined relationship, there are instances where the parameters need to be updated, the lines of communication opened or re-opened and links forged. As this topic is the foundation stone on which so much rests it is unsurprising that it the issue has remained central and is such a frequent topic of Resolutions at International Conferences. The 31st International Conference will also be presented with a draft resolution “Furthering the auxiliary role: partnerships for stronger National Societies and volunteering development” which builds and expands upon Resolution 2 of the 30th International Conference¹³.

¹³ Draft 0 available at the time of writing at: <http://www.rcrcconference.org>

Annex 1: Text of the Resolution

Resolution 2

Specific nature of the International Red Cross and Red Crescent Movement in action and partnerships and the role of National Societies as auxiliaries to the public authorities in the humanitarian field

30th International Conference
Geneva, 26-30 November 2007

The 30th International Conference of the Red Cross and Red Crescent, *acknowledging* that strong partnerships between States, the components of the International Red Cross and Red Crescent Movement (Movement) and other humanitarian actors, such as international organizations, nongovernmental organizations and civil society, are essential to address effectively the needs of vulnerable people worldwide, in the spirit of the slogan of the Conference “Together for humanity”,

acknowledging the different mandates of the various components of the Movement,

recalling the Movement’s Fundamental Principle of independence as well as Articles 2.3, 3 and 4.3 of the Statutes of the Movement whereby National Societies are recognized by all governments as auxiliaries to the public authorities in the humanitarian field,

recalling Articles 24, 26 and 27 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949, Articles 24 and 25 of the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of 12 August 1949, as well as Article 3 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

noting the resolution of the General Assembly of the United Nations (A/RES/49/2 of 27 October 1994) which recalls that National Societies are recognized by their respective governments as auxiliaries to the public authorities in the humanitarian field on the basis of the Geneva Conventions of 12 August 1949,

recalling the Agenda for Humanitarian Action adopted at the 28th International Conference, whereby States, recognizing the importance of the independent and auxiliary role of National Societies, agreed, *inter alia*, to negotiate clearly defined roles and responsibilities with their respective National Societies in risk-reduction and disaster-management activities, as well as in public-health, development and social activities,

recalling Resolution 1 of the 28th International Conference which welcomed the study carried out by the International Federation of National Red Cross and Red Crescent Societies (International Federation) as Auxiliaries to the Public Authorities in the Humanitarian Field and contained the concept of the “characteristics of a balanced relationship,” and *noting* the work done by the International Federation in consultation with the International Committee of the Red Cross (ICRC) pursuant to that resolution,

recognizing that the cooperation and dialogue of National Societies with their respective governments includes the key role and responsibilities of National Societies in the fields of promotion, dissemination and implementation of international humanitarian law,

recognizing that National Societies represent reliable partners for national and local public authorities that provide service through their diverse volunteer base and their unique capacity to mobilize human and material resources at the community level,

noting with appreciation that the Council of Delegates, in its Resolution 3 of 2007, endorsed the concept of a toolbox for use by National Societies when concluding partnership arrangements, including those relevant to auxiliary relationships, *reaffirming* the obligation of all the components of the Movement to act at all times in conformity with the Fundamental Principles, the Statutes of the Movement and the rules governing the use of the emblems and to take full account of the relevant Movement policies,

acknowledging that the autonomy of National Societies and their commitment to neutrality and impartial assistance provide the best available means to gain the confidence of all in order to have access to those in need,

recalling Article 2.4 of the Statutes of the Movement adopted by the 25th International Conference of the Red Cross at Geneva in 1986, as amended in 1995 and 2006, which stipulates that “the States shall at all times respect the adherence by all the components of the Movement to the Fundamental Principles”,

1. *reaffirms* that it is the primary responsibility of States and their respective public authorities to provide humanitarian assistance to vulnerable persons on their respective territories and that the primary purpose of National Societies as auxiliaries to the public authorities in the humanitarian field is to supplement them in the fulfilment of this responsibility;
2. *calls upon* National Societies and their respective public authorities to consolidate a balanced relationship with clear and reciprocal responsibilities, maintaining and enhancing a permanent dialogue at all levels within the agreed framework for humanitarian action;
3. *recognizes* that the public authorities and the National Societies as auxiliaries enjoy a specific and distinctive partnership, entailing mutual responsibilities and benefits, and based on international and national laws, in which the national public authorities and the National Society agree on the areas in which the National Society supplements or substitutes for public humanitarian services; the National Society must be able to deliver its humanitarian services at all times in conformity with the Fundamental Principles, in particular those of neutrality and independence, and with its other obligations under the Statutes of the Movement as agreed by States at the International Conference;
4. *emphasizes* that:
 - a. National Societies as auxiliaries to the public authorities in the humanitarian field have a duty to consider seriously any request by their public authorities to carry out humanitarian activities within their mandate,
 - b. States must refrain from requesting National Societies to perform activities which are in conflict with the Fundamental Principles or the Statutes of the Movement or its mission, that National Societies have the duty to decline any such request and *underlines* the need for the public authorities to respect such decisions by the National Societies;
5. *invites* National Societies and governments to clarify and consolidate the areas in which National Societies as auxiliaries cooperate at all levels with the public authorities;
6. *stresses* that the National Society, whilst acknowledging that its personnel and assets are provided to the medical services of the State's armed forces in accordance with Article 26 of the First Geneva Convention of 1949 and are thus subject to military laws and regulations, must respect the Fundamental Principles, including that of neutrality, and at all times maintain its autonomy and ensure that it is clearly distinguishable from military and other governmental bodies;
7. *invites* the International Federation and the ICRC, in consultation with States and National Societies, to make available and further develop relevant information material for National Societies, the public authorities and other interested bodies, including guidelines, legal advice and best practices, in support of partnerships between National Societies and the public authorities in the humanitarian field.

Annex 2: Excerpt from the questionnaire:

RESOLUTION 2

THE SPECIFIC NATURE OF THE RED CROSS AND RED CRESCENT MOVEMENT IN ACTION AND PARTNERSHIPS AND THE ROLE OF NATIONAL SOCIETIES AS AUXILIARIES TO THE PUBLIC AUTHORITIES IN THE HUMANITARIAN FIELD

- Please refer to the full text of resolution 2.
- Report here any significant action taken to implement the resolution

Describe in a few words your actions taken in some or all of the following areas since November 2007:

We encourage you to share lessons learned and recommendations from your experience as well as inform us on who we can contact in your institution for more information should this be required.

Examples of suggested measures to implement resolution 2:

- *National Societies* ... "to consolidate a balanced relationship with clear and reciprocal responsibilities";
- to maintain and enhance "a permanent dialogue at all levels within the agreed framework for humanitarian action";
- promote respect of "the Fundamental Principles, in particular those of neutrality and independence, and (...) other obligations under the Statutes of the Movement";
- ensure that the National Society is "clearly distinguishable from military and other governmental bodies"
- " to clarify and consolidate the areas in which National Societies as auxiliaries cooperate at all levels with the public authorities";
- "to make available and further develop relevant information material"
- "National societies ...have a duty to consider authorities to carry out humanitarian activities within their mandate"
- States must refrain from requesting National Societies to perform activities which are in conflict with the Fundamental Principles or the Statutes of the Movement or its missions..."

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