



# INTERNAL REGULATIONS OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS

ADOPTED ON 21 DECEMBER 2017 AND CAME INTO FORCE ON 1 JANUARY 2018

## TABLE OF CONTENTS

CHAPTER I: INTRODUCTORY PROVISION .....	4
Article 1. Purpose.....	4
CHAPTER II: MEMBERS OF THE ICRC.....	4
Article 2. General principle .....	4
Article 3. Voluntary character .....	4
Article 4. Access to documents.....	4
Article 5. Participation in meetings.....	5
Article 6. Conflict of interest .....	5
Article 7. Resignation .....	5
Article 8. Expulsion.....	6
Article 9. Honorary members.....	6
CHAPTER III: GOVERNING BODIES .....	6
Article 10. ICRC governing bodies .....	6
SECTION 1: ASSEMBLY .....	7
Article 11. Definition .....	7
Article 12. Composition.....	7
Article 13. Responsibilities and tasks.....	7
Article 14. Election of members and consecutive terms of office .....	8
Article 14.1. Recruitment of members .....	8
Article 14.2. Initial ballot.....	8
Article 14.3. Main ballot.....	8
Article 14.4. Terms of office .....	9
Article 15. Functioning .....	9
Article 15.1. Language.....	9
Article 15.2. Frequency of meetings .....	9
Article 15.3. Presence of non-members .....	9
Article 15.4. Meetings held <i>in camera</i> .....	10
Article 15.5. Agenda.....	10
Article 15.6. Decisions.....	10
Article 15.7. Record.....	11
Article 16. Assessment of the Assembly .....	11
Article 17. Assembly commissions .....	11

Article 18. Recruitment and Remuneration Commission .....	11
Article 18.1. Composition.....	11
Article 18.2. Responsibilities and tasks.....	12
Article 19. Audit Commission.....	12
Article 19.1. Composition.....	12
Article 19.2. Responsibilities and tasks.....	12
Article 20. Assembly working groups.....	13
SECTION 2: ASSEMBLY COUNCIL.....	13
Article 21. Definition .....	13
Article 22. Composition.....	13
Article 23. Election and consecutive terms of office .....	14
Article 24. Responsibilities and tasks.....	14
Article 25. Functioning .....	15
Article 25.1 Frequency of meetings .....	15
Article 25.2 Presence of non-members .....	15
Article 25.3. Meetings held <i>in camera</i> .....	15
Article 25.4. Agenda.....	15
Article 25.5. Decisions.....	15
Article 25.6. Record.....	15
SECTION 3: OFFICE OF THE PRESIDENT.....	15
Article 26. Composition.....	15
Article 27. President’s duties and responsibilities .....	16
Article 28. Vice-presidents’ roles .....	16
Article 29. Election and consecutive terms of office .....	16
Article 30. Special envoy’s mandate and other mandates .....	16
SECTION 4: DIRECTORATE.....	17
Article 31. Definition .....	17
Article 32. Composition.....	17
Article 33. Appointment and consecutive terms of office.....	17
Article 34. Duties and responsibilities.....	17
Article 34.1. Director-general’s duties and responsibilities.....	17
Article 34.2. Responsibilities and tasks of the Directorate .....	17
Article 35. Functioning .....	18
Article 35.1. Frequency of meetings .....	18

Article 35.2. Presence of non-members .....	18
Article 35.3. Meetings held <i>in camera</i> .....	18
Article 35.4 Agenda .....	18
Article 35.5. Decisions .....	19
Article 35.6. Record .....	19
Article 36. Assessment of the Directorate .....	19
Article 37. Ombuds office .....	19
SECTION 5: INTERNAL AUDIT UNIT .....	19
Article 38. Definition .....	19
Article 39. Composition .....	20
Article 40. Appointment and consecutive terms of office .....	20
Article 41. Responsibilities and tasks .....	20
Article 42. Assessment .....	21
SECTION 6: DATA PROTECTION INDEPENDENT CONTROL COMMISSION .....	21
Article 43. Definition .....	21
Article 44. Composition .....	21
Article 45. Election, appointment and consecutive terms of the office of members of the Data Protection Commission .....	21
Article 46. Responsibilities and tasks .....	22
Article 47. Budget and resources .....	22
Article 48. Functioning and procedures .....	22
Article 49. Assessment and report .....	22
SECTION 7: EXTERNAL AUDIT .....	23
Article 50. External auditing firm .....	23
Chapter IV: FINAL PROVISIONS .....	23
Article 51. Amendment of the Internal Regulations .....	23
Article 52. Entry into force .....	23

# Internal Regulations of the International Committee of the Red Cross

*Adopted at the Assembly meeting on 21 December 2017 and came into force on 1 January 2018*

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## CHAPTER I: INTRODUCTORY PROVISION

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### Article 1. Purpose

These Regulations are intended to ensure the implementation of the Statutes of the International Committee of the Red Cross (ICRC) and to regulate the activities of its governing bodies.

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## CHAPTER II: MEMBERS OF THE ICRC

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### Article 2. General principle

1. Every member of the ICRC (hereafter "member") must be conscious of the responsibilities which this office involves. Members undertake to serve and to defend the ICRC's interests and the cause and Fundamental Principles of the International Red Cross and Red Crescent Movement (hereafter "the Movement") in all circumstances.
2. Members shall observe a Code of Conduct which they must sign at the beginning of their term of office.

### Article 3. Voluntary character

1. ICRC members shall carry out their functions on a voluntary basis and receive no remuneration. The president and vice-president shall constitute exceptions to this rule.
2. Members shall be entitled to reimbursement of actual expenses connected with their office.
3. If members are assigned a mandate by the president or the Assembly Council that exceeds the framework of their office, they shall be entitled to reasonable remuneration for such mandate.
4. The remuneration and the reimbursement procedures mentioned in paragraphs 1 to 3 of the present article shall be determined by the Recruitment and Remuneration Commission.

### Article 4. Access to documents

1. During their term of office, members shall have access at all times to any documents which they need to carry out their work, in particular the records of the Assembly's meetings and those of the Assembly Council and the Directorate, as well as budgets, financial statements, and reports from ICRC governing bodies.
2. They shall also have access to all documents in the Archives, except for the personal files of ICRC staff.
3. At the end of their term of office, members shall return or destroy all working documents of a confidential nature of which they have kept copies. They are invited to place their personal documents in the ICRC Archives. Those who wish to have access to documents that are not part of the public collections and archives must submit a request to the president in this regard. Former members shall, however, retain access to their personal documents.

#### **Article 5. Participation in meetings**

Members shall keep themselves informed about the ICRC's work so as to be able to participate actively in meetings. They shall take part in the meetings of ICRC bodies, as well as meetings of the commissions and/or thematic working groups to which they belong, except where prevented from so doing by circumstances beyond their control.

#### **Article 6. Conflict of interest**

1. A conflict of interest exists when a member has a private financial or professional interest which may influence or be perceived as influencing his<sup>1</sup> behaviour or decision-making within the framework of his office as a member. Such interests can arise from personal relationships, financial involvements, or public or private commitments on the part of a member or one of his close relations.
2. Members are obliged to declare any current or potential conflict of interest in writing to the Audit Commission and to specify the nature of such a conflict as soon as they become aware that it exists, consider it likely to arise, or believe that a particular situation could be perceived as such. In the event of a conflict of interest, the Audit Commission shall be responsible for deciding on the appropriate steps to take and, in particular, for determining the member's level of participation in discussions and decisions concerning the subject on which there is a conflict of interest.
3. Members shall fill out a form each year in which they shall declare their public and private commitments outside the ICRC.

#### **Article 7. Resignation**

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<sup>1</sup> Throughout this text, pronouns and adjectives in the masculine gender apply equally to men and women, unless otherwise specified.

1. Any member wishing to resign his office shall submit a signed letter stating the effective ending date of his mandate to the president. In the absence of such stipulation, the member's mandate shall end on the date his letter is received by the president.
2. Before taking note of such a resignation, the Assembly may request the resigning member to express his views.

#### **Article 8. Expulsion**

1. The Assembly can expel a member on just and proper grounds. In particular, violation of the Code of Conduct shall be considered just and proper grounds for expulsion.
2. Complaints and allegations regarding a member's violation of the Code of Conduct shall be addressed to the president or the vice-president, who shall bring the matter before the Assembly if he considers that the situation requires it to take a decision.
3. Situations of incompatibility (Article 6 of the Code of Conduct) shall in any case be submitted to the Assembly, which shall decide whether an activity, an office, a participation or a situation is incompatible with being a member of the ICRC. If circumstances permit and it so deems appropriate, the Assembly can place the member on temporary leave until such time as the situation creating the incompatibility has been abolished.
4. Before any decision is taken, the member concerned has the right to be heard, i.e. the right to be informed of the pertinent facts and to state his views in person or in writing.
5. Until the Assembly decides on a proposal for expulsion, the president can temporarily suspend the member concerned and deprive him of all or part of the rights, prerogatives and functions deriving from his status as a member.
6. Expulsion requires a two-thirds majority of the votes cast.

#### **Article 9. Honorary members**

1. The Assembly can designate former members as honorary members.
2. Honorary members shall be invited to talks with the office of the president on current operations and strategic questions at least once a year, on the sidelines of the Assembly's last meeting of the year.
3. They shall receive regular updates on the ICRC's current operations and institutional affairs.

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### **CHAPTER III: GOVERNING BODIES**

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#### **Article 10. ICRC governing bodies**

The governing bodies of the ICRC are:

- (a) the Assembly;
- (b) the Assembly Council;
- (c) the Office of the President;
- (d) the Directorate;
- (e) the Internal Audit Unit;
- (f) the Data Protection Independent Control Commission (Data Protection Commission).

## **SECTION 1: ASSEMBLY**

### **Article 11. Definition**

The Assembly is the ICRC's supreme governing body. It is in charge of oversight of the organization and ensures that it carries out its mission. It defines the ICRC's institutional strategy, formulates doctrine and approves the budget and accounts.

### **Article 12. Composition**

The Assembly shall comprise between 15 and 25 members of the ICRC. It shall be collegial in character.

### **Article 13. Responsibilities and tasks**

The Assembly has the following inalienable tasks:

1. To decide on the admission and expulsion of members.
2. To define the framework for cooperation and relations with the components of the Movement.
3. To recognize any new National Society fulfilling the conditions for recognition as defined in the Statutes of the Movement.
4. To adopt:
  - (a) the ICRC's Statutes and Internal Regulations;
  - (b) the institutional strategy;
  - (c) the ICRC's policies;
  - (d) the general guidelines for the development of international humanitarian law;
  - (e) the annual objectives and budget;
  - (f) the audited financial statements.
5. To elect:
  - (a) the members of the ICRC;
  - (b) the president, vice-president and, where applicable, a second vice-president;
  - (c) the members of the Assembly Council;
  - (d) the members of the standing commissions;
  - (e) the members of the Data Protection Commission.
6. To appoint:



- (a) honorary members;
- (b) the director-general (from among the candidates proposed by the president);
- (c) the members of the Directorate (from among the candidates proposed by the director-general after consulting the president);
- (d) the head of the Internal Audit Unit (from among the candidates proposed by the Audit Commission);
- (e) the Assembly and Assembly Council secretary (from among the candidates proposed by the president);
- (f) ICRC members to be members of foundations, commissions other than the standing commissions (see Articles 13.5(d) and 17 ff.) or other bodies connected with the ICRC by statutes or other rules;
- (g) the body responsible for the external audit (from among the candidates proposed by the Audit Commission);
- (h) the two outside experts to the Data Protection Commission, one of whom to chair it.

## **Article 14. Election of members and consecutive terms of office**

### **Article 14.1. Recruitment of members**

The Assembly shall ensure the periodic renewal of the members and ensure that the responsibilities assigned to the Assembly remain under its control. It shall delegate recruitment planning to the Recruitment and Remuneration Commission.

### **Article 14.2. Initial ballot**

1. When proposals for the recruitment of new members are referred to the Assembly, it shall engage in an initial exchange of views.
2. If the Assembly wants further information, the Recruitment and Remuneration Commission shall undertake further investigation and report back to the Assembly.
3. When the Assembly has sufficient information, it shall – using the procedure set out in Article 14, paragraph 3, and by a majority of votes cast – nominate the candidates to be voted on.
4. No candidate shall be informed of his candidacy until after he has been nominated as the outcome of the initial ballot.

### **Article 14.3. Main ballot**

1. A vote shall be held by secret ballot. Each member shall receive a ballot paper bearing the name of the person proposed.
2. Members who are unable to attend the meeting at which the election is held are entitled to vote by post. An absent member's vote shall be not counted if he has not submitted his sealed ballot to the Assembly's secretariat office before the meeting.

3. To be elected, a candidate must obtain at least two-thirds of the votes cast and be approved by a majority of the members.
4. A candidate who has not obtained the requisite majority may subsequently be renominated for election. The election has no effect unless the person elected agrees to it.
5. Every returned ballot shall count as a vote. Only those which are completed with a “yes” shall count as a vote in favour of the person proposed. Ballots that are left blank or are null and void shall count as votes cast.
6. Two members appointed by the Assembly as scrutineers shall communicate to the chair, in writing, the result of the ballot and shall destroy the ballots.

#### **Article 14.4. Terms of office**

1. The president and the newly elected member shall agree on the date for the member to take up his post.
2. Members shall be limited to three consecutive four-year mandates. The last mandate shall finish on 31 December of the fourth year of that mandate.
3. Balloting for re-election shall be conducted in accordance with Article 14, paragraph 3. The member standing for re-election may not take part in the vote.
4. A member’s term of office may end as a result of his failure to be re-elected, his resignation – which he can submit at any time – or his expulsion by the Assembly on just and proper grounds.
5. The age limit is 72 years. ICRC members’ terms of office shall finish no later than 31 December of the year in which they reach that age.

#### **Article 15. Functioning**

##### **Article 15.1. Language**

The Assembly’s usual language is French. English may also be used in Assembly meetings.

##### **Article 15.2. Frequency of meetings**

1. In principle, the Assembly shall have six ordinary meetings per year.
2. An extraordinary meeting may be held if the president, the vice-president or at least three members so request.

##### **Article 15.3. Presence of non-members**

1. The director-general shall attend the Assembly meetings. If he is unable to be present, his deputy may attend the meetings. Directors shall be invited depending on the agenda.
2. The head of the Internal Audit Unit may attend the Assembly meetings.
3. Other persons may be invited to Assembly meetings by the president, either to contribute to the deliberations or for their own information.

#### **Article 15.4. Meetings held *in camera***

1. Members of senior management and the Internal Audit Unit shall not be present at a meeting held *in camera*. However, non-ICRC members may be invited to the meeting.
2. Except in an emergency, a meeting held *in camera* shall be scheduled and placed on the agenda at an open meeting.
3. The names of the persons participating in a meeting held *in camera* and the subjects to be discussed shall be included in the agenda.
4. A meeting may also be held *in camera* at the request of a member of the Assembly.
5. Unless the president decides otherwise, the Assembly secretary shall prepare the record of the meeting.
6. Access to the record by persons other than members shall be subject to the president's authorization.
7. The record shall be approved at a subsequent meeting held *in camera*.
8. After a meeting held *in camera*, the president shall inform the director-general and the head of the Internal Audit Unit of the decisions taken.
9. The formal decisions taken at a meeting held *in camera* shall be communicated to any person involved in their implementation.

#### **Article 15.5. Agenda**

1. The Assembly shall vote on any change in the agenda before its final adoption.
2. Any point of order shall be put to a vote immediately.

#### **Article 15.6. Decisions**

1. A quorum shall be established by a majority of members.
2. The Assembly shall make every reasonable effort to take decisions by consensus. If a consensus cannot be achieved, decisions shall be taken by a simple majority of the

members present and voting, unless the present Regulations provide otherwise. Where the number of votes is equal, the president shall cast the deciding vote.

3. Voting shall be by a show of hands, unless a secret ballot is required by the present Regulations or requested by a member.

#### **Article 15.7. Record**

1. The record of the meeting shall be prepared by the précis-writers.
2. The record shall clearly mention the wording of the decisions taken and the follow-up requested.
3. The record shall be communicated to all members and submitted to the Assembly for its approval at the beginning of the next meeting.
4. When a member wants one or more of his statements to be attributed to him by name, he must make this known during the meeting.
5. The record shall be proof of the decisions taken at a meeting.

#### **Article 16. Assessment of the Assembly**

Every two years, the Assembly shall undergo self-assessment by the members. The latter shall assess their own performance and the functioning of the ICRC's governing bodies by identifying improvements that could be made.

#### **Article 17. Assembly commissions**

1. The Assembly's standing commissions are:
  - (a) the Recruitment and Remuneration Commission; and
  - (b) the Audit Commission.
2. The Assembly's commissions shall be composed solely of ICRC members.
3. The commissions shall report to the Assembly on their work, in writing, at least once a year.
4. The Assembly may establish such other commissions as it considers necessary.

#### **Article 18. Recruitment and Remuneration Commission**

##### **Article 18.1. Composition**

1. The Recruitment and Remuneration Commission shall comprise between five and seven members.
2. The Assembly shall elect the Commission's members and chair by secret ballot. Candidates must be elected by a simple majority of ICRC members.

3. The Commission shall designate its secretary from among its members and determine his term of office.
4. The Commission shall meet as and when necessary and shall be convened by its chair.

#### **Article 18.2. Responsibilities and tasks**

1. The Recruitment and Remuneration Commission's task is to consider at all times the recruitment of new members; with the Assembly's consent it determines the selection criteria and ensures a good distribution of the areas of expertise useful to the ICRC. The Commission shall identify and propose potential candidates to the Assembly and manage the succession plan for the members. ICRC members are invited to propose new members to the Commission.
2. The Commission shall be responsible for the integration of new members.
3. It shall determine the remuneration allocated to the president and vice-president of the ICRC, to the members of the Directorate, and to the head of the Internal Audit Unit.
4. It shall determine the allowances granted to members in carrying out their work and the compensation awarded to members within the framework of a special mandate, in particular when they act as special envoys.
5. It shall determine the allowances granted to the chair of the Data Protection Commission.

#### **Article 19. Audit Commission**

##### **Article 19.1. Composition**

1. The Audit Commission shall comprise five members who shall not be members of the Assembly Council.
2. The Assembly shall elect the Commission's members and chair by secret ballot. Candidates must be elected by a simple majority of ICRC members.
3. The head of the Internal Audit Unit shall be the secretary of the Commission.
4. In principle, the Commission shall have six meetings per year, but it can also meet at other times as and when necessary. It shall be convened by its chair.

##### **Article 19.2. Responsibilities and tasks**

1. The Commission's task shall be to assist and advise the Assembly in its task of ultimate oversight of the ICRC's work.

2. It shall draw up the list of responsibilities and tasks and the annual contract of the external auditing firm and submit them to the Assembly for approval.
3. It shall verify that the Assembly's decisions are properly carried out.
4. It shall ensure that the ICRC's goals are implemented in an effective and economical manner and that risks are managed efficiently.
5. It shall decide what steps to take when a member has a conflict of interest.
6. As part of its work, the Commission may entrust specific tasks to the Internal Audit Unit and to the external auditing firm. It shall familiarize itself with their reports and ensure that they are followed up.

#### **Article 20. Assembly working groups**

1. The Assembly may entrust a mandate to a working group and designate its chair. Each group shall draw up its list of responsibilities and tasks and inform the president of them.
2. The working groups' task is to guide senior management and/or to lay the groundwork for discussions in the Assembly of items on the agenda by calling on members' specific areas of expertise.
3. The working groups shall be composed of ICRC members. Senior management, the Internal Audit Unit and persons from outside the organization may be invited to their meetings.
4. The working groups shall have no decision-making power, but shall make recommendations to the Assembly and other ICRC bodies.
5. The members of a working group shall be appointed by the Assembly based on the interest they have expressed in being a member.

### **SECTION 2: ASSEMBLY COUNCIL**

#### **Article 21. Definition**

The Assembly Council is a sub-body of the Assembly. It ensures the smooth functioning of the ICRC, in particular as regards human resources management and financial management, and aids the Assembly in its tasks. To that end, the Assembly Council communicates regularly with the Directorate.

#### **Article 22. Composition**

1. The Assembly Council shall be composed of five to seven members, including the president and vice-president.

2. In cases where the president and vice-president are unable to attend, the Assembly Council shall appoint one of its members to chair its meetings.

#### **Article 23. Election and consecutive terms of office**

1. In addition to the president and vice-president, who are automatically members of the Assembly Council, the other members of the Assembly Council shall be elected by the Assembly for a four-year term or until the end of their mandate as members.
2. Members of the Assembly Council may not belong to the Audit Commission.
3. When a post becomes vacant, eligible members interested in becoming candidates shall so inform the president, who may also ask a member to present his candidature. The president shall submit the candidatures to the Assembly and express his opinion before the election.
4. There shall be a separate election and re-election for each member of the Assembly Council, in accordance with the procedure set out in Article 14, paragraphs 3 and 4(3).
5. The president and the member elected shall agree on the date when he will take up his post.

#### **Article 24. Responsibilities and tasks**

1. The Assembly Council shall lay the groundwork for discussions on subjects that come before the Assembly.
2. The Council shall approve budget extensions, including significant changes in the objectives of an operation.
3. It shall follow up on and monitor the implementation of the strategic objectives and major institutional projects.
4. It shall prepare for the Assembly's discussions on financial management, in particular:
  - (a) changes in the financial reserves with a view to obtaining the Assembly's approval of the financial statements;
  - (b) the financial statements of the funds and foundations connected with the ICRC;
  - (c) the budgets.
5. It shall approve all changes in the number of Directorate departments.
6. The Council shall take part in identifying persons likely to occupy posts as directors and the post of director-general.
7. It shall appoint the Directorate's deputies (from among the candidates proposed by the latter).

8. In situations requiring an urgent decision, the Assembly Council may carry out any of the Assembly's responsibilities. Any decision taken on this basis must be confirmed subsequently by the Assembly.

## **Article 25. Functioning**

### **Article 25.1 Frequency of meetings**

1. In principle, the Assembly Council shall hold ordinary meetings once a month.
2. In an emergency, the president may convene an extraordinary meeting.

### **Article 25.2 Presence of non-members**

1. The director-general shall attend Assembly Council meetings. If he is unable to attend, his deputy may attend. Directors shall also be invited depending on the agenda.
2. The head of the Internal Audit Unit may attend Assembly Council meetings.
3. Other persons may be invited to meetings by the president, either to contribute to the deliberations or for their own information.

### **Article 25.3. Meetings held *in camera***

Article 15, paragraph 4, applies *mutatis mutandis* to the Assembly Council.

### **Article 25.4. Agenda**

Article 15, paragraph 5, applies *mutatis mutandis* to the Assembly Council.

### **Article 25.5. Decisions**

1. Article 15, paragraph 6, applies *mutatis mutandis* to the Assembly Council.
2. The Assembly Council may take decisions by teleconference, email, circular or by any other means of communication it considers appropriate.

### **Article 25.6. Record**

Article 15, paragraph 7, applies *mutatis mutandis* to the Assembly Council.

## **SECTION 3: OFFICE OF THE PRESIDENT**

### **Article 26. Composition**

1. The office of the president is made up of the president, vice-president and, where applicable, a second vice-president.
2. The office of the president shall have a budget approved by the Assembly to enable the Assembly's secretariat office to function.



**Article 27. President's duties and responsibilities**

1. The president represents the ICRC and assumes primary responsibility for its relations with outside bodies, in particular through humanitarian diplomacy.
2. As chair of the Assembly and the Assembly Council, the president ensures that the responsibilities assigned to these two bodies remain under their control and closely monitors the running of the ICRC.
3. The president is responsible for developing the institutional strategy and proposing it to the Assembly.
4. The president shall attend all meetings of ICRC bodies, except for the Internal Audit Unit, to the extent that he considers this useful. He may also attend meetings of the standing commissions and working groups.

**Article 28. Vice-presidents' roles**

1. The vice-president and, where applicable, a second vice-president, assist the president in carrying out his duties.
2. The vice-president shall substitute for the president when he is absent or unable to carry out his duties, and when he so requests.

**Article 29. Election and consecutive terms of office**

1. The president, vice-president and second vice-president shall be elected by the Assembly for a four-year term. They may serve for no more than three four-year terms.
2. If the person elected is already a member, his term of office as member shall not affect his term of office as president or vice-president, as set out in the preceding paragraph. However, if he remains a member after his term of office as president ends, that term shall be taken into account.
3. The candidates shall not vote in the election.
4. There shall be a separate election for the president and each vice-president.
5. The Assembly shall elect the president, vice-president and other vice-presidents using the procedure set out in Article 14, paragraph 3.

**Article 30. Special envoy's mandate and other mandates**

The president may appoint a member to represent him as a special envoy for missions with a specific mandate or a fixed term, or entrust him with any other mandate.

## **SECTION 4: DIRECTORATE**

### **Article 31. Definition**

The Directorate is the ICRC's executive body. It directs the administration, which comprises all ICRC staff, except for the Internal Audit Unit. It is responsible for running the administration and ensuring the ICRC's operational effectiveness.

### **Article 32. Composition**

1. The Directorate shall comprise the director-general and between three and seven directors.
2. If a member of the Directorate is absent, he shall be represented by his deputy.

### **Article 33. Appointment and consecutive terms of office**

1. The director-general is appointed by the Assembly (from among the candidates proposed by the president).
2. The directors are appointed by the Assembly (from among the candidates proposed by the director-general in consultation with the president).
3. The director-general and the directors are appointed for a four-year term, renewable once. At the end of those two terms, exceptionally, they may be appointed for a third term.
4. The candidate must be appointed by a simple majority of ICRC members. A person who has not obtained the requisite majority may subsequently be renominated for election. The election has no effect unless the person elected agrees to it.
5. Members who are unable to attend the meeting at which the election is held are entitled to vote by post using the procedure set out in Article 14, paragraph 3(2).

### **Article 34. Duties and responsibilities**

#### **Article 34.1. Director-general's duties and responsibilities**

1. The director-general shall chair meetings of the Directorate and be responsible to the Assembly for its activities.
2. He shall coordinate the work of ICRC staff.
3. He shall serve as the main officer with whom the president engages in a regular and structured dialogue about the organization's affairs.

#### **Article 34.2. Responsibilities and tasks of the Directorate**

1. The Directorate shall ensure the implementation of the institutional strategy, the annual objectives, and the decisions adopted by the Assembly, the Assembly Council and the Internal Audit Unit. It shall report regularly to these bodies on its activities.
2. It shall ensure the effective management of the ICRC, in particular by:
  - (a) deciding on the structures and methods to be used to organize ICRC staff;
  - (b) setting the objectives for subordinate structures;
  - (c) implementing human resources policies and strategies;
  - (d) ensuring the preparation of guidelines for the sound management of human resources;
  - (e) ensuring the optimal management of financial resources and drawing up the financial statements each year;
  - (f) implementing an internal oversight system.
3. It shall prepare and submit:
  - (a) the ICRC's annual objectives and budget for approval by the Assembly;
  - (b) budget extensions for approval by the Assembly Council.
4. The Directorate shall appoint:
  - (a) the employer's representatives on the joint commissions and committees;
  - (b) the heads of delegations, in consultation with the president;
  - (c) the chief ombudsman (from among the candidates proposed by the joint selection committee);
  - (d) the managers reporting directly to the directors.

## **Article 35. Functioning**

### **Article 35.1. Frequency of meetings**

The Directorate shall meet at regular intervals and on an ad hoc basis if needed.

### **Article 35.2. Presence of non-members**

1. The director-general, the directors, their deputies and the secretary to the Directorate shall attend Directorate meetings.
2. The head of the Internal Audit Unit may attend Directorate meetings.
3. The Directorate may invite to a meeting any staff member whose presence is considered necessary to the deliberations on the agenda.

### **Article 35.3. Meetings held *in camera***

Article 15, paragraph 4, applies *mutatis mutandis* to the Directorate.

### **Article 35.4 Agenda**

Article 15, paragraph 5, applies *mutatis mutandis* to the Directorate.

**Article 35.5. Decisions**

1. Article 15, paragraph 6, applies *mutatis mutandis* to the Directorate.
2. The Directorate may take decisions by teleconference, email, circular or by any other means of communication it considers appropriate.

**Article 35.6. Record**

Article 15, paragraph 7, applies *mutatis mutandis* to the Directorate.

**Article 36. Assessment of the Directorate**

1. The president shall assess the director-general's performance each year. After a direct discussion with the person concerned, he shall inform the Assembly of the results of the assessment.
2. The director-general shall assess the directors' performance each year. After a discussion with the persons concerned, he shall inform the president and the Assembly of the results of the assessment.

**Article 37. Ombuds office**

1. This office is headed by the chief ombuds officer. It is made up of ombuds officers whose responsibilities are distributed by geographical areas, and of supporting ombuds officers based in the delegations and at headquarters.
2. The office's mandate requires it to anticipate and resolve disputes between staff members arising in the course of their work, by offering mediation to the staff concerned and promoting practical solutions. All ICRC staff members benefit from its services. The independence, impartiality, informal character and confidentiality of its work are guaranteed.
3. Cases may be referred to the ombuds officer by the persons concerned or their hierarchical superiors. The office may also act on its own initiative.
4. The ombuds office conducts informal reviews at all hierarchical levels and shares its observations with the Directorate.
5. The chief ombuds officer is appointed by the director-general from among the candidates proposed by a joint selection committee composed of representatives of senior management and of the Staff Association Committee (COMAP).
6. The chief ombuds officer shall present a report to the Joint Committee and the Assembly once a year.

**SECTION 5: INTERNAL AUDIT UNIT****Article 38. Definition**

1. The Internal Audit Unit is an internal oversight body which assesses, independently of senior management, the extent to which the ICRC is in control of its activities.
2. The Internal Audit Unit is one of the components of the system of internal oversight, which is implemented at three levels, namely by:
  - (a) the Assembly, aided by the Audit Commission, which is ultimately responsible for oversight;
  - (b) the Directorate, which takes on internal oversight; and
  - (c) the Internal Audit Unit.

#### **Article 39. Composition**

1. The Internal Audit Unit is composed of the head of the Unit and his team.
2. The Unit shall have a budget approved by the Assembly in order to constitute its staff and implement its annual audit plan.

#### **Article 40. Appointment and consecutive terms of office**

1. The Assembly shall appoint the head of the Internal Audit Unit after receiving advice from the Audit Commission.
2. The head of the Internal Audit Unit shall be appointed for a four-year term, renewable once. At the end of those two terms, exceptionally, they may be appointed for a third term.

#### **Article 41. Responsibilities and tasks**

1. The Internal Audit Unit shall assess the adequacy of risk management, verification and monitoring, the goal being reasonable confidence that these processes enable the ICRC to achieve its objectives. It shall report directly to the Assembly.
2. The Internal Audit Unit's work covers the entire ICRC. The Unit head shall determine freely and independently the scope of his auditing work.
3. The head of the Internal Audit Unit shall submit an annual audit plan to the Assembly. He shall be responsible for implementing the plan as approved by the Assembly.
4. The Unit head may submit to the Assembly, the Assembly Council or the president any proposal liable to improve the functioning of the ICRC.
5. By means of a systematic, methodical approach, the Internal Audit Unit shall ensure that:
  - (a) the objectives are fixed and risks associated with those objectives are identified and managed effectively;
  - (b) the ICRC's resources are acquired in an economical manner, used efficiently, and afforded adequate protection;
  - (c) consideration is given to security, both for persons and for material objects;

- (d) operational and financial information is relevant and reliable and is communicated transparently both inside and outside the ICRC.
6. The Internal Audit Unit shall support the ICRC's work by:
    - (a) furnishing the Directorate with counsel and opinion;
    - (b) carrying out the specific tasks assigned to it by the Assembly, the Audit Commission, the Assembly Council and the president.
  7. The head of the Internal Audit Unit or his deputy shall:
    - (a) be entitled to attend any ordinary meeting of the Assembly, Assembly Council, Directorate and working groups;
    - (b) have unlimited access to any ICRC post, person, correspondence, file or object, without requesting prior permission;
    - (c) serve as secretary of the Audit Commission.
  8. The head of the Internal Audit Unit shall report to:
    - (a) the bodies which have assigned him tasks, and in all cases to the ICRC president, with whom he shall maintain a regular dialogue;
    - (b) the Assembly, at least once a year, on the general conduct of his mandate;
    - (c) the Audit Commission on developments arising from his reports, studies and notes.

#### **Article 42. Assessment**

The chair of the Audit Commission and the president shall assess the performance of the head of the Internal Audit Unit each year. This shall be a retrospective assessment, while also helping to define the goals for the following year. After a direct discussion with the person concerned, they shall inform the Assembly of the results of the assessment.

### **SECTION 6: DATA PROTECTION INDEPENDENT CONTROL COMMISSION**

#### **Article 43. Definition**

The Data Protection Independent Control Commission (Data Protection Commission) is the ICRC body responsible for checking, independently of the other bodies and the Administration, that the ICRC's processing of personal data complies with its internal rules on data protection and other applicable rules, and for ruling on the rights of individuals when their cases or other data-protection cases are referred to it.

#### **Article 44. Composition**

The Data Protection Commission is composed of three to five members as follows:

- (a) three members of the Assembly
- (b) two data-protection experts from outside the ICRC, one of whom chairs the Commission.

#### **Article 45. Election, appointment and consecutive terms of the office of members of the Data Protection Commission**

The Assembly shall elect three members of the Assembly to the Data Protection Commission. There shall be a separate election and re-election for each member of the Commission. The election of the members of the Commission shall be done by secret ballot by a simple majority of Assembly members.

The Assembly shall appoint the two outside experts and designate one of them to chair the Commission based on the proposals of the members of the Commission from the Assembly.

The members of the Commission shall be elected and the outside experts appointed for a four-year term, renewable once or, for the ICRC members, until the end of their ICRC term of office.

#### **Article 46. Responsibilities and tasks**

The Data Protection Commission shall carry out the tasks set out in the ICRC's internal rules on data protection, namely:

- (a) ruling on individual cases referred to it;
- (b) coming up with recommendations on its own initiative on the basis of the individual cases it handles or matters referred to it;
- (c) coming up with recommendations on any matter on which its views are sought.

The Data Protection Commission shall have free and unrestricted access to all information and documents, and all information-processing systems, irrespective of the processing location, type or medium.

Individuals and entities consulted by the Commission are obliged to collaborate with it in the discharge of its duties.

The Commission's decisions about individual cases shall be binding for the ICRC.

#### **Article 47. Budget and resources**

The Data Protection Commission shall have the budget and resources to operate independently.

#### **Article 48. Functioning and procedures**

The Data Protection Commission shall determine its own rules for its functioning and procedures, in accordance with the Internal Regulations of the ICRC.

#### **Article 49. Assessment and report**

Once a year, the Data Protection Commission shall carry out a self-assessment of its activities, analysing in particular:

- (a) its organization and working methods;
- (b) the resources available for it to carry out its mandate;
- (c) the degree of cooperation between its members;
- (d) synergies with other bodies.

The Data Protection Commission shall present a summary of its self-assessment in a chapter of its annual report, which it shall submit to the Assembly.

The Commission shall produce an annual activity report. It shall submit the report to the Assembly, accompanied by any comments from the Directorate, and make it available to the Data Protection Office and the head of the Internal Audit Unit for information purposes.

## **SECTION 7: EXTERNAL AUDIT**

### **Article 50. External auditing firm**

1. An auditing firm with a good reputation shall make an annual audit of the ICRC's financial statements and issue an opinion on the internal oversight system, in accordance with the pertinent stipulations of the Swiss Code of Obligations.
2. The auditing firm shall be appointed annually by the Assembly after it receives a proposal from the Audit Commission.
3. The pertinent provisions of the Swiss Code of Obligations concerning the external auditors of a company limited by shares apply by analogy.

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## **Chapter IV: FINAL PROVISIONS**

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### **Article 51. Amendment of the Internal Regulations**

1. The Assembly may amend the present Regulations at any time. Any amendment shall be placed on the agenda of a meeting and be discussed on that occasion.
2. Any changes to the Internal Regulations require a two-thirds majority of ICRC members.

### **Article 52. Entry into force**

The present Internal Regulations, adopted on 21 December 2017, replace the Internal Regulations of the International Committee of the Red Cross of 2 May 1991. They supersede the previous amended versions of the Regulations (i.e. those of 20 July 1998, 8 May 2003, 9 December 2004, 16 November 2006, 18 December 2014 and 19 November 2015), and shall come into force on 1 January 2018.

*This English version of the ICRC's Internal Regulations is a translation of the French original. The French remains the authentic text.*