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Council of Delegates of the International Red Cross  
and Red Crescent Movement

Geneva, 26 November 2011 – For humanity



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**COUNCIL OF DELEGATES  
OF THE INTERNATIONAL RED CROSS  
AND RED CRESCENT MOVEMENT**

Geneva, Switzerland  
26 November 2011

**National Societies Preparing for and Responding to Armed Conflict  
and Other Situations of Violence**

**Background report**

prepared for resolution 7 “National Societies preparing and responding in armed conflict and  
other situation of violence”

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**Document prepared by**

**The International Committee of the Red Cross  
in consultation with the International Federation of Red Cross and Red Crescent  
and National Societies**

Geneva, October 2011

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**BACKGROUND REPORT****National Societies Preparing for and Responding to  
Armed Conflict and Other Situations of Violence****Contents**

	Glossary .....	2
Section 1.	Executive summary .....	4
Section 2.	The reasons for this resolution .....	6
	2.1 A changing environment .....	6
	2.2 Increasing needs and growing demands on the Movement ....	6
Section 3.	Reinforcing the mandates of Movement components.....	8
	3.1 National Societies .....	8
	3.2 ICRC.....	8
	3.3 International Federation .....	8
	3.4 Movement Coordination.....	8
Section 4.	Operational challenges and opportunities .....	10
	4.1 Operational risks.....	10
	4.2 Access.....	10
	4.3 Shared Movement context analysis and contingency planning	10
	4.4 Strengthening and promoting the statutory and legal base .....	11
	instruments of National Societies .....	11
	4.5 Operational guidance for National Societies .....	12
Annex 1. The <i>Practical Guide</i> .....		13
	I. The development process and outcome .....	13
	II. Movement approach to implementing the <i>Practical Guide</i> .....	14
	III. Content and format of the <i>Practical Guide</i> .....	14
	IV. The Safer Access Framework.....	15

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## Glossary

### **Armed conflict<sup>1</sup>**

International humanitarian law distinguishes between two types of armed conflicts, namely:

- International armed conflicts, opposing two or more States;

and

- Non-international armed conflicts, between government forces and non-government armed groups, or between such groups only. International humanitarian treaty law also establishes a distinction between non-international armed conflicts as described within Article 3 common to the four Geneva Conventions and non-international armed conflicts falling within the definition provided in Article 1 of Protocol II of 8 June 1977 additional to the Geneva Conventions (Additional Protocol II). Legally speaking, no other type of armed conflict exists. It is nevertheless important to emphasize that a situation can evolve from one type of armed conflict to another, depending on the facts prevailing at a certain moment.

### **Internal disturbances<sup>2</sup>**

“This involves situations in which there is no non-international armed conflict as such, but there exists a confrontation within the country, which is characterized by a certain seriousness or duration and which involves acts of violence. These latter can assume various forms, all the way from the spontaneous generation of acts of revolt to the struggle between more or less organized groups and the authorities in power. In these situations, which do not necessarily degenerate into open struggle, the authorities in power call upon extensive police forces, or even armed forces, to restore internal order. The high number of victims has made necessary the application of a minimum of humanitarian rules.”

### **Internal strife**

'Internal strife' is equivalent to 'internal disturbances' and is described in Article 5.2 (b) of the Seville Agreement, as follows:

“**internal strife** does not necessarily imply armed action but serious acts of violence over a prolonged period or a latent situation of violence, whether of political, religious, racial, social, economic or other origin, accompanied by one or more features such as: mass arrests, forced disappearances, detention for security reasons, suspension of judicial guarantees, declaration of state of emergency, declaration of martial law.”

### **Internal tensions<sup>3</sup>**

“These could be said to include in particular situations of serious tension (political, religious, racial, social, economic, etc.), but also the sequels of armed conflict or of internal disturbances. Such situations have one or more of the following characteristics, if not all at the same time:

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1 “How is the Term 'Armed Conflict' defined in International Humanitarian Law? International Committee of the Red Cross (ICRC), Opinion Paper, March 2008.

2 ICRC description, as presented at the first session of the Conference of Government Experts in 1971. A more detailed definition can be found in the ICRC commentary to Additional Protocol II (pp. 1354-1356);

3 ICRC description, as presented at the first session of the Conference of Government Experts in 1971. A more detailed definition can be found in the ICRC commentary to Additional Protocol II (pp. 1354-1356).

- large-scale arrests;
- a large number of "political" prisoners;
- the probable existence of ill-treatment or inhumane conditions of detention;
- the suspension of fundamental judicial guarantees, either as part of the promulgation of a state of emergency or simply as a matter of fact;
- allegations of disappearances."

#### **Other Situations of Violence (OSV)<sup>4</sup>**

The ICRC operates mainly in armed conflict and often together with National Societies. They also respond to needs stemming from "other situations of violence" that, while not reaching the threshold of armed conflict, can have serious humanitarian consequences. In these situations, States have recognized that the ICRC "may take any humanitarian initiative which comes within its role as a specifically neutral and independent institution and intermediary" in conformity with Article 5 of the Statutes of the International Red Cross and Red Crescent Movement (the Statutes), adopted by the Twenty-fifth International Conference of the Red Cross and Red Crescent in Geneva in October 1986 and amended by the Twenty-sixth International Conference of the Red Cross and Red Crescent in December 1995. According to Article 3 of the Statutes, National Societies carry out their humanitarian activities in conformity with their own statutes and national legislation, in pursuance of the mission of the Movement, which is "to prevent and alleviate human suffering wherever it may be found, to protect life and health and ensure respect for the human being, in particular in times of armed conflict and other emergencies [...]." In such situations, the ICRC and National Societies take action only with the full knowledge and consent of the State concerned.

#### **Weapon bearers (arms carriers)**

The main categories encompassed by the ICRC's definition are:

- military and armed forces, paramilitaries and mercenaries under the control or command of one or more States and whose primary function is combat, including those acting under an international mandate;
- police and security forces, whose primary function is law enforcement, including those acting under an international mandate;
- armed groups, paramilitaries and mercenaries not under the control or command of one or more States (non-State armed groups), such as armed opposition groups/insurgents, pro-government groups, territorial gangs, communal groups, criminal groups and private military and security companies contracted by States (as long as they carry weapons), as well as any other organized group carrying weapons that may be used in an armed confrontation.

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<sup>4</sup> 'OSV' as presented in this document, does not refer to violence directed at oneself or interpersonal violence, although it is recognized that the social determinants leading to violence at that level may also play a role in 'OSV.' Violence directed at oneself or interpersonal violence are areas in which a National Society may be very active in addressing the humanitarian needs and for which the International Federation provides guidance through its *Global Strategy on Violence Prevention, Mitigation and Response*.

## Section 1. Executive summary

Situations of violence can develop at any time and anywhere, as recent events demonstrate. They often give rise to issues of humanitarian concern that require an immediate response by National Red Cross or Red Crescent Societies (National Societies). For instance, recurrent attacks against International Red Cross and Red Crescent Movement (Movement) staff and volunteers, particularly those of National Societies, their facilities and vehicles and the harm caused to beneficiaries, are causing alarm.

National Societies and the International Committee of the Red Cross (ICRC) each have a mandate to prepare for and respond to the needs of people and communities affected by armed conflict and other situations of violence, supported by the International Federation and participating National Societies. They combine their unique and shared identities by forming operational partnerships to effectively expand their reach. To strengthen the effectiveness of these operational partnerships and to further enhance National Societies' ability to assume coordination leadership responsibilities, several specific challenges must be addressed.

Increasingly, National Societies are being asked by their governments to take a leadership role in coordinating humanitarian response in environments of every kind, including armed conflict and other situations of violence.<sup>5</sup> Despite several National Societies taking significant and difficult measures to strengthen their response to armed conflict and other situations of violence, many continue to find their access to people and communities in need obstructed and the safety of their staff and volunteers and those they serve, threatened.

These challenges pertain to a variety of operational risks that affect the extent to which National Societies are accepted and their access to people and communities in need, as well as the security of their staff, volunteers, facilities and vehicles. There are other challenges as well: insufficient Movement coordination in sharing context analyses and exploring the consequences to humanitarian action, a lack of shared and complementary Movement contingency planning, and a lack of clarity and respect for the mandate and responsibilities of National Societies in armed conflict and other situations of violence, among some National Societies themselves, their governments and other stakeholders.

To address these challenges, National Societies are called upon to increase their efforts to position themselves for greater acceptance by stakeholders and greater access to people in need, and to increase their attention to overall security/risk management, including securing insurance coverage for staff and volunteers engaged in emergency operations. They are also encouraged to enter into a dialogue with their respective public authorities concerning their mandate, responsibilities and roles in armed conflict and other situations of violence, with a view to broadening access and clarifying their role. This can be achieved by adapting domestic legislation or by developing policies, agreements and plans in order to establish the framework required to enable National Societies to provide effective assistance and protection to populations affected by armed conflict and other situations of violence. As a result, the statutes of some National Societies may benefit from revision. The ICRC and the International Federation are requested to support National Societies in these initiatives by further defining how the mandates, roles and responsibilities of National Societies in armed conflict and other situations of violence may best be reflected in a National Society's

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<sup>5</sup> The ICRC's description of 'other situations of violence' (OSV) can be found in the Glossary of this report.

statutory and legal base instruments. And finally, the ICRC is requested to continue to develop a practical guide for National Societies to support them in their positioning, preparedness and response efforts, while the International Federation is encouraged to develop effective mechanisms to ensure that all of these efforts are taken into account in its attempts to build strong National Societies.

This Background Report, which supports 2011 Council of Delegates Resolution Provisional Item No. 6 and the commitments it calls for from Movement components, is inspired by deep respect for the dedicated staff and volunteers who are on the front line, and for those they serve, as well as by a firm resolve to strengthen our efforts to provide effective assistance and protection to those affected by armed conflict and other situations of violence thereby also contributing towards building a more robust and coordinated Movement response.

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## Section 2. The reasons for this resolution

### 2.1 A changing environment

Situations of violence can develop at any time and anywhere, as recent events demonstrate. They give rise to issues of humanitarian concern that require an immediate response by National Red Cross or Red Crescent Societies (National Societies). In addition, armed conflicts, chronic and sometimes protracted over several years or decades, require similar forms of humanitarian response. Demonstrations, which lead to violence, pose another kind of challenge to the humanitarian sector – to adapt its working procedures, designed primarily for rural settings, to urban environments as well.

Today, armed conflicts and other situations of violence can have social and economic causes or be tribal, ethnic or religious in nature, and may be characterized by such factors as a weakened State, collapsing infrastructure, and politically driven or criminal actors. The obstacles to arranging safe access to those in need are numerous, particularly in areas contaminated with landmines, explosive remnants of war or even radiological, biological or chemical agents. In addition, the proliferation of groups of weapon bearers makes it difficult to conduct a meaningful dialogue.

Rapidly expanding cities with growing populations sometimes erupt in violence linked to increasingly inadequate social, health and economic services. This can take such forms as food riots, clashes between territorial gangs, political groups or ethnic communities, or acts of xenophobic violence directed against migrants or other groups.

In areas where security conditions are uncertain, the situation may also be complicated by environmental degradation, drought, floods, pandemics or industrial accidents such as at nuclear or chemical facilities, rendering people extremely vulnerable. The inherent complexity of such environments contributes to the difficulty of determining the most relevant humanitarian response and of securing safe access to those in need.

Every context has its own complex mix of factors that must be understood at all levels in order to respond appropriately to people's needs. To do this most effectively, it is essential that the Movement's components work together, utilizing similar modes of action, and maximizing capacities and competencies in order to broaden reach and strengthen response.

### 2.2 Increasing needs and growing demands on the Movement

The findings of an ICRC survey<sup>6</sup> reveal that armed conflict and other situations of violence take an alarming toll on civilians in conflict-affected countries throughout the world. Displacement, separation from family members or fear that a family member will disappear, limited access to essential services and loss of income are among people's most common experiences and biggest fears.

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<sup>6</sup> "Our World. Views from the field," an ICRC opinion survey (2009), looks at the personal experiences, needs, worries, expectations and frustrations of people affected by conflict in eight countries.

Increasingly, National Societies are being asked by their governments to take a leadership role in coordinating humanitarian response in environments of every kind, including armed conflict and other situations of violence.

The skills, experience and resources required to meet the challenges related to coordinating a large-scale Movement response are staggering, in variety and in quantity. The added responsibility of coordinating external organizations greatly increases the challenge. Remaining neutral, impartial, and independent, while providing leadership and coordination to organizations with varying degrees of adherence to the Fundamental Principles, particularly neutrality and impartiality, is not an easy task: it has at times led to difficulties, in terms of image, security and operational effectiveness, that have affected National Societies' own operations and personnel as well as those of other Movement components.

Although many National Societies must be commended for taking significant measures to strengthen their response to armed conflict or other situations of violence – by ensuring their operational adherence to the Fundamental Principles, increasing the degree of their acceptance, and improving access and operational security/risk management – others continue to find their access to people and communities in need obstructed and the safety of their staff and volunteers and those they serve, threatened.

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## Section 3. Reinforcing the mandates of Movement components

### 3.1 National Societies

National Societies have a mandate, as described in the Statutes of the International Red Cross and Red Crescent Movement (hereafter called the Statutes) to "organize, in liaison with the public authorities, emergency relief operations and other services to assist the victims of armed conflicts as provided in the Geneva Conventions, and the victims of natural disasters and other emergencies for whom help is needed."<sup>7</sup> A number of resolutions adopted at Councils of Delegates and International Conferences reinforce the mandate of National Societies to act as auxiliaries to the public authorities in the humanitarian field<sup>8</sup> and to provide humanitarian assistance and protection to those affected by armed conflict and other situations of violence within their own countries.<sup>9</sup>

### 3.2 ICRC

The International Committee of the Red Cross (ICRC) has a statutory mandate "to endeavour at all times – as a neutral institution whose humanitarian work is carried out particularly in time of international and other armed conflicts or internal strife<sup>10</sup> – to ensure the protection of and assistance to military and civilian victims of such events and of their direct results."<sup>11</sup> In such situations, the ICRC works in close partnership with the National Society of the affected country as well as with participating National Societies and the International Federation of Red Cross and Red Crescent Societies (International Federation) to prepare and carry out emergency humanitarian operations.

### 3.3 International Federation

The International Federation's statutory mandate includes the following: "to inspire, encourage, facilitate and promote at all times all forms of humanitarian activities by the National Societies, with a view to preventing and alleviating human suffering and thereby contributing to the maintenance and the promotion of peace in the world" and "to bring help to victims of armed conflicts in accordance with the agreements concluded with the International Committee."<sup>12</sup>

### 3.4 Movement Coordination

In order to meet the needs of more people, strengthened Movement coordination in preparedness, response and recovery is needed.

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<sup>7</sup> Article 3, clause 2 of the Statutes of the International Red Cross and Red Crescent Movement.

<sup>8</sup> Two such recent resolutions are: Resolution 2 of the 30th International Conference and Resolution 3 of the 2007 Council of Delegates on the "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."

<sup>9</sup> For example, the General Principles contained in Resolution 14 of the 10th International Conference in 1921, on Non-International Armed Conflicts, Civil War state: "The Red Cross (...) affirms its right and duty of affording relief in case of civil war and social and revolutionary disturbances (...) In every country in which civil war breaks out, it is the National Red Cross Society which, in the first place is responsible for dealing, in the most complete manner, with the relief needs of the victims ..."

<sup>10</sup> As defined in Part II, Article 5, clause 2 (b) of the Seville Agreement, internal strife "does not necessarily imply armed action but serious acts of violence over a prolonged period or a latent situation of violence, whether of political, religious, racial, social, economic or other origin, accompanied by one or more features such as: mass arrests, forced disappearances, detention for security reasons, suspension of judicial guarantees, declaration of state of emergency, declaration of martial law."

<sup>11</sup> Article 5, clause 2 (d) of the Statutes of the International Red Cross and Red Crescent Movement.

<sup>12</sup> Article 6, clauses 3 and 4 (i) of the Statutes of the International Red Cross and Red Crescent Movement.

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Recognizing the value of combining skills and assets, and the unique and complementary positioning of both the ICRC and National Societies in meeting the needs of those affected by armed conflict and other situations of violence, the ICRC and National Societies are committed to forming strong operational partnerships. An important aspect of each operational partnership is the inclusion of a mutual capacity-strengthening approach.

The mandates and capacities, as well as the unique positioning of each of the Movement's components must be taken fully into consideration when preparing for and responding to armed conflict and other situations of violence, in order to maximize the impact of the protection and assistance provided to the populations most in need. Activities should be allocated bearing these factors in mind as well as considering the level of acceptance provided to the various Movement components, and whether the ICRC, the National Society or the two together would be better placed to respond. Improved Movement coordination which results in an increased convergence of preparedness, response and recovery actions is required, in accordance with Movement agreements and mechanisms, and on the basis of context-specific circumstances and needs, to enhance access and response to the humanitarian needs of people and communities affected by armed conflict and other situations of violence.

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## Section 4. Operational challenges and opportunities

### 4.1 Operational risks

Recurrent attacks against Movement personnel, including National Society staff and volunteers, their facilities and vehicles, and the harm caused to beneficiaries are causing alarm.

The reasons are various, such as: lack of understanding, knowledge and respect among weapon bearers of National Societies' mandate, responsibilities and roles to provide humanitarian assistance and protection during armed conflict and other situations of violence; an inadequate level of acceptance among armed actors that the National Society in question is a neutral, impartial and independent organization able to provide relevant humanitarian assistance and protection; and inadequate operational security/risk management practices and associated guidelines and training.

It is therefore crucial for National Societies to outline a strategy and plan for increasing their acceptance among individuals, communities, weapon bearers and authorities and to improve their security and risk management practices. Ideally, these strategies should be initiated and put into practice during times of relative peace, as they take time to implement. However, should there be a spontaneous outbreak of violence, certain initiatives to increase acceptance, and improve security and access, can be taken immediately (see Annex 1).

### 4.2 Access

Some National Societies are prevented by weapon bearers and others, from providing humanitarian services to those in need on all sides of an armed conflict or other situations of violence, or they are challenged or even harassed when they attempt to do so.

In many environments today, there are so many non-State armed groups that it is difficult for the ICRC and/or National Societies to initiate contact with them for the purpose of negotiating safe access to those who may be in need of humanitarian services. Often, the ability of National Societies to obtain access to non-State armed groups for this purpose may be restricted by domestic legislation, or National Societies may face other obstacles, such as direct challenges by weapon bearers and others.

Therefore, National Societies should, where necessary, engage in a dialogue with their respective governments on the need for access to all populations affected by armed conflict and other situations of violence and exert influence, where possible, on weapon bearers to respect the National Societies' role to provide neutral, impartial and independent humanitarian services, (as defined by the Fundamental Principles), with the support and involvement of the ICRC as appropriate.

### 4.3 Shared Movement context analysis and contingency planning

The humanitarian sector's working environment in armed conflict and other situations of violence poses many new challenges today. It is important to deepen our shared Movement knowledge and understanding of emerging global and regional trends in such situations and their consequences for humanitarian action, in order to improve the

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quality of our response and develop a uniform Movement approach to preparedness, response and recovery.

There are many recent examples of well-coordinated Movement responses during armed conflict and other situations of violence. However, our response to the humanitarian needs of the people and communities affected could be improved. The ICRC and National Societies should pay particular attention to developing contingency plans, built upon their shared context analyses, that are coordinated and complement one another, to guide their responses during armed conflict and other situations of violence.

#### **4.4 Strengthening and promoting the statutory and legal base instruments of National Societies**

Often, National Society statutes and the corresponding domestic legislation reflect primarily their conventional mandate as auxiliaries to the public authorities in the humanitarian field, in accordance with the 1949 Geneva Conventions – in other words, their auxiliary role with regard to military medical services in international armed conflict.

A gap therefore often exists which may restrict the access of National Societies to those in need during non-international armed conflict or other situations of violence or may limit its actions during international armed conflict. Therefore, it may be beneficial for a National Society to further define its auxiliary mandate, roles and responsibilities in armed conflict and other situations of violence within their statutory and legal base instruments, as appropriate, and to promote their role broadly, within their National Society, and with external actors and communities.

When the processes for updating statutes and/or legislation are inordinately lengthy, or when existing statutes and/or legislation could profitably be augmented, a National Society and its government may find it useful to develop policies, agreements and plans that reinforce or clarify its auxiliary but independent role in armed conflict and other situations of violence.

There are many resolutions of the Councils of Delegates and of International Conferences,<sup>13</sup> as well as clauses in the Geneva Conventions, that reinforce National Societies' role in international and non-international armed conflict and other situations of violence; however, many National Societies are unfamiliar with them.

To support National Societies in this task, the ICRC and the International Federation are invited to define how the mandates, roles and responsibilities of National Societies in armed conflict and other situations of violence may best be reflected in National Societies' statutory and legal base instruments and to advise National Societies engaged in revising their statutes accordingly.

Additionally, the practical guide currently being developed by the ICRC, together with National Societies and the International Federation, will contain further information and guidance in this regard.

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<sup>13</sup> For example, the General Principles contained in Resolution 14 of the 10th International Conference in 1921 state: "The Red Cross (...) affirms its right and duty of affording relief in case of civil war and social and revolutionary disturbances (...) [I]n every country in which civil war breaks out, it is the National Red Cross Society which, in the first place is responsible for dealing, in the most complete manner, with the relief needs of the victims ..."

In the meantime, the actions of many National Societies who are successfully providing much needed humanitarian assistance and protection in these challenging environments can provide guidance in overcoming many of these obstacles.

#### 4.5 Operational guidance for National Societies

In 1990, the ICRC produced a book titled *Guide for National Red Cross and Red Crescent Societies to Activities in the Event of Conflict*, although still useful and consulted by many National Societies today, it does not reflect current trends in the working environment, developments within the Movement or the resolutions that have since been adopted.<sup>14</sup>

Based upon a specific request made by National Societies during a plenary session at the 2009 Council of Delegates,<sup>15</sup> the ICRC, together with the Canadian and Colombian Red Cross Societies, launched a project titled *Strengthening National Societies' Capacity to Respond to Armed Conflict and Other Situations of Violence*. This project will result in the development of a practical guide for National Societies, to assist them in their own capacity strengthening efforts to position themselves during armed conflict and other situations of violence, and to prepare for and respond to these situations (see Annex 1).

The Safer Access Framework, which has been used successfully by the ICRC over the past decade to guide its capacity strengthening work with National Societies, will, along with current examples of National Society best practice in this area, provide the foundation of the new practical guide.

The practical guide will provide a basis for strengthening the overall Movement approach toward positioning and preparing for and responding to armed conflict and other situations of violence. It will reinforce the implementation of the Seville Agreement and its Supplementary Measures and reinforce Movement priorities such as Movement coordination, operational partnerships, the application of the Fundamental Principles, relations with external actors, our work with internally displaced persons, Health Care in Danger and voluntarism.

The guide will also make a significant contribution to the International Federation's Enabling Action 1,<sup>16</sup> contained in Strategy 2020, particularly in the approach toward the development of strong National Societies. Incorporation within or links to the International Federation's disaster management and organizational development approach and tools, to certain aspects of international disaster response law, to the International Federation's Global Strategy on Violence Prevention, Mitigation and Response, and to the work being done jointly (ICRC-International Federation) in the area of civil protection will be made.

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<sup>14</sup> For instance: 2009 Council of Delegates, Resolution 8, Respecting and protecting health care in armed conflict and other situations of violence; 30th International Conference, 2007, Resolution 1, Annex Declaration: Together for humanity; 2005 Council of Delegates, Resolution 7, Relations between the components of the Movement and military bodies; 2003 Council of Delegates, Resolution 9, Promote respect for diversity and fight discrimination and intolerance – clause 4 (f) of the annex to the Resolution.

<sup>15</sup> 2009 Council of Delegates, Workshop 5 (Improving our Combined Output by Fostering Collective Responsibility and Partnerships) and the plenary linked to the discussion of the Seville Agreement and its Supplementary Measures.

<sup>16</sup> Build Strong National Red Cross and Red Crescent Societies.

## Annex 1. The *Practical Guide*

### National Societies Preparing for and Responding to Armed Conflict and Other Situations of Violence

#### I. The development process and outcome

Based on a request made by National Societies to the ICRC at the 2009 Council of Delegates to develop guidelines for National Societies preparing for and responding to armed conflict and other situations of violence, an extensive consultation process was undertaken by the ICRC with National Societies to determine precisely what type of guidance would be useful.<sup>17</sup>

The National Society Project Advisory Team<sup>18</sup> met in September 2010 to study the results of a survey conducted among National Societies and reflect on their own experiences and that of Movement colleagues from both the Secretariat of the International Federation and the ICRC; the Team produced a development recommendation, which was sent to 52 National Societies for their reactions and approval.<sup>19</sup> The Team met again in April 2011 to review the reactions, which were supportive of the recommendation. It then did more in-depth work on the content and format, taking into account the specific suggestions made by National Societies and others.

It should be noted that the original request by National Societies for 'operational guidelines' has, on the basis of unanimous agreement among National Societies, been modified into the development of a 'practical guide,' which will be finalized by the end of 2012 and introduced to Movement partners in 2013-14 through a 'peer-to-peer' approach involving National Society personnel highly experienced in preparing for and responding to armed conflict and/or other situations of violence.

#### *Practical Guide Project Outcome*

**People affected by armed conflict and other situations of violence benefit from increased and improved access to the humanitarian services of National Societies through the development and application of a capacity-building, practical 'how-to' guide for National Societies.**

#### **Expected Results**

- Enhanced capacity of National Societies to position themselves for increased acceptance in a way that emphasizes their real and perceived neutrality,

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<sup>17</sup> The first step was to conduct a survey of 19 National Societies active in armed conflict or other situations of violence in August 2010, to explore what type of content and format would be useful. Of those consulted, 14 responded, representing a 74% response rate.

<sup>18</sup> The Canadian Red Cross and the Colombian Red Cross provided the ICRC with key leadership support on this project, with the involvement of the Nepal Red Cross, Palestinian Red Crescent, Uganda Red Cross, representatives from the Secretariat of the International Federation in the areas of organizational development and disaster management, as well as ICRC DC\_MOUV. Others were brought in as advisers when needed.

<sup>19</sup> These National Societies were selected on the basis of their geographical representativeness and on the basis of whether they were currently or had recently been involved in responding to armed conflict or other situations of violence. Approximately 10 National Societies represented areas of comparative peacefulness. Of these 52 National Societies, 14 responded, representing a 27% response rate.

impartiality and independence and increases their ability to gain safer access to those affected by armed conflict and other situations of violence in order to provide assistance and protection

- Increased protection and security of National Society personnel and beneficiaries through the development of a National Society security/risk management culture, resulting in fewer injuries, deaths and other security incidents
- Strengthened Movement coordination in supporting National Society operations, in line with the Seville Agreement and its Supplementary Measures
- Increased effectiveness and improved quality of ICRC-National Society operational partnerships and other cooperation activities, as well as an increase in the number of such partnerships
- Increased exchange of knowledge, expertise, and resources between the ICRC and National Societies

## II. Movement approach to implementing the *Practical Guide*

Although certain actions can be taken spontaneously by a National Society when there is an unexpected need to respond rapidly, many of the initiatives required for National Societies to position themselves for increased acceptance and access to those in need during armed conflict and other situations of violence take place over years. These initiatives must be incorporated into National Societies' development and strategic plans and practices, policies, structures and programmes, staff and volunteer management systems, security/risk management structures and systems, tools and resources (such as standard operating procedures, codes of conduct and security guidelines), and training.

For this to happen, there needs to be a harmonized Movement approach for supporting the mainstreaming and incorporation of the elements contained within the Safer Access Framework, while ensuring at the same time that each Movement component contributes its expertise to the process.

## III. Content and format of the *Practical Guide*

Intended for all National Societies, even those operating in relative peaceful environments, the practical guide will focus on providing guidance and sharing best practices on positioning oneself during armed conflict and other situations of violence, and on preparing for and responding to these situations. It will contain various tools and templates<sup>20</sup> useful for capacity strengthening that can be adapted for implementation by National Society leadership according to context and need.

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<sup>20</sup> The guide may include:

- A clear strategy and description of processes that will guide National Societies on positioning, preparedness and response during armed conflicts and other situations of violence (Safer Access Framework)
- Four National Society case studies (supplemented by some audio-visual recordings) focusing on experiences and lessons learned
- A major functional simulation exercise and a tabletop exercise
- Theoretical component (Movement legal and policy base)
- Sample tools and templates including an aide-mémoire template for field staff
- DVD containing the product and all associated tools and templates

The practical guide will be based on the concepts of relevance, perception, acceptance, security and access, elements of the Safer Access Framework and current National Society best practices. Emphasis will be placed on operationalizing the Fundamental Principles and other Movement policies and practices.

#### IV. The Safer Access Framework

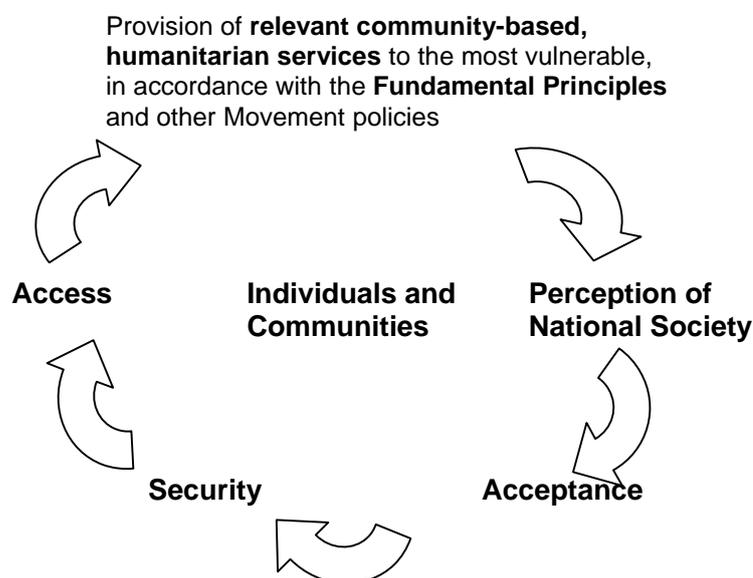
Every day, Movement staff and volunteers risk their lives to reach those affected by armed conflict and other situations of violence. In some instances, their safe access to those in need may be restricted or blocked.

In 2002-3, to contribute to National Society preparedness for working in a conflict environment, the ICRC, in consultation with National Societies and the International Federation, developed an evidence-based tool called the Safer Access Framework. The Framework provides guidance to National Societies in their efforts to position themselves during armed conflict and other situations of violence, and prepare for and respond to these situations.

The Safer Access Framework is grounded in the application of the Fundamental Principles and other relevant Movement policies that, when applied, contribute to National Societies' staff and volunteers gaining safer access to those in need. It sets out concrete actions that can be taken by National Societies so that they may be favourably perceived by key stakeholders and secure their acceptance; this, in turn, increases security for National Society staff and volunteers and enhances their ability to reach those in need during armed conflict and other situations of violence.

#### Relevance, Perception, Acceptance, Security, Access

The model below explains the basis of the Safer Access Framework.



This model builds on the concept that during armed conflict or other situations of violence, because of the presence of armed groups, access to beneficiaries becomes more restricted and the insecurity of those in need and of humanitarian personnel increases. Concrete actions must be taken to reduce the risks and increase access in order to provide assistance and protection to those in need.

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For a National Society to be accepted by individuals, communities and the general population, and for it to be able to respond in armed conflict and other situations of violence, it must, in peacetime, have already been perceived by the stakeholders to be an independent, impartial provider of relevant humanitarian services to the most vulnerable. If the services are delivered through community engagement strategies that build upon the resilience of people and communities, in accordance with the Fundamental Principles and other Movement Policies, the reputation and image of the National Society will be strong and its relationship with the community based on mutual trust and respect.

This strong relationship with the community and its leaders is essential, because when violence or armed conflict breaks out, the pre-existing level of trust and respect will contribute to greater acceptance of the National Society (and consequently of other Movement components as well), the direct result of which is greater security for National Society staff and volunteers, enabling them to gain access to those in need.

This is a cycle that is constantly renewed: for instance, when the National Society gains access to people in need to provide them with humanitarian assistance and protection, their actions and relationships with the community members will influence perceptions, which will have consequences for later attempts to gain access, and so on. Should misunderstandings arise, or for some reason perceptions are not favourable and the degree of acceptance not high enough to allow for adequately safe access to beneficiaries, the National Society must take concrete actions to change this state of affairs.

The Safer Access Framework provides specific guidance concerning the concrete actions a National Society could take in order to increase acceptance and access and improve security/risk management practices.

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## The Safer Access Framework<sup>21</sup>: Application guide

Safer Access element	Concrete action
<p><b>Context and risk assessment and analysis</b></p> <p>To operate safely within an environment of risk, one must understand that environment and those risks and manage them accordingly.</p>	<ul style="list-style-type: none"> <li>• Explore and analyse, together with the ICRC and other Movement partners, emerging trends and challenges to humanitarian action during armed conflict and other situations of violence, with a view to making such shared analyses the basis of coordinated contingency planning for the provision of rapid, effective and coherent response to the humanitarian needs of people and communities affected, while also strengthening their resilience.</li> <li>• Conduct an ongoing risk/hazard assessment, together with the ICRC, as part of the development of an overall risk management system and approach.</li> <li>• Explore and understand the similarities and differences between preparing and responding to disasters as opposed to armed conflict and other situations of violence in relation to environment, needs and Red Cross/Red Crescent Movement response.</li> <li>• Develop Movement-coordinated preparedness and contingency plans as well as standard operating procedures associated with responding to armed conflict and other situations of violence and prepare and operate under a well-defined Movement coordination framework.</li> </ul>
<p><b>Legal and policy base</b></p> <p>Sound statutory and legal base instruments and an equally sound policy base often provide a legitimate basis for access to restricted areas</p>	<ul style="list-style-type: none"> <li>• The National Society knows how international humanitarian law, human rights law and domestic legislation pertain to international and non-international armed conflict and other situations of violence in terms of its mandate.</li> <li>• The National Society's statutory and legal base</li> </ul>

<sup>21</sup> The elements of the Safer Access Framework include those specifically related to increasing a National Society's positioning and preparedness to respond in armed conflict and other situations of violence. They complement the standard emergency preparedness measures which all National Societies put in place to respond to disasters, including overall response management systems, logistics and communications systems. The elements are interconnected and do not stand alone. Actions taken in connection with one element may often influence with another. For instance, one cannot develop a security management system without a sound ongoing context analysis and risk assessment process and without appropriate internal communications systems and technology; an external communications plan whose aim is to help position the National Society cannot be fully developed without understanding the level of organizational acceptance among certain key groups. One cannot have conflict-response-ready personnel without having developed an appropriate context analysis, legal and policy base, code of conduct or security guidelines. It is intended that National Societies would take appropriate actions to incorporate these initiatives into their development and strategic plans and practices, policies, structures and programmes, staff and volunteer management systems, security/risk management structures and systems, tools and resources (such as standard operating procedures, codes of conduct and security guidelines), and training.

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<p>during armed conflict and other situations of violence. They must be known and respected within the National Society, and with external actors and communities.</p>	<p>instruments reflect its mandate to respond in international and non-international armed conflict and other situations of violence as required to provide humanitarian services in these environments.</p> <ul style="list-style-type: none"> <li>• The National Society's legal and policy base to respond is known and respected by internal and external stakeholders, including State and non-State armed actors and weapon bearers.</li> <li>• The National Society work towards strengthening domestic legislation, policies, agreements and plans in order to establish the framework required to enable them to provide effective assistance and protection to populations affected by armed conflict and other situations of violence.</li> <li>• The National Society is familiar with Movement policies pertaining to responding in armed conflict and other situations of violence and incorporates them in its own policies, strategy, operations and security/risk management systems, tools and training.</li> <li>• Domestic legislation governing the use of the emblem exists. Reference: 'Identification' section for actions related to protecting the emblem.</li> </ul>
<p><b>Organizational acceptance</b></p> <p>Providing relevant humanitarian services to the most vulnerable in accordance with the Fundamental Principles leads to a certain degree of acceptance, which ensures a certain level of security and therefore, access to those in need.</p>	<ul style="list-style-type: none"> <li>• The National Society provides relevant humanitarian services and is known and respected for providing them with integrity and transparency to the most vulnerable in an impartial, neutral and independent manner, in accordance with the Fundamental Principles and as a well-functioning or strong National Society.</li> <li>• The National Society has cultivated relationships based on respect, transparency and trust with all the international, national and local actors involved, including the government and community leaders, and has a positive image.</li> <li>• The National Society engages in a dialogue with its government to clarify matters related to providing neutral, impartial and independent humanitarian services to all persons affected in accordance with its role as auxiliary to public authorities in the provision of humanitarian services in armed conflict and other situations of violence; further development of domestic legislation, policies, agreements and plans may be initiated in order to establish the framework required to ensure access to everyone affected by armed conflict and other situations of violence.</li> <li>• The National Society exerts influence, where possible, on weapon bearers to respect the National Societies' role to provide neutral, impartial and independent humanitarian services, (as defined by the Fundamental Principles), with the support and involvement of the ICRC as appropriate.</li> <li>• The National Society is aware of how it is perceived by various individuals, groups and communities through</li> </ul>

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	<p>regular contacts, surveys or other means.</p> <ul style="list-style-type: none"> <li>The National Society is able to balance its role as auxiliary to public authorities in the provision of humanitarian services with the necessity of adhering to the principle of Independence and can demonstrate this by having access to everyone affected by conflict and by delivering independent assistance, no matter to which group.</li> </ul>
<p><b>Personal acceptance</b></p> <p>Volunteers, members and staff are representatives of the communities they serve and are recruited and deployed based on their ability to adhere to the Fundamental Principles and other qualities appropriate to their positions. They have adequate training and guidance to prepare them for the challenges of working in an environment of armed conflict or violence.</p>	<ul style="list-style-type: none"> <li>National Society staff, volunteers and board members know how to assess themselves and their teams in terms of their ability to represent the organization safely, in accordance with its mandate and the Fundamental Principles.</li> <li>The National Society follows recruitment and deployment practices that ensure that it is comprised of staff and volunteers representative of the communities it serves, who are able to personally commit themselves to the Fundamental Principles and other policies and adhere to them, and who will be accepted by the stakeholders and communities, thereby ensuring their security and that of the team and beneficiaries.</li> <li>A general or context-specific code of conduct, centred around the operational application of the Fundamental Principles and other policies and guidelines governing behaviour in armed conflict and other situations of violence, is in place and incorporated in staff and volunteer training, as is a system to monitor compliance and to respond to breaches.</li> <li>Human resources policies and standard operating procedures are in place to provide guidance on working conditions and working procedures for deployed staff and volunteers, to ensure that they are supported, compensated and managed during a response.</li> <li>Staff and volunteers are aware that they are responsible for assessing their level of stress, supporting their team members in this regard, and maintaining a healthy lifestyle even in extreme situations, and know how to do all this; the National Society has access to mechanisms for providing assistance to team members who may require psychosocial or stress management guidance.</li> </ul>
<p><b>Identification</b></p> <p>Certain initiatives must be taken to strengthen the image of the National Society and that of the Movement, such as linking the public's image of the Red Cross or Red Crescent to</p>	<ul style="list-style-type: none"> <li>Promote the implementation of the emblem law and respect for the emblems in accordance with the domestic legislation governing the use of the emblem. Reference: 'Legal Base and Policy' section.</li> <li>Know the extent to which the emblem is misused in the country and support the government in meeting its responsibility for ensuring that effective systems for</li> </ul>

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<p>the emblem, supporting governments in fulfilling their responsibility to prevent and address the misuse of the emblem and developing and enforcing internal National Society guidelines on the use of the emblem.</p>	<p>addressing such misuse are in place.</p> <ul style="list-style-type: none"> <li>• Have internal guidelines and enforcement mechanisms on the correct use of the indicative and protective emblems by National Society staff and volunteers, on uniforms, personal photo identification, products, premises and means of transportation.</li> <li>• Ensure materials and systems exist to enforce proper identification of people, structures and vehicles in accordance with internal guidelines and the needs of the context.</li> <li>• Disseminate, internally and externally, information on the proper use of the indicative and protective emblems.</li> </ul>
<p><b>Internal communications</b></p> <p>The effectiveness of the response and the safety of staff and volunteers depend very heavily on the unobstructed flow and analysis of information between the field and headquarters, and between the National Society and the ICRC, and require the systems and equipment to facilitate this exchange.</p>	<ul style="list-style-type: none"> <li>• A National Society chain of command and decision-making and communication processes to govern the response to armed conflict and other situations of violence need to be clearly defined and in place, together with a clear framework for Movement coordination.</li> <li>• Systems exist for the timely internal collection, analysis and flow of key information required to ensure operational efficiency throughout the National Society.</li> <li>• Mechanisms are in place at the various levels (local and headquarters) to ensure that strategic and operational communication (and coordination) takes place regularly between the ICRC and other Movement components operating in the context.</li> <li>• Establish confidentiality guidelines and appropriate measures to secure confidential information.</li> <li>• Assess the need for appropriate communications technology, procure what is necessary, and establish systems to ensure reliable and secure communication with teams operating in the field.</li> <li>• Have a National Society policy on the use of social networking sites by staff and volunteers and ensure that they are aware of it and that methods of monitoring and compliance mechanisms are in place.</li> </ul>
<p><b>External communications</b></p> <p>A well-developed communications strategy and plan, and implementation templates, tools, equipment and training to carry out the plan, coordinated with the ICRC and other Movement components, provides a solid</p>	<ul style="list-style-type: none"> <li>• The National Society will exert influence, where possible, on weapon bearers to respect the National Societies' role to provide neutral, impartial and independent humanitarian services, (as defined by the Fundamental Principles), with the support and involvement of the ICRC as appropriate.</li> <li>• The humanitarian activities of the National Society are widely communicated to key stakeholders within the country, to promote a positive image of the National Society.</li> </ul>

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<p>base for external communications.</p>	<ul style="list-style-type: none"> <li>• The National Society will have a clear public communication strategy and action plan for the specific context that incorporates a positioning strategy and is coordinated with the ICRC and other Movement components: <ul style="list-style-type: none"> <li>- close attention is given to the use of appropriate neutral language;</li> <li>- confidentiality guidelines and appropriate measures to secure confidential information are enforced;</li> <li>- strong Movement coordination of public communication: 'One Message-One Voice'.</li> </ul> </li> <li>• Have reliable and credible sources of operational information; cross-check to verify; check assumptions; avoid propaganda.</li> <li>• Systems exist for the collection, analysis and flow of key information required to ensure operational efficiency throughout the National Society and for consistent exchange with the ICRC and other Movement components.</li> <li>• Based on the context analysis, conduct widespread and targeted operational dissemination to key stakeholders in the context, including information on who we are, what we do and how we operate in accordance with the Fundamental Principles and other Movement policies.</li> <li>• When needed, incorporate strategies into operations to promote compliance with international humanitarian law by parties to the conflict or weapon bearers, in coordination with the ICRC.</li> <li>• Develop and incorporate into operations, humanitarian advocacy strategies for improving the situation, in humanitarian terms, of the people and communities affected by armed conflict and other situations of violence.</li> <li>• Use the National Society website in a way that is sensitive to the context, facilitates operations and ensures that it is harmonized with other Movement websites; explore other key sites for information and ensure that social media are used by staff and volunteers in accordance with the National Society's policies.</li> </ul>
<p><b>Security and risk management</b> (Guidelines and protective measures) A security/risk management system that is based on ongoing context and risk assessment, and that is fully incorporated in response</p>	<ul style="list-style-type: none"> <li>• A security/risk management system, together with guidelines and protective measures that are based on ongoing context and risk assessment and management, is developed and incorporated in operational response management structures and mechanisms are in place to ensure adherence.</li> <li>• National Society staff and volunteers receive training in the</li> </ul>

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operations and shared with the ICRC and other Movement components, increases the safety of National Society staff and volunteers and their access to affected people and communities.	<p>security/risk management system, including guidelines, code of conduct and protective measures, both passive and active.</p> <ul style="list-style-type: none"><li>• As a result of the ongoing joint analysis of the context, the National Society is aware of the potential risks to its staff and volunteers operating in that particular environment, communicates these risks clearly to them, ensures two-way communication on the emergence of new risks.</li><li>• The National Society assumes its responsibility for managing and mitigating the risks to its staff and volunteers, facilities and vehicles; staff and volunteers are aware of their personal responsibilities in this area as well.</li><li>• The National Society obtains insurance coverage for staff and volunteers working in crises, to adequately compensate them for possible injury, including psychological trauma/stress, or death in the line of duty.</li></ul>