

# **Agreement on the Organization of the International Activities of the Components of the International Red Cross and Red Crescent Movement**

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#### **Preamble**

The mission of the International Red Cross and Red Crescent Movement 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, to work for the prevention of disease and for the promotion of health and social welfare, to encourage voluntary service and a constant readiness to give help by the members of the Movement, and a universal sense of solidarity towards all those in need of its protection and assistance*".

The accomplishment of this common mission calls for the combined efforts and participation of all the components of the Movement. To respond with speed, flexibility and creativity to the needs of

all those calling for impartial humanitarian protection and assistance, the components must join their forces and capitalize on their diversity. To achieve that goal through effective collaboration in a spirit of mutual trust, to ensure an efficient mobilization of resources, the components must therefore, based on a clear sense of purpose and their common mission, organize their international activities on a sound and predictable basis. This implies observance of the Fundamental Principles and of the Statutes of the Movement, and a synergetic cooperation, coupled with a clear division of labour, among components having distinct but closely related and complementary roles and competencies.

This Agreement is more than an instrument of operational management or a statement of understanding. It sets into motion a profound change in attitude between members of the same Movement: the adoption of a collaborative spirit, in which every member of the Movement values the contributions of other members as partners in a global humanitarian enterprise. It is an agreement on cooperation and not merely on a division of labour, and it applies to all those international activities which, under the Movement's Statutes, the components are called upon to carry out in close collaboration. It establishes clear guidelines for the performance of tasks by Movement members, using the specific areas of competence and the complementary capacities of each to best effect. It provides for continuity of activities as situations change, and aims at fostering among the components a stronger sense of identity, of solidarity, of mutual trust and of shared responsibility.

With those objectives set out, this Agreement on the organization of the international activities of the Movement's components constitutes an essential element of a new common strategy of action that will allow the components to achieve three important goals:

- to provide more effective response to humanitarian needs using to best effect the Movement's many resources;
- to promote better respect for humanitarian principles, and for international humanitarian law;
- to create a stronger International Red Cross and Red Crescent Movement in which all components cooperate to the optimum extent.

## **Part I**

### **GENERAL**

#### **Article 1: Scope of the Agreement**

1.1 The Agreement applies to those international activities which the components are called upon to carry out in cooperation, on a bilateral or multilateral basis, to the exclusion of the activities which the Statutes of the Movement and the Geneva Conventions entrust to the components individually.

1.2 The "international activities" of the components are the activities of the National Societies defined in Article 3, paragraphs 3 and 5 of the Statutes of the Movement; the activities of the International Committee of the Red Cross defined in Article 5, paragraphs 2, 3 and 4 of the Statutes of the Movement; and the activities of the International Federation of Red Cross and Red Crescent Societies defined in Article 6, paragraphs 3, 4 and 5 of the Statutes of the Movement.

1.3 Pursuant to Article 7, paragraph 1 of the Statutes of the Movement, the Agreement defines the organization of international activities carried out in bilateral or multilateral cooperation between:

- the National Societies and their Federation;
- the National Societies and the ICRC;
- the National Societies between themselves;
- the ICRC and the Federation;

— the ICRC, the Federation and the National Societies.

1.4 Nothing in this Agreement shall be interpreted as restricting or impairing the specific role and competencies of each component according to the Geneva Conventions and their additional Protocols, and under the Statutes of the Movement.

## **Article 2: Object and Purpose of the Agreement**

The object and purpose of the Agreement is:

a) to promote the efficient use of the human, material and financial resources of the Movement and to mobilize them as rapidly as possible in relief operations and development activities in the interest of the victims of armed conflicts or of internal strife and their direct results, as well as of natural or technological disasters, and of vulnerable persons in other emergency and disaster situations in peacetime;

b) to promote closer cooperation among the components in situations referred to in Article 2 a) above;

c) to strengthen the development of National Societies and to improve cooperation among them, thus enabling National Societies to participate more effectively in the international activities of the Movement;

d) to obviate differences between the components as to the definition and the organization of their respective international activities and responsibilities within the Movement;

e) to strengthen functional cooperation among the ICRC, the Federation and National Societies.

## **Article 3: Guiding Principles**

The organization of the international activities of the components is at all times governed by the values and principles which guide the Movement, as enshrined in:

— the Fundamental Principles of the Red Cross and Red Crescent;

— the Statutes of the Movement;

— the Geneva Conventions and their Additional Protocols.

## **Article 4: Management Principles**

Implicit in the Statutes of the Movement are two organizational concepts which this Agreement defines as "the lead role" and "the lead agency".

### *A) Lead Role*

4.1 The Geneva Conventions and the Statutes of the Movement entrust specific competencies to each component which therefore plays a lead role in these matters.

4.2 The concept of lead role implies the existence of other partners with rights and responsibilities in these matters.

### *B) Lead Agency*

4.3 The lead agency concept is an organizational tool for managing international operational activities. In a given situation, one organization is entrusted with the function of lead agency. That organization carries out the general direction and coordination of the international operational activities.

4.4 The lead agency concept applies primarily in emergency situations as referred to in Article 2 a) above, where rapid, coherent and effective relief is required in response to the large-scale needs of the victims, on the basis of an evaluation of these needs and of the capacity of the National Society concerned to meet them.

4.5 Effective coordination between the components under the responsibility and general direction of the lead agency requires the establishment of appropriate mechanisms for consultation and a commitment by all those taking part to abide by coordination rules and procedures.

4.6 The effectiveness of an operation depends on adequate prior training and preparation of those carrying out the operation (emergency preparedness).

## **Part II**

### **INTERNATIONAL RELIEF ACTIVITIES**

#### **Article 5: Organization of International Relief Operations**

##### *5.1 Situations Requiring a Lead Agency*

A) International and non-international armed conflicts, internal strife and their direct results, within the meaning of the Geneva Conventions and their Additional Protocols and the Statutes of the Movement:

a) within the meaning of the Geneva Conventions and of this Agreement, the term "situation of armed conflict" covers the entire territory of the parties to a conflict as far as the protection and assistance of the victims of that conflict are concerned;

b) the term "direct results of a conflict" within the meaning of the Geneva Conventions applies beyond the cessation of hostilities and extends to situations where victims of a conflict remain in need of relief until a general restoration of peace has been achieved;

c) the term "direct results of a conflict" shall also apply to situations in which general restoration of peace has been achieved, hence the intervention of the ICRC as a specifically neutral and independent institution and intermediary is no longer required but victims remain in need of relief during the post-conflict period, especially within the context of reconstruction and rehabilitation programmes;

d) the term "direct results of a conflict" shall also apply to situations in which victims of a conflict are to be found on the territory of a State which is neither party to a conflict nor affected by internal strife, especially following a large scale movement of refugees.

B) Natural or technological disasters and other emergency and disaster situations in peace time which require resources exceeding those of the operating National Society and thus call upon the Principles and Rules for Red Cross and Red Crescent Disaster Relief to apply;

C) Armed conflict concomitant with natural or technological disasters.

##### *5.2 Armed Conflict and Internal Strife: Elements of Identification*

For the purposes of the application of the present Agreement and the organization of the international activities of the components,

a) an armed conflict exists when the armed action is taking place between two or more parties and reflects a minimum of organization;

b) 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, econom-

ic 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.

### 5.3 Lead Agency Role of each Component

5.3.1 The ICRC will act as lead agency, as provided for in Article 4 of the present Agreement, in situations of international and non-international armed conflicts, internal strife and their direct results as referred to in Article 5.1, Section A and in paragraphs a) and b), and in Section C (armed conflict concomitant with natural or technological disasters).

5.3.2 The Federation will act as lead agency in situations referred to in Article 5.1, paragraphs c) and d) of Section A, and in Section B (natural or technological disasters and other emergency and disaster situations in peace time which require resources exceeding those of the operating National Society).

5.3.3 A National Society may undertake the functions of lead agency necessary for the coordination of international relief assistance within its own territory subject to the concurrence of the ICRC or the Federation, as the case may be, as provided for in Article 3, paragraph 3 of the Statutes of the Movement.

5.3.4 If a natural or technological disaster occurs in a situation of conflict where the ICRC is already engaged, the ICRC will call upon the Federation to provide additional appropriate expertise to facilitate relief.

5.3.5 If an armed conflict or internal strife breaks out in a situation where there is ongoing Federation relief assistance activity, the transition provisions apply, as provided for in Article 5.5 of the present Agreement.

### 5.4 Unforeseen Situations

In handling unforeseen situations which do not fall within the situations referred to in Part II, Articles 5.1 and 5.3, the components of the Movement directly concerned undertake, in good faith and with common sense, to be guided by the Fundamental Principles and the Statutes of the Movement, to ensure, in the interest of the victims, maximum efficiency of the operation and harmonious cooperation within the Movement as a whole.

### 5.5 Transition

5.5.1 Where, as a result of a change of situation, responsibility for directing and coordinating an international relief operation is transferred from the ICRC or from the Federation in accordance with the relevant Articles of the present Agreement, the incumbent lead agency shall, in agreement with the operating National Society and in consultation with the participating National Societies, take all the steps appropriate to ensure an efficient and harmonious handover of the management and conduct of the new international relief operation by the component taking over the lead agency function.

5.5.2 Subject to the agreement of the donors who have contributed to financing the international relief operation which is being phased out, the funds and relief supplies available, together with the logistic and material resources deployed in the field, shall, if they are suited to the objectives of the new operation, be placed at the disposal of the lead agency henceforth responsible for its general direction and coordination.

### 5.6 Other International Relief Actions by National Societies

5.6.1 In situations where the needs of the victims do not call for the organization of an international relief operation under a lead agency, a National Society which provides direct assistance to the

Society of the country affected by a conflict or a disaster shall immediately inform the ICRC or the Federation, as the case may be.

5.6.2 Mutual emergency relief assistance agreements in case of natural or technological disasters between neighbouring National Societies, and bilateral or multilateral development agreements between National Societies shall be notified in advance to the Federation.

5.6.3 The fact that one or several National Societies submit a request for aid to the ICRC or to the Federation, or hand over relief supplies to one of them, shall in no way be deemed to modify the organization of functions and responsibilities between the two institutions as defined in the present Agreement. In such an event, the institution which is not competent will so inform the National Society or Societies concerned and will refer the matter without delay to the competent institution.

## 5.7 Operational Difficulties

5.7.1 Should an international relief operation directed and coordinated either by the ICRC or by the Federation be obstructed for a prolonged period, the lead agency shall consult the components involved with a view to bringing their combined influence to bear so that the obstacles to the operation may be overcome as soon as possible in the sole interest of the victims.

5.7.2 Where appropriate they may, by mutual agreement, decide to implement provisional measures which shall in no way be regarded as precedents affecting the respective mandates of the components of the Movement or the organization of tasks provided for in the present Agreement.

## 5.8 United Nations Specialized Agencies

5.8.1 In order to maintain among the components a coherent approach that will preserve the Movement's unity and independence, a National Society wishing to conclude a cooperation agreement with a specialized agency of the United Nations, shall keep the Federation and/or the ICRC informed.

5.8.2 In particular, it shall keep the Federation and/or the ICRC informed of any negotiations likely to lead to a formal agreement with the UNHCR which should be undertaken in association with the Federation and/or the ICRC.

## **Article 6: Responsibilities for General Direction and Coordination**

### **of International Relief Operations**

6.1 In situations defined in the present Agreement, where the general direction and coordination of an international relief operation is exercised by the ICRC or the Federation acting as lead agency, this function carries the following responsibilities:

#### 6.1.1 General Responsibilities

- a) to define the general objectives of the international relief operation based on access to the victims and on an impartial assessment of their needs;
- b) to direct the implementation of these objectives;
- c) to ensure that all actions within the relief operation are effectively coordinated;
- d) to establish appropriate mechanisms of consultation with Red Cross and Red Crescent partners;
- e) to coordinate international Red Cross and Red Crescent relief operations with the humanitarian activities of other organizations (governmental or non-governmental) where this is in the interest of the victims and is in accordance with the Fundamental Principles;

f) to act as a spokesman for the international relief action and to formulate the Red Cross and Red Crescent partners' response to public interest;

g) to mobilize financial resources for the relief operation and to launch appeals integrating when necessary other directly or indirectly related Red Cross and Red Crescent activities.

h) to ensure that the resources mobilized for an international relief operation are managed in a sound and efficient manner by the operating and the participating National Societies;

i) to promote, by means of project delegations, bilateral or multilateral cooperation agreements between participating and operating National Societies;

#### 6.1.2 Specific Responsibilities

A) In situations where the ICRC is acting as lead agency:

a) to establish and maintain relations and contacts with all the parties to the conflict and take any steps necessary for the conduct of international relief operations for victims, in accordance with the relevant provisions of international humanitarian law and in compliance with the Fundamental Principles of independence, neutrality and impartiality;

b) to assume ultimate responsibility for international relief operations vis-à-vis the parties to the conflict and the community of States party to the Geneva Conventions;

c) to define and ensure the application of any measure which may prove necessary to guarantee, to the greatest extent possible, the physical safety of personnel engaged in relief operations in the field;

d) to ensure respect for the rules in force relating to the use of the red cross and red crescent emblems for protective purposes;

e) to draw up, in consultation with the National Societies concerned, public statements relating to the progress of the relief operation.

B) In situations where the Federation is acting as lead agency:

a) to ensure that the participating and the operating National Societies comply with the Principles and Rules for Red Cross and Red Crescent Disaster Relief (1995) and the *Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief* (1995);

b) to offer the National Societies rapid information on disasters in order to permit mobilization and coordination of all possible forms of relief;

c) to promote, beyond the emergency phase, the establishment and the development of rehabilitation and reconstruction programmes, and to mobilize for this purpose the support of National Societies of other countries;

d) to decide, in agreement with the National Society of the country concerned, and after consultation of the donor Societies, on the use of any goods or funds that remain available at the end of an international relief operation.

### 6.2 Coordination of an International Relief Operation by a National Society within its own Territory

#### 6.2.1 Taking into account:

— the nature of the situation and the resulting constraints imposed upon the implementation of the operation;

- the scope of the needs to be met;
- the logistic means to be deployed;
- the preparedness and capacity of the National Society to undertake efficiently the action required in conformity with the Fundamental Principles,

A National Society may act as a lead agency in the sense of undertaking the coordination of an international relief operation within its own territory, subject to the concurrence of, and on the basis of general objectives defined by the ICRC or the Federation, as the case may be.

6.2.2 In this context, this function of coordination by a National Society within its own territory implies primarily the following responsibilities:

- a) to direct the implementation of the general objectives defined for the international relief operation;
- b) to direct the work of personnel made available by participating National Societies placed under the authority of the operating National Society for the purpose of the operation;
- c) to coordinate the relief operation with the humanitarian activities of other organizations (governmental or nongovernmental) having a representation and being active locally when this is in the interest of the victims and in accordance with the Fundamental Principles;
- d) to act as a spokesman for the international relief operation to respond to public interest;
- e) to ensure respect for the rules in force relating to the use of red cross and red crescent emblems;
- f) to ensure that the action is carried out and conducted in accordance with the Principles and Rules for Red Cross and Red Crescent Disaster Relief (1995) and the *Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief (1995)*;
- g) to ensure that the financial and material resources made available for the purpose of the relief operation through the ICRC and/or the Federation, as the case may be, are managed in a sound and efficient manner;
- h) to provide required and appropriate information to the Federation or the ICRC, as the case may be, on the progress of the relief operation in order to enable them to report to donors having responded to international appeals launched to mobilize the necessary financial resources to meet the general objectives set out.

### **Part III**

## **STRENGTHENING OF THE MOVEMENT:**

### **DEVELOPMENT AND FUNCTIONAL COOPERATION**

All components shall strive to assist each other to realize their full potential and adopt a policy of constructive complementarity in elaborating a comprehensive development approach.

#### **Article 7: Development of National Societies**

7.1 A National Society is primarily responsible for its own development.



7.1.1 National Societies shall contribute as far as their means permit to the development of other National Societies requiring such assistance, by means of bilateral or multilateral development agreements.

7.1.2 Such agreements shall take account of the relevant policies and strategies adopted by the Federation's General Assembly.

7.2 The Federation has the lead role with regard to development activities and to the coordination of international development support to National Societies. The ICRC provides support in matters falling within its statutory core competencies.

7.2.1 The specific tasks of the Federation in development activities include:

- a) formulating and reviewing development policies on behalf of the Movement in consultation with the other components;
- b) assisting National Societies to draw up development plans and project proposals;
- c) providing standards and guidelines for programme design and planning;
- d) setting criteria for mobilization and allocation of resources for development.

7.2.2 The ICRC shall contribute to the development of the National Societies in the following matters, in coordination with the Federation:

- a) technical and legal assistance in establishing and reconstituting National Societies;
- b) support of the National Societies' programmes for disseminating knowledge of international humanitarian law and the Fundamental Principles;
- c) involvement of the National Societies in measures taken to promote international humanitarian law and ensure its implementation;
- d) preparation of the National Societies for their activities in the event of conflict;
- e) contribution to the training of National Society personnel in fields related to its mandate.

7.2.3 In armed conflict situations, internal strife and their direct results, the Federation may continue to assist the National Society of the country concerned in its further development, taking into account that in such situations, where the ICRC is acting as lead agency as provided for in Article 5.3, the ICRC has the responsibility to coordinate and direct the relief operations in favour of the victims.

7.2.4 In armed conflict situations, internal strife and their direct results, the ICRC may expand its cooperation with the operating National Society concerned in order to strengthen its operational capacity. In such cases, the ICRC shall coordinate with the plans of the National Society concerned and the Federation in this regard.

7.2.5 Whenever it appears to either institution that a National Society has become unable to protect its integrity and to act in accordance with the Fundamental Principles, the ICRC and the Federation shall consult each other on the advisability of taking action, either jointly or separately. In the latter case, the two institutions shall keep each other informed of any action taken and of subsequent results.

## **Article 8: Functional Cooperation between the Components**

### **of the Movement**

8.1 The coherence of the action of the components of the Movement depends on cooperation and coordination among them in undertaking emergency actions in general or specific cases, as well as in all other areas of activity.

8.2 Functional cooperation between the ICRC, the National Societies and the Federation applies in particular to the following areas of international activities:

- a) establishment and recognition of National Societies and protection of their integrity;
- b) use and respect of the red cross and red crescent emblems;
- c) human resources development, training and preparation of personnel for international relief operations;
- d) cooperation at delegation level;
- e) relations with international institutions, non-governmental organizations and other actors on the international scene;
- f) coordination of international fundraising.

8.3 The principles outlined in Articles 3 and 4 of this Agreement may serve as a frame of reference for more detailed bilateral agreements on an *ad hoc* basis, that the ICRC and the Federation may wish to conclude for organizing their cooperation in specific areas at the institutional or regional levels.

8.4 The process of development of functional cooperation among the components, and the opportunities for its evolution in response to changes in the external environment can only be enhanced by continuous dialogue and regular consultation between those responsible for international activities within the ICRC and the Federation and with National Societies with a view to analyzing and anticipating needs. The initiative in respect of each specific area might best be taken by the organization having the lead role in that area.

## **Article 9: Communication, Fundamental Principles and International Humanitarian Law**

### *9.1 Public Relations and Information*

9.1.1 In their public relations, the ICRC, the Federation and National Societies, while performing their respective functions and thereby informing the public of their respective roles within the Movement, shall harmonize their activities so as to present a common image of the Movement and contribute to a greater understanding of the Movement by the public.

9.1.2 In order to ensure maximum efficiency in advocating humanitarian principles, according to the policies promulgated to that effect by the Council of Delegates, the components of the Movement shall cooperate in coordinating campaigns and developing communication tools. Whenever necessary, they may set up mechanisms to that effect, taking into account the lead roles of the different components.

### 9.2 Fundamental Principles

9.2.1 All components of the Movement shall ensure that the Fundamental Principles are respected by the Movement's components and statutory bodies.

9.2.2 The ICRC has the lead role in the maintenance and dissemination of the Fundamental Principles. The Federation and the ICRC shall collaborate in the dissemination of those Principles

among the National Societies. National Societies have a key role to play in upholding and disseminating the Fundamental Principles within their own country.

### 9.3 International Humanitarian Law

9.3.1 The ICRC has the lead role for promoting, developing and disseminating international humanitarian law (IHL). The Federation shall assist the ICRC in the promotion and development of IHL and collaborate with it in the dissemination of IHL among the National Societies.

9.3.2 National Societies shall disseminate, and assist their governments in disseminating IHL. They shall also cooperate with their governments to ensure respect for IHL and to protect the red cross and red crescent emblems.

## **Part IV**

### **IMPLEMENTATION AND FINAL PROVISIONS**

#### **Article 10: Implementation**

10.1 All components of the Movement undertake to respect and implement the present Agreement on the organization of their international activities, in accordance with Article 7 of the Statutes of the Movement.

10.2 Each component — the Federation, the ICRC, and National Societies — is individually responsible for the implementation of the provisions of this Agreement, and shall instruct its volunteers and staff accordingly.

10.3 Beyond their individual responsibility to implement the provisions of this Agreement, the ICRC and the Federation, because of their directing and coordinating roles, have a special responsibility to ensure that the Agreement be fully respected and implemented by the Movement as a whole.

10.4 As the institutions most often called on to act as lead agency in international activities, the ICRC and the Federation have a need to:

- share information on global operational activities of common interest;
- discuss possible difficulties which may hamper smooth cooperation between the components.

It is for these institutions to agree between themselves what arrangements are best suited to meet this need.

10.5 The Standing Commission, by virtue of the role conferred upon it by Article 18 of the Statutes of the Movement, shall call annually for a report on the implementation of the Agreement from the ICRC and the Federation, which will be transmitted to all National Societies as part of a consultative process.

10.6 The Standing Commission shall include an item on the Agreement on the agenda of each Council of Delegates, thus establishing a process of regular review of the Agreement.

10.7 If differences arise between the components concerning the implementation of the Agreement and if these cannot be otherwise resolved, the Standing Commission may establish an ad hoc independent body, as and when required, to arbitrate, with the agreement of the Parties, differences between the components of the Movement where conciliation and mediation have failed.

#### **Article 11: Final Provisions**

The present Agreement replaces the 1989 Agreement between the ICRC and the League of Red Cross and Red Crescent Societies (International Federation). It was adopted by consensus, in Resolution 6 of the Council of Delegates in Seville, Spain, on 26 November 1997.