

30th International Conference of the Red Cross and Red Crescent

26-30 November 2007

30th International Conference

Discussion paper

May 11, 2007

***Please note that this discussion paper and annexes
reflect initial stages of thinking
on ways to address the draft provisional agenda
of the 30th International Conference of the Red Cross and Red Crescent***

Introduction

The International Conference of the Red Cross and Red Crescent has been a unique forum for the discussion of humanitarian issues of joint concern to the Movement¹ and the States party to the Geneva Conventions since 1867. The 30th International Conference, which is to carry on this tradition in 2007, will bring together 194 States, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, 186 National Societies and a great number of observers.

The Conference will take place **26-30 November 2007** in Geneva, following the **General Assembly of the International Federation** (20-22 November 2007), and the **Council of Delegates of the Movement** (23-24 November 2007), which adopts the agenda of the Conference.

The present document outlines, in part 1, the theme and objectives of the Conference to be addressed; part 2 of the document offers suggestions for the structure of the Conference and lists the results expected from it; annexes refer to issues to be addressed under each objective as well as to the discussion and decision processes that are envisaged, including elements of possible commitments.

¹ The International Red Cross and Red Crescent Movement (referred to herein as the "Movement") is composed of the International Committee of the Red Cross (referred to herein as the "ICRC"), the National Red Cross and Red Crescent Societies (referred to herein as the "National Societies") and the International Federation of Red Cross and Red Crescent Societies (referred to herein as the "International Federation"). Throughout this document, the term "Movement" covers all the aforementioned components.

PART 1: CONFERENCE THEME, OBJECTIVES AND AGENDA

1.1 Theme and slogan

"**Together for humanity**" is the slogan that the Standing Commission has adopted for the 30th International Conference. It **draws attention to humanitarian partnerships as the overall theme of the Conference**. Strong partnerships between States, the Red Cross and Red Crescent global network and other humanitarian actors, such as international organizations, non governmental organizations and the civil society, are essential to effectively address the needs of vulnerable people worldwide. The Movement will be guided by this slogan over the next four years. It was also used for World Red Cross and Red Crescent Day on 8 May 2007.

National Societies, recognized by their governments as auxiliary to the public authorities in the humanitarian field², are especially well placed to respond to needs and to assist governments in fulfilling their humanitarian tasks. On the other hand, the Statutes of the Movement require that National Societies maintain their autonomy so that they can act at all times in accordance with the Fundamental Principles of the Movement. These principles have been adopted also by States, at the 20th International Conference in Vienna in 1965. The autonomy of National Societies, combined with their commitment to impartial and neutral assistance, is often the best available means to gain access to those in need, and their confidence as well.

1.2 Objectives

The objectives for the Conference are as follows:

Objective 1

To highlight the need for collaborative action and partnerships between States, the components of the International Red Cross and Red Crescent Movement and other stakeholders in addressing humanitarian challenges of common concern (see Annex 1).

This will be a primary objective of the Conference. It will be addressed in a general debate on the specific **humanitarian consequences of** some of the most pressing challenges of our day:

- **Environmental challenges** including climate change, extreme weather, environmental degradation, rapid unplanned urbanization and poor development practices that affect the lives of hundreds of millions of vulnerable people annually and require strengthened disaster prevention, risk reduction and response;
- **Migration** which causes so many migrants to become more vulnerable, as a result of marginalization and discrimination and/or inadequate access to basic services such as shelter, health facilities or food, or because of their precarious legal status (including when detained), enhancing their need for protection, assistance and better integration;
- **Violence** in non-international and international armed conflicts, and other situations of violence - for example, urban or sectarian confrontations and violence at community level - which endanger a growing number of vulnerable persons;

² Article 3 and Article 4, para. 3, of the Statutes of the Red Cross and Red Crescent Movement, adopted by the 25th International Conference of the Red Cross and Red Crescent in Geneva in 1986.

- ***Emergent and recurrent diseases and other public health challenges, such as HIV/AIDS, tuberculosis, malaria or avian and human influenza, that destroy lives and livelihoods and increase the vulnerability of entire populations while access to treatment and health services is inadequate and when those affected are stigmatized, marginalized and excluded from society.***

Objective 2

To recognize the specific nature of the Red Cross and Red Crescent Movement in action and partnerships, including the unique value of the role of National Societies as auxiliaries to the public authorities in the humanitarian field (see Annex 2);

Objective 3

To reaffirm the continued applicability and relevance of international humanitarian law (IHL) for preserving human life and dignity in armed conflict (see Annex 3);

Objective 4

To prioritize appropriate avenues for strengthening the legal framework for international response to disasters at the international, regional and national levels (see Annex 4).

The Conference will also be called upon to explore **challenges and trends in the follow-up required of States and the components of the Movement on resolutions and pledges made at previous conferences** (see Annex 5).

The attached outline documents (Annexes 1 to 5) provide indications on issues to be raised at the Conference to address the above mentioned objectives and on expected results.

1.3 Agenda

The Standing Commission has established the draft provisional agenda and programme of the Conference to be issued together with the convocation of the Conference.

Rule 6.2 of the Rules of Procedure of the Movement requires that observations, amendments or additions to the provisional agenda be received by the Standing Commission at least 60 days before the opening of the Conference, i.e. prior to 25 September 2007.

Pursuant to Articles 10.4 and 17.1 of the Statutes of the Movement, the Conference will be invited to elect in a personal capacity five members of the Standing Commission of the Red Cross and Red Crescent.

PART 2: RESULTS AND STRUCTURE

2.1 Conference results

Members of the Conference are invited to:

- | *Adopt by **consensus resolutions** addressing key humanitarian issues facing States and the Movement;*
- | *Submit **voluntary pledges** to undertake specific actions, either individually or in partnership, which complement the resolutions.*

2.1.1 Resolutions

Related to the main objectives mentioned above, the Conference will be called upon to **adopt resolutions** on:

- | **collaborative action and partnerships to address humanitarian challenges introducing** a strategy-setting consensus outcome document (possibly, a declaration) reflecting the key messages of and the expected follow-up to the general debate on the main areas for humanitarian partnerships between States, the components of the Movement and other stakeholders for the coming 5-10 years (leading up to the 32nd International Conference in 2015) (see Annex 1);
- | **the specific nature of the Red Cross and Red Crescent Movement in action and partnerships** – including a definition of the role of National Societies as auxiliaries to the public authorities in the humanitarian field (see Annex 2);
- | **the reaffirmation of international humanitarian law** – reaffirming the relevance and binding nature of international humanitarian law, expressing renewed commitment to respect and ensure respect for humanitarian law and calling on action for enhanced implementation (see Annex 3);
- | **strengthening the legal frameworks for international response to disasters** – acknowledging progress made, adopting "Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance" and establishing future mandates in this area (see Annex 4).

2.1.2 Pledges

Further, participants (i.e. the components of the Movement, States and observers) will be invited to undertake voluntarily, acting independently or jointly, specific humanitarian commitments for the period 2008-2011 in the form of **pledges**. This is a well established tradition. Joint pledges, undertaken as a means of building partnerships will of course be particularly relevant to the slogan of the Conference, "Together for Humanity."

Participants may make individual or collective pledges. Collective pledges are those sponsored by a group of participants (e.g.: a regional group or a National Society and its government) who make a commitment to achieve shared goals, individually or in partnership.

A number of model pledges (individual or collective) will be submitted for consideration prior to and during the Conference. Workshop organizers will be invited to prepare model pledges on their chosen topics.

All pledges should:

- | **Relate to the objectives and issues addressed by the Conference;**
- | Preferably **promote partnerships** between participants that involve joint action and shared goals;
- | Be *action-oriented, specific and indicate in measurable terms the objectives* to be reached in the period 2007-2011;
- | Be reasonably short (maximum 10 lines).

For further guidance, see the "Guidelines for pledging".

2.2 Tentative programme (26-30 November 2007)

- | 26 Nov. (Day 1) – (afternoon) opening ceremony / keynote addresses / panel discussion; reception.
- | 27 Nov. (Day 2) – plenary session: general debate on collaborative action and partnerships to address humanitarian challenges.

- | 28 Nov. (Day 3) – (morning) work in commissions: Commission A on the specific nature of the Red Cross and Red Crescent and the auxiliary role of National Societies (objective 2); Commission B on international humanitarian law (objective 3);
(afternoon) workshops;
drafting committee (in parallel).
- | 29 Nov. (Day 4) – (morning) work in commissions: Commission A (continued) on the specific nature of the Red Cross and Red Crescent and the auxiliary role of National Societies (objective 2); Commission C on the legal framework for international response to disasters (objective 4);
(afternoon) plenary session: election of the Standing Commission; feedback from commissions; issues related to the follow-up to previous conferences;
drafting committee (in parallel).
- | 30 Nov. (Day 5) – plenary session: overview of workshops and pledges; adoption of resolutions.

2.2.1 Plenary sessions and commissions

The **plenary sessions** and **commissions** are the main fora for discussions and debate.

2.2.2 Drafting committee

The drafting committee, open to all Conference members, will consider draft resolutions and other Conference outcome documents before presenting them to the plenary for adoption. It will receive regular updates on discussions in the commissions as well as possible key messages from workshops. The drafting committee should begin its work on Day 3. Depending on the expected outcome of the Conference, an earlier start on Day 2 may be required.

2.2.3 Workshops

The workshops will supplement the official proceedings of the Conference by providing more **discussion on humanitarian topics related to the Conference theme and objectives**. They are thus an integral part of the Conference but not of its formal agenda. There is no requirement for decisions or consensus in workshops.

- | National Societies, States, the ICRC and the International Federation may offer to organize workshops individually or jointly; observers may organize workshops together with members of the Conference;
- | Pledges may be proposed by workshop organizers (see 2.1.2);
- | A tentative programme of workshops has been established by the Standing Commission and communicated with the official convocation of the Conference in May 2007; this programme will be finalized in September 2007 taking into consideration feedback received.

2.2.4 Side events and exhibitions

Side events and exhibitions will highlight experiences and “best practices” relating to:

- the implementation of the 2003 Declaration and Agenda for Humanitarian Action or
- the objectives of the 30th International Conference.

ANNEX 1

OUTLINE DOCUMENT: **COLLABORATIVE ACTION AND PARTNERSHIPS AT THE 30TH INTERNATIONAL CONFERENCE**

Objective 1 of the Conference

To highlight the need for collaborative action and partnerships between States, the components of the International Red Cross and Red Crescent Movement and other stakeholders in addressing humanitarian challenges of common concern.

Aim

The primary objective of this Conference is to highlight, possibly with the adoption of a strategy-setting consensus outcome document (a declaration), the need for collaborative action and partnerships between States, components of the Movement and other stakeholders to address the specific *humanitarian consequences of environmental challenges, including climate change; migration; violence, in particular in urban settings, emergent and recurrent diseases and other public health challenges*, for the coming 5-10 years (leading up to the 32nd International Conference in 2015). It is now urgent that these humanitarian challenges be debated with a view to identifying opportunities for complementary action as well as effective humanitarian partnerships between the components of the Movement, States and other partners. This is all the more important now, for debates elsewhere have shown that the global scale of each of these challenges today exceeds the coping capacity of any one individual State or humanitarian organization.

Rationale

Those involved in humanitarian activities need to anticipate the humanitarian consequences of a combination of problems which may aggravate one another.

- *Environmental challenges, such as climate change*, are bound to have a strong impact on the emergence of humanitarian crises in the coming decades. It is difficult to predict the exact scale of the natural disasters, political or societal tensions and conflicts that such changes will bring in their wake – however, what seems to be clear is that there is a shared sense of urgency due to the accelerated rhythm of natural disasters and their impact on human beings. For instance, the increased risk of both drought and floods will have severe consequences for human health and agriculture production, while degrading soil and scarce water resources will further threaten food security amongst growing populations.

- *Migration* is a multifaceted and complex global issue, which today touches every country in the world. Issues surrounding the movement of people from place to place have been discussed between governments and other stakeholders for many years, including with regards to international protection afforded to refugees and to growing concern linked to displacement of people within their own countries. However, what is less often brought to prominence in such debates are the humanitarian consequences of migration. People affected by this phenomenon are especially vulnerable to disrespect of their fundamental rights and they often live in precarious conditions, in the slums of big cities, outside the conventional health, social and legal systems. They may be detained, and in such cases they are sometimes held in processing centres without appropriate protection. Although the debate is not expected to delve into the causes of migration, humanitarian consequences must take account that migration of tens of millions of people can be triggered by environmental degradation, violence, pandemics, poverty and malnutrition, and lack of opportunities in life.
- *Violence* in urban settings, while not new, is now an urgent humanitarian concern. When fighting takes place in densely populated cities, especially in the midst of armed conflicts, the high number of civilian casualties due to fighting, the destruction of infrastructures, the disruption of basic services (health, water, sewage, etc.) and the loss of livelihoods and property cause great suffering. Gang violence, communal violence, riots, and attacks designed to spread terror among the population are costly in lives and often contribute to material damage, movements of population, as well as fear, hatred, and polarisation of society along identity lines. Sometimes, excessive use of force aimed at upholding public order leads to additional humanitarian concerns.

The aggravated nature and the long term humanitarian consequences of violence in cities call for concerted or collective humanitarian action at a time of rapid population growth and urbanization.

Situations of violence covered by international humanitarian law will also be discussed, from a more legal perspective, under objective 3 of the Conference.

- *Emergent and recurrent diseases and other public health challenges*

The threats posed by pandemic diseases like HIV, avian and human influenza, tuberculosis and malaria have been exacerbated by a decline in capacity of the public health infrastructure, including water and sanitation, in many countries and its ability to cope. This, alongside demographic change, has also focussed attention on food insecurity and poor nutrition and their consequences for increased morbidity and mortality.

The access of the vulnerable populations to primary health care is also increasingly in danger for different reasons. The trend to privatize health care has put services and medicines beyond the reach of the most vulnerable in some countries. Moreover, the role of National

Societies in such circumstances is increasingly complex, particularly as their humanitarian mission often sees them caring for people who are no longer covered by government health programs.

Health risks are exacerbated in several areas of specific concern. In armed conflicts and other situations of violence access of those in need to medicine, health care and vaccines is reduced. In prisons health risks are aggravated and not always fully addressed. In times of natural disasters and other emergencies health care providers are often unable fully to discharge their responsibilities.

Mission, principles and added value of the Movement

Although each of the four challenges has been identified as a major issue of different organisations in the international community, each also generates concerns, vulnerabilities and responsibilities pertaining to the mission of the Movement and to the respective mandates and capacities of its various components. The International Red Cross and Red Crescent Conference proclaimed, when adopting the Movement's Statutes in 1986, that the mission of the Movement was "*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 Conference also reaffirmed the importance of the Fundamental Principles, by including them in the Preamble of the Statutes of the Movement, while also calling upon States to respect at all times the adherence by all the components of the Movement to those principles.

The components of the Movement apply the Fundamental Principles in their daily work. They seek to preserve a measure of **humanity**, a core principle of the Movement, in many difficult contexts, particularly in the midst of armed conflicts and other situations of violence. Guided by this principle, they play a vital role in many humanitarian fields, such as health, social care, disaster preparedness and response, assistance and protection to victims of armed conflicts and other situations of violence, dissemination of international humanitarian law, principles and values.

In conformity with the principle of **unity and universality**, Red Cross and Red Crescent National Societies represent an active segment of civil society nationally and constitute a global humanitarian network, which is referred to as the International Red Cross and Red Crescent Movement.

The historic status of the Movement and its adherence to the principles of **neutrality** and **impartiality** inspire trust of the population at large, public authorities and other stakeholders. This facilitates the mission of National Societies who, supported by the ICRC and International Federation in their respective domains and working under their emblems, do important work in promoting respect for diversity and tolerance in the societies at large as they benefit from broad access and confidence of those in need.

As auxiliary to the public authorities in the humanitarian field, National Societies complement the respective public services while maintaining their **independence**.

Driven by the principle of **voluntary service**, almost 100 million Red Cross and Red Crescent volunteers go the last mile and reach the populations hardest to reach, sometimes deprived of access to those services. Due to their position in the communities, volunteers play a crucial role in the early recognition of humanitarian needs, information on and access to assistance and preventive measures.

Governments, National Societies, their Federation and the International Committee of the Red Cross will come to the International Conference to explore ways to mobilize and maximize this priceless resource for community actions.

They will strive for meaningful responses of the Movement, building on the respective mandates and capacities of its components, to the humanitarian needs of the most vulnerable. In conformity with existing policies and commitments the specific needs of women will be given appropriate attention.

Other humanitarian players have important missions too. It is in coordination with others and not in a spirit of exclusiveness and competition, that the growing magnitude of the above challenges should be addressed. There are examples of that already happening in various parts of the world and the Conference members will be invited to share such experiences and best practices of the coordination and/or partnerships between the components of the Movement, Governments and other humanitarian players where those partnerships made a qualitative difference in addressing vulnerabilities and reducing suffering.

Each of these humanitarian challenges must be addressed in an atmosphere free from political or partisan direction. The mission and Fundamental Principles of the International Red Cross and Red Crescent Movement make this International Conference a unique venue to discuss them at this crucial time.

Process

The main issues and expected outcome document will be introduced in a **background document** that will be made available as an official working document of the Conference.

These four issues will be addressed in a **panel at the opening ceremony** of the Conference on 26 November and – by members of the Conference - during the plenary debate.

The **plenary debate**, along with focussed discussion in **workshops** and **side events**, will encourage the sharing of experiences and best practices of the partnerships between the components of the Movement and State authorities as well as other humanitarian players. Such sharing will emphasise the qualitative difference partnerships can bring to programs aimed at addressing vulnerabilities and reducing suffering.

Debate at the Conference will also be facilitated by information on action taken at the International Federation's General Assembly and the Movement's Council of Delegates which both precede the Conference.

Key elements of the debate will be communicated to the Drafting Committee for due consideration and further action.

The Conference will be expected to adopt by consensus a **resolution** containing a strategy-setting consensus document reflecting the key elements of and the expected follow-up to the general debate. It will address priority areas of collaborative action and partnerships to deal with humanitarian challenges facing States and the Movement for the coming 5-10 years (leading up to the 32nd International Conference in 2015) .

The Members of the Conference will be also invited to submit **voluntary pledges** to undertake specific actions, either individually or in partnership, related to the issues raised at the plenary debate.

Expected results

The following list of expected results is not meant to be exhaustive, but indicative of the kind of avenues the Conference could explore. These will form the basis for the strategy-setting consensus outcome document mentioned above.

Environmental challenges, including climate change

Governments and the components of the Movement will look at ways both to decrease the vulnerability of communities where environmental challenges and degradation are high and adaptive capacity is low and to improve individual and collective capacity to swiftly respond to new types of humanitarian challenges. Areas in which National Societies could act in their role as auxiliary to the public authorities in the humanitarian field will be identified.

In order to ensure that climate change mitigation policies and disaster management policies are well integrated, Governments together with National Societies and other stakeholders will strive to come to a better understanding of the humanitarian consequences of environmental degradation, including climate change in their respective countries. They will emerge with an improved ability to work together to address such consequences, to identify appropriate policies and measures, to mobilise human and financial resources and to support the efforts of the various components of the Movement to implement risk reduction programs (in the larger context of disaster risk reduction) targeting the needs of the most vulnerable people.

Governments and National Societies, particularly in high income countries will look at ways to ensure coherence in disaster risk reduction and climate adaptation strategies and mobilise resources to implement these, with a priority for developing countries.

Participants in the Conference should also examine how better to promote knowledge and respect in armed conflicts for the provisions of international humanitarian law concerning the protection of the environment.

Migration

Governments and the components of the Movement will look at ways to ensure that people in the migration cycle who are without any other suitable

protection and assistance receive the help they need regardless of their status so that their life, health and dignity are maintained. They will look at ways of reducing their vulnerability and that of their families.

The debate will emphasize the respect that must be accorded to people in their diversity: ethnic, religious, cultural, economic and social. It will identify opportunities to fight discrimination, social exclusion and marginalization, thereby attaching a concrete value to the Conference slogan “Together for Humanity”.

It will also demonstrate the practical value of the Movements’ tools, including ICRC programmes supporting National Societies’ tracing activities and programmes supporting people whose legal status is uncertain or whose fundamental rights and basic human needs are not acknowledged in the countries in which they live.

Violence, in particular in urban settings

The Conference participants will consider actions which could be taken to prevent and mitigate the humanitarian consequences of violence in cities, often aggravated by the proliferation of weapons, and give concrete responses to the needs of the most vulnerable in an unsafe environment, in particular, in the context of an armed conflict.

Governments and the components of the Movement may also look at ways of building community activities that will strengthen the social fabric. Participants in the Conference will examine how to promote respect for diversity in communities, thereby fighting racism, discrimination, marginalization and xenophobia. Red Cross and Red Crescent volunteers, especially youth, play a key role in this endeavour and need concrete support for their actions rooted in the Fundamental Principles of the Movement.

Debate can be expected to encourage exchanges on the partnerships necessary to combat the cycle of violence which is now embedded in some communities and some of the world’s largest cities. It encompasses a wide range of actions with the most serious of humanitarian consequences: gang violence, the effects of drugs and crime, the victimisation of whole populations by acts designed to spread terror in the population.

Emergent and recurrent diseases and other public health challenges

Governments and the components of the Movement will explore ways to mobilize and maximize the unique resource of National Society volunteers. They will also encourage the development of national health programming which builds upon the role of National Societies as auxiliaries to their public authorities. They will discuss risk reduction (e.g. mass vaccination campaigns against polio and measles), as well as response to humanitarian needs - in the area of health - of victims of disasters, armed conflicts and other situations of violence.

Participants in the Conference may also examine global health challenges, including pandemics and epidemics, with a view to ensure access to medicines (tuberculosis, malaria, HIV, avian influenza) and to vaccines to vulnerable communities and to protecting services to people living with HIV in times of armed conflicts and other situations of violence.

Partnerships with other stakeholders

Some of these activities and partnerships contribute to the achievement of the Millennium Development Goals around the world and complement the actions of other organisations which prioritise these topics.

A very wide range of other stakeholders has been invited to the Conference. There will be representatives of all relevant members of the UN agencies, as well as other international and regional organisations, NGOs, academia and, importantly, the private sector. The components of the Movement, because of the very nature of their work at all levels in communities around the world, understand well the importance of optimizing interaction with all relevant institutions.

Similarly, the components of the Movement appreciate the expertise available from academic and other expert institutions. Timely access to the latest technical and scientific information is a key to effective humanitarian relief and the assessment of vulnerability. This covers all fields of Red Cross Red Crescent work, and the debate and associated workshops will enable information to be shared on improved exchange on early warning relevant to disasters, weather forecasting, urban growth, epidemiological situation, migration trends, etc.

The conference theme will encourage the proactive sharing of information about how existing links, including between universities and other academic institutions, can be improved within countries and across national borders.

The Movement recognises that ambitions for improved sharing between governments, other stakeholders and its own components depend to a large extent on the successful utilisation of modern information and communications technology. This will be a topic threading through all debates, as will the importance of ensuring that the humanitarian agenda of the Movement, the specific mandates of its components and the requirement that all action be undertaken within the Movement's Fundamental Principles, are well articulated to and understood by the media.

The Conference will be informed on action taken within the Movement by its components on these issues. Debate at the conference will also be facilitated by information on action taken just before the conference opens at the International Federation's General Assembly and the Movement's Council of Delegates.

ANNEX 2

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

Objective 2 of the Conference

To recognize the specific nature of the Red Cross and Red Crescent Movement in action and partnerships, in particular the unique value of the role of National Societies as auxiliaries to the public authorities in the humanitarian field

Background / Issues

National Societies are recognized by all governments as auxiliary to the public authorities in the humanitarian field. As such, they are equipped to partner governments in the fulfilment of national humanitarian responsibilities. At the same time, the Statutes of the Movement require that National Societies maintain their autonomy so that they can act at all times in accordance with the Fundamental Principles of the Movement. These principles have been adopted also by States, at the 20th International Conference in Vienna in 1965. The independence of National Societies, combined with their commitment to impartial and neutral assistance, is often the best available means to gain access to those in need, and their confidence as well. States profit from this unique relationship with a reliable and impartial partner, which is both community-based and organically linked with the rest of the International Red Cross and Red Crescent Movement. Hence the auxiliary role of National Societies constitutes one of the defining characteristics of the Movement as a whole, distinguishing it from the UN system and other forms of humanitarian response.

The 28th International Conference accepted the concept of a balanced relationship between the States and National Societies and requested the International Federation to continue its work on the subject and report to the 2007 International Conference.

Process

As part of this consultative process the International Federation and ICRC held an expert meeting with participation from National Societies and government representatives focused on the status and role of the National Societies as auxiliaries to their respective public authorities in the humanitarian field (Geneva, 22-23 February 2007). The meeting gathered the representatives of a wide range of National Societies and their respective national authorities represented in Geneva by Permanent Missions. These National Societies showed a particular interest in this subject through pledges they made at previous International Conferences, studies they presented at regional fora, or format of cooperation they established with their own national public authorities as their auxiliaries, etc.

The discussion focused on the elements of the definition of auxiliary role and its pertinence to a National Society's mission, mandate and activities. It was pointed out that the scope of National Societies' auxiliary role should be the product of agreement or at least an understanding between governments and their National Societies in each individual case highlighting mutual respect, rights and responsibilities.

An important aspect of the specificity of the National Societies and their difference from non governmental organizations (NGO) is the mechanism of the National Society's establishment. The unique role of NS is created and recognized through parliamentary or governmental action based on the Geneva Conventions and domestic law. This action includes a special recognition act which guarantees their independence from governments in conformity with the Statutes of the Movement, adopted by the 25th International Conference of the Red Cross and Red Crescent in Geneva in 1986. In particular, the First Geneva Convention 1949 Article 26 and the Statutes of the Movement (Article 3 (1) and 4 (3)) alludes to the fact that the National Societies serve as auxiliaries to the public authorities in the humanitarian field.

Based on these discussions the following updated version of the working definition was elaborated:

"A privileged / unique partnership, entailing mutual responsibilities and benefits, based on international and national laws, in which the national public authorities and the National Society agree on the areas in which the National Society supplements or substitutes public humanitarian services. The National Society must be able to deliver its humanitarian services at all times in conformity with the Fundamental Principles and with its other obligations under the Statutes of the International Red Cross and Red Crescent Movement as agreed by States in the International Conference of the Red Cross and Red Crescent."

Further consultations are still planned this year in both National Society and governmental settings as well as in international community settings. It has proved valuable to highlight the place of National Societies in such mechanisms as those which manage disaster preparedness and response, health emergencies and other matters at all relevant levels.

Conference participants will receive a **report**, an official working document of the Conference, on the progress made in strengthening understanding of the auxiliary role of National Societies, pursuant to the requirements of Resolution 1 of the 28th International Conference. The main issues and expected commitments, including a **draft resolution**, will be introduced in this report.

On Day 3 and 4 of the Conference (28 and 29 November), a **Commission** (Commission A) on the specific nature of Red Cross and Red Crescent action and National Societies' role as auxiliaries to the public authorities in the humanitarian field will hold a general discussion on issues raised in the report and proposed resolution.

A summary report of the work in the Commission will be presented in plenary on Day 4 (29 November) and submitted to the Drafting Committee for due consideration.

Informal **workshops and side events** may be organized to discuss and explore topics highlighting the specific nature of Red Cross and Red Crescent action and the National Societies' role as auxiliaries to the public authorities in the humanitarian field. Where appropriate, the key messages from workshops may be submitted to the Drafting Committee for due consideration.

The **Drafting Committee** will be in session on the third and fourth day of the Conference and will consider the proposed draft resolution on the specific nature of Red Cross and Red Crescent action and National Societies' role as auxiliaries to the public authorities in the humanitarian field the before presenting it to the plenary for adoption on the last day of the Conference (30 November).

Elements of a possible resolution

The Conference is expected to adopt a **resolution** with recommendations necessary for guiding States and the components of the Movement in establishing a balanced relationship between public authorities and National Societies when acting as auxiliaries in the humanitarian field.

Members of the Conference may wish to reaffirm the vital importance of maintaining a permanent dialogue between the National Society and its national public authorities within the agreed framework for humanitarian action. To this end it will be important, inter alia:

- to reach consensus among the members of the Conference on what auxiliary role entails;
- to reaffirm the value of the National Society auxiliary role by adopting its updated definition elaborated by the National Society and Government experts;
- to demonstrate benefits for public authorities at all levels of having National Societies as their auxiliaries;
- to reaffirm the recognition that it is the primary responsibility of States and their respective public authorities to provide humanitarian relief to vulnerable persons on their respective territories;
- to recognize the States' primary responsibility regarding respect for the Red Cross and Red Crescent at all levels, in particular, the duty of the Movement's components to abide by the Fundamental Principles, in particular those of independence, impartiality and neutrality, and by the Movement's policies, and to accept the components' solidarity with and accountability to the Movement in implementing policies and carrying out activities;
- to adopt characteristics of balanced relationship between National Societies and their public authorities;
- to recognize the distinction between the National Society and humanitarian non governmental organizations deriving from the specificity of its dual identity as auxiliary to the public authorities in the humanitarian field and as part of the International Red Cross and Red Crescent Movement;
- to call upon the National Societies to build capacity enabling them to promote their auxiliary role domestically in their dialogue with the government;
- to produce information material for National Societies, public authorities and general public, as well as any necessary tools for partnership between National Societies and their public authorities.

Conference participants are also invited to consider making pledges to further the achievement of the resolution.

ANNEX 3

**OUTLINE DOCUMENT:
INTERNATIONAL HUMANITARIAN LAW
AT THE 30TH INTERNATIONAL CONFERENCE**

Objective 3 of the Conference

To reaffirm the continued applicability and relevance of international humanitarian law for preserving human life and dignity in armed conflict

1. Reaffirmation of international humanitarian law

Background / Issues

The history of the Red Cross and Red Crescent Movement is closely connected to the origins and development of international humanitarian law. However, the obligation to respect and ensure respect for humanitarian law falls primarily on States party to the Geneva Conventions. One of the challenges facing States is to properly implement the law at the national level, to respect the law on the ground and to have it enforced in case of violation. It is gratifying to note that the Geneva Conventions have achieved universal ratification. However, the Conventions operate in an environment where not all States have taken all necessary steps to fully implement them, where knowledge of the law among combatants and the civilian population is still inadequate, where the enforcement of the law needs to be strengthened and where questions have been raised about the adequacy of the law in contemporary armed conflicts. As a result, the reaffirmation of the relevance and applicability of humanitarian law in all armed conflicts, regardless of their nature or the motives underlying them, as well as the need for full implementation, proper dissemination and effective enforcement will be key concerns for the Conference.

Process

The main issues and expected commitments, including a **draft resolution**, will be introduced in a **background paper** to be issued as an official working document of the Conference.

On Day 3 of the Conference (28 November), a **Commission** on the Reaffirmation of International Humanitarian Law will hold a **general discussion** on issues raised in the background paper and the proposed draft resolution.

A **summary report** of the work in the Commission will be presented in **plenary** on Day 4 (29 November) and submitted to the Drafting Committee for due consideration.

A number of informal **workshops and side events** may be organized to discuss and explore specific topics of humanitarian law. Where appropriate, key messages from workshops may be submitted to the Drafting Committee for due consideration.

The **Drafting Committee** will be in session on the third and fourth day of the Conference and will consider the proposed draft resolution on the reaffirmation of international humanitarian law before presenting it to the plenary for adoption on the last day of the Conference (30 November).

Elements of a proposed resolution

In a **resolution of the Conference**, States party to the Geneva Conventions and the components of the Movement are expected to reaffirm that international humanitarian law remains as relevant in armed conflicts today as ever before, to renew their unequivocal commitment to respect the law and to ensure its respect. Furthermore, they are expected to reaffirm basic tenets of humanitarian law such as the principle of distinction and the fundamental guarantees to which all persons in the power of a party to the conflict are entitled. The resolution is envisaged to contain the following elements:

- **Preamble.** The preamble will contain introductory considerations about the general framework in which international humanitarian law operates today, such as the universal ratification of the 1949 Geneva Conventions and the need to step up efforts to implement, disseminate and enforce humanitarian law.
- **Reaffirmation of the principle of distinction.** The resolution will reaffirm the principle of distinction which is a cardinal principle of international humanitarian law. It will recall the obligation to respect this principle by all parties to all conflicts, regardless of circumstances and regardless of the motives underlying the conflict.
- **Access to victims of armed conflict and respect for the medical mission.** The resolution will reaffirm rules relating to humanitarian assistance to populations in need, the importance of respect for the medical mission - in particular when it is accomplished by Red Cross/Red Crescent volunteers - and the protection of persons and objects displaying the distinctive emblem.
- **Reaffirmation of fundamental guarantees.** The resolution will recall that, in addition to specific protections for certain categories of civilians and for certain categories of detainees, such as prisoners of war, international humanitarian law also provides for absolute minimum standards to which everyone in the power of a party to a conflict is entitled. These include the right to humane treatment, the prohibition of torture and other forms of ill-treatment, the prohibition of arbitrary detention and the right to a fair trial.
- **Reaffirmation of other rules of humanitarian law.** In addition to the above, the resolution will reaffirm other important rules which continue to be of particular relevance in contemporary armed conflicts, e.g. the protection of civilians against all types of explosive remnants of war and the protection of journalists.
- **National Implementation.** The resolution will stress that the obligation to respect international humanitarian law cannot be fulfilled without full domestic implementation of States' international obligations. In this respect, the resolution will underline the need for a domestic legislative and administrative framework.
- **Training and education.** The resolution will recall that the obligation to respect international humanitarian law requires that armed forces are properly trained in its application and that the civilian population is educated about it.
- **Enforcement.** While implementation, training and education are prerequisites for States to comply with their obligation to respect international humanitarian law, the enforcement of humanitarian law is a prerequisite to put an end to impunity and to encourage future respect. The resolution will stress the importance of criminal sanctions, but also the need for further reflection on the role of sanctions in general, whether criminal or other, in ensuring respect for humanitarian law. It will also remind States of the need to address victims' rights.

Conference participants are also invited to consider making **pledges** concurring to the achievement of the resolution.

2. Study on Customary International Humanitarian Law

Background / Issues

The 28th International Conference requested the ICRC to report on the study on customary international humanitarian law. This study was requested by the 26th International Conference in 1995 and was published in 2005. The ICRC will report on the publication of the study, on the promotional events to launch the study, its translation and practical use.

Process

The **report** prepared by the ICRC will be issued as an official document of the Conference.

Expected results

Reference to customary international humanitarian law in general will be included in the above mentioned resolution. No decision on or endorsement of the study is expected from the Conference.

In addition, Conference participants are invited to consider making individual or collective **pledges** relating to the promotion of the study.

3. Challenges to international humanitarian law in situations of contemporary armed conflict

Background / Issues

The ICRC will present to the Conference a **report on challenges to international humanitarian law in situations of contemporary armed conflict**. The report will focus on a number of specific subjects, including, for example:

- | asymmetric warfare and issues related to terrorist acts
- | the notion of "direct participation in hostilities"
- | the privatization of war and application of international humanitarian law to private military and security companies
- | the need for procedural safeguards in administrative detention and internment
- | weapons and international humanitarian law

Process

The ICRC **report** will be issued as an official document of the Conference. The keynote address by the President of the ICRC (26 November) will highlight some of the main challenges to international humanitarian law in situations of contemporary armed conflicts.

Some **workshops and side events** may propose informal discussion on specific issues or initiatives linked to these challenges.

Expected results

Pledges might be made by participants as individual or collective commitments to address these challenges to international humanitarian law.

ANNEX 4

**OUTLINE DOCUMENT:
LEGAL FRAMEWORK
FOR INTERNATIONAL RESPONSE TO DISASTERS**

Objective 4 of the Conference

To prioritize appropriate avenues for strengthening the legal framework for international response to disasters at the international, regional and national levels.

Rationale/Mandate

The 28th International Conference in 2003 adopted the Agenda for Humanitarian Action and the specific International Disaster Response Laws, Rules and Principles (IDRL) mandate. It stipulates as follows:

Final Goal 3.2

Enhance international disaster response through support for the compilation and application of the laws, rules and principles applicable to international disaster response

3.2.6 The International Federation and National Societies will continue to lead collaborative efforts, involving States, the United Nations and other relevant bodies, in conducting research and advocacy activities relating to the compilation of the laws, rules and principles applicable to international disaster response... The International Federation will submit a progress report to the International Conference of the Red Cross and Red Crescent in 2007.

As a follow up to that the International Federation has continued to study the normative framework governing international assistance disasters, excluding armed conflict situations. It has developed an online IDRL database, conducted further operational case studies, set up an Asia-Pacific pilot project and surveyed various stakeholders. Its research will culminate in a comprehensive study summarizing the programme's findings and recommendations.

In short, the main finding is: the principles, rules and norms governing disaster relief are dispersed and inadequate. They may lead to operational challenges encountered both by providing and receiving sides. As such, whereas international actors frequently face regulatory, bureaucratic or administrative barriers slowing down and reducing efficiency of international assistance, receiving authorities, actors and beneficiaries encounter considerable problems in the areas of coordination, relevance, quality and accountability of international assistance.

The International Federation in consultation with Red Cross and Red Crescent National Societies, the ICRC, governments and relevant non-governmental organizations and international organizations has drafted "Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance" as a non-binding guidance tool to complement the existing efforts of States in developing the comprehensive national policy and legal frameworks in the area of disaster response. When adopted, the Guidelines will also constitute the basis for an advocacy guide for National Societies to work on legislative review with their authorities.

Process

Since the end of 2006, the IDRL Programme has engaged in a consultative process in order to gather feedback from the different stakeholders and further support and joint ownership of the Guidelines. As such, it has sent the draft Guidelines to all States members of the Conference and engaged in briefings and bilateral discussions with over 60 countries. All National Societies have received the draft Guidelines and further briefings have been presented at major Red Cross and Red Crescent regional conferences and other meetings. UN agencies have provided input, and support for the initiative was expressed during the March 2007 meeting of the Inter-Agency Standing Committee. Relevant non governmental organizations (NGO) have been engaged through IDRL briefings for NGO networks such as Interaction, International Council of Voluntary Agencies (ICVA) and Steering Committee for Humanitarian Response (SCHR).

The consultations have also been designed to respect the wish of States, as expressed through UN General Assembly Resolution 57/150, to be fully informed of developments in this field.

In parallel, the IDRL Programme has already organised 4 regional multi-stakeholder consultations on IDRL (respectively the European Forum in May 2006, the Asia-Pacific Forum in December 2006, the Americas Forum on 23-24 April 2007 and the Pan-African Forum on 14-15 May 2007). The Middle East Forum (June 2007) is forthcoming.

The feedback on the draft Guidelines provided by the Asia-Pacific Forum led to the first revision of the document and the production of the current draft. The recent Forum in the Americas was a real success and well attended with more than 20 governments. Strong support for the IDRL Guidelines was expressed and participants also discussed potential regional developments to implement the Guidelines.

A second revision of the draft Guidelines is planned for July-August 2007 so as to integrate the comments and suggestions from the Americas, Pan-African and Middle East Forums, as well as official feedback provided by governments and national societies. The consultative process on the IDRL Guidelines is planned to be finalised towards the end of the third quarter 2007 in time for the distribution of official documentation for the International Conference.

The **progress report** as well as a **draft resolution** on the importance of strengthening the laws, rules and principles applicable to international response to disasters and endorsing the draft Guidelines will be made available as official working documents of the Conference prior to its start. Meanwhile, consultations with governments, National Societies and other stakeholders will continue in Geneva, New York and capitals.

At the Conference a **Commission** (Commission C) will be organised on Day 4 of the Conference (29 November) with the aim of organizing a **general discussion** on the issues raised in the proposed draft resolution and Guidelines attached thereto. Its main findings may be communicated to the Drafting Committee immediately after for due consideration. A summary report on the work in the Commission will be presented in plenary on the same day (29 November) in the afternoon.

The **Drafting Committee** will be in session on the third and fourth day of the Conference and will consider the proposed draft resolution before presenting it to the plenary for adoption on the last day of the Conference (30 November).

Expected results

In a resolution, the Conference is expected to acknowledge the progress made, adopt the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance” and establish the future mandate for the International Federation and National Societies in this area.

In addition, Conference participants are invited to consider individual or collective **pledges** relevant to the achievement of these expected results.

ANNEX 5

OUTLINE DOCUMENT:

30TH INTERNATIONAL CONFERENCE FOLLOW-UP TO PREVIOUS CONFERENCES

Follow-up by States and the components of the Movement on resolutions and pledges made at previous conferences.

The Conference will be called upon to explore challenges and trends in the follow-up required of States and the components of the Movement on resolutions and pledges made in particular at the previous 28th and 29th International Conferences.

Implementation of commitments made at the 28th International Conference

Background / Issues

In 2003 the 28th International Conference of the Red Cross and Red Crescent adopted by consensus a Declaration and Agenda for Humanitarian Action that provided a comprehensive framework for action to enhance:

- Protection in armed conflicts and other situations of armed violence (implementing and disseminating international humanitarian law, respecting the dignity of persons missing and of their families, limiting the use and the effects of certain weapons);
- Disaster risk reduction, preparedness and response;
- Access to prevention, care and treatment for people living with HIV/AIDS and other diseases.

All Conference members will have an opportunity to report on the progress they have made in implementing the Declaration and Agenda for Humanitarian Action and their pledges.

Questionnaires and a **web-based database** ("Follow-up to the 28th International Conference") are available for self-assessment and reporting on the ICRC website.

Process

On the basis of information received from members before 31 May 2007, the ICRC and the International Federation will prepare an **implementation report** that will be issued as an official document of the Conference and presented in **plenary** on the fourth day (29 November). The written report will be supplemented with up-to-date information at the time of the Conference.

At its Council of Delegates that will precede the Conference, the Movement will consider adopting a 10-year **Restoring Family Links Strategy**. The Conference would then be informed of this Strategy as an implementation measure of the Agenda for Humanitarian Action in the areas of the missing and disaster preparedness and response. It will also link to resolutions of previous conferences on the tracing activities of the Movement and their support by governments.

When relevant, the proposed **resolutions** of the Conference as well as **workshops** and **side events** should highlight the implementation of the 2003 Agenda for Humanitarian Action, Declaration and pledges.

Expected results

The following elements could be considered in resolutions of the Conference:

- The acknowledgement of the progress made in the implementation of the 2003 Agenda for Humanitarian Action, Declaration and pledges;
- The renewed commitment to implement the 2003 Agenda for Humanitarian Action as a fully relevant framework for action to address the humanitarian issues of the missing and their families, the use and effects of weapons, disaster risk reduction, preparedness and response and access to prevention, care and treatment for people living with HIV/AIDS and other diseases;
- The need to develop partnerships between States and National Societies and within the Movement to support and facilitate the tracing activities of National Societies and the implementation of the Restoring Family Link Strategy for the Movement.

Conference participants will be encouraged to build on lessons learned from implementation to date, when continuing their work in implementing the decisions of previous International Conferences.

In addition, Conference participants are invited to consider **pledges** relevant to the achievement of these expected results.