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

Nairobi, Kenya  
23-25 November 2009

**RESOLUTION 5**

**Towards the Implementation of the Memorandum of Understanding and  
Agreement on Operational Arrangements  
Dated 28<sup>th</sup> November 2005  
Between Magen David Adom in Israel and the Palestine Red Crescent Society**



## RESOLUTION 5

### ***Towards the Implementation of the Memorandum of Understanding (MoU) and the Agreement on Operational Arrangements (AOA) between the Palestine Red Crescent Society (PRCS) and Magen David Adom in Israel (MDA)***

The Council of Delegates

*recalling* the MoU signed by PRCS and MDA on 28 November 2005, in particular the following provisions:

1. *MDA and PRCS will operate in conformity with the legal framework applicable to the Palestinian territory occupied by Israel in 1967, including the Fourth Geneva Convention of 1949 on the protection of Civilians in Time of War.*
2. *MDA and PRCS recognize that PRCS is the authorized National Society in the Palestinian territory and that this territory is within the geographical scope of the operational activities and the competences of PRCS. MDA and PRCS will respect each others' jurisdiction and operate in accordance with the Statutes and Rules of the Movement.*
3. *After the Third Additional Protocol is adopted and by the time MDA is admitted by the General Assembly of the International Federation of Red Cross and Red Crescent Societies:*
  - a. *MDA will ensure that it has no chapters outside the internationally recognized borders of the State of Israel;*
  - b. *Operational activities of one Society within the jurisdiction of the other Society will be conducted in accordance with the consent provision of resolution 11 of the 1921 International Conference;*

*taking* note, with appreciation for his work, of the report presented to the Council by Minister (Hon.) Par Stenback, the Independent Monitor appointed by the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation) with the agreement of MDA and the PRCS upon request of the International Conference to monitor progress achieved in the implementation of the MoU and the AOA of 28 November 2005 between the PRCS and the MDA;

*recalling* Resolution no. 2 adopted by the Council of Delegates on 24 November 2007 concerning the implementation of the MoU and AOA between PRCS and MDA;

*recalling* Resolution no. 5 adopted by the 30<sup>th</sup> International Conference of the Red Cross and Red Crescent concerning the implementation of the MoU and AOA between PRCS and MDA;

*affirming* the importance of operating in accordance with international humanitarian law and with the Statutes, Rules, and Fundamental Principles of the International Red Cross and Red Crescent Movement;

*recalling* the obligation to respect and to protect health care personnel, including Red Cross and Red Crescent workers, their means of transport as well as medical establishments and other medical facilities at all times, in accordance with international law, and in particular international humanitarian law;

*reaffirming* the necessity for effective and positive coordination between all components of the Movement of Red Cross and Red Crescent for the full implementation of the MoU between the PRCS and MDA;

- 1) *regrets* that satisfactory progress in the implementation of the MoU by MDA has not been achieved, as observed by the Monitor;
- 2) *requests* MDA, as reported by the Monitor, that it fulfil its obligations under the MoU and conduct its activities in accordance with the provisions of resolution no.11 of the International Conference of 1921 and the legal framework applicable to the Palestinian territory occupied by Israel in 1967, particularly those relating to geographic scope of the two National Societies and to urgently implement the provisions related to geographic scope;
- 3) *requests* the ICRC and International Federation to confirm the mandate of the Monitor as decided by the 30<sup>th</sup> International Conference of the Red Cross and Red Crescent and to continue to support and strengthen the monitoring of the implementation of the MoU and AOA;
- 4) *requests* the Monitor to report regularly on the progress of the implementation of the MoU, as he deems necessary;
- 5) *requests* National Societies to favourably respond to any request for help and support that the Monitor may ask of them in the fulfilment of his task up to the next Council of Delegates;
- 6) *requests* the ICRC and International Federation to arrange for the provision of a report on implementation of the MoU and AOA to the next Council of Delegates and through it to the International Conference;
- 7) *requests* National Societies to help MDA facilitate the implementation of the MoU, if appropriate.