

26th International Conference of the Red Cross and Red Crescent

Geneva, 1995

Resolution 4: Principles and action in international humanitarian assistance and protection

The 26th International Conference of the Red Cross and Red Crescent,

conscious that the number of people in need of assistance as a result of disasters, and the number of refugees and internally displaced persons in need of assistance and protection, has increased dramatically over the past decade,

conscious of the International Red Cross and Red Crescent Movement's (Movement) unique position as a global, neutral and independent provider of assistance and protection to victims of disaster and war victims, benefiting from the complementarity of its components,

desirous to improve the framework in which humanitarian organizations, in particular the components of the Movement, perform their humanitarian activities, and *welcoming* the standing invitation to the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (International Federation) to participate in the Inter-Agency Standing Committee of the United Nations convened by the Department of Humanitarian Affairs, as a means of ensuring operational cooperation by humanitarian organizations in the delivery of humanitarian assistance,

recalling that, according to the Statutes of the Movement, each component of the Movement should respect at all times the Fundamental Principles enshrined in these Statutes (Fundamental Principles), and that States should at all times respect the Movement's adherence to the Fundamental Principles,

recalling that in situations of armed conflict refugees and internally displaced persons together with the remainder of the civilian population are protected by international humanitarian law and that, in addition, refugees are protected by the Convention relating to the Status of Refugees of 1951 and its 1967 Protocol,

reaffirming the principle of non-refoulement,

taking note of Resolution 11 of the Council of Delegates of the Movement held in 1993 in Birmingham concerning the "Principles of Humanitarian Assistance", which *inter alia* reminded States of:

- the victims right to receive humanitarian assistance,

- the States' duty to assist people who are placed under their authority or their obligation to authorize humanitarian agencies to do so, and

- the right of humanitarian agencies - abiding by the principles of humanity, neutrality, impartiality and independence - to have access to victims,

recalling Resolution XXI and the accompanying Statement of policy on aid to refugees adopted by the 24th International Conference of the Red Cross, and Resolution XVII on the Movement and refugees adopted by the 25th International Conference of the Red Cross,

recalling Resolution XXI on disaster relief in case of technical and other disasters adopted by the 25th International Conference of the Red Cross,

noting that religious and ethical values can foster respect for human dignity and the principles of international humanitarian law,

A. With regard to internally displaced persons and refugees:

1. *calls upon* States:

(a) *to respect and ensure respect* for international humanitarian law, in particular the general prohibition of forced displacement of civilians, and *to respect* the Convention relating to the Status of Refugees of 1951 and its 1967 Protocol, in particular the fundamental principle of non-refoulement, as well as other relevant regional instruments,

(b) *to accede to*, for those States which have not already done so, and *to implement* fully the Convention relating to the Status of Refugees of 1951 and its 1967 Protocol,

(c) *to provide* humanitarian assistance to internally displaced persons and to assist States having accepted refugees,

(d) *to ensure* efficient and adequate access to internally displaced persons and refugees for neutral, impartial and independent humanitarian organizations, in particular National Red Cross and Red Crescent Societies (National Societies), the ICRC and the International Federation, as well as other international organizations, in particular the United Nations High Commissioner for Refugees (UNHCR), according to their respective mandates, so that they may provide protection and humanitarian assistance to these persons,

(e) *to ensure* a rapid response to appeals by the ICRC, the International Federation, the National Societies and other international organizations for funding of emergency assistance and protection for refugees, internally displaced persons and returnees,

(f) *to renew* their support, through appropriate funding, for the provision of food aid and other supplies for humanitarian assistance to long-standing but unsolved refugee and displaced persons situations, keeping in mind the needs of the most vulnerable,

(g) *to recognize* that National Societies, the ICRC and the International Federation can play a vital role in providing protection and humanitarian assistance to internally displaced persons, refugees and returnees, in accordance with the relevant provisions of international humanitarian law;

2. *invites* the components of the Movement, in accordance with their respective mandates:

(a) *to continue* to provide assistance and protection to, and to work with determination on behalf of and together with, internally displaced persons, refugees and returnees,

(b) *to devise and apply* innovative approaches to humanitarian response, including mechanisms for rapid action, based on effective mobilization and use of resources, which will enable them to provide timely and appropriate assistance for internally displaced persons and refugees, taking due account of the action of other humanitarian organizations,

(c) *to promote* conflict prevention through the promotion of humanitarian principles and values, as well as the dissemination of international humanitarian law, in particular at the community level,

(d) *to stand ready* to work in the framework of international relief operations in accordance with the Statutes of the Movement,

(e) *to continue and promote* operational cooperation with the United Nations, including in particular the UNHCR, in a spirit of complementarity, as well as with other international humanitarian organizations, as appropriate;

3. *invites* National Societies:

(a) *to continue*, in accordance with their status as auxiliaries to the public authorities in the humanitarian field, to offer their services to their governments, in order to respond to the needs of refugees, internally displaced persons and returnees,

(b) *to call upon* the resources of the ICRC and the International Federation to make effective use of the Movement's capacity when needs exceed the resources locally available,

(c) *to seek* efficient cooperation with other organizations, including non-governmental organizations (NGOs) and the United Nations, in particular the UNHCR, recalling the provisions of Resolution XXI of the 24th International Conference concerning International Red Cross aid to refugees, and in particular the provision on agreements between National Societies and the UNHCR;

B. With regard to natural and technological disasters:

1. *calls upon* States to take note of the guidelines on National Society involvement in technological disasters (Annex 1),

2. *encourages* National Societies and the International Federation to intensify their activities in favour of the victims of natural and technological disasters, to develop their expertise in this field and to mobilize financial resources,

C. With regard to the Principles and Rules for Red Cross and Red Crescent Disaster Relief:

takes note of the revised Principles and Rules for Red Cross and Red Crescent Disaster Relief, and *calls upon* the components of the Movement to implement them,

D. With regard to the need to build longer-term developmental perspectives into humanitarian assistance:

1. *calls upon* States:

(a) *to ensure* that their international relief funding policies allow for the strengthening of the operational capacities of recipient National Societies,

(b) *to explore* ways of encouraging a developmental approach to relief through their humanitarian assistance programming, and *to take note* in this context of Annex III of the background paper,

(c) *to promote*, in international organizations of which they are members, including in particular the International Monetary Fund and the International Bank for Reconstruction and Development, the implementation of a development approach that takes into account emergency situations and humanitarian needs,

2. *calls upon* the International Federation and the ICRC to further develop tools and approaches in order to implement a more developmental approach to relief as well as to give due emphasis to the strengthening of Red Cross and Red Crescent structures, as outlined in the guidelines presented in Annex III of the background paper,

E. With regard to the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief:

1. *takes note of and welcomes* the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief, and further;
2. *invites* all States and National Societies to encourage NGOs to both abide by the principles and spirit of the Code and consider registering their support for the Code with the International Federation;

F. With regard to the humanitarian consequences of economic sanctions:

1. *encourages* States to consider:

(a) *when designing, imposing and reviewing* economic sanctions, the possible negative impact of such sanctions on the humanitarian situation of the civilian population of a targeted State and also of third States which may be adversely affected by such measures,

(b) *assessing* the short- and long-term consequences of United Nations-approved economic sanctions on the most vulnerable, and *monitoring* these consequences where sanctions have been applied,

(c) *providing*, including when subject to economic sanctions, and to the extent of their available resources, relief for the most vulnerable groups and the victims of humanitarian emergencies in their territories

2. *calls upon* States to permit relief operations of a strictly humanitarian character for the benefit of the most vulnerable groups within the civilian population, when required by international humanitarian law,

3. *calls upon* the ICRC, the International Federation and National Societies to contribute to the reduction of the undesirable side-effects of sanctions on the humanitarian situation of civilian populations, through assessing the impact thereof and providing relief to the most vulnerable persons, in accordance with their respective mandates;

G. With regard to the need for independence of humanitarian action in times of crisis:

1. *takes note* of the Movement's commitment to carrying out its humanitarian work in accordance with its Fundamental Principles, recognizing that humanitarian assistance and protection are primarily directed at the effects of humanitarian crises, not the causes;

2. *calls upon* States:

(a) *to recognize* the need for the Movement to maintain a clear separation between its humanitarian action, on the one hand, and actions of a political, military or economic nature carried out by governments, intergovernmental bodies and other agencies during humanitarian crises, on the other hand, bearing in mind the need for the Movement to maintain, in its humanitarian work, its independence, impartiality and neutrality,

(b) *to redouble* their efforts in the resolution and prevention of conflicts, peacekeeping, disaster preparedness and disaster mitigation, to which the humanitarian work of the Movement acts as a necessary complement,

(c) *to take note* that the security of the operations and personnel of the ICRC, the National Societies and the International Federation is based on their adherence to the Fundamental Principles and that they do not use armed protection unless confronted with exceptional circumstances and not without the approval of the authority in control of the territory concerned,

(d) *to fully respect* humanitarian operations and the personnel engaged therein, in all circumstances, and to take due precautions to refrain from acts that would endanger such operations and personnel.