



## **Recommendations to National Societies on their Statutes Revision Process**

*Advisory note prepared  
by the Joint ICRC/International Federation Commission  
for National Society Statutes*

### **INTRODUCTION**

The term “Statutes” used in the present Advisory Note refers to the variety of internal statutory texts adopted by National Red Cross and Red Crescent Societies such as statutes, constitution, bylaws, charter, etc. Other internal regulatory and policy base documents that are closely related to, or complement, a National Society’s Statutes (internal rules and regulations, institutional policies, codes of conduct or ethics, etc). form a part of a National Society’s Statutes.

For ease of reference, the broader term “Statutes” is used throughout this paper.

In the present note, “Statutes revision” encompasses the review of the Statutes on a regular and periodic basis to conform with the requirements of national legislation and with the Movement’s agreed minimum standards, and the conduct of a statutory base revision when the review is completed and the amendments are identified.

The purpose of this Advisory Note is to provide guidance to National Societies on the process of revising their Statutes ; to explain the need for a regular revision (Section I); to highlight the elements conducive to a successful revision process (Section II), and to provide an overview of support available to National Societies for this process (Section III).

These recommendations complement the “[Guidance for National Society Statutes, 2018](#)” (*Guidance document*) which was adopted by the Governing Board of the International Federation of Red Cross and Red Crescent Societies (IFRC) in October 2018, and by the 2019 Council of Delegates of the Movement. The present Advisory Note is intended as a key reference document to be used by National Societies when initiating a Statutes revision process.

The *Guidance document* constitutes the reference tool used by the Joint ICRC/IFRC Commission for National Society Statutes -Joint Statutes Commission (JSC)- to assess the compliance of National Society Statutes towards the Movement's agreed standards.

While the *Guidance document* defines what should be included in a National Society's Statutes as essential elements, the present Note describes the requirements for a successful Statutes' revision process. It covers the main steps to be undertaken by the National Society, the roles of the different stakeholders including its leadership (governance and management) at the national and branch levels, its membership and volunteers, and the roles of the IFRC, the ICRC, and the JSC. It also sets out the different steps required to ensure an effective, transparent, and participatory process and explains how these can be developed into an action plan.

## **I. WHY SHOULD NATIONAL SOCIETIES REVIEW THEIR STATUTES?**

The main objective behind the process to revise a National Society's Statutes should always be to improve its internal operation and organization to carry out its humanitarian mandate and roles effectively, in accordance with the mission and Fundamental Principles of the Movement, and to be recognised as an effective and trusted local humanitarian actor

A Statutes revision process may need to be undertaken for one or more of the following reasons:

- The revision may be instrumental in **improving the National Society's performance**; the quality and impact of the National Society's overall programmes and services to the community may benefit from a revision of the Statutes.
- The **organization of the National Society may need to be clarified and strengthened**, for instance with regards to the relationships between the National Society's governance and management structures and functions, the roles and responsibilities of its different bodies at the central and local levels, its internal processes (including the organization of elections and decision-making), and accountability mechanisms. This could lead to a positive dynamic in the National Society and avoid tension among its different components.
- The **National Society's Statutes should play a valuable role in enabling the National Society to adapt to evolving circumstances** and to maintain its coherence and stability in today's fast-changing world. Their revision may therefore ensure the continued relevance of the National Society's actions. It may also provide an opportunity for the National Society to adapt its internal rules and processes to new developments occurring at the national level, such as changes in domestic legislation, or to consider new developments and good practice in the voluntary or not for profit sector. It may also represent an opportunity for the National Society's statutory base framework and internal rules, procedures, and practices to be adjusted to new requirements as may be defined in resolutions or decisions adopted by the Movement and the IFRC at their Statutory Meetings.
- The **perception of the National Society** by its constituency, its partners and the public may need to be improved. A lack of effectiveness or transparency may lead to little or reduced financial support, decreasing membership or volunteer recruitment, loss of motivation among staff and volunteers or to the inability of the National Society to meet its statutory obligations. Image and perception issues may also cause the National Society to

lose support from its public authorities or from its local and international partners. This may have a detrimental impact on the National Society's ability to perform its roles safely and effectively. A new leadership may consider a revision of the National Society's Statutes as an opportunity to turn matters around.

Modern Statutes, that conform to the Movement's agreed standards and minima, will place the National Society in a better position to prevent and resolve internal conflicts, safeguard its **integrity**, ensure transparency and accountability. This contributes to building trust and reassuring others of its capacity, integrity, dependability, and purpose.

- A Statutes revision process may be useful in **tackling pressures or interference from government authorities and in reaffirming the National Society's commitment to the requirements of principled humanitarian action (including when performing its auxiliary role to public authorities in the humanitarian field)**. A substantial and time-consuming process, to revise the Statutes with the broad involvement of the National Society's members, staff, and volunteers, and the support of the ICRC and the IFRC, may assist the National Society in reaffirming its independence.
- An obligation to revisit regularly the Statutes may be defined in **the National Society's own Statutes, in line with the commitments undertaken by National Societies in past resolutions adopted at the Statutory Meetings of the Movement**. It is a minimum requirement (a "must") under the Guidance document for National Societies to define within their Statutes a specific requirement to engage in a regular review of its Statutes and to seek the advice and recommendations of the Joint Statutes Commission in this process. Some National Society's Statutes provide for a revision every five or ten years. This motivation stems from the conviction that the National Society's Statutes must at all times remain consistent with current developments and always ensure the continued relevance and credibility of the National Society.

The National Societies have responsibilities which reflect their status as members of the IFRC and as components of the Movement. They include applying the decisions adopted by the General Assembly and by the Governing Board of the IFRC and acting in accordance with the resolutions adopted by the Council of Delegates and the International Conference. The [IFRC Governing Board decision of October 2018](#), and the [2019 Council of Delegates Resolution 3](#) adopted the "Guidance for National Society Statutes, 2018" and called upon National Societies to review their Statutes in accordance with the Guidance document within the five years of adoption of the aforementioned decisions, and to continue with regular reviews of their Statutes at least once every ten years.

## **II. WHAT ARE THE MAIN ELEMENTS OF A SUCCESSFUL REVISION PROCESS OF NATIONAL SOCIETY STATUTES?**

- The process should be **participatory, inclusive, consultative, and democratic** so as to ensure that the outcome is credible, that it is understood by all stakeholders in the National Society and to ensure the National Society's **ownership** over the process. To this end, it is important to:
  - i) consider the structure of the National Society at all levels when defining the consultation process to ensure an optimal participation;
  - ii) ensure the commitment of the National Society's leadership to developing and adopting a document that is binding the National Society's components;
  - iii) ensure that the Statutes are adopted by a qualified majority of the National Society's membership in accordance with the procedures and requirements defined in the National Society's existing Statutes.
- The revision process should be part of the broader development processes within the National Society and not be conducted in isolation. A Statutes revision might lead to measures that extend beyond the Statutes themselves. A National Society may realize in the context of a Statutes revision process that it needs to adopt additional measures, rules, or policies in order to strengthen its accountability and maintain its integrity. Therefore, it should consider other organisational development priorities, including the recommendations stemming from organizational assessment tools, such as the Organizational Capacity Assessment and Certification (OCAC), the Branch Organisational Capacity Assessment (BOCA), the Safer Access Framework (SAF) and Preparedness for Effective Response (PER).

Linkages between a National Societies' development processes and a Statutes revision should be established at the onset of a Statutes revision process and effectively managed so as to ensure that all relevant information is mapped and that all key stakeholders are consulted and involved in this process.

**Adequate planning and linking of the Statutes revision to the National Society's strategic, operational, and organisational development planning processes** are fundamental to the process. The following elements should be included in a Statutes revision plan of action:

- a) policy decision taken by the National Society's leadership to review its Statutes against a defined timeframe.
- b) setting up of a committee/commission tasked with developing a plan of action and drafting the new Statutes or the proposed amendments to the current Statutes. This committee/commission should have clear terms of reference and should include all the National Society's internal stakeholders, structures, and bodies (branches, volunteers, youth, etc.).
- c) definition of a clear time frame considering that the process should be participatory and democratic. This means ensuring a broad consultation within the National Society, involving branches, volunteers and members, and to allow sufficient time for the documents produced to be translated (if need be), shared, commented on and revised with all relevant stakeholders.
- d) integration of the plan of action and the necessary budget, into the National Society's organisation development or the headquarters annual operational plan and core budget. A National Society lacking sufficient resources to cover the budget needed can also seek external technical or financial support for the process. In this

case, it must be explicitly agreed with the donor that the National Society remains in full control of the Statutes revision process and outcomes.

- Accountability to governance should be integrated into the process through regular reporting, dialogue, consultation, and feedback at each stage of the process.
- The *Guidance document for National Society Statutes* (translated, where necessary, into the local language to ensure participation and ownership) should serve to guide the revision process, the objective being to:

as a first step,

- take the opportunity of the Statutes review in order to reflect upon any institutional weaknesses of the National Society and on how a revision of the National Society's statutory base and constitutional and/or of complementary regulatory and policy frameworks could help remedy such weaknesses,
- to assess whether the National Society's statutes/constitutional base texts and complementary frameworks are consistent with the new Guidance document and the latter's compulsory ("musts") and recommended ("coulds") standards;

as a second step,

- to adapt the National Society's existing statutory and complementary frameworks in accordance with the National Society's identified needs, as well as any required standards ("musts"). National Societies should also consider, as far as possible and wherever relevant, the recommended standards ("coulds") set out in the *Guidance document*.

- Ensuring a wide information and dissemination of any attended revisions to Statutes at the central and branches levels is key to ensuring adherence and ownership by the National Society's members, the staff, and volunteers. Sufficient resources should be planned from the start of the revision process to ensure a good communication by organizing information sessions to disseminate knowledge, and full understanding of this process, and providing translation of key material to address various audiences' needs. If the Statutes revision process led to or was linked with the adoption or revision of complementary rules, regulations, policies etc., these should also be included in the roll-out of the revised Statutes;
- It is important to ensure the engagement of the National Society's leadership in disseminating information about the revision process and in identifying additional roll-out measures to be undertaken.

### **III. WHAT SUPPORT IS AVAILABLE TO NATIONAL SOCIETIES?**

The IFRC and the ICRC have a responsibility to assist National Societies in the revision of their statutory base and related frameworks, as follows

#### **i. The roles of IFRC and ICRC Regional offices and delegations**

IFRC Regional offices and delegations (in particular legal advisers, and National Society Development/Policy, Strategy and Knowledge Delegates/Coordinators) and ICRC delegations (in particular Cooperation file holders) are available to assist National Societies in the revision of their statutory base. It is recommended to involve these delegates in the process as early

as possible. National Societies are encouraged to consult IFRC and ICRC field representations for any technical support they might require.

IFRC and ICRC delegations can assist by:

1. providing recommendations on the substance of the draft Statutes (based on the *Guidance document*) and on the process itself (based on the present Advisory Note).
2. supporting the National Society throughout the entire revision process.
3. mobilizing experts to provide technical support or an organisational development advice to the National Society throughout the process.
4. establishing the links and contacts with the JSC as needed.
5. providing National Societies with illustrations of good practices of Statutes and relevant regulatory and policy frameworks from sister National Societies.

## **ii. Joint ICRC/International Federation Commission for National Society Statutes (JSC)**

The JSC is also available to provide advice, guidance, and support to the work of National Societies on legal and statutory base questions in coordination with IFRC and ICRC delegates in country. Nevertheless, in relation to work on individual National Society revision processes, it usually gets involved only in the later stages of the process.

Further to their longstanding commitments<sup>1</sup>, National Societies have a duty to i) share their Statutes or any amendments thereto in draft form with the Joint Statutes Commission and ii) take the Commission's recommendations into account<sup>2</sup>. National Societies should also consider informing the Commission of any steps undertaken and/or plans made for the revision of their Statutes. In addition, National Societies have the duty, under Article 8.1.B.j of the Constitution of the IFRC, to "inform the International Federation, through the Secretary General, of any proposed amendments to their Statutes".

The draft texts of amended Statutes and any complementary regulatory or policy frameworks relevant to the standards set out in the Guidance document need to be sent to the Joint Statutes Commission sufficiently in advance of the National Society's General Assembly so as to:

- (1) allow the Commission and the National Society enough time to jointly discuss the draft amendments to the Statutes,
- (2) allow the Commission enough time to make recommendations and suggestions,
- (3) give enough time to the National Society to discuss the feedback and make any necessary adjustments.

In practice, the JSC reviews any draft Statutes or amendments thereto, and based on its assessment and recommendations, enters into a dialogue with the National Society. Once all questions have been clarified and answered on both sides, and any additional materials relevant to the implementation of the standards have been provided, the Commission sends its final recommendations to the National Society in a formal communication. In accordance with the above-mentioned commitments, the recommendations of the Commission must be considered prior to submission of the Statutes to the National Society's General Assembly for adoption.

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<sup>1</sup> Including Resolution 6 adopted by the 20th International Conference (Tehran, 1973) and Resolution 20 adopted by the 24th International Conference (Manila, 1981).

<sup>2</sup> The latest formulation of this commitment is found in Resolution 4 of the 2011 Council of Delegates and in Resolution 3 of the 2019 Council.

The National Society is requested to send its Statutes, once adopted, to the Joint Statutes Commission so that it can complete its files and provide any final comments on the adopted Statutes.

The Joint Statutes Commission maintains a “Dashboard” of all National Society Statutes which provides

- an assessment of the compliance of the statutory base frameworks of each National Society with the Guidance document,
- the steps undertaken and the progress made by each National Society towards meeting the standards and the five-year timeline. This list is regularly updated and posted on the Guidance document website.

### **iii. In-depth support**

National Societies linking a revision of their Statutes with a more in-depth review of the way they operate, relate to partners, including in their auxiliary role, respond to significant changes in their environment etc. and requiring support and/or advice can request external assistance tailored to their specific needs.

This in-depth support will be provided by trained specialists that have a strong background and experience in National Society development and are knowledgeable about Statutes revision processes and the *Guidance document*. These specialists will ensure that appropriate links are drawn between the Statutes revision process and discussions and processes related to wider changes and reforms in the National Society; and can provide advice and support in initiating such debates/reflections if need be.

This support should be requested by the National Society, following discussion with the IFRC and ICRC field offices, from the Geneva and regional ICRC and IFRC offices, who will discuss and agree on the type of support to be provided to the National Society. If it is to be provided by a dedicated Statutes revision specialist, the process will start with their selection by all the parties involved. An initial scoping call will allow the specialist to get a better understanding of the context and background of the National Society, and define the support they should provide in the Statutes revision process.

Such support is currently being put in place by the IFRC and ICRC, and is expected to be fully operational by the end of 2021. In the meantime, the Joint Statutes Commission can be contacted to provide any in-depth support required.

### **iv. Key resources**

In addition to this document, other materials and information have been developed to support National Societies in their Statutes’ revision process. They are all available on the following website, and will be regularly updated. New material on this subject will also be posted.

[www.nsstatutesguidance.org](http://www.nsstatutesguidance.org)

The following key documents can be found on this website:

1. *Guidance document*

This is the key reference document guiding and inspiring the leadership of National Societies in their efforts to review, update and strengthen their Statutes. It is currently available in all IFRC working languages, and additional translations will be made available as shared by National Societies. If your National Society has translated the *Guidance document* into another language, and the translation could be used by other National Societies, please share a copy with [guidance.document@ifrc.org](mailto:guidance.document@ifrc.org).

2. Illustrations

The Illustrations are examples intended to provide a better understanding of the standards, and potential approaches meeting the “must” and/or “could” elements set out in the *Guidance document*. Two types of materials are included in the illustrations:

- sample texts: actual extracts from National Society Statutes to illustrate how National Societies have addressed specific issues or the phrasing they have used. They are not “model clauses”, and it is not recommended that National Societies copy them into their own Statutes.
- examples: descriptions of how National Societies have organized themselves or thought about a particular issue. They provide insight into strategic decisions that have contributed to the formulation of statutory texts, or, in some cases, how statutory texts have been turned into practical action. For some standards, the examples have been selected with a view to showcasing existing diversity. Again, the examples are provided to promote analysis and reflection; the decisions made should be seen as unique to individual National Societies.

These examples will be regularly updated with more National Societies’ best practices. National Societies are invited to contribute with further illustrations, by sending them to [guidance.document@ifrc.org](mailto:guidance.document@ifrc.org).



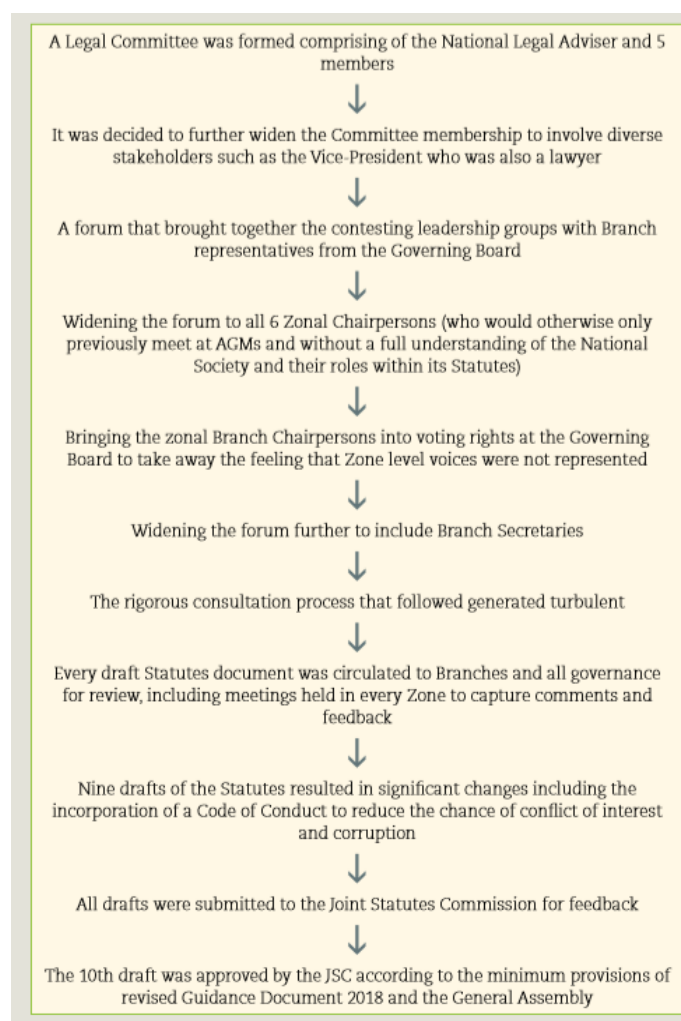
## ANNEX I

### Example of a National Society Statutes revision process – the Nigerian Red Cross Society

The Nigerian Red Cross initiated its Statutes revision process four years ago in 2016. A complex branch network covering 37 states including the federal capital Abuja, is organized under six geo-political zones. Each zone and state features a complex web of often conflicting interests, spanning political, sectional, and tribal groupings, which led to piecemeal efforts and a lack of clarity across the National Society.

An integrity crisis, arising from allegations and claims of corruption, precipitated a leadership challenge, with two competing groups. In 2016, a group of change champions, spurred on by the internal climate of crisis, integrity issues and division across the National Society, determined “to address all these issues together and get ourselves in order”. This involved addressing gaps identified in the Nigerian Red Cross Statutes and the country’s Red Cross Law. “We needed to think not just about who we are, but also about who we want to be in the future. It became a comprehensive change process.”

The National Society’s transformation process followed several managed steps, as shown below:



Before the Statutes revision process, which was undertaken as part of a wider self-assessment and reorganization process within the National Society over four years, the Statutes of the Nigerian Red Cross used to be “almost a secret document”. Very few people at branches or headquarters had seen them, and, when asked, most branches admitted that they did not have a copy of the most recent version.

The implementation of the newly adopted Statutes (2018) also needed to be carefully managed. “Statutes revision needs to be accompanied by a SMART process – moving from previously bureaucratic processes to quick wins.” The new legal adviser ensured that every member and volunteer had received a copy of the new revised Statutes together with a cover letter explaining their importance. Governance bodies were elected in January 2019 after full branch elections had been conducted, with the legal adviser and national branch coordinators overseeing the integrity of each branch election process.

Quotes from the Nigerian Red Cross:

*“The implementation of the Statutes requires further National Society development elements such as new branch development tools, appropriate guidelines, and updated or new procedures.”*

*“The Guidance document was extremely helpful in addressing issues such as potential conflicts of interest, integrity management, and the definition of clear roles and responsibilities for stakeholders and levels”.*

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