

Joint ICRC/International Federation Commission for National Society Statutes Joint Statutes Commission / JSC

Mandates and roles

The objective of the Joint ICRC/International Federation Commission for National Society Statutes is to support National Societies work effectively and to adhere at all times to the Fundamental Principles through the strengthening their statutory and legal base.

To reach this objective, the Joint Statutes Commission is entrusted with a twofold mandate:

- To make recommendations on the legal base of National Societies, *i.e.* their Statutes and National Society laws/decrees. In particular, the Commission assesses the compliance of draft Statutes with the minimum requirements set out in the *Guidance for National Society Statutes, 2018* and of draft laws/decrees with the minimum elements contained in the *Model law on the recognition of National Societies*.
- To assess applications by new Societies for recognition by the ICRC and for admission to the International Federation on the basis of the 10 conditions for National Society recognition and to make recommendations in this regard to the ICRC and the International Federation.¹

Origins and legal framework of the Joint Statutes Commission

For several decades, the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (Federation) have jointly examined the legal base of National Societies, together with applications for recognition/admission, with the objective of ensuring unity, coherence and efficiency in the Movement across the broad cultural, social and religious diversity of its components.² This joint activity was formalized in successive agreements between the two organizations.³

Resolution 6 of the 22nd International Conference (Tehran, 1973) formally recognized this joint mandate by requesting National Societies to submit draft amendments to their Statutes to the ICRC and the International Federation and to take their recommendations into account. Following the adoption of this Resolution, the ICRC and the International Federation jointly decided on 23 January 1974 to establish the Joint ICRC/International Federation Commission for National Society Statutes (Joint Statutes Commission or Commission).⁴ The mandate assigned to the Commission was to draft

¹ The 10 conditions for recognition are defined under Article 4 of the Statutes of the International Red Cross and Red Crescent Movement.

² In its Report to the 24th International Conference (Manila, 1981), the Joint Statutes Commission wrote that Resolution 6 of the 22nd International Conference

“constitutes an official endorsement of a long-established custom. Ever since the Red Cross came into being, it has been the constant practice of the Red Cross and Red Crescent Societies to communicate to the ICRC and also to the League, after the latter was founded, the constituent and statutory instruments of the Society and any changes subsequently introduced in those documents. This practice is the logical outcome of the role entrusted to the two international bodies of the Red Cross: to preserve, in a movement which from year to year gathers into its fold new members of widely different cultural origins, social institutions, religious beliefs and political opinions, that unity of doctrine and that internal cohesion which are the primary conditions enabling it to act with efficiency”.

³ See notably the *Accords entre le Comité international de la Croix-Rouge et la Ligue des Sociétés de la Croix-Rouge tendant à préciser certaines de leurs compétences respectives* signed on 8 December 1951 (Article VII) and on 25 April 1969 (Articles VIII and IX); see also the document *Concertation between the ICRC and the International Federation. Joint Meetings*, May 1998, § D.

⁴ See *Réunion conjointe Ligue – CICR*, 23 January 1974, P.V. No. 213, § 3. The first session of the Joint Statutes Commission took place on 9 April 1974.

amendments to their Statutes. For “practical reasons”, it was decided to extend this mandate to the joint examination of the applications for recognition/admission.⁵

Resolution 20 of the 24th International Conference (Manila, 1981) – “*Joint Commission for National Society Statutes*” - reiterated the request to National Societies to “continue their collaboration with the Joint Commission, by regularly communicating to the League [now International Federation] and the ICRC the amendments which they plan to introduce in their statutes, and by adapting them to the Joint Commission’s recommendations”.⁶

The mandate of the Joint Statutes Commission was further reinforced in the Strategy for the International Red Cross and Red Crescent Movement, as adopted by the Council of Delegates in 2001 (and updated in 2005).⁷

Resolution 4 adopted by the 2011 Council of Delegates (“*Revision of National Society Statutes and Legal Base*”) notably

- confirmed the duty of National Societies to share their Statutes in draft with the Joint Statutes Commission and to take the latter's recommendations into account; and
- established the commitment for National Society to review their Statutes periodically and *every ten years*.

The two mandates of the Joint Statutes Commission - in regard to recognition/admission and to National Societies’ statutes - have also been acknowledged in a range of instruments and policy instruments adopted by the International Federation (including its Constitution and Rules of Procedure, as well as its *Integrity Policy* and in the Federation’s *National Society Development Framework 2013*).

Lastly, the new Guidance for National Society Statutes (2018) was approved by the IFRC Governing Board at its 38th session in October 2018 based on a mandate from the IFRC General Assembly (Antalya, Turkey, 6–8 November 2017). This decision further recommends to the Joint Statutes Commission to make use of the new Guidance and to submit the new instrument to the Council of Delegates in 2019 for adoption at the level of the Movement. It also modifies the commitment of National Societies to review their Statutes on the basis of the new Guidance *within the next 5 years* - thereby reducing the current standard for the periodicity of such a review from 10 to five years.

The adoption of the new Guidance document through the adoption of a resolution currently figures on the draft Agenda of the 2019 Council.

Composition

The Joint Statutes Commission is comprised of seven members:

- an *ad honorem* Chairperson;
- three representatives of the ICRC; and
- three representatives of the International Federation.

⁵ *Réunion conjointe Ligue – CICR*, 12 June 1974, P.V. No. 216, § 1.

⁶ In 1991 (Budapest), the Council of Delegates adopted Resolution 19 in which it further “requests National Societies to submit the draft texts of their new or amended statutes to the ICRC and the Federation before their final adoption, and to follow up the recommendations made by the Joint Commission”.

⁷ In this respect, it is also worth mentioning that Resolution 3, adopted by the Council of Delegates in 2005, calls on the components of the Movement to verify, when examining their Statutes, that they “contain no adverse discriminatory clauses but rather, create a legal framework that will promote respect for diversity and non-discrimination”. It further asks the Joint Statutes Commission to “continue to ensure compliance with the aspects of non-discrimination and respect for diversity when examining the statutes of National Societies”.