

**a guide for
parliamentarians to the
International Red Cross
and Red Crescent
Movement**

The International Red Cross and Red Crescent Movement (the Movement) is the world's largest humanitarian network. Neutral and impartial, it endeavours to prevent and alleviate human suffering – in particular during times of disasters and conflicts.

This guide aims to familiarise parliamentarians with the Movement, particularly the role of 188 Red Cross and Red Crescent National Societies¹ (National Societies) throughout the world. A strong and active National Society, such as Australian Red Cross, can do much to assist public authorities and all levels of government in the humanitarian field.

There are a number of characteristics that distinguish Australian Red Cross and other National Societies from non-government organisations (NGOs), the United Nations (UN) and other elements of civil society.

This guide is designed to provide information and understanding with a view to building on the existing strong and valuable relationship between Australia's parliamentarians and Australian Red Cross.

We are guided by seven Fundamental Principles:

- humanity
- impartiality
- neutrality
- independence
- voluntary service
- unity
- universality

Areas examined include:

- What is the Movement?
- What does 'auxiliary role' mean?
- What do I need to know about international humanitarian law (IHL) and International Disaster Response Law (IDRL)?
- Why are the red cross, crescent and crystal emblems important?
- What is humanitarian diplomacy?
- What can I do as a Parliamentarian to strengthen and support Australian Red Cross?

What is the Movement?

The Movement is made up of millions of committed volunteers, supporters and staff spanning almost every country and territory in the world. It has three main components:

- The International Committee of the Red Cross (ICRC)
- The International Federation of Red Cross and Red Crescent Societies (the Federation)
- 188 member Red Cross and Red Crescent Societies (National Societies)

The Movement supports communities to become stronger and safer through development projects and humanitarian activities. The Movement also works in cooperation with governments, public authorities, donors, other humanitarian organisations and the private sector to assist vulnerable people around the world, no matter who they are and no matter where they live.

Governments are not members of the Movement, but they take part in the International Conference of the Red Cross and Red Crescent, held every four years. Through these Conferences, significant commitments are made between the Movement and governments, and these commitments build upon the obligations and responsibilities that governments have granted National Societies in the 1949 Geneva Conventions and the 1977 Additional Protocols.

The Movement is guided by seven Fundamental Principles. The Principle of 'humanity' reflects the mission of the Movement to 'prevent and alleviate human suffering wherever it may be found'.

The Principles of 'neutrality' and 'impartiality' require the Movement to not discriminate in its work and not take sides in controversies of any kind. In attending International Conferences of the Movement and agreeing to resolutions, governments give commitments to work with and support National Societies in conformity with the Fundamental Principles.

The Movement is connected through the use of its universally recognised emblems, (the red cross, red crescent or red crystal) which are discussed on page 10 of this guide.

The components of the Movement are guided in their work together by the *Strategy for the Movement (2001)* which outlines their shared objectives and aims to strengthen the Movement's ability to reach vulnerable people with effective humanitarian action.

More detailed information on the Movement can be found at www.redcross.int, including sections on the history of the Movement, the International Conference, and the *Red Cross Red Crescent* magazine online.

¹ For the most recent version of the Guide, including up to date information on the number of National Societies please visit www.redcross.org.au

What are the different elements of the Movement?

The ICRC, the Federation and National Societies are independent bodies. Each has its own individual status and exercises no authority over the others, although they have agreed mechanisms for ensuring their actions are well coordinated, and fit a common policy framework where appropriate.

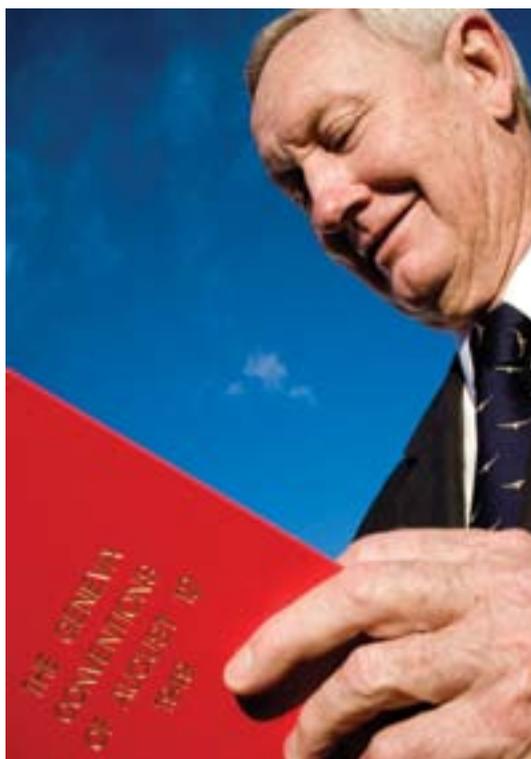
ICRC

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organisation whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and other situations of violence, and to provide them with assistance.

During situations of conflict, the ICRC is responsible for directing and coordinating the Movement's international relief activities. It also promotes the importance of international humanitarian law and draws attention to universal humanitarian principles. As the custodian of the Geneva Conventions, the ICRC has a permanent mandate under international law to visit prisons, organise relief operations, reunite separated families and undertake other humanitarian activities during armed conflicts. The ICRC also works to

meet the needs of internally displaced people, raise public awareness of the dangers of mines and explosive remnants of war, and trace people who have gone missing during conflicts.

The ICRC's headquarters are in Geneva, Switzerland, and the organisation has more than 12,000 staff in 80 countries around the globe. About 30 per cent of the ICRC's operational activities are carried out in cooperation with National Societies.



Setting the humanitarian agenda

The Movement meets regularly to discuss common issues and share best practices.

Every four years, members of the Movement liaise with representatives of the states which are party to the Geneva Conventions at the International Conference of the Red Cross and Red Crescent. The Conference is the Movement's highest deliberative body and offers an opportunity to examine cross-cutting priorities and challenges.

The Standing Commission serves as the trustee of the Conference and offers strategic guidance to the Movement between meetings.

It promotes coordination between Movement partners, helps to implement Conference resolutions and examines issues of concern to the whole Movement.

In addition to the International Conference, two other important meetings take place every two years: the General Assembly, which is made up of delegates from all member National Societies and the Federation; and the Council of Delegates, which brings together National Societies, the Federation and the ICRC.

The Assembly determines the general policies of the IFRC, while the Council adopts resolutions on Movement action and advocacy.



Parliamentarians together with members of the Red Cross Red Crescent Movement on the 60th anniversary of the Geneva Conventions in Australia.

The Federation

The International Federation of Red Cross and Red Crescent Societies (Federation) is a global humanitarian organisation with the status of an international organisation in the UN system.

It currently has 188 member National Societies which recognise the constitutional authority of the Federation's Governing Board to set policy in agreed humanitarian fields, and to support cooperation between National Societies and with other institutions. The Federation coordinates and directs international assistance following natural and man-made disasters in non-conflict situations. Its mission is to improve the lives of vulnerable people by mobilising the power of humanity.

The Federation works with National Societies to respond to catastrophes around the world. Its relief operations are combined with development work, including disaster preparedness programs, health and care activities, and the promotion of humanitarian values. In particular, it supports programs on risk reduction and fighting the spread of diseases, such as HIV, tuberculosis, influenza and malaria.

The organisation also works to combat discrimination and violence, promote humanitarian principles and values, and provide assistance for migrants. Through its UN observer status it is, at the multilateral level, acknowledged in the international community as the representative of the interests of National Societies.

National Societies

National Red Cross and Red Crescent Societies (National Societies) exist in 188 countries, embodying the work and Principles of the International Red Cross and Red Crescent Movement.

A National Society is not an NGO. From its inception, a National Society has a different relationship with its government and public authorities, and in the UN system has a special status not accorded to NGOs.

Before a state's National Society can become part of the Movement, a number of conditions need to be met (see Statutes of the Movement). The first is that the state must have agreed to be bound by the Geneva Conventions of 1949. A state must then legally recognise the National Society in some form of domestic law, in the case of Australia via a Royal Charter. An NGO does not have these requirements.

Another condition is that National Societies, such as Australian Red Cross, act as auxiliaries to the public authorities of their own countries in the humanitarian field.

What does the 'auxiliary role' actually mean?

Australian Red Cross, as part of the global International Red Cross and Red Crescent Movement, has a specific mandate to support the public authorities in their humanitarian work.

Through this independent and auxiliary role, National Societies and states negotiate clearly defined roles and responsibilities in providing risk reduction and disaster management activities; health and social programs; the promotion of international humanitarian law and International Disaster Response Law; and humanitarian values. During wartime, National Societies assist the affected civilian population and support the armed forces' medical services where appropriate.

This auxiliary relationship is recognised in international law and is found in legally binding documents domestically, such as the 1941 Australian Red Cross Royal Charter. It is one of the distinguishing features which sets the Movement apart from the UN, NGOs and other organisations who provide humanitarian services.

The practical implications of the auxiliary role differ from country to country, however the common thread is that National Societies are reliable partners for national and local public authorities, and have a strong capacity to mobilise human and material resources at the community level.

An illustration of Australian Red Cross fulfilling this auxiliary role is the integral part it plays in preparing for, responding to and recovering from natural disasters. This involves a range of activities from recruiting and training emergency service volunteers; managing evacuation centres; undertaking outreach visits to affected communities; actively contributing to government emergency management planning and policy; and running the National Registration and Inquiry System for evacuees and people enquiring about family and friends.

There are also a number of examples in recent years when joint appeals between all levels of government and Australian Red Cross resulted in overwhelming public response to emergencies such as bush fires and floods. At times when there is the greatest need, Australian Red Cross is able to provide its extensive network of volunteers, its long standing reputation as well as its domestic and international experience of dealing with disasters.

This unique relationship with government in no way implies that the government

controls or directs the work of a National Society. Each government must recognise the National Society in some legal form, and are required to allow the National Society to work in alignment with the Fundamental Principles.

The Principle of ‘independence’ is very clear: National Societies ‘while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy’. Directions for the different types of work to be carried out by National Societies come from the International Conferences, General Assembly, Council of Delegates, Movement strategy documents and the internal decisions of National Societies themselves about how best to address the needs of their own communities.

The ‘auxiliary role’ is a term used to express the specific and distinctive partnership a National Society should have with its government in providing humanitarian services. Historically, these were services provided largely in times of war under the Geneva Conventions and their Additional Protocols. However in the contemporary world, National Societies, such as Australian Red Cross, take on a range of broad tasks involved in addressing the needs of the most vulnerable within their communities and world-wide.

Auxiliary status is a balanced relationship with reciprocal responsibilities and mutual benefits,

and there is a need for strong dialogue between a National Society, governments and its public authorities at all levels to ensure that each other’s needs and limitations are understood.

What is international humanitarian law?

International humanitarian law (IHL) is a set of rules which seek to limit the effects of armed conflict on people and objects.

Also known as the law of war, IHL protects certain categories of people and restricts the methods and means of warfare, with the aim of reducing suffering during times of armed conflict. The key messages of IHL are:

- do not attack people who do not, or are no longer taking part in armed conflict (such as civilians, wounded or captured enemy soldiers)
- do not use weapons that make no distinction between civilians or combatants, or cause unnecessary suffering and damage.

Members of Parliament have a range of actions available to them to promote respect for IHL. IHL is found in many international treaties (in particular the Geneva Conventions of 1949 and their 1977 Additional Protocols) as well as in customary international law. There are

also a number of treaties which relate to the limitations and prohibitions placed on particular weapons. A specific document on this subject has been created by Australian Red Cross with the approval of the Inter-Parliamentary Union and ICRC: *Promoting respect for international humanitarian law: A handbook for parliamentarians*.

What is international disaster response law?

Strengthening each State’s laws, policies and procedures around international and national disaster response.

The Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance (International Disaster Response Law, or IDRL guidelines), while not legally binding, were agreed upon by all states at the 2007 International Conference of the Red Cross and Red Crescent. They were drafted by the Federation after extensive consultations with governments, National Societies, international organisations and NGOs, and brought to the attention of parliaments at the Inter-Parliamentary Union.

The guidelines are designed to assist states to strengthen their own laws,

policies and procedures as they relate to international and national disaster response. The guidelines, like IHL, confirm the role of National Societies as auxiliary to public authorities in the humanitarian field and deal with issues such as core responsibilities, early warning and preparedness, and the regulation of matters such as goods and equipment.

The Movement has a unique relationship with both IHL and IDRL. ICRC is the custodian of IHL and promotes this area of international law as well as helping to develop new ways to ensure that the principles of humanity are remembered and acted upon even during the horrors of armed conflict. The Federation has been instrumental in developing legal guidelines relating to clarifying national legal preparedness for states to improve international disaster relief and recovery.

National Societies have strong roles to play, and are obliged, in accordance with International Conference resolutions, to promote and disseminate IHL within their countries and to make authorities aware of IDRL. Equally, governments have committed to work with their National Society partners towards this end.

Why are the red cross, red crescent and red crystal emblems important?



The Movement has three distinctive emblems, all of which carry equal protective status and meaning, and which are established by international law through the First Geneva Convention in 1949 and the Third Additional Protocol to the Convention in 2005. These are the red cross, the red crescent and the red crystal. These three emblems are all neutral in the sense that they carry no religious, political or other connotations.

The emblems have two purposes – known as the ‘protective purpose’ and the ‘indicative purpose’. To use the emblem in its protective capacity means that the emblem, during times of armed conflict, is placed on medical and religious personnel, medical equipment such as field ambulances, and medical buildings such as military hospitals and hospital ships. By placing the emblem on these people and facilities, it indicates to combatants that they are not to be the subject of an attack. It therefore means ‘don’t shoot’ and provides the protection these

people need to offer assistance to the wounded and sick.

To attack a person, equipment or a facility bearing a protected emblem is a breach of the Geneva Conventions and those who perpetrate the attack can be charged with committing a war crime. If an emblem of the Movement is misused in a time of armed conflict (for example to protect soldiers from attack), this is an act of perfidy and also a war crime under the Geneva Conventions.

If the emblem is used in the indicative sense, it shows that people or objects are connected to the Movement. A National Society can use an emblem in times of peace to indicate that it is connected to the Movement and that its operations conform to the Fundamental Principles and Movement rules. This attaches a substantial value to the assistance provided by National Societies.

Each state and its National Society has the choice of three emblems and must then undertake to promote respect for the emblem and ensure that the prestige attached to it is not harmed in any way. In Australia the Geneva Conventions Act of 1957 regulates the use of the red cross, crescent and crystal and it is a criminal offence to use these symbols without the permission of the Minister of Defence.

Many people depend upon the emblems to keep them safe in areas of conflict and many people owe their lives to the emblem by virtue of the respect that it commands throughout the world.



An ICRC medical convoy, clearly marked with the emblem, carries fresh supplies for a hospital in Afghanistan. Photo: ICRC/Yannick Muller

What is humanitarian diplomacy?

The Movement seeks to influence decision makers and opinion leaders, through humanitarian diplomacy, to act at all times in the interests of vulnerable people, and with full respect for fundamental humanitarian principles. Advocacy is always undertaken with a focus on the humanitarian impact of decisions or policies.

The responsibility to persuade and influence through humanitarian

diplomacy flows from: the primacy of the fundamental Principle of humanity; the independence of the International Movement and its unique standing in international law; the millions of volunteers mobilised across the globe; the breadth of humanitarian activities; and the privileged access we enjoy as auxiliaries to the public authorities in the humanitarian field.

Based on facts, evidence and experience, humanitarian diplomacy by the Movement will generally be conducted through strong confidential diplomacy and persuasion with decision makers and opinion leaders.

What can parliamentarians do to strengthen and support their National Society?

Parliamentarians have a vital role to play to ensure that the whole Movement can fulfil its humanitarian mandate, granted to it by states under international law and resolutions from the International Conferences.

1. Legal recognition

The strength of individual National Societies is dependent upon their

government creating proper legal regulations recognising their existence and confirming the Society's capacity to follow the Fundamental Principles and undertake its activities as auxiliary to public authorities in the humanitarian field. In Australia, the Royal Charter provides this capacity for Australian Red Cross to be part of the Movement and act as a strong and capable National Society.

2. Emblem usage

There is a need for up-to-date domestic legislation regulating the correct use of the red cross, red crescent or red crystal emblem. Such legislation assists in ensuring that the emblem is understood by the broader community as a symbol of protection. Ensuring regulation on the correct use of the emblems is another important task for parliamentarians. The Geneva Conventions Act 1957 and its amendments support the correct use of the emblem and this needs to be widely known within Australia.

3. Harness expertise and understand capacity to respond to emergencies and disasters

National Societies are able to assist governments through participation on panels, boards or in an advisory capacity on matters within their areas of expertise (such as emergency disaster response or dealing with the impacts of migration). Australian Red Cross is

always available to offer its services in this capacity. Leading discussions, or giving evidence to Parliamentary Committees, on matters such as the IDRL guidelines, on the provision of humanitarian assistance during times of natural disaster, or on community resilience are areas where Red Cross may be able to assist.

4. Support an IHL committee

Parliamentarians can be involved in Parliamentary debate or committee deliberations on the ratification/acceptance of IHL treaties. Furthermore, if required, they can be involved in the subsequent creation of domestic laws relating to IHL. Many countries have a national IHL committee on which members of government departments such as Foreign Affairs, Defence and Attorney-General's are represented to encourage dialogue with the National Society and ICRC on ways to ensure respect for IHL. Such committees allow an exchange of information and expertise and assist in understanding and implementing IHL obligations. Australian Red Cross has an active National IHL Committee which meets quarterly and promotes the implementation of Australia's IHL obligations.

5. Build a Red Cross/Red Crescent Parliamentary Friends group

As is the case in Australia, some National Societies have fostered the establishment of 'parliamentary friends'

groups. These cross-party groups of parliamentarians are ambassadors for the work and activities of the National Society. This assists Australian Red Cross to maintain a dialogue with parliamentarians as decision makers and as opinion leaders within the broader community. It also strengthens Australian Red Cross' ability to reach vulnerable people with effective humanitarian action. Parliamentarians have unique capacities to raise matters of concern and educate the public on a range of humanitarian principles which are at the heart of the Movement.

Positive relationships have been built with groups at all levels of government. This recognises that Australian Red Cross exercises its auxiliary role across all spheres of government as many of the issues of humanitarian concern are regulated at a state and territory level.

6. Understand and implement the resolutions and pledges from the International Conferences

Every four years the Movement holds an International Conference comprising National Societies, the Federation, ICRC and states party to the Geneva Conventions. The aim of the International Conference is to bring together governments and all components of the Movement to debate and agree on key humanitarian priorities for the four years ahead. The International Conference priorities are passed as resolutions and

usually have unanimous support from all members of the Conference. While resolutions are not legally binding, they represent a significant, formal written commitment to humanitarian action by Conference participants.

In addition to formal resolutions, individual governments, National Societies, the Federation and ICRC can also make pledges. Pledges are a statement of commitment to key humanitarian objectives and can be made by an individual party or jointly. Joint pledges between the Australian government and Australian Red Cross in the past have included commitments towards the dissemination of IHL, the strengthening of disaster response in the Asia Pacific region, cooperation on climate change adaptation as well as work in the area of migration support. It is important for parliamentarians to appreciate the substance of specific pledges and the content of resolutions, in particular where they relate to their areas of expertise or interest.

As key decision makers and community opinion leaders, members of Parliament are encouraged to be responsive to requests for meetings and discussions on humanitarian issues when requested by the Movement. As auxiliaries to their public authorities, National Societies have a responsibility to build relationships of trust and openness with their Parliaments, and to bring humanitarian concerns to the attention of parliamentarians. In this respect

Australian Red Cross has enjoyed highly constructive relationships with members of Parliament across Australia and with representatives of all three spheres of government.

Australian Red Cross encourages parliamentarians to take an active interest in the Movement and the activities of its National Society and to give close and careful consideration to all instances of policy development, debate and legislation, which may have humanitarian implications.

To contact and become a supporter of Australian Red Cross go to www.redcross.org.au. To become a Parliamentary Friend of Red Cross contact your state or territory office of Australian Red Cross.



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