

A guide for parliamentarians and government in the Republic of Kiribati 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.

Cover image: First Aid Training for Kiribati Red Cross Society volunteers, May 2013.
Photo: IFRC/Matsha-Carpentier, B.

Tebikenikoora Village, May 2013: the sea wall collapsed 6 years ago and remains to be replaced. Sea water now makes agriculture impossible and has contaminated the well. Credit: IFRC/Matsha-Carpentier, B.

This guide aims to familiarise parliamentarians with the Movement, particularly the role of 189 Red Cross and Red Crescent National Societies¹ (National Societies) throughout the world. An active and growing National Society, such as Kiribati Red Cross Society, can do much to assist public authorities and all levels of government in the humanitarian field.

There are a number of characteristics that distinguish Kiribati Red Cross Society 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 creating a strong and valuable relationship between the Republic of Kiribati parliamentarians, government officials and Kiribati Red Cross Society.

Areas examined include:

- What is the Movement?
- What are the Fundamental Principles?
- What are the different elements of the Movement?
- What does 'auxiliary role' actually mean?
- What services do National Societies provide?
- What is humanitarian diplomacy?
- What do I need to know about international humanitarian law (IHL) and international disaster response law (IDRL)?
- What are the red cross, red crescent and red crystal emblems?
- What can I do as a parliamentarian or government official to strengthen and support Kiribati Red Cross Society?

1. For the most current information on the number of National Societies please visit IFRC.org.



Kiribati Red Cross Society volunteers perform HIV awareness drama to educate and inform local communities. Photo: IFRC/Matsha-Carpentier, B.

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)
- 189 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. These commitments build upon the obligations and responsibilities that governments have granted National Societies in the 1949 Geneva Conventions and the 1977 Additional Protocols.

What are the 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 20 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.icrc.org and www.ifrc.org, including sections on the history of the Movement, the International Conference, and the *Red Cross Red Crescent Magazine*.

The 7 Fundamental Principles

In all activities our volunteers and staff are guided by the Fundamental Principles of the Red Cross and Red Crescent Movement.

Humanity

The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and ensure respect for the human being. It promotes mutual understanding, friendship, co-operation and lasting peace amongst all people.

Impartiality

It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

Neutrality

In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

Independence

The Movement is independent. The 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 so that they may be able at all times to act in accordance with the principles of the Movement.

Voluntary Service

It is a voluntary relief movement not prompted in any manner by desire for gain.

Unity

There can be only one Red Cross or Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

Universality

The International Red Cross and Red Crescent Movement, in which all Societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.

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. However, 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. Its 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 landmines 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% of the ICRC's operational activities are carried out in cooperation with National Societies.

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 189 member National Societies. Each recognises 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 communicable 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 189 countries, embodying the work and principles of the International Red Cross and Red Crescent Movement. National Societies rely heavily on volunteers, particularly at the community level, to perform their humanitarian and development work.

A National Society is neither part of a government department, entity of the State nor 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 in accordance with the Statutes of the Movement. The first is that the State must have agreed to be bound by the 1949 Geneva Conventions. The government of Kiribati acceded to the Geneva Conventions in 1989. A State must then legally recognise the National Society in some form of domestic law. In the case of Kiribati, this recognition comes in the form of the *Kiribati Red Cross Society Act 1989*. An NGO does not have these requirements.

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



A young boy climbs up a coconut tree to pick fruit, May 2013.
Photo: IFRC/Matsha-Carpentier, B.

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 and the Council of Delegates. The General Assembly is made up of delegates from all member National Societies and the Federation. It determines the general policies of the Federation. The Council of Delegates brings together National Societies, the Federation and the ICRC. It adopts resolutions on Movement action and advocacy.

What does ‘auxiliary role’ actually mean?

The ‘auxiliary role’ is a term used to express the specific and distinctive partnership a National Society should have with public authorities 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 Kiribati Red Cross Society, take on a range of tasks involved in addressing the needs of the most vulnerable within their communities and worldwide.

This specific auxiliary relationship is recognised in international law and is found in legally binding documents domestically, such as the *Kiribati Red Cross Society Act 1989* which was revised in 2010. It is one of the major distinguishing features which set the Movement apart from the UN, NGOs and other organisations that provide humanitarian services.

The practical implications of the auxiliary role differ from country to country. However the common thread is that National Societies are generally considered among the most reliable partners for national and local public authorities. Those authorities also appreciate National Societies' strong capacity to mobilise human and material resources at the international and community level.

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 is 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.

In conclusion, auxiliary status is a balanced relationship with reciprocal responsibilities and mutual benefits. There is a need for strong dialogue between a National Society, its government and public authorities at all levels to ensure that each other's needs and limitations are understood.

What services do National Societies provide?

Through this independent and auxiliary role and at the request of the government, National Societies contribute their expertise in providing disaster risk reduction, disaster management and relief activities, health and social programs, the promotion of international humanitarian law and international disaster response laws and the promotion of humanitarian values. In addition, during wartime, National Societies assist the affected civilian population and support the armed forces' medical services where appropriate.

Illustrations of Kiribati Red Cross Society fulfilling this auxiliary role include its awareness raising activities for blood donor recruitment, its active membership on the National Disaster Council and its delivery of first aid training with the support of the Island Council.



What is humanitarian diplomacy?

The Movement seeks to persuade and 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. 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, at appropriate times, through the engagement of opinion leaders.

Humanitarian diplomacy is now widely seen across the Movement as a responsibility. This responsibility to persuade flows from the primacy within the Movement of the Fundamental Principle of 'humanity' and the privileged access enjoyed by National Societies as auxiliaries to the public authorities in the humanitarian field. It flows from the independence of the Movement, from the breadth of its humanitarian activities across the world, its community network with millions of volunteers and the ICRC and Federation observer status at the UN General Assembly.

Commitments made by States and Movement components at the International Conferences are a major part of the humanitarian diplomacy agenda of the Movement. National Societies seek to engage public authorities, including parliamentarians, in relation to these commitments. Humanitarian diplomacy is therefore an activity through which a National Society engages its government in constructive dialogue, providing solution-focused and evidence-based positions in relation to some of the most urgent humanitarian challenges facing the world.

What do I need to know about international humanitarian law (IHL) and international disaster response law (IDRL)?



Weather Coast, Solomon Islands. A team from Solomon Islands Red Cross and the ICRC on its way to assess the humanitarian situation and distribute family kits to displaced persons. Photo: ICRC/Heath, A.

What is international humanitarian law?

International humanitarian law (IHL) is a set of internationally binding rules which seek to limit the negative 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 1949 Geneva Conventions 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.

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

What is international disaster response law?



Kiribati, May 2013. Replanting mangroves to control the sea and sand movement.
Photo: IFRC/Matsha-Carpentier, B.

International disaster response law is the collection of laws, regulations, policies and procedures at the national, regional and international levels that help States to promote the prevention, response and recovery from disasters.

As a global humanitarian network of community-based, volunteer-driven National Societies, the Federation and its membership have a unique perspective on disaster law. Since 2001, the Federation has had a formal program of research and consultation on this topic to support its members in providing advice and support to their authorities. Following extensive consultations with governments, National Societies, international organisations and NGOs, the Federation drafted the *Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance* (IDRL Guidelines). While not legally binding, they were agreed upon by all States at the 30th International Conference of the Red Cross and Red Crescent in 2007.

The IDRL Guidelines are designed to assist States to strengthen their own laws, policies and procedures as they relate to international and national disaster response. In 2011 the Federation together with the UN Office for Coordination of Humanitarian Affairs (OCHA) and the Inter-Parliamentary Union (IPU), developed a pilot *Model Act for the Facilitation and Regulation of International Disaster Assistance* to provide further support to States in implementing the IDRL Guidelines.

States and the Movement have committed themselves through resolutions of the International Conferences to work in partnership to promote stronger and more effective disaster laws.



ICRC employees in Amman painting a large emblem on a tarpaulin intended to cover trucks bringing aid from Jordan to Iraq. Photo: ICRC/Gassmann, T.

What are the red cross, red crescent and red crystal emblems?

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. In Kiribati the National Society has adopted the use of the red cross.



How are these emblems used and why are they important?

The emblems may be used for two separate purposes – known as the ‘protective use’ and the ‘indicative use’. 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. 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 Kiribati the *Kiribati Red Cross Society Act 1989*, *Geneva Conventions Act 1993* and its amendments regulate the use of the red cross, red crescent and red crystal and it is a criminal offence to use these symbols without the permission of the relevant Minister.

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.

What can I do as a parliamentarian or government official to strengthen and support the Kiribati Red Cross Society?

Parliamentarians and government officials 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. These must recognise the Society's existence and confirm its capacity to follow the Fundamental Principles and undertake its activities as auxiliary to public authorities in the humanitarian field. In Kiribati, the *Kiribati Red Cross Society Act of 1989* provides capacity for the Kiribati Red Cross Society 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 *Kiribati Red Cross Society Act 1989*, *Geneva Conventions Act 1993* and amendments support the correct use of the emblem and needs to be widely known within Kiribati.

3. Access

In line with the Movement's neutral humanitarian role and relevant International Conference resolutions, public authorities should ensure National Societies' effective and safe access to persons in need of their services. Parliaments can support this through their oversight mechanisms concerning the enforcement of laws and by examining and correcting any provisions of law that would hamper such access.

4. 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). Kiribati Red Cross Society is always available to offer its services in this capacity. Leading discussion, or giving evidence to Parliamentary Committees on matters such as the IDRL guidelines, the provision of humanitarian assistance during times of natural disaster, or community resilience are areas where Kiribati Red Cross Society may be able to assist. The extent of the assistance offered by Kiribati Red Cross Society will be dependent on expertise and resources at its disposal.

5. 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 States 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.

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 might include commitments towards the dissemination of IHL, the strengthening of disaster response in the 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 their country's 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. Kiribati Red Cross Society maintains close and ongoing constructive dialogue with key government partners.

National Societies encourage 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.

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

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 a National Society to maintain a dialogue with parliamentarians as decision makers and as opinion leaders within the broader community. 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 can be built with groups at all levels of government. This recognises that a National Society exercises its auxiliary role across all spheres of government as many of the issues of humanitarian concern are regulated at the national, island, village and community level.

8. Funding and financial concessions

In agreements and resolutions of the International Conference, governments have committed to supporting National Societies by maintaining the humanitarian space for their activities and often by providing resources. Although raising funds is not the primary goal of the auxiliary role, the trust built through a well-functioning auxiliary relationship makes Kiribati Red Cross Society an ideal partner and an attractive funding option for government.

Support for Kiribati Red Cross Society may take place in a number of ways. This might include tax exempt status, exemption from customs duties and beneficial rates on government services together with tax deductible status for donations made to Kiribati Red Cross Society. Governments may provide extensive and varied in-kind support for National Societies, such as the provision of land or office space or giving licences for a National Society to provide fee-based services like first aid training. Some National Societies benefit from government lotteries and others receive annual contributions for core costs.

All these forms of support could assist Kiribati Red Cross Society in being able to deliver a greater amount of high quality humanitarian services in its role of assisting and supplementing the public authorities in the humanitarian field.



In Summary

As key decision makers and opinion leaders, parliamentarians and government officials are encouraged to be responsive to requests for meetings and discussions on humanitarian issues when requested by the Movement. As auxiliaries to its public authorities, Kiribati Red Cross Society has a responsibility to build relationships of trust and openness with its parliament and to bring humanitarian concerns to the attention of public authorities. Kiribati Red Cross Society greatly appreciates the support, collaboration and constructive relationship it has with Kiribati authorities.

Parliamentarians and government officials are encouraged to take an active interest in the Movement and the activities of Kiribati Red Cross Society and to give close and careful consideration to all instances of policy development, debate and legislation, which may have humanitarian implications.



We are guided by the **7** Fundamental Principles

humanity

impartiality

neutrality

independence

voluntary service

unity

universality

Kiribati Red Cross Society would like to sincerely thank the Australian Government, Australian Red Cross and the International Committee of the Red Cross for their contribution and support in the preparation of the *Guide for parliamentarians and government in the Republic of Kiribati to the International Red Cross and Red Crescent Movement*

Kiribati Red Cross Society

559 Betio Post

Betio, Tarawa

KIRIBATI

Tel: 686 25501/26098

Email: redcross.krcs@gmail.com

www.kirc.infor

Saving lives, changing minds

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