

## I. The Seville Agreement

[Source: Text of the Agreement adopted by consensus in Resolution 6 of the the Council of Delegates in Sevilla, Spain, November 26, 1997. Available on <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/57JP4Y>]

### AGREEMENT ON THE ORGANIZATION OF THE INTERNATIONAL ACTIVITIES OF THE COMPONENTS OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

#### PREAMBLE

The mission of the International Red Cross and Red Crescent Movement is *“to prevent and alleviate human suffering wherever it may be found, to protect life and health, and ensure respect for the human being, in particular in times of armed conflict and other emergencies, to work for the prevention of disease and for the promotion of health and social welfare, to encourage voluntary service and a constant readiness to give help by the members of the Movement, and a universal sense of solidarity towards all those in need of its protection and assistance”*.

The accomplishment of this common mission calls for the combined efforts and participation of all the components of the Movement. To respond with speed, flexibility and creativity to the needs of all those calling for impartial humanitarian protection and assistance, the components must join their forces and capitalize on their diversity. To achieve that goal through effective collaboration in a spirit of mutual trust, to ensure an efficient mobilization of resources, the components must therefore, based on a clear sense of purpose and their common mission, organize their international activities on a sound and predictable basis. This implies observance of the Fundamental Principles and of the Statutes of the Movement, and a synergetic cooperation, coupled with a clear division of labour, among components having distinct but closely related and complementary roles and competencies.

This Agreement is more than an instrument of operational management or a statement of understanding. It sets into motion a profound change in attitude between members of the same Movement: the adoption of a collaborative spirit, in which every member of the Movement values the contributions of other members as partners in a global humanitarian enterprise. It is an agreement on cooperation and not merely on a division of labour, and it applies to all those international activities which, under the Movement's Statutes, the

components are called upon to carry out in close collaboration. It establishes clear guidelines for the performance of tasks by Movement members, using the specific areas of competence and the complementary capacities of each to best effect. It provides for continuity of activities as situations change, and aims at fostering among the components a stronger sense of identity, of solidarity, of mutual trust and of shared responsibility.

With those objectives set out, this Agreement on the organization of the international activities of the Movement's components constitutes an essential element of a new common strategy of action that will allow the components to achieve three important goals :

- to provide more effective response to humanitarian needs using to best effect the Movement's many resources;
- to promote better respect for humanitarian principles, and for international humanitarian law;
- to create a stronger International Red Cross and Red Crescent Movement in which all components cooperate to the optimum extent.

## **Part I - General**

### **Article 1. Scope of the Agreement**

1.1 The Agreement applies to those international activities which the components are called upon to carry out in cooperation, on a bilateral or multilateral basis, to the exclusion of the activities which the Statutes of the Movement and the Geneva Conventions entrust to the components individually.

1.2 The "international activities" of the components are the activities of the National Societies defined in Article 3, paragraphs 3 and 5 of the Statutes of the Movement; the activities of the International Committee of the Red Cross defined in Article 5, paragraphs 2, 3 and 4 of the Statutes of the Movement; and the activities of the International Federation of Red Cross and Red Crescent Societies defined in Article 6, paragraphs 3, 4 and 5 of the Statutes of the Movement.

1.3 Pursuant to Article 7, paragraph 1 of the Statutes of the Movement, the Agreement defines the organization of international activities carried out in bilateral or multilateral cooperation between :

- the National Societies and their Federation;
- the National Societies and the ICRC;
- the National Societies between themselves;
- the ICRC and the Federation;
- the ICRC, the Federation and the National Societies.

1.4 Nothing in this Agreement shall be interpreted as restricting or impairing the specific role and

competencies of each component according to the Geneva Conventions and their additional Protocols, and under the Statutes of the Movement.

## **Article 2. Object and Purpose of the Agreement**

The object and purpose of the Agreement is :

- a. to promote the efficient use of the human, material and financial resources of the Movement and to mobilize them as rapidly as possible in relief operations and development activities in the interest of the victims of armed conflicts or of internal strife and their direct results, as well as of natural or technological disasters, and of vulnerable persons in other emergency and disaster situations in peacetime;
- b. to promote closer cooperation among the components in situations referred to in Article 2 a) above;
- c. to strengthen the development of National Societies and to improve cooperation among them, thus enabling National Societies to participate more effectively in the international activities of the Movement;
- d. to obviate differences between the components as to the definition and the organization of their respective international activities and responsibilities within the Movement;
- e. to strengthen functional cooperation among the ICRC, the Federation and National Societies.

## **Article 3. Guiding Principles**

The organization of the international activities of the components is at all times governed by the values and principles which guide the Movement, as enshrined in :

- the Fundamental Principles of the Red Cross and Red Crescent;
- the Statutes of the Movement;
- the Geneva Conventions and their Additional Protocols.

## **Article 4. Management Principles**

Implicit in the Statutes of the Movement are two organizational concepts which this Agreement defines as “the lead role” and “the lead agency”.

### **A) Lead Role**

4.1 The Geneva Conventions and the Statutes of the Movement entrust specific competencies to each component which therefore plays a lead role in these matters.

4.2 The concept of lead role implies the existence of other partners with rights and responsibilities in these matters.

### **B) Lead Agency**

4.3 The lead agency concept is an organizational tool for managing international operational activities. In a given situation, one organization is entrusted with the function of lead agency. That organization carries out the general direction and coordination of the international operational activities.

4.4 The lead agency concept applies primarily in emergency situations as referred to in Article 2 a) above, where rapid, coherent and effective relief is required in response to the large-scale needs of the victims, on the basis of an evaluation of these needs and of the capacity of the National Society concerned to meet them.

4.5 Effective coordination between the components under the responsibility and general direction of the lead agency requires the establishment of appropriate mechanisms for consultation and a commitment by all those taking part to abide by coordination rules and procedures.

4.6 The effectiveness of an operation depends on adequate prior training and preparation of those carrying out the operation (emergency preparedness).

## **Part II – International Relief Activities**

### **Article 5. Organization of International Relief Operations**

#### *5.1 Situations Requiring a Lead Agency*

A) International and non-international armed conflicts, internal strife and their direct results, within the meaning of the Geneva Conventions and their Additional Protocols and the Statutes of the Movement:

- a. within the meaning of the Geneva Conventions and of this Agreement, the term “situation of armed conflict” covers the entire territory of the parties to a conflict as far as the protection and assistance of the victims of that conflict are concerned;
- b. the term “direct results of a conflict” within the meaning of the Geneva Conventions applies beyond the cessation of hostilities and extends to situations where victims of a conflict remain in need of relief until a general restoration of peace has been achieved;
- c. the term “direct results of a conflict” shall also apply to situations in which general restoration of peace has been achieved, hence the intervention of the ICRC as a specifically neutral and independent institution and intermediary is no longer required but victims remain in need of relief during the post-conflict period, especially within the context of reconstruction and rehabilitation programmes;
- d. the term “direct results of a conflict” shall also apply to situations in which victims of a conflict are to be found on the territory of a State which is neither party to a conflict nor affected by internal strife, especially following a large scale movement of refugees.

B) Natural or technological disasters and other emergency and disaster situations in peace time which require resources exceeding those of the operating National Society and thus call upon the *Principles and Rules for Red Cross and Red Crescent Disaster Relief* to apply;

C) Armed conflict concomitant with natural or technological disasters.

#### *5.2 Armed Conflict and Internal Strife : Elements of Identification*

For the purposes of the application of the present Agreement and the organization of the international activities of the components,

- a. an armed conflict exists when the armed action is taking place between two or more parties and reflects a minimum of organization;
- b. internal strife does not necessarily imply armed action but serious acts of violence over a prolonged period or a latent situation of violence, whether of political, religious, racial, social, economic or other origin, accompanied by one or more features such as: mass arrests, forced disappearances, detention for security reasons, suspension of judicial guarantees, declaration of state of emergency, declaration of martial law.

### *5.3 Lead Agency Role of each Component*

5.3.1 The ICRC will act as lead agency, as provided for in Article 4 of the present Agreement, in situations of international and non-international armed conflicts, internal strife and their direct results as referred to in Article 5.1, Section A and in paragraphs a) and b), and in Section C (armed conflict concomitant with natural or technological disasters).

5.3.2 The Federation will act as lead agency in situations referred to in Article 5.1, paragraphs c) and d) of Section A, and in Section B (natural or technological disasters and other emergency and disaster situations in peace time which require resources exceeding those of the operating National Society).

5.3.3 A National Society may undertake the functions of lead agency necessary for the coordination of international relief assistance within its own territory subject to the concurrence of the ICRC or the Federation, as the case may be, as provided for in Article 3, paragraph 3 of the Statutes of the Movement.

5.3.4 If a natural or technological disaster occurs in a situation of conflict where the ICRC is already engaged, the ICRC will call upon the Federation to provide additional appropriate expertise to facilitate relief.

5.3.5 If an armed conflict or internal strife breaks out in a situation where there is ongoing Federation relief assistance activity, the transition provisions apply, as provided for in Article 5.5 of the present Agreement.

### *5.4 Unforeseen Situations*

In handling unforeseen situations which do not fall within the situations referred to in Part II, Articles 5.1 and 5.3, the components of the Movement directly concerned undertake, in good faith and with common sense, to be guided by the Fundamental Principles and the Statutes of the Movement, to ensure, in the interest of the victims, maximum efficiency of the operation and harmonious cooperation within the Movement as a whole.

### *5.5 Transition*

5.5.1 Where, as a result of a change of situation, responsibility for directing and coordinating an international relief operation is transferred from the ICRC or from the Federation in accordance with the relevant Articles of the present Agreement, the incumbent lead agency shall, in agreement with the operating National Society and in consultation with the participating National Societies, take all the steps appropriate to ensure an efficient and harmonious handover of the management and conduct of the new international relief operation by the component taking over the lead agency function.

5.5.2 Subject to the agreement of the donors who have contributed to financing the international relief operation which is being phased out, the funds and relief supplies available, together with the logistic and material resources deployed in the field, shall, if they are suited to the objectives of the new operation, be placed at the disposal of the lead agency henceforth responsible for its general direction and coordination.

#### *5.6 Other International Relief Actions by National Societies*

5.6.1 In situations where the needs of the victims do not call for the organization of an international relief operation under a lead agency, a National Society which provides direct assistance to the Society of the country affected by a conflict or a disaster shall immediately inform the ICRC or the Federation, as the case may be.

5.6.2 Mutual emergency relief assistance agreements in case of natural or technological disasters between neighbouring National Societies, and bilateral or multilateral development agreements between National Societies shall be notified in advance to the Federation.

5.6.3 The fact that one or several National Societies submit a request for aid to the ICRC or to the Federation, or hand over relief supplies to one of them, shall in no way be deemed to modify the organization of functions and responsibilities between the two institutions as defined in the present Agreement. In such an event, the institution which is not competent will so inform the National Society or Societies concerned and will refer the matter without delay to the competent institution.

#### *5.7 Operational Difficulties*

5.7.1 Should an international relief operation directed and coordinated either by the ICRC or by the Federation be obstructed for a prolonged period, the lead agency shall consult the components involved with a view to bringing their combined influence to bear so that the obstacles to the operation may be overcome as soon as possible in the sole interest of the victims.

5.7.2 Where appropriate they may, by mutual agreement, decide to implement provisional measures which shall in no way be regarded as precedents affecting the respective mandates of the components of the

Movement or the organization of tasks provided for in the present Agreement.

## *5.8 United Nations Specialized Agencies*

5.8.1 In order to maintain among the components a coherent approach that will preserve the Movement's unity and independence, a National Society wishing to conclude a cooperation agreement with a specialized agency of the United Nations, shall keep the Federation and/or the ICRC informed.

5.8.2 In particular, it shall keep the Federation and/or the ICRC informed of any negotiations likely to lead to a formal agreement with the UNHCR which should be undertaken in association with the Federation and/or the ICRC.

## **Article 6. Responsibilities for General Direction and Coordination of International Relief Operations**

6.1 In situations defined in the present Agreement, where the general direction and coordination of an international relief operation is exercised by the ICRC or the Federation acting as lead agency, this function carries the following responsibilities:

### *6.1.1 General Responsibilities*

- a. to define the general objectives of the international relief operation based on access to the victims and on an impartial assessment of their needs;
- b. to direct the implementation of these objectives;
- c. to ensure that all actions within the relief operation are effectively coordinated;
- d. to establish appropriate mechanisms of consultation with Red Cross and Red Crescent partners;
- e. to coordinate international Red Cross and Red Crescent relief operations with the humanitarian activities of other organizations (governmental or non-governmental) where this is in the interest of the victims and is in accordance with the Fundamental Principles;
- f. to act as a spokesman for the international relief action and to formulate the Red Cross and Red Crescent partners' response to public interest;
- g. to mobilize financial resources for the relief operation and to launch appeals integrating when necessary other directly or indirectly related Red Cross and Red Crescent activities;
- h. to ensure that the resources mobilized for an international relief operation are managed in a sound and efficient manner by the operating and the participating National Societies;
- i. to promote, by means of project delegations, bilateral or multilateral cooperation agreements between participating and operating National Societies;

### *6.1.2 Specific Responsibilities*

A) In situations where the ICRC is acting as lead agency :

- a. to establish and maintain relations and contacts with all the parties to the conflict and take any steps

necessary for the conduct of international relief operations for victims, in accordance with the relevant provisions of international humanitarian law and in compliance with the Fundamental Principles of independence, neutrality and impartiality;

- b. to assume ultimate responsibility for international relief operations vis-à-vis the parties to the conflict and the community of States party to the Geneva Conventions;
- c. to define and ensure the application of any measure which may prove necessary to guarantee, to the greatest extent possible, the physical safety of personnel engaged in relief operations in the field;
- d. to ensure respect for the rules in force relating to the use of the red cross and red crescent emblems for protective purposes;
- e. to draw up, in consultation with the National Societies concerned, public statements relating to the progress of the relief operation.

B) In situations where the Federation is acting as lead agency :

- a. to ensure that the participating and the operating National Societies comply with the *Principles and Rules for Red Cross and Red Crescent Disaster Relief* (1995) and the *Code of Conduct for International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief* (1993);
- b. to offer the National Societies rapid information on disasters in order to permit mobilization and coordination of all possible forms of relief;
- c. to promote, beyond the emergency phase, the establishment and the development of rehabilitation and reconstruction programmes, and to mobilize for this purpose the support of National Societies of other countries;
- d. to decide, in agreement with the National Society of the country concerned, and after consultation of the donor Societies, on the use of any goods or funds that remain available at the end of an international relief operation.

## **6.2 Coordination of an International Relief Operation by a National Society within its own Territory**

### **6.2.1 Taking into account:**

- the nature of the situation and the resulting constraints imposed upon the implementation of the operation;
- the scope of the needs to be met;
- the logistic means to be deployed;
- the preparedness and capacity of the National Society to undertake efficiently the action required in conformity with the Fundamental Principles, a National Society may act as a lead agency in the sense of undertaking the coordination of an international relief operation within its own territory, subject to the concurrence of, and on the basis of general objectives defined by the ICRC or the Federation, as the case may be.

6.2.2 In this context, this function of coordination by a National Society within its own territory implies primarily the following responsibilities :

- a. to direct the implementation of the general objectives defined for the international relief operation;



- b. to direct the work of personnel made available by participating National Societies placed under the authority of the operating National Society for the purpose of the operation;
- c. to coordinate the relief operation with the humanitarian activities of other organizations (governmental or non-governmental) having a representation and being active locally when this is in the interest of the victims and in accordance with the Fundamental Principles;
- d. to act as a spokesman for the international relief operation to respond to public interest;
- e. to ensure respect for the rules in force relating to the use of red cross and red crescent emblems;
- f. to ensure that the action is carried out and conducted in accordance with the *Principles and Rules for Red Cross and Red Crescent Disaster Relief* (1995) and the *Code of Conduct for International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief* (1993);
- g. to ensure that the financial and material resources made available for the purpose of the relief operation through the ICRC and/or the Federation, as the case may be, are managed in a sound and efficient manner;
- h. to provide required and appropriate information to the Federation or the ICRC, as the case may be, on the progress of the relief operation in order to enable them to report to donors having responded to international appeals launched to mobilize the necessary financial resources to meet the general objectives set out.

## **PART III – strengthening the Movement : development and functional cooperation**

All components shall strive to assist each other to realize their full potential and adopt a policy of constructive complementarity in elaborating a comprehensive development approach.

### **Article 7. Development of National Societies**

*7.1 A National Society is primarily responsible for its own development*

7.1.1 National Societies shall contribute as far as their means permit to the development of other National Societies requiring such assistance, by means of bilateral or multilateral development agreements.

7.1.2 Such agreements shall take account of the relevant policies and strategies adopted by the Federation's General Assembly.

7.2 The Federation has the lead role with regard to development activities and to the coordination of international development support to National Societies. The ICRC provides support in matters falling within its statutory core competencies.

7.2.1 The specific tasks of the Federation in development activities include :

- a. formulating and reviewing development policies on behalf of the Movement in consultation with the other

components;

- b. assisting National Societies to draw up development plans and project proposals;
- c. providing standards and guidelines for programme design and planning;
- d. setting criteria for mobilization and allocation of resources for development.

7.2.2 The ICRC shall contribute to the development of the National Societies in the following matters, in coordination with the Federation :

- a. technical and legal assistance in establishing and reconstituting National Societies;
- b. support of the National Societies' programmes for disseminating knowledge of international humanitarian law and the Fundamental Principles;
- c. involvement of the National Societies in measures taken to promote international humanitarian law and ensure its implementation;
- d. preparation of the National Societies for their activities in the event of conflict;
- e. contribution to the training of National Society personnel in fields related to its mandate.

7.2.3 In armed conflict situations, internal strife and their direct results, the Federation may continue to assist the National Society of the country concerned in its further development, taking into account that in such situations, where the ICRC is acting as lead agency as provided for in Article 5.3, the ICRC has the responsibility to coordinate and direct the relief operations in favour of the victims.

7.2.4 In armed conflict situations, internal strife and their direct results, the ICRC may expand its cooperation with the operating National Society concerned in order to strengthen its operational capacity. In such cases, the ICRC shall coordinate with the plans of the National Society concerned and the Federation in this regard.

7.2.5 Whenever it appears to either institution that a National Society has become unable to protect its integrity and to act in accordance with the Fundamental Principles, the ICRC and the Federation shall consult each other on the advisability of taking action, either jointly or separately. In the latter case, the two institutions shall keep each other informed of any action taken and of subsequent results.

## **Article 8. Functional Cooperation between the Components of the Movement**

8.1 The coherence of the action of the components of the Movement depends on cooperation and coordination among them in undertaking emergency actions in general or specific cases, as well as in all other areas of activity.

8.2 Functional cooperation between the ICRC, the National Societies and the Federation applies in particular to the following areas of international activities :

- a. establishment and recognition of National Societies and protection of their integrity;
- b. use and respect of the red cross and red crescent emblems;
- c. human resources development, training and preparation of personnel for international relief operations;

- d. cooperation at delegation level;
- e. relations with international institutions, non-governmental organizations and other actors on the international scene;
- f. coordination of international fundraising.

8.3 The principles outlined in Articles 3 and 4 of this Agreement may serve as a frame of reference for more detailed bilateral agreements on an ad hoc basis, that the ICRC and the Federation may wish to conclude for organizing their cooperation in specific areas at the institutional or regional levels.

8.4 The process of development of functional cooperation among the components, and the opportunities for its evolution in response to changes in the external environment can only be enhanced by continuous dialogue and regular consultation between those responsible for international activities within the ICRC and the Federation and with National Societies with a view to analyzing and anticipating needs. The initiative in respect of each specific area might best be taken by the organization having the lead role in that area.

## **Article 9. Communication, Fundamental Principles and International Humanitarian Law**

### *9.1 Public Relations and Information*

9.1.1 In their public relations, the ICRC, the Federation and National Societies, while performing their respective functions and thereby informing the public of their respective roles within the Movement, shall harmonize their activities so as to present a common image of the Movement and contribute to a greater understanding of the Movement by the public.

9.1.2 In order to ensure maximum efficiency in advocating humanitarian principles, according to the policies promulgated to that effect by the Council of Delegates, the components of the Movement shall cooperate in coordinating campaigns and developing communication tools. Whenever necessary, they may set up mechanisms to that effect, taking into account the lead roles of the different components.

### *9.2 Fundamental Principles*

9.2.1 All components of the Movement shall ensure that the Fundamental Principles are respected by the Movement's components and statutory bodies.

9.2.2 The ICRC has the lead role in the maintenance and dissemination of the Fundamental Principles. The Federation and the ICRC shall collaborate in the dissemination of those Principles among the National Societies. National Societies have a key role to play in upholding and disseminating the Fundamental Principles within their own country.

### *9.3 International Humanitarian Law*

9.3.1 The ICRC has the lead role for promoting, developing and disseminating international humanitarian law (IHL). The Federation shall assist the ICRC in the promotion and development of IHL and collaborate with it in the dissemination of IHL among the National Societies.

9.3.2 National Societies shall disseminate, and assist their governments in disseminating IHL. They shall also cooperate with their governments to ensure respect for IHL and to protect the red cross and red crescent emblems.

## **PART IV – Implementation and final provisions**

### **Article 10. Implementation**

10.1 All components of the Movement undertake to respect and implement the present Agreement on the organization of their international activities, in accordance with Article 7 of the Statutes of the Movement.

10.2 Each component – the Federation, the ICRC, and National Societies – is individually responsible for the implementation of the provisions of this Agreement, and shall instruct its volunteers and staff accordingly.

10.3 Beyond their individual responsibility to implement the provisions of this Agreement, the ICRC and the Federation, because of their directing and coordinating roles, have a special responsibility to ensure that the Agreement be fully respected and implemented by the Movement as a whole.

10.4 As the institutions most often called on to act as lead agency in international activities, the ICRC and the Federation have a need to:

- share information on global operational activities of common interest;
- discuss possible difficulties which may hamper smooth cooperation between the components.

It is for these institutions to agree between themselves what arrangements are best suited to meet this need.

10.5 The Standing Commission, by virtue of the role conferred upon it by Article 18 of the Statutes of the Movement, shall call annually for a report on the implementation of the Agreement from the ICRC and the Federation, which will be transmitted to all National Societies as part of a consultative process.

10.6 The Standing Commission shall include an item on the Agreement on the agenda of each Council of Delegates, thus establishing a process of regular review of the Agreement.

10.7 If differences arise between the components concerning the implementation of the Agreement and if these cannot be otherwise resolved, the Standing Commission may establish an *ad hoc* independent body,

as and when required, to arbitrate, with the agreement of the Parties, differences between the components of the Movement where conciliation and mediation have failed.

## Article 11. Final Provisions

The present Agreement replaces the 1989 Agreement between the ICRC and the League of Red Cross and Red Crescent Societies (International Federation). It was adopted by consensus, in Resolution 6 of the Council of Delegates in Seville, Spain, on 26 November 1997.

## II. Supplementary Measures to Enhance the Implementation of the Seville Agreement

[Source: International Red Cross and Red Crescent Movement, Council of Delegates, Resolution 8, “Implementing the Seville Agreement”, 18 November 2005; available at <http://www.icrc.org>. Footnotes omitted.]

### ANNEX (Resolution 8)

#### SUPPLEMENTARY MEASURES TO ENHANCE THE IMPLEMENTATION OF THE SEVILLE AGREEMENT

This document aims at improving the implementation and understanding of the Seville Agreement. It addresses parts of the Seville Agreement that may not be sufficiently explicit and may thus give room to various interpretations. It aims to guide users of the Seville Agreement in areas where there is a need for improvement: roles and responsibilities and understanding the Lead Agency concept, coordination, problem solving and enhancing knowledge about the Agreement. It supplements the Seville Agreement without modifying its conditions of application and contents.

##### 1. Roles and responsibilities – Host National Society and the Lead Agency

1.1. The International Red Cross and Red Crescent Movement must have an efficient and effective coordination system for international activities to manage the resources required to deliver services to affected people and populations and to coordinate with the wider humanitarian assistance systems. To achieve this, the Seville Agreement defines the Lead Agency concept as ‘an organisational tool for managing international operational activities’. It is allocated to one Movement component at a time (SA 4.3).

1.2. The Host National Society maintains at all times its role and mandate according to the Statutes of the Movement. The Seville Agreement focuses only on the organization of the international activities of the other components of the Movement. In this context, a National Society in its own country will continue to act according to its mandate in all situations. In respect of the Movement’s international operational activities, it

may also assume the role of Lead Agency in some situations and when not, it always is the “primary partner” of the Lead Agency.

1.3. Since the Agreement states that the Lead Agency function is applicable ‘primarily in emergency situations where rapid, coherent and effective relief is required in response to the large-scale needs of the victims’ (SA 4.4), it implies that the function is a *temporary response to a particular set of circumstances*. In any given country, the coexistence of the mandated activities of the Host National Society and the supportive international activities of other Movement components leads to a complex Movement operating environment, which necessitates the coordination provided by a Lead Agency, which can be the Host National Society, the ICRC or the International Federation (SA 5.3).

1.4. Movement coordination under a Lead Agency has been functional only when a satisfactory working relationship has been developed between the Host National Society, the ICRC and/or the International Federation. All other components involved in an international operation should support an increased level of involvement and responsibility of the Host National Society in the direction and coordination of the operation.

1.5. The Lead Agency function is an organizational tool for managing a temporary response to a particular set of circumstances and co-exists with the mandated activities of the Host National Society that it carries at all times

1.6. In any international relief operation where the Host National Society is not the Lead Agency, it will be the primary partner of the institution assuming that responsibility.

1.7. As a primary partner of the Lead Agency, the Host National Society is consulted on all aspects of the Movement’s response within the scope of Article 1.1 of the Seville Agreement. Consultation between the Lead Agency and the Host National Society should take place through established coordination mechanisms that cover the following elements:

- a. Analysis of the political, socio-economic and humanitarian environment;
- b. Assessment and identification of humanitarian needs;
- c. Definition of general objectives of the international relief operation, determining priorities;
- d. Establishment and maintenance of a framework for managing security for all Movement components;
- e. Establishment of an operational strategy for a Movement response, that is aligned to the general objectives and takes into account available resources;
- f. Development of the plan of action relating to priorities of the Movement response;
- g. Description of mechanisms for problem solving;
- h. Management of relationships with the authorities as far as the international relief operation is concerned; and
- i. Definition of entry and exit strategies for programmes and activities of various components, including arrangements during transition.

1.8. Article 5.3 of the Seville Agreement clearly defines the assignment of the Lead Agency role. This expedites a rapid and coherent organization of the Movement's response in favour of victims in situations requiring a Lead Agency as determined by Article 5.1.

1.9. The framework for a Host National Society assuming the Lead Agency role is set out in article 6.2 of the Seville Agreement. Within this framework, the operational capacity required to meet victims' needs and the capacities and capabilities of the Host National Society are taken into account.

1.10. Elements that facilitate assessment of a National Society's capacities and capabilities in relation to coordination of an international relief operation within its own territory are:

a. Organizational and management structure of the Host National Society:

The National Society should conform to the standards established for a 'Well-Functioning National Society' and regularly carry out the process of National Society Self Assessment

b. Capacities for managing the Movement's international relief operation

1. Acceptance by and access to all key actors in the given situation.
2. National Society coverage of the national territory.
3. Operational management, and logistics systems capacities.
4. Capacity to manage security systems for National Societies working internationally.
5. Functioning working relations within and outside the Movement.

1.11. When there is a Lead Agency other than the Host National Society, the operational strategy for the Movement response will be developed in ongoing and compulsory close consultation and cooperation with the Host National Society. Other Movement components operational in the context play a supporting role and are consulted.

1.12. Relief operations in conflict environments are managed differently from peacetime relief operations. Due consideration needs to be given to the fact that in situations of armed conflict, internal strife and their direct results (5.1 and 5.2 of SA) there are two institutions (the Host National Society and the ICRC) with an explicit mandate to meet the needs of the people affected. Other components of the Movement support and reinforce the national or multi-lateral response capacities.

1.13. The Lead Agency coordinating an international relief operation in a conflict environment needs the following additional capacities and abilities:

- a. Maintaining relationships and contacts with state and non-state actors that have an influence on the conflict where the relief operation is conducted;
- b. Managing and maintaining a security framework for all Movement components that are operational within a coordinated Movement approach;
- c. Ensuring respect for the rules in force relating to the use of the red cross and red crescent emblems for protective purposes;

- d. Formulating, in consultation with the National Societies concerned, public statements on the progress of the relief operation;
- e. Assuming ultimate responsibility for the international relief operation in relation to state and non-state parties to the conflict.

1.14. These state and non-state actors may have interests in different populations and geographical areas. The Lead Agency should always seek to persuade and assure parties to the conflict that Movement assistance provided is based entirely on humanitarian needs, which is possible only when all parties to a conflict accept the Lead Agency as an impartial, neutral and independent humanitarian actor.

1.15. The organization of international relief operations in peacetime is guided by the Seville Agreement and by the Principles and Rules for Red Cross and Red Crescent Disaster Relief. In situations where the Seville Agreement foresees the Federation to act as the Lead Agency, the Federation is encouraged to conclude agreements with the Host National Society of the most disaster prone countries (either by a pre-disaster agreement or an ad hoc agreement) and, based on pre-disaster assessed or announced capacity and contingency mapping/planning, to define the respective roles and responsibilities, which may also include National Societies from other countries and the ICRC.

## **2. Coordination**

2.1. The institution exercising the role of Lead Agency must have the capabilities and competencies required to carry out the 'general direction and coordination of the international operational activities' that the Seville Agreement envisages. Management and coordination systems for a Movement humanitarian response have to encompass the national working environment, international aid flows and international relations.

2.2. The main focus of the Lead Agency is on direction and coordination, with the requirement to establish 'appropriate mechanisms for consultation' (SA 4.5) with other Movement components. Other components of the Movement have to accept and abide by rules and procedures thus established. In order to promote a coherent framework for Movement coordination, mechanisms developed must involve all Movement partners operational in a country (the Host National Society, the ICRC, the International Federation and National Societies working internationally).

2.3. Coordination mechanisms will be established and take the form of regular meetings, chaired by the Lead Agency, between the various components of the Movement that are operational in a country (the Host National Society, the ICRC, the Federation and National Societies working internationally).

2.4. Such meetings must provide the necessary framework for strategic decision-making and for coordination of operational activities; they might be held at various levels (senior management and implementation levels) depending on the complexity of the operation.

2.5. All decisions taken at such meetings must be rapidly recorded and communicated to all the partners



involved for implementation, which will be monitored by the coordination mechanisms.

2.6. It is recommended that Movement coordination mechanisms be established in all circumstances where various components of the Movement are present and contribute to operations in a given country. This means that such coordination mechanisms apply also in 'normal' and 'non-emergency' situations to ensure effectiveness and results within Movement cooperation. This would facilitate cooperation and dialogue at the 'entry' and 'exit' points of the Lead Agency role (transition) and help clarify longer-term coordination of the international activities of Movement components.

2.7. Procedures for engagement of other Movement components are to be established by the Lead Agency in cooperation with the Host National Society, based on the following sequence of steps:

1. Expressions of interest for participation based on the operational plan and priorities communicated to potential partners;
2. Determination of partners' motivation and interest in participating;
3. Interests of the Host National Society: proximity, existing partnerships, potential for long-term engagement;
4. Specific proposals by potential partners, special skills and resources available;
5. Decision by the Lead Agency in cooperation with the Host National Society and in consultation with the prospective partners;
6. MoU or similar agreement(s) defining aims and objectives, roles and responsibilities, resources (human and financial), monitoring and reporting arrangements along with problem solving mechanisms.

2.8. The Lead Agency needs to have a system to identify and disseminate best practices about coordination and procedures of engagement.

Equally relevant for purposes of coordination are the following sections, 3 through 5 respectively.

### **3. Memoranda of Understanding (MoU)**

3.1. Memoranda of Understanding (MoU) regarding respective roles and responsibilities at country level need to be established whenever there are various components working in a given country, in order to promote coherent working practice and understanding of the roles and responsibilities already elaborated in the Statutes of the Movement and the Seville Agreement.

3.2. Experience in recent operations demonstrates the tremendous value of pre-agreed MoUs between the Host National Society, the ICRC and the Federation. The process of negotiating such MoUs presents an opportunity to develop stronger working relationships between the parties, stronger working knowledge of each other's capacities, systems and tools. MoUs can be seen as preparedness measures that anticipate the changed roles and responsibilities applied in emergency situations.

3.3. The Host National Society, the ICRC and the Federation will jointly ensure that this tool is elaborated in a

process of adequate consultation and that other National Societies concerned participate and sign.

3.4. Such MoU will contain respective roles and responsibilities for functional cooperation in 'normal circumstances' and for situations where there is a need for an international relief operation in line with the Seville Agreement.

3.5. MoUs and CAS (Cooperation Agreement Strategies) processes should ideally complement each other with the objective of ensuring more effective cooperation and coordination at all times.

#### **4. Neighbouring National Societies and National Societies working internationally**

4.1. The Statutes of the Movement foresee the following role for National Societies working internationally: '... each within the limits of its resources, give assistance for victims of armed conflicts, as provided in the Geneva Conventions, and for victims of natural disasters and other emergencies. Such assistance, in the form of services and personnel, of material, financial and moral support, shall be given through the National Societies concerned, the ICRC or the Federation' (Movement Statutes, Article 3.3).

4.2. In the planning of any Movement operation, all components, such as neighbouring National Societies, other Societies working internationally and the ICRC/Federation (as the case may be) should be given the opportunity to participate in the operation, in the spirit of the preamble of the Seville Agreement. All components must support the objectives and priorities set by the Lead Agency (in full consultation with the Host National Society as its "primary partner", if it is not the Lead Agency). Furthermore, all components participating have the obligation to fully engage in and support the coordination mechanisms established.

4.3. The situation of mutual responsibilities between neighbouring National Societies within regional frameworks needs to be addressed recognizing that there are normal and logical relationships because of culture and language and other common denominators on this specific level.

4.4. Regional networks can play a vital role in support of Movement operations. The International Federation is called upon to coordinate cooperation between National Societies in various regions and to facilitate sub-regional pre-agreements as a preparedness measure in case of emergencies in peacetime requiring international assistance. The ICRC may also be party to such agreements.

4.5. The National Societies working in accordance with the Seville Agreement could provide a permanent forum for coordination and planning in their bordering regions for improved preparedness for any emergency. Plans of mutual assistance and specific protocols for response and recovery should be established taking due account of the Seville Agreement as well as of the Principles and Rules for Red Cross and Red Crescent Disaster Relief and specifying the main actors responsible for coordination. Regional capacities should focus on monitoring humanitarian needs and provide early warning systems for possible interventions required. Regional cooperation processes should be supported by other components.

4.6. According to the Seville Agreement, all international resources for an emergency operation channelled in whatever way, and regardless through which institution, are to be considered part of the overall coordinated approach of the Movement. In the interest of effectiveness and coherence, National Societies must avoid unilateral and uncoordinated bilateral action.

4.7. Wherever regional networks of National Societies exist, possibly with pre-negotiated cooperation agreements, they should be called upon to perform activities in support of the objectives and priorities set for a Movement operation.

## **5. Transition**

5.1. Transition of responsibilities for management of resources linked to the Movement response must be based on an analysis and monitoring of developments in the context. Such an analysis must be done and discussed in the regular coordination meetings between all parties involved – the Host National Society, the ICRC and/or the Federation and National Societies working internationally.

5.2. During transition, moving from a crisis situation through recovery and rehabilitation towards a situation of normalcy, established coordination mechanisms and agreements between components involved during the operation shall, as a rule, be maintained.

5.3. The Lead Agency in consultation with the Host National Society (if it is not the Lead Agency) is responsible for negotiations on any modifications or changes to established mechanisms and agreements.

5.4. Entry and exit strategies for programmes and other activities of Movement components in the context are to be defined in consultation between the Lead Agency and the Host National Society.

5.5. The decision to terminate the Lead Agency function will be made by the incumbent Lead Agency, in consultation with the Host National Society (if it is not the Lead Agency) and with the other components operationally involved in the context.

5.6. The transition process from a Lead Agency in charge to the Host National Society taking over the role should be formalized in a Memorandum of Understanding for Development Cooperation (MoUDC) as a framework for capacity building support.

## **6. Problem solving**

6.1. The overall plan established for the operation by the Lead Agency in consultation with the Host National Society (if it is not the Lead Agency) should include problem-solving mechanisms.

6.2. Problems regarding the implementation of the Seville Agreement should be clearly identified in the field and addressed there with the institution(s) or individuals concerned.

6.3. The various institutions of the Movement working in the field should ensure that their personnel in charge on the ground have as far as possible the competency and the mandate to take decisions to resolve problems arising in the country of operation.

6.4. The institution assuming the role of Lead Agency in the country of operation is responsible for ensuring that the issues are concretely defined and put across, with proposals for resolving them in the field. Such efforts are to be clearly documented in writing.

6.5. Problems arising in the field, which failed to be resolved there, in spite of being adequately addressed by clearly documented efforts, will be brought to the respective headquarters of the concerned Movement components working internationally.

6.6. The senior managers in charge of operations in the institutions working in the field will examine the case on the basis of the documentation and information provided, and will take the necessary decision. Such decisions will be communicated to the country of operation for implementation.

6.7. Article 10 of the Seville Agreement provides for monitoring of implementation of the Seville Agreement and for arbitration mechanisms to address differences that cannot be otherwise resolved. The provisions on monitoring and reporting on the implementation of the Agreement need to be used more effectively and in a more systematic manner to enable regular and rigorous reviews, as well as early corrective action in case of difficulties encountered.

6.8. Repeated failures of compliance with the Seville Agreement by any component of the Movement in carrying out its agreed role and responsibilities having consequences on the coherence, image and reputation of the action of the Red Cross and Red Crescent in the field will be initially addressed as outlined above. Pending on the circumstances, such cases may be considered as cases where integrity is at issue.

## **7. Enhancing knowledge of the Agreement**

7.1. Training is an essential element in building a spirit of cooperation and better understanding of policies and rules. To increase the role of the Seville Agreement as the catalyst for a collaborative spirit (see the Preamble of the Agreement), training should reach the widest possible group of people at all levels in all components of the Movement and not only those that are/could be involved in relief operations

7.2. Training needs to focus on accountability within each component with due respect for the rules and on the particular duty of governance to monitor management's compliance with obligations resulting from the Agreement.

7.3. The ICRC and the International Federation, with the involvement of National Societies, will establish standard training modules which differentiate between a basic training programme accessible for all staff and

volunteers and a training programme about operational management for those likely to be directly involved in the coordination of international activities. Such training modules will adequately address the specificity of working in situations of conflict and internal disturbances.

7.4. National Societies, the ICRC and the International Federation will organize joint training sessions for their staff and volunteers concerned at implementation, management and governance levels of their respective institutions.

7.5. Such training sessions should, whenever possible, be conducted jointly and on a regular basis in order to ensure that new governance, personnel and volunteers have adequate knowledge of the Agreement.

7.6. The International Federation and the ICRC will offer assistance to National Societies in organizing such training sessions, involving participants from all the different components of the Movement.

7.7. The relevance of the Seville Agreement should be confirmed in policies, rules and regulations within the Movement.