

RESOLUTION 8

IMPLEMENTATION OF THE SEVILLE AGREEMENT

The Council of Delegates,
recalling Resolution 8 of its 2003 session,

taking note of the report by the Standing Commission on the work carried out by its Ad Hoc Working Group on the Seville Agreement,

acknowledging that the Seville Agreement has been an essential tool to organise the international activities of the components of the Movement and that there have been a number of successes in its implementation since its adoption in 1997,

noting however that the Seville Agreement is still not sufficiently understood, accepted and applied by staff, volunteers and governing bodies within components of the Movement, and that some National Societies had expressed concerns that the Agreement does not adequately address some areas of operational co-operation,

recognizing that the external environment in which many crises occur is more complex than in the past, and that the internal environment within the Movement and its components has changed since the adoption of the Agreement in 1997,

accepting and welcoming the emergence of new and different models of cooperation and collaboration among components of the Movement,

reaffirming that National Societies within their own countries are autonomous national organizations acting independently in conformity with their own statutes and national legislation in pursuance of the mission of the Movement and in accordance with the Fundamental Principles

reaffirming the need for the Seville Agreement as a catalyst for building a collaborative spirit and as a valid tool for organising the international activities of the components of the Movement,

1. **adopts** the Supplementary Measures to Enhance the Implementation of the Seville Agreement,
2. **calls upon** all components of the Movement to apply the Supplementary Measures in the same manner they are called upon to implement the Agreement itself,
3. **urges** all components to strengthen their knowledge of the Seville Agreement, of its Supplementary Measures and of cooperation and coordination mechanisms through increased and joint training at all levels,

4. further calls upon the ICRC, the International Federation and the National Societies to address preparedness and contingency planning in all contexts
5. requests the Standing Commission, the ICRC and the International Federation to act in accordance with their respective mandates under Article 10 of the Seville Agreement, and to monitor the progress of the Group mentioned in paragraph six, through regular contact with its Chairperson
6. decides to establish a Group ("the Group") comprised of the four elected vice presidents of the International Federation and a member of the Governing Board representing the Middle East and North Africa region, plus two representatives each of the ICRC and the International Federation Secretariat, to monitor the implementation of the Seville Agreement and the Supplementary Measures (by establishing a monitoring and reporting framework) and to address all co-operation and co-ordination issues in the Movement,
7. requests the Group to
 - a. elect its chairperson from among its members and reach its conclusions and recommendations by consensus,
 - b. ensure that mechanisms exist at regional level (taking advantage of existing fora) to hear the views and concerns of all interested National Societies,
 - c. draw conclusions and make recommendations as appropriate, and report these to the Council of Delegates in 2007.

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 NS 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 systems¹. 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)².
- 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 Humanitarian systems outside the Red Cross and Red Crescent Movement: UN and national or international Non-Governmental Organisations

² SA always used as an abbreviation of "Seville Agreement"

- 1.5. The Lead Agency function is an organisational 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 organisation 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) Organisational and management structure of the Host National Society:
The National Society should conform to the standards established for a 'Well-Functioning National Society'³ and regularly carry out the process of NS 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

³ Characteristics of a Well-Functioning National Society, International Federation, May 1994

- 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 organisation 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'⁴ 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 mechanisms⁵.
- 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:
 - a) Expressions of interest for participation based on the operational plan and priorities communicated to potential partners;
 - b) Determination of partners' motivation and interest in participating;
 - c) Interests of the Host National Society: proximity, existing partnerships, potential for long term engagement;
 - d) Specific proposals by potential partners, special skills and resources available;

⁴ Seville Agreement Part I, Article 4, B), 4.3

⁵ Practical examples include the coordination mechanisms developed for Russia in 2000, the Balkans operation in 1999, the Macedonia operation in 2000, the Sudan operation in 2004 and the Tsunami operation in 2005

- e) Decision by the Lead Agency in cooperation with the Host National Society and in consultation with the prospective partners;
- f) 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 operations⁶ 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).

⁶ Sudan 2004, Nepal 2004, Sri Lanka 2004, Indonesia 2004

- 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 formalised 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 organise 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.