

# restoring **FAMILY** links

a guide for National Red Cross and Red Crescent Societies

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## Mission

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

It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles.

Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.





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**ICRC**

International Committee of the Red Cross  
Central Tracing Agency and Protection Division  
19, Avenue de la Paix  
1202 Geneva, Switzerland  
**T** + 41 22 734 60 01 **F** + 41 22 733 20 57  
**E-mail:** [shop.gva@icrc.org](mailto:shop.gva@icrc.org)  
**www.**[icrc.org](http://www.icrc.org)  
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# introduction

This guide was written for National Societies and, more specifically, for heads of tracing services. It describes and seeks to promote across the entire International Red Cross and Red Crescent Movement a common approach to responding effectively to the loss of family contact as a result of conflict, natural disaster or other situations with a humanitarian impact. Tracing services may find it useful for developing their work of restoring family links and providing training and supervision for local branches.

A replacement for the 1985 *Guide for National Red Cross and Red Crescent Societies* and the 1989 *Guidelines for Tracing in Disasters*, the handbook was compiled by the ICRC after consultation with several National Societies and the Secretariat of the International Federation.

The task of restoring family links has evolved and become more specialized in response to changes in the nature of conflict, which is increasingly affecting civilian populations, causing people movements, detentions and disappearances on a massive scale. Another spiralling cause of family separation has been the upsurge in natural disasters.

Faced with greater levels of need, the ICRC and National Societies have reacted by intensifying their efforts to reconnect people, protect unaccompanied minors and other vulnerable groups and trace those reported missing. They have also been prompted by technological developments, above all in the communications sector, to refine their working tools - but without sacrificing the principles of security for protected individuals and the confidentiality of personal information.

Whilst it emphasizes the importance of these developments, the guide presents them alongside traditional methods of restoring family links, which remain relevant to the majority of situations of conflict or natural disaster, in which the new technologies are not entirely practicable.



# ction

The guide also draws attention to the legal basis for Red Cross/Red Crescent action to restore family links and clarifies the role of each one of the Movement's components in this sphere.

Humanitarian action is subject to intense public, media and political scrutiny. Furthermore, other humanitarian players share the Movement's traditional areas of activity. These factors should encourage us to become more creative and flexible in confronting fresh challenges.

However great the scale of need and in spite of the pressures inherent in certain situations, our constant priority must be to combine respect for the Fundamental Principles with high standards and success in the services that we offer.

The Movement's activities in the field of restoring family links are anchored in two key strengths: long-term commitment on the part of National Societies and the ICRC, and the existence of the worldwide network of tracing services. This guide is a modest attempt to contribute to the skill and dynamism of that network.



Paolo Pellegrini/ICRC



# the **LEGAL BASIS** and role of the Movement's components in restoring family links

1

# legal basis

## 1.1 Legal basis

### 1.1.1 The Geneva Conventions and their Additional Protocols

The four Geneva Conventions of 1949 (GC) and the First Additional Protocol of 1977 (AP I) address the protection of persons affected by **international armed conflict**. Chiefly concerned are wounded or sick members of armed forces in the field or at sea, members of military medical services and prisoners of war. Also protected are civilians – for example, foreign nationals (including refugees) on the territory of the parties to a conflict, populations in occupied territory, civilian detainees and internees and health and religious workers belonging to civilian aid organizations.

The Second Additional Protocol (AP II) of 1977 and Article 3 common to all four Geneva Conventions concern the protection **in situations of non-international armed conflict** of persons who are not, or are no longer, taking part in hostilities. Common Article 3 comprises a minimum set of rules which the conflicting parties are bound to apply at all times. On the whole, the rules are often less precise than those applicable in international armed conflict.

In **other situations of violence** – which this guide will refer to as “**internal disturbances**” – the provisions of the Conventions can only be applied by analogy. However, States must respect a certain number of universal humanitarian principles and the human rights instruments to which they are party.

With regard to the restoration of family links, the Geneva Conventions define the roles of:

- National Information Bureaux (NIBs)<sup>1</sup>: GC III, art. 122 and GC IV, art. 136;
- the Central Information Agency<sup>2</sup> and the ICRC: GC III, art. 123 and GC IV, art. 140.

<sup>1</sup> For further information on the duties of NIBs, see Annex 1: National Information Bureaux (NIBs).

<sup>2</sup> In 1961 the Central Information Agency (also known as the Central Prisoners of War Information Agency), became the Central Tracing Agency (CTA).

The activities governed by the Geneva Conventions and their Additional Protocols can be grouped under four headings<sup>3</sup>:

- **Collecting, recording and forwarding information for the purpose of identifying** prisoners of war or civilian internees, the wounded, sick or dead and others afforded protection. In an international armed conflict this information is obtained by NIBs, which must then forward it to the opposing side through the intermediary of the Central Information Agency/CTA or the Protecting Powers (GC III, art.122-125). Generally speaking, the information concerned is provided by capture or internment cards, certificates detailing the medical condition of protected persons who are sick or wounded, and records of protected persons' movements (transfer, release, repatriation, escape, hospitalization, birth and/or death). Article 138 of the Fourth Geneva Convention both lists the kind of information to be received and transmitted by NIBs and describes its purpose, which is to make it possible to identify protected persons without error and swiftly to advise their next of kin.

- **Forwarding family news;** regarding in particular the right of prisoners of war and internees to send and receive letters and cards (GC III, art.71 and GC IV, art.107), and that of individuals to receive news from relatives (GC IV, art.25).

The Conventions describe what form correspondence may take, how its content is to be checked and in which circumstances it is exempt from postal charges. They also define Parties' obligations with regard to the forwarding of personal effects.

- **Tracing missing persons;** regarding in particular the right of families to know their relatives' fate (AP I, art.32-34) and Parties' obligation to provide all necessary particulars for the identification of protected persons when deceased and details on the whereabouts of their graves (GC III, art.120 and GC IV, art.130).
- **Family reunification;** in particular, measures for the evacuation of children (AP I, art.78), the reunion of dispersed families (GC IV, art.26 and AP I, art.74) and the transfer or repatriation of prisoners or other protected persons (GC III, art.119; GC IV, art.128, 134 and 135).

<sup>3</sup> For an exhaustive list of relevant articles in the Geneva Conventions and its Additional Protocols, see Annex 2: List of articles in the four Geneva Conventions of 1949 and their Additional Protocols of 1977 concerning or relating to the activities of the National Information Bureau (NIB) and/or the ICRC Central Tracing Agency (CTA).

### 1.1.2 Statutes of the International Red Cross and Red Crescent Movement

The general roles of the National Societies, the ICRC and the International Federation are defined in Articles 3, 5 and 6 respectively of the Statutes of the International Red Cross and Red Crescent Movement.

The Statutes recognize the ICRC's **right of initiative**, whereby it can offer its services in situations which are not covered by international humanitarian law (IHL), such as internal disturbances (Articles 5.2d and 5.3).

### 1.1.3 Resolutions of the International Conference of the Red Cross and Red Crescent

Every four years, the components of the Movement and the States party to the Geneva Conventions hold an International Conference which culminates in joint resolutions on protecting and assisting people affected by situations of armed conflict, internal disturbances or natural disaster. These resolutions are formulated as requests or recommendations for action by States and/or components of the Movement.

Certain resolutions relate more specifically to persons who are reported missing or have died during armed conflict, dispersed families, internally displaced persons (IDPs) and refugees. Such resolutions are concerned with preserving the family unit through the tracing and reunification of family members and the transmission of personal details necessary for these two tasks. They tackle the question of protecting unaccompanied children and minors in difficulties and consider what measures are necessary to reunite them with their families. Lastly, they call on governments to prevent forced or involuntary disappearances and stress the need to ascertain the fate of missing persons.

Resolution XXI of the 24th International Conference (Manila, 1981) and Resolutions XV and XVI of the 25th International Conference (Geneva, 1986) are of particular interest since they define the role of the Movement in the field of restoring family links and that of the CTA in providing coordination and technical advice. This role was reaffirmed in Resolution 2D of the 26th International Conference (Geneva, 1995)<sup>4</sup>.

<sup>4</sup> See Annexes 3.1, 3.2 and 3.3: Resolution XXI of the 24th International Conference (Manila, 1981), Resolutions XV and XVI of the 25th International Conference (Geneva, 1986) and Resolution 2C & 2D of the 26th International Conference (Geneva, 1995).

## 1.2 The role of the Movement's components in restoring family links

The main strength of the Red Cross and Red Crescent Movement, particularly relevant to its task of tracing relatives and restoring family links, is that it consists of a **single worldwide network** that can apply the same principles and working methods in every country where needs arise – regardless of the legal status of those concerned (prisoners of war, civilian internees, local communities, IDPs, refugees, asylum seekers, etc.).

The Agreement on the Organization of the International Activities of the Components of the International Red Cross and Red Crescent Movement (Seville Agreement, November 1997) re-emphasizes the crucial importance of coordinating the efforts of the Movement's components in order to optimize assistance for victims.

### 1.2.1 The role of the ICRC

As a neutral and independent institution, the ICRC has the role of endeavouring to provide protection and assistance to military and civilian victims of international and non-international armed conflict and internal disturbances and their direct results. It also oversees the operation of the Central Tracing Agency as set up under the Geneva Conventions and reaffirmed by Article 5 of the Movement's Statutes.

IHL places great emphasis on maintaining and restoring family links. The ICRC has the important task of reminding authorities of their obligations and carrying out direct action in the field.

As regards the restoration of family links, the ICRC's role was reaffirmed by the 25th and 26th International Conferences (Geneva, 1986 and 1995), at which the States drew attention to the role of the ICRC and the CTA as **coordinator and technical adviser** to National Societies and governments.

As **coordinator**, the CTA is responsible for deciding what action is to be taken in situations of armed conflict or internal disturbances. The CTA ensures coherence within the network and provides methodology and guidelines to National Societies.

As **technical adviser**, the CTA establishes sets of working practices for tracing services to adopt. Training seminars and regional meetings are held for the purpose of pooling experience and consolidating shared knowledge.

### 1.2.2 The role of National Societies

According to the Movement's Statutes, the National Societies *"carry out their humanitarian activities in conformity with their own statutes and national legislation"* (Article 3.1). *"They organize, in liaison with the public authorities, emergency relief operations and other services to assist the victims of armed conflicts as provided in the Geneva Conventions, and the victims of natural disasters and other emergencies for whom help is needed"* (Article 3.2).

As mentioned in Resolution XVI of the 25th International Conference, which recognizes the *"the International Red Cross and Red Crescent Movement's responsibility in helping to re-establish or maintain contact between members of families separated as a consequence of armed conflict, tensions or natural disasters"*, National Societies are called upon to play an important role as components of the international network for tracing and reuniting families. They have a long term commitment to pursue their action as long as needs exist, a period which may extend well beyond the end of a conflict or natural disaster.

In line with the Movement's responsibility to preserve the family unit, the National Societies must integrate their activities for restoring family links within an overall plan of action. They must also draw public, humanitarian players and government attention to the work and significance of their tracing services.

An officer responsible for tracing shall be clearly designated in each National Society. This person will be responsible for setting up or consolidating an effective national network for carrying out tracing and family reunification activities. Depending on the circumstances, he/she will work with the CTA, the relevant ICRC delegations and/or the tracing services of other National Societies.



## 1.2.3 The role of the Secretariat of the International Federation

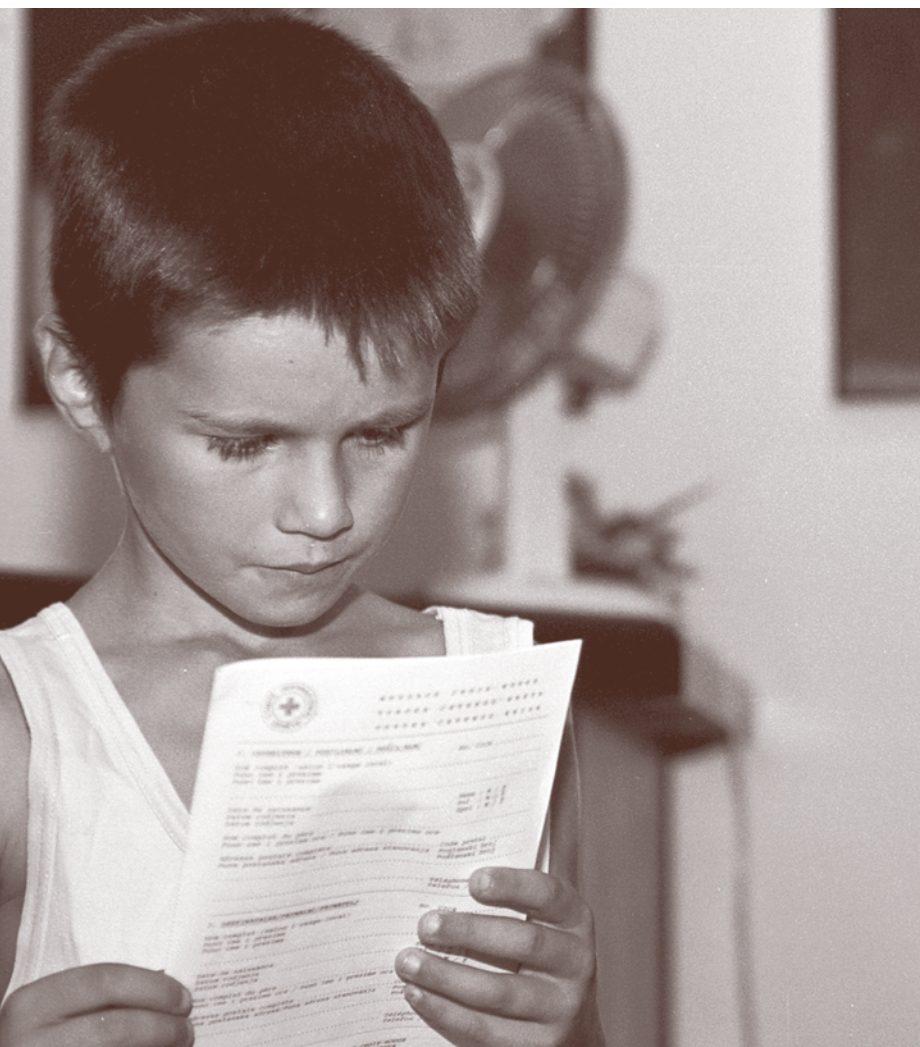
According to Article 2 of the Statutes of the International Federation, as revised and adopted by the 12th Session of the General Assembly in Geneva (October 1999), *"the general object of the Federation is to inspire, encourage, facilitate, and promote at all times all forms of humanitarian activities by the member Societies with a view to preventing and alleviating human suffering and thereby contributing to the maintenance and the promotion of peace in the world"*.

The functions of the International Federation are defined in Article 6 of the Movement's Statutes. It has a particular responsibility to encourage the development of National Societies.

Although neither the Geneva Conventions nor the Statutes specifically mention the part played by the International Federation in restoring family links, the Federation Secretariat will strive to have tracing activities included in National Societies' development plans. It will also ensure that the role and importance of tracing activities are emphasized and that the respective duties of the authorities and the National Society are clearly defined in plans for disaster preparedness. Finally, in the event of a natural disaster it will ensure that evaluations of the situation take account of the need for tracing activities and of the degree to which the National Societies of countries affected are able to respond.



Thierry Gassmann/ICRC



# STRATEGY

for restoring family links

2

# strategy

## 2.1 Situations in which the Red Cross/Red Crescent takes action

The International Red Cross and Red Crescent Movement takes action when traditional means of communication (telephone lines, electronic media and the postal service) are broken and as a consequence relatives are unable to make contact.

Situations in which the Movement may be called upon to take action can be classified into three groups.

### 2.1.1 Loss of contact resulting from a situation of armed conflict or internal disturbances and their direct consequences<sup>5</sup>

It falls to the ICRC to take action on the basis of the Geneva Conventions and the Additional Protocols, the Movement's Statutes and/or its own right of initiative. The National Societies of the countries affected and those of unaffected countries are expected to act as intermediaries in communication between relatives separated by the conflict.

### 2.1.2 Loss of contact in the event of a natural or other disaster

It falls to National Societies to take action on the basis of their own statutes and those of the Movement. The National Society of the country affected, together with the International Federation, assess the needs and decides what measures are possible and how to implement them. The Federation Secretariat takes charge of providing information and coordinating the activities of other National Societies wishing to help the National Society of the country affected.

### 2.1.3 Loss of contact in connection with other situations of humanitarian need

Tracing services are sometimes called into action on compassionate basis, in situations not directly linked with conflict or natural disaster, such as search for natural parents, restoring family links for detained illegal immigrants, etc. Their role will depend on the capability and/or the criteria set by the National Society. As far as possible, National Societies should try to harmonize their criteria.

<sup>5</sup> ICRC activities – activities in connection with restoring family links – continue in stalled and post-conflict situations, as laid down in Article 5 of the Movement's Statutes: *"The role of the International Committee (...) is in particular (...) to endeavour at all times – as a neutral institution whose humanitarian work is carried out particularly in time of international and other armed conflicts or internal strife – to ensure the protection of and assistance to military and civilian victims of such events and of their direct results."*

Guidelines and criteria in relation to specific contexts are determined:

- ✓ by the ICRC and its Central Tracing Agency in situations of armed conflict or internal disturbances;
- ✓ by the National Societies of the countries affected in situations of natural disaster, with the Federation Secretariat's support where appropriate;
- ✓ by each National Society in cases of social or humanitarian need.

## 2.2 Strategy

### 2.2.1 Getting news from affected zones and organizing the exchange of family news

First and foremost, the Movement endeavors to provide those affected by an armed conflict or natural disaster with the means of contacting relatives outside the affected zone. This allow them to reassure their next-of-kin and pass on news of other family members.

Provision of communication means (phones, Red Cross messages, etc.) should be made available in areas where affected persons reside or may arrive, such as entry points of a country/area, displaced/refugee camps, hospitals, detention facilities, etc. Particular attention should be paid to persons remaining in isolated areas, or to persons who may be at great risk.

ICRC's experience has shown that it is more effective to give those in affected zones an opportunity of contacting those outside rather than to take on large numbers of individual tracing requests from unaffected zones<sup>6</sup>. Experience has also shown that large number of inquiries overload the National Society in the affected area and complicate successively the process of tracing. By keeping to this principle, the Movement can respond where there is greatest need and bring rapid reassurance to a large number of families.

<sup>6</sup> This principle may be overridden, especially in situations where the quantity of news exchanged is not great or where families are generally able to remain in touch despite the prevailing difficulties. In such situations, detailed criteria may be set for accepting tracing requests.

# strategy

A two-way system for family correspondence (usually Red Cross Messages) must be organized as soon as possible, and maintained as long as required.

The exchange of news is primarily dependent on the operation of the Red Cross/Red Crescent network between countries which are affected by conflict or natural disaster and those which are not.

## 2.2.2 Tracing individuals

As soon as circumstances allow it, tracing requests for individuals are accepted by the ICRC and/or National Societies. In conflict situations the time depends on developments in the fighting, population movements, the political will of the parties to respect IHL and the ICRC's access to victims. In the case of natural disasters individual tracing requests are usually accepted as soon as information on affected persons has been gathered.

Tracing requests for specific categories of persons will however be accepted immediately when the emergency arise. This is the case for arrested or detained persons, unaccompanied minors or other vulnerable persons, such as wounded or sick.

In situations not related to a conflict or natural disaster, the Red Cross/Red Crescent Movement may process tracing requests on a compassionate basis at any time. Every National Society may evaluate the grounds for a request differently, it may be restricted by privacy or data protection legislation. It is therefore essential to provide a full explanation on the background of the enquiry, to state the cause of separation as well as the reasons for the search and to look for advice with the concerned National Society.

Reasons for the search shall only be of humanitarian nature and National Societies should not get involved in search motivated by genealogical interest, family dispute or personal controversy. They must be aware of the capabilities and network of other organizations working in the field of social welfare such as the International Social Service (ISS) in order to refer enquirers judiciously. National Societies should familiarize themselves with each other's rules so as to avoid transferring requests to a country where the national Red Cross/Red Crescent cannot take on a search.

### 2.2.3 Clarifying the fate of those reported missing

As soon as a conflict starts, the ICRC makes approaches to the conflicting parties in view of a further clarification of the fate of missing persons<sup>7</sup> and in order to ensure that all steps are taken to prevent disappearances. In particular, it draws the parties' attention to their obligations under IHL. In situations not covered by IHL, ICRC action on behalf of missing persons is founded on customary law.

The parties are responsible for gathering all information which may help to establish a missing person's fate; providing a response in individual cases; drawing up death certificates for those whose death has been confirmed; and taking all measures to obtain a ruling on the legal and administrative status of missing persons and their families.

The ICRC will offer its services in order to help the Parties to clarify the fate of those reported missing and answer to their family members' anguish. It may in particular undertake if necessary – with the help of National Societies – to collect tracing requests from families; help the authorities to set up official machinery for collecting and processing requests; participate in official mechanisms aimed at processing requests and providing response by the Parties; offer technical advice based on its experience; and encourage and support the parties in the work of exhuming communal graves and identifying human remains.

The task of establishing the fate of missing persons is largely dependent on the good will of the parties to the conflict to take up the issue and meet their responsibilities in full. To speed up the process, the ICRC may take a more active role. Most importantly, it may conduct additional tracing activities in the field.

Families of missing persons, especially those who reside in affected countries, face numerous difficulties of a psychological, administrative and legal nature. The Red Cross/Red Crescent plays an important role in ensuring that their specific needs are met. This may entail supporting associations whose role is to help the families and parents of missing persons; contributing if necessary to the psychological or social welfare of persons in need; contributing to the provision of legal services in order to clarify families' legal difficulties; and facilitating families' social integration.

<sup>7</sup> The ICRC's definition of a missing person is anyone – civilian or military – whose relatives remain without news in spite of all efforts, including those by the ICRC and the Movement, to trace them or clarify their fate. The term "Missing in Action" is reserved to soldiers or combatants who went missing during military operations.

## 2.2.4 Registering individuals

The ICRC or the National Society of an affected country can gather information and/or register data<sup>8</sup> on persons affected by the conflict or a natural catastrophe.

In conflict situations the ICRC collects and sorts out information on people who have been arrested or detained, on unaccompanied children or other vulnerable persons, and on wounded, sick or dead enemy forces who are held by the parties to the conflict. This information allows the ICRC to fulfil its protective role and to respond to family requests.

The same procedure can be followed in situations of natural disaster. In an effort to calm relatives' anxiety, the National Society of the country affected will try to obtain as much information as possible from the authorities, medical services and aid organizations (lists of disaster victims, survivors and places affected). If it is impossible to obtain this information directly, the National Society – depending on its pre-defined role – may register the persons concerned. It will as a minimum ensure that it will be possible to access information or, failing this, that it can forward all requests for checking.

Registration of persons affected by a conflict and/or a natural disaster can also be done on the ICRC internet based website Family Links Network. This publication of registered persons gives a chance to family members to locate their next-of-kin by regularly consulting the list of registered names.

## 2.2.5 Protecting unaccompanied minors and other vulnerable persons

In almost all armed conflicts, mass population displacements, natural disasters and other crisis situations, children become separated from their parents and families. Because of their vulnerability, it is essential to immediately identify and register unaccompanied children and minors (UAM) in order to protect and assist them<sup>9</sup>, monitor their rights, trace their relatives and reunite them with their family.

<sup>8</sup> By registration, it is understood the gathering of minimal personal data allowing identification : full name, date and place of birth, father or mother's name, former address and present location. Information on family contacts can also be taken for further tracing process.

<sup>9</sup> Unaccompanied children/minors are defined as those children under 18 years of age or the legal age of majority, who are separated from both parents and are not being cared for by another relative or adult who by law or custom is responsible to do so. The term unaccompanied children/minors should not be confused with the term separated children/minors which is often used by other international organizations, and refers to children separated from their parents but not necessarily from other adult family members.



Children's rights are broadly defined by the 1989 UN Convention on the Rights of the Child (CRC), which has been ratified by almost all States<sup>10</sup>. Children's rights are rooted in other international instruments such as the 1951 UN Convention relating to the Status of Refugees and the Universal Declaration of Human Rights. International Humanitarian Law provides for the protection of children with no less than 25 articles in the Geneva Conventions of 1949 and in the Additional Protocols of 1977 refer to children and their protection, both a general protection as a person not taking part in hostilities, and a specific protection as a particularly vulnerable person.

All activities on behalf of unaccompanied minors should have a holistic approach, which considers protection issues<sup>11</sup>. Basic principles – drawn from experience – have to guide decisions and actions on behalf of children, of which the most important are the need to preserve the family unity, to consider the best interest of the child, and the need for confidentiality and protection of its personal data.

In the interests of protection and tracing, the Movement may also register other categories of vulnerable people who are alone and without support, being separated from relatives through conflict or natural disaster. For example, the elderly and disabled people, wounded and sick and/or single women with young children. The Movement prioritizes tracing activities on behalf of such people in order to reunite them with their families and ensure they receive more permanent support.

### 2.2.6 Reuniting families

Once contact has been restored, the Movement seeks to reunite separated family members. In each context, for practical and logistical reasons, it is decided to prioritize certain cases. Generally speaking, account is taken of the level of vulnerability of those receiving assistance, with priority going to unaccompanied minors, elderly people when alone and without support, disabled people and single women with small children.

<sup>10</sup> Mention should also be made of the two optional Protocols to the CRC, adopted in May 2000.

<sup>11</sup> The term "Protection" encompasses all measures which aim to safeguard children's rights. It consists mainly of all actions to prevent exploitation, violence and abuse in any form, the provision of material, medical, psychological and educational assistance, and the process of tracing and reunification with family members from whom they have been separated.

## 2.3 Methodology

### 2.3.1 Beneficiaries of services offered by the Red Cross/Red Crescent

The activities foreseen by the Geneva Conventions and/or the Additional Protocols have been notably developed to benefit members of the family. Yet none of these texts include a definition of "family".

There is, however, an explanation in the Commentary on the Protocols<sup>12</sup>, which state in connection with article AP I, art.74 on family reunification:

*"In the narrow sense, the family covers persons related by blood and living together as one household. In a wider sense it covers all persons with the same ancestry. In the context of Article 74 it would be wrong to opt for an excessively rigid or precise definition; common sense must prevail. Thus the word "family" here of course covers relatives in a direct line – whether their relationship is legal or natural – spouses, brothers and sisters, uncles, aunts, nephews and nieces, but also less closely related relatives, or even unrelated persons, belonging to it because of a shared life or emotional ties (cohabitation, engaged couples etc.). In short, all those who consider themselves and are considered by each other, to be part of a family, and who wish to live together, are deemed to belong to that family".*

The definition of recipients may vary considerably from one situation to another to take account of cultural practices or regional constraints. As far as possible, account is taken of cultural and social practices when determining who should benefit from Red Cross/Red Crescent assistance and a pragmatic approach is adopted.

Wherever there are no major obstacles – it is readily acceptable to the authorities or the parties to the conflict, security conditions are satisfactory both for Red Cross/Red Crescent employees and for recipients of their services, and the Red Cross/Red Crescent is capable of handling a large number of cases – the services should be extended to non-direct relatives and even to friends and neighbours, if this increases the chances of locating those being sought.

<sup>12</sup> "Commentary on the Additional Protocols of June 1977 to the Geneva Conventions of 12 August 1949", p. 881, Y. Sandoz, C. Swinarski, B. Zimmermann, Geneva, ICRC, 1986.

### 2.3.2 Means available

Various techniques have been developed in the light of experience and technological change:

- ✓ RCMs in the form of an unsealed letter (chapter 3);
- ✓ pre-printed messages (chapter 3);
- ✓ provision of cell/sat phones (chapter 4);
- ✓ publication of data in the media (chapter 5);
- ✓ registration on the ICRC Family News Network (chapter 6);
- ✓ tracing requests (chapter 7);
- ✓ registration of unaccompanied minors and vulnerable persons (chapter 8).

Whichever these methods are chosen depends on needs' assessments and cultural practices, the degree of confidentiality of data required and/or any constraints imposed by the security or political situation or the availability of resources.

Contact can be quickly and easily restored by means of RCMs, pre-printed messages or telephone if enquirers know the exact address or telephone number of those being sought. When this information is not known, these methods of restoring contact are less certain and cannot be counted on for quick results, other means may be used. Likewise, if radio broadcasts, registration on the ICRC Family News website or the publication of names in the local or regional press is to be effective, it is important that families regularly listen to the radio or check newspapers or the website for news of loved ones.

Registration enables those registered to be kept track of, to be offered assistance and to have their relatives traced. Registration is in itself an instrument for restoring family links, since the data collected can be used to inform relatives of the whereabouts of their loved ones and to direct any search.

The recommended means of contact may alter with time, evolving for example from a flexible temporary system to something much more permanent. A combination of various means is recommended in order to improve the chances of contact being restored in response to different types of needs.

## 2.3.3 Security concerns

National Societies and their Tracing Services become particularly aware of security issues through their tasks and responsibilities in conflict situations, and through the need to uphold the principles of the Movement.

The security of individuals and of personal data is crucial at all times and in any situation. This precaution is of particular importance when:

- using public information networks (the media) or electronic channels<sup>13</sup>
- conducting active searches in the field
- relying on the help of other organizations or persons.

Security relates as well to Red Cross/Red Crescent workers which may find themselves in situations of potential danger.

There are three principles to be observed concerning the protection of individuals and of personal data:

- ✓ The best interest of the person benefiting from the Red Cross/Red Crescent services and his/her family should be taken into account when deciding about the type of action to be undertaken to solve their case;
- ✓ In general, senders of RCM and enquirers' whereabouts are to be kept confidential during process. Prior consent must be obtained from applicants regarding which information may be, if necessary, made public. To this end application forms could include a section on the publication of personal data;
- ✓ Once located, a person can choose whether or not to disclose his/her address to the enquirer.

<sup>13</sup> For further comments, please refer to Advice to the Tracing Services of the National Red Cross/Red Crescent Societies: Electronic communication of personal data, ICRC, 1996.

If there is any doubt that the transmission of information may be prejudicial, agreement of the person who is the subject of the information must be obtained. If the person concerned cannot be contacted, it is better not to supply the information. In case information is required by the authorities, this has to be done only through official process.

#### **2.3.4 Red Cross and working principles**

The aim of all action must be to achieve results while observing the fundamental Red Cross Principles.

Working principles such as confidentiality, reliability and effectiveness should at any time be followed in order to respect the integrity of the persons assisted, ensure their protection and provide them with a service of quality in the shortest period of time.

In view of the difficulty and sensitivity of the areas in which the Movement takes action, it is important to remain realistic about the possibility of providing a response. Above all, it is essential not to encourage unrealistic expectations and to explain clearly to beneficiaries the capability of the Movement.



Priska Spoerri/ICRC



# family **MESSAGES**

# messages

This chapter deals mainly with the exchange of Red Cross messages (RCMs) in paper form. The procedures described can also be applied to the exchange of electronic RCMs via the ICRC's Family News Network website and to the collection and delivery of pre-printed cards.

As with procedural matters and all Red Cross activities in times of crisis, the use of RCMs must be explained to the parties to the conflict. Should the authorities view the exchange of family news with suspicion, it may be necessary to negotiate.

## 3.1 Forms

### 3.1.1 Red Cross messages (RCMs)

Initially used by the CTA to summarize and, sometimes, translate letters from prisoners' families during the First World War and the Spanish Civil War, RCM forms were subsequently provided directly to correspondents so that they could write their own letters.

The ICRC later introduced a two-page form which enabled the addressee to detach and keep the first page (with the sender's address and message), while using the second page for a reply. This type of form has now been adopted by many National Societies. During the Balkans conflict in 1999, the first experiments were made using electronic means for sending RCMs (see chapter 6: Family News Network).

The RCM form is an **unsealed letter** which can be read by the authorities and other parties. The standard form<sup>14</sup> consists of two pages: the first is used by the sender to write his/her message, and the second is used for the relative's reply. Content is limited to:

- the identity and full address of both the sender and the addressee. This information is vital if the RCM and reply are to be delivered successfully;
- space for strictly family or private news.

<sup>14</sup> See the specimen RCM inside back cover.



### 3.1.2 Pre-printed RCMs

RCMs can be pre-printed messages with a **standard text**<sup>15</sup> (“Well arrived”, “Anxious for news” or any pre-printed message). The only additions are the name and address of the sender and addressee. Since no content check is necessary, they can be processed without delay.

“Well arrived” RCMs allow refugees, IDPs and victims of natural disaster swiftly to inform their next of kin of their whereabouts. They provide a rapid means of meeting massive demand early in an emergency. Once contact has been re-established in this way, other systems for correspondence can be set up.

“Anxious for news” RCMs can be used in very specific circumstances by relatives outside affected zones. They are useful mainly when people seriously affected by conflict or natural disaster have chosen not to leave the area.

## 3.2 Correct use of RCMs

### 3.2.1 Acceptance criteria

Generally speaking, the exchange of family correspondence (RCMs, pre-printed RCMs and messages sent via the website) is permissible between members of the family as defined by custom. As far as possible, account is taken of cultural and social practices when determining who can be permitted to exchange family news. In some contexts, therefore, RCMs can be sent between friends. RCMs addressed to celebrities or political leaders will not be accepted unless a personal connection can be shown.

Other criteria which might influence an RCM’s acceptability include understanding of the language in which it is written and ease of access to the zone affected by conflict or disaster. The content of all correspondence must be restricted to the personal and family life of the sender and the addressee.

In case of uncertainty regarding these acceptance criteria, advice should be sought from the ICRC or the relevant National Society.

<sup>15</sup> See the specimen inside back cover.

# messages

## 3.2.2 Necessary information

### ■ Identification of sender and addressee

- ✓ full name (as used locally)
- ✓ date of birth (or age)
- ✓ place of birth (or place of origin)
- ✓ sex
- ✓ father's or mother's name

### ■ Address (must be as detailed as possible and written according to local custom)

- ✓ street and house number (where applicable)
- ✓ village and/or town
- ✓ postcode (where applicable)
- ✓ district, province and/or region
- ✓ country
- ✓ telephone number and e-mail address (where applicable)
- ✓ any other information used locally

### ■ Relationship between the sender and the addressee

### ■ Signature of the sender

### ■ Date of the message

### ■ Space should be left for a registration number if applicable

### ■ Official documents and photographs of a family nature may be attached (RCM with original documents should be sent with a covering letter).

Each unit in the Red Cross/Red Crescent tracing network is responsible for checking that RCMs and postcards have been filled in correctly:

- ✓ the full name and address of both the addressee and the sender must be clearly legible, complete and correct;
- ✓ the postal address must be in the style used in the country of destination;
- ✓ if possible, the relationship between the sender and the addressee should be verified.

Special attention must be given to names and addresses that require transcription from one alphabet to another. Whenever possible, in such cases these details should be written using both alphabets.

### 3.2.3 Checking RCM content

RCMs are not private letters. The authorities may ask at any time to read them in order to ensure that they deal only with family matters.

The Movement bears final responsibility for the content of correspondence exchanged through its network. It will consider every situation separately in order to decide whether control should take the form of a simple random check or systematic censorship.

In sensitive situations, the ICRC checks the content of all messages in order to ensure that only family-related news is being sent. All messages to or from detainees are given to the detaining authorities for checking. In the case of RCMs sent between civilians, the ICRC and/or National Societies will aim to gain the authorities' trust so that they do not insist on censorship.

The notion of what constitutes "family news" is subject to differing interpretations depending on cultural circumstances and political or military constraints. Any information relevant to the protection of individuals (e.g. arrests, killings or harassment) – whether or not it requires censorship – will receive special attention. Personal interviews will be conducted with a view to obtaining more information and taking appropriate action.

# messages

**Family news can be defined as correspondence relating to the personal or family life of the sender or addressee, such as:**

- personal or family events (births, marriages, illness or death);
- the whereabouts of family members and their state of health;
- requests for news of other relatives or friends;
- the daily lives of relatives or friends (work, school, etc.).

**Conversely, the following will mean refusal:**

- references to the political or military situation, including statements of allegiance;
- references to the behaviour of bearers of weapons;
- plots, insults or threats;
- discriminatory or abusive language;
- inaccurate references to ICRC or Movement activities, including requests for financial help through Red Cross/Red Crescent channels;
- RCMs addressed to celebrities or political leaders where there is no family connection.

## **Censorship procedure**

It is advisable to check the content of each RCM as it is collected, and ideally **in the immediate presence of its sender**. Otherwise, RCMs should be censored by staff at the local branch or head office of the tracing service which collects them.

Should a National Society be unable to perform this task in a situation where strict censorship is required, the Red Cross/Red Crescent network should be informed and a solution sought with the help of the ICRC.

- ✓ Each message should be read individually and stamped "Read" or "Checked". Any words or phrases that do not meet the criteria given above should be made illegible.
- ✓ If most part of an RCM is unacceptable, it should be stamped "Personal and family news only" and returned to the sender as soon as possible together with a blank form.

- ✓ Non-compliant messages should be redirected to the National Society in the originating country, which will return them to the sender with reasons for their rejection.

## 3.3 Organizing family correspondence

### 3.3.1 Promoting the use of RCMs and the Family News Network website

Each unit in the Red Cross/Red Crescent network has the following duties:

- to familiarize the authorities with the features of Red Cross correspondence (unsealed letters, exclusively family-related content and collection and delivery methods) and ensure their support;
- to publicize Red Cross/Red Crescent services, RCMs and the Family News Network website and encourage their use. Information on all services should be made available to the public through local branches, government offices and the media (TV, radio and the national, regional and local press);
- to brief users, with particular emphasis on RCM acceptance criteria, so that messages are correctly addressed and steer clear of unacceptable content. RCMs not meeting the criteria will be returned to the sender – a task which adds needlessly to the administrative burden;
- to inform users what is and is not possible in a specific context (access to certain regions, expected delays, difficulties of delivery in remote areas, to minorities, etc.);
- to maintain a stock of blank forms in case of sudden need.

# messages

## 3.3.2 Collecting and forwarding RCMs to National Societies or the ICRC

National Societies are encouraged to make direct contact with one another. However, in conflict situations or where bilateral relations do not exist between two National Societies, mail will travel via the ICRC.

- Red Cross/Red Crescent mail may be sent via the regular postal system for all or part of its journey<sup>16</sup>; it may also be exchanged directly by representatives of the Movement.
- Whether international or internal, mail should be sent through the fastest available channels. Where there is a considerable volume of mail, the most practical solution is to group messages by destination as they come in and send them on in regular batches.
- Fax can be used when really urgent or specifically requested by the ICRC or the National Society in the country affected. Originals of RCMs should follow by the normal channels.
- Where operational, the Family News Network website should be promoted as much as possible so that individuals can send RCMs directly.
- RCMs that need special handling should be sent with a covering letter.

## 3.3.3 Delivering RCMs and collecting replies

The delivery of RCMs is the responsibility of the relevant tracing service, which will ensure that each message reaches its destination and that a reply is obtained quickly for return to the original sender.

RCMs are distributed by tracing service staff. Messages may be delivered by hand or through the regular postal system. In special cases, particularly if the message is urgent, the arrival of an RCM should be announced by telephone. Particular care is called for when delivering distressing news.

<sup>16</sup> GC III, art.74 and GC IV, art.110 specifically state that all correspondence to or from prisoners and civilian internees shall be exempt from any postal dues, both in the countries of origin and destination and in intermediate countries. RCMs sent between prisoners of war or civilian internees and their families are similarly free of charge. However, messages for categories of persons not protected by the Geneva Conventions are not automatically exempt from postal charges, even when written on RCMs forms, although special concessions may be negotiated with national postal authorities.

RCM delivery is a tracing activity in itself. This is because the tracing service staff will try, if an addressee is not at the address indicated, to find out his/her new location. This may involve asking around the neighbourhood, interviewing local government officials or questioning social, charitable or religious bodies or refugee aid organizations.

Should it prove impossible to reach some individuals, and where circumstances permit, lists of addressees may also be published in the newspapers or broadcast on TV or radio. Care must be taken to maintain the confidentiality of certain personal and family data such as senders' whereabouts, so as to protect their privacy and on occasion their safety.

As much as possible, a reply should be collected upon delivery of the RCM, in order to avoid delays in exchanging news and relief anxiety of the sender.

Undelivered RCMs are never thrown away. Instead they are sent **“back to sender” (BTS)** with an explanation:

- address incorrect/insufficient;
- addressee not known at the address given;
- addressee not known to the immigration office or the refugee committee;
- further information required.

If the situation permits, the sender of an undelivered RCM may be able to open a tracing request.

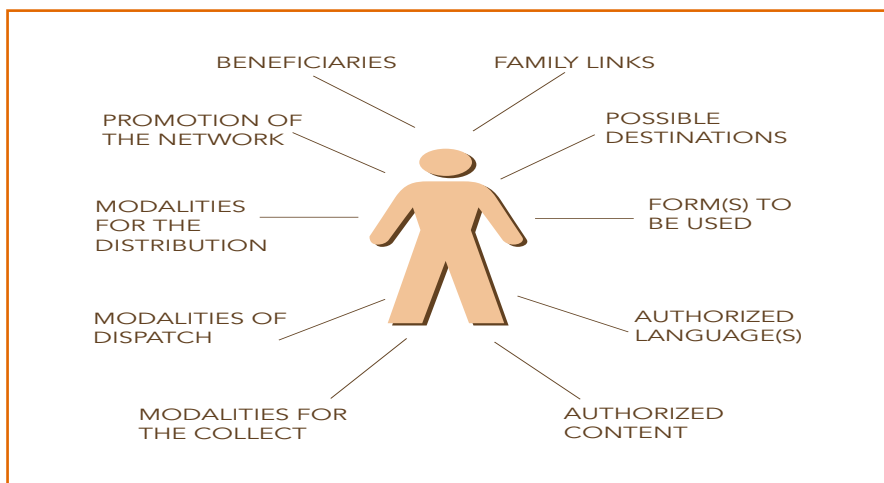
The addressee's decision whether or not to reply to an RCM shall be respected. In such cases, as with tracing requests, Red Cross/Red Crescent workers will discuss with the addressee what the sender should be told:

- addressee not known/not located;
- addressee will contact sender later;
- addressee does not wish to make contact.

# messages

3

## Organizing the family news exchange



### 3.4 Specific administrative tasks

There are various useful operational procedures that can be carried out (see also chapter 12: Administrative procedures). However, they should not be allowed to delay delivery.

#### 3.4.1 Checking against the database or card index

If the situation so requires and the volume of messages permits, each RCM should be checked against records held on computer or a card index in order to ascertain whether:

- ✓ the sender's or addressee's name matches a tracing request or any other information already recorded by the National Society;
- ✓ there is a more recent or more detailed address to which the RCM should be sent.



### 3.4.2 Recording RCMs

In some contexts it may be decided to record RCMs in a card index or database since the information they carry is likely to facilitate further tasks, such as tracing or family reunification.

A register may also be kept of RCMs and other requests addressed to the tracing service. This can be useful for drawing up statistics and for monitoring the efficiency of processing.

If the Red Cross/Red Crescent network is to be efficient and to respond satisfactorily to people's needs, it is essential that RCMs, whether standard or electronic, be delivered as quickly as possible. Distribution channels should therefore be periodically reviewed.

### 3.4.3 Statistics

Regular statistics should be drawn up concerning the number and types of RCMs processed. As a rule, each RCM should be counted at national headquarters:

- ✓ RCMs received from branches or individuals in the country (RCMs collected);
- ✓ RCMs forwarded for delivery to branches or individuals in the country (RCMs distributed);
- ✓ RCMs returned (BTS) via the originating National Society.



Boris Heger/ICRC



# TELEPHONES

4

# telephones

## 4.1 Overview

Wherever a telecommunications network is operational and political and security conditions allow, telephones may be made available to refugees, IDPs or victims of a natural disaster.

Telephones are a rapid means of restoring contact and reassuring relatives about the circumstances and well-being of their next of kin. They thus provide an immediate compassionate response to the problem of family links.

## 4.2 Organizing a telephone service

### 4.2.1 Opening lines

Telephone lines can be made available in Red Cross/Red Crescent offices. Alternatively, mobile or satellite phones can be provided. Depending on the level of need and the duration of the service, matters may be as simple as connecting a satellite phone to a vehicle battery or as complex as establishing regular telephone offices. In some circumstances, Red Cross/Red Crescent financial involvement may extend to meeting the cost of a public telephone line or securing a commitment from a commercial company to donate its services. However, there may be difficulties of a logistical, political or security nature, especially in conflict situations, where communication is a highly sensitive matter. It is thus essential to obtain guarantees from the authorities or parties to the conflict before introducing a telephone service.

### 4.2.2 Determining criteria for use

Given the number of persons who may need to contact their families, criteria for access and use must be clearly and rapidly defined. Rules must be strictly enforced:

- ✓ who may call (heads of family only, vulnerable people groups, anyone without restriction, etc.);
- ✓ permitted telephone numbers (family members only, family and friends, etc.);
- ✓ geographical restrictions (regional, national or worldwide);
- ✓ frequency of calls;
- ✓ duration of calls;
- ✓ content of the conversation.

In recent conflicts, which were characterized by mass movements of refugees and IDPs, telephones were used **only for restoring contact** and not as a regular means of communication. Each head of family was allowed a single call to a relative lasting a maximum of between one and three minutes. Subsequently, communication by RCMs was encouraged.

The principal difficulty in managing a Red Cross/Red Crescent telephone service is to ensure that the Fundamental Principles of impartiality and neutrality are observed.

- No family or group of victims should be denied access to a telephone.
- Steps should be taken to prevent any monopolizing of the lines.
- In conflict situations the content of telephone calls must be strictly family-related.

#### 4.2.3 Monitoring the content of telephone conversations

It is vital to have a trained Red Cross/Red Crescent worker on hand to monitor calls and patterns of use. If none are present, no telephones should be made available.

### 4.3 Specific administrative tasks

#### 4.3.1 Registration

As a rule, no records will be kept of those using the service. In some circumstances, however, it might be deemed useful for tracing purposes to register callers. The value of such a step should be carefully assessed in advance.

#### 4.3.2 Statistics

The following statistics may be kept:

- ✓ the number of calls made;
- ✓ the number of persons/families concerned (assuming one user per family);
- ✓ regions/countries to which calls are made.



Lionel Langlade/ICRC



using the **MEDIA**

5



# media

## 5.1 Overview

Local, national, international and diaspora media (radio, TV, newspapers and websites) can be used as tracing tools to broadcast or publish **selected information** relating to enquirers or persons to be traced. This information may, for example, include the identities of IDPs and refugees who have arrived safely in a neighbouring region or country, names of unaccompanied minors and other vulnerable persons and the names on undeliverable RCMs or in unresolved tracing requests.

Media may be in any case used to promote the Red Cross/Red Crescent services. Information on all services (RCMs, requests, etc) should be made available to the public.

## 5.2 Organization

### 5.2.1 Reaching an agreement with the media

Agreement should be reached with editors and producers on the cost and other details of such arrangements. At all times the ICRC or National Societies should retain the right to decide what information is to be made public and to which other uses it can be put (publication on a website or in other newspapers, etc.).

In the past the media have frequently agreed to donate the necessary column inches and broadcast time.

### 5.2.2 What to publish

It is essential in every situation to decide what information will best enable the audience or readership to identify those whose names are published. In some cultures, for example, it will be necessary to include patronymics.



As a rule, complete information on each person's identity and whereabouts should already have been registered. However, the information which can be made public is generally limited to:

- ✓ full name;
- ✓ father's and/or mother's names;
- ✓ age;
- ✓ place of birth or place of origin.

A heading or preliminary announcement should clearly introduce the list of names, explain its purpose and describe what action should be taken by anyone recognizing a name. This may include:

- ✓ contacting the nearest Red Cross/Red Crescent office;
- ✓ contacting the ICRC or the National Society at a given address;
- ✓ contacting the radio station at a given telephone number.

### 5.2.3 Security concerns

When broadcasting or publishing names, the safety of victims and their relatives is paramount. As a general rule, those concerned must give their prior consent regarding which information may be disclosed; to this end, registration and application forms should include a section on the publication of personal data.

- In general, an individual's whereabouts should not be disclosed without the express agreement of the person concerned.
- In no circumstances should the whereabouts of unaccompanied minors be revealed.
- Unpublished information will provide a means of testing the claims of those who subsequently apply to Red Cross/Red Crescent offices.

# media

## 5.3 Media characteristics

### 5.3.1 Newspapers and magazines

The print media enjoy a wide potential audience. They can be shared among many people, displayed in public places and kept for a period of several days. They are also an excellent tool for photo-tracing, since photographs of unaccompanied minors (without their names or location) can be published in magazines with a wide distribution.

### 5.3.2 Radio

Radio programmes have the advantage of a wider geographical coverage. Broadcasts can cross political and geographical boundaries, reaching regions that may be inaccessible to the authorities and humanitarian organizations. However, since transmission is not continuous, there is less certainty that broadcasts will reach their target audience.

To maximize their chances of being heard, broadcasts should be widely publicized, with information on their content and times of transmission. Furthermore, radio receivers may be distributed among affected populations in order to improve audience size and increase the possibility that people will hear news of relatives.

### 5.3.3 Television

Television offers the same advantages as radio broadcasts, but with a much larger audience during prime time.

### 5.3.4 Internet

Like the print media, the Internet has a wide potential audience and can be consulted at any time. Information can be displayed for months or even years. However, the Internet is not universally accessible.

## 5.4 Specific administrative tasks

### 5.4.1 Registration

A tracing service may decide to publish details of people previously identified (mainly as the subject of tracing requests).

When the media are used simply in order to re-establish contact, there are two possibilities:

- identifying information is not incorporated into a card index or database, and no individual files are opened;
- information is duly incorporated into a card index or database in case those concerned should need further assistance.

### 5.4.2 Statistics

Statistics should be kept for each media type:

- ✓ the number of persons whose names have been published;
- ✓ the total number of persons concerned, where information is published on one family member only.



Thierry Gassmann/ICRC



family **NEWS**  
**NETWORK.**  
the website 6

# news network

## 6.1 Overview

A great many international governmental and non-governmental organizations supply the public with information via the World Wide Web, and the International Red Cross and Red Crescent Movement is no exception.

Having decided early in 1995 to make this new medium an integral part of its communication policy, the ICRC opened its first site on 1 September of that year.

The objectives of a website are the same as those of conventional communication media – to bring about a better understanding of the humanitarian problems associated with conflict situations and of the role, mandate and activities of the various components of the Movement, to promote knowledge of and respect for international humanitarian law and to foster a humanitarian attitude in situations of tension and conflict.

The Internet is an excellent means of reaching diverse audiences, many of whom are already familiar with the new technologies. It is therefore a useful tool in the task of restoring family links.

## 6.2 Using the Internet to restore family links

### 6.2.1 Publishing information on missing persons

The first use of the internet to trace family members dates from 1996, when information on people missing in connection with the conflict in Bosnia and Herzegovina was published as part of a public campaign to provide their families with definite news of their whereabouts.

This information is accessible on the ICRC Family News Network at <http://www.familylinks.icrc.org>. It comprises a list of some 19,000 persons unaccounted for, giving their personal details and the date and place they were last seen.

In June 2000, following the Balkans crisis, the ICRC published a book listing the 3,368 missing persons whose names were provided by families from all communities in Kosovo between January 1998 and mid-May 2000. This list is accessible on the Family News Network.

# network

The purpose of publishing these names is to elicit more information about missing persons, and the circumstances in which they disappeared, from the general public, the authorities and those who took part in the hostilities. The identity of people who give information is not revealed if they request confidentiality.

## 6.2.2 Re-establishing contact and forwarding news via the Internet

As part of its response to the 1999 Balkans conflict, the ICRC launched the Internet-based Family News Network. Designed for use in restoring family links and exchanging RCMs electronically, it is accessible on any computer with an Internet link at <http://www.familylinks.icrc.org> or via the main ICRC website at <http://www.icrc.org>. Work is in progress on a standardized form of the service that can be proposed for non-conflict situations as well.

In conflict situations, the ICRC will decide whether a Family News Web page is appropriate and will create one accordingly. It is essential that no more than one page be set up within the Movement for each new situation.

During the experimental phase, which might last a few years, special attention should be paid to potential abuses or manipulation, given that the Internet cannot guarantee confidentiality. Before the website is put into operation, thought must be given to the security of victims and enquirers.

## 6.3 Using the Family News Network

### 6.3.1 Objectives

The website has been designed so that, depending on the situation and the services offered, enquirers can locate relatives, victims can register their personal data and all users can send electronic RCMs.

#### ■ Consultation

- ✓ Any user can consult the lists of names. Searches are usually conducted by name, date of birth, place of birth and father's name.

#### ■ Registration

- ✓ Victims of conflict or disaster can register their name and present location in the hope that a relative will consult the site and come across these details.
- ✓ Enquirers can register their own name and address in the hope that those they are seeking will in turn consult the site.
- ✓ Enquirers can also register the name of the person sought.
- ✓ With families' consent, the ICRC may list the names of persons unaccounted for.

#### ■ RCMs

- ✓ Any user can send an electronic RCM, whether or not the addressee's name is on the list of registered persons.
- ✓ Any user with information that may help in tracing a missing person of the web list can send direct e-mail to the ICRC from the web page.



# network

## 6.3.2 Access

Access to the Family News Network is made through any computer with an Internet connection. In affected areas, computers should be made available to those in need by mobile teams or tracing offices in the field. Since, as with other Red Cross/Red Crescent services, there may be technical or political constraints on the deployment of computers, their use must be carefully explained to all parties, especially in conflict situations.

## 6.3.3 Criteria for use

The website is public and universally accessible; consequently, no restrictions can be placed on consultation, registration or the sending of RCMs.

However, checks will be carried out in two situations:

- Incomplete or otherwise unacceptable RCMs received at a Red Cross/Red Crescent office will be returned to the sender. In order to limit the number of such messages, the site's introductory page clearly explains the acceptance criteria for RCMs;
- The set up of the website will be carefully assessed in each context so as not to compromise the security of enquirers and those being sought, and registered details can be deleted at the request of the person registered or his/her family.

## 6.3.4 Confidentiality

The website being public, confidentiality does not apply in respect of information registered or published on it. Users must be clearly informed of this.

On the other hand, electronic RCMs and e-mails forwarded through the Family News Network cannot be read on the site.

## 6.4 Setting up the network

### 6.4.1 Preparations and publicity

Each unit in the Red Cross/Red Crescent tracing network is responsible for:

- making computer equipment available at the National Society headquarters and, if possible, in the most frequently visited local branches. In crisis situations, an Internet connection should also be set up at Red Cross/Red Crescent reception centres;
- assigning a special e-mail address to the National Society tracing service. Where demand is particularly heavy, another address should be dedicated to the Family News;
- publicizing the Family Links Network in connection with a specific context and encouraging its use as much as possible;
- training Red Cross/Red Crescent staff to help people consulting and otherwise making use of the website;
- briefing users on what the website has to offer and how best to use it.

### 6.4.2 Electronic RCMs

Where the system is operational, it should be used as the priority means of sending family news. This will entail:

- ✓ briefing users, with particular emphasis on RCM acceptance criteria, so that messages are correctly addressed and steer clear from unacceptable content;
- ✓ checking content to ensure that news is strictly family-related and contains nothing of a political, military or discriminatory nature. Since the Red Cross/Red Crescent office in the originating country has no opportunity to perform this task, it must be taken on by the receiving National Society or Red Cross/Red Crescent office;
- ✓ printing and distributing RCMs received through the website.

# network

## 6.5 Specific administrative tasks

### 6.5.1 Cross-checking information

The website can be exploited in connection with many aspects of tracing work. Lists of persons registered can be:

- consulted directly by enquirers seeking family or friends;
- consulted systematically by Red Cross/Red Crescent workers cross-checking paper RCMs or individual enquiries addressed to their National Society;
- brought to the attention of enquirers, who can register themselves and the sought person instead of making a tracing request. It should however be stressed that registration does not constitute the opening of a tracing request and that no active search will be undertaken by the ICRC or National Societies.

### 6.5.2 Statistics

The Family News Network will publish total numbers of people registered and electronic RCMs forwarded.

However, for the purpose of monitoring the workload of each tracing service, it is recommended that National Societies keep at least the following statistics:

- ✓ the number of electronic RCMs received for distribution;
- ✓ the number of electronic RCMs returned to the sender (BTS).



Marwan Naamani/ICRC



# TRACING REQUESTS

7

# tracing requests

This chapter deals with tracing requests in situations of conflict, natural disaster or other humanitarian need.

## 7.1 Opening tracing requests

### 7.1.1 Acceptance criteria

The criteria for accepting tracing requests are decided by the National Society of the country affected in situations of natural disaster or humanitarian cases and by the ICRC in situations of conflict.

- Tracing requests are used when other methods of restoring contact have proved unsuccessful. Tracing request forms are thus used if the addressee is no longer at the last known address – for example after a RCM has been returned to the sender – or if the present address or whereabouts of the person being sought is unknown.
- As a rule, if originated by family members as defined by custom, tracing requests will be accepted. As far as possible, account is taken of cultural and social practices when determining who should be allowed to make a tracing request. Therefore, in some contexts they can be opened by friends.
- Tracing requests are accepted without hesitation when the enquirer has good reason to believe that RCMs or media appeals will not be enough to locate the person being sought. This will be the case, for example, when an individual is feared arrested, abducted or deported.
- Tracing requests should not be used in situations of family or legal dispute that may lead to decisions contrary to the interests of the individual or family. Neither should they be used to resolve disappearances outside times of conflict or disaster, which are a matter for the police.

# requests

## 7.1.2 Necessary information

Information serving to identify both the person being sought and the enquirer must be sufficient to enable tracing to be undertaken with a good chance of success. Since enquirers may in turn become the object of a tracing request, it is just as important that their own identity be accurately given. The more detail enquirers can give on the circumstances leading to separation from family members or to an individual's disappearance, the greater the likelihood that tracing will be successful.

Information should therefore be as complete and as accurate as possible<sup>17</sup>:

■ **Information on the person being sought** may vary according to local circumstances, but should include as a minimum:

- ✓ full name (as used locally);
- ✓ maiden name;
- ✓ any nicknames or aliases;
- ✓ father's name;
- ✓ mother's name;
- ✓ place of birth;
- ✓ date of birth (or age);
- ✓ nationality and place of origin (as known locally).

Other useful information may include:

- ✓ profession;
- ✓ marital status;
- ✓ spouse's name and date of birth;
- ✓ children's names and date of birth;
- ✓ religious affiliation;
- ✓ community/clan;
- ✓ mother tongue.

Where those sought are soldiers or fighters:

- ✓ military rank and unit;
- ✓ military ID.

<sup>17</sup> See the specimen tracing request form inside back cover

# tracing

- **Information concerning the circumstances in which contact was lost** is essential and must be just as comprehensive:
  - ✓ date and details of last news;
  - ✓ last known address(es);
  - ✓ precise circumstances leading to loss of contact.

Example:

*"On 15 May 1999, at around 3 p.m., my husband and I were driving in the direction of village X. At the checkpoint at the entrance to the forest, 2 km before the village, we were stopped by two men in military uniforms. After checking our ID and our car, they took my husband away, explaining that his ID had to be checked once more, and ordered me to go home. I never saw my husband again."*

- **Any further information** which may help in tracing is equally important. Tracing services should leave no stone unturned when questioning enquirers:
  - ✓ names and addresses of anyone who may be able to provide information (relatives, neighbours, friends, employers, work colleagues, social contacts, etc.);
  - ✓ a description of how to find the person's home if the address is insufficient (for example a hand-drawn map indicating neighbouring buildings – churches, schools, etc.);
  - ✓ reasons for the search, especially in cases of requests unconnected with a conflict or natural disaster.
- **The enquirer's full identity and address** (as given locally):
  - ✓ full name (as used locally), date of birth (or age), place of birth (or place of origin), sex;
  - ✓ parents' name;
  - ✓ street and house number (where applicable), village and/or town, postcode (where applicable), district, province and/or region, country, telephone number and e-mail address (where applicable).
- **The relationship** between the enquirer and the person being sought (so that the latter can positively identify the former).



# requests

- **Date and enquirer's signature.** In the case of requests received directly from enquirer by e-mail, confirmation of all data and signature have to be sought.
- **The enquirer's consent to use the media** in the search process.

## 7.1.3 Quality of information

Red Cross/Red Crescent branches and National Societies must ensure that the information collected is sufficiently reliable to warrant initiating a search. The following guidelines will be useful.

- Wherever possible, staff should assist enquirers to fill in tracing requests so as to ensure that no important information is omitted. This is best done by interviewing the enquirer in person.
- Special care must be taken over the spelling of names and the circumstances of loss of contact.
- Information must be written in the language of the destination country or in a language commonly used internationally, such as English. When the Latin alphabet is not used, it is important to add a Latin transcription of the person's name and address.
- Requests received in the form of a letter should be transcribed on to a regular tracing request form before being forwarded for processing by a National Society or the ICRC.
- Should the information given prove insufficient, supplementary details must be obtained from the enquirer, preferably by arranging a personal interview in which he/she will be asked questions crucial to the success of the search. There should ideally be direct communication between the tracing service and the enquirer.

# tracing

## 7.2 The tracing process

### 7.2.1 Establishing priorities

Priority should be given to cases where the physical safety or health of the person being sought is obviously at stake. Priority should also be considered for vulnerable groups, such as unaccompanied children and disabled or elderly people. Requests pertaining to natural disasters should be processed before those relating to long-term separation.

### 7.2.2 Active searching

There are various measures and procedures for determining what has become of a person. The nature of this activity, the number of steps and the length of time involved vary from case to case. A record of all action – whether active searching, telephone calls or correspondence – should be kept in the appropriate personal file. Perseverance is the key to success.

On receiving a request, the National Society tracing service should use its local branches, whenever possible, to try all possible means of locating the person being sought, including:

- ✓ calling at most recent private or business addresses;
- ✓ contacting neighbours and relatives;
- ✓ approaching the heads of ethnic and religious communities, associations and refugee groups;
- ✓ contacting relevant national government departments (immigration, social security, health, etc.);
- ✓ consulting registries of births, marriages or deaths;
- ✓ visiting archives;
- ✓ consulting local representatives of national or international NGOs dealing with refugees, children and other vulnerable groups;
- ✓ consulting public information networks.

Other departments or sections of the National Society should not be overlooked as potential sources of information.

# requests

As with the exchange of family news, radio and television stations and the local, regional and national press may prove very helpful. These information channels can be used to publish the names of those being sought, thereby increasing the likelihood of locating them or of additional information emerging as to their whereabouts.

## 7.2.3 Security concerns

Whatever the methods used, the priority must be to avoid causing harm to enquirers or those being sought.

- Certain information on persons being sought might endanger them or those seeking to contact them. The National Society of the country in which a search is to be carried out should be cautioned in this regard, so that throughout the tracing process the name and, more particularly, the address of the enquirer is not mentioned outside the Red Cross/Red Crescent network.
- Particular sensitivity is called for when conducting tracing activities on behalf of individuals residing illegally, and natural/biological parents or children.

## 7.2.4 Cooperation with other National Societies

As far as possible, National Societies should attempt to coordinate searches with each other. This approach often saves time and simplifies the process. As a rule, the CTA is not required to act as intermediary except in the case of tracing connected with a conflict, where bilateral relations do not exist between the National Societies concerned or when all other channels have failed.

If it is necessary to continue a search in another country, the relevant tracing request and all associated information must be forwarded to the National Society in that country, whose own tracing service will then contact individuals or organizations capable of providing information domestically. In addition, the National Society responsible for the original request, and/or the ICRC in situations of conflict, must be informed accordingly.

# tracing

When several tracing services are involved successively with a case, intermediate replies must be sent to the last National Society which was treating the request, while a copy must be forwarded to the National Society which opened the case, in order for it to be able to follow its evolution. When a case is closed, the originating tracing service should be notified directly, with a copy to every other National Society involved.

## 7.3 Replies

### 7.3.1 Standard guidelines

Individuals who are successfully located should be:

- ✓ informed that they are the subject of a tracing request;
- ✓ told the identity of the enquirer;
- ✓ asked if they consent to have their address disclosed to the enquirer;
- ✓ asked, should other regular means of communication (telephone, fax, etc.) be unavailable, if they wish to write an RCM to the enquirer.

In all cases, the enquirer must be rapidly notified by telephone or letter, to which any RCM from the person located should be attached. In conflict situations, it is advisable always to invite the person located to write an RCM to the enquirer. A copy should then be kept in the file as a document of closure.

### 7.3.2 Respecting the wishes of those contacted

No contact details may be disclosed to the enquirer without the consent of the person located. If the latter refuses to allow his/her address to be divulged, he/she should give his/her explicit authorisation or indicate in writing, if possible, what the enquirer is to be told, namely, that the person sought did not wish to communicate his/her address or that the search was unsuccessful. The latter should only be used in extreme circumstances as it is likely that the enquirer will continue the search by other means.

When the sought person does not recognise the name of the enquirer, the National Society should endeavour to obtain additional details from the enquirer.

# requests

## 7.3.3 Distressing news

This may be an announcement of death or some other painful circumstance, a refusal by the person contacted to disclose his/her address or an unconfirmed report.

Some examples:

- *"The person sought was killed in the earthquake and his/her body has been buried in the village cemetery."*
- *"The ICRC has been unsuccessful in its approaches to the relevant authorities for information on persons unaccounted for in connection with the conflict. All attempts to set up a mechanism for dealing with missing persons have failed; accordingly, the ICRC is obliged to suspend such operations."*
- *"The village where X used to live has been destroyed and there is no more information concerning the whereabouts of the local population. The search is however continuing."*

Distressing news must be broken tactfully and, where possible, in the presence of a social worker from the Movement or another organization.

If the information obtained does not exactly match the details of the tracing request, a cautious reply should be given, drawing attention to any missing elements or inconsistencies. Enquirers should be told how reliable the information is and what steps were taken to collect it.

Unofficial reports of death should not be passed on unless there is adequate support from credible sources. Confirmation should always take the form of an official affidavit or a valid witness statement. If no confirmation is available, the most appropriate solution is to send an RCM form filled in by a witness of death who mentions what he/she has seen.

Enquirers should always be advised, upon request, of the procedure for obtaining a death certificate. Whether National Societies can help to provide certificates will depend largely on their resources.

# tracing

## 7.4 Specific administrative tasks

### 7.4.1 Checking against the database or card index

The first step to be taken on receipt of a tracing request is to check all names against database or card index records. Both the originating National Society and the National Society in the receiving country must carry out checks.

The name of the enquirer, that of the person being sought and all other names on the tracing request must be checked because:

- ✓ a request might already have been made in respect of the same person;
- ✓ the person sought might have approached the National Society to obtain news of the enquirer or another individual;
- ✓ the card index or computer records might contain information that could help to guide the search.

### 7.4.2 Recording requests

All tracing requests must be recorded. This entails assigning a reference number to each case and opening a file for all relevant documents and information:

- ✓ tracing request form;
- ✓ copies of correspondence;
- ✓ information exchanged within or between National Societies;
- ✓ records of action taken and results;
- ✓ copies of RCMs exchanged;
- ✓ supplementary information.

### 7.4.3 Closure

Tracing requests may be considered closed, and no further action will be taken, in the following circumstances:

- ✓ the person sought has been located and has agreed that his/her address may be disclosed, and the enquirer has been informed;
- ✓ the person sought has been located but has declined to allow his/her address to be disclosed, and a reply has been sent to the enquirer in accordance with these wishes;
- ✓ the person sought is deceased, the enquirer has been so informed and

# requests

- if possible a death certificate has been provided;
- ✓ the enquirer has withdrawn the tracing request;
- ✓ the enquirer is deceased;
- ✓ the enquirer has moved without leaving a forwarding address;
- ✓ the search cannot be continued because all possible avenues have been tried without success, and the enquirer has been so informed;
- ✓ a given number of requests addressed to the enquirer for additional information or confirmation that the search should be continued remain unanswered.

Closure does not mean that all traces of the request are erased. Cards and files remain on index and can be revived at any moment; only active work on the request is brought to an end. It must be made clear to the enquirer that there will be no further searching unless the situation changes or new information is received.

In broad terms:

- a successful search of which the enquirer has been duly informed is deemed closed positively;
- an unsuccessful search in connection with which no further administrative or field-based action using all available information can be taken is deemed closed negatively.

## 7.4.4 Statistics

As a minimum, the following statistics should be kept:

- ✓ number of files opened;
- ✓ number of files closed;
- ✓ number of files pending.

Alternatively, statistics may be kept on the people concerned by tracing:

- ✓ the number of persons for whom a new tracing case was opened;
- ✓ the number of individuals located or their fate solved (closed positively);
- ✓ the number of individuals not located whose files have been closed (closed negatively);
- ✓ the number of individuals for whom tracing is still ongoing (cases pending).



Ursula Meissner/ICRC





# tracing on behalf of **UNACCOMPANIED MINORS**

8

# unaccompanied

This chapter deals with technical matters relating to the registration of unaccompanied children and minors (UAM) and tracing on their behalf. It should be read in conjunction with section 2.2.5 *Protecting unaccompanied minors and other vulnerable persons*, which describes the overall strategy for meeting the needs of vulnerable persons.

Unaccompanied children/minors are defined as children under 18 years of age or the legal age of majority who are separated from their parents and are not being cared for by another relative or adult who by law or custom is responsible to do so<sup>18</sup>.

## 8.1 Principal tasks

The Movement seeks at all times to promote and defend the principle of the protection of children in situations of conflict. As expressed the Plan of Action for the years 2000-2003 of the 27th International Conference: *“The International Federation, National Societies and the ICRC will continue their efforts in pursuance of decisions taken within the International Movement and notably the Plan of Action for Children Affected by Armed Conflict (CABAC), to “promote the principle of non-recruitment and non-participation of children below the age of 18 years in armed conflicts”; meet the physical, psychological and social needs of children who have been affected by an armed conflict; and to contribute to the reintegration into their communities and social environment of children who have participated in armed conflicts.”*<sup>19</sup>

Where unaccompanied minors are concerned, National Society tracing services will primarily offer their assistance in restoring and maintaining contact between the children and their relatives and in facilitating family reunification. They will work in the context of separation resulting from involuntary migration as a consequence of conflict or natural disaster<sup>20</sup>.

<sup>18</sup> The term unaccompanied children/minors should not be confused with the term separated children/minors which is often used by other international organizations, and refers to children separated from their parents but not necessarily from other relatives.

<sup>19</sup> Plan of Action for the years 2000-2003, Final goal 1.1, Action proposed 7.

<sup>20</sup> Regarding children separated from their parents as a result of voluntary migration, National Societies will help, where necessary, with restoring and maintaining contact.

# minors

It is the duty of the authorities in each country to assume responsibility for unaccompanied minors. Their basic welfare (reception, education and health care) is often delegated to specialist bodies. Accordingly, certain National Societies have been instructed by their governments to register them and/or take on their care.

As described in chapter 2, unaccompanied minors are in particular need of protection, assistance and care. The main tasks of the National Societies may include:

- lobbying government and aid organizations to prevent family separation and promoting guidelines for dealing with UAMs;
- being aware of the phenomenon of UAMs in their country, especially when a crisis erupts;
- devising and promoting a comprehensive programme to register, assist and protect UAMs;
- requesting and obtaining registration details or lists of UAMs registered by the responsible organizations or government offices;
- registering unaccompanied children, if required;
- restoring and maintaining contact with parents and/or other family members;
- facilitating family reunification, if required.

All activities carried out on behalf of unaccompanied minors must be guided by concern for their protection and best interests.

# unaccompanied minors

## 8.2 Registration

### 8.2.1 Purpose

The registration of personal data on unaccompanied minors is a core part of protection and tracing activities. It is necessary in order to:

- protect children's identities;
- extend to them specific assistance and protection programmes;
- keep track of their whereabouts and circumstances (staying with foster families, reunited with their own families, etc.);
- monitor their welfare and security and take appropriate action;
- carry out priority tracing on their behalf;
- reunite them with their families or ensure alternative long-term solutions.

Registration is not an end in itself. While it is vital to register unaccompanied minors quickly in order to gather the maximum of information, it is just as important that interviews should not obstruct the tracing process, which should begin at once. This is particularly so immediately following massive population movements, when separated parents and children may still be present in the same place or region.

### 8.2.2 Necessary information

Information must be as complete and as detailed as possible<sup>21</sup>. For tracing purposes, it should include the following:

#### ■ The child's identity and whereabouts

- ✓ full name, any nicknames or aliases, sex, parents' names, place of birth, date of birth/age and nationality;
- ✓ current location;
- ✓ most recent home address or a description of the locality and its surroundings.

<sup>21</sup> See the specimen registration form inside back cover

## ■ Information needed to identify the child's family

- ✓ the full names and ages of those family members with whom the child used to live and their most recent address;
- ✓ the identities of other family members or people with whom the child wishes to be reunited if close relatives cannot be traced or are deceased;
- ✓ the identities and addresses of other family members who could help with tracing.

## ■ Information relating to the circumstances of separation

- ✓ the circumstances of the child's separation from family members, including the date and place of last contact;
- ✓ a description of the child's movements since separation, with an indication of persons with whom he/she might have spent time during this period.

## ■ Additional information

- ✓ any distinguishing features (scar, speech impediment, physical characteristic, etc.);
- ✓ any information that may be of use in tracing, such as the colour of the child's clothes or the identities of those accompanying him/her on arrival at the reception centre;
- ✓ a photograph (to be taken at the time of registration, since children change very quickly).

**To facilitate identification, every child should carry a copy of the registration document on his/her person.**

### 8.2.3 Photographs

Registration documents must always include photographs, which can be particularly useful in the case of very young or emotionally disturbed children or those unable to provide information on their identity.

- ✓ Children's names must not be given on their photographs; the only information should be the reference number of the corresponding registration card. This is for their protection, since it prevents adults unrelated to them from claiming them as their own.

# unaccompanied minors

✓ To facilitate identification, photographs must be full face and show each child alone. One should be taken of the face and one of the child standing – if possible, next to some means of determining his/her height and build.

✓ Polaroid photographs should be avoided since they deteriorate relatively quickly and do not make clear copies.

## 8.2.4 Psychosocial considerations

In addition to separation, children are likely to have suffered the trauma of conflict, disaster or other dramatic circumstances. Registration may bring to light any difficulties they are experiencing as regards their security or general welfare: food or accommodation needs, health, psychological or social problems or administrative concerns. It is particularly crucial to take account of psychosocial aspects during registration and to exercise a good deal of patience and understanding. Those responsible for registration must therefore be particularly attentive to what children say and how they behave. Consequently, in addition to knowledge of the child's language and culture, the competence of a social worker and a psychologist may be required.

## 8.2.5 Processing

✓ Cases of unaccompanied minors and tracing requests from parents looking for their children should be given priority.

✓ Information should be stored on a database or in a card index so that it can be cross-checked and processed efficiently. However, these administrative tasks must not hold up the tracing process.

✓ Each child registered should be made the subject of a file in which a record is kept of all measures taken in connection with tracing.

✓ The ICRC and/or the National Society in the country of origin of the child must receive a copy of each registration form.

✓ Tracing must begin without delay.

✓ Follow up of each child's location and movement, while the search of the parents takes place.

## 8.3 The tracing process

### 8.3.1 Favoured methods

Requests concerning children must be given priority. In order to increase the chances of success, different tracing methods should be combined.

#### ■ Public information

- ✓ Extensive publicity on the services offered by National Societies and the ICRC in favour of unaccompanied minors.

#### ■ Active tracing

- ✓ Based on the information provided on the registration form, visits are made to children's home districts and other relevant places in order to interview neighbours, local authorities, religious leaders and aid workers who might help to gather further details on the parents.

#### ■ Red Cross messages

- ✓ At registration, children are invited, whenever possible, to write a RCM to a relative or neighbour whose address they know, informing them of their whereabouts.

#### ■ Cross-checking information

- ✓ Tracing requests received from parents looking for their children are systematically checked against the card index or database in order to ascertain if any information exists on the child.
- ✓ New records are systematically checked in the same way in order to ascertain whether a tracing request has already been opened for the child concerned.

# unaccompanied minors

## ■ Display, publication and broadcast of information concerning registered and missing children

- ✓ If it is in a child's best interests, certain details about his/her identity can be published. On no account, however, must information on a child's whereabouts be divulged during the tracing process.
- ✓ Lists giving the identity of registered unaccompanied minors<sup>22</sup> are displayed in camps, aid distribution centres and/or other public places.
- ✓ The names of parents who have opened a tracing request and those of the children being sought are similarly displayed.
- ✓ This information may also be broadcast on radio or television, published in the newspapers or made available on the ICRC website.
- ✓ The names of registered unaccompanied minors are read out at public meetings held, for example, in villages or among refugees who may be looking for relatives.

## ■ "Photo-tracing"

- ✓ This method is used predominantly when carrying out a search on behalf of very young or psychologically affected children who are unable to provide sufficient personal information.
- ✓ Pictures of registered children may be displayed in Red Cross/Red Crescent offices and public places. They may also be published in the local press or in special booklets.

Various other methods have been tried in the course of major campaigns to restore family links. Specific security precautions may be required.

- Accompanying children to their home towns or villages in the hope of coming across family members or stimulating the children's memories.
- Bringing mothers to children's centres to identify infants. In such cases there must be a system for double-checking claims.

<sup>22</sup> These usually give the child's full name and the names of both parents. Unpublished information provides a means of testing the claims of those who subsequently apply to a Red Cross/Red Crescent office.



## 8.3.2 Verifying the relationship between unaccompanied minors and adults claiming to be their parents

It is important to confirm that those claiming to be a child's parents are who they say they are, especially when there is little evidence of identity or when the child is identified from a photograph. Whenever it is thought that parents or other relatives have been located, there must be a check of the family relationship before family reunification can be envisaged.

Photographs of small children can provoke confusion in parents' minds due to their eagerness to recognize their child.

The following checks should be considered:

- ✓ verification of ID;
- ✓ extensive interviews with alleged parents and/or relatives;
- ✓ questioning of neighbours and other acquaintances;
- ✓ exchange of RCMs with photographs between parents and children; wherever possible, RCMs should include a personal message (a private memory or family story) whereby the child can be certain that the sender really is his/her parent.

## 8.3.3 Maintaining contact during separation

Once parents and children have been located and before family reunification can take place, it is important to allow them to keep in touch by means of RCMs, should other channels be unavailable. For further reassurance, parents may be allowed to attach a photograph of themselves.

Parents' RCMs should be sent by priority mail and delivered to the child in person. In addition, Red Cross/Red Crescent staff should inform the child immediately when his/her parents open a request for reunification.

# unaccompanied minors

## 8.3.4 Family reunification

Ideally, children should be reunited with one or both of their parents. If this is not possible, reunification with other family members capable of giving material and emotional support is usually preferable to placing children in an institution or with a foster family.

- ✓ In an emergency, family reunification may be envisaged as soon as a member of the family has been located.
- ✓ Assurance must be sought in advance that the relative in question agrees to reunification as a temporary measure and that the family is capable of caring for the child. Such an arrangement does not stop continuing the search for the child's parents.
- ✓ Children deemed sufficiently mature should be given as much say as possible in matters of family reunification and other decisions relating to their future.

## 8.4 Specific administrative tasks

### 8.4.1 Recording cases

Although unaccompanied minors could be considered as enquirers looking for their parents or relatives, in view of the great difficulties faced by some children in providing information on their families, and for protection purposes, tracing request forms are usually replaced by registration forms. As with tracing requests and, sometimes, RCMs, registration of an unaccompanied minor entails taking down information, assigning a reference number, drawing up an index card or inputting data and opening a case file. It is important to register brothers and sisters individually, although their cards should be filed under the same reference number

## 8.4.2 Closure

Files on unaccompanied children are generally closed when at least one of the parents has been located and/or family reunification has taken place. However, follow-up may prove necessary for the child's welfare and protection. Closure should not be automatic when a child reaches 18 years of age, since he/she may still want or need to trace his/her parents.

It is very difficult to draw up an exhaustive list of circumstances in which a file may be closed. Each case should be handled separately after consultation with the organizations responsible for the child's continuing welfare.

## 8.4.3 Statistics

The following statistics on unaccompanied minors should be kept:

- ✓ the number of children registered;
- ✓ the number of tracing requests opened in respect of UAMs;
- ✓ the number of children whose parents have been located;
- ✓ the number of children reunited with their parents or relatives.



Paul Grabhorn/ICRC



# family **REUNIFICATION**

9

# reunification

## 9.1 The right to family reunification

International humanitarian and human rights law recognizes the family as the natural and fundamental unit of society. As such, it is entitled to the protection of society and the State. Article 26 of the Fourth Geneva Convention and article 74 of the First Additional Protocol of 1977 as well as several resolutions of International Conferences of the Red Cross and Red Crescent (Geneva, 1986 and 1995) clearly state that Governments should take all possible steps to facilitate the reunification of families.

While provisions in international law guarantee the preservation of the family unit, a clear definition of this unit, and of its right to reunification, is left to national legislations. In situations where reunification entails admitting family members to another country, the decision is made according to the laws and regulations of that country.

For example, the governments of Western countries generally consider hosting family reunification only for the “first-degree” or nuclear family, i.e., spouse and minor children. Exceptional consideration can be given on compassionate grounds to elderly dependent parents or lone vulnerable siblings. Other relatives too may be considered as long as they can support themselves.

The 26th International Conference “notes that the form of a family may vary from one culture to the other, recognizes the aspiration of separated families to be reunited and appeals to States to apply criteria for family reunification in such a way that they take into account the situation of those family members who are most vulnerable” (Resolution 2D(e)).

## 9.2 Principal duties

The 26th International Conference encouraged National Societies “to maximize their efficiency in carrying out tracing work and family reunifications by strengthening their tracing and social welfare activities and maintaining close cooperation with the ICRC, government authorities and other competent organizations, such as the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and non-governmental organizations (NGOs) involved in such work” (Resolution 2D).

National Societies are expected to:

- advocate the principle to family reunification for families dispersed by armed conflict;
- remind their governments of their obligations in this regard;
- keep abreast of their countries' policies on asylum, immigration and refugee issues;
- be aware of their countries' procedures for family reunification<sup>23</sup>;
- be aware of the mandates and capabilities of relevant international organizations present in their country, such as the UNHCR and the IOM, and cooperate accordingly;
- assist with family reunification when necessary and negotiate a formal role in this regard with government and/or national and international agencies, if relevant;
- liaise and act with other components of the Movement as appropriate in order to strengthen the efficiency of the network and facilitate family reunion;
- assist families with advice on procedure and formalities or direct them to appropriate organizations, agencies, legal institutions or community associations;
- act as intermediaries, when necessary, between families and the competent authorities;
- monitor procedure to ensure that priority is given to the most vulnerable – the seriously ill, elderly and disabled people, unaccompanied children and former detainees in need of protection.

<sup>23</sup> The regulations of the receiving country will dictate whether candidates for family reunification should apply directly to a consulate abroad, whether the sponsor should make an advance application in his/her country of residence, or both. In some circumstances, where there is no visa-issuing consulate in their current country of residence, this can mean candidates' travelling to a third country.

## 9.3 Organizing family reunification

### 9.3.1 Deciding who can benefit

The ICRC's involvement in the process of family reunification will be limited to cases where one or more of those to be reunited are living in a conflict area. The obligation is then on the ICRC to take any steps required within that zone (notifying the authorities, forwarding documentation, arranging transport, etc.), while any National Societies involved will take action in their own countries.

In the case of refugees, it is the responsibility of the UNHCR and/or the relevant embassies to coordinate action with National Societies abroad, if necessary.

In non-conflict situations, National Societies' internal policies will determine their role in family reunification, which may be limited to that of adviser and arbiter or take a more concrete form. In any case, as for other Red Cross/Red Crescent activities, agreement from the authorities will be sought.

Once it has been decided to become involved, the general criteria for defining who may benefit from family reunification are the following:

- ✓ vulnerability of the candidates, such as children, elderly and disabled people and any other persons or groups deemed to be at risk in a given context;
- ✓ respect for the best interests of the persons concerned.

### 9.3.2 Necessary information

Candidates for reunification must fill out the appropriate forms, which should be drawn up by National Societies in cooperation with the relevant government authorities and/or, possibly, the UNHCR. In conflict-related situations the ICRC provides special forms.



The following details are required in all circumstances:

## ■ Details of family members wishing to be reunited

- ✓ full name (as used locally);
- ✓ date and place of birth;
- ✓ nationality;
- ✓ current address;
- ✓ other contact details (telephone, fax, e-mail, etc.);
- ✓ previous address;
- ✓ relationship with sponsor<sup>24</sup>;
- ✓ any other relevant information (whether a member of a vulnerable group);
- ✓ type of ID.

## ■ Details of the sponsor (person in the destination country)

- ✓ full name (as used locally);
- ✓ full address;
- ✓ other contact details;
- ✓ date and place of birth;
- ✓ nationality;
- ✓ status (i.e., refugee/asylum seeker/citizen);
- ✓ profession.

### 9.3.3 The process of reunification

Whether in time of conflict, natural disaster or any other situation of humanitarian need, the various steps in the family reunification process remain the same.

## ■ Preparation

- ✓ Before an official request for reunification is made, contact must be restored between family members. RCMs should be used if regular communication channels are unavailable.
- ✓ Requests must be made by the individuals themselves for reunification; third-party approaches will not be accepted. Where the children are very young, the parents will usually initiate the request.

<sup>24</sup> In the case of children, and when the sponsor is not the mother or the father, full identity of the biological parents has to be mentioned.

# reunifica

- ✓ Requests should be made in writing on a family reunification form or other official document. The duties and limits of the Red Cross/Red Crescent should be clearly stated.
- ✓ Applicants should be given guidance in respect of procedure and potential difficulties.
- ✓ Care must be taken with administrative procedure, including attaching appropriate documentary evidence (birth certificates, marriage certificates, etc.) to each request. If necessary, help should be offered to obtain such documents, or otherwise verifying a family relationship, and with applying for the necessary authorizations (exit, transit and entry visas).
- ✓ Before proceeding with travel, a family reunification agreement must have been signed by family members in the receiving country.

## ■ Following permission to enter a country

- ✓ Reunification can only proceed once all documents and authorizations are in order.
- ✓ Transport away from the conflict zone can be arranged with the ICRC.
- ✓ Other travel arrangements should be made through the IOM or an airline/travel organization. In certain cases, at the discretion of the National Society concerned, the tracing service may finance the cost of travel.
- ✓ Other arrangements to be made include reception at the airport in the receiving country, transport to accommodation and, possibly, accommodation, where required.
- ✓ Where those being reunited have to transit through one or more intermediate countries, the relevant National Societies should be contacted in case assistance is required.
- ✓ ICRC travel documents should be obtained if required.

- ✓ Where those being reunited are to be handed over to intermediaries such as embassy, UNHCR or IOM representatives, these persons should be reminded of their responsibility to assist with transport to the receiving country.

## ■ After reunification

- ✓ Family members must sign a certificate of “handover”, copies of which are sent to the relevant National Societies and/or the ICRC.
- ✓ All National Societies and other organizations involved in the reunification process should be notified of the individuals’ safe arrival.
- ✓ Tracing services should act as intermediary between national/local authorities and individuals to ensure their status is in order.
- ✓ Individuals should be referred to appropriate organizations or other National Society departments for help with their integration locally.
- ✓ If it is deemed necessary, reunited family members should be followed up, with particular attention to children’s welfare.

## 9.4 Specific administrative tasks

### 9.4.1 Cross-checking

Although candidates for reunification are already in touch with each other, there may be other relatives looking for them. For this reason it is advisable to check names against the card index or database.

### 9.4.2 Statistics

The following statistics should be regularly updated:

- ✓ family reunification requests opened (the number of outstanding candidates for reunification);
- ✓ case closures (the number of successful reunifications).



Boris Heger/ICRC



tracing in situations of  
**NATURAL  
DISASTER**

10

# natural disaster

This chapter deals with the specific role of each of the Movement's components in restoring family links in situations of natural disaster. Legal, humanitarian, technical and other aspects addressed elsewhere in the guide are not duplicated here, and this chapter should therefore be read in conjunction with other sections where appropriate.

## 10.1 Overview

The Federation's disaster preparedness policy recognizes disaster preparedness as a primary activity of the International Federation and National Societies, complementary to government action and linking emergency response, rehabilitation and development programmes with the relevant national and local organizations.

The reinforcement of organizational structures and the expansion and consolidation of local capacity are particularly important in high-risk areas and require cooperation and partnership throughout the Movement. National Societies can call on the ICRC in its capacity as technical adviser, and the ICRC will respond accordingly.

## 10.2 Role of the International Federation

### 10.2.1 Disaster preparedness

In order to be able to respond to the need for family news when disaster strikes, adequate planning and preparedness are required:

- Federation regional delegations should consider the need for tracing and family news services when developing regional and national strategies.
- The Federation should ensure that the role and importance of restoring family links is stressed in disaster preparedness plans.
- Training courses preparing National Society staff for disaster preparedness and response should place more emphasis on the need for restoring family links. Training in tracing activities should be coordinated with the ICRC.

# disaster

- The Federation should encourage National Societies to designate an internal department and officer(s) responsible for restoring family links.
- The Federation Secretariat and the ICRC should make a concerted effort to meet and harmonize plans of action that include developing and maintaining a quality tracing response. Such coordination is particularly necessary in the field.
- The Secretariat of the International Federation and its delegations should include disaster tracing in periodic operational reviews and planning.

## 10.2.2 Disaster response

Under disaster response the Federation has a number of responsibilities.

- It includes in the initial disaster assessment the following:
  - ✓ the need for tracing and family news;
  - ✓ the capacity of the National Societies in affected countries to respond;
  - ✓ short-term needs such as specialist personnel, material and financial resources and technical support.
- It quickly obtains details (regions affected, the estimated number of victims, etc.) from the National Societies concerned and relays them to other National Societies so that they will have accurate information when advising enquirers and informing the public.
- It obtains information pertaining to National Societies' responsibilities, their capacity to relay news and receive enquiries, specific criteria for identification (form of names and addresses) and preferred method of transmission (fax, e-mail, etc.) and informs other National Societies accordingly.
- It contacts the CTA to determine the availability of support for the National Societies concerned if required.
- In acute disaster situations, the Federation may identify a focal point for disaster tracing within its Secretariat from which National Societies can obtain general information on operations, including tracing.

## 10.3 Role of National Societies

### 10.3.1 Disaster preparedness

National Societies too need to plan ahead. Their tasks include:

- defining Red Cross/Red Crescent responsibilities and negotiating roles of government authorities, the Red Cross/Red Crescent and other organizations in national emergency response plans;
- raising awareness at national and local government level and within communities of the importance of family news and tracing in a humanitarian response;
- identifying which government departments and NGOs respond in times of disaster in order to ensure coordinated and effective action;
- designating a department and/or individual responsible for developing and implementing the tracing response. Those appointed will liaise with other National Societies' departments and with other components of the Movement;
- producing a handbook of methods for response as set out in the disaster preparedness plan. This should include guidelines for family news and tracing;
- maintaining a stock of appropriate forms (RCM forms, pre-printed RCMs, enquiry forms, etc.). These should be developed in cooperation with the ICRC to ensure standardization across the Red Cross/Red Crescent network;
- developing and keeping sufficient supplies of registration forms, where this is one of their government-designated roles;
- devising a training programme for staff and volunteers at headquarters and local level and providing appropriate training in liaison with the ICRC if necessary;



# disaster

- developing methods and procedures for transmitting news and enquiries both nationally and internationally (mail, fax, e-mail, phone, etc.) that conform to the overall Red Cross/Red Crescent network system for tracing;
- establishing a suitable personal data management system. If a computer system is envisaged, the ICRC should be approached for advice on existing models and the possibility of support from within the Movement.

## 10.3.2 Disaster response

### In the affected area

In line with the Movement's general strategy on restoring family links, the response should focus on the need to provide news of disaster victims as quickly as possible and thereby reduce the number of incoming enquiries. The response model should if possible be broad and flexible so that information can be exchanged both in the affected area and outside.

They have the following duties:

- to ensure that their responsibilities and working relationship with the authorities and other organizations in the area are clear;
- to gather general information through other disaster response units, such as Red Cross/Red Crescent logistics and relief teams, the police and other organizations operational in specific fields. This material is used for responding to enquirers, informing the general public and making local branches and other components of the Movement aware of developments;
- to ensure that the need to give family news is included in the general assessment and that necessary resources are noted;

# natural

- to formulate standard replies, on the basis of situation reports, to public enquiries. Staff and volunteers should be briefed on the current situation and conditions to enable them to provide frequent and accurate information in the early stages of the disaster;
- to facilitate the sending of family news from the affected area by suitable means: RCMs, pre-printed messages, telephones, radio broadcasts, etc.;
- to approach the authorities and other organizations for lists of victims in morgues, hospitals, shelters, etc.;
- where victims are not being registered, to contact the authorities to learn how information can be obtained;
- to register victims and vulnerable persons, where this is one of their government-designated roles;
- to set up a centralized point outside the affected area where the public can be advised on how and where to obtain information;
- to inform the Federation, when the circumstances are right (availability of reliable information, access to victims and the possibility of processing enquiries), that tracing requests can be received. Standard forms should be provided, together with details of necessary information and guidelines for sending enquiries.

**No enquiries should be accepted until adequate information and capacity exists for handling them.**

# disaster

## Outside the affected area

National Societies in countries with communities who have relatives in the affected area should expect requests for information. Accordingly, they should be prepared:

- to receive situation reports made available by the Federation Secretariat and other sources in order to provide enquirers with detailed and up-to-date information about the affected area and the relief effort;
- to ensure that their coordinated disaster response includes provisions for restoring family links;
- to compile the contact details of relevant sources of information and support, such as foreign ministries, representations of affected countries and community groups;
- to devise and update a set of guidelines for staff and volunteers;
- to inform the public as soon as the Federation and the National Societies concerned announce that enquiries can be accepted, and to explain how enquiries can be made.
- to ask any enquirers from whom correspondence was received before the appropriate arrangements were made whether they have obtained news from another source;
- to complete tracing forms and send them to the National Society concerned through secure channels.

**No enquiries or “Anxious for news” cards should be accepted before the National Society concerned has confirmed its capacity to handle them.**

## 10.4 Role of the Central Tracing Agency

### 10.4.1 Disaster preparedness

In accordance with its role of coordinator and technical adviser to National Societies and governments in respect of family links, as confirmed by Resolution XVI of the 25th International Conference of the Red Cross (Geneva, 1986), the Central Tracing Agency (CTA) has the following duties:

- to encourage and support National Societies to develop efficient capabilities for restoring family links and to designate a department and officer(s) responsible for tracing in each National Society;
- to train at least one person in each National Society in the field of tracing activities, methodology and guidelines and to provide training to other staff as required;
- to liaise with the International Federation, providing advice and support as required;
- to make a concerted effort with the Federation Secretariat to meet and harmonize plans of action that include developing and maintaining a quality tracing response. Such coordination is particularly necessary in the field.

# disaster

## 10.4.2 Disaster response

CTA duties under disaster response may include:

- liaising with National Societies about sending staff to the affected country or region or sending ICRC delegates to support the work of restoring family links being undertaken by the National Societies directly concerned;
- offering its direct help in tracing, if the extent of the disaster makes this appropriate and the ICRC has a delegation in the affected country or region;
- providing the National Societies concerned with technical and/or material support.



Thierry Gassmann/ICRC



# OTHER SERVICES

11

# other services

## 11.1 The ICRC travel document

### 11.1.1 Background

The ICRC used its right of initiative to propose the travel document to States in 1945. The document was devised at the end of World War II to facilitate the repatriation or emigration of former prisoners of war or civilians dispersed throughout Europe with no identity papers. It is not governed by any Convention.

Since 1945, over 500,000 displaced and stateless persons and refugees carrying ICRC travel documents have been able to reach the country of their choice with the cooperation of the governments concerned.

### 11.1.2 Criteria and procedure for use

#### General principles

- The ICRC travel document is intended for the use of displaced and stateless persons, refugees and asylum seekers who have no valid identity papers and cannot return to their country of origin or habitual residence or travel to a country of their choice which is willing to receive them, generally for permanent resettlement.
- It is issued on the basis of statements made by the applicant or any document which he/she is able to produce (identity card, driving licence, etc.).
- It is valid for a single journey to the holder's country of origin or residence or to a receiving country and must subsequently be returned to the ICRC.
- The document is neither a passport nor an identity card. Its issue neither establishes nor alters the status or nationality of its holder.
- The travel document is issued free of charge.
- It may be issued only by the ICRC.



## Criteria for issue

An ICRC travel document will be issued in the following circumstances<sup>25</sup>:

- the applicant does not have a valid passport and is unable to obtain or renew one or any other personal document which might permit travel;
- it is impossible for the receiving country to provide a travel permit;
- evidence that an entry visa will be issued by the diplomatic or consular services of the country to which the applicant wishes to travel, and that any necessary transit visas will also be issued;
- evidence that an exit visa or safe-conduct, if required, will be issued by the country whose territory the applicant wishes to leave.

## Procedure

Requests for an ICRC travel document are addressed to the ICRC headquarters or delegations by National Societies, the UNHCR or the IOM. Applicants' personal details are written on the standard application form<sup>26</sup>, for processing along with the necessary supporting documents, where available.

- ✓ Travel documents are issued free of charge.
- ✓ They cannot be extended except in very exceptional circumstances.
- ✓ They must be returned to the ICRC as soon as possible after the holder arrives at his/her destination or when their validity expires.

<sup>25</sup> See public document A493 bis, Travel document of the ICRC, Geneva, June 1986, in annex 4.

<sup>26</sup> See specimen ICRC Travel Document and standard application form 10,000 bis inside back cover.

## National Societies may assist applicants by:

- ✓ providing information relating to the issue of travel documents;
- ✓ providing and filling in application forms;
- ✓ informing applicants about the necessary supporting papers for issuing travel documents;
- ✓ forwarding requests to the ICRC;
- ✓ ensuring that the necessary entry, exit and transit visas are obtained and that travel documents are stamped accordingly;
- ✓ handing over travel documents, once ready, to applicants in person;
- ✓ ensuring the travel document is signed and finger-printed;
- ✓ meeting holders at their destination and returning used travel documents to the ICRC.

There must always be direct contact between Red Cross/Red Crescent staff and applicants. Applications received where no such meeting has taken place will be returned.

### 11.1.3 Precautions

In contrast to travel permits issued by States party to treaties on the status of refugees or stateless persons, the ICRC travel document is **subject to no convention**. Its validity depends on recognition by the governments of receiving countries and their diplomatic or consular services.

- In order to ensure that travel documents continue to be recognized, it is essential to restrict their use to the situations for which they are intended and, as far as possible, to prevent all forms of misuse.
- National Societies share responsibility for seeing that travel documents are accepted by the authorities in their countries. They should advise the ICRC of any difficulties encountered so that it can assist them to take whatever steps are necessary.

# services

The travel document is **neither a passport nor an identity card**. The personal details that it records are often based directly on statements made by the applicant. It falls to the authorities in the applicant's country of residence to verify all information.

- Nevertheless, National Societies should carefully check whatever proof of identity is provided by the applicant, whether or not this takes the form of official documentation. A National Society representative must therefore meet the applicant in person.
- Where an applicant is unable to furnish any proof of identity, the National Society concerned should take steps to confirm that this cannot be obtained by contacting humanitarian organizations dealing with asylum or migration (e.g. the UNHCR and the IOM).
- Where confirmation is unavailable, the interviewer should seek to be as certain as possible that the information given is genuine.

Countries accepting refugees and issuing them with visas may take the initiative of drawing up their own travel documents for immigrants.

- National Societies should seek to remind the authorities of their country of this possibility. The ICRC Travel Document does not exist to take over States' responsibilities but to provide humanitarian assistance when no other solution can be found.

## 11.2 Forwarding documents and other items

### 11.2.1 In connection with international armed conflict

The Geneva Conventions of 1949 stipulate what prisoners of war, civilian internees and other protected persons are entitled to send and receive. The list includes:

- personal and inherited valuables (Article GCIII:68 and GCIV:139);
- relief shipments and remittances of money (cheques, money orders, etc.) (Articles GCIII:74 and GCIV:110);
- legal documents and official certificates such as powers of attorney, contracts, marriage certificates, deeds of divorce, wills, etc. (Articles GCIII:77 and GCIV:113).

The Geneva Conventions also give instructions concerning how such items are to be sent.

### 11.2.2 In other situations

The above rules for forwarding documents and other items have no equivalent in non-international armed conflict, internal disturbances or other situations not related to conflict, such as natural disasters. However, on the basis of experience gained over the years general rules have been developed, the main points of which are given below.

#### ■ Legal and official documents

Powers of attorney, contracts, marriage or divorce certificates, wills, etc. can be sent attached to an RCM - when no other means are available - which a Red Cross/Red Crescent employee will deliver personally or send by registered post, where possible. Maximum care should be taken with all such sendings by attaching an acknowledgement of receipt and photocopying original documents.

# services

Requests for official documents should first be addressed to relatives or friends in the country of origin. If these people are unable, for good reason, to approach the competent authorities, requests can be addressed to the relevant National Society or the ICRC as appropriate, which will evaluate on a case-by-case basis whether or not it can take action.

## ■ Family photographs

Pictures can be attached to an RCM and must avoid anything of a military or political nature. Acknowledgement of receipt and copies are not necessary. Polaroid pictures should be carefully checked to ensure that no money or other illicit items have been inserted between the paper layers.

## ■ Money

For security reasons the ICRC generally avoids forwarding money. The very act of carrying money in a conflict environment may place both Red Cross/Red Crescent workers and those to whom it is sent under some risk. However, RCMs can be of help in transmitting information on methods of sending or receiving money through non-Red Cross/Red Crescent channels.

## ■ Parcels

Individual relief parcels or medicines from relatives should not be accepted unless delivering them presents no difficulties, or when it is life saving medicine. Where this is not the case, the public should be informed.

## 11.3 Forwarding certificates

### 11.3.1 Death certificates established by the authorities

Neither the ICRC nor National Societies are authorized to draw up death certificates even if their representatives were eye-witnesses or collected credible witness statements. This function is the preserve of the relevant authorities and heads of medical establishments.

# other

In situations of international armed conflict, the Geneva Conventions require that death certificates or lists certified by a responsible officer be drawn up in respect of all prisoners of war who die in captivity (GC III, art.120). They also require official records of deaths of civilian internees (GC IV, art.129) and of the wounded, sick and shipwrecked (GC I, art.16 and GC II, art.19).

- **In situations of international armed conflict** the ICRC takes steps to ensure that the families of protected persons enjoy their rights as guaranteed under the Geneva Conventions.
- **In situations not covered by the Geneva Conventions** the ICRC proceeds in an identical manner because the humanitarian needs are the same. It therefore encourages the detaining or medical authorities to inform families about the fate of their loved ones and asks them to provide certificates in respect of deaths in captivity and civilian hospital deaths.

## 11.3.2 Certificates of detention delivered by the ICRC

The Geneva Conventions stipulate that the detaining authorities shall record the identity of prisoners of war and civilian internees on cards notifying capture (GC III, art.70) or internment (GC IV, art.106). These cards, which convey information to the families of protected persons, should be sent by the National Information Bureau to the home country of those concerned via the Protecting Power or the CTA.

- **In situations of international armed conflict** the CTA can make use of documents in its possession to draw up attestations of detention.
- **In situations not covered by the Geneva Conventions** the ICRC again proceeds by analogy on the basis that the humanitarian needs are the same. It thus requires the authorities to notify it of those arrested and/or detained. Depending on the circumstances, ICRC delegates will also register visited detainees and follow them up individually. Certificates of detention will then be drawn up on the basis of the notification or registration process.

# services

Detention records drawn up by the ICRC include only those persons whom its delegates have registered individually, who have been the subject of notification from the detaining authorities or who have been released under ICRC auspices.

Requests for certificates of detention must be addressed to the CTA or the appropriate ICRC delegation.

### 11.3.3 Other attestations delivered by the ICRC and National Societies

In addition, the ICRC and National Societies may issue affidavits confirming that certain services have been provided or requests processed. They usually do this in connection with the following activities:

- family reunification under ICRC or National Society's auspices;
- tracing requests addressed through their offices, in particular those concerning persons reported missing.

### 11.3.4 Certificates relating to World War II

There are two collections of archives which may provide material for replies to requests relating to World War II:

- the ICRC's records on **prisoners of war and civilian internees**;
- the archives of the International Tracing Service (ITS)<sup>27</sup> on **civilians** held in concentration and labour camps and deportees.

These two archives allow – upon personal written request – the provision of certificates to former prisoners of war or civilians who were detained or sent into forced labour during the Nazi era, or to their descendants. Such certificates are needed mainly to support compensation claims to the relevant authorities.

<sup>27</sup> The ITS was established in Arolsen (Germany) pursuant to the Bonn Agreements signed by the Allies and the German government in 1955. Its duties are to assemble, classify, maintain and evaluate documents relating to civilians imprisoned in concentration and labour camps run by the Nazi regime. The ITS also holds documents relating to non-German nationals who were displaced as a result of World War II. Currently, replies may take several years because of the vast number of requests made to the ITS during the past decade.

- ITS services are provided free. For information on the services provided by the ICRC, see below.

## 11.4 Searching in the ICRC archives on past conflicts

The ICRC makes use of its archives, which go back as far as 1863, when responding to requests relating to past conflicts. Strictly speaking, this entails not the processing of tracing requests as such but the **consultation** of a body of records.

Since 1996 the ICRC archives have also been open to the public, in accordance with the “Rules governing access”<sup>28</sup>. The main criteria for access are as follows:

- **Documents of a general nature** (such as reports and minutes of meetings) which go back **more than 50 years** are publicly accessible and can be consulted on ICRC premises (no loans);
- **Personal data** are protected for 100 years. However, biographical data **more than 50 years old** can be consulted indirectly through an ICRC archivist – a measure necessary in the interests of security;

A fee is charged for searches conducted for the purpose of genealogical or historical enquiry or where the enquirer is not an immediate family member. Services are free of charge for immediate family requesting a search on humanitarian grounds (such as a request for compensation in connection with World War II). Searches related to conflicts less than 50 years in the past are conducted only on behalf of immediate family.

<sup>28</sup> For further information, see the International Review of the Red Cross, September-October 1996, No. 314, pp. 554-561.



# services



Priska Spoerri/ICRC



# ADMINISTRATIVE PROCEDURES

12

# administrative

## 12.1 Forms

### 12.1.1 Advantages

The use of forms throughout the Red Cross/Red Crescent network has several administrative advantages. Among other things, they:

- ✓ ensure consistency and standards in service delivery;
- ✓ make it possible to check that essential information has been provided;
- ✓ serve to reference and process individual files;
- ✓ can be created for specific events or contexts.

### 12.1.2 Types of form

- **Standard forms** include RCMs, pre-printed RCMs, tracing requests and registration forms.
- **Ad hoc forms** may be created in connection with other services, such as requests for attestations/certificates, health and welfare reports and family reunification.

National Societies should maintain stocks at headquarters and branch offices.

Forms bearing the ICRC emblem are reserved for conflict situations. In relation to a specific situation, or for large-scale operations, the ICRC may provide National Societies with specially adapted forms.

### 12.1.3 Designing forms

Collaboration between National Societies and the CTA in the development of forms will ensure consistency and high standards.

Standard forms for use throughout the Red Cross/Red Crescent network should be drawn up according to a few simple rules:

- ✓ they should bear the National Society's emblem and address;
- ✓ reproduction of the emblem must comply with the graphic standards set by the Movement;

# procedures

- ✓ general presentation – format, colour of paper, headings, layout, etc.
  - should be identical throughout the Movement;
- ✓ headings should be printed in the language(s) of the country concerned and in a language commonly used internationally, generally English;
- ✓ space should be left for a reference number;
- ✓ computerized and paper forms should be identical. This will make it easier to transfer information and maintain consistency.

Permissible variations are limited to the language used, some specific areas such as the way in which names and addresses are written and the space allocated to a particular section.

Ad hoc forms for use between tracing services and branches can be produced freely as required and in accordance with internal regulations.

## 12.2 Personal files

### 12.2.1 Purpose

Filing is a means of assembling and storing documents. Maintaining one file on each person ensures that all related documents are kept together so that an accurate picture can be obtained of the progress and status of each case.

### 12.2.2 Subject matter

Personal files may be opened in connection with any service.

The following principles should apply:

- ✓ one file = one case = one reference number;
- ✓ one file = one person, or several persons who have experienced the same event at the same time and are the object of the same request.

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All files should be stored together in numerical order<sup>29</sup>, whatever the status of the case (opened, pending, closed). For confidentiality reasons, all files should be stored in a locked cupboard or room.

A marker sheet should always be left in place of a file that has been removed for consultation. The marker should indicate the reference number of the case, the name of the person(s) concerned, the name or initials of the staff member who took out the file and the date on which it was taken out.

## 12.2.3 Content

Files hold all incoming and outgoing documentation on a case (correspondence, official papers, photographs, etc.).

- ✓ The name of the person or persons concerned and the reference number should appear on the cover of the file.
- ✓ The reference number must appear on all documents in the file.
- ✓ Documents and correspondence should be filed in chronological order.
- ✓ Notes should be taken whenever a responsible Red Cross/Red Crescent employee contacts another staff member or organisation by telephone or in person in relation to a case. If relevant, notes on the conversation should be attached to the file. This is to ensure that all information is kept together on file, where it is readily available to other staff working on the case.
- ✓ Correspondence relating to more than one case should be copied and placed in each file with an attached explanatory note.
- ✓ It is advisable to attach a summary sheet to the front of each file. This is used to record the date and nature of all measures taken in relation to the file and the date on which it is next to be actioned or reviewed. It enables a rapid response to be made to all enquiries.

<sup>29</sup> The card index, filed by alphabetical order - or a computerized system - is the complementary tool to personal files, filed by numerical order.

## 12.3 Reference numbers

### 12.3.1 Purpose

A reference number is assigned whenever an individual file is opened, whatever the type of request: tracing, reuniting of families, repatriation, etc.

The number is quoted on all correspondence and other documents related to the file and on all the corresponding records in the card index or computer database. This has the following advantages:

- ✓ files can be stored in numerical order;
- ✓ files can be retrieved and tracked more easily;
- ✓ all data relating to the same file can be stored together;
- ✓ receiving National Societies and/or ICRC delegations can more readily retrieve and check files.

### 12.3.2 Systems of reference

#### Manual system

Reference numbers can be written in different ways:

- ✓ A simple sequential number: the first file opened becomes number 1, the hundredth file becomes number 100, and so on.
- ✓ A combination of the year and a number: 01/2000, 02/2000, 03/2000, etc. The sequence begins afresh each year: 01/2001, 02/2001, etc.
- ✓ A combination of an alphabet-based code and a number: BUR001 (BUR for Burundi), etc.

Whichever combination is used must be strictly adhered to.

#### Computerized system

With computerization, a reference number can automatically be assigned to a file as soon as a person's identity is entered into the system. While a combination of letters and numbers is usual, there is generally no reference to the year.

## 12.3.3 Registering reference numbers

### Manual system

Requests are recorded in a hardcover register, usually called "Registration book". Each new file is assigned the next available number.

The registration book consists of several columns under the following headings:

- ✓ reference number;
- ✓ date on which the file was opened;
- ✓ full name(s) of those concerned;
- ✓ number of persons concerned;
- ✓ date of request;
- ✓ type of request/case;
- ✓ possibly, results.

Even if it does not entail opening a personal file, RCMs and other requests too can be registered.

Registers are useful for drawing up statistics and analyzing data (by types of request received, sources of information, etc.). They also make it possible to locate a file by its reference number alone.

### Computerized system

Given a computerized system's automatic sequential numbering of files, a register is not necessary.

Database searches can be performed by reference number, name, date on which the file was opened or any other available field.



## Register of reference numbers: "Registration book"

Reference number	Date when the file was open	Full name of person(s) concerned or addressee of RCM	Number of persons concerned	Type of request /case	Date of request	Inquirer's full name/ sender of RCM	Results

## 12.4 Card-indexing

### 12.4.1 Purpose

Card-indexing is a useful tool for ascertaining whether a personal file already exists on the subject of a tracing request. The card-index is used to store, process and utilize the data – concerning persons – transcribed on individual cards<sup>30</sup>.

National Societies must decide whether they will maintain a single card index for all cases processed or one for each disaster or situation of conflict.

### 12.4.2 Content

Cards should be made out for all types of service (tracing, family reunification, etc.) and for each person mentioned.

<sup>30</sup> The CTA recommends using thin cards, of postcard format, 10cm by 15cm. These can be filed in boxes 16cm wide, 8cm high, and, for instance, 37cm long.

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All cases arising from the same situation should be filed in the same card index, since cases can and do change: an undelivered RCM can turn into a tracing case, a successful tracing case can become a family reunification request, etc. Cases should not be separated by year or by status (opened, pending, closed).

Cards should be filed in alphabetical order.

The rules established for each card index should be clear and clearly displayed for the benefit of everyone accessing the system, whether or not it is still active.

Card-indexing is not necessary if there is a computerized system capable of cross-referencing all individuals listed in a case.

### 12.4.3 Categories of card

Cards are made out for each person benefiting from Red Cross/Red Crescent services, including those being sought, dependants, enquirers, candidates for reunification, persons sending and receiving RCMs, etc.

They are standardized and record the following information:

#### Card for each person

- ✓ reference number;
- ✓ date when the card was made, and initials of the staff who made it;
- ✓ information on the person concerned (as a minimum, his/her full name and date and place of birth);
- ✓ names of any dependants and their relationship to the principal person;
- ✓ type of request/case (tracing, family reunification, resettlement, etc.) and date of the request;
- ✓ information on the enquirer (name, address and relationship to the principal person);

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When files cannot be kept for very long, it may be useful to make a summary describing:

- ✓ the background to the request (date and place of last news and circumstances leading to loss of contact);
- ✓ the reason for the request as it appears on the request form;
- ✓ action taken and outcome.

Should it be necessary to destroy the personal files, these summaries will remain in the card index.

### **Enquirer cards**

- ✓ reference number (identical to the main person);
- ✓ date when the card was made, and initials of the staff who made it;
- ✓ type of request/case and date of the request;
- ✓ information on the enquirer (as a minimum, his/her full name and address and date and place of birth);
- ✓ the enquirer's relationship to the principal person;
- ✓ a cross-reference to the card on the principal person, with the instruction "*see under...*".

### **Cross-referenced cards**

For all categories of cards, an additional cross-referenced card is made out each time a variant rendering is noticed of a person's name, such as an alias, an inversion of the units of the name, a different spelling or a maiden name.

These cards bear only the name in its variant form and a cross-reference to the master card: "*see under...*".

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## DIFFERENT TYPES OF CARDS

### REQUEST CARD (PRINCIPAL PERSON)

5.3.85/FV

ETA 219417/1-2

GOITOM BERAKE alias TIKU BEHRE (M)

Born:	15.02.58 in Asmara
Nationality:	Ethiopia
Son of:	BERAKE BERACH ABRAHA (father) GEBREHIWOT TSIGEWYNIE (mother)
Occupation:	student
Request:	TRACING - a/m left Ethiopia for Sudan or Kenya in 1980; from there, intended to go to Canada; accompanied by wife and son.
Dependents:	GEBREHIWOT GOITOM BERAKE (son) born 1975
Enquirer:	TEKLE BERAKE (brother) P.O. Box 5335, Addis-Ababa
Date of request:	20.01.85

### CROSS-REFERENCED CARD

5.3.85/FV

TIKU BEHRE alias GOITOM BERAKE (M)

Born:	15.02.58
Nat.:	Ethiopia
See under:	GOITOM BERAKE alias TIKU BEHRE

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## DEPENDENT'S CARD

5.3.85/FV

ETA 219417/2-2

GEBREHIWOT GOITOM BERAKE (M)

Born: 1975 in Asmara  
Nat.: Ethiopia  
Son of: GOITOM BERAKE alias TIKU  
BEHRE (father)  
MIUS IBUY BAIRU (mother)  
See under: GOITOM BERAKE alias TIKU  
BEHRE (father)

## ENQUIRER'S CARD

5.3.85/FV

ETA 219417/E

TEKLE BERAKE (M)

Born: 05.10.56 in Asmara  
Nat.: Ethiopia  
Address: P.O Box 5335, Addis-Ababa  
Son of: BERAKE BERACH ABRAHA (father)  
GEBREHIWOT TSIGEWYNIE (mother)  
Request: TRACING of GOITOM BERAKE  
alias TIKU BEHRE (brother)  
see under GOITOM BERAKE  
Date of request: 20.01.85

## 12.4.4 Filing

Cards are filed in alphabetical order by name, leaving the names in the order customarily used in the country of origin.

It happens quite frequently that a person's name is spelled in several ways. In addition, names are altered when they are transcribed into a different alphabet. To avoid the danger of separately filing cards dealing with the same person but made out under apparently different names, cross-referenced cards should be made for all known - or possible - variants of the name.

A standard spelling could be applied to names most likely to be subject to variation: Mohamed, Mohammad, Mahmoud might all be filed under "Mohamed".

It is a good idea to distinguish between different categories of card (main persons, dependents, enquirer, cross-referenced cards, etc.) by colour-coding them or using a system of symbols.

Visual signalling such as coloured tags attached to the cards can also be used to distinguish between:

- ✓ categories of persons such as the missing, the deceased, elderly people and unaccompanied children;
- ✓ categories of cases (pending, urgent, etc.);
- ✓ types of information (unverified, to be communicated with reservations, etc.).

## 12.4.5 Procedure

### ■ Searching and checking names

- ✓ All names in a fresh piece of correspondence or other document should first be checked against the card index or computerized system (database) to ascertain whether any of them have already been recorded.
- ✓ Checking entails systematically going through all possible spellings and lexical combinations. For example, when the name consists of two or more parts, each one should be checked separately.

✓ The result or lack of it and the date of checking should be noted on the document against each name checked.

### ■ Removing cards

If it should be necessary to remove a card, it must be replaced by a “dummy” or marker card. The dummy should indicate:

- ✓ the reference number of the card;
- ✓ the date of its removal and the name or initials of the person who removed it.

The dummy should be retrieved when the card is replaced in the index.

## 12.5 Computerized system

### 12.5.1 Purpose

A National Society may decide to use a computerized system to manage the cases it is handling.

A computerized system is used for storing or saving data, organizing them in a structured way, analyzing and printing data. Essentially computerization is superior to a card index when sorting, analyzing and printing data. A computerized system will therefore replace the card index. It may also replace the Registration book, as long as reference numbers are given automatically by the system.

However, computerization should not replace the personal files. The latter contain the original or copies of all documents related to a person/case. Nor should computerization replace the standard or ad hoc forms used when dealing with persons (RCM forms, tracing request forms, etc.).

### 12.5.2 Protection of personal data

Most countries have privacy laws to which everyone is subject. As a rule, these laws are especially strict when it comes to computerized system and the protection of personal data, which is precisely the type of information handled by tracing services.

Before deciding how to manage personal data, users should seek information on current or prospective legislation.

## 12.5.3 Specifications of a computerized management system

Each tracing service's data management system must take account of its needs, administrative set-up and resources and be adaptable to situations in the field<sup>31</sup>. The greater the diversity of the information to be managed and the complexity of the structure and analysis of the data, the greater the complexity of the software and the competence and rigour required of the user in operating the tool at his/her disposal.

Thought should be given to the following areas:

- **What tasks** are performed by the Tracing Services and **how are they organized?** Computerization means that personal files can be more readily consulted, sorted and cross-referenced with other kinds of files.
- **What kind of requests/cases** are likely to be received and dealt with?
- **What kind of data** are to be entered in the computerized system (names, dates of birth, etc.) and which format item of data must have?
- **How are the data going to be configured** to appear on a computer screen?
- **What kind of automatic classification systems** are going to be used?  
A computerized system of filing can offer several different automatic classification systems. These may be:
  - ✓ numerical, by identity or file;
  - ✓ alphabetical, by name or father's name;
  - ✓ chronological, by follow-up date, etc.
- What kind of standard and specific data **processing functions** are desired? Creating and deleting identities, editing data, selecting data, printing data, etc.

<sup>31</sup> For further information in setting up a computerized system, see Advice for the Tracing Services of National Red Cross and Red Crescent Societies : the computer as a tool for a card index or a name file, ICRC, 1994.



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- When and how is it planned to **archive information and data**?
  - Who is going to have access to the data entered in the computer (**passwords**) and how is security to be guaranteed in case of failure of the system?

It is only after the specification has been defined and agreed between users (National Society Tracing Services) and computer professionals that the execution phase can proceed.

## 12.6 Processing mail

### 12.6.1 Incoming mail

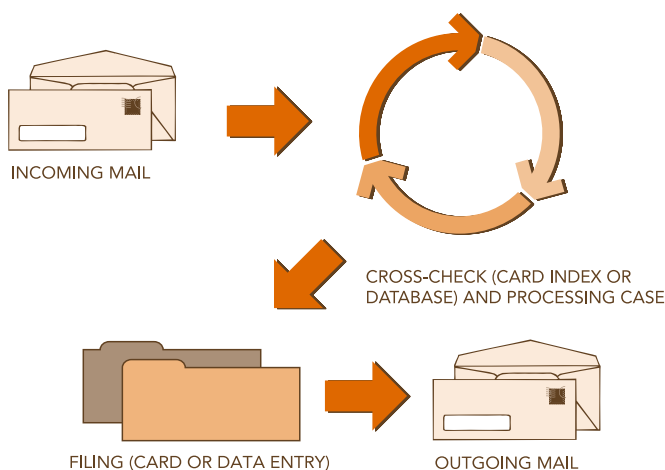
- ✓ All correspondence received by mail, e-mail, fax or other means should be dated, sorted and sent for processing.
- ✓ All names in correspondence should be checked against the card index or database.
- ✓ Information contained in incoming mail should be recorded in the card index or database in order to permit an overview of the case as well as statistical and other forms of analysis (by type, number and origin of requests, etc.).
- ✓ Pieces of correspondence relating to an existing request are added to the appropriate file. New files should be created for other correspondence.

### 12.6.2 Outgoing mail

- ✓ In general, each piece of correspondence should be limited to a single subject, whether a topic of general interest or a particular case.
- ✓ No individual communication should ever remain unanswered, although enquirers can merely be sent an acknowledgment of receipt for purposes of subsequent correspondence. The reference number assigned to the case should be clearly indicated on the acknowledgment of receipt.

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- ✓ If a request does not meet the acceptance criteria, the enquirer should be notified as soon as possible that this is so. If necessary, he/she should be referred to other appropriate avenues of assistance.
- ✓ A provisional reply should be sent when it appears difficult to resolve a case within the time allocated.
- ✓ When a request is received directly from an individual resident in another country, it should be forwarded to the appropriate National Society, which will approach the enquirer to assess the request and, if necessary, fill out the relevant form. Requests received by e-mail should be replied to directly, with the suggestion that the enquirer contact his/her nearest Red Cross/Red Crescent office for assistance and further advice.



## 12.6.3 Follow-up: the need to timetable action

Processing requests involves more than merely taking the necessary steps; the aim should be to obtain a reply within a reasonable time. A timetable should therefore be set for all follow-up measures. Reminders to National Societies in respect of enquires should be sent periodically and at least once every six months. At the same time, enquirers should be reassured that tracing is still in progress.

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Whatever the choice of follow-up system, it must permit a continuous overview of all action being taken and provide for further measures at predetermined intervals depending on the type of case and, sometimes, the organization or person concerned (such as the CTA, a National Society, government authorities or individuals).

One of the following systems could be envisaged:

- ✓ a register of cases by reference number and date;
- ✓ diary/calendar entries indicating on which date fresh action is to be taken;
- ✓ colour-coded card-index tags indicating the date for review - yellow for one month, blue for the next, and so on;
- ✓ a computer spreadsheet (where operational).

The deciding factors in selecting one of these systems will be the volume of cases processed, the administrative structure of the tracing service and the availability of funds.

#### 12.6.4 Standard letters

These are well suited to routine matters and “administrative” correspondence such as acknowledgments of receipt or provisional replies.

They should be avoided when correspondence needs to appear less official or when sending distressing news.

#### 12.6.5 Filing correspondence

- ✓ Besides personal files, which are ordered by reference number, various documents and pieces of correspondence also need classification.
- ✓ Copies of every piece of outgoing correspondence (letters, faxes, e-mails, etc.) are filed in chronological order, irrespective of the subject matter. When correspondence relates to a specific case, a second copy should be kept in the personal file.
- ✓ All documents and correspondence of general interest and unrelated to an individual request should be retained in the office – as should documents which pertain to one case or subject but contain information that could possibly have a bearing on future cases.

# administrative procedures

✓ A filing scheme – which may involve listing subjects by country, situation or subject matter (law, refugees, etc.) – should be implemented and carefully observed.

✓ Incoming correspondence should be filed in chronological order.

## 12.7 Specific administrative tasks

### 12.7.1 Statistics

It is necessary to be able to produce monthly or annual statistics on the volume and different types of activity. Statistics will reflect tracing services' workload and are an essential tool for:

- promoting tracing activities to National Society members;
- publicizing the service;
- raising funds;
- publicizing new working methods and organizational changes (expansion/ staff cuts, new offices/office closures, purchase of material, etc.).

Statistics could be kept on:

- ✓ the number of cases processed (opened, pending, closed);
- ✓ number of persons benefiting from Red Cross/Red Crescent services.

The register of reference numbers can be useful in compiling statistics.

Various computer programmes are available which can tabulate information, prepare graphs and automatically produce statistical reports.

### 12.7.2 File storage (archiving)

A time limit for keeping files should be set on the basis of current legislation, internal policy and archiving rules, the context of each file and their general or historical relevance. Once the agreed time has passed, files should be reviewed for their continued usefulness.

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Personal files can eventually be destroyed if the following at least are archived:

- ✓ situation summaries;
- ✓ global statistics;
- ✓ the associated card index or database.

Once the decision has been made to destroy a file, all relevant information should be noted on the index card or on the database for future reference. Some samples of personal files can be kept for history or training purposes. When destroying files, all paperwork must be shredded or burned.

# glossary and abbr

## Glossary

### Armed conflict

Armed conflict arises whenever opposing States have mutual recourse to armed force or there is a prolonged armed struggle between government forces and organized armed groups, or between such groups alone, within the same State.

War is defined as a situation or set of circumstances provided for and regulated by international law that is triggered by armed confrontation between two or more States or by a simple declaration to that effect. It is governed by a body of rules distinct from those applicable in times of peace (the law of war and the law of neutrality). War is seen as a legally recognized de facto situation (a state of war) rather than as a series of individual acts of violence.

International armed conflict is a broader term than the traditional concept of war and relates to cases of declared war, armed confrontation between States even if no state of war is declared, armed reprisals and incursions on the territory of other States and conflicts resulting from the exercise of the right to self-determination. The salient point is the fact of hostilities rather than their legal affirmation.

Article 2 common to the four Geneva Conventions of 1949 states: "In addition to the provisions which shall be implemented in peacetime, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them. The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance."

The definition of international armed conflict given in Article 1, §4 of the First Additional Protocol of 1977 includes "armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination".

Non-international armed conflict denotes conflicts fought between the armed forces of a State and organized dissident or rebel groups on the territory of that State. The confrontation must amount to an insurrection or civil war in that the rebels must be organized under responsible command and exercise such control over a part of State territory as to enable them to carry out sustained and concerted military operations and implement the provisions of the law of war. The definition excludes internal tension and disturbances, riots and other isolated or sporadic acts of violence. See Article 3 common to the four Geneva Conventions and AP I, art. 1.

### Assistance

According to the 1949 Geneva Conventions, this term denotes the general assistance (food, medical care and clothing) which must be provided to victims of conflict, in conformity with humanitarian law, to meet their basic survival needs. Material assistance is an integral part of protection for people at risk. It is governed by a precise legal framework defining the status in law of the different categories of people whom the law seeks to protect (civilians, detainees, vulnerable persons, the population of occupied territories, etc.).

# abbreviations

## Asylum

The grant, by a State, of protection on its territory to persons from another State who are fleeing persecution or serious danger. Articles 1 and 31-33 of the 1951 Convention relating to the Status of Refugees seek to guarantee the right of asylum to all persons suffering persecution in their home countries.

A person who is granted asylum is a refugee. Asylum encompasses a variety of elements, including non-refoulement (the prohibition of expulsion or return), permission to remain on the territory of the asylum country, and humane standards of treatment.

Asylum-seekers are persons whose request or application has not been finally decided on by a prospective country of refuge.

## Children

In all other situations (peace, unrest and internal disturbances) in which the law of war is not directly applicable, the 1989 Convention on the Rights of the Child defines and protects children's rights. It applies to all children under 18 years of age, except in those countries where the age of majority is less than 18 years.

Separated children are children under 18 years of age or the legal age of majority who are separated from their parents but not necessarily from other adult family members.

Unaccompanied children are children under 18 years of age or the legal age of majority who are separated from their parents and are not being cared for by another relative or adult who by law or custom is responsible to do so.

## Civilians/civilian population

In the law of war, the civilian population comprises all persons who are civilians (AP I, art.48-79, especially art.50).

The term "civilians" is given a "residual" definition. That is, civilians are those who are not otherwise defined. All individuals who do not belong to the armed forces of a party to the conflict, including the militia, volunteers, members of organized resistance movements and persons who spontaneously take up arms to resist invading troops, are civilians. In case of doubt, individuals are presumed to be civilians (AP I, art.50).

## Human rights

This expression covers the full range of freedoms to which individuals are entitled in their relations with other people or with the State. The concept amounts to a legal affirmation of human dignity and equal rights. Human rights are indivisible, inalienable and universal, but they can be restricted or suspended at times of unrest or conflict. When this occurs, certain essential minimum standards of treatment remain as immutable rights or fundamental guarantees. The basic text on internationally recognized human rights is the 1948 Universal Declaration of Human Rights, which has been supplemented by numerous treaties, including the 1966 Pact on Civil and Political Rights and the Pact on Economic, Social and Cultural Rights of the same year.

# glossary and

## **Internally displaced persons (IDPs)**

The definition most commonly used within the international community was originally developed by the Special Representative of the UN Secretary-General on Internally Displaced Persons, Mr Deng: “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border” (UN Guiding Principles on Internal Displacement).

As persons affected by armed conflict, IDPs constitute a primary target group for ICRC activities. The Geneva Conventions and their Additional Protocols offer extensive protection to civilians against displacement, and also to those who have been displaced, by means of numerous detailed provisions on civilian immunity from military attacks and abuses and on material support for those in need. Furthermore, IHL contains express prohibitions against and limits on forced displacement.

## **International humanitarian law (IHL)**

An ICRC definition of IHL reads: “international treaty or customary rules which are specially intended to resolve matters of humanitarian concern arising directly from armed conflicts, whether of an international or non-international nature; for humanitarian reasons those rules restrict the right of the parties to a conflict to use the method or means of warfare of their choice, and protect persons and property affected or liable to be affected by the conflict”.

## **International Organization for Migration (IOM)**

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental body, it acts with its partners in the international community to:

- assist in meeting the operational challenges of migration;
- advance understanding of migration issues;
- encourage social and economic development through migration;
- uphold the human dignity and well-being of migrants.

## **International Social Service (ISS)**

ISS is an international non-governmental organization dedicated to helping individuals and families with personal or social problems resulting from migration and international movement. ISS's national branches, affiliated bureaux in over 100 countries and correspondents facilitate communication between social services to resolve these problems.

Functions:

- to interpret unfamiliar rules, regulations, cultures and customs;
- to coordinate efforts of agencies within a particular country and those abroad;
- to facilitate communication with qualified multilingual and multicultural staff.



# abbreviations

## International Tracing Service (ITS)

The ITS was founded specifically to provide help for civilian victims of Nazi persecution during World War II. It developed from the central tracing bureau set up in London in 1943 at the British Red Cross, whose principal function was to find deported and missing persons and reunite them with their families. The bureau's administration and headquarters changed location on several occasions before finally coming to Arolsen, in the Federal Republic of Germany, in 1946. Two years later it was given its current name.

Whereas in the early days enquirers generally wished to trace a missing person, these days most are seeking documents to back up compensation claims. The number of requests, which come from almost 70 countries, has grown steadily in recent years.

## Internment

According to Articles 79-141 of the Fourth Geneva Convention, internment is a security measure which a State may apply in times of armed conflict in respect of civilians resident on its territory who are nationals of an enemy State or of other foreign countries. Article 4 of the same Convention defines civilian internees as "persons (...) who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals". Such persons are protected under the terms of IHL.

Internment cards are documents, usually in the form of a postcard, which civilian internees fill out on their arrival at a place of internment. They provide notification of the fact of internment, internees' location and their state of health. Copies of these cards are sent to internees' family members and to the Central Tracing Agency (formerly the Central Information Agency for protected persons, which is provided for in Article 140 of the Fourth Geneva Convention).

Places of internment are places in which prisoners of war, enemy nationals or other persons protected in times of armed conflict are interned. They must be located away from areas exposed to the dangers of war (GC IV, art.83-85 and 88) and may be set up on the territory of belligerent States or on that of neutral countries.

## Missing persons

In the ICRC's definition, a missing person is anyone – civilian or military – whose relatives remain without news in spite of all efforts, including those by the ICRC and the Movement, to trace them or clarify their fate. The term "missing in action" is reserved for soldiers or combatants who go missing during military operations. As soon as a conflict starts, the ICRC makes approaches to the opposing parties in order to ensure that all steps are taken to prevent disappearances. In particular, it draws the parties' attention to their obligations under IHL.

# glossary and

## **Prisoners of war**

Combatants or individuals with equivalent legal status who fall into the hands of an opposing party. This definition includes, for example, war correspondents, supply contractors, crews of the merchant marine or civilian aviation and persons who spontaneously take up arms to resist invading troops (GC III, art.4). In case of doubt, captured individuals taking part in hostilities are presumed to be prisoners of war (AP I, art.45). The definition excludes those engaging in espionage (AP I, art.46) and mercenaries (AP I, art.47).

Capture cards are documents corresponding to internment cards and intended for the use of prisoners of war. They provide details on prisoners' identity. Copies are sent to their family members and to the CTA.

## **Protected persons**

In IHL, protected persons are those to whom a particular Convention offers protection when they are in the power of the opposing party to a conflict. In a broader sense, they are the body of individuals who are protected by conventional and customary humanitarian law, particularly the wounded, sick and shipwrecked, prisoners of war, civilians, those hors de combat, medical and religious personnel, members of civil defence forces and elected representatives.

## **Protection**

In the law of war, this term denotes action taken to preserve certain categories of people and property from attack and other acts of damage.

The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law (i.e., human rights, humanitarian and refugee law).

## **Refugees**

(...), owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country" (Article 1A).

## **Repatriation**

In IHL, repatriation denotes the return or transfer to their home countries of protected persons formerly held by a party to the conflict. Mostly concerned are civilian internees, prisoners of war, the wounded, sick and deceased.

## **Resettlement**

The transfer of refugees from the country in which they have sought refuge to another state that has agreed to admit them.

## **United Nations Children's Fund (UNICEF)**

UNICEF is mandated by the UN General Assembly to advocate and work for the protection of children's rights, to help the young meet their basic needs and to expand their opportunities to reach their full potential.

# abbreviations

UNICEF is guided by the Convention on the Rights of the Child and strives to establish children's rights as enduring ethical principles and international standards of behaviour toward children.

## United Nations High Commissioner for Refugees (UNHCR)

The UNHCR is mandated by the United Nations to lead and coordinate international action for the worldwide protection of refugees and the resolution of refugee problems. UNHCR activities are guided by the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol.

Functions:

- to safeguard the rights and well-being of refugees;
- to ensure that everyone can exercise the right to seek asylum and find safe refuge in another State, and to return home voluntarily;
- to assist refugees to return to their own country.

## Abbreviations

AP	Additional Protocol
BTS	"Back to sender"
CTA	Central Tracing Agency
GC	Geneva Convention
ICRC	International Committee of the Red Cross
IDP	Internally displaced person
IHL	International humanitarian law
IOM	International Organization for Migration
ITS	International Tracing Service
NIB	National Information Bureau
RCM	Red Cross Message
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

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## Annexes and specimen forms

1. National Information Bureaux (NIBs)
2. List of articles in the four Geneva Conventions of 1949 and their Additional Protocols of 1977 concerning or relating to the activities of the National Information Bureau (NIB) and/or the ICRC Central Tracing Agency (CTA)
3. Resolutions of International Conferences of the Red Cross and Red Crescent
  - 3.1 - Resolution XXI of the 24th International Conference, Manila, 1981
  - 3.2 - Resolutions XV and XVI of the 25th International Conference, Geneva, 1986
  - 3.3 - Resolution 2C and 2D of the 26th International Conference, Geneva, 1995
4. Travel document of the International Committee of the Red Cross (ICRC)
5. Specimen forms (see inside back cover)

# annexes

## Annex 1

### National Information Bureaux (NIBs)

A National Information Bureau (NIB) is a body placed under the responsibility of the State. Its role, in situations of international armed conflict or occupation, is to obtain and transmit information on protected persons of the adverse party who are in the hands of the party to the conflict to which the NIB belongs.

The work of a NIB enables States to discover the fate of their nationals and can contribute indirectly to the protection of people in the power of an opposing party. It also provides families with news of loved ones and an open channel for communication.

The Geneva Conventions do not expressly require NIBs to be set up in peacetime. However, it would appear essential to do so if a State is to meet its obligations under the Conventions quickly and efficiently in times of conflict. The task of setting up a NIB is undertaken by a government body; alternatively, it may be entrusted to the National Society <sup>1</sup>.

### Constitution and duties of a NIB as set forth in the conventions

At the outbreak of an international armed conflict and in all cases of occupation, each party to the conflict must establish a National Information Bureau (NIB) in respect of prisoners of war and protected persons who are in its power. The constitution and duties of a NIB are described in detail in the Geneva Conventions (Articles GCIII:122 and GCIV:136-139). The duties can be summarized as follows.

- **Obtaining information on prisoners of war and persons protected by the Geneva Conventions.** NIBs must approach the authorities for information required by the Geneva Conventions on the following groups of people:

<sup>1</sup> If the government entrusts the task of running the NIB to the National Society, the latter must be conscious of the fact that it is answerable to the State. For this reason among others, it is strongly recommended that the NIB's activities be handled by an autonomous section of the National Society, which can then remain independent when carrying out its traditional duties.

- prisoners of war;
- wounded, sick, shipwrecked or dead combatants;
- civilians protected by the Fourth Geneva Convention who have been held in custody for more than two weeks, subjected to assigned residence or interned;
- children living in territories occupied by the Power responsible for the NIB.

Information that parties are bound to provide to their NIBs is very clearly specified in the articles mentioned above:

- all elements which may help in the identification;
- information regarding transfers, releases, repatriations, escapes, admissions to hospital and deaths;
- information regarding the capture and state of health of prisoners of war.

- **Forwarding information required by the Geneva Conventions on prisoners of war and protected persons.** NIBs must forward this information by the most rapid means to the Protecting Power and to the Central Tracing Agency.
- **Replying to requests concerning prisoners of war or protected persons.** NIBs must reply to all enquiries which may be received concerning protected persons. In respect of prisoners of war, they are specifically charged with making any enquiries necessary to obtain the information required if this is not already in their possession.
- **Collecting and forwarding all personal valuables and documents** of importance to the next of kin and left by prisoners of war who have been repatriated or released, or who have escaped or died. In the case of civilians too, NIBs must collect all personal valuables left by protected persons, in particular those who have been repatriated or released, or who have escaped or died, and forward them appropriately, either direct or, if necessary, through the CTA.

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## Supplementary Convention-based activities (activities based on the Conventions but not assigned by them to NIBs)

In addition to the duties mentioned above, which are expressly entrusted to NIBs by the Geneva Conventions, each party to the conflict is free to assign further tasks which are also specified by the Conventions but not expressly assigned to the NIB.

■ Activities on behalf of protected persons of enemy nationality, whether combatants or civilians, held by the party to which the NIB is answerable:

- transmission of other information or documents than those mentioned above;
- registering prisoners of war and civilian internees;
- forwarding correspondence from protected persons of enemy nationality;
- sending information on missing persons and registering specific categories of persons, such as child evacuees. Registration of these groups of people is governed not by the Geneva Conventions but by the First Additional Protocol.

■ Activities on behalf of its compatriots:

- collecting all tracing requests submitted by families of persons in the hands of the adverse party and either responding on the basis of information held or forwarding these requests to the CTA or the NIB in the enemy State;
- distributing capture or internment cards received to next of kin;
- distributing family correspondence received from protected persons held by the adverse party and collecting any replies;
- helping members of families dispersed by war in their efforts to re-establish contact and/or to be reunited, by collating and forwarding all available information.



## Possible activities not based on the Conventions

Lastly, in times of both war and peace, NIBs may undertake many kinds of tracing activity not provided for by the Conventions. In war, they may seek to trace displaced persons or other groups of people for whom they have no specific responsibility by virtue of the Conventions; once a conflict is over, they may choose to continue these activities; they may conduct tracing activities on behalf of victims of conflicts in which their own country is not involved; lastly, they may instigate tracing in the event of a natural disaster.

Duties not based on the Conventions may also be undertaken by National Societies without the need for a NIB. These days, in fact, such activities are already typical of a great many National Societies across the world, and, in legal and logical terms, have nothing to do with the tasks of the NIB.

# annexes

## Annex 2

List of articles in the four Geneva Conventions of 1949 and their Additional Protocols of 1977 concerning or relating to the activities of the National Information Bureau (NIB) and/or the ICRC Central Tracing Agency (CTA)

SUBJECT	CI	CII	CIII	CIV	PI	PII
Central Information Agency for prisoners of war and protected persons, ICRC Central Tracing Agency (CTA) National Information Bureau (NIB)			123	140	33	
			122	136		
<b>1) OBTENTION, REGISTRATION AND TRANSMISSION OF INFORMATION FOR THE PURPOSE OF IDENTIFICATION</b>						
Capture card			70*			
Internment card				106*		
Duplicate of official certificate forwarded by the detaining power to the CTA:						
- wounded or sick civilian internees				91		
- wounded or sick POWs			30			
<b>Information relating to:</b>						
- wounded persons	16			136,140		
- civilian/persons protected by Fourth Convention (included persons confined pending proceedings (art 37), detainees (art 76), non-repatriated persons (art 38), persons placed in assigned residence and interned civilians (art 41, 78), refugees (art 44, 70)						
- children				24,50	78	(4)
- sick persons	16					
- dead persons	16-17	19-20	120	130	34	
- shipwrecked persons		19				
- prisoners of war (POWs)			122-3			
<b>Notifications concerning POWs and internees:</b>						
- deaths or injuries in special circumstances			121	131		
- measures taken concerning POWs and internees			69	105,125		
- death penalty, sentence and execution of penalties			100	71		
- recapture of escaped prisoners			94,107-8	75		
<b>Transmission of information:</b>						
- death certificates and wills			77,120	113,129		
- legal documents				137		
- information			17	138	33	
- information to be recorded on POWs, civilians and missing persons			46-48			
<b>2) TRANSMISSION OF FAMILY NEWS AND INDIVIDUAL RELIEF</b>						
Correspondence			71,78	107,104		
			81,98	93		
			35			
Censorship and examination of correspondence			76	112		
Exemption from postal, transport and telegraphic charges			74,124	110,141	69	
Family news			71	25		
Personal effects, valuables			18,68	97,139		
Financial resources			54	98	69	
			58-68			
Relief shipments			72-73			(5)
Special means of transport to convey correspondence, relief, lists and reports exchanged between CTA and National Bureaux			75	25,111		
<b>3) TRACING OF MISSING PERSONS</b>						
Missing and dead persons:						
- general principles					32	(8)
- missing persons					33	
- remains of deceased	17	20	120	130	34	
<b>4) REUNITING OF FAMILIES (RF), TRANSFERS, REPATRIATIONS (RP)</b>						
Evacuation of children				24-50	78	(4)
Dispersed families				26	74	(4)
Repatriations, transfers			119	128,134-5		

## Annex 3.1

### 24th International Conference of the Red Cross, Manila, 1981 Resolution XXI: International Red Cross aid to refugees

#### The 24th International Conference of the Red Cross,

**recalling** Resolution I of the 23rd International Conference of the Red Cross which stated that the fundamental mission of the Red Cross includes the provision, without discrimination as to race, nationality, religious beliefs or political opinions, of protection and assistance to those who need it, in the event of armed conflict and other disasters,

**conscious** of the large number of refugees, returnees and displaced persons and the extent of human misery caused by the displacement of populations in many parts of the world,

**recalling** the primary responsibilities of the Governments of countries of asylum for the care of refugees on their territories, while bearing in mind the obligation of the international community to share equitably the burden of refugee protection, assistance and resettlement, in accordance with accepted principles of international solidarity and co-operation,

**recalling** that in accordance with their auxiliary role in the humanitarian services of their Governments and with the relief principles of the International Red Cross, National Red Cross and Red Crescent Societies should take immediate actions to alleviate suffering of victims of calamities, including emergency aid to refugees, returnees and displaced persons,

**recalling** the primary function of the Office of the United Nations High Commissioner for Refugees (UNHCR) in the field of international protection and material assistance to refugees, persons displaced outside their country of origin and returnees, as laid down by its Statutes, the United Nations Conventions and Protocol relating to the status of refugees and relevant resolutions adopted by the United Nations General Assembly,

**considering** that the ICRC and the League have respective functions in co-ordinating international Red Cross assistance to these victims, especially when they do not fall under the competence of the Office of the UNHCR,

# annexes

1. **approves** the policy of the Red Cross in this field as set out in the statement annexed,
2. **pledges** the unremitting support and the collaboration of the Red Cross with the United Nations High Commissioner for Refugees in their respective activities in favour of refugees and displaced persons, within the framework of this policy.

## International Red Cross aid to refugees statement policy

1. The Red Cross should at all times be ready to assist and protect refugees, displaced persons and returnees, when such victims are considered as protected persons under the Fourth Geneva Convention of 1949, or when they are considered as refugees under article 73 of the 1977 Protocol I additional to the Geneva Conventions of 1949, or in conformity with the Statutes of the International Red Cross, especially when they cannot, in fact, benefit from any other protection or assistance , as in some cases of internally displaced persons.
2. The services offered by a National Society to refugees should conform to those offered to victims of natural disasters, as indicated in the Principles and Rules for Red Cross disaster Relief. These services should be of an auxiliary character and undertaken in agreement with the authorities. They should be in strict accordance with Red Cross fundamental principles.
3. Assistance from the Red Cross should at all times take due account of comparable needs of the local population in the areas in which refugees, displaced persons and returnees are accommodated. Since Red Cross relief programmes are essentially of an emergency character, they should be phased out as soon as other organizations are in a position to provide the aid required.
4. All National Society actions for the benefit of refugees and displaced persons should be immediately reported to the League and/or the ICRC.

5. It is the responsibility of each National Society to inform the League and/or the ICRC of any negotiations likely to lead to a formal agreement between the Society and the UNHCR. The League and/or ICRC should be associated with the Society in the negotiations and concur with the terms of agreement.
6. Societies, when possible, should use their influence to encourage their Governments to accept refugees for resettlement as well as to participate as appropriate by assisting with welfare programmes in the resettlement process in close co-operation with their Governments.
7. The ICRC , League and National Societies should co-operate to the maximum possible extent with UNHCR and all other institutions and organizations (governmental and non-governmental) working in the field of refugees relief.
8. As a neutral and independent humanitarian institution, the ICRC offers its services whenever refugees and displaced persons are in need of the specific protection which the ICRC may afford them.
9. The Central Tracing Agency of the ICRC is also always ready in co-operation with National Societies to act in aid to refugees and displaced persons, for instance by facilitating the reuniting of dispersed families, by organizing the exchange of family news and by tracing missing persons. When necessary, it offers its co-operation to the UNHCR, as well as its technical assistance to National Societies to enable them to set up and develop their own tracing and mailing services.
10. The international institutions of the Red Cross will have regular consultations with the Office of the United Nations High Commissioner for Refugees on matters of common interest and, whenever considered useful, will co-ordinate their humanitarian assistance in favour of refugees and displaced persons in order to ensure complementary between their actions.

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## Annex 3.2

### 25th International Conference of the Red Cross, Geneva, 1986 Resolution XV: Co-operation between National Red Cross and Red Crescent Societies and governments in the reuniting of dispersed families

#### The Twenty-fifth International Conference of the Red Cross,

**considering** that, as a result of continuing international and non-international armed conflicts and political tension, a large number of persons have been separated from their families,

**recalling** and **reaffirming** Resolutions XX, XX and XIX respectively of the Eighteenth, Nineteenth and Twentieth International Conferences of the Red Cross,

**aware** that not all of the dispersed families for whom the aforementioned resolutions were intended to afford assistance have yet been reunited in accordance with their wishes,

**considering** that there are also many people who, despite possessing an entry permit, are denied the right to emigrate to the country of their choice for purposes of family reunification,

**conscious** of the large number of refugees and deportees in many parts of the world and of the great suffering deriving from the separation of persons from their countries and families for reasons no longer always attributable to the Second World War or its aftermath as well as from uncertainty concerning the fate of family members,

**expressing its gratitude** to governments, the ICRC and National Red Cross and Red Crescent Societies for the successful co-operation that has hitherto taken place,

1. **reaffirms** the constant willingness of National Red Cross and Red Crescent Societies to co-operate in humanitarian action, in reuniting members of dispersed families, in exchanging information regarding families and in facilitating the search for missing persons,

2. **calls upon** all governments to support the efforts of National Red Cross and Red Crescent Societies dealing with the problems of conducting searches and reuniting families,
3. **requests** governments to treat in a favourable and humanitarian manner the applications of persons who wish to leave the country and to be reunited with members of their families in a receiving State, which has declared its willingness to accept them, to give due and sympathetic consideration to such applications and to decide on them swiftly and in a humanitarian spirit, ensuring that no application receives unfair or discriminatory treatment,
4. **urges** the National Red Cross and Red Crescent Societies to act as neutral intermediaries with their respective governments with a view to helping to solve these humanitarian problems,
5. **recommends** that the National Red Cross and Red Crescent Societies intensify their contacts and discussions among themselves and with the ICRC with a view to rendering mutual assistance in the reuniting of dispersed families, thereby helping to foster understanding and peace.

## 25th International Conference of the Red Cross, Geneva, 1986 Resolution XVI: The role of the Central Tracing Agency and National Societies in tracing activities and the reuniting of families

### The Twenty-fifth International Conference of the Red Cross,

**acknowledging** the International Red Cross and Red Crescent Movement's responsibility in helping to re-establish or maintain contact between members of families separated as a consequence of armed conflicts, tensions or natural disasters,

**recalling** the role which the Central Tracing Agency (CTA) of the ICRC plays as a co-ordinator and technical adviser to National Societies and governments, as defined in the report presented by the ICRC and the League and adopted by the Twenty-fourth International Conference of the Red Cross,

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**noting** that progress in this area has already been made throughout the Movement,

**noting** furthermore the steady increase throughout the world of situations resulting in mass movements of people and loss of any contact between family members,

**recognizing** that, in order to take effective action, the Movement must be able to rely on a sound network composed of all the National Societies' tracing services and the CTA, in liaison, when necessary, with the League Secretariat,

1. **emphasizes** the mandate entrusted to the CTA by the Twenty-fourth Conference, congratulates it on the initiatives already taken and encourages it to continue its efforts to co-ordinate activities, to harmonize operating principles and working methods, and to train responsible tracing personnel,
2. **congratulates** National Societies which have worked towards reuniting separated families and calls on them to pursue their efforts,
3. **requests** all National Societies to carry out to the best of their capacity the role which they are called upon to play as components of the international network for tracing and reuniting families,
4. **asks** governments to facilitate the work of the Movement in this domain by giving it all necessary support.



## Annex 3.3

### 26th International Conference of the Red Cross and Red Crescent, Geneva, 1995.

#### Resolution 2C & 2D: Protection of the civilian population in period of armed conflict, with regards to children and to the reunification of families

The 26th International Conference of the Red Cross and Red Crescent,

(...)

#### C. With regards to children

- (a) **urgently draws attention** to the obligation to take all requisite measures to provide children with the protection and assistance to which they are entitled under national and international law;
- (b) **strongly condemns** deliberate killing and sexual exploitation of, and abuse of and violence against children, and calls for particularly stringent measures to prevent and punish such behaviour;
- (c) **also strongly condemns** recruitment and conscription of children under the age of 15 years in the armed forces or armed groups, which constitute a violation of international humanitarian law, and demands that those responsible for such acts be brought to justice and punished;
- (d) **recommends** that parties to conflict refrain from arming children under the age of 18 years and take every feasible step to ensure that children under the age of 18 years do not take part in hostilities;
- (e) **supports** the work being done by the United Nations Commission on Human Rights on the involvement of children in armed conflicts with a view to adopting an optional Protocol to the 1989 Convention on the Rights of the Child, the purpose of which is to increase the protection of children involved in armed conflicts;

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- (f) **takes** note of the efforts of the Movement to promote a principle of non-recruitment and non-participation in armed conflicts of children under the age of 18 years, and supports its practical action to protect and assist all children who are victims of conflict;
- (g) **encourages** States, the Movement and other competent entities and organizations to develop preventive measures, assess existing programmes and set up new programmes to ensure that child victims of conflict receive medical, psychological and social assistance, provided if possible by qualified personnel who are aware of the specific issues involved;

## D. With regards to the reunification of families

- (a) **demands** that all parties to armed conflict avoid any action aimed at, or having the effect of, causing the separation of families in a manner contrary to international humanitarian law;
- (b) **appeals** to States to do their utmost to solve the serious humanitarian issue of dispersed families without delay;
- (c) **emphasizes** that family reunification must begin with the tracing of separated family members at the request of one of them and end with their coming together as a family;
- (d) **stresses** the particular vulnerability of children separated from their families as a result of armed conflict, and invites the ICRC, the National Societies and the International Federation, within the scope of their respective mandates, to intensify their efforts to locate unaccompanied children, to identify them, to re-establish contact and reunite them with their families, and to give them the necessary assistance and support;
- (e) **notes** that the form of a family may vary from one culture to the other, recognizes the aspiration of separated families to be reunited and appeals to States to apply criteria for family reunification in such a way that they take into account the situation of those family members who are most vulnerable;

- (f) **requests** that the legal status of family members in a host country be determined swiftly and in a humanitarian spirit, with a view to ensuring the facilitation of family reunification;
- (g) **calls** upon States to facilitate the tracing activities of their respective National Red Cross or Red Crescent Societies by granting them access to the relevant data;
- (h) **encourages** National Societies to maximize their efficiency in carrying out tracing work and family reunifications by strengthening their tracing and social welfare activities and maintaining close cooperation with the ICRC, government authorities and other competent organizations, such as the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and non-governmental organizations (NGOs) involved in such work;
- (i) **calls** upon States to support National Societies in carrying out such tracing work and family reunifications;
- (j) **commends** the role of the ICRC's Central Tracing Agency (CTA) in tracing and reuniting family members, and encourages the CTA to continue to coordinate, whenever necessary, National Society activities in tracing and reuniting families and to train National Society staff in the principles and techniques of tracing;
- (k) **stresses** the need and the right of families to obtain information on missing persons, including missing prisoners of war and those missing in action, and strongly urges States and parties to armed conflict to provide families with information on the fate of their missing relatives;
- (l) **urges** States and parties to armed conflict to cooperate with the ICRC in tracing missing persons and providing necessary;
- (m) **notes** the increasing importance of the psychological and social aspects of the needs of victims of armed conflict, and encourages the International Federation to advise and train National Societies in this field.

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## Annex 4

### Travel document of the International Committee of the Red Cross (ICRC)

1. The Travel Document of the International Committee of the Red Cross (ICRC) was devised in 1945. It is intended for refugees and displaced or stateless persons who have no appropriate identity papers and therefore cannot return to their country of origin or of habitual residence, or go to a country of their choice willing to receive them.

In addition, this Travel Document enables holders to go to a country of temporary asylum to take the necessary steps to find a country willing to take them in either permanently or for a long period (host country).

The ICRC Travel Document also enables persons having taken refuge in a diplomatic mission to reach a country of asylum.

It may also be issued to persons who are not lawfully staying on the territory of a State where they have sought temporary refuge and who cannot leave it for a country of asylum because they are unable to straighten out their situation in that State.

The ICRC Travel Document is not an identity paper. However, provided the visas or seals required under paragraph 2b) and 2c) below are stamped on it, its holder may take use of it to justify his presence on the territory of the country he happens to be in until the date of his departure and, once arrived in the country of destination, he may use it until the expiry date of the visa stamped on the Travel Document.

2. The ICRC Travel Document shall be issued in the cases mentioned above, subject to the following conditions:
  - a) if the applicant has no valid passport or any other document enabling him to travel and if it is impossible for him to obtain or renew any such document;
  - b) if a visa has been issued or promised by the diplomatic or consular agents of the country to which the applicant wishes to travel and of any countries he will cross in transit;

- c) if the country whose territory the applicant wishes to quit has promised to issue him with the authorization to leave or with a safe-conduct.
- 3. Applications for ICRC Travel Documents may be made either directly to the ICRC or any of its delegations throughout the world, or through a National Red Cross or Red Crescent Society, or through an international organization dealing with refugees, such as the Office of the United Nations High Commissioner for Refugees.
- 4. Unlike the travel documents issued by the States signatories to the conventions relating to the status of refugees or stateless persons, the ICRC Travel Document is not governed by any convention and is not considered as a national passport.

The status and in particular the nationality of holders of ICRC Travel Documents are not affected or determined by the issue of such documents.

- 5. The ICRC Travel Document is prepared on the basis of the applicant's statements and of any documents which he can produce. It contains two sections enabling visa authorities to verify that the applicant and the bearer are one and the same person: one of these sections is for the applicant's fingerprints (this is compulsory) and the other for the applicant's photograph (if obtainable).

The Travel Document also contains the holder's description and specification of the documentary evidence he may have furnished (for example and identity card or a driver's licence) or of statements made by other persons, establishing his identity.

- 6. The ICRC Travel Document is issued free of charge. Its validity is limited to the period sufficient for making preparations for the journey and for the journey itself.

Unless exceptional circumstances so require, the validity of an ICRC Travel Document may not be extended. It is issued for a one single journey to the applicant's country of origin or of habitual residence, or to the host country. The country of destination is specified on page 4 of the document.

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It will then be for the authorities of the country of destination to issue official identity papers to the person concerned. Furthermore, all expired ICRC Travel Documents must be returned to the ICRC headquarters.

7. The ICRC's legal basis for the establishment of its Travel Document is its acknowledged right of initiative by virtue of the Statutes of the International Red Cross and the Geneva Conventions. The issue of ICRC Travel Documents filled a need and has been welcomed by the many States which have been requested at various times to stamp exit or entry visas on it.

Since 1945, over 500,000 refugees or displaced or stateless persons carrying ICRC Travel Documents have been able to reach the country of their choice thanks to the understanding of the government authorities concerned.

ICRC, A493 bis  
9 June 1986