

## Report Summary: Belgium

(Based on studies conducted by the Croix-Rouge de Belgique, 2004)

The report examines national legislation, international laws, treaties and agreements and other legal documents relevant to disaster preparedness and disaster response.

### Key findings

#### International legal framework relevant to disaster preparedness and disaster response

- § The report lists a number of resolutions of the United Nations concerning disaster preparedness and response and notes that, although Member States are encouraged to observe those resolutions, they are not binding.<sup>i</sup>
- § Within the European Union (EU) legal framework, the study cites several resolutions<sup>ii</sup> and decisions of the Council of the EU<sup>iii</sup> for cooperation and mutual assistance among Member States, in cases of catastrophes and urgent situations. It also notes a number of international agreements entered into by the EU and third countries<sup>iv</sup> for cooperation and mutual assistance in disaster preparedness and response. In general, these agreements foresee: (i) preparedness and response to catastrophes and other urgent situations, (ii) exchange of information and experts, (iii) mutual notification and development of alert systems, (iv) rescuing and assistance in case of catastrophes, (v) exchange of experiences in rehabilitation and reconstruction, and (vi) the adaptation of legislation in conformity with the communitarian rules.
- § Additionally, Belgium is a party to many international multilateral<sup>v</sup> and bilateral agreements<sup>vi</sup> providing for disaster preparedness and response and, in particular, for the facilitation of the transport and transit of relief goods.

#### National framework relevant to disaster preparedness and disaster response

- § There are a number of national statutes involving preparedness and disaster response in force in Belgium; however, it is not clear that such laws and regulations fully address issues of international assistance.
- § On the other hand, with regard to international humanitarian assistance, Belgium adopted, in 2000, a mechanism to ensure rapid assistance<sup>vii</sup> to countries where natural or technological catastrophes have occurred.<sup>viii</sup>

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<sup>i</sup> For instance, the Resolution 56/13 on international cooperation of humanitarian assistance in the field of natural disasters, the Resolution E/2002/L34 of Economic and Social Council on strengthening of coordination of emergency humanitarian assistance of the United Nations.

<sup>ii</sup> Resolution of 8 July 2001.

<sup>iii</sup> Decision of the Council of the European Union of 23 October 2001.

<sup>iv</sup> In general, (i) agreements for partnership and cooperation, between the European Communities and their respective Members States, on one side, and third countries, on the other, and (ii) agreements for the stabilization and association between European Communities and their respective Members States, on one part, and third countries, on the other. An example of this kind of agreement is the Agreement of Partnership between the EU and African, Caribbean and Pacific states (ACP), of 2000.

<sup>v</sup> For instance, 1986 Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and the 1990 Istanbul Convention, etc.

<sup>vi</sup> For example, the 1980 Convention for mutual assistances on disasters or serious accidents entered into by Belgium and Germany, and the 1981 Convention for mutual assistance on disasters or serious accidents entered into by Belgium and France.

<sup>vii</sup> The Belgian First Aid and Support Team (B-FAST).

<sup>viii</sup> The B-FAST is a federal coordinator body for international humanitarian assistance, which is chaired by the Ministry of Foreign Affairs.