



The Disaster Law Programme in Asia Pacific: Leaving No One Behind

Disasters discriminate. Women, the elderly, the young, people with disabilities and marginalised groups feel the impact of disasters, climate change and health emergencies due to their greater vulnerability. They are left behind in humanitarian response, and further left behind in disaster, climate and resilience decision-making that affects them.

In Asia Pacific, the International Federation of Red Cross and Red Crescent Societies (IFRC) Disaster Law Programme works with National Societies and national authorities to ensure national law and policies for disaster, climate change and resilience consider the needs of the most vulnerable people and provide opportunities for community engagement and inclusive decision making.

Most countries have some form of disaster risk management system underpinned by law; however, research shows that these laws often are not enough, and do not have the right linkages to protect and include vulnerable groups. The strengthening of these laws and the inclusion of marginalised groups and women is a key priority for strengthening resilience under the Sendai Framework for Disaster Risk Reduction,

The Checklist on Law and Disaster Preparedness and Response is an IFRC tool launched in 2019, to provide specific guidance on how to strengthen law and policy to effectively address protection, gender and inclusion in emergency, disaster and climate change activities. This proceeds tools like the DRR and Law Checklist, that used as an assessment tool in 12 Asia Pacific countries for in-depth national level research into legal and policy DRR frameworks and used in 10 countries for legal review processes.

Looking Ahead

Asia Pacific is the most disaster-prone region on earth, with more frequent and intense weather events exacerbated by climate change, ongoing disasters and emerging health emergencies like COVID-19 highlights why the rights of those most at risk need to be enshrined in law.

Ensuring that no one is left behind in humanitarian response or decision making is integral to the Disaster Law Programme and all aspects of disaster law. The Disaster Law Programme works actively communities, particularly those who are the most at risk and vulnerable are aware of their rights, roles and responsibilities under disaster management arrangements, so they can use their franchise and can push for the changes they want and need.

PHOTO: Tonga Red Cross volunteers carried out targeted assessments and distributions to people most at risk after Cyclone Gita in 2018, which included students who attend their school for children and youth with disabilities. Through this targeted outreach, volunteers came across many more people with disabilities, who were then enrolled in their school, with the roll growing by 50 per cent.

Samoa

Samoa Red Cross (SRCS) is a national and regional leader in delivering and advocating for humanitarian assistance that recognises the different needs of women, children, and people with disabilities, and for involving these groups in the decision-making process.

With support from IFRC, SRCS has worked extensively with national authorities to include services for marginalised groups across disaster management law and policy, including:

- services for gender-based violence in disaster response SOPS
- minimum standards for gender and diversity in the National Disaster Management Plan
- gender equality approaches to community resilience and enhancing institutional mechanisms for the promotion of gender equality in the National Policy for Gender Equality.

Through the work of Samoa Red Cross, there is now greater involvement of women in community-based activities and decision-making, as well as active participation in emergency response teams that focus on disaster risk management (such as, hazard mapping, household assessment, first aid, water, sanitation and hygiene, gender and inclusion, and working with people with disabilities), response and recovery.

“I can see a distinct change in Disaster Laws with an emerging gender dimension. I suspect that the IFRC has a lot to do with this”.

- Cecilia Aipira, Regional Adviser for Asia Pacific UN Women

Fiji

Throughout the current review of Fiji’s disaster management framework, there has been extensive engagement and consultation with community members and groups, including women’s, disability, youth, senior citizens, gender and diversity groups to ensure their input into the disaster management plan. Engaging these groups happened both formally, in a consultancy setting and informally through discussions.

Much was learned during this process, of note was feedback from disability groups concerned about the impact of border closures due to COVID-19 on the importation of artificial limbs and disability aids, and the limitations that exist to produce locally due to tax and custom duty. This issue is being moved forward for further discussion.

Nepal

After the 2015 earthquake, IFRC and Nepal Red Cross carried out an extensive study, Effective Law and Policy on Gender Equality and Protection from SGBV in Disasters, which showed that many women and girls suffered or were vulnerable to SGBV in the post-disaster period. Red Cross committed to taking action to respond to and prevent SGBV in times of disasters in Nepal as well as advocate for more inclusive disaster management approaches in law, policy and practice. In addition to ongoing advocacy with parliamentarians and central decision-makers, Nepal Red Cross is now supporting local decision-makers and communities to take a more systematic inclusive approach in the development of local risk governance which integrates protection principles and mandates roles for women in municipal disaster management committees.

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