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# Disaster Law Programme Annual Report 2015 - Advance version



International Federation  
of Red Cross and Red Crescent Societies

**Global (G00253)**  
**Asia-Pacific (P50033\*)**  
**Africa (P60013)**  
**Americas (P42068\*)**  
**MENA (P80017)**

**16 February 2016**

**This report covers the  
period:  
01/01/2015 to 31/12/2015**

*President Abdul Hamid presiding  
over Bangladesh Red Crescent  
conference focusing on the role of  
the National Society and disaster  
law in December.*



## Overview

During the reporting period, the International Federation of Red Cross and Red Crescent Societies' (IFRC) Disaster Law Programme (DLP) continued its work promoting legal preparedness for disasters. Pursuant to mandates assigned to the IFRC at the [28<sup>th</sup>](#), [30<sup>th</sup>](#), [31<sup>st</sup>](#) and [32<sup>nd</sup>](#) International Conferences of the Red Cross and Red Crescent, the programme focused on supporting National Societies to meet the following main goals:

- (1) Improve legislation and normative instruments on disaster risk management
- (2) Strengthen regional and global systems for disaster risk management
- (3) Improve the management of IDRL issues in disaster operations
- (4) Establish expanded and permanent capacity of the RC/RC in disaster law
- (5) Grow the international knowledge base and toolkit on key disaster law issues
- (6) Achieve appropriate visibility for disaster law issues, particularly in humanitarian and academic fora.

Top outcomes from the DLP's efforts during the reporting period include:

- Adoption of new laws and regulations drawing in part on recommendations of the National Red Cross Societies and IFRC in Cambodia, Colombia, Paraguay, Ecuador, Maldives and Myanmar as well as a regional protocol in Central America and a bilateral agreement between Panama and Costa Rica. Positive influence on the management of international response after Tropic Cyclone Pam in Vanuatu.
- Successful adoption of a new resolution on disaster law at the 32<sup>nd</sup> International Conference on the Red Cross and Red Crescent.

\* This report also covers disaster law expenditures from codes PHT090, P42095, P4056 and PDO032 in the Americas and code P51006 in Asia-Pacific.

- Positive impact on the description of legal issues in the Sendai Framework on Disaster Risk Reduction, a new UNASUR manual on disaster cooperation, and an East Asian Toolkit on Disaster Response.
- Completion and launch of a “Checklist” and “Handbook” on law and disaster risk reduction, prepared jointly with the United Nations Development Programme (UNDP).

Major activities included:

- Support for ongoing National Society technical assistance projects on disaster law in 43 countries, including finalization and publication of 7 country-level disaster law studies.
- Three emergency deployments of IDRL experts in major disaster operations.
- Publication of seven global research reports.
- Organization of over a dozen regional consultations preparatory to the 32<sup>nd</sup> International Conference.
- Ongoing support for disaster law processes in 22 regional and global inter-governmental organizations.
- Organization of numerous global, regional and country-level trainings on disaster law.
- Support for disaster law discussions in over a dozen humanitarian and academic conferences, and the engagement of youth through the organization of the first annual disaster law essay contest.

## Financial situation

Major donors to the IFRC's disaster law work in 2015 were the European Union and the Governments of Switzerland, Australia, Canada, Germany, Norway and the United Kingdom.

Additional support was provided by the Japan Red Cross, the Australian National Critical Care and Trauma Centre and Podio Corporation. This support is gratefully acknowledged.

*Information on expenditure was not yet complete as of the date of this advance report.*

## Working in partnership

In each of the countries where the DLP engaged in technical assistance projects, it worked with the National Red Cross or Red Crescent Society concerned as well as with the relevant authorities. The DLP also cooperated with other departments of the IFRC in research and advocacy projects, at the global, regional and country levels. Externally, the DLP continued to cooperate closely with key global agencies and organizations, including the United Nations Development Programme (UNDP), the United Nations Office for Disaster Risk Reduction (UNISDR), the UN Office for the Coordination of Humanitarian Affairs (OCHA), the Inter-Parliamentary Union (IPU), the World Bank (WB), the World Customs Organization (WCO) and the World Food Programme (WFP).

It built its cooperation with a large range of regional organizations, including the African Union (AU), the Association of Caribbean States (ACS), the Association for South-East Asian Nations (ASEAN), the Central American Coordination Centre for the Prevention of Disasters (CEPRENAC), the East Africa Community (EAC), the Economic Community of

Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the East Asia Summit (EAS), the Inter-Governmental Authority on Development (IGAD), the Central America Integration System (SICA), Central America Economic Integration System (SIECA), the Union of South America Countries (UNASUR), the United Nations Economic Commission for Europe (UNECE), the Secretariat for the Pacific Community (SPC) and the Pacific Islands Forum (PIF).

The DLP also continued to strengthen its cooperation with academic partners, conducting joint projects with the American Society of International Law, Stanford University, Jawaharlal Nehru University (Delhi), University of San Francisco (Quito), University of New South Wales, Vanderbilt University, Roma Tre University, Uninettuno, University of Bologna, and the University of Pisa Sant'Anna.

## Progress towards outcomes

**Outcome 1: Technical advice support and tools from the IFRC and NSs support the development and implementation of domestic laws, policies and/or procedures**

### Adopted laws or regulations



*First meeting of Colombia's new "IDRL Commission", May 2015.*

During the reporting period, advice by National Societies and the IFRC on disaster law was reflected in **new laws** adopted by three countries, **new regulations or procedures** adopted by three more, and in a new provision in a **bilateral treaty**. Moreover, the IFRC learned of a regulation that had been adopted (in Ecuador) in 2014 but not externally reported earlier.

**Cambodia** adopted a [new disaster risk management law](#) in July, including a substantial chapter on international assistance and cooperation, based on recommendations made by Cambodian Red Cross and IFRC, as well as other provisions related to disaster risk reduction drawing on the National Society's advice.

In **Colombia**, the National Disaster Risk Management Authority adopted a resolution in January establishing an "IDRL Commission" as a permanent advisory body made up of

representatives of relevant ministries, the Colombian Red Cross, and others to strengthen procedures and plans for managing international relief and ensure smooth operations.

After several years of advocacy and support by their respective National Societies, in August, **Costa Rica** and **Panama** adopted an addendum to a bilateral agreement between their countries to provide flexibility in ordinary migration requirements, expeditious transit procedures, and exemptions from otherwise applicable fees, charges and fines for emergency operations conducted by the Red Cross and fire brigades from both countries.

In **Ecuador**, aviation authorities announced at a conference in April that they had amended their “Regulation on Operating Permissions for the Delivery of Aviation Transport Services” in 2014 to include specific provisions related to relief flights, in light of the findings of an IDRL study produced by the Ecuador Red Cross in 2013.

The **Maldives** adopted its first Disaster Management Law in August, establishing a new institutional framework for the country and a national disaster management authority. It includes dedicated provisions on the regulation on international relief drawing on advice from the Maldives Red Cross.

In **Myanmar**, new “Disaster Management Rules” were adopted in April, providing more detailed procedures to guide implementation of the Disaster Management Law (adopted in 2013). The Rules include a chapter on international assistance based on recommendations from the Myanmar Red Cross Society and IFRC in line with elements of the IDRL Guidelines.

**Paraguay** enacted a Red Cross law in January which includes rules for the facilitation of international relief as well as a mandate to the National Society to disseminate information about international disaster response law (IDRL).

This brought the [total number of countries that had adopted domestic laws or rules](#) drawing on the “Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance” (IDRL Guidelines) since 2007 to 24 by the end of the reporting period. Bills or draft regulations were pending in a further 20 countries.

### Technical support at the country level

The IFRC assisted National Societies in providing technical support to their authorities on disaster law in **43** countries during the reporting period (including 13 countries in Africa,<sup>1</sup> 11 in the Americas,<sup>2</sup> 12 in Asia Pacific,<sup>3</sup> 3 in Europe<sup>4</sup> and 4 in the Middle East and North

<sup>1</sup> Gabon, Gambia, Ivory Coast, Kenya, Liberia, Madagascar, Malawi, Mauritania, Mauritius, Nigeria, Rwanda, Senegal, and Sudan.

<sup>2</sup> Chile, Colombia, Costa Rica, Panama, Dominican Republic, Ecuador, El Salvador, Haiti, Honduras, Paraguay, and Peru.

<sup>3</sup> Bangladesh, Cook Islands, Indonesia, Laos, Malaysia, Mongolia, Tonga, Samoa, Philippines, Timor Leste, Myanmar, and Thailand.



Africa<sup>5</sup>). Projects ranged in intensity from individual national workshops, to time-intensive research and consultation initiatives, to legislative drafting.

The majority of the projects looked into national rules and procedures for managing international disaster relief (31), whereas others focused on law and disaster risk reduction or urban risk (22 – with some overlap) and/or potential regulatory barriers to post-disaster shelter (3). Most also addressed the role of the National Red Cross or Red Crescent Society and other civil society actors in laws related to disaster risk management.

## Active projects in 2016



## Africa



*Disaster law workshop in Dakar, February, 2015*



*Disaster law workshop in Port Louis,  
October 2015*

In **Gabon**, the National Society hosted an initial workshop for key stakeholders about DRR and law in Libreville in November. The event grew out of the strong interest expressed by Gabon authorities participating the occasion of the regional disaster law training with ECCAS organized in January.

<sup>4</sup> Armenia, Italy, and Kyrgyzstan.

<sup>5</sup> Egypt, Jordan, Lebanon and Tunisia.

In **Gambia**, the National Society continued its work on a study related to IDRL, including through consultations with parliamentarians and disaster management officials. After several rounds of consultations, including task force meetings and bilateral meetings with the relevant offices and actors, the report was about to be finalized as of the end of 2015. As part of the efforts to raise awareness about disaster law at various levels, dissemination meetings with local communities in several regions were held with support of the National Society's local branches. In addition, a famous Gambian artist produced a song about disaster management and disaster law to be disseminated on local radio.

In **Ivory Coast**, a project on law and urban risk was implemented in Abidjan. A draft report was produced and the National Society undertook efforts to sensitize relevant actors about the relevance of applying existing regulations in the urban context, including in a workshop in December 2015 with relevant stakeholders where the research findings were discussed.

In **Kenya**, the National Society finalized its [report](#) on national laws and procedures related to international disaster assistance. It was [launched](#) in November 2015. Follow-up meetings are being planned with parliamentarians in the first quarter of 2016.

In **Liberia**, the National Society initiated a technical assistance project to strengthen legal frameworks for international disaster assistance in September in cooperation with Ministry of Internal Affairs. [Activities](#) implemented during the reporting period include an induction workshop and establishment of a project task force to enable the key stakeholders to engage in and contribute to the implementation of the project. Two meetings of the task force took place in November and December, during which participants agreed to work together to share and review existing laws and regulations of relevance to disaster management.

In **Madagascar**, the National Society continued to work with authorities to integrate recommendations on risk reduction and on IDRL into a new draft disaster management act, as well as a stand-alone IDRL law that has been recommended. Following IDRL project task force meetings in February, April, September and December, a new study on IDRL is currently being produced. It is planned to be finalized and launched in early 2016.

In **Malawi**, the National Society and IFRC published a [report](#) on the country's legal preparedness for managing international disaster response in March. The [launch](#) of the report, which was attended by high level representatives from the government, took place in September. A new national disaster management bill is currently pending there and officials have pledged to take the report's recommendations into account. The IFRC is continuing to support the Malawi Red Cross with the dissemination of the IDRL report and further awareness-raising efforts.

In **Mauritania**, the National Society, IFRC and the Ministry of Environment hosted a workshop on law and disaster risk reduction in Nouakchott in December. The workshop focused on regulation of DRR and hosted the first use of the final version of the Checklist on Law and Disaster Risk Reduction. A process is currently underway to being development of

the country's first comprehensive disaster risk management law, and the IFRC has been invited to comment on the draft, which is expected to be ready in early 2016.

In **Mauritius**, a workshop on law and risk reduction and on IDRL took place in October. The [workshop](#) was organized in connection with the currently on-going legislative process driven by National Disaster Risk Reduction and Management Centre of the Ministry of Environment, involving the development of a draft national disaster management bill. The IFRC, together with the National Society has also provided comments to a new version of the draft Mauritian Disaster Risk Reduction and Management Bill, for the second time in this legislative process.

In **Nigeria**, an induction [workshop](#) on law and risk reduction and IDRL took place in July. One of the facilitators of the workshop was a representative from the Gambian Red Cross supported, providing peer support. In light of the positive reception of the workshop, the IFRC was requested to start a more comprehensive disaster law project in 2016.

In **Rwanda**, the Senate [adopted a new disaster management bill](#) in February, including extensive provisions on the management of international relief drawing from the IDRL Guidelines. The bill is now pending Cabinet approval before becoming law.

In **Senegal**, the National Society organized a [workshop](#) in February to discuss the recommendations of its 2014 report on 'Legal frameworks for disaster risk reduction and management in Senegal'. The discussions led to suggestions to improve the current legal framework, for example, by using national dialects for the communities' better knowledge of DRR and furthering capacity-building of relevant actors. The workshop also served to launch the National Society's new IDRL project, and included an awareness-raising session on the principles of IDRL, followed by practical exercises. A consultant was hired and in December, a first draft of the IDRL study for Senegal was produced. An IDRL task force was created, and met three times in 2015. Following on from the 2014 report on disaster risk reduction in Senegal, the IFRC supported the National Society with a study on urban disaster risk reduction in the city of Dakar, to be completed in early 2016.

In **Sudan**, the National Society, together with IFRC, commenced a technical assistance project with an induction workshop for public officials in December. The workshop covered both regulation of DRR and IDRL. A training for the staff and leadership of National Society was also held, where the existing advocacy action plan for the project was developed in more detail, and activities for the continuation of the project were determined.

H. Boweh Barduae,  
Secretary General,  
a.i., Liberia Red  
Cross

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"Disaster law is important because it is directly linked to mitigating the effects of disasters on affected persons and provides clear definition on roles and responsibilities of disaster management actors. "

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## Americas



*IDRL conference in Quito, April 2015*



*Simulation exercise in Chile, September 2015*

In **Chile**, the IFRC participated in an [INSARAG simulation exercise](#) (SIMEX) in which IDRL problems linked with the entry of international medical teams and urban search and rescue teams were tested, provided training to government representatives and international teams, and provided feedback to the government regarding its level of preparation to face IDRL issues. The SIMEX helped participants recognize the need of having effective IDRL legislation to avoid bottlenecks and delays in the provision of international support. One representative from the Ecuador Red Cross participated to the SIMEX as part of the IFRC team, which was an opportunity to strengthen technical skills on IDRL.

In **Colombia**, work began for a country-level project as part of the “piloting” process for the new Checklist on Law and DRR. A full day was also dedicated to testing IDRL issues as part of the [SIMEX in Bogota](#) that took place in October. This was organized in collaboration with the Colombian Red Cross and the UNGRD (National Unit for Disaster Risk Management). Representatives were able to identify gaps in their protocols and procedures which lead to their revision to address potential situations and problems. One representative from the government of Ecuador and one representative from the Ecuador Red Cross also participated at the event as observers.

In **Costa Rica** and **Panama**, the respective National Societies together with the IFRC organized a [mission](#) to the North Atlantic border in April. The purpose of the visit was to look into current operational mechanisms and challenges for border-area pre-hospital care, as well as gathering information through interviews with various authorities about their views of work of the Red Cross. In Costa Rica, recommendations were also provided to the government on the amendment of the Trans-border Agreement with Panama with a view to including National Red Cross Societies among the health entities regulated by the agreement.

In April, the National Societies also organized a workshop with the Binational Committee of Costa Rica and Panama to disseminate the trans-border protocol they had helped to develop and discuss the proposed amendment to the Trans-border Agreement. In July, the two National Societies organized a trans-border simulation exercise, in which legal issues affecting both National Societies when they provide mutual support across the border for



prehospital care were raised. A [video](#) illustrating the trans-border issues and solutions was also produced.

As noted above, in August, the migration authorities of Costa Rica and Panama adopted an addendum to their Migration Agreement, which grants special migration facilities to both National Societies during emergency response operations. In September, with the support of the Panamanian Ministry of Foreign Affairs, a half-day briefing session was organized for governmental entities in Panama about the trans-border issues between Costa Rica and Panama (representatives from Customs, Migration, Ministry of Finance, Ministry of Health and Costa Rican Red Cross participated). Legal research was initiated in Panama to understand the legislation that would require review once the amendment of the Trans-border Agreement takes place. Moreover, work has also started in Panama on technical support in the drafting of a national IDRL law in the view to operationalize the humanitarian transit hub that will open in 2017. The project law will be presented to Parliament in July 2016.

In the **Dominican Republic**, the National Society and the IFRC published a [report](#) in March analysing existing regulations on international assistance in the event of disasters in the light of the country's experience, global experience, the IDRL guidelines and other international and regional standards.

In **Ecuador**, following on the recommendation of a [study](#) published by the Ecuadorian Red Cross in 2013, a '[Conference](#) for the implementation of rules for facilitating international humanitarian assistance operations in Ecuador' was organized with the support of the Ecuadorian Red Cross in April. During the conference, authorities announced that specific provisions related to disasters were added to the 'Regulation on Operating Permissions for the Delivery of Aviation Transport Services' in 2014. Discussions were underway for the institutionalization of an IDRL inter-institutional working group. Representatives of the Ecuador Red Cross participated in the INSARAG SIMEX in Chile in September and at the USAR SIMEX in Colombia in October, where IDRL situations were tested. A representative of the Ecuadorian Ministry responsible for the coordination of security also participated at this latter event. Furthermore, the National Society and the University of San Francisco also continued their work on a study of potential legal issues in post-disaster shelter in Ecuador, with a particular focus on the disabled. A national workshop on this matter took place in February 2015.

In **El Salvador**, the National Society, supported by an inter-agential working group, completed a review of the existing legal framework applicable for the management of international disaster assistance. The report is under final review and will be published in early 2016. Work was also ongoing on completing a study on national laws relevant to post-disaster shelter.

In **Haiti**, a study on the '[Impact of regulatory barriers to providing emergency and transitional shelter after disasters](#)' was published in March and a case study '[How law and regulation supports disaster risk reduction](#)' was published in October. The reports identify potential

regulatory barriers, as well as a range of positive developments and initiatives that can enhance the effectiveness of shelter activities and disaster risk reduction respectively. Finally, a number of short and long-term recommendations are proposed to improve, strengthen, and develop the Haitian system. The report on the 'Impact of regulatory barriers to providing emergency and transitional shelter after disasters' was launched in Port-au-Prince in July to an audience of more than 65 representatives from government and the humanitarian community.

In **Honduras**, research has started on the legal framework applicable for the facilitation of international disaster assistance. The National Society also participated in the FAHUM simulation exercise that took place at the end of August beginning of September where IDRL situations were tested. As in El Salvador, work was also ongoing on completing a study on national laws relevant to post-disaster shelter.

In **Paraguay**, work has been initiated on the drafting of an IDRL law (additional to the IDRL provisions included in the Red Cross law as described above) and two national workshops were organized in June and in December respectively. IFRC participated as technical expert during the UNDAC evaluation mission that took place in October. The final mission report made recommendations on IDRL, and the role of the Paraguayan Red Cross was highlighted as auxiliary to its government.

In **Peru**, the National Society and IFRC provided comments on the draft of a new law on international disaster response, developed in response to previous Red Cross work in the country. The draft is now with the Minister of Justice for his consideration and adoption.

Luis Castro, Director  
of the National  
Council, Costa Rica  
Red Cross

"This new protocol will allow us to help people in need as soon as possible, no matter what side of the border they are on when the emergency arrives."

## Asia-Pacific



*Disaster law "roadmap" discussions in  
Jakarta, April 2015*



*IDRL Event in Tonga, June 2015*

In **Bangladesh**, preparations and a desktop review of the disaster management arrangements were undertaken to support the National Society's positioning and input into a

disaster law review that will soon take place. The review found opportunities for National Society to support its government on international assistance, utilisation of the Checklist on Law and Disaster Risk Reduction (particularly regarding implementation/and strengthening local level capacity) and also protection issues and the law. The review was followed by an initial scoping mission in October.

In December, the National Society hosted a [high level conference](#) in Dhaka focused on its own role in the national disaster risk management system and on disaster law. Bangladesh President Abdul Hamid presided over the conference, which also gathered numerous ministers. The conference resulted in the “[Dhaka Declaration](#)” strongly committing the government and National Society to work together to further strengthen Bangladesh’s legal frameworks for disaster risk reduction and for regulating international relief.

In the **Cook Islands**, the National Society continued its long-term support to the authorities in disaster law issues, both in supporting the adoption of new standard operating procedures for IDRL (as noted above) as well as in piloting the Checklist on Law and Disaster Risk, including through a [research report](#) published in December.

In **Indonesia**, the National Society and IFRC continued to support authorities in implementing the recommendations of a workshop organized in November 2014 with regard to a “disaster law roadmap”. New amendments to the disaster management law are being developed and another major workshop is planned for the autumn. Disaster law technical studies are ongoing in Indonesia (including a pilot of the Checklist on Law and Disaster Risk Reduction), which will be finalised by early 2016.

In **Laos**, work continued on a project to support national authorities in the development of a new disaster risk management act, with recommendations related to DRR and IDRL. A consultation workshop was held in Vientiane at the end of July to support the development of a landmark DRM and climate change law for Lao PDR, the development of which Lao Red Cross and IFRC have been actively involved in, in partnership with UNDP.

In **Malaysia**, in the wake of recent flooding, the IFRC, ASEAN, UNDP and OCHA organized a high-level meeting with national authorities in April to discuss the strengthening of the disaster risk management system, including the potential development of a new disaster management law. In May, Malaysia hosted an [ASEAN Regional Forum SIMEX](#), in which the IFRC was invited to provide advice on support on IDRL issues.

In **Mongolia**, the National Society and the IFRC continued to provide support to national authorities to strengthen risk reduction approaches in their domestic framework, as well as draft international assistance provisions to be included in the amended Disaster Protection Law that is due to come before parliament in the autumn session. A parliamentary presentation was held in February, which drew links to the Red Cross law amendments and the disaster protection law. Discussions were also held using the pilot Checklist on Law and Disaster Risk Reduction.

In **Tonga**, the National Red Cross Society and the IFRC published a [study](#) in June analysing the country's legal and policy framework regulating international assistance in the event of disasters. The study was presented during a [handover event](#) hosted by the National Society and attended by the Deputy Prime Minister of Tonga, several ministers and other senior officials, representatives of the diplomatic corps and civil society, as well as the National Society's own leadership, personnel and members. The report recommends the development of a single document of comprehensive regulations on the management of international disaster assistance, the establishment of a focal point agency to serve as a main liaison between the government and assisting international actors, and the development of a "Single Window International Facilitation Team."

A consultative high level meeting on IDRL was held in **Samoa** in July, in partnership with Samoa Red Cross and the Attorney General's Office to examine and invite feedback on the draft IDRL report for Samoa.

In addition to the more formal disaster law technical assistance projects, ad hoc and advice was also provided on draft laws in **Mongolia, Philippines** and **Timor Leste**. Preparations were also underway during the reporting period for a new IDRL project in **Myanmar**. Country level workshops to raise awareness of disaster law issues with National Societies and their authorities were held in **Malaysia, Timor Leste, Tonga, Laos** and **Thailand**.

A [separate report](#) on progress on disaster law in Southeast Asia over three years was also published in 2015.

Hon. Siaosi Sovaleni,  
Deputy Prime  
Minister of Tonga

"This report represents a milestone in the government's efforts to respond to disasters in a timely and effective manner."

## Europe and Central Asia



*Expert consultation in Bishkek, May 2015*



*Discussion of DRR law in Yerevan, February 2015*

In **Armenia**, the National Red Cross Society and the IFRC completed a study on law and disaster risk reduction in Yerevan. A workshop was held in February with relevant national



and municipal authorities and civil society actors to validate the findings and discuss recommendations. The report has since been updated to reflect the views of the participants and members of the National Platform for DRR as well as recent legal developments. The report will be published soon.

In **Italy**, a coalition of legal scholars from Uninettuno University, University of Bologna, University of Roma Tre, Scuola Superiore Sant'Anna (acting as the "International disaster Law Project" completed [a report](#) commissioned by the National Society on Italy's laws and procedures on IDRL in June, taking into account feedback from a national workshop held in January. The International Disaster Law Project, National Society and Italian Civil Protection also co-sponsored a workshop in Rome in October to pilot the draft Checklist on Law and Disaster Risk Reduction.

In **Kyrgyzstan**, representatives from government, parliament, the National Society, UN agencies and NGOs met to discuss a new draft law on "International Humanitarian Aid in Emergency Situations". The current draft text is quite comprehensive in its coverage of key issues, drawing in large part from the '[Model Act on the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance](#)'. Once approved, Kyrgyzstan's new law could well become a reference for neighbouring countries in Central Asia.

H.E. Niyazalieva  
Damira, Vice Prime  
Minister of  
Kyrgyzstan

"The new disaster law will provide a clear answer to unsolicited donations that have been a big problem in the past. "

### **Middle East and North Africa**



*Disaster law session in Hammamet,  
Tunisia, May 2015*



*Disaster law workshop in Cairo, Egypt,  
November 2015*

In **Egypt**, the National Society commenced a review and technical assistance project related to Egypt's laws on disaster risk reduction. It developed a research report, whose draft recommendations were discussed at a national workshop held in November. On the basis of the workshop findings, a final version of the report will be completed in early 2016.

In **Jordan**, the National Society and IFRC organized a [national capacity building workshop](#) on disaster law, which took place in November, gathering more than 40 participants from a number of governmental institutions. The workshop was facilitated by IFRC and a legal adviser of Lebanese Red Cross, which was the first step in setting up a peer support group on this issue among National Societies the region. The training was very well received by the participants and a clear call for follow-up was expressed.

In **Lebanon**, the IFRC collaborated with the National Society on the latter's involvement in providing support in the preparation of Lebanon's new disaster management bill. A meeting took place with the Prime Minister in November to gain endorsement for this cooperation. It is anticipated that the legislative advocacy project would extend far into 2016.

In **Tunisia**, work continued on research related to the country's laws on DRR and IDRL. A workshop was undertaken in May and work was ongoing on the research report as of the end of 2015.

Dr. Moamena  
Kamel, Secretary  
General, Egyptian  
Red Crescent

"There is a need to pass unified legislation for crisis management in Egypt and to include a special item for disasters in the state budget."

## Global tools



*Red Cross participants spoke up on disaster law at Sendai, March 2015*



*NGOs assess model emergency decree, March 2015*

## Checklist and Handbook on Disaster Risk Reduction

Since 2010, the IFRC has been collaborating with UNDP in consultations to develop a Checklist on Law and Disaster Risk Reduction. A pilot version of the Checklist was released in Sendai, Japan, at the World Conference for Disaster Risk Reduction in March 2015, and the [final version](#) was published in advance of the 32nd International Conference of the Red Cross and Red Crescent in December 2015. The checklist is designed to assist interested officials and civil society in assessing existing law related to disaster risk reduction.

As part of the “piloting” process for the new checklist, country-level projects were undertaken in Colombia, Cook Islands, Indonesia, Mongolia, Tunisia, Egypt, and Mauritania through the respective National Societies. Consultation workshops focused on the Checklist were also held in Armenia, Mauritius, Gabon, Laos, Madagascar and Italy. In addition, additional consultations on the text of the Checklist were held, including with the IASC member agencies in Geneva in May, the UNECE Group of Experts on Risk Management in Geneva in June and in dedicated regional forums for the Middle East and North Africa held in Kuwait, for Sub-Saharan Africa held in Addis Ababa, in Bangkok for Southeast Asia, in Suva for the Pacific, and in Almaty for Central Asia.

To provide guidance on how to use Checklist to undertake a legal assessment process, the DLP collaborated with UNDP to prepare the [Handbook on Law and Disaster Risk Reduction](#). The Handbook draws from the multi-country research, and feedback received during the pilot process, to provide further explanations of the Checklist questions, examples of good practice and suggested steps for a legislative review process.

It had originally been planned that work would commence on a similar “Checklist for lawmakers on disaster response and preparedness” in 2015, however, in light of the unanticipated level of participation and interest in the piloting process for the Checklist on Law and Disaster Risk Reduction and demands on staff time in the completion of the Handbook, this was postponed to 2016.

## Other tools

In March, Oxfam hosted a consultation in Oxford on behalf of the IFRC with several representatives of British NGOs on the [Draft Model Emergency Decree for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance](#), which is being developed jointly by IFRC and OCHA. The model is designed for countries that have not had the opportunity to develop clear rules for international assistance before a disaster strikes. Likewise, drafting commenced on a “model regulation” on international disaster relief. In December, the IFRC published a “Nuclear and Radiological Emergency Guidelines” for National Societies, to which the Disaster Law Programme contributed a section on legal issues.

Indicators from the 2015 Operational Plan	Target	Actual
<b>Outcome 1: Technical advice support and tools from the IFRC and NSs support the development and implementation of domestic laws, policies and/or procedures</b>		
# of countries that have adopted new laws, rules or procedures drawing on the IDRL Guidelines	9	7
# of countries that have adopted new laws, rules or procedures including DLP suggestions from IFRC/NSs on DM issues other than IDRL	4	2
# of countries that have improved the implementation of their disaster laws, rules or procedures thanks to support from IFRC/NSs	13	4
<b>Output 1.1: Country-level technical assistance projects on disaster law</b>		
# of countries in which projects are undertaken	21	43

Indicators from the 2015 Operational Plan	Target	Actual
# of research/consultation reports	21	9
# of workshops to develop/discuss recommendations	16	21
# of draft laws/rules/policies (etc) commented on or drafted	10	8
# of dissemination/awareness raising materials or initiatives	10	6
<b>Output 1.2: Model regulations on IDRL</b>		
Model regulations developed	1	1
<b>Output 1.3: Checklist for lawmakers on DRR</b>		
# of consultations held	5	23
# Checklist developed	1	1
Dissemination kit (manual, explanations) developed	1	1
<b>Output 1.4: Checklist for lawmakers on disaster response and preparedness</b>		
# of consultations held [Postponed to 2016]	4	0
# Checklist developed [Postponed to 2016]	0	0
Dissemination kit (manual, explanations) developed [Postponed to 2016]	0	0

## Outcome 2: Disaster law advocacy by the IFRC and NSs influences intergovernmental processes at the regional and global levels



Regional consultation in Bogota, January 2015



IFRC/ECCAS workshop in Libreville, February 2015



Regional consultation in Kuwait, June 2015

The IFRC and National Societies succeeded in positively influencing several global and regional instruments with regard to disaster law during the reporting period.

## 32<sup>nd</sup> International Conference of the Red Cross and Red Crescent





The IFRC supported a positive outcome on disaster law (among other issues) at the [32<sup>nd</sup> International Conference of the Red Cross and Red Crescent](#) in December. This included unanimous adoption of a dedicated resolution by the state parties to the Geneva Conventions and the components of the Red Cross and Red Crescent Movement and strong participant engagement in several disaster law related events.

In [Resolution 6 on strengthening legal frameworks for disaster response, risk reduction and first aid](#), the 32<sup>nd</sup> International Conference called for action on three themes:

- It called for an acceleration of progress in the facilitation and regulation of international disaster response, commending states that had already made adopted new laws or rules drawing on the IDRL Guidelines and calling on those that had not yet done so to act without delay. It also invited the IFRC to continue consultations on additional options, including the potential of further strengthening global and/or regional legal frameworks.
- It recognized the Checklist on Law and Disaster Risk Reduction as a useful tool, in particular for carrying out commitments in the Sendai Framework for Disaster Risk Reduction, and invited states to use with support from National Societies, the United Nations and other partners.
- It called on states to improve their laws relevant to first aid training and delivery, particularly with regard to mandatory training in certain circumstances, establishment of official guidelines for training courses, and liability protections for lay first aid providers.

In addition to the resolution, the Conference considered disaster law issues in a [dedicated Commission](#) as well as in side events organized by Mexico, Indonesia, the Republic of Korea, Turkey and Australia and National Societies from the Pacific Islands. On the occasion, of the Conference, a new memorandum of agreement was signed between IFRC and UNDP, in part to extend their cooperation in promoting effective disaster law.

Preparations for the disaster law issues at the International Conference took place throughout the year, including over a dozen consultation meetings and the development of several new research and reports on IDRL, law and disaster risk reduction, first aid and law and sexual and gender-based violence in disasters (described in Section 5 below). Dedicated consultations included:

<b>February</b>	<a href="#">Regional workshop for the Americas</a> , together with the Colombian Government and the Colombian Red Cross Society in Bogota
<b>March</b>	<a href="#">Expert meeting in Geneva</a> , together with the Swiss Agency for Development and Cooperation Sessions at the <a href="#">Inter-American Conference of the Red Cross</a> in Houston
<b>June</b>	<a href="#">Regional workshop for Central Africa</a> , along with ECCAS, in Gabon <a href="#">Briefing for Permanent Missions</a> in Geneva

	<a href="#">Regional workshop for Southeast Asia</a> in Bangkok <a href="#">Regional workshop for the Middle East and North Africa</a> , together with the Government of Kuwait and Kuwait Red Crescent, in Kuwait <a href="#">Regional consultative meeting for Africa</a> , together with the African Union, in Addis Ababa
<b>September</b>	Regional workshop for Central Asia in Almaty Regional workshop for Eastern Europe in Minsk
<b>October</b>	Pacific regional workshop in Suva African Community-Based Health and First Aid Workshop in Addis Ababa
<b>November</b>	Asia Pacific First Aid Conference in Hong Kong

The DLP also supported development and negotiations on several other resolutions successfully adopted at the International Conference, including the resolutions on [sexual and gender based violence](#) in conflicts and disasters and on the [safety and security of humanitarian volunteers](#).

#### Other key global processes

The IFRC was also successful in positively influencing the **Sendai Framework on Disaster Reduction** adopted in March with regard to the issue of addressing gaps in the provisions and implementation of key domestic legal frameworks. The IFRC joined UNDP and World Bank to present a [joint set of proposals](#) in this regard. Among the top four global priorities for action articulated by the Sendai Framework was ‘strengthening disaster risk governance to manage risk’, in particular with regard to legal and institutional frameworks. Additional specific suggestions with regard to mandates for community engagement, improving implementation and compliance with key laws, and development of procedures based on the IDRL Guidelines were also taken up.

The IFRC welcomed the inclusion of text concerning vulnerable groups and local communities within the **Paris Agreement** under the United Nations Framework Agreement on Climate Change adopted at COP21. The IFRC had prepared text suggestions aiming to enhance coherence between climate change adaptation and disaster risk reduction. While the proposals were well received by states with which they were shared, it became clear in the negotiations in Paris that there were, however, deep-seated political reasons for maintaining the divide between the disaster risk management and climate change paradigms within the agreement.

Responding to the IFRC’s and National Societies’ suggestions, the reports of the **World Humanitarian Summit** regional consultations in [Budapest](#) in February, in [Jordan](#) in May, in [Guatemala](#) in May, and in [Auckland](#) in June included recommendations with regard to the development of stronger national laws and procedures on international disaster response, as the thematic civil military consultation in Singapore in March. The IFRC also participated in the AU-hosted consultations related to the WHS for Eastern Africa in July 2015 as well as in the consultations for North Africa and Central Africa in November 2015 and these also highlighted the importance of strong legal frameworks for regulating international disaster

response. The IFRC also served as an external moderator for online WHS consultations for South and Central Asia on disaster law in June and July.

The IFRC provided input to the **International Law Commission** on its “[Draft articles on the protection of persons in the event of disasters](#)”, including through participation in a dedicated forum organized by Roma Tre University in June and in consolidating written feedback from its members into a [formal submission](#) on the first reading of the “Draft articles”.

The IFRC also collaborated with OCHA to support member states of the World Customs Organization to consider modernizing provisions relevant to disaster assistance in the **Istanbul Convention on Temporary Admission**, through discussions in several meetings.

### Regional processes

Following support from the IFRC, the [Declaration](#) of the **Third Consultative Forum on the Central American Policy of Integrated Disaster Risk Management** (PCGIR) held in San Salvador in June identified as a priority the strengthening of disaster risk management legislation and the enforcement and consolidation of the Regional Mechanism of Mutual Aid in the Event of Disasters. This Declaration was welcomed by the Central America Heads of States and Government through the Declaration of Antigua, Guatemala in June. The participation of National Societies in their national committees for the coordination of external assistance (CCAH/CATAI) was also promoted at the Third Consultative Forum. The Costa Rican Red Cross was able to join its committee (CATAI) in June.

Moreover, the **Permanent Working Group of the Inter-governmental Body of Latin America and the Caribbean** (consisting of the OAS, CAN-CAPRADE, SICA-CEPRENAC, CARICOM-CDEMA, CELAC, MERCOSUR-REHU, UNASUR, ACS, SELA and the Iberoamerican Association of Governmental Civil Defence and Civil Protection Bodies) prioritized the promotion of the culmination of the "Regional Legal Compendium for International Humanitarian Assistance in Cases of Emergency" as one of its main activities at its Third Meeting in March in Guatemala.

In Central America, the IFRC continued to promote and provide input into [several draft regulatory instruments](#) being developed under the mantle of the **Central American Integration System (SICA)** and **Central America Economic Integration System (SIECA)**, including a draft “Central American Protocol for the Shipment, Transit and Reception of International Humanitarian Assistance”, “Central American Regulation for the Facilitation of Customs Clearance Procedures for Humanitarian Goods” and a “Humanitarian Module” for the “Platform for the International Transit of Goods (TIM).” The Protocol has been “validated” at a technical level by member state experts at a February meeting co-organized by the IFRC in Panama in February and adopted at the Council of Representatives of CEPREDENAC in October. The two other instruments currently await final approval by heads of state and government.

In South America, the IFRC jointly with National Societies of Colombia, Paraguay and Peru provided comments to the High-Level Working Group of DRR of the Union of South American Nations (UNASUR) on its [Manual on Mutual Assistance in Response to Disasters](#). This follows a collaboration which has initiated in 2014 on the drafting of the manual. The Manual was adopted by UNASUR member state ministers of foreign affairs in November and will serve to improve the quality and efficiency of disaster response operations in South America.

In the Caribbean, the **Association of Caribbean States'** (ACS) Directorate for Disaster Risk Reduction approved the dissemination and promotion of IDRL and the Model Act as permanent activity in its 2016-2017 Work Programme.

In Asia, the IFRC provided input into the **East Asia Summit** [Toolkit for Rapid Response](#) launched in August. Developed over a three-year period with the leadership of the Governments of Australia and Indonesia, the toolkit includes a number of elements, including guidance with regard to facilitating and managing international disaster assistance.

In October, the **Pacific Disaster Law Workshop** in Suva endorsed the development of a regional agreement/standard operating procedure (SOPs) on international disaster assistance for the Pacific.

The IFRC also provided a large number of presentations on the topic of disaster law at inter-governmental events.<sup>6</sup>

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<sup>6</sup> The Regional Forum for the Exchange of Experiences for International Humanitarian Assistance in Colombia in January; the Central American workshop for the revision and validation of instruments that facilitate International Humanitarian Assistance in Panama in February; ASEAN Humanitarian Assistance (AHA) Centre of Excellence Training in Jakarta in April; WHS Civil Military Consultations held in Singapore in April; ASEAN Regional Forum – Disaster Relief Exercises (ARF DiREx 2015) held in Kedah, Malaysia in May, 2015; South African Development Community (SADC) post-season review discussed progress on DL issues, 19-22 May in Botswana; UNISDR DRR Leadership Trainings for the Intergovernmental Authority for Development (IGAD) in Djibouti in May and the East Africa Community (EAC) in Nairobi in June; Joint Task Force, Pacific Humanitarian Assistance and Disaster Response Symposium in British Columbia in May; 2nd Latin American and Caribbean Forum on Adequate Housing in Mexico in May; Technical Advisory National Commission for the administration of International Cooperation in Disaster Management in Colombia in May; SADC post-season review workshop in Johannesburg, in May; DRR Leadership Trainings organised by ISDR for IGAD in Djibouti in May and the EAC in Nairobi in June; Humanitarian Assistance and Disaster Relief Training held by the Joint Training Centre, Butterworth Air Force Base in Penang in June; Third Consultation Forum for the PCGIR in El Salvador in June; Fourth Council of the Representatives of CEPREDENAC in El Salvador in June; Regional Committee for Disaster Management in West Africa (GECEAO), in Abidjan in June; Commonwealth IHL Meeting in Canberra in July; 7th Africa Working Group on Disaster Risk Reduction and High Level Event, in Yaoundé in July; Regional Urban Risk Workshop for Asian National Societies in Manila in August; World Humanitarian Week celebrations, at the African Union in August; ICRC Regional Seminar on IHL, in Pretoria, in August; Workshop to review the African Standby Force (ASF) in Humanitarian Action and Natural Disaster Support (HANDS) for the African Union, in Addis Ababa, in September; International Conference on Global Emergency Preparedness and Response in Vienna in October, Asia-Pacific Regional Red Cross Conference in Beijing in November; An AU workshop on domesticating the Kampala Convention in Addis Ababa in November; International Medical Team Global Meeting in Panama in December.



## Partnerships with regional organizations

As noted above, the IFRC worked closely with the CEPREDENAC, EAS, SIECA, SICA, and UNASUR on particular products adopted in 2015. The IFRC also collaborated in multiple meetings, workshops and trainings with the AU, IGAD, and ECCAS. In MENA, support was provided, to the **Arab League** in the review of the **Arab DRR Strategy** with the aim of updating it to the 4 priorities of the Sendai Framework for Action.

The IFRC's long-standing relationship with the ASEAN Secretariat and the AHA Centre (Indonesia) continues to grow. A Joint Action Plan was developed between IFRC and the **AHA Centre** which contains components on disaster law. Discussions are ongoing with the **SAARC** secretariat about partnership opportunities and specialised training for South Asian Members states on disaster laws.

A new MOU was signed between IFRC and the Pacific Islands Forum Secretariat (**PIFS**) covering its partnership on disaster laws subsequent to the 42nd Pacific Island Leaders Forum. Discussions are now underway with the **Secretariat of the Pacific Community (SPC)**, the implementing body of PIFS, on IFRC's and Pacific National Societies' formal involvement in the technical reviews of the DRM Law and Institutional Frameworks in all Pacific Island States.

U Maung Maung  
Khin, Director of  
Disaster  
Management,  
Myanmar Red Cross

"During this Forum, parliamentary members, government ministries, ASEAN officials and National Red Cross and Red Crescent Society staff were able to participate actively and openly, and discuss disaster law on all levels. This made it a very effective and fruitful forum for our region."

Indicators from the 2015 Operational Plan	Target	Actual
<b>Outcome 2: Disaster law advocacy by the IFRC and NSs influences intergovernmental processes at the regional and global levels</b>		
# of new/amended instruments (resolutions, guidelines, protocols, outcomes etc) that address IDRL issues	8	8
# of new/amended global/regional instruments taking into account other DL suggestions by IFRC/NSs	7	3
# of IGOs engaged with DL issues	16	22
<b>Output 2.1: DLP fosters discussion on potential new treaty on IDRL</b>		
# of dedicated consultations with relevant stakeholders	6	7
<b>Output 2.2: DLP supports a successful resolution on DL at the 32nd International Conference of the RC/RC</b>		
# of pre-conference consultations	6	13
Resolution adopted	1	1
<b>Output 2.3: DL presentations and events provided for inter-governmental fora</b>		
# of presentations provided	20	21

Indicators from the 2015 Operational Plan	Target	Actual
<b>Outcome 2: Disaster law advocacy by the IFRC and NSs influences intergovernmental processes at the regional and global levels</b>		
<i># of DL events organized</i>	7	4
<b>Output 2.4: DL messages proposed for key global and regional resolutions, agreements and outcomes</b>		
<i># of resolutions/instruments/ outcomes for which suggestions are provided</i>	11	11
<i># of global and regional organizations supported</i>	19	18

### Outcome 3: Disaster law issues receive greater visibility, particularly in humanitarian and academic fora, and partnerships are built



*Stanford conference on international environmental law and DRR, May 2015*



*Conference on the ILC at Roma Tre University, June 2015*



*Central American National Societies' presidents meeting, June 2015*

Disaster law issues – and the contribution of the Red Cross Red Crescent and its partners – are continuing to gain attention in both humanitarian and academic fora.

At their June meeting in San Salvador, the presidents of the **Central America National Societies** adopted a resolution committing to promote the use of the Checklist on Law and Disaster Risk Reduction and to identify a focal point on disaster law. They also committed to offer the technical support in the revision and improvement of legislation and processes on IDRL. Disaster law issues were also raised at an ICRC Regional Conference on Strengthening International Humanitarian Law in Kuala Lumpur in March and a PADRU pre-hurricane meeting in Panama in May.

The IFRC supported discussion of disaster law issues at a number of events and trainings organized by **OCHA**, **PAHO**, **REDLAC**, **Mercy Malaysia** and the **Protection Cluster**, among others.<sup>7</sup> The IFRC also served on an Advisory Committee for the **Norwegian**

<sup>7</sup> These events included: REDLAC (Grupo de Trabajo de Riesgo, Emergencias y Desastres de América Latina y el Caribe) meeting in Panama in April; a workshop organized by the Pan American Health Organization (PAHO) in Panama April; Malaysian Technical Cooperation Programme (MTCP) and MERCY Malaysia Emergency Disaster Response Recovery Training conducted in Kuala Lumpur in May; OCHA Civil Military Training in the Asia Pacific in Kuala Lumpur in March and the United Nations VI International course on Civil-Military Coordination and Humanitarian Assistance in Ecuador in June; a disaster law briefing for the Nepal Humanitarian Country Team in Kathmandu in June; a forum on the International Law Commission's "Draft articles on the protection of persons in the event of disasters" hosted by Roma Tre University in Rome in June; Training of trainers: Protection Cluster Coordinators, Budapest 6th - 11th September.

**Refugee Council**, in producing an analysis of the legal framework on internal displacement in Kenya.

The IFRC continued to build on its academic partnerships in the promotion of effective disaster law. With a view to further promoting disaster law among students, the IFRC coordinated the first edition of an annual [International and Comparative Disaster Law Competition](#) was completed in April. The contest was co-sponsored by **American Society of International Law** (ASIL), IFRC and the International Disaster Law Project of the **Universities of Bologna, Roma Tre, Uninettuno and Pisa Sant'Anna**, drawing entries from twelve countries. Final judges included Dean Davon Caron, Dean of the **Dickson Poon College of Law**, Eduardo Valencia-Ospina, Special Rapporteur of the International Law Commission, and David Fisher, Coordinator of the DLP. The winning essay, entitled "[Climate change related disasters and human displacement: towards an effective management system](#)" was published as a Working Paper of the DLP. Work also began to develop a textbook on international disaster law together with the International Disaster Law Project.

In addition, together with ASIL, the United Nations Environment Programme (UNEP) and **Stanford University**, the IFRC co-sponsored an academic conference hosted by Stanford Law School in May entitled "[How Can International Environmental Law Reduce Disaster Risk?](#)" The event brought together some of the top academics in the environmental and disaster law fields to discuss this little considered subject. A monograph of papers delivered at the conference co-edited by DLP and Stanford Law School personnel will be published by Brill in 2016.

The IFRC provided its advice to **University of Reading** (Reading, United Kingdom), in the development of the world's [first full master's programme](#) in international disaster law, which was launched in 2015. It is also providing ongoing support to the **Jawaharlal University** (New Delhi, India) as it develops a specific disaster law module as part of its master's programme.

A disaster law workshop for the Pacific was held in partnership with the Law School of the **University of New South Wales** (UNSW), Sydney, Australia in July. The success of this event marked the beginning of a partnership with the law school for ongoing research and collaboration in the area of disaster law.

Collaboration was also ongoing with the **University of San Francisco of Quito**. Disaster law topics were integrated in courses there on international law, human rights law, international cooperation and in the legal clinic. The latter, in particular, was involved in the drafting of the report on regulatory barriers to shelter. The IFRC and the Ecuador Red Cross also participated in the **Model UNASUR**, a simulation of UNASUR activities for students, jointly organized by UNASUR and the University of San Francisco, during which IDRL and law and DRR were presented.

The IFRC was also invited to deliver a number of individual academic lectures and trainings related to disaster law, including to students in the International Diploma in Humanitarian Assistance (IDHA) in February, the **Geneva Centre for Education and Research in Humanitarian Action (CERAH)** Certificate Course on Disaster Management in Geneva in April, **Deakin University's** Masters of Humanitarian Assistance (delivered online), the Network on Humanitarian Action (**NOHA**) intensive programme in Warsaw in September, and to participants of the "Vision 2025 Strategic Planning and DRR Stakeholders' Consultative Workshop", organized by the Ethiopian Institute of Disaster Risk Management and Food Security and the Peri Peri U network, in Bahir Dar, in November.

The IFRC shared information about disaster law through the DLP website ([www.ifrc.org/dl](http://www.ifrc.org/dl)) along with the jointly-branded IFRC-UNDP site on risk reduction and legislation ([www.drr-law.org](http://www.drr-law.org)). The programme's two regular communications tools – its weekly news service and bi-monthly newsletter – were published regularly and reached a wide audience. In addition, the DLP's dedicated Facebook group and dedicated LinkedIn Group continued to attract members.

The IFRC also continued to encourage media attention to disaster law issues. In January, the IFRC Director and DLP Coordinator for the Americas published [an article in El Pais](#) on the 5<sup>th</sup> anniversary of the Haiti earthquake. On the occasion of the International Day for Disaster Risk Reduction in October, the IFRC supported the preparation and publication of online opinion pieces on disaster law by the National Societies of [Gabon](#) and [Mauritius](#).

A [newspaper article](#) was published on the segment on disaster law during the IHL Regional Conference in Kuala Lumpur, April 2015. Articles were also published by the [Bangkok post](#) on the South East Asia Regional Forum, by a Kuwait News Agency on the MENA consultation and in El Pais on the 5<sup>th</sup> anniversary of the Haiti earthquake, and on the [Egypt Red Crescent disaster law workshop](#) in November. The AU website published a [press release](#) on the IDRL Consultative Meeting in Ethiopia. Representatives of National Societies participated in radio interviews on IDRL in May in Ecuador and in June in Paraguay. Three newspaper articles were also published about the disaster law training organized for the Sudanese Red Crescent in December 2015.

Indicators from the 2015 Operational Plan	Target	Actual
<b>Outcome 3: Disaster law issues receive greater visibility, particularly in humanitarian and academic fora, and partnerships are built</b>		
# of humanitarian/academic meetings (including RC/RC, NGO, UN, academic seminars) addressing disaster law issues	12	13
# of new masters/diploma courses include regular modules on IDRL and other key DL issues	6	2
<b>Output 3.1: Partnerships built with humanitarian, academic and other institutions</b>		
# of active partnerships on disaster law	12	8
<b>Output 3.2: DL presentations and events organized for relevant fora</b>		
# of presentations	12	20
# of DL-specific events organized	9	4
<b>Output 3.3: Textbooks for teachers</b>		



Indicators from the 2015 Operational Plan	Target	Actual
<i>Textbook developed for law schools</i>	1	0
<i>Textbook developed for DM students</i>	1	0
<i>Training provided for law /DM professors</i>	1	0
<b>Output 3.4: DL essay contest</b>		
<i># of students participating in the contest</i>	70	22
<b>Output 3.5: DL messages reflected in external media</b>		
<i># of external media articles/broadcasts per year have featured IFRC or NS disaster law work</i>	11	7
<b>Output 3.6: Effective and widely used DLP websites, newsletter and news service</b>		
<i>DLP websites are effective and up-to-date</i>	0	2
<i># new DL newsletter list subscribers</i>	200	15
<i># of new DL news service subscribers</i>	35	41
<i># of weekly news service reports</i>	40	20
<i># of newsletters published</i>	6	3

#### Outcome 4: National Societies, the IFRC, and key partners achieve greater capacity for their work in disaster law



*International Disaster Law Course, Sanremo, April 2015*



*Legal issues in response simulation, Dili, February 2015*



*Disaster law training in San José, April 2015*

The IFRC continued to have strong demand for training and information sharing about disaster law from National Societies and other partners.

In April, the IFRC and the International Disaster Law Project of the Universities of Bologna, Roma Tre, Uninettuno and Pisa Sant'Anna organized their second joint "[International Disaster Law Course](#)" at the International Institute of International Humanitarian Law (IIHL) in Sanremo, Italy. The course, targeted to practitioners and academics, brought together 22 participants from around the world to learn about key issues and developments in international disaster law.

In December, IFRC and UNDP organized the "[Fifth Annual Short Course on Law, Legal Protection](#)" at the IIHL. This course, by invitation only, gathered 31 participants from 11 countries, representing senior officials from national disaster management agencies, local government, foreign ministries, and parliaments, as well as representatives of National Red Cross and Red Crescent Societies and UNDP. It served not only as an opportunity to share

knowledge but also to develop joint plans for legislative developments in the countries represented.

The IFRC's [online introductory module](#) on IDRL continued to draw significant interest, with 1288 new completions in 2015. Work began in 2015 on a new module focused on law and disaster risk reduction which will be completed in the first quarter of 2016.

In the Americas, the IFRC organized a training workshop on IDRL for Costa Rica Red Cross personnel in April and for the El Salvador Red Cross in June. In December, the IFRC organized a training workshop on disaster law for the legal advisors and relief directors of the National Societies of Central America. This training was an opportunity to discuss the current regional and disaster management response system in force in Central America (MecReg), the instruments being developed (Transit Regulation and Protocols), and identify opportunities for the NS to provide support to their government in order to implement these instruments at national level.

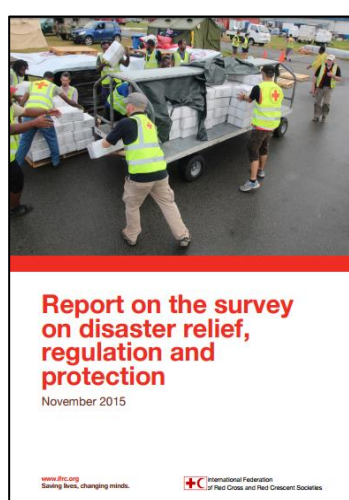
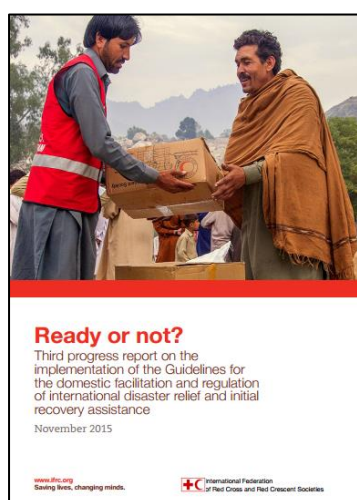
Two trainings on disaster law advocacy were held in Africa as part of the continued focus on building the advocacy capacity of National Society and IFRC representatives and improve their understanding of available tools on disaster law. The training for English-speaking National Societies took place in Nairobi in October, and the training for French-speaking NS took place in Abidjan, also in October. National Society representatives also took part in the disaster law training for Central Africa, co-organized with ECCAS, in January 2015 and the DLP Africa held an introduction to disaster law via video teleconference to the Regional Disaster Response Team (RDRT) training for African NS in October 2015.

Regional trainings on disaster law were integrated in the annual MENA Regional Red Crescent Disaster Management meeting in North Africa in May and the MENA Regional Emergency Health Training in December. Simulations of emergency situations which have also included trainings or discussion on regulatory aspects were carried out in Malaysia and Timor Leste.

Finally, the DLP facilitated a peer to peer exchange in the last quarter of 2015 between stakeholders from the Democratic People's Republic of Korea and Vietnam. In Africa, the disaster law project manager from Gambia Red Cross contributed to the workshop in Nigeria and the project manager from Kenya Red Cross contributed to the kick-off event in the Sudan project. Furthermore, the trainings on disaster law advocacy in Abidjan and Nairobi brought together the DLP focal points in Africa which helped to forge closer links with the NS, and will serve to further encourage the peer to peer group of resource persons in disaster law. In the Americas, representatives of the Ecuador Red Cross participated at the SIMEX in Colombia and the SIMEX in Chile which was an opportunity to strengthen their skills and gain experience in resolving IDRL issues. A representative of Costa Rica also provided peer support to the Panamanian Red Cross during the briefing that took place at the Ministry of Foreign Affairs in Panama in September.

Indicators from the 2015 Operational Plan	Target	Actual
<b>Outcome 4: National Societies, the IFRC, and key partners achieve greater capacity for their work in disaster law</b>		
# of NS staff/volunteers who have increased their skills in legislative advocacy	85	85
# of NS that have participated in legislative advocacy in disaster law	22	35
# of partner organizations taking part in trainings	12	11
# of persons taking the DL e-module(s)	225	1,288
<b>Output 4.1: Training at global, regional and country levels</b>		
# of DL-specific training workshops	11	12
# of segments/presentations at other training workshops	16	9
# of persons attending workshops	470	440
<b>Output 4.2: Legislative advocacy guidance notes</b>		
# legislative guidance notes developed	2	0
<b>Output 4.3: Disaster law focal points and peer groups supported</b>		
# of NSs designating a focal point with substantial expertise in disaster law	25	8
# of persons active in NS disaster law peer groups	39	10
# of NS disaster law advisor positions supported	5	4
<b>Output 4.4: Internal assessment methodologies on law and disaster</b>		
Methodology for IDRL updated	1	0
Methodology for DRR updated	1	1
Methodology for domestic preparedness developed and updated	1	0
Methodology for recovery developed and updated	1	0
Methodology for DRM Acts developed and updated	1	0

## Outcome 5: New research on disaster law broadens the general knowledge-base and facilitates change



## Updated research on IDRL

In light of the renewed consideration of IDRL planned for the 32<sup>nd</sup> International Conference, the IFRC undertook several research projects to gauge global progress.

First, the IFRC commissioned a new humanitarian think tank, HERE Geneva, to undertake a **study of regulatory issues** in 15 international disaster response operations since 2007 based on stakeholder interviews and desk review of key documents. The [study](#), completed in March, pointed to a “persistent and generalized lack of clarity around roles and responsibilities in international disaster response which often leads to confusions and duplications,” an ad hoc and inconsistent approach to the clearance of imported goods and equipment and issuance of visas to foreign personnel, and ongoing gaps in coordination, domestic oversight and quality control, attributable to the absence of a clear rules base. On the other hand, the study also noted that some countries have taken steps to increase their legal preparedness with good results and that there had been many improvements in international mechanisms for coordination

Together with OCHA, UNDP, WCO, WTO and the Logistics Cluster, the IFRC additionally conducted a **global survey** of governmental and non-governmental disaster risk management practitioners on legal and protection issues in disaster relief, both with regard to international and domestic response operations. The survey, conducted electronically in five languages, was circulated widely among humanitarian networks and through diplomatic channels from April to September, drawing responses from 239 participants from 95 countries.

[Results from the survey](#) published in December showed that regulatory issues continue to be a major issue in international operations, in particular with regard to coordination, customs clearance and duties, delays in the entry of personnel and the consultation of beneficiaries. The survey also identified the procurement or disbursement of domestic funds for disaster response, land tenure and property right issues relevant to the provision of shelter, and gender-based violence as important problem areas in both international and domestic operations.

The IFRC also produced its **third progress report** in December on the global implementation of the IDRL Guidelines since their adoption eight years earlier. The [report](#) noted that 23 countries (now 24) had adopted new laws or rules drawing on the Guidelines, an important advance on the 9 countries identified in the second progress report produced in 2011. It further summarized the numerous initiatives undertaken by National Societies, UN agencies and regional organizations to promote the IDRL Guidelines in cooperation with the IFRC. It noted that the speed of domestic implementation of the Guidelines compared favourably to several comparable non-binding instruments at the same period of time since their adoption, including the average of United Nations Commission on International Trade Law’s model laws. On the other hand, ratification of IDRL treaties eight years on tended to be much greater (though data are lacking as to the degree that this equates to full domestic implementation).



## Other research

Also with relevance to the 32<sup>nd</sup> International Conference, the DLP collaborated with the IFRC Global First Aid Reference Centre (GFARC) to undertake a **study on law and first aid**, including a desk review of medical and legal literature, data from GFARC surveys of National Society first aid trainers, and a review of relevant laws in 37 countries commissioned from CMS Cameron McKenna a major international law firm that donated its services pro bono to the project. The [study](#), published in December, found a great deal of variability in national laws on the topic of first aid, with missed opportunities in many countries in the areas of mandatory training requirements (particularly in schools and for driver's license applicants), in the application of official standards for first aid training, and in easing lay first aider's fears of liability, which research and survey data showed to be important factors in hindering the delivery of emergency assistance.

The DLP additionally collaborated in an IFRC **study of sexual and gender-based in disasters** led by the IFRC Programmes Division and published in December, in support of the draft resolution of the 32<sup>nd</sup> International Conference on sexual and gender-based violence (SGBV) in conflicts and disasters. The [study](#) included a desk review of relevant literature as well as nine original country case studies, looking to the extent of the issue in the disaster setting, the challenges it poses for responders, and the degree to which it is addressed in existing law and policy. The study noted that existing evidence pointed to important risks, particularly for domestic and sexual violence, in the wake of disasters, though data remains quite shaky in part due to social barriers to reporting. It also pointed in awareness, preparedness and legal and institutional provisions.

The DLP contributed a chapter to the IFRC's **2015 World Disaster Report** published in September entitled "[Beyond operations: law governance and the role of local actors](#)" tracing how local humanitarian actors are addressed in international and national norms for humanitarian assistance and disaster risk reduction and the degree of their access to key governance bodies at both levels.

Work also advanced on a number of research projects that were still ongoing as of the end of 2015.

- The IFRC authored two chapters on legal frameworks for an OCHA-edited "Guide for Governments" for the Americas on the international humanitarian system, which was still pending publication as of the end of the year.
- The IFRC collaborated with WHO to update a research report drafted in 2014 about the management and regulation of foreign medical teams to include the experiences of the Nepal earthquake and Ebola outbreak in Western Africa. This report will be published in early 2016.
- The American law firm of Clifford Chance was commissioned to provide pro bono research related to domestic laws on nuclear accidents, with regard to the role

assigned to National Societies and other civil society as well as on how international assistance is managed. Interim results from this research were reported at the International Conference on Global Emergency Preparedness and Response organized by the IAEA in Vienna in October and a full report will be completed in 2016.

- Work also began to update the IFRC's 2007 desk study on IDRL and research, drawing on part on the new IDRL research noted above as well as updates on the status of various global and regional instruments and initiatives.
- Additional projects during the year included work on an edited volume entitled "How International Environmental Law can Contribute to Disaster Risk Reduction," arising from the Stanford workshop as well as on a "Research Handbook on International Disaster Law" together with the International Disaster Law Project of the Universities of Bologna, Roma Tre, Uninettuno and Pisa Sant'Anna, as noted in section 4 above.

Indicators from the 2015 Operational Plan	Target	Actual
<b>Outcome 5: New research on disaster law broadens the general knowledge-base and facilitates change</b>		
<i>High quality studies well received by relevant disaster management and legal stakeholders</i>	1	7
<b>Output 5.1: Research on law and disaster preparedness/response</b>		
<i># of stakeholders surveyed on key issues</i>	200	239
<i>Report produced</i>	1	1
<b>Output 5.2: Revised edition of 2007 desk study on IDRL</b>		
<i>Study revised and published</i>	1	0
<b>Output 5.3: Research on nuclear accident preparedness law</b>		
<i>Study completed</i>	1	0
<b>Output 5.4: Articles/chapters written on disaster law issues</b>		
<i># of articles/chapters written</i>	7	3
<b>Output 5.5: Research on law and recovery from disasters</b>		
<i>Study completed</i>	0	0
<b>Output 5.6: Research on law, policy and SGBV in disasters</b>		
<i>Case studies completed</i>	4	4
<i>Synthesis report for IC completed</i>	1	1
<b>Output 5.7: Disaster law database</b>		
<i># of records supplied for the database</i>	260	60
<b>Output 5.8: Legal impact research</b>		
<i>Case studies completed</i>	3	0
<b>Output 5.9: Climate change law research</b>		
<i>Literature review completed</i>	0	0
<i>Case studies completed</i>	0	0

## **Outcome 6: Disaster law support and advocacy by IFRC and NS during international response operations results in better outcomes**

The IFRC continued to pilot the deployment of IDRL experts after major disasters to support more conducive approaches to facilitating and regulating international disaster assistance where comprehensive national laws and procedures had not yet been adopted. Three such deployments were undertaken in the reporting period.

### **Cyclone Pam – Vanuatu**

The IFRC's Pacific Disaster Law Delegate was deployed to support the Government and National Society of Vanuatu on unfolding IDRL issues in the wake of Tropical Cyclone Pam Response in March 2015. Although the IFRC and National Society had supported a technical study on IDRL in Vanuatu in 2011, mechanisms and rules for international assistance had not been drafted or approved by the government as of the time of the cyclone. By its own admission, the government found the scale of the disaster and also coordinating the huge influx of international support and actors into the country "overwhelming".

The delegate was embedded within the National Emergency Management Office (NEMO) during her month long deployment to Vanuatu. She acted as an intermediary between the international humanitarian response system and the domestic authorities. This enabled her to better clarify rules and SOPs to guide more effective international disaster assistance. These SOPs on international assistance for Vanuatu have now been adopted informally by NEMO. Through the government-led review of the TC Pam Response, the government has committed to strengthen its domestic legal framework and include clear rules and procedures for international disaster assistance. Subsequently, it has requested the assistance of IFRC in the development of this framework.

The work of the Pacific Disaster Law Delegate featured strongly in the real time evaluation (RTE) of the IFRC response and was well received and appreciated by the government. The Disaster Law Delegate was also set to receive a medal of service by the President of Vanuatu for her contribution.

### **Nepal earthquake**

Disaster law assistance was also requested to support in the Nepal earthquake response. This internal request was not made however until June 2015 when the heavy restrictions imposed by the Government of Nepal started to impact on Red Cross Red Crescent Movement relief operations.

As this was not a government requested deployment, the disaster law delegate was not embedded within government. The disaster law delegate was successful in ensuring ongoing respect for the IFRC status agreement in-country and was able to work with the logistics team and the relevant government ministries to ensure the backlog of Red Cross

relief goods into the country could be cleared. The delegate also mapped out the process and provided communication to IFRC and partner National Societies (PNS) on the new procedures and mechanisms in place.

The delegate also worked with the UN, briefed the Humanitarian Country Team and other partners on the unfolding issues and their legal implications. The importance of disaster law also featured strongly in the recent IFRC commissioned RTE of Nepal and was presented as a “solution” for more effective humanitarian assistance in the future. Based on this deployment, the government has signalled that it would welcome IFRC technical advice and support in the development of mechanisms to better guide international disaster assistance and have committed to partner with IFRC and the Nepal Red Cross Society on a road map to take forward these issues. This includes a lessons learned IDRL forum planned for 2016 which aims to develop guidelines for Nepal.

### Myanmar floods

The deployment of an IDRL expert was requested by the Relief and Resettlement Department (RRD) of the Myanmar government to support the Myanmar flood operations in August 2015. The need and value of this support was recognized largely as result of the advocacy work undertaken by Myanmar Red Cross Society (MRCS) and IFRC on this issue over the past two years.

The IFRC Disaster Law Delegate for Southeast Asia was deployed to Nay Pyi Taw to work with the government and key humanitarian partners to tackle issues associated with customs and travel authorizations. A draft guideline on international assistance was prepared and will be followed up as part of an IDRL research project undertaken by MRCS, IFRC and RRD. This work is particularly significant in Myanmar given the recent shifts in political and security dynamics in the country, and the way the national authorities are opening up to external advice and influence.

A planned training for National Society experts for future deployments was postponed to 2016, in part due to reorganization of the IFRC secretariat and disaster response procedures.

Indicators from the 2015 Operational Plan	Target	Actual
<b>Outcome 6: Disaster law support and advocacy by IFRC and NS during international response operations results in better outcomes</b>		
# of operations where disaster law advice is taken up	0	3
<b>Output 6.1: Development of legal situation report methodology for disasters</b>		
<i>Methodology developed and updated</i>	2	1
<b>Output 6.2: Disaster law expert deployments in relief operations</b>		
<i># of disaster law experts deployed</i>	4	3
<b>Output 6.3: Disaster law expert deployment roster</b>		
<i># of disaster law experts trained and included on roster</i>	12	0



## Stakeholder participation and feedback

One of the main areas of work of the DLP is building the capacity of National Societies and technically assisting governments in matters relevant to disaster law. By its nature, this work requires stakeholders' direct participation. The importance of the work of National Societies and the IFRC on disaster law was again strongly endorsed by the 32nd International Conference of the Red Cross and Red Crescent in December. Representatives of National Societies and governments have joined other partners at our training events. In participant evaluations, these events received consistently high ratings throughout the year.

Our research projects this year are all collaborative efforts, involving several departments of the IFRC and colleagues from across different specializations, as well as key external partners, such as UNDP.

## Key Risks or Positive Factors

Key Risks or Positive Factors	Priority High Medium Low	Recommended Action
Political factors extraneous to the content of new disaster legislation and rules often blocks or slows acceptance	High	Continue to follow a multi-stakeholder approach
Investments in capacity building and training often do not produce direct results for a long period of time	High	Continue to take a long-term view of the development disaster law
National Societies sometimes feel discomfort taking on technical "legal" issues	High	Build local capacity where it is desired and provide backup technical support

## Lessons learned and looking ahead

In 2015, the IFRC continued to find a strong appetite for its work in disaster law, both among National Societies and external partners, in particular governments but also increasingly from the academic world. National Societies continue to take on stronger roles in joint projects with the DLP, fulfilling an important goal of the programme. Resolution 6 of the 32<sup>nd</sup> International Conference has also provided a renewed and refocused mandate to the IFRC for its work in this area going forward.

While there has been good progress on the implementation of the IDRL Guidelines, it is clear that many more states can and should be acting to strengthen their legal preparedness – as illustrated in the updated research on the ongoing burdens that regulatory barriers impose on recent operations. We need to find ways to accelerate the improvement in how we facilitate and regulate international response. In addition to renewed efforts at the

country level, it will be important to fully explore the possibility of stronger mechanisms at the regional and global level. Resolution 6 of the 32<sup>nd</sup> International Conference has invited the IFRC to continue consultations in this regard.

The work to pilot and develop the Checklist and Handbook on Disaster Risk Reduction has made clear the important opportunities for making positive contributions in this area, but also the step change of technical and political complexity in handling this issue in contrast to the relatively straightforward question of how to managing international relief. One of the opportunities is moving beyond the question of passing new laws toward initiatives that support the effective implementation of existing laws – including those protective of vulnerable populations. The DLP hopes to move more into this approach in 2016, in particular through its training and local capacity building efforts.

At the country level, the IFRC has also begun to more fully roll out disaster law technical support initiatives beyond the regulation of international disaster response. This also creates both opportunities and challenges. It is a good opportunity to be more demand-driven as to locally-identified priority issues – and particularly to provide a broader perspective on disaster management acts (not the only important legal instrument for disaster risk management in most countries, but certainly an important one). However, it is also challenging in terms of the level of solid comparative evidence across different issues and the possibility for the scope of national reviews to become overwhelming. It is clear that additional research and methodology is needed with regard to domestic law for response and recovery. In light of the successful experience with the Checklist on Law and Disaster Risk Reduction, a similar process is foreseen on these other “phases” of disaster risk management.

In general, there is a challenge of managing the significant time needed for legal development/implementations processes to mature, in light of funding that is often limited to a one year horizon. To address this, the DLP hopes to agree with the relevant National Societies on a set of priority countries to which it will commit to projects spanning at least four years.

## How we work

All IFRC assistance seeks to adhere to the [Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations](#) (NGO's) in Disaster Relief and the [Humanitarian Charter and Minimum Standards in Disaster Response \(Sphere\)](#) in delivering assistance to the most vulnerable.

The IFRC's vision is to inspire, encourage, facilitate and promote at all times all forms of humanitarian activities by National Societies, with a view to preventing and alleviating human suffering, and thereby contributing to the maintenance and promotion of human dignity and peace in the world.

[www.ifrc.org](http://www.ifrc.org)  
Saving lives, changing minds.



The IFRC's work is guided by Strategy 2020 which puts forward three strategic aims:

- 1.** Save lives, protect livelihoods, and strengthen recovery from disaster and crises.
- 2.** Enable healthy and safe living.
- 3.** Promote social inclusion and a culture of nonviolence and peace.

Find out more on [www.ifrc.org](http://www.ifrc.org)

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