

Global Synthesis Report on Law and Disaster Preparedness and Response



Comprehensive legal research

In 2018 and 2019 the IFRC Disaster Program undertook an extensive research project to better understand domestic legal, regulatory and institutional frameworks for disaster preparedness and response.

The research culminated in a **Global Synthesis Report** which provides an in-depth analysis of current laws, policies and practice, and includes a series of recommendations for the further improvement and development of national legal frameworks

Research for the report involved:

Global literature review: a comprehensive analysis of international legal instruments, guidelines, standards, research and other materials.

National Desktop Reviews: an examination of the legal frameworks of twenty countries spanning all regions, levels of disaster risk and economic development, analyzing their laws and policies as well as current practice.

Countries examined were: Australia, Brazil, Colombia, Ecuador, Finland, Italy, Jordan, Kazakhstan, Kenya, Korea, Kyrgyzstan, Madagascar, Mexico, Palestine, Paraguay, Philippines, South Africa, Senegal, the United Kingdom and Vietnam.

Thematic areas

The Global Synthesis Report explores ten thematic areas of study, looking at international and regional standards and guidelines as well as national laws and policies.

These areas covered are:

1. Legal and institutional frameworks



2. Disaster risk finance



3. Contingency planning, education and drills



4. Early warning, early action



5. States of emergency, states of disaster



6. Legal facilities



7. Disaster-related human mobility



8. Emergency shelter and housing, land and property rights



9. Protection and inclusion of particular vulnerable groups



10. Quality, accountability and prevention of fraud and corruption



Some common findings:

► Most countries have a range of legislation to guide preparedness and response activities.

This includes disaster laws and sectoral legislation across a range of other areas, such as finance, environment or criminal law.

► Disaster laws need more detailed provisions to improve implementation.

General provisions or reliance on implementing policies which are never developed or finalized reduces the effectiveness of legislation.

► Some sectoral laws need provisions tailored to the specific needs of disaster situations.

Applying legislation developed for “normal” situations during disasters can create unnecessary delays and bureaucracy.

► Institutional arrangements from local to national level need clearer allocation of responsibilities and resources.

There can be a lot of confusion about “who does what” with responsibilities slipping through the gap when not clearly assigned.

► Human rights, humanitarian principles and protection measures need specific application, rather than just statements of intent.

While their inclusion in legislation is encouraging, in many cases, they are not easily actionable or monitored and therefore risk being ineffective as protective measures.

Detailed findings and recommendations for each of the thematic areas are included in the report itself.

Further information and resources are available from the IFRC Disaster Law Program website www.ifrc.org/what-we-do/disaster-law/



Checklist on Law and Disaster Preparedness and Response

The culmination of work in this area is the development of the **Checklist on Law and Disaster Preparedness and Response** (DPR Checklist).

The DPR Checklist is a practical tool to improve the effectiveness of laws and policies in mandating and managing domestic preparedness and response to disasters.

It is targeted to lawmakers, government officials, National Red Cross and Red Crescent Societies and other organisations that support or advocate for the development of legal framework for DPR activities.

The DPR Checklist addresses the thematic areas of the Global Synthesis Report in a series of **10 key questions**, with guiding sub-questions.

These questions can be used to conduct an assessment of existing legal frameworks and identify areas for further development, improved implementation or addressing gaps through new legislation.