



Disaster
Law

ADVOCATING TO STRENGTHEN DISASTER LAWS AND POLICIES TO PROTECT INTERNALLY DISPLACED PERSONS IN AFRICA

A GUIDE FOR NATIONAL SOCIETIES

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Contact us:

Requests for commercial reproduction should be directed to the IFRC Secretariat:

Address: Chemin des Crêts 17, Petit-Saconnex, 1209 Geneva, Switzerland

Postal address: P.O. Box 303, 1211 Geneva 19, Switzerland

T +41 (0)22 730 42 22 | **F** +41 (0)22 730 42 00 | **E** secretariat@ifrc.org | **W** [ifrc.org](https://www.ifrc.org)

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ACKNOWLEDGMENTS

This Guide is an initiative of **IFRC Disaster Law**. The author of this Guide is Jeanique Serradinho; technical support and oversight was provided by María Martínez.

Thanks are owed to the following individuals from the IFRC who provided technical review and support for the development of this Guide: Brian Brady, Isabelle Granger, Rachel MacLeod, Giulio Morello, Shadrack Musyoka, Stella Ngugi, and Ezekiel Simperingham.

This Guide was produced with the financial assistance of the European Union and the German Federal Ministry for Economic Cooperation and Development. The views expressed herein can in no way be taken to reflect the official opinion of the European Union or the German Federal Ministry for Economic Cooperation and Development.

The IFRC wishes to thank and acknowledge the support of the European Union and the German Federal Ministry for Economic Cooperation and Development, which enabled the development of this Guide.



European Union
Civil Protection and
Humanitarian Aid



Federal Ministry
for Economic Cooperation
and Development



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KEY TAKEAWAYS

Disaster and climate related internal displacement is being faced by governments across Sub-Saharan Africa. **However, internal displacement and planned relocation are rarely adequately addressed in law or policy.**

Strengthening laws and policies is an essential aspect of the integrated approach which is required to address disaster and climate related internal displacement. New laws and policies must move beyond aspirational statements by mandating practical measures to meet the assistance and protection needs of those displaced, as well as those of the host communities which receive them, and must provide for longer term support to mitigate risk, recover and support the realisation of durable solutions.

As auxiliaries to public authorities in the humanitarian sphere and being anchored in the communities which they serve, **National Red Cross and Red Crescent Societies are well-placed to:**

1. carry out advocacy activities in the interests of the most vulnerable;
2. advocate for stronger disaster risk management and related laws and policies that ensure legal preparedness for disasters, and which address disaster and climate related internal displacement; and
3. advocate to ensure access to internally displaced persons in the event of a disaster.

BACKGROUND AND CONTEXT

Millions of people are forced to leave their homes each year as a result of violence, conflict and disasters, including both sudden onset disasters such as floods, earthquakes and cyclones, as well as slow-onset events linked to climate change.¹ The IDMC's [Global Report on Internal Displacement 2020](#) states that 3.4 million were displaced in Sub-Saharan Africa in 2019 due to disasters alone.² While the vast majority of displacement occurs within countries, i.e. most people affected are Internally Displaced Persons (IDPs), it must be noted that there is insufficient data to determine the number of people that have crossed international borders in disaster contexts.³ The African continent is particularly vulnerable to climate change related threats.⁴ The adverse effects of climate change such as changing weather patterns and increasing severity and frequency of disasters such as droughts and floods, which in turn have a detrimental impact on agricultural production and food security, have been recognised as a significant threat to the livelihoods of communities in Africa, and are likely to increase instances of displacement within African countries.⁵

Research such as the [IFRC Asia Pacific Report on Disasters and Displacement in a Changing Climate](#) has found that displacement can have devastating effects on those displaced and the communities that receive them. Many of those displaced have critical assistance and protection needs, including but not limited to emergency shelter, health and psychosocial support, access to fresh water and sanitation, protection against violence (including gender-based violence), child protection and education as well as longer term support, such as land and property rights, to recover and obtain durable solutions. In addition, displacement often has a greater effect on those most vulnerable to disasters, such as women, children, older persons, minority groups and those living with disabilities or health conditions.⁶

The importance of addressing disaster displacement is recognised in several international and regional instruments, as well as resolutions of the International Conference of the Red Cross and Red Crescent. Nevertheless, the recently published [Outcome Report of the United Nations Secretary-General's High-Level Panel on Internal Displacement](#) (HLP) held together with the ICRC and IFRC on 6 July 2020 on the issue of the prevention of internal displacement, notes that policy and advocacy work on disaster risk reduction and climate change adaptation seldom specifically highlights the issue of internal displacement, which can make the issues difficult to identify and highlight. This Guide has been developed against this backdrop, in order to illustrate how laws and policies can address disaster and climate related internal displacement and the role that National Red Cross and Red Crescent Societies (National Societies) can play in this regard.

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- 1 IFRC, *Disasters and Displacement in a Changing Climate: The Role of Asia Pacific National Societies* (2018), page 5. See also IDMC, *Global Report on Internal Displacement 2020* (April 2020); IDMC, *Africa Report on Internal Displacement* (2019).
 - 2 IDMC, *Global Report on Internal Displacement 2020* (April 2020). See also IDMC, *Regional Overview – Sub-Saharan Africa* (2020).
 - 3 IFRC, *Disasters and Displacement in a Changing Climate: The Role of Asia Pacific National Societies*, page 8; The Nansen Initiative, *Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change* (December 2015) page 14.
 - 4 See the World Meteorological Organization, *State of the Climate in Africa 2019* (2020). See also Red Cross/Red Crescent, *Climate Guide* (2007) page 71.
 - 5 See Red Cross/Red Crescent, *Climate Guide* (2007) page 71; IPCC, *Summary for policymakers. In: Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (2014) [Field, C.B., V.R. Barros, D.J. Dokken, K.J. Mach, M.D. Mastrandrea, T.E. Bilir, M. Chatterjee, K.L. Ebi, Y.O. Estrada, R.C. Genova, B. Girma, E.S. Kissel, A.N. Levy, S. MacCracken, P.R. Mastrandrea, and L.L. White (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, pp. 1-32.
 - 6 IFRC, *Disasters and Displacement in a Changing Climate: The Role of Asia Pacific National Societies* (2018), page 5.

SELECTED EXAMPLES OF INSTRUMENTS THAT RECOGNISE THE IMPORTANCE OF ADDRESSING DISASTER AND CLIMATE RELATED INTERNAL DISPLACEMENT⁷

The **Sendai Framework**, which aims to prevent new and reduce existing disaster risks through the implementation of multisectoral, integrated and inclusive measures that strengthen resilience by preventing and reducing hazard exposure and vulnerability to disasters, increase preparedness for disaster response and recovery, recognizes displacement as an important concern and provides several avenues for policy and action to address displacement.⁸

The **Global Compact for Safe, Orderly and Regular Migration**, under Objective 2 recognizes the need for states to integrate displacement considerations into disaster preparedness strategies and to promote cross border cooperation in disaster risk management activities.⁹

The **African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)** includes an obligation on State Parties to enact legislation on the protection of internally displaced persons and to take measures to protect and assist persons who have been internally displaced due to natural or human made disasters, including climate change.¹⁰

Strategy 2030 identifies climate change as one of the biggest risks facing humanity in the coming decades and recognizes that climate change will accelerate displacement in densely populated regions. In recognition of the fact that climate change is having major humanitarian consequences and the need to scale up action, the IFRC, developed a set of bold **Ambitions to Address the Climate Crisis**, which prioritizes addressing climate displacement as one of four “Pillars of Action”.

⁷ Please note that this list is not exhaustive. See the report of the Special Rapporteur on the human rights of internally displaced persons (21 July 2020) (A/75/207), page 5, which sets out additional instruments which are relevant to the issue of internal displacement in the fields of international human rights law (including its links with the rights to health, housing, food, water and education, cultural rights and collective rights, such as the rights of indigenous peoples and the right to self-determination), international environmental law, international disaster relief law, disaster risk reduction and sustainable development.

⁸ See e.g., the preamble, 27(a) and 33(h) and (j). See also the IDMC Briefing paper “Positioned for Action: Displacement in the Sendai Framework for Disaster Risk Reduction” (2017).

⁹ See also the Global Compact on Refugees, which recognizes that climate, environmental degradation and natural disasters are increasingly interacting with the drivers of refugee movements (available at <https://www.unhcr.org/the-global-compact-on-refugees.html>).

¹⁰ Kampala Convention, Article III (2)(a) and Article V(4).

Addressing shifting vulnerabilities, including the humanitarian consequences of climate change, such as human displacement, was a key theme of the **33rd International Conference of the Red Cross and Red Crescent in 2019**.

Resolution 7: Disaster laws and policies that leave no one behind notes the interplay between disasters, climate change and fragility and recognizes the importance of an integrated approach to disaster risk management and adaptation to climate change and promotes gender-responsive approaches and community engagement in risk analysis, planning and decision making.

CoD Resolution on Strengthening implementation of the Movement Policy on Internal Displacement: Ten years on encourages the components of the Red Cross and Red Crescent Movement to increase efforts to support authorities in the development and implementation of domestic laws, regulations and policies to provide protection to internally displaced persons (Resolution 8) (within their mandates).

The HLP, which is mandated to raise international attention to the issue of internal displacement and to identify innovative and concrete solutions for IDPs, has developed a list of guiding questions on managing risk and addressing disaster displacement, which includes a number of questions to assess how policy and institutional frameworks address internal displacement.¹¹

¹¹ The HLP guiding questions are included as Annexure 1 to this Guide.



STRENGTHENING DISASTER LAW AND
POLICIES IS AN ESSENTIAL ASPECT OF
THE INTEGRATED APPROACH WHICH IS
REQUIRED TO ADDRESS DISASTER AND
CLIMATE RELATED DISPLACEMENT.

10 Heavy rainfall in July to September has caused Nigeria's two main rivers – the Niger and the Benue – to burst their banks. The resulting disaster has caused almost 200 deaths, © Corrie Butler / IFRC

INTRODUCTION

The IFRC's Disaster Law seeks to reduce human vulnerability by promoting legal preparedness for disasters.¹² Legal gaps in disaster risk reduction can have a significant impact on the resilience of communities to disasters. Similarly, without the appropriate legal instruments to deal with disaster preparedness and response, authorities can be overwhelmed by relief operations and vital aid can be delayed. Strengthening disaster law and policy is essential to address disaster and climate related internal displacement.

Although most countries around the world have a legal framework for disaster management, internal displacement and planned relocation are rarely adequately addressed in disaster law or policy, if at all. Strengthening disaster law and policies is an essential aspect of the integrated approach which is required to address disaster and climate related displacement. Indeed, the Sendai Framework both recognises disaster displacement as an important concern and also notes the importance of mainstreaming and integrating disaster risk reduction and promoting the coherence and further development of national and local frameworks of laws, regulations and public policies which clearly define roles and responsibilities.¹³

As auxiliaries to their public authorities in the humanitarian sphere, National Societies are well placed to carry out advocacy activities in the interests of the most vulnerable, and to advocate for stronger laws and policies to address disaster and climate related internal displacement. As the [Guide to the Auxiliary Role of Red Cross and Red Crescent National Societies Africa](#) explains, the auxiliary role establishes a space for dialogue between the National Society and its government, for a mutually beneficial relationship.¹⁴ The auxiliary role gives National Societies a unique position and a seat at the decision-making table and should always be a key part of all advocacy efforts conducted by the National Society, regardless of which government authority it is in dialogue with or which specific topic it is advocating on.

This document is based on existing IFRC advocacy tools and research and serves to provide guidance to National Societies which are either already advocating for climate smart disaster laws and policies that incorporates the protection of internally displaced persons or are considering doing so. While this document focusses on advocacy for stronger laws and policies in respect of disaster and climate related internal displacement, by no means does it imply that it is the only issue that National Society advocacy efforts should focus on. It is vital that law and policy makers take a comprehensive and integrated approach to the development of new laws and policies about disaster risk management, which should certainly address, but not be limited to, climate and disaster-related internal displacement. Given the multi-sectoral and inter-disciplinary nature of disaster risk management, strengthening disaster risk management laws requires an examination of a broad range of sectoral laws to ensure alignment and cohesiveness. The sectoral laws which are particularly relevant in the context of disaster and climate related internal displacement are listed in the next section. National Societies' advocacy efforts in this respect should also be comprehensive and should fully consider all the elements of the IFRC Disaster Law's recommendations for strengthening existing disaster risk management and related laws. In other words, the prevention of disaster and climate related internal displacement should be addressed and advocated for in tandem with efforts to strengthen the entire framework of disaster management laws.

The document begins by shining a spotlight on how laws and policies can facilitate appropriate and effective preparedness and response in the context of internal displacement, which National Societies may consider advocating for when supporting their governments in the development or revision of disaster risk management laws. It then proposes key areas for National Societies' advocacy efforts in respect of operations, both before a disaster strikes and during a disaster. **The final part of the guide briefly outlines three key steps that National Societies should take to prepare to approach government authorities.**


¹² More information on the work of Disaster Law and its resources are available at <https://disasterlaw.ifrc.org/>.

¹³ See the preamble and 27(A). The Sendai Framework also encourages transboundary cooperation to reduce displacement risks (28(d)). For detailed guidance on integrating disaster related displacement and other related forms of human mobility into regional, national, sub-national and local DRR strategies in accordance with Target (E) of the Sendai Framework see the UNDRR companion for implementing the Sendai Framework Target (E) on Disaster Displacement: How to Reduce Risk, Address Impacts and Strengthen Resilience (2019).

¹⁴ IFRC Guide to the Auxiliary Role of Red Cross and Red Crescent National Societies - Africa (2015). See Resolution 2, 30th International Conference of the Red Cross and Red Crescent (2007), which describes the auxiliary role as "a specific and distinctive partnership, entailing mutual responsibilities and benefits, based on international and national laws, in which the national public authorities and the National Society agree on the areas in which the National Society supplements or substitutes public humanitarian services[.]"



Hinda Ahmed, 20, sits down with Faisal Farah Hashi, Berbera Branch Health Officer at the Red Crescent clinic in Sahil region, Somaliland.
© Corrie Butler / IFRC



AS AUXILIARIES TO THEIR PUBLIC AUTHORITIES IN THE HUMANITARIAN SPHERE, NATIONAL RED CROSS AND RED CRESCENT SOCIETIES (NATIONAL SOCIETIES) ARE WELL-PLACED TO CARRY OUT ADVOCACY ACTIVITIES IN THE INTERESTS OF THE MOST VULNERABLE, AND TO ADVOCATE FOR STRONGER LAWS AND POLICIES TO ADDRESS DISASTER AND CLIMATE RELATED INTERNAL DISPLACEMENT.



LEGISLATIVE ADVOCACY

Developed by the IFRC in 2019, the [Checklist on Law and Disaster Preparedness and Response](#) (the Checklist) provides a list of ten key questions that lawmakers, implementing officials, and those supporting them, such as National Societies, are recommended to consider in order to ensure that their laws provide the best support for disaster preparedness and response and which can be tailored to each country context. Question 7 of the Checklist includes questions which can be used to determine whether the law establishes a comprehensive framework to address disaster and climate related displacement (including planned relocation). In addition to these questions, which are listed below, the Checklist also suggests the following sectoral laws, policies and strategies to be reviewed in making this determination:

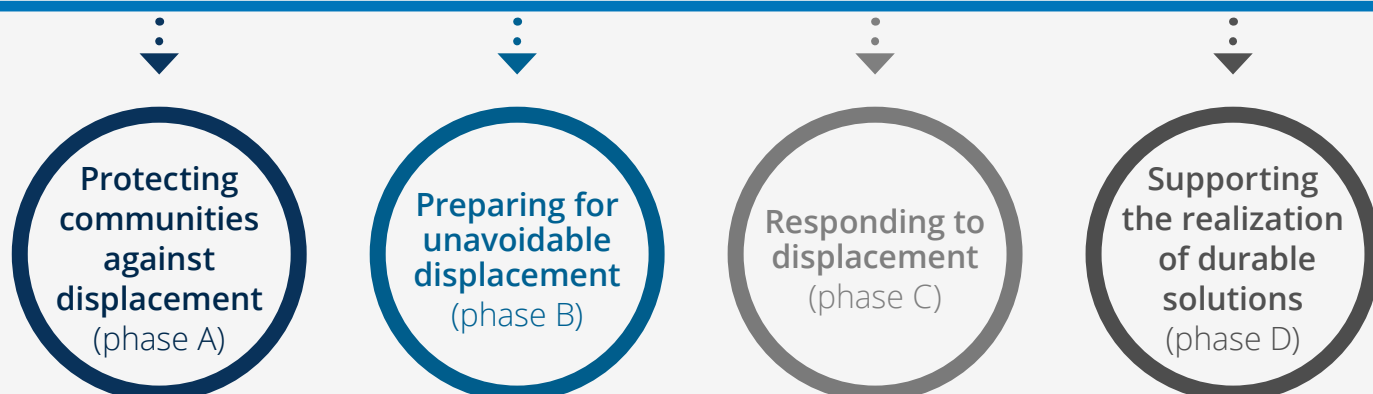
- disaster management, emergency management, civil protection, humanitarian assistance and climate change;
- immigration as well as laws relating to refugees and asylum seekers;
- internal displacement and relocation;
- land use planning / informal settlements / urban settlements; and
- human rights.

The Checklist is supported by a [Multi-Country Synthesis Report on Law and Disaster Preparedness and Response](#) (the Synthesis Report) which was developed by the IFRC in 2019 and which provides the detailed legal basis and practical examples which form the basis of the Checklist questions. Many of the questions included below are drawn from the Checklist and Synthesis Report.

Disaster and climate related displacement

Disasters can result in a large number of people being displaced from their homes. As a result, some people may be living in makeshift shelters near their damaged homes, some may have moved in with nearby host families, and others may have moved towards urban areas and are living in cramped conditions in new slums on city fringes, whereas others may have moved further afield and crossed national borders. Local communities, often already challenged by limited resources, may face additional strain by hosting displaced populations.

Laws and policies are the starting point to addressing the complex issues raised by internal displacement. In the context of internal displacement, new laws and policies should establish practical measures to meet the assistance and protection needs of those displaced, as well as the communities which receive them and should cover the following phases:¹⁵



The following questions can be used to assess whether laws and policies establish a comprehensive framework for addressing disaster displacement:¹⁶

1. Does law and/or policy mandate or facilitate practical measures to reduce the risk of disaster and climate related displacement?
2. Are there laws and policies that explicitly address disaster and climate related internal displacement? If yes, do those laws and policies address:
 - » protecting communities against displacement;
 - » preparing for unavoidable displacement;
 - » responding to displacement; and
 - » finding durable solutions.
3. Are the laws and/or policies relating to internal displacement formulated to include and apply to persons displaced in the context of disasters and the effects of climate change?¹⁷ If yes, do they include adequate protection for vulnerable displaced groups?
4. Does law and/or policy mandate contingency planning for disaster and climate related internal displacement?
 - » Does the law mandate contingency planning for sexual and gender-based violence, protection from sexual exploitation and abuse, child protection and the care of unaccompanied and separated children?
 - » Does the law promote access to services to restore family links for persons separated by disasters?

Planned relocation

Disasters or disaster risks may be so severe that they necessitate the planned relocation of persons, or groups of persons, away from their homes or places of temporary residence to a new location. Relocation can take place during phase (a) (i.e., protecting against displacement by moving away from a hazard) or phase (d) (i.e., finding durable solutions) above. With regards to the identification of a durable solution, depending on the circumstances, this may entail either facilitating the return of those displaced, or facilitating their integration into the community.

Research has shown that communities' experiences with planned relocations is predominantly negative due to a variety of reasons such as a lack of community participation, the selection of inappropriate sites and under-budgeting of relocation costs.¹⁸ National Societies have a potentially vital role to play in ensuring community participation throughout the relocation process and ensuring the voices of both the relocating and host communities are heard. As they are anchored in the communities which they serve and have an auxiliary relationship with the government,¹⁹ they are well placed to advocate that decision-makers develop comprehensive legal and policy frameworks for undertaking successful planned relocations in a manner which is dignified and consistent with international law.²⁰

Existing laws and/or policies can be assessed by asking whether they:

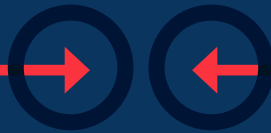
- establish that planned relocation should be used as a measure of last resort and be conducted in accordance with relevant human rights;
- entitle potentially relocated persons to legally challenge a planned relocation;
- mandate a participatory approach to planned relocation involving all affected persons, including relocated persons and host populations;
- require that planned relocations improve, or maintain, the livelihood opportunities and living standards of relocated persons and host populations; and
- require that planned relocation mitigates adverse impacts on persons who live near the areas from which persons are relocated.

¹⁶ For example, identifying people at risk of displacement and supporting them to develop disaster preparedness and response plans; investing in measures such as improving housing, livelihood diversification and food security in order to increase the resilience and adaptive capacity of at-risk communities; and prioritizing infrastructure improvements. See the Synthesis Report, page 105.

¹⁷ For example, ensuring that disaster risk management activities are implemented in a variety of languages, formats and media; and providing for the participation of displaced persons in the elaboration of disaster risk management plans and strategies.

^{18, 19, 20} The Checklist, page 27.

NATIONAL SOCIETIES HAVE A POTENTIALLY VITAL ROLE TO PLAY IN ENSURING COMMUNITY PARTICIPATION THROUGHOUT THE RELOCATION PROCESS AND ENSURING THE VOICES OF BOTH THE RELOCATING AND HOST COMMUNITIES ARE HEARD.



The questions above are by no means the only questions relevant to assessing whether laws and policies comprehensively address disaster related internal displacement. It is crucial to assess disaster laws and policies holistically as the issues related to disaster induced internal displacement are multi-faceted. **In addition to the above, it is vital to have laws and policies that:**²¹

- **address cross-border displacement;**
- **establish strong institutional frameworks** for disaster preparedness and response;
- **support the implementation of effective disaster risk financing strategies;**
- **contain measures that ensure the inclusion, protection and participation of vulnerable groups** in disaster preparedness and response activities; and
- **promote quality and accountability** to prevent fraud and corruption in disaster preparedness and response.

As stated above, the HLP has developed a list of guiding questions on managing risk and addressing disaster displacement, which may be useful to National Societies to guide advocacy efforts and are included in Annexure 1 of this Guide.

In addition, the [Checklist on Law and Disaster Risk Reduction](#) and accompanying [Handbook on Law and Disaster Risk Reduction](#), aim to guide law and policy makers to ensure that disaster laws and policies create an enabling environment for reducing disaster risks, preventing new risks from arising and making communities safer. In many cases, the negative consequences of displacement can be prevented or minimized and appropriately managed through, for example, early warning systems, contingency planning, and good policy and practice on evacuations and planned relocations, as well as appropriate data management systems. It is therefore vital to ensure that a comprehensive approach to the development of new laws and policies about disaster risk management and advocacy efforts in respect thereof is adopted to ensure that all of the considerations above are taken into account in the development of new laws and policies.

Lastly, the UNDRR companion for implementing the Sendai Framework Target (E) on Disaster Displacement: How to Reduce Risk, Address Impacts and Strengthen Resilience, notes that when integrating disaster risk reduction into laws and policies, all sectors must:

- **consider disaster displacement** and assign appropriate institutional authority and budgetary allocations;
- **be aligned with domestic, sub-regional, regional and international legal** instruments relevant to disaster displacement; and
- **mandate collaboration across ministries** with clear designations for provisions on disaster displacement.

²¹ For guidance on these additional topics, please see Questions 1, 2, 7, 9 and 10 of the Checklist.



Settlements of families displaced by the drought outside Tūkaṭaq village in Sool region. © Pedram YAZDI / IFRC

ADVOCACY IN RESPECT OF OPERATIONS

At an operational level, National Societies could consider advocating that their government undertake or strengthen the following activities related to preventing disaster and climate related displacement and preparing for unavoidable displacement, and could consider engaging government to support implementing such activities, taking into account their auxiliary role, particular mandate and capacity:²²

- identifying people at risk of displacement through vulnerability and capacity assessments of communities, which include an analysis of human mobility and displacement, and supporting them to develop disaster preparedness and response plans, and if appropriate, contingency plans for displacement, should it be unavoidable. This can involve, for example, mapping pre-planned routes, pre-positioning supplies of medicine and food along those routes, making decisions early about what to bring if displacement occurs, and engaging in a dialogue with local authorities. This helps communities limit the negative impacts of displacement on both displaced people and their host communities;
- resilience-building of communities facing predictable climate impacts;
- strengthening institutional capacities and data, information and knowledge management systems;
- addressing the root causes of vulnerability, which is multifaceted and may include investing in measures such as improving housing, prioritizing infrastructure improvements (i.e., seawalls, dams, dykes, earthquake resistant buildings) in at-risk areas, livelihood strengthening and diversification, food security, job creation, reproductive health, ecosystem management, community awareness raising and strengthening community institutions; and
- strengthening early warning and early action systems, including contingency and preparedness planning, evacuation mechanisms, and Forecast-based Financing and adopting a people-centered approach that considers the demographic, gender, cultural and livelihoods characteristics of the population.

Advocating for access to internally displaced persons in the event of a disaster²³

To ensure access to vulnerable and affected populations during disasters, including internally displaced persons, National Societies will need to develop and maintain regular dialogue with government authorities, communities, and non-state actors.

In the event of a disaster which results in human displacement, National Societies may need to advocate to the relevant government authorities (which may be the President/Prime Minister; Interior Minister; Health Minister; National Disaster Management Office or Civil Protection Agency) for freedom of movement and access to internally displaced persons. Dialogue should focus on securing freedom of movement for RCRC staff, volunteers and vehicles, which will be essential for effective preparedness and response efforts relating to disasters. It will be important to ensure that RCRC can:

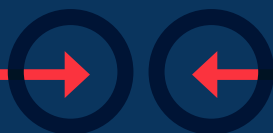
- access crisis-hit areas affected by the disaster to conduct their lifesaving activities;
- access vulnerable communities in rural and urban settings, throughout the country, including IDP Settlements. Notably, advocacy to secure access to communities will also include:
 - » **working towards acceptance** of RCRC Movement through advocacy with local authorities or leaders;
 - » **recruiting/engaging volunteers** from the targeted communities; and
 - » **involving communities** in the prevention and response campaigns.

²² Synthesis Report, page 105 and the IFRC's written contribution to the United Nations Special Rapporteur on the human rights of internally displaced persons on internal displacement in the context of the adverse effects of climate change (June 2020).

²³ Adapted from IFRC Disaster Law's Programme's Advocacy Package to Support National Societies in Covid-19 Response available at <https://ifrcgo.org/africa/img/disaster-law/resources/Advocacy%20Package.pdf>



Community of Muchenessa, Mozambique, Beira district, one year after Idai people are still struggling to get back on their feet. © Credits: Anette Selmer-Andresen / IFRCC (2019)



DIALOGUE SHOULD FOCUS ON SECURING FREEDOM OF MOVEMENT FOR RCRC STAFF, VOLUNTEERS AND VEHICLES, WHICH WILL BE ESSENTIAL FOR EFFECTIVE PREPAREDNESS AND RESPONSE EFFORTS RELATING TO DISASTERS.

A PROBLEM A SOLUTION A REQUEST



Mozambique, Beira district, one year after Idai people are still struggling to get back on their feet; they are being hit by floods from the consequences of Idai.
© Credits: Anette Selmer-Andresen / IFRCC (2019)

PREPARING TO APPROACH GOVERNMENT AUTHORITIES²⁴

Before engaging in advocacy initiatives, National Societies should first assess potential risks which may be associated therewith and the extent to which alternative options should be considered (such as mobilizing other Red Cross and Red Crescent actors, for example). After conducting the risk analysis, National Societies should take three key steps to prepare to approach government authorities.

First, National Societies should prepare their advocacy messages for government. An advocacy message has three components: a problem, a solution, and a request. National Societies will need to carefully consider how to frame and communicate each of these components. To ensure that advocacy efforts are appropriate, relevant and responsive to a particular issue, and to ensure that the credibility of the National Society is preserved, all advocacy efforts should be evidence-based, which may include, for example, consultations with those affected by displacement.

Second, National Societies should identify who to approach. This should be the local or national person, ministry, department, or agency that has the power to grant their request.

Third, National Societies should identify how to approach the appropriate person or authority. A good starting point is for the President or the Secretary General of the National Society (or a senior leader, such as the director for disaster management) to write a letter to the person or authority. The letter should briefly outline the issue and request a meeting, which can be used to discuss the auxiliary role and the key advocacy messages in respect of the issue.

While it is appropriate for a senior figure within the National Society to be involved in approaching government, they should do so in close coordination with a representative from the relevant technical unit, who has a first-hand understanding of the issue. It is also important to take into consideration the nature of the existing relationship between the National Society and the public authorities when determining how to approach the appropriate authority.

It must also be borne in mind that advocacy is not a once-off activity, regular follow ups on the initial engagement must be conducted by the National Society to ensure that connections with decision makers are maintained.

SUPPORT

IFRC Disaster Law seeks to reduce human vulnerability by promoting legal preparedness for disasters. IFRC Disaster Law supports National Societies' advocacy efforts with regards to strengthening disaster risk management legal frameworks to ensure that they adequately anticipate and prevent the most common regulatory bottlenecks and problems relating to international disaster assistance and provide an enabling environment for effective disaster risk reduction, preparedness, response and recovery.

IFRC Disaster Law's team in Africa is available to assist National Societies to advocate to government for disaster related legislative reforms. Their contact details are set out in [Annexure 2](#), which also contains a short list of helpful resources on advocacy, the auxiliary role, and the displacement of persons in the context of disasters. **For detailed guidance on advocacy, National Societies should refer to the [Legislative Advocacy Toolkit](#).**

²⁴ Adapted from IFRC Disaster Law's Advocacy Package to Support National Societies in Covid-19 Response available at <https://ifrcgo.org/africa/img/disaster-law/resources/Advocacy%20Package.pdf>.

ANNEXURE 1

HLP GUIDING QUESTIONS ON MANAGING RISK AND ADDRESSING DISASTER DISPLACEMENT²⁵

Policy and Planning

- Do you have laws and policies in your country that explicitly address (i.e. stand-alone laws and policies) or include provisions on addressing internal displacement in the context of disasters and the adverse effects of climate change? If yes, what contributed to the decision to articulate such a law or policy?
- How does your government coordinate work across ministries and relevant government entities and between central level and regional/local level in situations of disaster displacement? Are there specific coordination mechanisms permanently established or are they only activated in the times of disasters and displacement?
- Do you have lessons learned/best practices to share in the achievement of durable solutions, be it return, relocation or local integration? Have these been reflected in national or local development plans and processes?
- Are there any and if yes which are the types of coordination mechanism that exist in your country between your government and the international community in situations of large-scale disaster and emergencies that lead to displacement?

Preparedness measures

- Does your government regularly conduct disaster preparedness, response and recovery exercises, including evacuation drills, and trainings with a view to ensuring rapid and effective response to disasters and related displacement? If so, what lessons were later applied in practice from these efforts?
- Does your government prepare for disasters and displacement with neighbouring countries or with regional or international organizations e.g. in joint simulation exercises? If so, what are some best practices from these efforts?

Data and Evidence on Disaster Impacts and Risks

- Does your country have national and standardized data on disaster displacement? If yes, who collects and analyses the data?
- Do you have examples in your country of data on disaster displacement being used for the purpose of planning for and responding to disaster displacement (e.g. informing budget allocations to local authorities)?
- Do you have examples in your country of disaster displacement risk mapping and/or modelling of displacement risks in high-risk areas (e.g. in areas prone to flooding or at risk of Tsunamis)? If yes, do you have examples of this risk information being successfully used to inform disaster risk reduction or climate change adaptation planning, or to facilitate evacuation or planned relocation?

Financing

- Do you consider the allocation of resources to governmental authorities at all levels in your country sufficient for preparing, responding and finding solutions to disaster displacement? If any, where do you see the most important gaps?
- Do you know of examples of joint programming where humanitarian, climate change, disaster risk reduction and development financing have been combined to develop action to prevent, respond or find solutions to disaster displacement (e.g. including planned relocation)?
- Do you have examples in your country of forecast-based financing mechanisms being used to prepare for and respond to disaster displacement and based on early warning, have been used to trigger the release of funds for early action?

²⁵ HLP Regional Consultation on Disaster Displacement: Managing Risk and Addressing Disaster Displacement: Challenges, Effective Practices and Solutions in the Asia (19 November 2020) available at https://www.preventionweb.net/files/74465_hlpconsultationbriefexternaldraft6n.pdf

ANNEXURE 2

REFERENCES, RESOURCES, AND CONTACTS

[African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa](#) (Kampala Convention) (available in English, French, Arabic and Portuguese)

Background Documents for [Resolution 2 of the 30th International Conference](#) (available in [French](#)) and [Resolution 4 of the 31st International Conference](#) (available in [French](#))

[CoD Resolution on Strengthening implementation of the Movement Policy on Internal Displacement: Ten years on](#) (also available in [French](#))

[IDMC Africa Report on Internal Displacement](#) (2019)

[IDMC Global Report on Internal Displacement 2020](#) (2020)

[IDMC Regional Overview – Sub-Saharan Africa 2020](#) (2020)

IFRC [Disasters and Displacement in a Changing Climate: The Role of Asia Pacific National Societies](#) (2018)

IFRC [Checklist on Law and Disaster Preparedness and Response](#) (2019) (available in Arabic, English, French, Russian and Spanish) and accompanying [Multi-Country Synthesis Report on Law and Disaster Preparedness and Response](#) (also available in French)

IFRC [Checklist on the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance](#) (2017) (The IDRL Checklist) (available in English, French, Russian and Spanish)

IFRC [Factsheet on Climate and Disaster Displacement: The Importance of Disaster Law and Policy](#) (2020)

[IFRC Guide to the Auxiliary Role of Red Cross and Red Crescent National Societies - Africa](#) (2015)

IFRC [Legislative Advocacy Toolkit Participants' Handbook](#) (2018)

IFRC [Policy on Migration](#) (2009) (available in Arabic, English, French and Spanish)

IFRC [Strengthening IFRC Responses to Internal Displacement in Disasters: Challenges and Opportunities](#) (2019)

IFRC & UNDP [Checklist on Law and Disaster Risk Reduction \(2015\)](#) (available in English, French and Spanish) and the accompanying [Handbook on Law and Disaster Risk Reduction](#) (2015) (available in English and Spanish)

[Outcome Report of the United Nations Secretary-General's High-Level Panel on Internal Displacement](#) (2020)

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[UNDRR Words into Action guidelines - Disaster displacement: How to reduce risk, address impacts and strengthen resilience](#) (2019) (available in Arabic, English, French and Spanish)

United Nations [Global Compact on Refugees](#) (2018)

United Nations [Global Compact for Safe, Orderly and Regular Migration](#) (available in Arabic, Chinese, English, French, Spanish, and Russian)

United Nations [Sendai Framework for Disaster Risk Reduction 2015 – 2030](#) (available in Arabic, Chinese, English, French, Russian and Spanish))

World Meteorological Organization, [State of the Climate in Africa 2019](#) (2020).



Teresa, 19, holds her baby son in front of her destroyed home in Dondo, Mozambique. She remembers when Cyclone Idai hit her community. © Corrie Butler / IFRC



CONTACTS

IFRC Disaster Law's team in Africa is available to support National Societies' legislative advocacy efforts:

María Martínez, Disaster Law Coordinator, Africa Region (maria.martinez@ifrc.org)

Stella Ngugi, Senior Disaster Law Officer, Africa Region (stella.ngugi@ifrc.org)

Jeanique Serradinho, Disaster Law Senior Officer, for Southern Africa (jeanique.serradinho@ifrc.org)



The International Federation of Red Cross and Red Crescent Societies (IFRC) is the world's largest humanitarian network, with 192 National Red Cross and Red Crescent Societies and around 14 million volunteers. Our volunteers are present in communities before, during and after a crisis or disaster. We work in the most hard to reach and complex settings in the world, saving lives and promoting human dignity. We support communities to become stronger and more resilient places where people can live safe and healthy lives, and have opportunities to thrive.

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