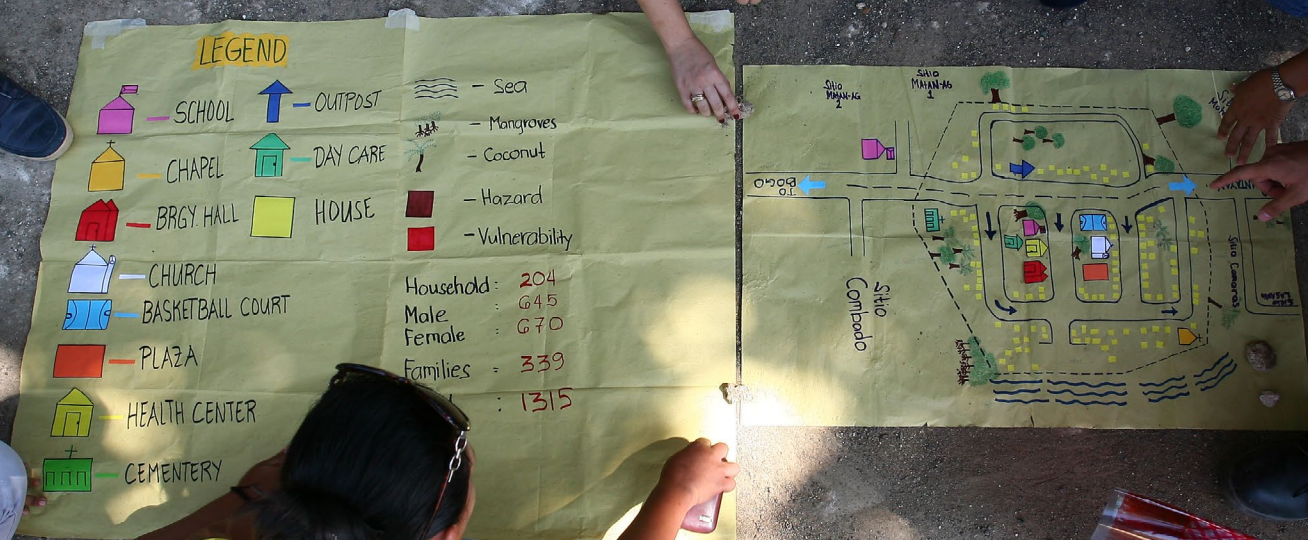




## Disaster Law



### CASE STUDY

# Climate-smart disaster law in the Philippines

The Philippines is one of the most disaster-prone countries in the world and, as a result, has developed a relatively advanced legal framework for climate change adaptation and disaster risk reduction.

This case study looks at the ongoing work of the Philippines' Government to strengthen and integrate disaster and climate-related laws and policies, and the work of the Philippine Red Cross to support Government efforts, namely through community-level implementation.

It also connects this work with the Risk-informed Early Action Partnership (REAP), a global initiative bringing together stakeholders from climate, humanitarian and development communities to make 1 billion people safer from disaster by 2025.

REAP Target 1 encourages countries to review and integrate their disaster risk management and climate change adaptation laws, policies and/or plans to ensure that they reduce climate change impacts and exposure on people and the environment.



## Our call to action

There is a need for greater coherence across climate change adaptation, disaster risk reduction and development agendas at national and international levels. To implement the Paris Agreement, Sendai Framework for Disaster Risk Reduction and the UN 2030 Agenda for Sustainable Development, governments should adopt a coherent approach, and integrate climate change adaptation and disaster risk reduction in laws, policies, strategies and plans, including national planning processes.

IFRC calls on governments and key stakeholders to:

- Develop and implement effective climate-smart disaster-related laws. This includes aligning their laws and systems across the humanitarian, development, environment and climate sectors to ensure coherence, stronger coordination, and enable concrete impacts on the ground.
- Address the needs of the most vulnerable and marginalised people and communities in legal frameworks, including people in crises and those displaced, so that they are reached, informed and included in global, national and local decisions and plans, and their needs are met.

## Disaster law review and implementation in the Philippines

The Philippines consistently ranks in the top five countries most affected by natural hazards, and in 2019 was affected by more disasters than any other country. For the period from 2000 to 2019, it was the fourth most-affected country in terms of climate- and weather-related disasters. The impacts of climate change in the Philippines are immense, including changes in rainfall patterns and distribution, droughts, threats to biodiversity and food security, sea-level rise, public health risks, and the endangerment of vulnerable groups such as women and indigenous people.

Due to the frequent, and often extreme, climate-related disasters experienced by the Philippines, the country has developed a strong disaster law framework. There is, however, still a challenge in implementing disaster risk reduction and climate change adaptation programmes at the community level. The Philippines' national regulatory environment provides an enabling environment that incentivises integrated approaches downstream, but this requires technical support for sub-national and community stakeholders. To effectively reduce disaster and climate risks, cooperation between communities and the different levels and sectors of government is needed. As stated in the Sendai Framework, supporting law and policy reform processes to include 'local risk governance' requires effective engagement with – and support to – local partners and communities.

*Destruction from Typhoon Goni, the most powerful storm to hit the Philippines since Typhoon Haiyan in 2013. With sustained winds of up to 251km/h, the typhoon caused flash flood and landslides, took out power supplies, bridges and roads and caused widespread damage to buildings and farmland in 2010.*





*Philippine Red Cross staff at a disaster law training for staff and volunteers at the local chapters.*

With an extensive network of staff and volunteers across the country, the Philippine Red Cross works to ensure community level structures and knowledge exist for the implementation of disaster risk reduction and climate change laws. Through its auxiliary role to Government, the Philippine Red Cross has extensive experience and a long history in providing disaster law support to the Government and is committed to working with local government to advocate, build capacity and raise awareness with local actors on how to strengthen and implement integrated approaches on disaster and climate resilience.

Since 2017, the Philippine Red Cross has trained more than 150 staff and volunteers on the rights, roles, and responsibilities of the National Society, government, humanitarian actors, and communities in disaster risk management laws, policies and plans, and how to use their auxiliary status for humanitarian advocacy.

Red Cross also delivers training and awareness-raising activities to help communities use climate and weather information to assess the risks they face now and in the future. These include local disaster risk management training, community-based disaster risk reduction and management training, and vulnerability and capacity assessments.

The IFRC Disaster Law ‘Know Your Rights, Roles and Responsibilities’ project specifically supports greater awareness and understanding of local authorities’ and citizens’ respective entitlements and duties under the relevant climate and disaster-related legislation.

## A Department of Disaster Resilience: bringing climate change and disaster risk reduction together

A legislative process on disaster resilience has been ongoing in the two branches of the Philippines Parliament since 2019. As part of this, the Senate is currently debating a bill entitled ‘An Act Creating the Department of Disaster Resilience, Defining its Powers and Functions, and Appropriating Funds Therefor’ (the Disaster Resilience Bill). The Disaster Resilience Bill is primarily aimed at the creation of a highly specialised government agency – the Department of Disaster Resilience – with new, more centralised powers and functions. All its resources, technical expertise and skills are expected to be fully focused on the Department’s mandate to address the effects of natural disasters and climate change.

The establishment of this new, unified government agency – which would replace the previous Climate Change Commission and National Disaster Risk Reduction and Management Council – is designed to favour more comprehensive and cross-sectoral actions to reduce climate and disaster risks, as well as the continuous development of programmes and actions ensuring climate resilience. This is clearly stated in the Bill, which describes the new Department’s mandate as monitoring and ensuring ‘the integration of disaster risk reduction and management and climate change adaptation policies into national development plans.’

The Bill contains examples of good practices on standardising integration. For instance, cross-references to other sectoral laws and policies can be found, including the 2009 Climate Change Act (for the definition of climate change) and the Republic Act No. 7277 (on the integration of disabled persons into society).

Policy integration is also expected to be favoured, starting with the fact that the existing National Disaster Risk Reduction and Management Framework and National Framework Strategy on Climate Change shall be ‘integrated and harmonised’ into a new National Disaster Resilience Framework. The National Disaster Resilience Framework will be reviewed and updated every three years, paving the way for a progressive alignment of actions between the two sectors.

The Bill also mandates the establishment of a Disaster Resilience Research and Training Institute, which will be responsible for supporting inter-agency knowledge sharing. This would happen, for instance, through an



Integrated Disaster Resilience Information System, a database of all relevant disaster risk reduction and climate change data, including a geographic information system on geo-hazard assessments and climate risk. This will be made accessible at all times to government officials from the relevant agencies 'to support overall decision-making and effective cross-sectoral coordination at both the national and sub-national levels.'

## Integrated climate and disaster risk governance research in the Philippines

One of the main goals of IFRC Disaster Law is the identification of good practice and the development of recommendations for law and policymakers aimed at increasing climate resilience.

In 2019, research conducted in partnership with the School of Law of University College Cork of Ireland, the [Global Synthesis Report on Law and Policies for Climate Resilience](#), brought together case studies from countries vulnerable to climate and weather-related hazards, including the Philippines.

The [Philippines specific research](#) identified gaps and good practice drawing from findings and experiences collected in the Philippines from the present work assesses the current functioning of its normative and institutional systems in terms of climate change adaptation and disaster risk reduction and management integration as well as its impacts across different sectors of the population, including the most vulnerable categories of individuals in at-risk communities.

## About IFRC Disaster Law

IFRC Disaster Law works with National Red Cross and Red Crescent Societies and governments to strengthen disaster risk governance, through the development and implementation of climate, disaster and emergency-related legislation, policies and procedures.

With 20 years of experience supporting the development and implementation of disaster law and policy around the world, we are the global leader in disaster law technical advice to governments.

## Risk-informed Early Action Partnership (REAP)

The Risk-informed Early Action Partnership (REAP) brings together stakeholders across the climate, humanitarian and development communities with the aim of making 1 billion people safer from disaster by 2025.

REAP also aims to facilitate intergovernmental collaboration and knowledge exchange. This aligns with the objectives of the [Adaptation Action Coalition](#), given that activities support peer-to-peer learning between countries and regions, and enable showcasing of successes and learnings about taking to scale risk-informed early action in a tangible and action-focused way.

## REAP Target 1

Target 1 focuses on the necessity to better connect the complementary goals of disaster risk reduction/management and climate change adaptation.

**GOAL:** 50 countries have reviewed and integrated their crisis/disaster risk management and climate adaptation laws, policies, national frameworks for climate services and/or plans to ensure that they reduce climate change impacts and exposure on people and the environment.

Activities under the REAP project in the Philippines are supported by the following partners:

