



**CASE STUDY**

# Advocacy for a new Red Cross Law & new disaster law in Mongolia

Through smart and strong advocacy, Mongolia Red Cross not only worked with national authorities to develop a new Red Cross law but also helped strengthen and renew national disaster laws.

## Advocacy for a new Red Cross Law and a new disaster law in Mongolia

In January 2016, the Mongolian Parliament passed the Law on the Legal Status of the Mongolian Red Cross Society (the MRCS Law). On 2 May 2016, the Mongolian Government adopted a Resolution on the enforcement of the new MRCS Law.

Together, the MRCS Law and Resolution create a strong legal base for the Mongolian Red Cross Society (MRCS). The adoption of the MRCS Law and Resolution was the result of an organized and strategic advocacy campaign implemented by MRCS.

Advocating for a new Red Cross Law was first identified as a high priority when Madame Bolormaa Nordov began serving as Secretary-General of MRCS in late 2013. At that time, MRCS was operating under NGO status, having the same legal rights and entitlements as NGOs.

Mongolia has two major political parties which hold most of the seats in its single house of Parliament, the State Great Khural. MRCS recognized that, in advocating to strengthen its legal base, it would be beneficial if members of Parliament from both major political parties were familiar with and supported its work. MRCS, therefore, approached members of Parliament from both major parties and invited them to join a new group, 'Parliamentarians for Red Cross' working group. The working group began to meet regularly as a forum to discuss humanitarian issues.

Once the working group was well established, MRCS proposed the idea of a new Red Cross Law. The working group was supportive of this idea and a separate drafting committee was established, comprising representatives from the working group, MRCS' Governing Board, IFRC and ICRC, and a government legislative drafter.

After the Draft MRCS Law had been prepared, MRCS, in partnership with IFRC and with the support of the working group, took steps to raise parliamentarians' awareness of the auxiliary role, the work of MRCS, and the International Red Cross and Red Crescent Movement.

Representatives from IFRC gave a presentation to Parliament about the auxiliary role, and the Secretary-General of Fiji Red Cross visited Mongolia to share their experiences. At the same time, MRCS continued to actively engage with and support the Parliamentarians for Red Cross working group.

The draft MRCS Law was introduced by the speaker of Parliament on 21 August 2015 and passed on 7 January 2016. The law was co-proposed by both major parties, which reflected MRCS' successful effort to achieve bipartisan support.

Following the passing of the MRCS Law, MRCS implemented awareness-raising activities to inform the general public about the new law. The awareness-raising activities were designed to reach a broad segment of the population and included a comic book and television appearances.

On 2 May 2016, the Government of Mongolia adopted a Resolution on the enforcement of the new Red Cross Law. Together, the MRCS Law and the Resolution create a strong legal base for the Mongolian Red Cross Society. The MRCS Law clearly outlines the status and mandate of MRCS and provides it with legal protection of its independence and emblem.

An important feature of the MRCS Law is that it requires the government to support MRCS through annual meetings and budget allocations. In turn, the MRCS Resolution requires the Deputy Prime Minister to formally delegate certain humanitarian functions to MRCS. The Resolutions also requires national and local government to provide MRCS with annual budget allocations to perform its delegated humanitarian functions.

The MRCS Law and Resolution provided MRCS with the foundation to start working closely with the public authorities as a nationwide humanitarian organization and auxiliary to the government. On an annual basis, MRCS updates and revises cooperation agreements with relevant authorities such as the Ministry of Labour and Social Protection, Ministry of Health, Ministry of Education and Science and National Emergency Management Agency. There is a national-level State-Red Cross Cooperation Council which meets regularly, and meetings also take place at the local level. Under the MRCS Law and Resolution, MRCS has ongoing, guaranteed access to national and local level budgetary support.



## Strengthening the auxiliary role in law

The auxiliary role of National Red Cross and Red Crescent Societies is a truly unique and special status, enabling National Societies to engage and contribute to national humanitarian preparedness and response.

The auxiliary role is the formal relationship with the national authorities to provide humanitarian services and it needs to be recognised in a country's laws.

Often known as the Red Cross or Red Crescent law, it sets out what the National Society's humanitarian role is, and it also ensures the government respects the Red Cross and Red Crescent Fundamental Principles.

A country's laws and policies can also set out further specific roles for a National Society across sectors like disaster management, health and migration.

The International Red Cross and Red Crescent Movement recognises the importance of strong and modern Red Cross or Red Crescent laws and encourages National Societies to pursue dialogue with their national authorities to strengthen their legal base in domestic law.

For more information and resources on the auxiliary role visit:  
[disasterlaw.ifrc.org/auxiliary-role](https://disasterlaw.ifrc.org/auxiliary-role)

## Revising Mongolia's national disaster laws

Shortly after the MRCS Law and Resolution were adopted, MRCS turned its focus to the revision of Mongolia's main disaster law.

This was an excellent opportunity for MRCS to cement its auxiliary role in relation to disaster risk management. MRCS continued to engage with the Parliamentarians for Red Cross working group, which continued to meet on an ongoing basis.

There were a number of aspects of the existing disaster law which could be improved. For example, the law did not clearly distinguish between the different phases of disaster risk management, and also did not regulate the coordination of humanitarian assistance. MRCS, with support from IFRC Disaster Law, worked closely with the National Emergency Management Agency (NEMA) to support it to draft a new disaster law. An advisor from IFRC Disaster Law was seconded to NEMA for two weeks to provide intensive legal support.

The resulting draft law was in line with international best practice and clearly recognized MRCS' role in relation to disaster risk management. MRCS was able to mobilize the Parliamentarians for the Red Cross working group to support the draft law and, on 2 February 2017, the State Great Khural passed the Law on Disaster Protection.

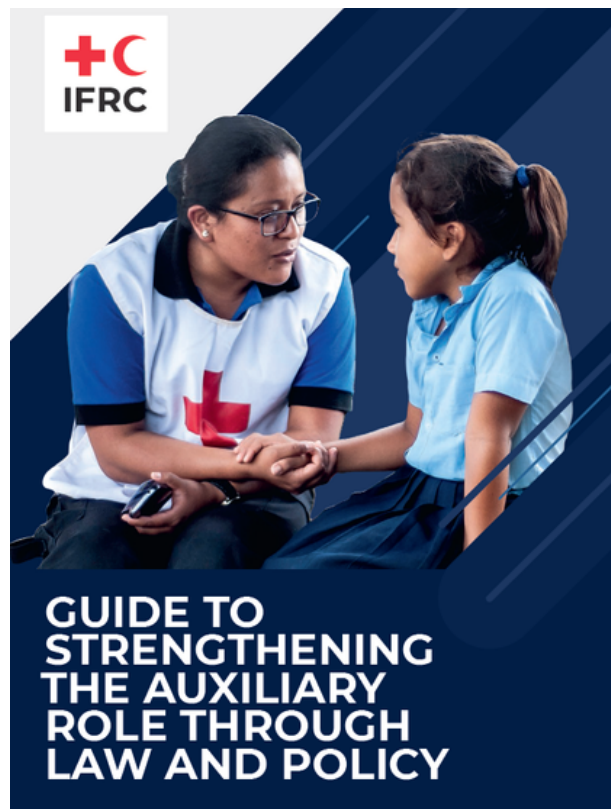
The Law specifically acknowledges MRCS' roles in providing disaster protection training and in coordinating international humanitarian assistance from the IFRC, giving it a clear mandate to conduct these activities and further strengthening its legal base.

## The Guide to Strengthening the Auxiliary Role through Law and Policy

The Guide to Strengthening the Auxiliary Role through Law and Policy provides practical guidance to National Societies on how to strengthen their auxiliary role through domestic law, policies, plans and agreements.

The focus of this Guide is predominantly on how laws, policies, plans and agreements can strengthen the auxiliary role in sectors such as disaster risk management, health, migration, and social welfare.

Download the Guide [here](#).



### 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.

