About the Federation's IDRL programme
The Federation's International Disaster Response Law (IDRL) programme seeks to reduce the vulnerability and suffering of people affected by non-conflict disasters. It aims to do this by raising awareness, promoting the implementation, and encouraging the progressive development of laws, rules and principles that ensure a timely, adequate and efficient international response to disasters, where international involvement is requested. For more information, visit our web site at www.ifrc.org/idrl or contact us at idrl@ifrc.org

IDRL programme grows
The Federation's IDRL programme has strengthened its numbers and begun an Asia-Pacific project, which focuses on the tsunami operation.

New case studies
The IDRL programme has released new case studies on IDRL issues in Indonesia, Fiji and Nepal.

Legal advisors meeting
On 7 September 2005, legal advisors from over 70 National Societies attended a meeting to address issues of access and advocacy in disasters.

IDRL training
The IDRL programme has offered training on IDRL issues.
- Advanced Diploma for Humanitarian Emergencies (Geneva, July)
- OCHA Emergency Field Coordination Training (Chexbres, July)
- Red R Australia Humanitarian Field Management Training course (Bangkok, August)
- ICRC/University of Malaya IHL Teaching Session (Kuala Lumpur, September)

Funding required
The IDRL programme still requires funding to finalize its 2005 activities. Your suggestions and ideas are welcome: please email Katrien Beeckman. The IDRL programme is pleased to announce that its 2006-2007 Global appeal will be included at the International Federation Annual Appeal launch in December 2005.

Keep up to date with IDRL
The IDRL programme has started a weekly e-mail news clippings service on IDRL issues. If you would like to sign up, please email idrl@ifrc.org

ASEAN adopts new agreement
A new 'Agreement on Disaster Management and Emergency Response' was adopted by ASEAN on 27 July 2005, in Vientiane, Laos. Among other things, it provides for the reduction of legal and administrative barriers, such as immigration and customs controls, for the entry and effective distribution of international humanitarian aid.

Caribbean states adopt declaration
The Association of Caribbean States adopted a declaration on disaster cooperation on 29 July 2005 in Panama City.

Institute of International Humanitarian Law conference
IDRL was one of the main topics at the International Conference of the Institute of International Humanitarian Law in San Remo, Italy, held in September 2005.

New draft legislation for Indonesia
The IDRL programme provides support with the International Federation country delegation in Indonesia.

Acknowledgements
We would like to acknowledge the financial contributions of the Australian, Austrian, British, Finnish, Norwegian and Swiss Red Cross Societies and governments, which have enabled the IDRL programme to carry out its activities since 2001.
mechanisms to the reduction of legal and administrative barriers to the entry and effective distribution of outside aid, such as immigration and customs controls. The Agreement encourages information sharing and cooperation between the member states about disaster risks and the establishment of effective monitoring, assessment and early warning systems. Each member state is urged to identify a National Focal Point to facilitate the exchange of information.

The Agreement identifies a number of regional preparedness and response measures such as the development of Standard Operating Procedures and the identification of national resources which may be available for regional deployment. In situations where regional deployment is required, it provides a process for regulating offers and requests for assistance between ASEAN member states as well as for offers of assistance by non-member States, humanitarian organizations and individuals. For the purpose of facilitating co-operation and co-ordination among the Parties, it establishes a new regional body - the ASEAN Coordinating Centre for Humanitarian Assistance (AHA), as well as a new ASEAN Disaster Management and Emergency Relief Fund for the implementation of the Agreement.

The ASEAN Agreement provides a number of exemptions and facilities for relief providers, in accordance with national laws and regulations. For instance, it provides special exemptions for relief providers from taxation, duties and other charges for importing vehicles, telecommunications, facilities and other equipment materials. Equally, it facilitates the entry, stay and departure of relief personnel and allows the arrival of military and related civilian aircrafts and vessels without tax, licenses and other permits. At the same time, it seeks to ensure that goods and materials for relief efforts meet quality standards. For more information, please visit the ASEAN website at http://www.aseansec.org/

New case studies
The new case studies on Fiji, Nepal and Indonesia are the result of collaboration with local legal experts, desk research, in-country visits and a series of workshops with government and non-governmental relief agencies and international organizations in each country. One of the key findings from these studies (as has been the case in a number of the IDRL programme's previous case studies) is that the implementation of suitable legislation and policies for international disaster response is not being systematically addressed. In fact, the concept of 'legal preparedness' has not been systematically included in the regular disaster management activities of governments and foreign disaster relief organizations. Thus, in times of major disaster, legal systems operate on a largely ad hoc basis and can therefore cause serious blockages to the rapid provision of international assistance. Also, the absence of proper procedures can also result in a lack of appropriate quality and accountability standards, with the possibility of unwanted or unsuitable activities taking place which damage the overall relief effort.

The studies also identify issues in each country that have been dealt with successfully or that are showing signs of significant improvement. In this context, it underlines regional initiatives, which are being undertaken to better facilitate cross-border assistance and which could ultimately result in improvements in legal frameworks at the national level. In this regard, it is hoped that the findings from these studies will be useful for legislators, policy-makers and relief providers in resolving legal issues in advance of disaster, to ensure that affected people and communities receive the support and assistance they need in the shortest possible time.

Legal advisors meeting
On 7 September 2005, over 70 legal advisors from National Red Cross and Red Crescent Societies gathered at the offices of the Federation's Secretariat in Geneva to discuss issues of access to beneficiaries in non-conflict disaster situations and to consider the role of National Societies in encouraging the development and implementation of effective laws and policies to address disasters.

Noting that the issue of access to beneficiaries will be a primary question to be addressed at the forthcoming Red Cross/Red Crescent Council of Delegates meeting in Seoul, Republic of Korea, in November 2005, the participants affirmed that legal barriers are sometimes among the most important challenges to effective delivery of relief, both for domestic National Societies as well as those from outside countries.

For domestic National Societies, this can arise from a lack of government understanding of Red Cross/Red Crescent capacities and competencies, and inadequate formal recognition of their role. It was suggested that formal incorporation of National Societies in overall national disaster plans, specialized agreements between governments and National Societies concerning their roles in particular disaster situations, and the inclusion of National Society representatives in government disaster planning bodies might address these problems.

For outside actors, issues such as slow visa processing, restrictive customs regulations and ambiguity about their legal status in local law can greatly hamper their efforts. While some 'hard law' and 'soft law' standards exist at the international level, their scope, coverage and particularly implementation remain inadequate.

Participants affirmed that Red Cross and Red Crescent National Societies can play an important role in encouraging the development and implementation of effective laws and policies on disaster relief at national, regional and international levels, but that care should be taken to ensure that such advocacy is consonant with the principle of neutrality. A number of the participants called on the Federation's IDRL programme to continue to assist them in
developing their expertise in IDRL, to support National Societies in their domestic advocacy efforts, and further increase efforts to enhance the international normative framework for IDRL. View the presentation slides: The RC/RC & Strengthening Disaster Response Laws, Rules and Principles - Legal Aspects of Access to Beneficiaries in Non-Conflict Situations.

IDRL programme grows
In July 2005, the IDRL programme began an Asia-Pacific project, coordinated from Bangkok. The aim of the project is to draw and act on the lessons learned from the tsunami disaster and assisting countries in the Asia-Pacific region that wish to strengthen or review their legislative and policy disaster response frameworks. For more information, please contact Victoria Bannon, IDRL Coordinator.

The global compilation, research and advocacy activities for the IDRL programme are carried out from the Federation's Secretariat in Geneva. For more information, please contact:

David Fisher, IDRL Research Officer
Katrien Beeckman, IDRL Resource Mobilization, Advocacy and Communications Officer

Caribbean states adopt declaration
In July 2005, the Association of Caribbean States (ACS) held its fourth summit of heads of state or government in Panama City. One of the primary topics from that meeting was improving regional efforts to cooperate in disaster management.

In the resulting 'Declaration of Panama', ACS member states acknowledged the vulnerability of their countries to disasters and reaffirmed the importance of regional and international cooperation to national and regional bodies dedicated to the prevention and mitigation of disasters. They urged member states to ratify the ACS Agreement for Regional Cooperation in the Area of Natural Disasters, which is not yet in force. They also welcomed the establishment of a dedicated ‘Hurricane Relief Fund’ within the Caribbean Development Bank and the adoption of the Declaration of Kobe concerning disaster prevention and preparedness during the Second World Conference for Disaster Reduction in January 2005. For more information, please visit http://www.acs-aec.org/

Institute of International Humanitarian Law conference
From 8 to 9 September 2005, the Institute of International Humanitarian Law commemorated its 35th anniversary with a conference in San Remo. The conference brought together over 300 academics, government and military representatives, and humanitarian actors, including representatives from the Red Cross Red Crescent Movement.

In featured presentations, Juan Manuel Suarez del Toro Rivero (Federation President), Johan Schaar (Special Representative of the Federation Secretary General for the Tsunami Operation), and Mar’ie Muhammad (Indonesian Red Cross Society Chairman) underlined the importance of effective laws and policies to facilitate disaster relief efforts and ensure adequate quality, coordination and the accountability of relevant actors. They called on the international legal community to engage in further study and debate on ways to enhance and better implement existing IDRL frameworks.

New draft legislation for Indonesia
The Indonesian Parliament is in the process of drafting a new disaster management Bill, which will provide a firm legal basis for disaster management activities throughout the territory of Indonesia. The Bill seeks to establish a new institutional structure for disaster management consisting of a National Disaster Management Council (DPB) and Regional Disaster Management Councils (Regional DPB), which operate on a permanent and independent basis. The Bill recognises the role of local communities and NGOs in preparing for and responding to disasters, and in this spirit the Indonesian Red Cross (PMI) has been invited to share comments on the Bill. The International Federation, in particular through the IDRL Asia-Pacific project and the Federation country delegation, has been giving support to the PMI in preparing its feedback to the parliament. It is hoped that the development of additional implementing regulations will further strengthen disaster management in Indonesia, including situations requiring international assistance.

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