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On May 19, a reference group of 14 National Red Cross and Red Crescent Society representatives met in Geneva to help the Federation set the course for a new project to strengthen the humanitarian advocacy of the Red Cross and Red Crescent Movement.

The project aims to develop a manual to assist National Societies in providing advice to their governments on legislation related to disaster management and health emergencies.

“Good laws can powerfully impact risk factors that we alone cannot change and also multiply the impact of our programmes,” noted Federation Deputy Secretary-General Ibrahim Osman as he opened the meeting. “Weak laws can foster risk and undermine both our efforts and those of vulnerable communities.”

Participants noted that National Societies’ auxiliary status to public authorities and their close connection with community-based work in health and disasters gave them a unique perspective on disaster law and policy. Moreover, the Movement’s fundamental principles and non-confrontational approach call for a particular style in humanitarian advocacy.

The manual will address legislative issues across the disaster management spectrum from risk reduction to rehabilitation, with special attention devoted to the facilitation and regulation of international disaster assistance, in light of the focus of the 30th International Conference of the Red Cross and Red Crescent on this issue. The development plan foresees a wide consultation process with National Societies as well as advice from outside experts.

“This manual will be a powerful tool for National Societies to enhance their dialogue with their governments,” predicted Jordanian Red Cross President, Dr. Mohammed Al-Hadid.

From left: Raymond Forde (Barbados Red Cross), Kentaro Nagazumi (Japanese Red Cross), Umesh Dhakal (Nepal Red Cross), and Mohammed Omer Mukhier (Federation Secretariat) joined other participants at the Reference Group meeting.
UNDAC counsels legal preparedness for Bhutan

Nestled in the mountainous regions between India and China, the mostly cool climate and rugged terrain of the Kingdom of Bhutan is in fact a hotbed of seismic activity - up to 1600 tremors have been recorded in a single six-month period. Its topography also poses the risk of landslides, flash floods, forest fires and flooding from glacial lake outbursts.

This ominous combination has encouraged the Royal Government of Bhutan and the United Nations to initiate a review of national disaster response preparedness capacities. The review was conducted by a United Nations Disaster Assessment and Coordination (UNDAC) team in April 2008, together with representatives from the European Community Humanitarian Aid Office (ECHO) and the International Federation of Red Cross and Red Crescent Societies.

One of the key instruments examined was the new draft National Disaster Management Bill, which elaborates the role of the various levels of government and establishes a National Committee for Disaster Management to implement high-level policy decisions.

“We’re seeing an increasing trend, here in Asia and around the world, towards developing single legislation for disaster management” notes Nelson Castaño, Regional Disaster Management Coordinator of the International Federation’s South Asia Regional Delegation, who represented the Federation on the mission, “but, in Bhutan, the new law does not yet cover issues of international assistance.”

In fact, the UNDAC mission report notes reluctance on the part of some government officials to consider the legal implications of needing external support in the event of a large-scale disaster, preferring instead to “examine the issue when it happens”. This approach, however, was seen as a potential “major obstacle” to preparedness and response. Consequently, a number of recommendations were made for improving legal preparedness, including establishing procedures for receiving international assistance with reference to the IDRL Guidelines and other international standards.

“There has already been significant progress in Bhutan to put laws and policy frameworks in place for risk reduction and disaster management and this is very encouraging” says Castaño. “However, as one of the few countries without a National Red Cross or Red Crescent Society, we also hope that there will be more engagement at the community level, as well as with local and international organisations, to maximise the resources available to cope with disasters.”
Fostering holistic disaster law: the South African Red Cross Society’s experience

In 2002, South Africa adopted a new Disaster Management Act which has since been touted internationally as an important model for its holistic approach, which incorporates both response and risk reduction. The South African Red Cross Society (SARCS) played an active role in the development of the new law and in subsequent efforts to achieve full implementation.

In this interview, SARCS Secretary-General Mandisa Kalako-Williams explains how.

How did the SARCS become involved in the development of the Disaster Management Act?

The SARCS has long been part of South Africa’s relief framework. We were therefore involved, along with other stakeholders, in developing the government’s white paper and green paper on disaster management which eventually led to the Act.

What were your contributions to the process?

We provided an historical perspective in light of our long involvement in disaster relief. We pressed for community participation as a key element of change, drawing on our experience of community-level work in first aid, health and dissemination. We also brought an important international connection through the Federation, ICRC and our links to the UN.

Were you able to have a positive impact on the legislation?

Yes. We were able to contribute to the integrated/intersectoral approach taken by the Act, as well as its strong focus on risk identification, community participation, and volunteer management.

How has the Act improved disaster management in South Africa?

The Act provides us with an opportunity to deal with disaster-prone communities in a pro-active manner, before, during and after disasters. Its integrated approach ensures a prudent use of resources and its provisions on coordination allow for better reporting, monitoring and evaluation of relief impact.

What are the main challenges for an effective implementation of the Act?

Despite the focus in the Act on disaster risk reduction, the fact is that funding and other resources still tend to flow fast and heavily during a disaster. We still face problems mobilizing resources for pre-disaster work.
IPU encouraged to continue its promotion of legal preparedness for disasters

In recent years, the Inter-Parliamentary Union (IPU), an international association of 140 national parliaments, has been active in its support for better legal preparedness for international humanitarian assistance. In 2003, it called on member parliaments to make use of the Federation’s research on IDRL and more recent resolutions have called for better donor coordination and improved facilitation of the entry of emergency food aid.

On the occasion of the IPU’s 118th Assembly in Cape Town on April 13-18, South Africa Red Cross Society Secretary-General Mandisa Kalako-Williams delivered an address on behalf of the Federation noting the developments at the 30th International Conference of the Red Cross and Red Crescent with regard to the IDRL Guidelines. She encouraged the IPU to continue to devote its attention to the issue.

“A legally prepared environment is crucial for swift and effective relief and for breaking the vicious circle of poverty relating to disasters,” Kalako-Williams noted, “In the light of recent developments, we think it would be very useful for this body to once again place law and disasters on its agenda for discussion at the next IPU Assembly session.”

ICDO Exec. Council considers IDRL Guidelines

The International Civil Defense Organization (ICDO) is an inter-governmental organization dedicated to strengthening the civil defense activities and cooperation of its 48 member states. Among its achievements is the development of a Framework Convention on Civil Defense Assistance in 2000.

On May 16, the ICDO Executive Council invited Federation IDRL Programme Coordinator David Fisher to give a presentation on the IDRL Guidelines. In his remarks, Fisher noted that the Federation had drawn on the Framework Convention in drafting the Guidelines and had also benefited from the formal input of the ICDO leadership.

Executive Council President Col. Belkacem Ketroussi welcomed the Guidelines and expressed the ICDO’s readiness to continue its collaboration with the Federation in this area.
European governments and National Societies begin to follow-up on the IDRL Guidelines

Several European National Red Cross Societies and their governments have begun to make good on their commitment at the 30th International Conference of the Red Cross and Red Crescent to work together to examine national legal frameworks for international disaster response.

**Bulgaria**

On March 28th, representatives of the Bulgarian Red Cross Society (BRCS) met with officials of the Ministry of State Policy for Disasters and Accidents to discuss follow-up on the 30th International Conference.

The Ministry representatives affirmed that the significant increase in the frequency and seriousness of disasters affecting Bulgaria underlined the need to implement the IDRL Guidelines. “They pointed to the experience from the last serious floods in 2005 as an example of the paramount importance of good coordination,” said Margarita Dimitrova, Head of the BRCS Legal Department.

Expressing their satisfaction with the strong cooperation between the BRCS and the Ministry, the participants agreed to draw up detailed steps for the implementation of the Guidelines to be including in their annual plan for joint activities.

**Germany**

On April 22nd, the German Foreign Ministry and Committee for Disaster Reduction organized a seminar in Berlin for German officials and disaster management experts on the Rosersberg Initiative, an inter-governmental project to develop a global framework for cooperation in environmental emergencies.

The German Red Cross Society was invited to speak to the group about the IDRL Guidelines as a recent example of international standard-building in this area.

“The audience was quite impressed by the comprehensiveness of the Guidelines and their strong endorsement by governments and the Red Cross and Red Crescent Movement at the 30th International Conference,” said Heike Spieker, Head of the International Law and Institutions Department at the German Red Cross Society.

**Norway**

Also on April 22nd, the Norwegian Parliament discussed the government’s white paper on the prevention of humanitarian disasters, released in December.

“The Committee asks the Government to actively contribute to influence other states to change their national legislation in line with International Disaster Response Law (IDRL).”

**Standing Committee on Foreign Affairs, Norwegian Parliament**

In its comments to the foreign ministry, the Parliament’s Standing Committee on Foreign Affairs expressed its concern about situations where “lifesaving assistance is stopped at the border of a country struck by a disaster due to domestic legislation hindering quick response” and called on the government to promote legal preparedness. The foreign ministry expressed its intention to support the use of the IDRL Guidelines.
Programme updates

April

h Presentation by IDRL Programme Coordinator David Fisher at the European Legal Support Group (ELSGL) Meeting for legal advisors of European National Societies, Cavtat, Croatia

May

h Bannon temporarily deploys to Bangkok to support plans for the relief operation for Cyclone Nargis in Myanmar

h Presentation on IDRL by Susan Johnson, Head of the Federation’s New York delegation, at the InterAction Forum, Washington, USA

h Presentation by IDRL Asia-Pacific Unit Coordinator Victoria Bannon at the Southeast Asian National Red Cross and Red Crescent Societies Regional Committee for Disaster Management Meeting, Penang, Malaysia

h Presentation by Fisher at the Colloquium on Humanitarian Strategies, Université d’Aix-Marseille, Aix, France

Special Thanks

The IDRL Programme would like to extend its appreciation to FedEx for its recent pledge of support for the development of an advocacy workshop in Africa.

We would also like to thank the members of the legislative advocacy manual project reference group for their time, energy and insights.

Finally, we would like to extend our gratitude to Margarita Dimitrova (Bulgarian Red Cross), Preben Marcussen (Norwegian Red Cross), and Helke Speiker, (German Red Cross) for their contributions to our article on European progress on the IDRL Guidelines, and to Mandisa Kalako-Williams (South African Red Cross) for the interview and for representing us at the IPU.

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About the Federation’s IDRL Programme

The International Federation of Red Cross and Red Crescent Societies’ ID RL Programme seeks to reduce human vulnerability by promoting legal preparedness for disasters through advocacy, technical assistance, training and research. For more information, please see our website at www.ifrc.org/idrl.


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