In this issue:

Wake-up call on legal preparedness for pandemics

Mobilizing law on disease and disaster in Vietnam

ASEAN addresses members’ pandemic preparedness

First steps on IDRL in Mozambique

IDRL in UNDAC missions in Peru, Cambodia and PNG


New publications

Special thanks
Wake-up call on legal preparedness for pandemics

The recent outbreak of Influenza A(H1N1) (initially called "swine flu") has demonstrated once again just how quickly pandemic disease can sweep across the globe, in this case, to over 40 countries in less than a month.

It is still too early to declare victory over A(H1N1), but if it turns out not to be as deadly a global menace as initially feared, it should at least serve as a reminder of how greatly we depend on the capacities of every government to prevent, monitor, announce and contain disease outbreaks -- of which there will certainly be more in the future.

In 2005, this realization -- along with various controversies among states during the SARS epidemic -- spurred the World Health Assembly to adopt a sweeping revision to the International Health Regulations (IHR), which became binding on all World Health Organization (WHO) member states in 2007.

The international alarm bell

One of the important advances of the revised IHR is a stronger system of obligations to provide international warnings in the event of outbreaks. States' international notification obligations were previously confined to three specific diseases, but now encompass any threat to public health which is of international concern.

Moreover, if a state does not cooperate in providing information, the IHR set out a procedure whereby WHO may emit international notifications even without the consent of the affected state. Civil society is also given a role -- WHO may now officially accept information about disease outbreaks for these purposes from sources other than governments.

"These are important innovations," notes Bruce Plotkin, of WHO’s IHR Secretariat, "as the reaction to the SARS epidemic demonstrated the human cost of states' reluctance to provide information."

Strengthening the legal basis

Perhaps more important, however, are the new obligations of each state to meet certain standards in their national systems of disaster surveillance and control. States have also agreed to ensure that their measures do not unnecessarily impinge on human rights and international trade. Legal reforms will likely be required to achieve these commitments in many states.

The WHO is assisting interested states with such reforms, and the Red Cross/Red Crescent is starting to do its part as well. For example, the IFRC’s IDRL Programme is currently cooperating with WHO to assist the National Societies and governments of Cambodia, Vietnam and Laos to examine where their legal frameworks could be strengthened to implement the IHR.

However, a great deal remains to be done. As noted by Bob Kaufman, manager of the Federation’s Avian and Human Influenza Unit, "National Societies have a unique and important role to play in supporting governments to prepare for disasters. Their involvement in developing national policies on humanitarian issues such as this creates a better chance of responding effectively and saving lives."

To learn more about the IHR, see WHO’s dedicated website at www.who.int/ihr.
Mobilizing law on disease and disaster in Vietnam

As news of the A H1N1 influenza virus was making headlines around the world, key government and humanitarian personnel in Vietnam were learning more about the importance of good legal frameworks to manage disease outbreaks and large-scale disasters.

Hosted by the Natural Disaster Mitigation Partnership (NDM-P) and chaired by a representative from Vietnam’s Flood and Storm Management Division, the IFRC’s IDRL Programme facilitated two days of training and consultation by a number of international agencies on these issues on 28-29 April in Hanoi.

Participants from health and disaster management sectors discussed the key international and regional laws and standards, in particular the IDRL Guidelines and International Health Regulations, and considered how these provisions could be better integrated into the Vietnamese context.

Within an open discussion on the development of a comprehensive legal framework in Vietnam for disaster and communicable disease control, participants agreed that further improvements to existing laws and policies were necessary and that further consultation was required on exactly which form this should take.

The IDRL Legal Preparedness Project, currently underway, was seen as being able to make a major contribution in this regard.

“We recognise that to mobilise the community in responding to disasters, we need to have institutionalized frameworks and laws to facilitate the coordination of disaster management activities from the central level to local level.

It will be the law that directs disaster response activities, but it needs to define clear roles and responsibilities of the different organisations during disaster response.”

Mr. Dang Quang Minh
Deputy Head,
Flood & Storm Mgmt. Division
Ministry of Agriculture and Rural Development
ASEAN sets legal framework as indicator to assess countries’ pandemic preparedness and response

ASEAN (Association of Southeast Asian Nations) considers legal frameworks to be important indicators in evaluating a country’s pandemic preparedness. The ‘ASEAN Indicators to Assess National Multi-Sectoral Pandemic Preparedness and Response’, encourage national government planning and coordination to be supported by legal and regulatory frameworks.

From 2-3 April in Kuala Lumpur, senior level Ministry of Health representatives from ASEAN governments met to discuss how these indicators could be used for upcoming assessments on multi-sectoral pandemic preparedness and response in all ASEAN member countries.

IDRL Asia Pacific Programme Officer, Aishah Amin, shared the experience of the IDRL Programme in conducting Legal Preparedness Projects for Disaster and Communicable Disease Emergencies in Cambodia, Laos and Vietnam. She offered technical assistance from the IDRL Programme for identifying legal issues and legislation reviews for international and cross-border collaboration during an event of pandemic.

The first ASEAN Pandemic Preparedness Assessment will be undertaken in Indonesia in early June, followed by assessments in nine other member countries.

First steps on the IDRL Guidelines in Mozambique

In March 2005, IDRL Delegate for Africa, Eilif Torma, visited Maputo to discuss a future IDRL technical assistance project in the country, and to disseminate on the IDRL project and the IDRL Guidelines. As the country is currently in the process of revising its disaster regulations, national authorities expressed strong interest in the IDRL concept and the Guidelines.

Torma also met with the Mozambique Red Cross, other components of the Red Cross Red Crescent movement, the United Nations, the diplomatic community and government officials to discuss issues of legal preparedness for disasters. “All the institutions and the people we met seemed to develop a quick interest in the IDRL concept. This is promising for the further progress of the pilot project in Mozambique,” Torma commented.
IDRL & UNDAC in Peru, Cambodia, and Papua NG

This year, the United Nations Disaster Assessment and Coordination (UNDAC) Team has invited the IFRC to provide legal expertise, particularly on IDRL, on several of its “preparedness missions”.

Where UNDAC generally deploys operationally, as the UN’s central mechanism for initial assessment and coordination after a major disaster, in the last few years it has increasingly been called upon by governments to come in a time of calm to assess current systems and capacities and to make recommendations.

**Peru**

In March, an UNDAC team was sent to Peru to evaluate national strengths and capacities, in particular in light of the experience of the 2007 earthquake in Pisco. IDRL Programme Coordinator David Fisher joined the team in Lima.

The National Institute for Civil Defense (INDECI), Peru’s flagship agency for disaster management, as well as a number of other agencies are already in the process of examining a number of institutional and legal reforms, including some to take into account a broader national shift to decentralization. The mission encouraged this process, according high priority to legal reforms.

Recognizing the important efforts that Peruvian authorities had already made, before and after the Pisco earthquake, to enable the facilitation of international assistance, the mission also strongly recommended that the Peruvian authorities make use of the IDRL Guidelines to address potential remaining problem areas.

**Cambodia**

Also in March, IDRL Asia Pacific Coordinator Victoria Bannon briefly joined the UNDAC preparedness mission in Cambodia. The mission report makes extensive reference to some of the preliminary findings and recommendations from the ongoing IDRL Legal Preparedness Project in the country, noting the absence of a comprehensive legal framework for disaster management and current efforts under-way to develop a new disaster management law.

One of the priority recommendations of the mission was that “new legislation should include specific measures for requesting and facilitating international assistance and ensure its ongoing compliance with humanitarian principles and minimum standards, as described in the IDRL Guidelines.” There are also additional recommendations on specific legal issues, based on the principles of IDRL Guidelines.

**Papua New Guinea**

Most recently, in May, Pacific IDRL delegate Helga-Bára Bragadóttir participated in the UNDAC Preparedness Mission to Papua New Guinea (PNG). While the mission report has not yet been released, it is anticipated that it will also address IDRL issues.
March-April

The Swedish Red Cross invited the IDRL programme to provide a briefing on IDRL in Stockholm for officials from the Ministry for Foreign Affairs, SIDA, Civil Protection, Department of Defense and other agencies to discuss how the Guidelines might be relevant to Swedish authorities, both for assistance that Sweden might request and for its international work.

Nuran Higgins, from the IFRC Operation Support Department, was invited to present the IDRL Guidelines to participants from 22 countries at an UNDAC induction course held in Muscat.

May

The Canadian Red Cross invited the IDRL programme to participate in a half-day workshop on IDRL in Ottawa, attracting officials from the Departments of Foreign Affairs and International Trade, Public Safety, Health, National Defense, International Development Assistance and the Province of Ontario. Participants emphasized the importance of the issue to Canada and a decision was taken to form a follow-up committee to oversee a comprehensive study of Canadian law in light of the IDRL Guidelines. The Canadian Red Cross also organized a panel on IDRL at the World Congress on Emergency and Disaster Medicine in Victoria.

The IDRL Programme was invited to Paris, to present the IDRL Guidelines to “Technical Committee 223” of the International Organization of Standards (ISO), which is tasked with developing governance, management and technical standards for actors involved in “societal security.” Committee members, representing more than 20 countries, indicated a strong interest in incorporating the IDRL Guidelines in their work.
New publications

International law in disasters

The International Development Law Organization (IDLO), an inter-governmental organization based in Rome, has published a Manual on International Law and Standards in Natural Disaster Situations. The manual provides comprehensive information and background on human rights norms relevant to disasters.

The Manual focuses in particular on issues of vulnerable group, land and property management, and anti-corruption measures. Special attention is devoted to children's issues, including child trafficking, child labour, sexual exploitation, guardianship, adoption and birth registration.

LEGGS Manual

The Humanitarian Practice Network has launched the Livestock Emergency Guidelines and Standards (LEGGS). The LEGGS manual seeks to address the critical place that livestock has for many affected communities. It includes a set of guidelines and standards for the design, implementation and assessment of livestock interventions. These touch on issues such as: destocking, veterinary services, the provision of feed, the provision of water, livestock shelter and settlement, and restocking.

Special thanks

The IDRL Programme would like to express its gratitude to:

The Natural Disaster Mitigation Partnership (NDM-P) Vietnam for funding and hosting the "Training and Consultation Workshop on Legal Preparedness for Disaster Response and Communicable Disease Control" in Hanoi.

We would also like to thank:

- OCHA for inviting the IDRL programme to participate in the recent UNDAC preparedness missions to Cambodia, Papua New Guinea and Peru.
- The Permanent Mission of Australia, and Good Humanitarian Donorship Initiative co-chairs, the European Commission and the Government of the Netherlands, for inviting it to update member states on global progress on IDRL.
- The Swedish and Canadian Red Cross Societies for hosting it at their national workshops and to the Canadian Red Cross for inviting it to its national workshop in Ottawa and sponsoring an IDRL presentation at the World Congress on Emergency and Disaster Medicine in Victoria.
- Ms. Fernanda Teixeira, Secretary General of the Mozambique Red Cross and Mr. Martin Acosta, IFRC Head of Delegation, for facilitating the IDRL mission to Mozambique.
**About the Federation’s IDRL Programme**

The International Federation of Red Cross and Red Crescent Societies’ IDRL 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](http://www.ifrc.org/idrl).

**IDRL E-Newsletter Editorial Staff:** Aishah Amin, Victoria Bannon, David Fisher, Gisela Hernandez & Eilif Torma.

To comment on this newsletter, or to subscribe or unsubscribe, please write to [idrl@ifrc.org](mailto:idrl@ifrc.org).

<table>
<thead>
<tr>
<th>Governmental</th>
<th>Red Cross/ Red Crescent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Government</td>
<td>Australian Red Cross</td>
</tr>
<tr>
<td>Canadian International Development Agency</td>
<td>AUSTRIAN RED CROSS</td>
</tr>
<tr>
<td>Government of the United Kingdom</td>
<td>British Red Cross</td>
</tr>
<tr>
<td>Government of Norway</td>
<td>Canadian Red Cross</td>
</tr>
<tr>
<td>Asian Development Bank</td>
<td>Finnish Red Cross</td>
</tr>
<tr>
<td>European Commission</td>
<td>Japanese Red Cross</td>
</tr>
<tr>
<td></td>
<td>Norwegian Red Cross</td>
</tr>
</tbody>
</table>

**Corporate:**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FedEx</td>
</tr>
</tbody>
</table>