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Upcoming IDRL workshops:

- Suva: August 17-19
- Panama: September 28-30 (tbc)
- Phnom Penh: October 6-8 (tbc)
- Almaty: October 21-23 (tbc)
Responding to a new-found sense of urgency, diplomats from around the world are engaged this year in an increasingly intense series of negotiations concerning the means to address climate change. In December, the 15th Conference of Parties to the United Nations Framework Convention on Climate Change will meet in Copenhagen to consider whether and how to replace the Kyoto Protocol, which is scheduled to lapse in 2012.

A critical focus of these negotiations will be how to slow the increase in global surface temperature in the future, in particular through new commitments to reduce the emission of greenhouse gases that are believed to be its primary cause. However, the IFRC and its partners in the humanitarian community have been vocal in urging states to also address adaptation to the current and near-term impacts of climate change.

The importance of adaptation

“The International Federation has already witnessed the impacts of climate change on vulnerable people, particularly in times of disaster,” notes Madeleen Helmer, head of the Red Cross/Red Crescent Climate Centre, “We must go beyond reducing emissions to pre-empt these impacts and we need to act now.”

“We are asking states to make sure that the Copenhagen agreement includes commitments and funding mechanisms to reduce the vulnerability of communities to disasters and to ensure an effective humanitarian response when it’s needed,” said Bhupinder Tomar, Senior Office for Disaster Preparedness at the IFRC. “There should also be a commitment to legal preparedness for disasters, per the IDRL Guidelines.”

The bumpy road ahead to Copenhagen

In light of the high sensitivity of the issues involved, it is not yet clear what kind of outcome will emerge from the Copenhagen conference, but many hope that it will be a new binding agreement. Drafting of such an agreement has already begun, and additional pre-conference negotiations will take place in August, September and November.

A chairman's draft already includes an important focus on adaptation as well as very encouraging potential language on substantial new funding streams for risk reduction and preparedness measures. However, the many alternative provisions included in that draft, as well as separate proposals from various countries, show that there are still quite a lot of distance to cover before agreement will be reached.

With leadership from the IFRC, an inter-agency task force has been formed including UN, Red Cross/Red Crescent and NGO partners to jointly stress the humanitarian challenges of climate change and present solutions during these negotiations.

For more information see http://unfccc.int
IDRL spotlight at the Global Platform and ECOSOC

Global Platform on Disaster Risk Reduction

On June 16-19, the United Nations International Strategy for Disaster Reduction (ISDR) organized the second session of the Global Platform on Disaster Risk Reduction in Geneva.

The importance of strengthening legal preparedness for disasters, including through use of the IDRL Guidelines, was highlighted in a number of the Platform’s events, including in a pre-session event for Central Asia, statements from the floor from several participants in the plenary sessions, and other side events.

In addition, on June 18, OCHA and the IFRC co-hosted a well-attended special event on “Legal preparedness for international disaster cooperation in the context of climate change,” with high-level speakers from Cambodia, Norway and Sierra Leone presenting their experiences making use of the IDRL Guidelines in reviews of their national legal frameworks.

In his summary of the overall proceedings, Global Platform Chair and UN Under-Secretary-General John Holmes noted that “there is a pressing need to build institutions, including legal frameworks, to sustain disaster risk reduction action as an ongoing concern, and several countries stressed the need for technical assistance, to help grow their capacities.”

UN ECOSOC humanitarian segment

On July 20-22, 2009, the UN’s Economic and Social Council (ECOSOC) conducted its annual humanitarian segment, addressing a number of themes, including humanitarian coordination and the implementation guiding principles of humanitarian assistance.

In her official statement, IFRC Under-Secretary General for Disaster Response and Early Recovery Yasemin Aysan underlined the IFRC’s collaboration with states seeking to improve their regulatory systems for receiving international disaster assistance. On behalf of the European Union, Sweden emphasized the importance of the IDRL Guidelines as a means to build states’ capacity in this area. The critical role of the Red Cross and Red Crescent in general was also repeatedly raised.

At the end of its session, ECOSOC adopted a resolution, which “encourages Member States and, where applicable, relevant regional organizations to strengthen operational and legal frameworks for international disaster relief, taking into account, as appropriate, the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance, adopted at the thirtieth International Conference of the Red Cross and Red Crescent held in Geneva in November 2007.”
Sierra Leone plans for the future at IDRL workshop

On July 9, the Sierra Leone Office of National Security (ONS), IFRC and Sierra Leone Red Cross Society jointly organized the first of two planned workshops concerning legal preparedness for international disaster relief. Participants from line ministries, UN agencies, NGOs and the media joined members of the IDRL Pilot Project task force to consider the preliminary findings of the project’s research on the legal framework for the regulation of international disaster assistance.

Participants acknowledged a number of gaps in Sierra Leone’s current legal framework with regard to international disaster assistance. In this regard Mye Kamara, Director of the ONS Department of Disaster Management, noted that many countries neither have the necessary laws in place nor show willingness to admit that they might need outside help in the future. She assured participants that this would not be the case in Sierra Leone. For his part, Sierra Leone Red Cross Secretary-General Emmanuel Tommy emphasized that climate change was increasing the potential for such rules to be needed.

Participants provided detailed suggestions concerning the preliminary findings, which will be integrated into a comprehensive final report as a basis for new legislation.

“Disaster preparedness is not just about ensuring that local response systems are in place; international intervention should also be an integral part.

Lessons from several parts of the world have indicated that urgently needed international disaster response has been delayed or prevented by national legal regulatory frameworks.

We need to ensure a coordinated and well-supervised international intervention in disasters.”

From the opening remarks by Larry Bassie, Chief of Staff, Office of National Security
East Africans build their capacity to use legal tools

From June 29 to July 1st, the IFRC’s IDRL Programme and East Africa Zone Office hosted representatives from 12 National Red Cross and Red Crescent Societies and partners from other humanitarian organizations in Nairobi for the second regional IDRL training and consultation workshop to be conducted in Africa.

Through “hands on,” scenario-based case studies, the participants learned about the IDRL Guidelines and other international legal instruments in disaster response. Participants explored the potential uses and limits of these instruments, both as advocacy tools and as guidance for resolving ethical and policy dilemmas in their own operations.

Participants also shared perspectives, experiences and strategies on influencing the development of domestic law concerning disasters and health emergencies. Among these was Kenya Red Cross Society (KRCS) Secretary-General Abbas Gullet’s description of the success of his National Society in lobbying the East African Customs Union to allow for VAT waivers to National Societies in the region. KRCS Disaster Management Head Mohammed Abdinoor further pointed out that the KRCS had succeeded in obtaining a number of domestic legal facilities, including tax exemptions on importation of relief food and vehicles.

Likewise, Francis Buwule and Andrew Omale of the Uganda Red Cross (URCS) noted their Society’s experience in developing national policy on disaster risk reduction (currently being finalized) as well as the national policy for internally displaced persons. In addition, the URCS had been able to obtain tax exemptions such as registration of vehicles duty free.

In cooperation with the Uganda Government and the IFRC, URCS is currently in the process of initiating an ID RL Pilot Project to promote implementation of the IDRL Guidelines in Ugandan law.
China to develop a new disaster law framework

That natural disasters can dramatically impact even the most powerful nations was again confirmed on May 12, 2008, when a massive earthquake struck Sichuan Province in China, killing more than 80,000 and displacing millions.

While particularly devastating, the Sichuan earthquake was nothing new, given that four in every ten of the most destructive earthquakes in the world occur in China. Moreover, China is suffering increasingly from extreme weather, ranging from intense cold to typhoons.

Accordingly, the Chinese government recently released a white paper entitled, “China’s Actions for Disaster Prevention and Reduction,” that calls, among other things, for the development of a new legal framework, institutional setup and working mechanism related to disaster reduction and response. The paper highlights that laws and regulations concerning disaster reduction as well as other policies need to be improved.

The readiness of the Red Cross movement to support the government’s moves is reflected in the China Red Cross’ plans for promoting IDRL as part of its activities for 2009-2010. These include plans for organising trainings and workshops on IDRL in the coming months.

The IDRL Guidelines have also been translated to Mandarin, which will greatly facilitate the dissemination of IDRL to relevant officials.

IDRL developments at the OAS and CAPRADE

On June 4, the General Assembly of the Organization of American States adopted a new resolution concerning mechanisms for disaster prevention and response. The resolution called on the Permanent Council and the Inter-American Council for Integral Development to “convene a meeting to begin the process of joint assessment of existing legislative and coordination mechanisms in the natural disaster and humanitarian assistance areas.”

The resolution also called for increased “coordination, cooperation, and synergy in actions to facilitate transparent management of supplies and expedite humanitarian assistance.”

From June 29 to July 1st, the Andean Committee for Disaster Prevention and Relief (CAPRADE) held its 14th meeting in Cusco, Peru. In addition to CAPRADE member states, participants included representatives of the IFRC and other international and regional organizations.

Among the topics discussed at the meeting was the need to improve understanding of IDRL in the region and to strengthen national and regional laws on disaster response with reference to the IDRL Guidelines. One step in this direction might be the inclusion of additional reference to the Guidelines in a future revision of the CAPRADE manual on disaster cooperation.
IDRL announcements

IDRL follow-up survey 2009

In two years’ time, at the 31st International Conference of the Red Cross and Red Crescent, states and National Societies will be invited to report on their use of the IDRL Guidelines unanimously adopted on November 2007. At this mid-point between the two conferences, the IFRC has launched a brief survey to gauge progress to date. Copies of the survey are available at http://www.ifrc.org/idrl.

Responses by states and National Societies are requested by September 11, 2009.

Draft legislative advocacy manual

In cooperation with several departments and offices at the IFRC, the IDRL Programme is developing a manual to assist National Societies in their advocacy for effective and humanitarian laws in the sphere of disasters and health emergencies. A consultation draft is currently available for National Societies’ suggestions on Fednet (https://fednet.ifrc.org/sw41845.asp).

Call for papers on disaster law

The IDRL Programme is initiating a working paper series on the theme of disaster law. Submissions of original papers concerning legal issues in international or domestic disaster relief, disaster risk reduction, and pandemic control are welcome. For more information, contact idrl@ifrc.org.

Special thanks

The IDRL Programme would like to express its thanks to:

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Finally, we would like to express our gratitude and best wishes to IDRL Intern Gisela Hernandez-Herrerias, who will soon be moving to the International Committee of the Red Cross in Geneva. Gisela has contributed a great deal of careful thinking, enthusiasm and evil humour to the IDRL Programme, which will be sorely missed.
IDRL programme donors 2008-2009

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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.


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