“Disaster Law for Southern African Stakeholders”
Hotel Phakalane, Gaborone, Botswana
3 – 5 October 2012

Sponsored by:

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Introduction

Background
From 3 -5 October 2012, some 50 key stakeholders in Southern African disaster management gathered in Gaborone, Botswana for a 3 day workshop on the topic of Disaster Law. This workshop was directed to senior level representatives from National Disaster Management Institutions, relevant Ministries, lawmakers (including parliamentarians), National Red Cross Societies, humanitarian actors and other stakeholders with expertise in disaster management and the development of related law.

Through interactive sessions drawing on the expertise of the guest lecturers and the experiences of the participants, the group was be exposed to both the uses and limits of international law and the regulatory issues they should be anticipating in their planning.

The event took place as a collaboration of the International Federation of Red Cross and Red Crescent Societies (IFRC) and the Southern African Development Community (SADC) and the Botswana Red Cross Society.

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Workshop objectives

General objectives

- Provide an overview of existing international norms related to facilitation and regulation of international disaster response.

- Develop a shared understanding of potential legal problem areas in international disaster assistance and of key international norms and tools.

- Develop a common plan of action for the SADC Member States and the international community with regard to better legal preparation for international disaster assistance at the national and regional levels.

Specific Objectives for SADC Member States

- Encourage SADC members to actively use the Guidelines to measure their own level of preparedness for common problems at the domestic level

- Explore the possibility of using the Guidelines to develop new regional tools within SADC.
Day 1: International Norms in Disaster Response

1.1 Opening Ceremony

Master of Ceremony: Titus Ludzi Makosha, Deputy Secretary General, Botswana Red Cross Society

Ms. Mabel Rammekwa, Secretary General, Botswana Red Cross Society (BRCS)

The Secretary General of the BRCS welcomed the participants and set out that, seen as disaster response is the core business of the National Red Cross and Red Crescent Societies; it is in both our own interest as well as in the interest of our beneficiaries that we have a conducive legal environment within which we execute our mandate. Mrs. Rammekwa recalled that the Botswana Red Cross managed to get a large number of emergency medications to Zimbabwe during a cholera outbreak, during which BRCS did not experience any problems. She expressed to wish to have that situation prevailing in the Southern African region, by ensuring that there are systems in place that will facilitate the movement and provision of relief material and between and within Southern African countries.

Mr. Alexander Matheou, Regional Representative for Southern Africa, International Federation of Red Cross and Red Crescent Societies (IFRC)

Mr. Matheou welcomed the participants on behalf of IFRC, and thanked the partners of SADC and BRCS for the good cooperation that led to the current event. The IFRC has a long history in responding to emergencies all over the world, and has been the lead organisation in disaster response for decades. The advantage of having this depth of experience is the wealth of lessons learned, both good ones and bad ones. One of the challenges we have detected is how often humanitarian assistance is delayed by legal and regulatory barriers. It may not be the first thing that comes to mind, but as we shall see over the next few days, laws, rules and policies – or the lack of them – have a great impact on the efficiency and cost effectiveness of disaster response operations. Preparing for a disaster is just as important as the response to disasters and at this occasion, as we discuss legal preparedness, we are making a collective effort to make the Southern African region a little bit safer.

Mr. Stephen Tiroyakgosi, Attorney General’s Chambers

Mr Tiroyakgosi set out that good legislation is critical to reducing risks that are posed by disasters. Disasters also have no respect for laws or international boundaries, but disaster response operations form country to country are governed by customs regulations. If law is not to defy its purpose during a disaster, there must be a legal alternative in place and regulatory barriers must be broken down. However, most legal officers at the ministerial level never get to see the practice of this, which is why the current workshop is so important: to build knowledge and exchange experience when it comes to the legal aspects of disaster cooperation. Mr. Tiroyakgosi wished the delegates fruitful deliberations and encouraged them review their own legal system to assess the regulatory barriers that may hinder international disaster response.
Dr. Teodosio Uate, Head of the Legal Affairs Unit (SADC)

Dr. Uate welcomed the collaboration with IFRC and Botswana Red Cross in the field of Disaster Law. He commemorated about the time when he was a student and learned that International Humanitarian Law and the Geneva Conventions governed the situation of armed conflict. These laws have been of great importance during the liberation wars that took place in the 1960-ies and 1970-ies in Southern Africa. However, looking at the developments since then and the situation today, when natural and man-made disasters are the main challenge in the region, and perhaps the time has dome to start thinking about a Disaster Law instrument. Dr. Uate indicated that this workshop was a good occasion to start deliberating such an instrument.

1.2 Introduction to Disaster Law and Recent Developments in Africa

Sanne Boswijk, Disaster Law programme Coordinator for Africa, IFRC

Ms. Boswijk introduced the urgency to address the area of international disaster law in Africa. Of particular interest were several pertinent examples of how regulation can actually prevent international disaster relief, for example delays to Swiss search and rescue teams arriving in Japan after the tsunami of 2011, and administrative complications delaying flights carrying food to the Horn of Africa in 2011. Ms. Boswijk outlined activities of the Disaster Law Programme in several African countries, such as Sierra Leone, Rwanda, Namibia and Mozambique, as well as IFRC’s collaboration with the African Union, ECOWAS and SADC in this field of law.
1.3 International Norms in International Disaster Response

Mr. David Fisher, Disaster Law programme Coordinator, IFRC

Mr. Fisher provided an overview of the major international instruments that govern disaster law, drawing out the key international and regional examples and explaining their content and relevance. Although there is not general disaster management treaty, there are international legal instruments that address elements of disasters. Hence, the Tampere Convention on the use of telecommunication in disasters was addressed, as well as annexes in the Istanbul and Kyoto customs agreements that address import of humanitarian goods. Of note is the AU Convention for Protection and Assistance of Internally Displaced Persons (IDPs) in Africa, also known as the Kampala Convention, which is not yet in force but which forms a significant example of international treaty relating to disasters in Africa. However, overall the international legal framework does not address common regulatory barriers adequately. The IFRC has developed the Guidelines on the domestic facilitation and regulation of international disaster relief and initial recovery assistance (also known as the ‘IDRL Guidelines’) and the IDRL pilot Model Act to support governments in preparing their legal systems for international disaster response cooperation.

1.4 Introducing the fictional disaster scenario

Mr. Lawrence Orowe, Head of Legal Department, Kenya Red Cross Society

Mr. Orowe led a presentation that introduced the participants to the fictional country Zaland, which is hit by monsoon floods. This fictional disaster scenario, which would form the basis around which the participants would analyse and discuss the issues raised in the working group sessions. Participants were encouraged to ‘think like a lawyer’ and to use the resource materials to support answers, rather than relying on common sense alone.

1.5 Working Groups Session 1: Initiation and Entry of International Relief

This session focused on international instruments governing requests and offers for assistance, and the problems international actors may encounter at customs. Participants were asked to use the legal instruments available to argue for and against a reluctant Government having an obligation to make an international appeal for assistance if it does not have the capacity to respond on a national level. In addition, a set of questions addressed the legal instruments governing the entry of relief personnel and specific items such as radio equipment.
Day 2: Disaster Laws in the Domestic Sphere

2.1 Lecture and debate: International Actors in the Domestic Sphere

Sanne Boswijk, Disaster Law programme Coordinator for Africa, IFRC

Ms. Boswijk introduced the issues that governments should anticipate once international humanitarian actors enter the territory of the affected state. These issues, such as regulatory aspects of obtaining legal personality, opening bank accounts, security, insurance, monitoring of the quality of aid and coordination with domestic authorities. It is recommended that governments grant certain facilities to international actors to avoid these issues; however, such facilities should only be granted on the basis of eligibility and a constant monitoring of the quality of assistance.

2.2 Working Groups Session 2: International Actors in the Domestic Sphere

This session was designed to improve the participants' understanding of the regulatory issues that can arise once international actors enter the domestic sphere, such as registration requirements and recognition of professional qualifications of foreign medical staff, as well as distribution of foreign medication. Participants were asked to consider recommendations or solutions available in the IDRL Guidelines and the IDRL Model Act.

2.3 Lecture: Protection issues in domestic disaster response

Caroline Blay, Office for the Coordination of Humanitarian Affairs (OCHA), Southern Africa Region
Ms. Blay introduced UN OCHA’s role and the cluster system to the participants, and moved on to highlight some protection issues that may come up in situations of disaster. She defined protection as ‘preserving a person’s dignity and integrity as a human being is as much a goal in humanitarian work as ensuring their physical safety and providing for their material needs’. As such, humanitarian work extends beyond physical assistance to the protection of human beings in their fullness. She gave an overview of the main instruments that protect the rights of persons during disasters, including the Guiding Principles on Internal Displacement, the Pinheiro principles (on housing and property), the IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters and the AU Convention on the protection and assistance of IDPs. She gave some examples of protection issues form the UN OCHA experience, such as inadequate lighting in camps affecting the access of women and girls, inadequate police protection of camp dwellers and inappropriate or open sewerage in refugee camps. Ms Blay indicated ways in which domestic systems could help improve, namely:

- Provide technical assistance to judicial systems for reforms and effective implementation of laws in accordance with international standards
- Provide training to security forces, judges, lawyers and service providers
- Identify protection priorities and develop strategies to address them
- Develop advocacy strategies for informing affected population of their rights and where they can seek redress in case of violations
- Assist and/or strengthen national capacity to develop mechanisms to monitor, report and address human rights violations.

2.4 Working Groups Session 3: Protection Issues in Disaster Response

This session aimed to familiarize the participants with issues surrounding the protection of internally displaced persons (IDPs) during natural or man-made disasters, and to inform participants of some legal issues that relate to housing and property restitution for IDPs. In the fictional scenario, the government of an affected state is attempting to cut off aid to any displaced persons outside its designated relief camps for economic reasons. A second question asked participants to consider whether it is right for a government to treat different types of home owners (e.g. renters, owners, those who cannot produce ownership documentation) differently, and whether or not this could be discrimination.

2.5 Panel and discussion: Domestic Solutions to Regulatory Barriers

Moderation: Mr. Lawrence Orowe, Head of Legal Department, Kenya Red Cross Society

Americo Ubisse, Secretary General, Mozambique Red Cross: IDRL in Mozambique

Mr. Ubisse expressed his delight in experiencing of Mozambique Red Cross in advocating for legal preparedness with its Government. He described how as Secretary General he familiarised myself with the substance of Disaster Law by taking part in a training organised by the IFRC, which is where he recognised the essential importance of legal preparedness. In 2011 the Mozambique Red Cross embarked on a study into the legal framework applicable to border crossing disaster response. It was found that there were gaps in the law when it comes to the procedure to make an international appeal, visa for foreign disaster personnel and taxation of humanitarian relief goods. On the positive side, the government of Mozambique is in the process of developing a Disaster Management Bill. Through the contacts made in the course of the research, Mozambique Red Cross developed its relationship with the legal drafters, and we created the opportunity to provide input into this new piece of law. Soon after
followed a request from the legislative group revising the Law on Medicines. In this way Mozambue Red Cross has had the opportunity to advocate for concrete changes in the law, to the benefit of disaster response in the country. Currently, Mozambique is presiding SADC, and Mr. Ubisse expressed his commitment to support the government to contribute to legal preparedness on the regional level through this channel.

Naemi Heita, Deputy Secretary General, Namibia Red Cross – IDRL in Namibia

Namibia Red Cross has constantly been reminding the Namibian government of the commitment they had shown to legally prepare for disasters. The Namibia Red Cross Society (NRCS) commissioned a study to look into the legal preparedness of the nation. We contracted a lawyer, gave him terms of reference, which included the agreement that government should be closely involved with the research project, to ensure buy in of the outcomes. Sensitization of all levels of govt, said Ms. Heita, is crucial for the success of such a project. Time was also a challenge, as government is a large entity and that requires time and patience. Ms. Heita pointed out that in Namibia disaster management falls under Office of the Prime Minister. So the NRCS met with the Prime Minister himself to agree on how to move forward. As it turned out, the government was already engaged in the drafting of a Disaster Management bill. Because one of NRCS’s chairpersons is also an MP, he could make use of the research when this Bill was discussed in parliament. This approach led to success: the Bill was finally adopted in September 2012, and some of our input is incorporated in it. In addition, our advice which came out of the research is being incorporated entirely in the regulations attached to the Bill.

Francis Buwule, legal adviser, Uganda Red Cross – IDRL in Uganda
Mr. Buwule conducted a legal research project for the Uganda Red Cross into the legal preparedness of Uganda for international disaster response. The basis for the project was a Memorandum of Understanding with the national authorities, to ensure that the government was not only aware of the project, but actively involved in the conduct of the research. This process was channelled in the setup of a government taskforce focusing on the issues of Disaster Law, which was manned by several government stakeholders who worked in close collaboration with a RC legal researcher. Through the prism of the IDRL Guidelines, the taskforce reviewed all types of law that may have an impact during disaster situations, such as immigration laws, laws concerning NGOs, and many others. Mr. Buwule emphasised that the report that contains the conclusions of the project, and some clear recommendations for improvement, requires urgent follow up, in particular the need for a Disaster Management law in Uganda requires action. According the Mr. Buwule, the challenges to such a project are: some officials didn't like to be told how to do their work, so they felt criticized. The other challenge in the research Process was access to information. Both challenges can be tackled by sensitization at all levels and resilience. As a result of continuous advocacy, the parliamentary forum for DRR has taken up interest and is lobbying for legislation. In June 2012 this forum organized workshop on Disasters and Law, at which URCS was invited to present the report. In conclusion, Mr. Buwule said that Uganda has been successfully advocating for legal preparedness and will ensure that the recommendations are followed up and don't remain on the shelf.
Day 3: Improving Disaster Laws in West Africa

3.1 Table Top Discussions per delegation: improving instruments regulating and facilitating humanitarian assistance in Southern African states

The participants were invited by Sanne Boswijk (IFRC) to capitalize on all the useful work carried out over the past two days, and not to lose the momentum gained. As such all participants were asked to gather in national delegations and to develop a National Level Action Plan, to indicate the next steps after the workshop, including the indication of other stakeholders at the national level.

Following discussion in the delegations, all participants reconvened in plenary and each delegation put forward its Action Plan. The details of each delegation's proposals, recommendations and commitments are set out in the Annex 2 to this Report. The overriding themes of the plans were ensuring full reports back to governments, ensuring sensitization and capacity-building in the area of disaster law, and analyzing domestic legislation and applicable international instruments in order to feed into projects to develop more robust domestic legislation.

3.2 Panel and discussion: Regional solutions to regulatory issues in international disaster cooperation

Moderation: Titus Ludzi Makosha, Under Secretary General, BRCS

Mr David Fisher (IFRC)

Mr. Fisher introduced the participants to some issues of legal preparedness that would be best addressed at the regional level, and pointed out the hierarchy of activities of regional structures (political dialogue on cooperation, information sharing and, in third place, rule making. Mr. Fisher pointed out that there are plusses and minuses to regional arrangements pertaining to disaster preparedness. For example, NGOs are rarely involved in these schemes and some of the statements made in this political forum may not lead to actual results. However, there are definitely good practice examples of regional cooperation in the global arena, such as the arrangements in place at the Organisation of American States, ASEAN and the Lisbon Treaty in Europe.

Dr. Theodosio Uate (SADC)

Dr. Uate provided the participants with a comprehensive overview of SADC instruments relating to disaster response and a history of SADCs involvement in the field of Disaster Risk Reduction. SADCs Policy on Security and Defense is to avoid instability, amongst others, which instability may be originated form issues such as internal strife/conflict. But disaster may also lead to instability, and hence would fall under the mandate. A cooperation agreement in the region would require a dialogue of Member States, Red Cross and Red Crescent societies and high level SADC organs, eventually leading to the convention of a ministerial committee of the organ to address this initiative. In short, a regional arrangement in the SADC context is possible, but will require a proper preparation, dialogue and high level commitment. Dr. Uate concluded by thanking the organisers for this opportunity to exchange views on how best to adapt
laws in the SADC region, and expressed his hope that this would not be the last time DM stakeholders meet on this topic.

3.3 The pilot IDRL Model Act – experts session

Having gained a large amount of knowledge and exchanged their respective experiences, the participants were invited by the IFRC into smaller working groups once more, this time to provide their expert opinion on the idea and substance of the “Model Act for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance”, developed in partnership by the IFRC, UN OCHA and the Inter-Parliamentary Union, which is currently available in a pilot version. The inputs received during this session will be integrated in the final version of the IDRL Model Act.

3.3 Closing Ceremony

The workshop was brought to a close with concluding remarks and words of thanks from the President of the BRCS and David Fisher on behalf of the IFRC. Each participant received a certificate of completion for the workshop.
Annex 1 – List of Participants

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<th>No</th>
<th>Organization / Country</th>
<th>Name of participant</th>
<th>Position</th>
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<tr>
<td>1</td>
<td>Prime Minister's Officer TANZANIA</td>
<td>Ukundi Dominic Lema</td>
<td>Legal Officer</td>
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<td>2</td>
<td>Disaster Management Department TANZANIA</td>
<td>Mr. Gilbert Mkindi</td>
<td>Senior Economist</td>
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<td>Red Cross TANZANIA</td>
<td>Mr. Kibari Tawakal</td>
<td>Disaster Response Manager</td>
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<td>Protection Civile RDC</td>
<td>M. Kitambala K’onganga Jean</td>
<td>Directeur</td>
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<td>Kiwangala Kilembe Aimee</td>
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<td>6</td>
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<td>M. Ntumbanzondo Mposo Robert</td>
<td>Expert</td>
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<td>7</td>
<td>Red Cross MALAWI</td>
<td>Ethel Kaimila</td>
<td>Secretary General</td>
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<td>8</td>
<td>Department of Disaster Management MALAWI</td>
<td>Mr. James Chiusiwa</td>
<td>Coordinator for Disaster Management</td>
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<td>MINISTRY OF JUSTICE AND CONSTITUTIONAL AFFAIRS MALAWI</td>
<td>Mr. Steven KAYUNI</td>
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<td>10</td>
<td>UNDP MALAWI</td>
<td>Ms Tapona Msowoya</td>
<td>Programme Analyst (DRR)</td>
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<td>11</td>
<td>World Food Programme SOUTH AFRICA</td>
<td>Ms. Raisa Cole</td>
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<td>UNOCHA ROSA SOUTH AFRICA</td>
<td>Ms. Yolanda Cowan</td>
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<td>UNOCHA ROSA SOUTH AFRICA</td>
<td>Ms. Noroarisoa Rakotomalala</td>
<td>Regional Disaster Response Advisor</td>
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<td>UNOCHA ROSA SOUTH AFRICA</td>
<td>Ms Caroline Blay</td>
<td>Senior GenCap Officer</td>
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<td>UNOCHA ROSA SOUTH AFRICA</td>
<td>Mr Narciso Rosa-Berlanga</td>
<td>Humanitarian Affairs Officer</td>
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<td>IOM Pretoria</td>
<td>Danila Bogdan Silviu</td>
<td>Emergency and post crisis specialist</td>
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<td>UNFPA Regional Office Johannesburg SOUTH AFRICA</td>
<td>Jonathan Ndzi</td>
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<td>IFRC, Indian Ocean Islands National Societies MADAGASCAR</td>
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<td>Mr. Ratsimbazafy Fanja Nantenaina</td>
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<td>Bureau National de Gestion des Risques et des catastrophes MADAGASCAR</td>
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<td>Croissant Rouge COMOROS</td>
<td>M. Moustadrane Ben Salim</td>
<td>President</td>
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<td>24</td>
<td>INGC Mozambique</td>
<td>Ms. Rita Almeida</td>
<td>Planning official</td>
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<td>INGC Mozambique</td>
<td>Mr. Bonifacio Antonio</td>
<td>Coordination officer manager</td>
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<td>Disaster Management Authority LESOTHO</td>
<td>Mr. Lehlohono Sупing</td>
<td>Principal Legal Officer</td>
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<td>Ms Matseliso Mojaki</td>
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<td>Red Cross</td>
<td>Mr. Lefatsa Khotso</td>
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<td>29</td>
<td>Attorney General’s Office</td>
<td>Mrs Carol Laura Nancy Green-Jokhoo</td>
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<td>Red Cross</td>
<td>Ms. Naemi Heita</td>
<td>Secretary General</td>
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<td>Ministry of Justice</td>
<td>Mrs Chipo Nduna</td>
<td>Legislative Drafter</td>
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<td>32</td>
<td>National Disaster Management Agency</td>
<td>Mr. Samkeliso Dlamini</td>
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<td>Legal Advisor</td>
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<td>Mr. Elliot Jele</td>
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<td>Mr. Titus Ngandu</td>
<td>Regional coordinator</td>
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<td>Mr. Haniebe Josiah Simachela</td>
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<td>Red Cross</td>
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<td>SEYCHELLES</td>
<td>Ms. Nicole Mathurin</td>
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<td>Ministry of health</td>
<td>Dr. Henriette Kenneth</td>
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<td>MSB</td>
<td>Mr. Christopher Jung</td>
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<td>Ms Sibusisiwe Ndlovu</td>
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<td>Mr Lameck Betera</td>
<td>Admin Officer Research</td>
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<td>Dr Portia Manangazira</td>
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<td>Mr John M Mupuro</td>
<td>Climate expert / Acting head Agro metrology</td>
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<td>Mr Lamel F Mandiziba</td>
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<td>Mr Calvin Matsinde</td>
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<td>Dr Valter Quifca</td>
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<td>Head of Legal Department</td>
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<td>Mr. Francis Buwule</td>
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<td>53</td>
<td>Geneva</td>
<td>Mr. David Fisher</td>
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Annex 2 – List of Country level plans

1. Botswana:

Short-term plan:

- Work with AG more regularly to get advice on disasters and law
- National preparedness workshop in 2 weeks. AG’s office to attend.
- Sensitization workshops with DM committees
• Engage a researcher to look at our laws in different sectors, organize consultative meetings and prepare a report.
• Assistance of IFRC and the NS to engage the researcher or undertake the research

Long-term plan:

• Draft and enact a DM Act

2. Comoros:

Court-term
• Entrer en contact avec les responsables du gouvernement
• Elements a inclure dans une convention de financement pour la CRC

Long-term
• CRC s'inspirera des Lignes Directrices/Loi-type pour préparer un projet de loi et demander au gouvernement. De la soumettre au parlement

Appui
• OCHA, FICR, SADC – aider avec la rédaction d’un projet de loi
• SADC – aide les pays a ratifier les traités signés
• FICR et las SN sœurs de partager leurs expériences/sensibilisation sur les textes

3. Democratic Republic of the Congo:

Court-terme
• Injecter des elements nouveaux dans les plans de contingences
• Refugiés, personnes déplacées – s’assurer que les regles domestiques tiennent en compte les normes internationaux
• Faire un rapport sur les conventions signés mais pas encore ratifiés.
• Faire la restitution de l’atelier – faire appel aux acteurs responsables et partager l’information
• Insister sur la ratification des conventions
• Decret de 1998 – mais pas adapté. Projet de loi avec le President actuellement.

Long-terme
• Les Lignes Directrices seront injectees dans les lois appropries
• Travailler avec la SN pour les ateliers, exercises de simulation
• SADC : nous aider avec un centre de formation régional
• FICR : implication dans la formation du personnel

4. Lesotho:
## PLAN - Short term

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsibility</th>
<th>Time frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide feedback to individual delegate institutions</td>
<td>Individual delegate</td>
<td>By Thursday 11th October 2012</td>
</tr>
<tr>
<td>The delegation meet to develop feedback presentation to stakeholders</td>
<td>DMA - Mr. Suping (Coordination)</td>
<td>On Friday 12th Oct, 2012</td>
</tr>
<tr>
<td>Presentation of the IDL workshop feedback to the principals (with recommendations) for buy-in</td>
<td>Delegation- DMA - Mr. Suping (Coordination)</td>
<td>Thursday 18th Oct</td>
</tr>
</tbody>
</table>

## PLAN - Medium

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsibility</th>
<th>Time frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sensitisation of the stakeholders on IDL workshops: plan of action developed</td>
<td>Delegation- DMA - Mr. Suping (Coordination)</td>
<td>By end November 2012</td>
</tr>
<tr>
<td>Develop a proposal to engage a consultant to incorporate the IDRL and other international conventions and resolutions into our DRR bill</td>
<td>LRCS and DMA</td>
<td>By end of December 2012</td>
</tr>
</tbody>
</table>

What support from the National Society, SADC and IFRC

**Technical assistance:**

<table>
<thead>
<tr>
<th>Financial support:</th>
<th>IFRC, DMA.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To engage TA</td>
<td></td>
</tr>
<tr>
<td>• Sponsor sensitisation session (similarly to this one)</td>
<td></td>
</tr>
</tbody>
</table>

| Technical assistance during sensitization session | IFRC and SADC |

5. Madagascar:
### Work Plan for Malawi

<table>
<thead>
<tr>
<th>Activity</th>
<th>Support Required</th>
<th>Time</th>
<th>Lead Institution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support the review of the Disaster Preparedness and Relief Act</td>
<td>Technical support is required from IFRC</td>
<td>1st quarter of 2013</td>
<td>DoDMA</td>
</tr>
<tr>
<td>Organize a national stakeholders sensitization workshop on IDRL</td>
<td>Facilitation and funding from IFRC</td>
<td>2nd quarter of 2013</td>
<td>MRCS</td>
</tr>
<tr>
<td>Undertake a study to review the legal preparedness for disaster management</td>
<td>Need for support from IFRC for consultant.</td>
<td>1st quarter of 2013</td>
<td>MRCS</td>
</tr>
<tr>
<td>Develop standard operating procedures for receipt of international assistance during disasters</td>
<td>Need for support from IFRC for a consultant.</td>
<td>2nd quarter of 2013</td>
<td>DoDMA</td>
</tr>
</tbody>
</table>

### Mauritius:
- AG office in the process of developing a draft law currently. Will revisit the current draft in light of the existing documents, to ensure the basic principles are reflected.
- AG office also legal advisor to the government: will suggest to consult with the ministry concerned
- Short term: Ensure draft legislation on the right track.
- Long term: Ensure law is passed and structures are in place – and constant sensitization on the law with all stakeholders so everyone is aware of their responsibilities.
- Collaboration with the NS on the draft legislation and implementation
- SADC/IFRC: Any technical assistance welcome in light of experience elsewhere.

### Mozambique:
9. Namibia:

Has just adopted a DM Law that incorporates many IDRL issues. Details are to be worked out in the regulations attached to the law.

- Follow-up on finalization of the regulations – incorporating IDRL
- Follow-up with line ministries to amend their acts as well
- Capacitate technical staff from govt, UN, RC to speak the same language – similar to this workshop

10. Swaziland:

Existing DM Act (2006) mostly concerned with institutions and doesn’t go into technical detail

Short term

- Will review the legislation to bring it into conformity with international standards
- Prepare a cabinet paper about this workshop, with recommendations and a plan of action (amendment or repeal)
Medium term
- Engage a consultant to carry out a study on all laws, policies and guidelines relevant to DM
- Also review which international instruments to ratify
- Then commence drafting a new DM bill to present to parliament
- Conduct workshops for stakeholders in DM
- Request cabinet to approve ratification of treaties

Support
- Support from IFRC for engaging consultant and costs of meetings, drafting bill

11. Tanzania:
- Currently reviewing our DM act. Would like to work with IFRC to incorporate IDRL issues.
- Will be tabled early next year in parliament.

12. Seychelles:
- Have a draft bill already quite in line with IDRL – but a few things to tighten up.
- Upon return: take a step back and look again at the various responsibilities involved. Will ask the RC to kickstart the process
- National DM Committee to form a specific working group
- Ask IFRC for a small training on IDRL requirements in country
- Organize a simulation exercise
- Recommend that the AG becomes permanent member of the Committee
- Push for ratification of outstanding treaties

13. Zambia:

Domestication of international disaster Law in Zambia

1. Introduction
   - Zambia has a disaster mgt Law in place which was enacted in 2010
   - The structure transcends from the National to the Satellite level
     
     NDMC
     DMC
     DMU
     PDMC
     DDMC
     SDMC

2. Activities in the short term
   There is a provision in next year’s budget to sensitize Members of Parliament – DRR cell
Create a DRR cell in the House of Chiefs

In the next year’s budget, there is a provision for the operationalisation of the provisions of the ACT. We will engage our relevant authorities to formulate regulations pursuant to section 42 of our current ACT that are in line with the international disaster law.

3. Support

Technical support in relation to the formulation of the regulations in accordance to section 42 of the Act

14. Zimbabwe:

Immediate steps:

- Prepare report for MOH, DCP, RC
- Feedback to the National Civil Protection Committee by mid-Dec 2012
  - Invite nutrition, health, protection, wash cluster leads
- Finalize MOUs with neighbors
- Develop regulatory mechanism for donor for receiving international assistance

Medium term:

- Bill and policy on disaster risk management
  - Engagement of a consultant to conduct operations research, produce consolidated guidelines for regional and international assistance, (drugs, medical supplies, food…) through the resource mobilization sub-committee
- Stakeholder consultative workshop and consensus on the consultants work
  - Gaps in the legal framework, policy and regulations
  - Proposals to amend the Acts
  - Recommend the national guidelines for donations for endorsement by cabinet

Support required:

- IFRC: Technical, financial and logistical support
- SADC: Come up with accreditation Board for rapid deployment of personnel to disaster areas