

Disaster Law Programme

Summary Plan 2012

In November 2011, the 31st International Conference of the Red Cross and Red Crescent called of the IFRC to continue its work on International Disaster Response Laws, Rules and Principles (IDRL) and also to expand its support to National Societies in other relevant areas of disaster law. As a consequence, the IFRC has changed the name of its “IDRL Programme” to the “Disaster Law Programme.”

The Disaster Law Programme will continue to promote enhanced legal preparedness for international disaster response, including through dissemination of the “Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance” (the **IDRL Guidelines**). In addition, it will gradually expand the capacity of the Movement to support governments on legal issues related to disaster risk reduction, shelter and other key domestic disaster management issues.

Through a core team in Geneva and staff based in three IFRC zones (Panama, Addis Ababa, Kuala Lumpur, and Suva), the programme will concentrate on the following four areas of work:

(1) cooperating with National Societies and other partners to provide **technical assistance to interested governments** in strengthening domestic legal frameworks for IDRL (and eventually in other areas of disaster management);

(2) **building the capacity** of National Societies, IFRC staff, humanitarian partners and academic stakeholders, including students, to promote strong and effective disaster laws;

(3) **advocating** with governments and inter-governmental organizations for appropriate attention to be paid to issues related to disaster law; and

(4) undertaking and encouraging **new research** on key legal issues in disaster management, in particular in the areas of disaster risk reduction and regulatory barriers to shelter.



TECHNICAL ASSISTANCE FOR GOVERNMENTS

Country-based technical assistance

The Disaster Law Programme will continue to provide follow-up support to National Societies and governments for the development of new laws and procedures related to international disaster response. This will include countries where prior technical assistance projects have been undertaken (such as Cambodia, Colombia, Haiti, Pakistan, Peru, Tajikistan, and Vietnam, among others). In addition, **at least five new intensive technical assistance projects** will be initiated in 5 regions.

In each case, the programme's technical assistance projects will be conducted in support of National Societies with a view to building their own capacities to provide effective advice to their authorities. The projects will include the production of detailed studies of relevant national laws and procedures, consultations with domestic and international actors and the development of detailed findings and recommendations. When requested by the concerned authorities, the projects may also provide direct support in the drafting of new rules or legislation. The IFRC will also continue to respond to **ad hoc requests for advice** outside the intensive projects, including with regard to draft laws currently under development.

The IFRC will also begin work with interested National Societies and governments to assist states to undertake examinations of their regulatory frameworks for disaster risk reduction and post-disaster shelter.

Where appropriate, each of the above phases of these projects will be conducted collaboratively with other interested international **partners**, such as the United Nations and/or key **regional organizations**.

Pilot the Model Act

In 2011, a pilot version of the **Model Act** for the domestic facilitation and regulation of international disaster relief and initial recovery assistance prepared by the IFRC together with OCHA and IPU and this effort was welcomed by the 31st International Conference. The model draws lessons learned from the numerous technical assistance projects and studies carried out over the past several years, and is supplemented by an extensive commentary with examples and best practices from existing laws.

The pilot will be used as a reference in technical assistance projects and further consultations will be arranged with lawmakers and other stakeholders over the course of 2012, with the goal of launching a finalized version by the end of the year. With its partners, the IFRC will also begin work on associated products to assist states using the Model Act as a reference.

Participate in UNDAC preparedness missions

Continuing successful cooperation over the past three years, and in line with the MOU signed between the IFRC and OCHA at the 31st International Conference, Disaster Law Programme staff will continue to provide **legal support to "preparedness missions"** undertaken by the United Nations Disaster Assessment and Coordination (UNDAC) programme. These missions are initiated by the request of governments seeking overall advice on ways to strengthen their disaster managements systems, including with regard to their interface with international systems.

Develop a checklist on legislation for risk reduction

Following on the results of the IFRC's research over the last two years concerning gaps and best practice in legislation for disaster risk reduction at the community level, the IFRC will lead a process of consultations with National Societies, states, humanitarian partners and others to develop a **checklist for lawmakers**.

CAPACITY BUILDING

Organize training workshops

The programme will continue to offer **training workshops** for National Societies, humanitarian partners, and, as appropriate, governmental officials, organizing at least **three regional or sub-regional workshops**, and **ten substantive national-level trainings** over the course of the year.

As in past years, these trainings will address a range of issues, including the IDRL Guidelines and associated international instruments and norms in disaster operations. Drawing on the guidance note "**Legislative Issues in Disaster Management and Epidemic Response**" shared with National Societies as a final consultation version during the 18th General Assembly in 2011, workshops will also continue dialogue, the sharing of experience and skills building in this aspect of "humanitarian diplomacy."

Organize the annual disaster laws short course

The IFRC will seek to partner again with the Danish Red Cross and Danish government to organize the second annual disaster laws short course for selected representatives of governments, National Societies and other partners.

Organize a pilot international and comparative disaster law student competition

In order to involve youth and the academic community in disaster law issues, the IFRC will work with interested National Societies to organize a competition for law students similar to a "moot court" with a scenario-based approach to provoking legal arguments. This will involve national level competitions organized by interested National Societies with technical support from the IFRC and then a global competition of their winners (to be competed in the first quarter of 2013).

Develop additional courses and training materials

Beginning in 2012, the programme will collaborate with the National Society Knowledge Development and Humanitarian Diplomacy Divisions in the development of legal components of courses on disaster management and humanitarian diplomacy.

The programme will also continue to develop dedicated **training materials** for use outside of its own workshops, to develop internal and partner capacities on legal issues in disasters and health emergencies. These will include short modules for inclusion in existing trainings (such as those for ERU, FACT, RDRT, and UNDAC) as well as additional online training modules to follow on the success of its introductory module, which has been followed by more than 1,000 persons.

ADVOCACY AND PARTNERSHIPS

Advocate for legal preparedness at the global and regional levels

The programme will continue to emphasize outreach to regional organizations, including

through at least two targeted regional conferences held over the course of the year.

The programme will also continue to encourage inter-governmental and regional forums and platforms to: take note of the IDRL Guidelines; make use of them in the development of protocols and standard operating procedures; and promote their use by their member states.

Disseminate the IDRL Guidelines and information about disaster law

The programme will expand its existing **dissemination kit** on the IDRL Guidelines to address domestic disaster management and legal preparedness for disasters more broadly. The programme will continue to promote the IDRL Guidelines and assist IFRC personnel and National Societies to do the same. Opportunities will be seized to make presentations on legal preparedness and the IDRL Guidelines at appropriate meetings and conferences.

Strengthen partnerships

Close **partnerships** to raise awareness on the importance of legal preparedness, highlighting the usefulness of the IDRL Guidelines and legal preparedness more broadly, will be continued and intensified with the UN, regional organisations, and NGOs.

NEW RESEARCH

Undertake new research on legal issues in disaster management

The programme will collaborate with other IFRC departments on **applied research** regarding the use of legal tools to meet disaster management goals. This will include continued work with the Shelter Department, looking at issues raised both with regard to its work with National Societies and as convener of the Global Emergency Shelter Cluster in natural disasters, as well as the Community Preparedness and Risk Reduction Department, regarding the use of legislation as a tool to enhance disaster risk reduction impacts, particularly at the community level.

Foster academic interest in disaster laws

The Disaster Law Programme will foster academic interest in disaster laws issues in order to generate more ideas and energy toward solutions. It will continue a series of **working papers** on disaster law issues published on its website and disseminated through its network. It will also contribute papers to outside journals and it will cultivate **regional pools of experts** on IDRL and disaster law more generally.

MORE INFORMATION

For more information about the Disaster Law Programme, please visit our public website (<http://www.ifrc.org/idrl>) or contact us at disaster.law@ifrc.org.