

Report 2006-2007



International Federation
of Red Cross and Red Crescent Societies

International Disaster Response Laws, Rules and Principles (IDRL) Programme

Appeal No. MAA00004

03/04/2008

This report covers the period of 01/01/2006 to 31/12/2007 of a two-year planning and appeal process.



In November 2007, 1,500 delegates representing States, National Societies and observer organizations worldwide, unanimously adopted the IDRL Guidelines at the 30th International Conference of the Red Cross and Red Crescent. **ICRC.**

In brief

Programme summary:

From 2006 to 2007, the IDRL Programme carried out intensive research, dialogue and consultations aimed at promoting the improvement of legal facilitation and regulation of international disaster relief.

Thanks to the support of its donors and many partners, the Programme succeeded in greatly raising the profile of this forgotten issue, demonstrating its impact on the effectiveness of the relief received by communities devastated by disasters, and identifying the steps that States and other actors can take to solve the most common problems.

Through a global dialogue with States, National Red Cross and Red Crescent Societies and other humanitarian stakeholders, the Programme was able to develop by consensus, the Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance (IDRL Guidelines). The IDRL Guidelines are the first set of comprehensive guidelines to be adopted by an international forum, since the Measures to Expedite International Relief were adopted by the 23rd International Conference of the Red Cross and Red Crescent and the UN General Assembly in 1977.

The IDRL Programme was fortunate to have received substantial funding toward its stated budget.

Programme expenditures slightly outpaced receipts in 2007 due to unanticipated expenses related to the final negotiations of the IDRL Guidelines (including repeated translations of the draft Guidelines and related documents in Arabic, English, French, Spanish and Russian). However, when all funds pledged for 2007 are received, it is expected that the shortfall will be entirely covered.

Goal: The IDRL Programme seeks to reduce the vulnerability and suffering of people affected by non-armed conflict disasters by raising awareness, promoting the implementation and encouraging the strengthening, of laws, rules and principles that ensure a timely, adequate and efficient international response to disasters, where international involvement is needed.

Needs: Total 2006-2007 budget of CHF 2,058,481 (USD 1,841,217 or EUR 1,247,564) (out of which 82 per cent was covered). Click here to go to the attached financial reports:

[Report 2006](#)

[Report 2007](#)

[Report 2006/2007](#)

Our partners: The IDRL Programme was able to meet its objectives thanks to the support of over 30 contributors (including both National Red Cross and Red Crescent Societies and governments), and the collaboration of many partners within the Red Cross and Red Crescent Movement, as well as in the humanitarian, inter-governmental, academic and disaster management communities.

Progress towards objectives

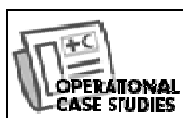


Objective 1: To enlarge the collection and dissemination of IDRL laws, rules and principles.

IDRL database

A searchable, web-based database of over 500 international, regional and national legal instruments relevant to disaster regulation was developed in 2006 and continuously supplemented over the course of 2007. It is the largest collection of such documents currently available. National law entries in the database are still relatively few due to the difficulties experienced in obtaining updated texts and translations, but it is planned that this will be improved in 2008. Eleven fact sheets were also developed to provide users with an introduction to issues covered by documents in the database. The database and fact sheets can be accessed at: <http://www.ifrc.org/what/disasters/IDRL/publication.asp>.

Objective 2: To clarify and analyze the scope of existing IDRL laws, rules and principles, including any gaps and weaknesses.



Operational and legal studies

The programme and its partners completed eleven new operational and legal studies/papers over the two-year period (see table 1 below). These studies identified the main IDRL legal challenges faced both by providers of international humanitarian assistance and affected state governments, explored the degree of implementation and the usefulness of existing IDRL frameworks, and identified best practices.

Table 1

Year	Country/region	Author and title	Partner
2006	Sri Lanka	Victoria Bannon et al. Legal issues from the international response to the tsunami in Sri Lanka	
2006	Thailand	Victoria Bannon et al. Legal issues from the international response to the tsunami in Thailand	Disaster Tracking Recovery Assistance Center (D-TRAC)
2006	Turkey	Eyüp G., sbir & F. Neval Genç. International disaster response law: 1999 Marmara Earthquake case study	Turkish Red Crescent
2007	Africa	Tracy Lynn-Field. Regional (Africa) survey of disaster response laws, polices and principles	
2007	Bolivia	Daniel Costa. Legal issues from the international response to the floods in Bolivia (publication forthcoming)	
2007	Guatemala	Mary Picard. Legal issues from the international response to Tropical Storm Stan in Guatemala	
2007	Jamaica	Candice Rochester. Legal challenges to international response to natural disasters in Jamaica: context of Hurricanes Ivan (2004), Dennis and Emily (2005)	Govt. of Jamaica
2007	Americas	Claudia de Windt. Law of disasters: toward a normative framework in the Americas	Organization of American States (OAS)
2007	Indonesia	Victoria Bannon et al. Legal issues from the international response to the tsunami in Indonesia	
2007	Mali	Békaye Goulibaly. Legal issues from the international response to the famine and locust infestation in Mali (unpublished but reported to the African IDRL Forum)	Mali Red Cross
2007	Middle East	United Arab Emirates (UAE) Red Crescent. International disaster response law	UAE Red Crescent

As part of the research process, technical workshops on IDRL were organized in 2006 and in 2007, in support of the legal and operational studies in Guatemala, Indonesia, Kenya, Sri Lanka, Thailand, Turkey and Tunisia.

Additional case studies had been conceived for Australia, the Greater Mekong Region, Pakistan and the Philippines, but could not be carried out during this period for a number of reasons, including intervening disaster operations and other external demands on the National Societies involved and other critical partners. Dedicated technical support projects for countries in the Mekong Region will be taken up in 2008.



IDRL survey

The IDRL programme conducted a global survey of governments, National Red Cross and Red Crescent Societies, UN agencies and NGOs on their use and awareness of existing international standards in international disaster response, and the impact of particular legal issues on their relief operations. One hundred eighteen usable responses were gathered, demonstrating the importance of IDRL issues to all sectors involved in disaster response. The analysis of the survey was incorporated into the IDRL desk study (appendix 3).

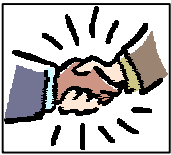


IDRL desk study

In November 2007, the IDRL Programme published “Law and legal issues in international disaster response: a desk study.” This 212-page report is the most comprehensive analysis attempted to date of existing international law and legal

problems in the area of international disaster response. It draws upon and summarizes the IDRL consultations, case studies and IDRL survey responses to identify gaps and suggest solutions. A summary version was also prepared and translated into Arabic, French and Spanish.

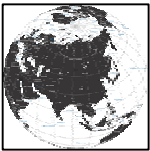
Objective 3: To raise awareness and improve implementation of IDRL norms.



Support for national and regional implementation

In close collaboration with the National Red Cross Societies of Indonesia and the Philippines, the IDRL programme provided detailed recommendations on new disaster management legislation and regulations in those countries. Upon request, the Programme also provided more general presentations and IDRL introductions to governmental officials in Australia, India, New Zealand, and the Nordic States. It supported the Association of Southeast Asian Nations (ASEAN) members to develop new standard operating procedures for regional cooperation in disaster relief pursuant to the 2005 ASEAN agreement on disaster management. The programme also provided support to regional planning meetings and exercises, including the development of procedures relating to the use of military assets in non-conflict disaster settings.

Advocacy in the international arena



Through its advocacy and partnerships, the IDRL programme succeeded in raising the prominence of legal preparedness in the following external forums and reports:

- International Conference on Emergency Communications, June 2006.
- UN Economic and Social Council (ECOSOC): IDRL Side Event organized by the Federation, July 2006.
- UN General Assembly, 6th Committee, October 2006.
- UN Secretary General (SG) Report to the General Assembly (GA) on strengthening emergency relief in the aftermath of the tsunami, 2006 (expressing support for IDRL).
- Tsunami Evaluation Coalition Synthesis Report, 2006 (expresses support for the development of IDRL).
- Report of the UN SG's Special Envoy on Tsunami Reconstruction, 2006 (expressing support for the development of IDRL).
- Inter-Agency Standing Committee (IASC) Working Group, March 2007 (endorsing the IDRL Guidelines initiative).
- ASEAN Committee for Disaster Management, Laos, May 2007.
- OAS GA Resolution 2314, 2007 (referring to the Americas IDRL Forum).
- South Pacific Applied Geoscience Commission (SOPAC), 13th Regional Disaster Management Meeting, Marshall Islands, June 2007.
- EU Parliamentary Committee on Development Report on the European Consensus on Humanitarian Aid, Oct 2007 (expresses support for the IDRL Guidelines).



Increasing awareness within the RC/RC Movement

The IDRL Programme also continued to raise awareness of IDRL issues within the RC/RC Movement in the following meetings:

- Seventh Asia and Pacific Conference of the Red Cross and Red Crescent Societies, Singapore, November 2006.
- Thirty-fifth Session of the General Assembly of the Arab secretariat, Doha, February, 2007.
- Tenth Mediterranean Conference of the Red Cross and the Red Crescent Societies, Athens, March, 2007.
- Seventh European Regional Red Cross and Red Crescent Conference, Istanbul, May,

2007.

- IDRL and Climate Change Focal Group meeting in preparation for the 30th International Conference, Jakarta, May, 2007.
- Eighteenth Inter-American Conference of the Red Cross, Guayaquil, Ecuador, June, 2007.
- Second Commonwealth Red Cross and Red Crescent International Humanitarian Law Conference, Wellington, New Zealand, August 2007.
- Southeast Asian National Societies Leadership Meeting (adopting a Position Paper on IDRL), Phnom Penh, Cambodia, September 2007.

Trainings, presentations and seminars



The IDRL Programme provided training and presentations on IDRL issues to disaster management practitioners and academics in the Americas, Asia and Europe.

- Colloquium at the Université d'Aix-Marseille, Des avancées juridiques dans le sillage du Tsunami?, Aix-en-Provence, France, June 2006.
- Naval War College International Law Conference, Providence, USA, August 2006.
- International Conference on Disaster Reduction, Davos, August 2006.
- United Nations Disaster Assessment and Coordination (UNDAC) training, Seoul, Republic of Korea, September 2006.
- Disaster Reduction Alliance Lecture Series, Kobe, Japan, September 2006.
- Field Assessment and Coordination Team (FACT) training, Bangkok, Thailand, October 2006.
- Aid and Trade Conference, Geneva, Switzerland, January 2007.
- Scandinavian Civil Protection Seminar, Oslo, Norway, January 2007.
- Norwegian Refugee Council Training, Geneva, Switzerland, January 2007.
- American Society of International Law (ASIL), Annual Meeting, Washington, USA, March 2007.
- Société Française de Droit International, "La responsabilité de protéger", Colloque annuel, Paris, June 2007.
- Asian Disaster Preparedness Centre Training, Bangkok, Thailand, July 2007.
- International Disaster Reduction Conference, Harbin, China, August 2007.
- European Civil Protection Mechanism Training Course, Danish Emergency Management Agency Staff College, September 2007.
- Regional Workshop on Innovative Approaches to Flood Risk Reduction in the Mekong Basin, Khon Kaen, Thailand, October 2007.
- Asian Development Bank Greater Mekong Subregion Public Health Forum on Regional Cooperation in Communicable Diseases Control and Health Systems Development, Vientiane, Lao PDR, November 2007.



External publications

IDRL programme staff contributed nine scholarly articles (in journals ranging from the International Review of the Red Cross, the Refugee Survey Quarterly and the Vanderbilt Journal of Transnational Law), and two book chapters during the reporting period.



Communications tools

The IDRL Website was updated and made more dynamic, with additional documents available in French and Spanish and specific information on the Tampere Convention for the Provision of Telecommunication Resources for Disaster Relief and Mitigation Operations. An IDRL e-newsletter was developed and produced bi-monthly, increasing

its subscriber base from 105 in 2006 to over 2,500 by the end of 2007. A weekly IDRL news service was also produced and provided to over 200 subscribers.

Objective 4: To bridge gaps.



Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance

Consistent with the mandate from the 28th International Conference of the Red Cross and Red Crescent, the IDRL Programme undertook a series of formal consultations on existing gaps in regulatory frameworks for international disaster relief and preferred solutions. In particular, the Programme collaborated with its partners to organize five regional forums bringing together over 450 high-level representatives of governments, National Red Cross and Red Crescent Societies, UN agencies, regional organizations, NGOs and other stakeholders (see table 2).

Table 2

Region	Place	Organizers and Host	RC/RC	Gov	IO	NGO	Acad
European Forum on IDRL (24-25 May 2006) Over 70 participants	Antalya, Turkey	International Federation Turkish Red Crescent Soc. Host: Government of Turkey	22	11	9	4	3
Asia-Pacific Forum on IDRL (12-13 December 2006) Over 130 participants	Kuala Lumpur, Malaysia	International Federation Malaysian Red Crescent Soc. Host: Government of Malaysia	22	10	11	6	3
Americas Forum on IDRL (23-24 April 2007) Over 100 participants	Panama City, Panama	International Federation Panama Red Cross Soc. OAS Host: Government of Panama	28	20	17	8	4
Pan-African Forum on IDRL (14-15 May 2007) Over 110 participants	Nairobi, Kenya	International Federation Kenyan Red Cross Soc. Host: Government of Kenya	38	33	16	4	2
Middle East Forum on IDRL (19-20 June 2007) Over 60 participants	Abu-Dhabi, U.A.E.	International Federation U.A.E. Red Crescent Soc. Host: Government of the U.A.E.	9	10	5	4	-
Open meeting for Geneva Permanent Missions and National Societies (2 October 2007) Over 75 participants	Geneva, Switzerland	International Federation	15	50	-	-	-

In addition to these forums, the IDRL Programme undertook extensive consultations with NGOs (including through formal presentations to the members of the International Council of Voluntary Agencies (ICVA), InterAction, Steering Committee for Humanitarian Response (SCHR), Sphere Project Board and the secretariat of Voluntary Organisations in Cooperation in Emergencies (VOICE)), UN agencies, regional organizations and individual governments.

The principal result of these consultations was the development and refinement of the Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance (known as the “IDRL Guidelines” – available in Arabic, English, French and Spanish at www.ifrc.org/idrl). The Guidelines build upon and compile existing international norms and offer recommendations to governments to solve the most common legal problems in international disaster relief operations through domestic legislation and institutional arrangements.

The Guidelines were unanimously adopted by the state parties to the Geneva Conventions and the components of the International Red Cross and Red Crescent Movement at the 30th International

Conference of the Red Cross and Red Crescent. The adopting resolution encourages States to make use of the Guidelines to strengthen their national legal, policy and institutional frameworks, and invites the International Federation and National Societies to support them, in close collaboration with other partners. In addition, 40 governments and 42 National Societies made pledges on the topic of the strengthening of legal frameworks for disaster response.

Working in partnership

The IDRL Programme engaged in extensive partnerships for the organization of the regional IDRL Forums. As such, it fruitfully collaborated with the Red Cross and Red Crescent societies from Malaysia, Panama, Kenya, Turkey and U.A.E, as well as with their respective governments and the OAS. It also worked actively together with the Arab League, Association of Caribbean States, the African Union (AU), the Caribbean Disaster Emergency Response Agency (CDERA), the Central American Center for the Prevention of Natural Disasters (CEPRENAC), Gulf Council of Countries, the International Committee of the Red Cross (ICRC), the United Nations International Strategy for Disaster Reduction (ISDR), the Inter-governmental Authority on Development (IGAD) OAS, UN Office for the Coordination of Humanitarian Affairs (OCHA), the World Customs Organization (WCO) and the World Health Organization (WHO), when preparing the Forums. Many additional international and regional organizations, as well as NGOs and their networks took part in the forums.

The IDRL Programme also engaged in a worldwide consultation and consensus-building process on the Draft IDRL Guidelines (see above).

Contributing to longer-term impact

The IDRL Programme is contributing towards the International Federation's Global Agenda in a cross-cutting way, in particular Goal 1 (reducing deaths from disasters) and 2 (reducing deaths from health emergencies), by taking action to improve the efficiency and effectiveness of international relief operations by all actors through improved regulatory frameworks. The IDRL Programme and Draft Guidelines are also in line with Priority 5 of the Hyogo Framework for Action calling for national preparedness at the legal, institutional and policy levels. The International Federation's advocacy in this area has strengthened the Red Cross/Red Crescent Movement's profile as a global leader in disaster relief and in particular in setting standards, as recommended in Strategy 2010.

Looking ahead

Thanks to the support of its donors and partners, the IDRL Programme has succeeded in laying a solid groundwork for the improvement of regulatory frameworks for disaster response. In light of the strong evidence it has developed and the Programme's advocacy efforts, it is now widely accepted that better laws can play an important role in improving relief for the benefit of those most in need. The adoption of the IDRL Guidelines by the 30th International Conference sets a clear path for States and for National Societies in addressing problem areas and a renewed mandate to the International Federation to support them.

Moving forward, it will be critical to maintain the momentum generated by the collaborative process that resulted in the Guidelines so that they do not become "just one more document on the shelf." The IDRL Programme will plan to concentrate more of its efforts at the country and regional level to raise awareness of the Guidelines and to provide specific technical support to governments and National Societies as they determine how best to use them in their own contexts. As recommended by the adopting resolution of the International Conference, it will also be important to bring the Guidelines to

the attention of inter-governmental and regional organizations and to mainstream promotion, advocacy and capacity building efforts on the Guidelines with other initiatives and processes, in particular the implementation process for the Hyogo Framework of Action and the International Health Regulations.

How we work	
<p>All International Federation assistance seeks to adhere to the Code of Conduct and is committed to the Humanitarian Charter and Minimum Standards in Disaster Response (Sphere) in delivering quality and accountable assistance to the most vulnerable. For support to or for further information concerning Federation programmes or operations in this or other countries, or for a full description of the national society profile, please access the Federation's website at http://www.ifrc.org</p>	
<p>The International Federation's activities are aligned with its Global Agenda, which sets out four broad goals to meet the Federation's mission to "improve the lives of vulnerable people by mobilizing the power of humanity".</p>	<p>Global Agenda Goals:</p> <ul style="list-style-type: none"> • Reduce the numbers of deaths, injuries and impact from disasters. • Reduce the number of deaths, illnesses and impact from diseases and public health emergencies. • Increase local community, civil society and Red Cross Red Crescent capacity to address the most urgent situations of vulnerability. • Reduce intolerance, discrimination and social exclusion and promote respect for diversity and human dignity.
Contact information	
<p>For further information on this appeal, contact: David Fisher, IDRL Programme Coordinator, Legal Department, Geneva; email: david.fisher@ifrc.org; phone: + 41 22 730 4360; and fax: + 41 22 730 4929.</p>	