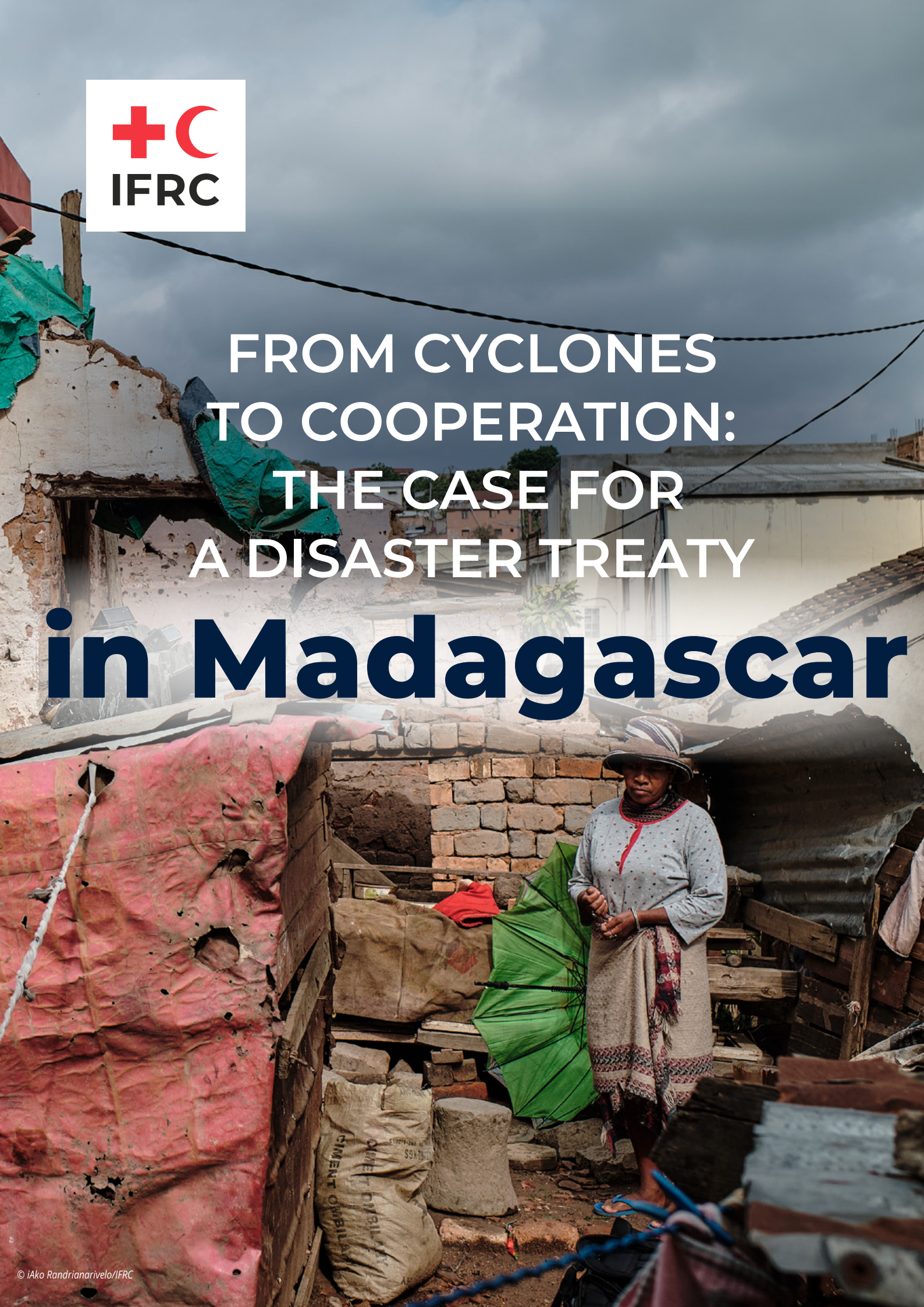




FROM CYCLONES
TO COOPERATION:
THE CASE FOR
A DISASTER TREATY

in Madagascar





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1. Summary

In late 2024, the [United Nations General Assembly](#) agreed to elaborate and conclude a legally binding instrument on the protection of persons in the event of disasters (PPED) based on the International Law Commission's (ILC) [Draft Articles on the protection of persons in the event of disasters](#) by the end of 2027. The decision to elaborate a treaty on this topic underscores a concrete commitment by States to enhance the protection of disaster-affected persons. This case study explores how a treaty on the PPED could support disaster risk reduction (DRR), the protection of persons in vulnerable situations, and the facilitation of external assistance in Madagascar. It has been developed in support of [IFRC's proposals on strengthening the Draft Articles](#), developed for the consideration of States ahead of the upcoming PPED treaty negotiations.

The Republic of Madagascar, one of the world's most disaster-prone island states, is extremely vulnerable to climate change and faces recurring threats from cyclones, floods, droughts, and epidemics. Over recent years, disasters have intensified in frequency and severity, prompting national authorities, working with key partners including the Malagasy Red Cross Society, to strengthen their disaster risk governance capacities. Madagascar has made significant progress in this regard, for instance, through enhancements to community-based DRR initiatives, the development of customs facilitation guidelines for relief goods, and strengthening collaboration with domestic and regional actors.

Notwithstanding these positive practices, legal and operational challenges persist, which have been highlighted in recent disasters such as Tropical Cyclones Dikeledi and Jude (2025), Cheneso and Freddy (2023), as well as Batsirai and Emnati (2022).

The proposed PPED treaty presents an unprecedented opportunity to reinforce these positive practices while addressing

“This Treaty offers more than a legal instrument — it creates a structured platform for building situational awareness and fostering enhanced cooperation among all stakeholders. By doing so, it ensures that our collective focus remains on the State’s actual priorities when facing disaster risks, with clearly defined roles, streamlined coordination, and equitable access to resources. Importantly, it provides an opportunity to better identify and articulate Madagascar’s operational, technical, and financial needs, as well as its capacity-building and infrastructure requirements, both within our national context and in our engagement with the international community. This clarity will allow us to set well-defined strategic priorities, strengthen our resilience, and prepare more effectively for the disasters of tomorrow.”

*~ Colonel Aritiana Faly,
General Operations Coordinator, BNGRC*

remaining challenges. To this end, the proposed PPED treaty could provide a framework to strengthen cooperation in DRM both domestically and internationally, including through training; strengthening legal and institutional frameworks; capacity building; information sharing, including notification of disasters; joint simulation exercises; dedicated financial support; assistance with evacuations; humanitarian assistance; and enhanced coordination of international relief actions and communications.

In addition, it offers the potential to reduce unnecessary bottlenecks encountered in the facilitation of external disaster assistance, clarify humanitarian actors' roles, and promote inclusive, people-centred DRM.

This case study narrates Madagascar's journey in disaster law and governance, highlighting both its achievements and the specific ways the PPED treaty could support lasting improvements, with a specific focus on enhancing cooperation in DRM, enhancing DRR and protection efforts, and facilitating external assistance in disasters.

2. Background

The Republic of Madagascar, with a population of over 29 million, is among the most disaster-prone countries in the world¹. Each year, cyclones and floods devastate the eastern regions, while the south-west suffers from prolonged droughts and food insecurity. The country also experiences recurrent outbreaks of waterborne diseases following floods. In 2023, Cyclone Freddy — one of the longest-lived storm systems ever recorded in the Southern Hemisphere — made landfall in Madagascar twice, affecting over 189,000 people and resulting in loss of life and widespread damage.² This came on the heels of Tropical Cyclones Batsirai and Emnati (2022), which together displaced hundreds of thousands of people, stretched humanitarian capacity, and slowed recovery.³ More recently, in 2025, Tropical Storm Jude impacted more than 100,000 people, destroying homes and infrastructure.⁴ These

recurring shocks illustrate not only the scale of the humanitarian needs, but also the urgency of establishing predictable, well-coordinated disaster governance frameworks.

Madagascar's DRM system operates in cyclical phases: after immediate emergencies subside, national authorities and humanitarian partners, including the Malagasy Red Cross Society, shift focus to preparedness. Relief stocks are pre-positioned, volunteers are trained, and simulation exercises are conducted with support from the UN system, the Red Cross and Red Crescent global network, and international NGOs. The National Bureau for Disaster Risk Management (BNGRC) plays a central role in coordinating these activities, working closely with regional organisations such as the Indian Ocean Commission (IOC), the Southern African Development Community (SADC), and the Southern Africa Regional Climate Outlook Forum (SARCOF) to ensure that assessments and preparedness strategies are harmonised across borders. In addition, Madagascar has received support from the African Development Bank on the basis of an official request during Tropical Cyclone Freddy to complement ongoing efforts led in-country.⁵

At the national level, Madagascar has invested significantly in strengthening its DRM framework. It adopted its first National Policy for DRM in 2003 and Guiding Principles in 2015, which prioritised DRR and the dissemination of risk knowledge. In 2016, a new National Policy clarified institutional responsibilities, with



The auxiliary role of the Malagasy Red Cross Society

The Malagasy Red Cross Society is recognised as auxiliary to its public authorities in the humanitarian field and is seen as a key actor in supporting the government's humanitarian interventions. The activities of the Malagasy Red Cross Society in DRM include, but are not limited to:

- Reducing disaster risk, responding to emergencies, and leading reconstruction efforts, often in collaboration with local communities and authorities;
- Providing training to the public and private sectors to improve response to accidents and emergencies; and
- Mobilising and engaging communities to prepare for and respond to disasters, ensuring local ownership and decision-making in programs.



the BNGRC leading operational work and the National Council for Disaster Risk Management (CNGRC) steering strategic initiatives. The National Strategy for DRM (2016–2030) further set out long-term goals to make Madagascar more shock resilient, including by increasing financial resources dedicated to DRM.⁶

Strengthening cooperation with regional and local actors has also been a priority. To this end, Madagascar has worked with the IOC and neighbouring National Red Cross and Red Crescent Societies to facilitate cross-border deployment of relief supplies and personnel, and standard operating procedures for cyclones now set out clear roles across the DRM cycle.⁷

Progress has also been made in addressing challenges encountered in past disasters. For example, **after bottlenecks in clearing relief items during cyclones, Madagascar adopted a Practical Guide for Customs Clearance and Regularisation of Relief Goods in 2022**, with support from the World Customs Organization.⁸ These guidelines introduced customs rebates and tax exemptions, helping humanitarian actors deliver aid more rapidly to affected populations.⁹

In parallel, the government has sought to mainstream DRR into broader development and climate strategies.¹⁰ The 2019 National Adaptation Plan to Climate Change emphasises multi-hazard early warning systems and the integration of disaster risk considerations into climate resilience efforts.¹¹ Together, these initiatives represent meaningful progress. Considering the systemic gaps exposed by the frequent disasters impacting Madagascar, a global treaty could provide the enabling framework to capitalise on the country's experience in disaster risk reduction, protection of vulnerable groups, stronger cooperation, and external assistance.

3. How the PPED treaty could strengthen Madagascar's resilience

Despite major progress, Madagascar's experience shows that coordination challenges still hamper disaster response. During recent cyclones, communication gaps between community, district, national and international actors created confusion, slowing down the delivery of aid. Roles and responsibilities among key stakeholders — from the National Bureau for Disaster and Risk Management (BNGRC) to the Malagasy Red Cross Society, civil society organisations, volunteers, and the military — are not always clearly defined. In practice, this has led to overlaps in some areas and persistent gaps in others, with affected people sometimes waiting days before assistance could reach them.¹²

A global treaty would provide a binding framework for cooperation that clarifies expectations at every level.¹³ By clarifying rules for coordination and information-sharing between local, national, regional, and international actors through the existing mechanisms like the Advisory Committee of Emergency

How the PPED treaty could strengthen Madagascar's resilience

Stronger coordination – clear roles and responsibilities of the State and other assisting actors in existing coordination mechanisms and across sectoral groups

Stronger commitment to DRR – legal duty to reduce risk in order to build resilience

Further protection of people – global standards to address the unique needs of person in vulnerable situations and include them in decision-making processes

Effective international assistance – faster humanitarian aid through clear facilitation procedures to save more lives

Actors (CRIC) and the different sectoral groups, the PPED treaty could reduce duplication, improve trust, and ensure that humanitarian aid is timely, appropriate, and aligned with people's needs.¹⁴ In practice, this would enable the full implementation of domestic instruments such as the relief goods customs clearance guidelines. Provisions on cooperation could also clarify the roles of all assisting actors in DRM, including National Red Cross and Red Crescent Societies such as the Malagasy Red Cross Society.¹⁵

With respect to DRR, Madagascar has invested in risk reduction — from contingency planning to early warning systems — but despite these efforts, risk and vulnerability assessments are often carried out on an ad hoc basis, and resource constraints limit

“As the Malagasy Red Cross, we are closely involved in Anticipatory Action, with preparedness and response efforts across Madagascar and have been formalizing our cooperation with the Government, including in the form of a Pre-Disaster Agreement. This treaty has the potential to define roles and responsibilities with respect to the protection of persons in disasters and promote greater cooperation between Governments and other stakeholders in DRM, including Red Cross Red Crescent-National Societies. By including obligations on protection, the treaty will also facilitate vulnerable populations to have a seat at the table and that no one is left behind in disaster risk management efforts.”

Miyo Rabaritsimba,
Disaster Manager, Malagasy Red Cross Society

their coverage.¹⁶ Communities in remote or rural areas can be left out, leaving entire populations more exposed when storms or droughts strike.

The PPED treaty would provide an opportunity to make DRR a binding obligation for all States. For the Malagasy government, it could ensure formalised risk assessments, further investment to operationalise multi-hazard early warning systems, and concrete resilience-building measures.¹⁷ By embedding DRR as a legal duty, the treaty would help Madagascar — and countries like it — reduce vulnerabilities before disasters strike, saving lives and livelihoods.

With respect to the protection of vulnerable groups — Madagascar has taken steps to prioritise and include vulnerable groups in DRM structures, though social and cultural factors continue to pose challenges to the full participation of women, persons with disabilities, and marginalised communities in decision-making. The PPED treaty could reinforce the principle that disaster laws and operations must protect everyone, with a special focus on people in vulnerable situations. Binding obligations in this regard would support States to consider the unique needs of different groups throughout the DRM continuum. This would accelerate domestic reforms, foster greater representation of vulnerable communities in planning and decision-making, and ensure that protection is not left to discretion but becomes a global standard.

With regards to effective external assistance, Madagascar's Practical Guide for Customs Clearance of Relief Goods is certainly an important step in the right direction; however, gaps remain. Customs exemptions are temporary, warehouses incur private costs that are not covered, and expedited procedures can still take weeks to complete. During Cyclone Freddy, bottlenecks in relief clearance meant delays in delivering food and medicine to affected families.¹⁹ In addition, international actors faced legal barriers in deploying personnel and supplies, leaving communities without much-needed support.

The PPED treaty could provide the clarity and predictability currently missing. By establishing clear rules on the initiation, facilitation, and termination of external assistance, the treaty could protect State sovereignty while clarifying mutual cooperation mechanisms and obligations in international relief, ensuring that humanitarian aid can move swiftly across borders.²⁰ Detailed provisions on customs, tax exemptions, and the entry of relief personnel and goods could help the authorities of Madagascar, with the support of the international community, to deliver assistance more rapidly, saving lives in critical hours and days after disaster strikes. ●

NOTES

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