

# Regional Disaster Law Forum

## South East Asia

**Bangkok, Thailand / June 10 - 11, 2015**

### Concept Note

#### Background:

As witnessed by the recent earthquake in Nepal and cyclone in Vanuatu, natural disasters continue to strike frequently and intensely across the Asia Pacific. Within this region, South East Asia is considered as a leader when it comes to disaster law developments. South East Asian states have taken great strides to improve disaster preparedness, risk reduction and response. Having strong disaster laws in place provides a basis on which to undertake all aspects of disaster management, and to strengthen the resilience of vulnerable and disaster-affected populations. The Association of South East Asian Nations (ASEAN) adopted the first regional legally binding agreement for disaster management and emergency response – the ‘AADMER’ – ten years ago, in 2005. Since then, many states have developed their own national legal frameworks to implement this agreement.

The International Federation of Red Cross and Red Crescent Societies’ (IFRC) Disaster Law Programme, together with National Societies, has been working with governments, the United Nations and other organizations for over a decade to identify, address, and overcome legal and regulatory issues in disaster management, response and, more recently, disaster risk reduction. Utilizing key tools such as the *Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance* (also known as the ‘IDRL Guidelines’) many countries have, and still are, developing, implementing, and reviewing their national disaster laws.

The important role of disaster laws was emphasized at the recent World Conference on Disaster Risk Reduction in Sendai, Japan. The Sendai Framework for Disaster Risk Reduction (SFDRR), as the successor to the Hyogo Framework for Action, calls upon states to ensure that strong national legal frameworks are put in place to address both disaster risk reduction and response, including in line with the IDRL Guidelines. More importantly, these frameworks need to be well-understood and implemented effectively. National Red Cross and Red Crescent Societies have a key role to play in this. Following the outcomes of the Sendai Conference, and in the lead up to the 32<sup>nd</sup> International Conference of the Red Cross Red Crescent in Geneva in December 2015, the time is now ripe for states and National Societies to evaluate their progress in disaster law, share experiences, and plan for the post-2015 era. In a region where natural disasters are showing no sign of abating, it is against this backdrop that the IFRC will invite key stakeholders to gather together for a ‘Regional South East Asia Disaster Law Forum’.

#### Objectives:

In addition to discussing disaster law themes (including ‘International Disaster Response Law (IDRL)’ and ‘Law and Disaster Risk Reduction’) and introducing new and existing



tools, the Forum will focus on objectives at three levels: national, regional and international.

### **1) Disaster law at the national level:**

- Discuss progress at the country level: strengths, gaps, support required.
- Highlight the role of Red Cross Red Crescent National Societies as auxiliary to government in the humanitarian sector, and as the 'community voice' in national law and policy making processes.
- Share experiences between South East Asian nations, and how National Societies and governments have worked/are working in partnership to strengthen disaster laws.
- Identify what more can be done at the national level.

### **2) Disaster law at the regional level:**

- Highlight National Societies' and IFRC's contribution to the implementation of the AADMER through disaster law initiatives.
- Discuss the notion of a 'rules-based' ASEAN (post-2015), as envisioned by ASEAN leaders: what does this mean in the context of disaster law and disaster management?
- Identify how the Red Cross Red Crescent can work better with ASEAN to promote and support the development/implementation of disaster laws (including at the operational, policy and strategic levels) and discuss how this can be reflected in the new AADMER work programme.
- Discuss the idea of establishing a regional disaster law 'advisory group' for South East Asia.

### **3) Disaster law at the international level:**

- Consider the recent international commitments contained in the Sendai Framework for Disaster Risk Reduction (which include legislating for DRR and utilizing the IDRL Guidelines) and discuss how to implement this at the national level.
- Discuss progress on implementing the South East Asia Disaster Law pledge that was signed at the International Conference of the Red Cross Red Crescent in 2011.
- Develop ideas for a new regional pledge (NS and government) at the upcoming 32<sup>nd</sup> International Conference of the Red Cross Red Crescent in December 2015.
- Compare national, regional and international approaches: has enough progress been made? Is there a need for stronger international mechanisms for disaster law (e.g. international binding agreement)?
- Looking forward to the World Humanitarian Summit, discuss links between disaster law, legal frameworks and humanitarian effectiveness.

## **Participants:**

The Forum will be targeting high-level participants from the following organizations:

- **National Red Cross and Red Crescent Societies from South East Asia:** Secretary Generals/Chairpersons, plus Disaster Law focal points (e.g. Head of Disaster Management, International Relations or Legal Advisor).
- **Government representatives from South East Asia:** National Disaster Management Authority and/or Department of Foreign Affairs.
- **International organizations engaged in disaster law work,** including UN OCHA and UNDP.
- **Regional organizations** with whom the Red Cross Red Crescent has been engaged in disaster law e.g. ASEAN Secretariat, ASEAN Centre for Humanitarian Assistance (AHA Centre).

## **Format:**

The Forum will take place over two days (10- 11 June) in Bangkok, Thailand. All discussions will be conducted in English. All participants should have a good understanding and command of English.

## **Proposed outcomes:**

Key outcomes from this event may include the following:

### **National level:**

- Identification of new and ongoing opportunities at the country level to advocate for and contribute to the development of national disaster laws.
- Development / discussion of country 'plans of action' for National Societies and Governments to work together to strengthen national disaster laws using IFRC tools such as the IDRL Guidelines, Model Act on International Assistance and DRR Checklist for Lawmakers.

### **Regional level:**

- Recommendations for the establishment of a regional disaster law advisory group
- Recommendations on how to integrate disaster law into the work of ASEAN e.g. in the next AADMER work programme (post-2015).

### **International level:**

- Inputs for a regional disaster law pledge to be presented / pledged at the 32<sup>nd</sup> International Conference of the Red Cross Red Crescent in December 2015.

## **Contact information:**

For further information about this initiative, please contact:

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