



IFRC Asia Pacific Disaster Law Programme

Engaging with ASEAN Regional Organisations on Disaster Law

The **Asia-Pacific region is the world's most disaster-affected** – it is where 43% of the world's natural hazards occur and where 80% of people affected by natural hazards live. **Disasters bring with them not only a devastating human impact but a huge economic cost as well.** As natural disasters increase in frequency and intensity, **strong, inclusive and well implemented disaster laws** are key to an effective disaster risk management system. Disaster Law refers to the disaster-related legislation, policies and procedures which address the roles and responsibilities to manage and respond to disasters, minimise the impact of disasters and reduce disaster risks.

The **International Federation of Red Cross and Red Crescent Societies (IFRC) Disaster Law Programme** assists National Societies to support their authorities in developing and applying state-of-the-art disaster-related legislation, policies and procedures. The disaster law work of IFRC operates on an international mandate provided by all state parties to the Geneva Conventions, providing advice based on more than 12 years of global research and consultations. By harnessing their unique auxiliary role, National Societies have successfully strengthened new disaster law and implementing rules in over 30 countries since 2007.

IFRC Disaster Law Programme's areas of expertise:



Modern legal frameworks that have integrated disaster risk reduction and climate change adaptation into disaster risk management and sectoral laws and policies, in line with key international and regional commitments.



Procedures for international disaster relief that put domestic authorities in the driver's seat, reduce barriers, costs and quality problems, and uphold humanitarian principles.



Modern and integrated legal frameworks for disaster risk management that adequately address domestic preparedness and response, including institutional and procedural arrangements.



Influence the development, adoption and implementation of law and policy connected to IFRC and National Societies' knowledge, experience and mission, in order to create positive social and institutional changes.

IFRC Disaster Law Programme's areas of activity:



Inclusion of gender, diversity and protection issues; to ensure that dignity, access, participation and safety for all is adequately provided for in domestic legislation, policies and procedures.



Contextual, well planned approaches to regulatory issues in post-disaster, addressing the complex legal issues that may arise in the aftermath of a disaster with regard to security of tenure and housing, land and property rights.



Strengthen public awareness and communities' level of understanding on rights, roles and responsibilities under disaster-related legislation, policies and procedures to increase their resilience to disasters.



Recognizing the critical role of National Societies, as auxiliaries to their public authorities in the humanitarian field with a unique community outreach, to ensure community voices and engagement with the national level policy development and planning processes.





Engaging with ASEAN Regional Organisations on Disaster Law: Milestones

- 2005:** ASEAN member states sign the ASEAN Agreement on Disaster Management and Emergency Response (AADMER), with the aim to improve effective and efficient disaster risk management in the region by putting in place supportive policies, systems, plans, procedures, mechanisms, and institutional and legal frameworks, at both regional and national levels.
- 2009:** AADMER enters into force. The accompanying AADMER Work Programme (2010-2015) is adopted, which promotes the use of the *Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance* (IDRL Guidelines).
- 2012:** ASEAN, Red Cross Red Crescent (RCRC) National Societies from Southeast Asia and IFRC develop a *Joint Action Plan* with the AHA Centre, which strongly features disaster law as a component in key areas of cooperation in its ACE training programme.
- 2015 June:** ASEAN and AHA Centre participate in the *Regional Disaster Law Forum for South East Asia*, attended by NDMOs, ministries of foreign affairs, parliamentarians, and National Red Cross and Red Crescent Societies from South East Asia, UNOCHA and UNDP. The Forum discussed disaster law developments at the national, regional and international levels, Red Cross Red Crescent's contribution to the implementation of AADMER through disaster law initiatives, and preparation for the post-2015 AADMER work programme.
- 2015:** The East Asia Summit Rapid Disaster Response Toolkit, prepared by Emergency Management Australia and BNPB, Indonesia, in collaboration with relevant agencies from all 18 East Asia Summit participating countries and in consultation with the ASEAN Committee on Disaster Management (ACDM), promotes disaster law tools including the IDRL Guidelines and the Model Act for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance.
- 2016 April:** The AADMER Work Programme for 2016-2020 is adopted. Priority Programme 3 prioritises legal and policy architecture in support of an integrated system of good governance for risk and climate change management from national to local and community levels.
- 2017 April:** The ASEAN Committee on Disaster Management (ACDM) agrees to partner with IFRC on the *ASEAN Peer to Peer Learning: Disaster Law and Policy Platform*. As part of this platform a research initiative testing institutionalisation of AAMER into law and policy frameworks within ASEAN is planned.
- 2017 April:** ASEAN Secretariat (ASEC) attends the IFRC Asia Pacific Disaster Law Field School.
- 2017 August:** ASEC and AHA host a delegation from Pacific to discuss and share learnings on development and operationalization of regional DRM/CCA governance frameworks.
- 2017 September:** ASEAN Member State and National Societies will attend the *ASEAN Disaster Law Mapping Consultation* to confirm research findings on domestic disaster laws assessing the institutionalization of AADMER provisions in domestic legal frameworks. The comparative analysis and online platform will be presented to the ACDM Ministerial Meeting in October 2017.

Disaster Law initiatives within ASEAN

Country	Technical Support on DM Law, Rules and Regs	Final and Draft IDRL Study	IDRL Law/Mechanism adopted or in process	Final and Draft DRR and Law Study	Domestic Preparedness and Response Desk Study	AADMER Mapping	HLP Research Memo	SGBV and DL Research
Brunel								
Cambodia								
Indonesia								
Laos								
Malaysia								
Myanmar								
Philippines								(ASEAN)
Singapore								
Thailand								
Vietnam								

■ Completed ■ Drafted/in process

Disaster Law Resources and Tools



For further information, please visit:
<http://www.ifrc.org/en/what-we-do/disaster-law/>