

## AADMER Mapping Framework for Analysis of Domestic DRM Laws and Policies

### Contents:

#### A. Thematic Summary of AADMER Provisions on National/Domestic Disaster Preparedness & Response

#### B. Thematic Summary of AADMER Provisions on Regional Disaster Preparedness & Response that Require National Measures

### A. Thematic Summary of AADMER Provisions on National/Domestic Disaster Preparedness & Response

#### National institutional arrangements

##### National legal/policy definitions

Art 01(3)	“Disaster” means a serious disruption of the functioning of a community or a society causing widespread human, material, economic or environmental losses.
Art 01(7)	“Disaster emergency” means a situation where a Party declares that it is unable to cope with a disaster.

##### National roles & responsibilities

Art 03(1)	“(…) each affected Party shall have the primary responsibility to respond to disasters occurring within its territory and external assistance or offers of assistance shall only be provided upon the request or with the consent of the affected Party.”
Art 04(d)	“Parties shall: (…) take legislative, administrative and other measures as necessary to implement their obligations under this

Agreement.”

## National (domestic) preparedness measures

### Domestic disaster preparedness

Art 03(5)	“The Parties shall, to the extent possible, mainstream disaster risk reduction efforts into sustainable development policies, planning and programming at all levels.”
Art 06(2)	(Summary) Parties shall undertake measures to reduce losses from disasters including: promoting public awareness and education, community participation, promoting use of indigenous knowledge.

### Domestic early warning systems (EWS)

Art 07(1)	(Summary) Parties shall, as appropriate, establish, maintain and periodically review national disaster early warning arrangements including risk assessment, EWS, communication networks, public awareness and preparedness
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### Domestic stakeholders

Art 03(6)	“The Parties, in addressing disaster risks, shall involve, as appropriate, all stakeholders including local communities, non-governmental organizations and private enterprises, utilizing, among others, community-based disaster preparedness and early response approaches.” (Presumed to include gender and diversity in “all stakeholders”).
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## National (domestic) response measures

### AHA Centre

Art 10(2)	“Each Party may forthwith inform other Parties and the AHA Centre of such measures” (for emergency response).
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### Domestic disaster response

Art 04(b)	(Summary) Parties shall immediately respond to a disaster occurring within their territory.
Art 10(1)	“Each Party shall ensure according to their national legislation that the necessary measures are taken to mobilize equipment, facilities, materials, human and financial resources required to respond to disasters.”

## B. Thematic Summary of AADMER Provisions on Regional Disaster Preparedness & Response that Require National Measures

### Joint regional & national preparedness

#### Disaster preparedness

Art 06(1) (2)	(Summary) Parties shall jointly or individually develop strategies to reduce losses from disasters including strengthening local and national disaster management capability and coordination
Art 08(1)	“Parties shall jointly or individually develop strategies and contingency/response plans to reduce losses from disasters.”

### Regional institutional arrangements

#### AHA Centre

Art 11(1)	“If a Party needs assistance in the event of a disaster emergency within its territory, it may request such assistance from any other Party, directly or through the AHA Centre, or, where appropriate, from other entities.”
Art 20(1)	(Summary) AHA Centre shall be established to facilitate co-operation and co-ordination among Parties and with relevant UN and international organizations in promoting regional collaboration.
Art 20(3)	“AHA Centre shall carry out the functions as set out in the Annex and any other functions as directed by the Conference of the Parties.”
Art 22(1)(2)	(Summary) Each Party shall inform other Parties and the AHA Centre, of its National Focal Point and Competent Authorities and any changes.
Art 22(3)	(Summary) AHA Centre shall expeditiously provide information regarding NFPs and Competent Authorities to Parties and relevant international organizations.

#### Reports / information on national domestic implementation

Art 10(2)	“Each Party may forthwith inform other Parties and the AHA Centre...” of domestic emergency response measures
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	taken
Art 29	(Summary) Parties shall transmit reports on measures taken for the implementation of this agreement to the Secretariat.

### Parties' regional roles & responsibilities

Art 01(2)	(Summary) To designate and authorize a "competent authority" to act on its behalf in the implementation of the Agreement.
Art 01(8)	(Summary) To designate and authorize a National Focal Point to receive and transmit information pursuant to the provisions of this Agreement
Art 03(2)	"The Requesting or Receiving Party shall exercise the overall direction, control, coordination and supervision of the assistance within its territory."
Art 11(2)	(Summary) Assistance can only be deployed at the request of or with consent of the Requesting/Receiving Party
Art 12(1)	"Requesting or Receiving Party shall exercise the overall direction, control, coordination and supervision of the assistance within its territory (...)"
Art 22(1)	"Each Party shall designate a National Focal Point and one or more Competent Authorities for the purpose of implementation of this agreement."

### Regional preparedness

#### Regional cooperation (building capacity)

Art 03(3)	"The Parties shall, in the spirit of solidarity and partnership and in accordance with their respective needs, capabilities and situations, strengthen cooperation and co-ordination to achieve the objectives of this Agreement."
Art 08(3)(a)	(Summary) Parties shall jointly or individually enhance their national capacities to conduct training exercises and maintain relevance and applicability of SOPs
Art 18(1)(b)	Parties shall undertake technical co-operation including: "promote the standardization of the reporting format or data and information;"
Art 18(1)(c)	Parties shall undertake technical co-operation including: "promote the exchange of relevant information, expertise, technology, techniques and know-how;"
Art 18(1)(d)	Parties shall undertake technical co-operation including: "provide or make arrangements for relevant training, public awareness and education, in particular, relating to disaster prevention and mitigation;"
Art 18(1)(e)	Parties shall undertake technical co-operation including: "develop and undertake training programmes for policy-

	makers, disaster managers and disaster responders at local, national and regional levels.”
Art 18(1)(f)	Parties shall undertake technical co-operation including: “strengthen and enhance the technical capacity of the Parties to implement this Agreement.”

#### Resources for regional disaster response and ADMER Fund

Art 18(1)(a)	Parties shall undertake technical co-operation including: “facilitate mobilization of appropriate resources both within and outside the Parties.”
Art 24(1), (2)	(Summary) The ASEAN Disaster Management and Emergency Relief (ADMER) Fund is established for the implementation of this Agreement.
Art 24(4)	“Parties shall, in accordance with the decisions of the Conference of Parties, make voluntary contributions to the Fund.” (ADMER Fund)

#### Regional early warning systems (EWS)

Art 04(a)	Parties shall cooperate in “...development of monitoring, assessment and early warning systems...”
Art 07(2)	Parties shall cooperate to “monitor hazards which have trans-boundary effects, to exchange information and to provide early warning information through appropriate arrangements.”

#### Regional standby and SOPs (SASOPS)

Art 04(a)	Parties shall cooperate in developing and implementing “...standby arrangements for disaster relief and emergency response, and the provision of mutual assistance;”
Art 08(2)	(Summary) Parties shall prepare SOPs for regional co-operation and national action required under this agreement including: regional stand-by arrangements; use of civil/military personnel, transport, communication equipment, facilities, goods & services and to facilitate their transboundary movement; and coordination of joint disaster relief & emergency response operations.

#### AHA Centre and preparedness

Art 05(4)	(Summary) AHA Centre shall receive and consolidate risk data and disseminate to all Parties.
Art 08(4)	“Each Party shall regularly inform the AHA Centre of its available resources for the regional standby arrangements for disaster relief and emergency response.”
Art 08(5)	“The AHA Centre shall facilitate the establishment, maintenance and periodical review of regional standby arrangements for disaster relief and emergency response.”

Art 09(2)	(Summary) Parties shall communicate earmarked assets and capacities to other Parties and the AHA Centre
Art 09(3)	(Summary) AHA Centre shall consolidate, update and disseminate data on Parties' earmarked assets
Art 18(2)	(Summary) AHA Centre shall facilitate activities for technical co-operation as identified in in art 18(1).
Art 19(2)	(Summary) AHA Centre shall facilitate activities for scientific and technical research as identified in art 19(1)

## Regional disaster response

### AHA Centre role in regional response

Art 11(6)	(Summary) Parties shall notify the AHA Centre of civilian/military personnel & other assets which could be made available to other Parties in the event of a disaster as well as the terms, especially financial, under which it could be provided.
Art 14(c)	In accordance with national laws and regulations the Requesting/Receiving Party shall: “co-operate with the AHA Centre, where appropriate, to facilitate the processing of exemptions and facilities in respect of the provision of assistance.”
Art 16(2)	“AHA Centre, where possible and appropriate, shall facilitate the processing of transit of personnel, equipment facilities and materials in respect of the provisions of assistance.”
Art 20(2)	(Summary) In the event that a Party requires assistance to cope with a disaster, in addition to direct request to any Assisting Entity, it may seek assistance from the AHA Centre to facilitate such requests.

### Receiving regional / international assistance

Art 09(4)	(Summary) Each Party shall designate a network of pre-designated areas as entry points for supplies and expertise from Assisting Entities
Art 11(3)	(Summary) The Requesting Party shall specify the scope and type of assistance required or shall in consultation jointly assess and decide upon the scope and type of assistance required.
Art 11(5)	(Summary) Parties that receive an offer of assistance shall promptly decide whether to accept it, and notify the offering party of the scope and terms of assistance needed. This can be done directly or through the AHA Centre.
Art 12(2)	The Requesting/Receiving Party shall provide “to the extent possible, local facilities and services for the proper and effective administration of the assistance...” and “ensure the protection of personnel, equipment and materials brought into its territory by or on behalf of the Assisting Entity...”.
Art 12(3)	“The Assisting Entity and Receiving Party shall consult and co-ordinate with each other with regard to any claims, other than an act of gross negligence or contractual claims against each other, for damage, loss or destruction of the

	others' property or injury or death to personnel of both Parties arising out of the performance of their official duties.”
Art 14(a)	In accordance with national laws and regulations the Requesting/Receiving Party shall: “accord the Assisting Entity exemptions from taxation, duties and other charges of a similar nature on the importation and use of equipment including vehicles and telecommunications, facilities and materials brought into its territory” for the purpose of assistance.
Art 14(b)	In accordance with national laws and regulations the Requesting/Receiving Party shall: “facilitate the entry into, stay in and departure from its territory of personnel and of equipment, facilities and materials involved or used in the assistance;”
Art 15(1)	“Military personnel and related civilian officials involved in the assistance operation shall be permitted to wear uniforms and distinctive identification while performing official duties.”
Art 15(3)	“Aircrafts and vessels used by the military personnel and related civilian officials of the Assisting Entity may use its registration and easily identifiable license plate without tax, licenses and/or any other permits. All authorized foreign military aircrafts will be treated as friendly aircrafts and will receive open radio frequencies and Identification Friend or Foe (IFF) by Receiving Part Authorities.”

#### **Sending regional / international assistance**

Art 04(b)	Parties shall respond promptly to a request for information when a disaster is likely to impact a nearby State, with a view to minimizing consequence.
Art 04(c)	Parties shall promptly respond to a request for assistance from an affected Party
Art 08(3)(a)	Parties shall jointly or individually enhance their national capacities to: facilitate mobilization of national resources to support regional standby/response
Art 09(1)	(Summary) Parties shall earmark assets and capacities available for regional stand-by arrangements such as: emergency response/standby arrangements; civilian and military assets; stockpiles of relief items; DM expertise and technologies.
Art 11(4)	(Summary) Parties shall decide promptly about requests for assistance.
Art 12(1)	(Summary) The Assisting Entity shall designate in consultation with the Requesting/Receiving Party a person who shall be in charge of and retain immediate operational supervision over the personnel and equipment provided by it (the Head of assistance operation)
Art 12(2)	(Summary) Military and civilian officials of Assisting Entities are not to carry arms.
Art 12(4)	“The relief goods and materials provided by the Assisting Entity should meet the quality and validity requirements of the Parties concerned for consumption and utilization.”
Art 13(1)	“Members of the assistance operation shall refrain from any action or activity incompatible with the nature and

	purpose of this Agreement.”
Art 13(2)	“Members of the assistance operation shall respect and abide by all national laws and regulations. The Head of the assistance operation shall take all appropriate measures to ensure observance of national laws and regulations. Receiving Party shall co-operate to ensure that members of the assistance operation observe national laws and regulations.”
Art 15(2)(a)	For the purposes of entry into and departure from the territory of the Receiving Party, members of the assistance operation shall be required to have: “an individual or collective movement order issued by or under the authority of the Head of the assistance operation or any appropriate authority of the Assisting Entity;”
Art 15(2)(b)	For the purposes of entry into and departure from the territory of the Receiving Party, members of the assistance operation shall be required to have: “a personal identity card issued by the appropriate authorities of the Assisting Entity.”

#### **Transit of regional / international assistance**

Art 16(1)	“Each Party shall, at the request of the Party concerned, seek to facilitate the transit through its territory of duly notified personnel, equipment, facilities and materials involved or used in the assistance to the Requesting or Receiving Party. The Party concerned shall exempt from taxation, duties and other charges of a similar nature for such equipment, facilities and materials.”
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