

CELEBRATING 20 YEARS OF Disaster Law



Saving lives and keeping communities safe
through disaster law and policy.

Mozambique Red Cross delivers aid following Cyclone Idai. IFRC Disaster Law has worked in Mozambique to strengthen disaster law and policy since 2013.





Jagan Chapagain

IFRC SECRETARY GENERAL AND CEO

Every aspect of disaster risk management relies on laws, policies, and plans that define who acts, when, and how. These frameworks are critical for ensuring disaster risk management systems work smoothly.

Over the past 20 years, the IFRC and member National Red Cross and Red Crescent Societies have quietly transformed the legal frameworks that govern disaster risk management. When law and policy are absent in disaster response, serious challenges like poor preparedness and uncoordinated relief efforts can arise, delaying life saving interventions.

In 2003, the 28th International Conference of the Red Cross and Red Crescent passed a resolution to strengthen international disaster response, officially mandating the IFRC's role in disaster law. This publication marks 20 years since that resolution, highlighting the IFRC's work in improving legal and policy frameworks and its impact on the humanitarian sector.

We can already witness a positive difference IFRC's work has made. Working together with their governments and rooted in their communities, National Red Cross and Red Crescent Societies have made a significant contribution to shape or reform many disaster-related laws, policies, and

agreements around the world. This work has saved lives and improved prevention, response, and recovery efforts.

Today, the IFRC continues to play a key role in shaping international disaster risk management law. Our Disaster Law team has worked to ensure that governments recognize the importance of legal frameworks in disaster risk management and has promoted better alignment between laws and practices worldwide.

The stories in this publication celebrate our achievements, but they also remind us of the need to keep strengthening disaster-related laws. With the rise in climate emergencies and global health crises, innovative governance is more important than ever. As states explore the possibility of a global treaty dedicated to the protection of persons in disasters, we are on the brink of a more unified approach to protecting people and communities.

I look forward to seeing the global framework on disaster risk management take shape and to witnessing the lasting impact of the IFRC's work.



The Origins of IFRC Disaster Law

Over the past century, as the world has faced numerous disasters, discussions about disaster law and the role of the Red Cross and Red Crescent have emerged. Despite the Italian Red Cross' idea of developing an intergovernmental organization to ensure international assistance to persons affected by disasters over a century ago, and the in-vain attempt by the League of Nations to establish and operationalize the International Relief Union in 1927, it was only in 2000 that the idea resurfaced and became a priority for the IFRC.

Margareta Wahlström, IFRC's Under-Secretary-General for Response and Operations from 1995 to 2000, together with her senior colleagues, often wondered why there was no global convention for disasters, especially when similar conventions existed for issues like the Rights of the Child and International Humanitarian Law.

"The many disasters in the 1980s and 1990s highlighted the need for laws to anticipate, prepare for, and respond to disasters, particularly to mitigate risk. We began exploring the concept of disaster law. While there were several scholarly articles and books on the subject, none addressed the practical needs we faced."

At the time, these needs were mainly related to legal issues encountered

in international disaster response operations, such as delays in the entry of humanitarian goods, personnel, and equipment.

Before leaving the IFRC, Ms Wahlström sparked discussions on the urgent need for an international disaster law framework to address the legal challenges in global response operations. These discussions quickly gained traction. The topic was featured in the IFRC's 2000 World Disasters Report, which described the issue as a yawning gap.

"At the core is a yawning gap. There is no definitive, broadly accepted source of international law that spells out legal standards, procedures, rights and duties pertaining to disaster response and assistance. No systematic attempt has been made to pull together the disparate threads of existing law, to formalize customary law or to expand and develop the law in new ways."

International Disaster Response Law (IDRL) was elevated to a top priority by the organization's governing board. Then, in early 2001, the IFRC hosted a high-level dialogue on IDRL, bringing together experts from National Societies, governments, and the United Nations (UN).

Further momentum was gained in November 2001 when the Council of Delegates of the Red Cross and Red Crescent adopted a resolution welcoming the IFRC's initiative to advocate for the development and application of IDRL. With this endorsement, the IFRC formally established its IDRL project, appointing Victoria Bannon as the first full-time staff member to lead the initiative. Ms Bannon said that the start of the IDRL program was exciting as she was embarking on something new but challenging, as she was working with very few resources.

"It wasn't easy initially because there were so many unknowns. We couldn't be sure that it would ever lead to anything significant, but I think those who were close to the heart of it all sensed that this was very important work.



The distribution of non-food items outside Meulaboh, on the west coast of Aceh, Indonesia, following the 2004 earthquake and tsunami.

“One of my first tasks was defining international disaster law, what would be most useful and feasible at the time, thinking about how it might expand in the future, but we had to have a starting point.

“We collaborated with National Societies and governments to highlight the importance of this legal area and gain their support for our research. Countries that had faced major disasters were especially receptive, recognizing the value of having an organization guide managing such crises in the future.”

The International Conference of the Red Cross and Red Crescent

[The International Conference of the Red Cross and Red Crescent](#) has played a significant role in mandating the IFRC as the global leader in the development of disaster law.

The International Conference brings together the world’s largest humanitarian network — the IFRC, the ICRC, the National Red Cross and Red Crescent Societies, as well as states party to the Geneva Conventions, which is nearly every country in the world, to discuss humanitarian matters every four years.

In 2003, at the 28th International Conference of the Red Cross and Red Crescent, a resolution was passed to enhance international disaster response by applying relevant laws and principles and formally mandating IFRC’s role in disaster law. Since then, the IFRC has expanded its focus to cover all phases of disaster risk management—prevention and mitigation, preparedness, response, and recovery—while addressing cross-cutting issues such as climate change adaptation, displacement,

and the protection of vulnerable groups. This evolution reflects the growing recognition of the importance of legal frameworks for comprehensive disaster risk management law as an essential framework for improving global disaster risk governance. This is further reflected in the work of the International Conference.

Five resolutions of the International Conference have conferred IFRC with a mandate for disaster law. This mandate has two pillars: first, to conduct research and advocacy, including the development of models, tools, and guidelines for practical use, and second, to assist states in strengthening their disaster laws. This mandate is shared with National Societies, with which IFRC jointly implements advocacy initiatives and supports law reform projects. In addition, since 2007, every International Conference has adopted a resolution relevant to disaster law, including several resolutions that adopt or endorse guidance documents developed by IFRC.●

From tsunamis to earthquakes:

Defining moments in the development of the IDRL Guidelines

In the years following the establishment of the IDRL project, the need for legal frameworks became even more apparent after major disasters, including the 2003 Bam earthquake in Iran, the 2004 Indian Ocean tsunami, and the 2005 Kashmir earthquake. These events underscored critical gaps in domestic legal frameworks for the management of international response and led to the development of an extensive study on [Law and Legal Issues in International Disaster Response](#).

David Fisher, author of the report, was a senior legal research officer at the time and later served as the IFRC's Disaster Law Programme Coordinator for eight years. He said that IFRC's research made clear that legal and regulatory problems were common in international disaster response operations and that they had a substantial negative impact, both on the speed and appropriateness of relief and on the

ability of domestic authorities to coordinate and oversee operations.

“We also found that there were major gaps in the existing domestic laws and international instruments that might address these issues. It was clear that a new international momentum was needed to plug these gaps.”

The study on IDRL culminated in the development of the [Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance \(IDRL Guidelines\)](#) in 2007. The Guidelines are a set of recommendations to governments on how to prepare their legal and policy frameworks for the

common regulatory problems faced in international disaster relief operations. They advise on the key responsibilities of states and assisting actors, the minimal quality standards that should be insisted upon in humanitarian assistance, and the kinds of legal facilities aid providers need to do their work effectively, relating to personnel, goods and equipment.

The IDRL Guidelines consolidate best practice in the management of international disaster assistance and were designed to help governments strengthen their disaster laws and response plans in this regard. These guidelines, informed by research and contributions from over 180 governments and organizations, were adopted at the 30th International Conference of the Red Cross and Red Crescent in 2007.

[The IDRL Guidelines](#) are IFRC Disaster Law's flagship resource. Although not a binding legal instrument, they have directly



Destruction in Indonesia following the Indian Ocean Tsunami in 2004.

influenced state practice and gained considerable authority since their development. The Guidelines are still widely used by governments to prepare their disaster laws and plans to mitigate the common problems in international disaster response operations today. To date, the IFRC network has supported the implementation of the IDRL Guidelines in domestic instruments in 38 countries, with several adopting more than one instrument reflecting the recommendations of the IDRL Guidelines. The non-binding nature of the Guidelines promotes a flexible approach which allows states to incorporate them into their domestic legal and policy frameworks according to their national priorities and needs.

From policy to practice:

IDRL around the world



In March 2015, Cyclone Pam, one of the most intense cyclones in the Pacific’s recorded history, tore through Vanuatu. Vanuatu issued its first-ever request for international assistance, and the response was beyond expectation. The country was flooded with uncoordinated aid and assistance. The government described it as a ‘wakeup-call’ for disaster law legal reform, and it was a catalyst for Vanuatu and the rest of the Pacific.

“The challenges experienced after the cyclone highlighted to both the Government of Vanuatu and the wider Pacific region how critical effective disaster legal and regulatory frameworks are for disaster risk management and for ensuring it is as locally led as possible. An IFRC disaster law advisor was quickly deployed to support the government with the legal and regulatory issues arising from the response.”

Dickson Tevi, the Secretary General of the Vanuatu Red Cross, remembers the days after the cyclone and the need for IFRC Disaster Law support. “We quickly knew that we needed legal expertise to help define



Humanitarian aid is unloaded during the 2005 Kashmir earthquake, to which one of the first IDRL delegates were deployed.

the roles, responsibilities, and procedures following the cyclone.”

In the weeks, months, and years that followed, the journey to review, reform, and operationalize

laws and policies relating to disaster risk management began in Vanuatu, and in 2019, a new Disaster Risk Management Act supported by the Vanuatu Red



Vanuatu Red Cross, IFRC, and community volunteers help unload aid following Cyclone Pam in 2015.

Cross and IFRC Disaster Law was adopted. One of the objectives of this law was to facilitate the entry and coordination of international assistance, and it includes detailed procedures relating to requests for and offers of international disaster assistance as well as provisions for the coordination of international assisting actors. These provisions will help to avoid the influx of unsolicited and uncoordinated aid and assistance in large-scale disasters.

The Guidelines have also influenced regional and international instruments. They informed the set-up and drafting process of the UN International Law Commission's [Draft articles on the Protection of Persons in the Event of Disasters](#), have been cited by 22 resolutions of the UN General Assembly, are referenced in the [Sendai Framework for Disaster Risk Reduction 2015-2030](#), and have been recognized in at least four resolutions of the International Conference of the Red Cross and Red Crescent.

In Asia, the Association of Southeast Asian Nations (ASEAN) was pivotal in shaping disaster law multilateral cooperation frameworks following

the 2004 tsunami by developing the [ASEAN Agreement on Disaster Management and Emergency Response \(AADMER\)](#) in 2005. The AADMER, a groundbreaking regional instrument on disaster risk management, has been instrumental in fostering regional cooperation and is the cornerstone of disaster relief efforts in the region.

Adelina Kamal, the former Executive Director of the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management, said the agreement laid the groundwork for everything we have today in regional disaster management.

“Without it, we wouldn't have the strong ASEAN cooperation we see now, which has become a model for other regions. The AADMER framework not only established a regular mechanism but also strengthened the capacities of individual countries. Importantly, it emphasized that while regional mechanisms are crucial, they are designed to support, not supplant, national efforts. This has built confidence within ASEAN, proving that we are stronger when we act together, channelling our collective

solidarity into meaningful action.”

The widespread recognition and application of the IDRL Guidelines marked a significant milestone in global disaster risk management.

“I've been involved in many international emergency operations since the development of the Guidelines, and I am always proud and impressed that the humanitarian sector and different UN agencies were all aware of the guidelines when we were having particular issues with customs, visas, or permissions, for example”, said Caroline Holt, IFRC Director of Disasters, Climate and Crises.

The development of legal and policy frameworks for international disaster assistance is not limited to the Asia Pacific region. Governments around the world have recognized the need to strengthen these frameworks.

In Central America, the devastation left by Hurricane Mitch in 1998 underscored the need for regional cooperation in disaster risk management. This led to the development of a comprehensive [Regional Response Mechanism, known as the MecReg](#),



by the Centre for Disasters' Prevention in Central America and the Dominican Republic.

A unique approach used by the MecReg is the 'one-stop shop,' a streamlined and centralized system designed to facilitate the quick and efficient entry of humanitarian assistance into countries affected by disasters. This approach simplifies the complex processes of bringing in emergency aid, such as customs clearance, immigration procedures, and regulatory approvals. The IDRL Guidelines consolidate global best practices in the management of international disaster response operations, such as lessons learned following Hurricane Mitch in 1998. In turn, following their adoption, the IDRL Guidelines have contributed to strengthening the MecReg.

The MecReg also plays a critical role in aligning domestic disaster risk management laws and practices with regional strategies, ensuring that countries can work together effectively in the face of natural disasters. The framework is seen as a pioneering model in disaster risk management and has influenced the development of disaster laws and practices not only within Central America but also in other regions.

The IDRL law in Honduras has had a broader impact, inspiring other National Societies and governments in the region, including those in

José Juan Castro, President of the Honduran Red Cross, described the adoption of the IDRL Law in Honduras in November 2020 as a significant milestone, especially since it occurred as Hurricanes Eta and Iota were wreaking havoc. "The law was designed with a clear purpose: to facilitate the swift and streamlined entry of required humanitarian assistance, ultimately saving lives and protecting human dignity."

Colombia, Guatemala, Trinidad and Tobago, El Salvador, Chile, Uruguay, and Ecuador. These countries have made important strides in improving their disaster risk management frameworks. Additionally, many international organizations have adopted and replicated key sections and best practices from the Honduran IDRL law. This effect is not limited to the Americas – similar laws and agreements in other regions have had the same impact.

In Kyrgyzstan, to simplify the regulatory processes involved in the delivery and acceptance of international emergency assistance, the government has introduced



IFRC Disaster Law provided briefings and evaluations on the protocols for domestic and regional international humanitarian assistance at the Regional Simulation of Humanitarian Assistance in Central America and the Dominican Republic.



The Red Crescent Society of Kyrgyzstan and government officials learn about IDRL climate-smart disaster laws, including Kyrgyzstan's 2017 Law on International Emergency Assistance, and the auxiliary role of Red Cross and Red Crescent National Societies.

a regulation that adopts a 'single window approach'. This is in line with the recommendations included in the IDRL Guidelines.

At the regional level, the [Center for Emergency Situations and Disaster Risk Reduction \(CESDRR\)](#), which fulfills an important intergovernmental role in coordinating responses to emergencies, oversees the implementation of an Action Plan for the implementation of the cooperation development strategy among the Central Asian countries in disaster risk reduction. The Action Plan, adopted by the heads of emergency authorities of Central Asia, places great emphasis on IDRL's importance and the need to reinforce joint regional measures with the aim of adopting a regional instrument for international disaster assistance.

Mr Serik Aubakirov, CESDRR Director, said in light of the growing recognition that disasters are a regional issue that

transcends national borders, countries in the region are placing a greater emphasis on enhancing regional cooperation in disaster management.

"By combining our resources and expertise, we can develop more resilient response systems that can effectively address the challenges facing our region. It is crucial to proactively foster and advance collaboration among all stakeholders engaged in disaster risk reduction in Central Asia. In this regard, international disaster response laws serve as the foundation for the development of robust protection and response systems. In light of this, the CESDRR calls on all states to actively engage in order to create a safer and more secure future."

The bigger picture:

Strengthening disaster risk governance through comprehensive legal and policy frameworks



In the aftermath of the Cyclone Batsirai in Madagascar, where the National Bureau of Disaster and Risk Management, the Malagasy Red Cross, and the IFRC signed a historic pre-disaster agreement to strengthen disaster preparedness and response.

In the years that followed the adoption of the IDRL Guidelines, IFRC Disaster Law supported numerous National Societies and governments around the world to strengthen legal and policy frameworks for international disaster assistance. At the same time, the IFRC began receiving more and more requests on issues relating to the role of law and policy in other aspects of disaster risk management, as well as the role of law and policy in the management of public health emergencies. Similarly, recognition of the critical need to ensure the integration of the protection of persons in vulnerable situations and climate and disaster-related displacement also grew significantly.

In response, the IFRC expanded its focus in 2010 to cover all phases of disaster risk management—prevention and mitigation, preparedness, response, and recovery—while addressing important cross-cutting issues such as climate change adaptation, displacement, and the protection of vulnerable groups. A key strength of IFRC lies in its comprehensive risk management approach to disaster risk governance, which involves coordination across national and local government levels and between various ministries and includes communities with respect to all elements of disaster risk management.

IFRC completed comprehensive research in all these areas and

developed a series of tools to support the development of comprehensive legal and policy frameworks in each area, which were adopted at the International Conference. Ultimately, these recommendations, developed over two decades, were consolidated in the [Disaster Risk Governance Guidelines](#).

These Guidelines serve as a benchmark for assessing domestic laws, policies, and plans, building on IFRC's existing research and recommendations on each phase of disaster risk management, and also address cross-cutting issues such as the protection of marginalized and at-risk groups, disaster displacement, and mental health and psychosocial support. The Guidelines are an all-in-one tool that can support governments to develop the comprehensive legal and policy frameworks required to strengthen disaster risk governance.

The development of the Guidelines is timely, given the findings of the recent Midterm Review of the Sendai Framework, which highlighted that progress in strengthening disaster risk governance has varied, and there is a continued need to enhance legal frameworks for comprehensive disaster risk management.

Gabrielle Emery, Head of the United Nations Disaster Risk Reduction's Pacific Subregional Office, acknowledged that while states have made significant

strides in strengthening their domestic disaster laws, there is still much work ahead.

“I’ve seen firsthand how IFRC’s Guidelines have provided very technical but practical help for Pacific disaster governance. The Pacific is feeling the brunt of disasters increasing in frequency and intensity. Having tools like this for building robust legal and policy frameworks is a must.”

As the value of comprehensive disaster risk governance is increasingly recognized across the globe, IFRC Disaster Law has expanded its presence, including into regions where the team has not historically had a strong footprint, such as the Middle East and North Africa. While IFRC Disaster Law's work in this region is still in its infancy, National Societies and governments have shown significant interest in strengthening legal preparedness for disasters.

The importance of comprehensive disaster risk governance is a key topic to be addressed at the 34th International Conference of the Red Cross and Red Crescent, which will take place in October 2024. The International Conference is a key international forum for continued dialogue and reflection on the role of

legal and policy frameworks in the management of disaster risks, and a resolution entitled [Strengthening Disaster Risk Governance through Comprehensive Legal and Regulatory Frameworks](#) has been proposed for adoption at the upcoming conference. This Resolution encourages states to improve legal preparedness for disasters, including strengthening institutional arrangements, innovative approaches, and cooperation at bilateral, sub-regional, regional, and international levels. The resolution also encourages states to recognize the Guidelines as a non-binding but important tool to help improve legal preparedness for disasters, as well as the important role of National Societies and IFRC in this regard.

The International Conference is also a key platform for generating

support for the work of IFRC Disaster Law. The support of partners and donors is critical to facilitating IFRC Disaster Law's work in strengthening legal and policy frameworks for disaster risk management.

Australian Red Cross has been a key partner supporting IFRC Disaster Law's work across Asia Pacific. Alex Mathieson, Executive Director, International Programs, Australian Red Cross said strengthening disaster risk governance is crucial to protecting communities from hazards and minimising the impact of disasters, which is why Australian Red Cross and the Australian Government via the Department of Foreign Affairs and Trade (DFAT) have proudly supported the IFRC Disaster Law Program in the Asia Pacific since its inception.

“The program plays a vital role in improving legal and policy frameworks that support every stage of disaster risk management - from prevention and mitigation to preparedness, anticipatory action, response, and recovery. By working closely with National Societies, governments, and regional bodies, the program reinforces the auxiliary role of National Societies and fosters more effective, locally-led disaster management through meaningful policy dialogue. Investment in the Program reflects Australian Red Cross and DFAT's shared commitment to building resilient communities and safeguarding our region from future crises.”

Strengthening disaster risk governance in Malawi and beyond

The comprehensive approach to disaster risk governance promoted by the *Disaster Risk Governance Guidelines* is increasingly being adopted by countries around the world. In 2023, Malawi passed the Disaster Risk Management Act following extensive stakeholder consultations.

The Disaster Risk Management Act is a comprehensive, multi-hazard, all-phases disaster law that establishes the institutional and financial architecture of Malawi's disaster risk management system. It strongly focuses on establishing disaster risk management structures at all levels, emphasizing the local level, and ensuring preparedness through contingency planning, education, training and simulation exercises, and establishing an early warning system. The Disaster Risk Management Act also includes detailed provisions on international disaster assistance. The development of the Act was led by the government and supported by several partners, including the Malawi Red Cross Society.

As auxiliaries to their public authorities in the humanitarian field

and grounded in the communities they serve, National Red Cross and Red Crescent Societies are well-placed to advocate for and support their governments in the development of comprehensive legal and policy frameworks to manage disaster risks.

Prisca Chisala, Malawi Red Cross' Director of Programmes and Development, said the organization's positioning and relationship with the government in disaster risk management through its auxiliary role was invaluable during the development of the Disaster Risk Management Law.

“Our auxiliary role gave us a seat at the table and a mandate to advocate for legislative review. Through the legislative review process, our auxiliary role was further strengthened as we developed a strong relationship with the government as a humanitarian partner.”

The comprehensive approach to disaster risk governance is also being promoted at the regional level. IFRC Disaster Law is supporting the African Union in developing draft Model Act on Disaster Preparedness and Response in Humanitarian Contexts. The overarching aim of the draft Model Act is to facilitate the work of the African Humanitarian Agency, and it includes comprehensive provisions on international disaster assistance. In recognition of the importance of comprehensive disaster risk governance in the management of disaster risks faced in the region, the draft Model Act also includes provisions on the planning of disaster prevention and mitigation measures, as well as disaster preparedness, anticipatory action, enhancing disaster response capabilities, disaster displacement and recovery. ●



Representatives from Malawi Red Cross Society, Malawi Department of Disaster Management Affairs, IFRC and supporting partners at the IDRL report launch event.

Underscoring the need for comprehensive disaster risk management:

Testimonies from the ground



Enhancing the resilience of communities in Small-Island Developing States through disaster prevention and mitigation

IFRC Disaster Law’s research on the role of legal and policy frameworks in strengthening disaster prevention and mitigation has underscored that laws and regulations are essential to reducing existing risks posed by natural and other hazards and preventing new risks from arising. Building and construction laws, for example, may contain minimum standards designed to make buildings more resilient, while land use and planning laws may restrict new developments in high-risk areas. In addition, the intertwined impacts of climate change and disasters require a unified approach to law and policymaking.

Stephanie Julmy, IFRC’s Global Disaster Risk Reduction and Resilience Lead, said integrating climate change adaptation and disaster risk management is essential to decreasing vulnerability and enhancing community resilience.

“However, aligning efforts in these sectors has historically been challenging due to siloed approaches at the international level and differences in implementation scales—from immediate local actions to broader, long-term planning—and

gaps in coordination between government agencies, civil society organizations and communities.

“Laws and policies must promote enhanced coordination across disaster risk management and climate change adaptation-related sectors and frameworks and facilitate information sharing as well as the sharing of good practices. These frameworks need consistent funding and should include adaptive social protection programs to support the most marginalised communities.

“Effective climate risk management also requires robust monitoring systems to provide reliable data. Engaging communities in the planning and implementation processes is essential to ensure relevant strategies and strengthen local capacities to manage and respond to risks.”

By fully integrating climate change adaptation and disaster risk reduction into domestic frameworks, resilient systems that address climate change’s evolving challenges can be established.

IFRC research and recommendations in this area have found practical application in Small Island Developing States (SIDS), which are particularly vulnerable to the impacts of weather-related disasters compounded by climate change. IFRC Disaster Law has been working with National Societies, governments, and partners to support communities in becoming more resilient to the impacts of climate change and natural hazards in SIDS around the world.

In the Caribbean, IFRC is working with partners and coastal communities to promote the inclusion of nature-based solutions in laws and policies while bringing together experiences in science, advocacy, humanitarian actions and community engagement.

Local actors have played a critical role in our work in the Caribbean, particularly in ensuring that climate change solutions are responsive to local needs, inclusive and sustainable. Martha Keays, IFRC Regional Director for the Americas, said local engagement is indispensable.

“One significant lesson learned is that there is no resilience without locally-led action. Nature-based



The Philippines has developed an advanced climate adaptation and disaster risk framework with community-level implementation. This is the result of a long-term partnership between the Government, the Philippine Red Cross and IFRC.

solutions are community-based solutions, and local actors, including Red Cross volunteers, should be at the core of its design and implementation.”

IFRC’s work with SIDS supports the implementation of the Antigua and Barbuda Agenda for SIDS developed at the 4th International Conference on Small Island Developing States. This Agenda calls for the mainstreaming of disaster risk reduction by, among other things, strengthening disaster risk governance, including at the local level, through the development of legal and institutional frameworks that promote disaster risk reduction and community-based disaster risk management approaches. The Agenda further calls for the adoption of approaches that capture whole-of-government and whole-of-society actions that are gender responsive and disability-inclusive.

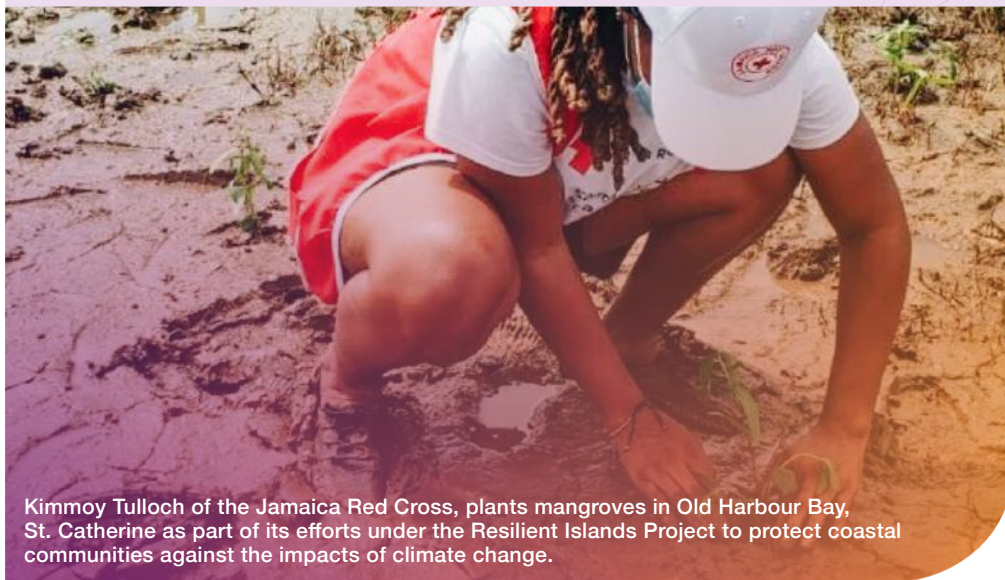
“The Agenda charts a path for a more resilient and sustainable future for SIDS. We are looking forward to working with our government to implement the Agenda, with the invaluable support of the IFRC,” said Fine Tu’itupou-Arnold, Secretary General of the Cook Islands Red Cross.

Law and policy for nature-based solutions in Jamaica

In Jamaica, one of the main barriers to mainstreaming nature-based solutions in laws and policies is a lack of value placed on nature, resulting in the absence of a common or nationally expressed goal towards climate change adaptation, disaster risk reduction or nature-based solutions. Through stakeholder consultations, several recommendations were proposed to address these issues.

Today, the existing national vulnerability ranking index in Jamaica, a tool designed to identify

and rank the hazard vulnerability of communities and sectors, has been enhanced through the work of the Jamaica Red Cross by including ecosystem indicators. This allows agencies to monitor and measure not only community vulnerability levels but also the habitats’ capacity to protect people and livelihoods. This is a valuable inclusion, as protecting, managing, and restoring the ecosystems is key to limiting people’s exposure and vulnerability to hazards. ●



Kimmy Tulloch of the Jamaica Red Cross, plants mangroves in Old Harbour Bay, St. Catherine as part of its efforts under the Resilient Islands Project to protect coastal communities against the impacts of climate change.

Strengthening early warning early action in South Sudan and Tajikistan

A network of laws, policies and plans which determine who does what, when and how underpin every disaster preparedness and response operation. IFRC Disaster Law's recommendations on this topic address how legal and policy frameworks can support effective disaster preparedness and response through the development of early warning systems; planning for early action and response; education, training, drills and simulation exercises; evacuation and emergency shelter assistance; and the declaration of a state of emergency or disaster.

"It is vital that laws and policies provide a detailed framework encompassing all stakeholders and all elements of preparedness and response in order to ensure that no time is wasted in the face of an imminent disaster or when disasters strike."

"Legal and policy frameworks underpin all elements of early warning and early action, from

disaster risk knowledge and forecasting to preparedness and response capacities. IFRC is extremely proud to provide its expertise to the Early Warning for All initiative of the UN and is supporting authorities in many countries around the world to prepare their legal frameworks for early warning, early action," said Caroline Holt, IFRC Director of Disasters, Climate and Crises.

South Sudan has experienced four consecutive years of record-breaking floods. These have sometimes covered two-thirds of the country, leaving people without homes, land, food, or safe drinking water. To mitigate the impact of flooding and other disasters, South Sudan is currently in the process of formulating disaster risk management legislation, which will mandate the establishment of a comprehensive multi-hazard early warning system. This Early Warning System will give people time to prepare before a disaster and allows governments and other agencies time to pre-position items that may be necessary, such as food, water and shelter. The disaster risk management legislation will also establish an early warning technical working group responsible

for coordinating early warning and early action initiatives.

In Central Asia, the Red Crescent Society of Tajikistan has been supporting the Committee of Emergency Situations in implementing pillar four of the EW4ALL initiative, which is focused on enhancing preparedness and response capabilities.

Shuhrat Sangov, Head of the Red Crescent Society of Tajikistan's Disaster Management Department and EW4ALL focal point, said it involves researching and analyzing the legal and policy frameworks for early warning systems, promoting collaboration among stakeholders and communities, addressing the needs of vulnerable and marginalized groups, raising public awareness, and strengthening capacity building.

"I would like to emphasize the IFRC's crucial role, which has provided invaluable support to us in commencing these activities under the EW4ALL commitments and has expressed its readiness to assist in future activities."

This research is a key element to advocate for and ultimately inform legal reform.



South Sudan Red Cross runs a community engagement session.



Italian Red Cross teams respond to the 2016 earthquake.

Building back better in Italy

IFRC **research on recovery** has found that recovery is an often-overlooked component of disaster risk management - only 16 per cent of countries have disaster risk management legislation containing detailed provisions on disaster recovery. By contrast, 54 per cent include provisions on risk reduction, and 75 per cent include provisions on preparedness and response. Moreover, even when disaster recovery is addressed, there is often a lack of focus on and support for long-term recovery.

Tommaso Natoli, Italian Red Cross Humanitarian Advocacy Senior Officer, who led the [research on this topic in the Italian context](#), said without comprehensive and harmonized law and policy for recovery and reconstruction, assistance often dries up without setting the basis for a proper and complete return to normal life in affected communities.

“IFRC’s recommendations in this area shed light on how legal frameworks should address preparation and building back better after a disaster. Preparation is vital to ensuring timely and appropriate recovery assistance, the availability of adequate resources, and effective coordination of many government and non-government actors.

“Laws, policies, plans and institutional arrangements can underpin a comprehensive recovery and reconstruction system, but they need to be developed and tested before disasters to achieve readiness for recovery and reconstruction.

Building back better is the idea that recovery and reconstruction presents an opportunity to reduce disaster risk and adapt to climate change by implementing measures that reduce exposure and vulnerability to evolving climate and weather-related hazards.”

Italy is exposed to both geophysical and meteorological risks, but earthquakes represent the country’s main source of risk and have, in turn, influenced the development of the Italian disaster risk management and civil protection systems. In 2016 and 2017, earthquakes in Central Italy caused hundreds of casualties and extensive damage in four different regions.

“Strong governance is the main element that centralizes direction, decisions and choices in such a delicate area as emergencies,” said

Lieutenant Colonel Marco Della Femina, a representative of the Legal Office, Staff of the Special Commissioner for Reconstruction.

After a few legislative reforms, the country counted on a civil protection system with suitable institutional balance, but it needed to improve the transition to the reconstruction phase. This is because ‘overcoming the emergency’ and ‘returning to normality’ are abstract and multifaceted concepts affected by many factors that inevitably merge into one another.

The Italian Red Cross’ expert advice to the authorities on recovery has contributed to the legal reform process in Italy aimed at providing a single and coherent text regulating post-disaster reconstruction activities in continuation and synergy with the recovery phase. Based on its involvement in the reconstruction process in the aftermath of the earthquakes in Central Italy in 2016-2017, the Italian Red Cross participated in interviews and public consultations organized by the Italian authorities with civil society organisations, including with the parliamentary commission involved in the law-making process.

Preparing for public health emergencies in Asia

The COVID-19 pandemic was one of the deadliest public health emergencies in history. While legal issues might not have seemed like a priority in the middle of the pandemic, laws and policies played a critical role, enabling states of emergency to be declared, lockdowns to be imposed and the expedition of vaccine approvals. Never before had so many laws been made in so many countries in such a short time.

As the pandemic unfolded, IFRC and National Red Cross and Red Crescent Societies began responding to the public health emergency. The Disaster Law team looked on, observing the legal implications and issues of the crisis. Isabelle Granger, IFRC's Global Disaster Law Lead, said two key legal issues became clear.

We saw the rapid development and adoption of new emergency decrees to respond to and manage the pandemic. We started hearing from National Societies negatively impacted by these new decrees. Their humanitarian access was restricted, and they needed legal advice.

“We considered how this emergency would be managed, as in many cases, health ministries managed



Thai Red Cross staff and volunteers assist with vaccinations during the COVID-19 pandemic.

it, yet it was a disaster. What is the intersection between health and disaster risk management? How do legal frameworks provide for this intersection of roles and responsibilities between ministries?”

The COVID-19 pandemic showed that, in many cases, states were not legally prepared. States had old laws, policies, and contingency plans, which often proved outdated or inadequate, requiring the rapid development of new laws.

Based on the research, after regional consultation, the [Guidance on Law and Public Health Emergency Preparedness and Response](#) was released to support governments with their laws and policies for public health emergencies and ensure that they are effectively coordinated with disaster risk management. Recommendations in this area were subsequently integrated into the new Disaster Risk Governance Guidelines. IFRC called for urgent action to strengthen domestic legal and policy frameworks for public health emergencies so that states can be better prepared.

“We must learn from the COVID-19 pandemic and prepare for the next one,” Ms Granger said.

The COVID-19 pandemic highlighted to ASEAN — the Association of Southeast Asian Nations - the importance of a closer synergy between disaster risk management and public health emergency management.

The ASEAN Committee on Disaster Management and IFRC developed the *ASEAN Disaster Law and Public Health Emergency Mapping and Guidelines*, a mapping of regional and national disaster risk management frameworks and guidelines for strengthening disaster risk management frameworks in the context of public health emergencies aimed at enhancing ASEAN's capacities to respond to the changing risks facing the region. It sheds light on how national and regional legal and policy frameworks can be further strengthened, learning from the experience of COVID-19. ASEAN member states have requested to collaborate with IFRC to strengthen domestic legal frameworks based on the guidelines.

Enhancing the protection and inclusion of persons in vulnerable situations and managing disaster displacement through legal and policy frameworks

IFRC has long recognized that disasters do not affect everyone equally. Women, children, older adults, people with disabilities, and other marginalized groups often face disproportionate impacts from disasters, climate change, and public health emergencies. These

individuals may be overlooked in humanitarian responses and excluded from decisions directly impacting their lives. IFRC leads the field in [researching the protection and inclusion of vulnerable populations](#) within disaster laws, policies, and plans.

IFRC has also long recognized the role of law and policy in managing [disaster displacement](#). An estimated twenty million people are displaced by disasters worldwide each year, and this number is expected to rise as climate change increases the frequency and severity of such

events. Displacement is rapidly becoming one of the most pressing humanitarian challenges of the 21st century. Despite the urgency, many countries' disaster risk management legislation fails to adequately address or recognize climate- and disaster-induced displacement.

Ezekiel Simperingham, IFRC's Global Manager of Migration and Displacement, said the organization's work in this space was a natural extension of its extensive experience in law and policy and at a crucial time when new frameworks were urgently needed to address displacement due to climate change and disasters.

"It became evident that new frameworks were needed to address planned relocation, migration, and displacement – not only at the global level but critically at the national and local levels. This realization led to collaboration with disaster law experts to integrate displacement and migration dynamics into

existing legal frameworks and ensure a cohesive approach in government engagements.

"Without updated laws and policies, those affected risk falling through the cracks, unable to access the assistance and protection they need. Clear laws and policies are essential—they define roles, responsibilities, expectations, and investments, giving visibility to the issue before it becomes unmanageable."

In the Americas and under the framework of the Cartagena Declaration on Refugees, states and partners, led by Chile, are working on the development of a new ten-year strategic action plan (the Chile Declaration and Action

Plan 2024-2034) as a coordinated framework for strengthening the protection and solutions response for asylum seekers, refugees, displaced persons, and stateless persons in the Latin America and Caribbean region. Bringing relevance to the new and needed approaches, the IFRC has provided advice in the Cartagena+40 consultation process in the Americas region to highlight that disaster-related laws and policies must be addressed while managing and protecting people on the move.



Legislating for people-centered disaster risk management in Fiji

In Fiji, the devastation caused by Tropical Cyclone Winston, which tore across the island in 2016, highlighted the need to strengthen legal preparedness for disasters, including enhancing the protection of those most vulnerable. The Fiji Red Cross and IFRC have been supporting the government in this process, and following extensive consultations with government agencies and international, regional, national, and subnational stakeholders, a Disaster Risk Management Bill was developed. In addition to addressing all elements of the disaster risk management continuum, the Bill integrates the protection of vulnerable groups throughout, such as mandating the National Disaster Risk Management Council to ensure the inclusion of the vulnerable in the formulation and implementation of disaster risk management policies. Representatives of vulnerable groups are also included in several key decision-making committees. The Bill was recently unanimously passed by the

Parliament of Fiji in October 2024.

"Collaboration with IFRC Disaster Law has been instrumental in advancing our Disaster Risk Management legislation in Fiji. Their support not only strengthened our legal framework but also empowered our communities to better prepare for and respond to disasters. Together, we are building a more resilient future," said Napolioni Boseiwaqa, Acting Director, Fiji National Disaster Management Office.

In addition to supporting the development of the Disaster Risk Management Law, IFRC Disaster Law also contributed to enhancing the implementation of effective disaster laws, strategies, policies, and plans in the country. In October 2023, IFRC Disaster Law joined community, national, regional and international humanitarian responders for Fiji's Earthquake and Tsunami Response National Exercise, which was held by the Fiji National Disaster Management Office to test and refine the

country's Tsunami Response Plan to promote a more efficient and coordinated approach in the face of a real disaster.

Finau Heuifanga Leveni, Deputy Head of Delegation and Head of Programs of the IFRC Pacific Country Cluster Delegation, said the high level of community engagement was a highlight of the exercise.

"Fiji's National Disaster Management Office made significant efforts to ensure the participation of local communities, including school children as well as organizations working with persons with disabilities. This was exciting to see as it very much aligns with IFRC's recommendations, which have highlighted that the involvement of community members and persons in vulnerable situations in early warning and early action activities ensures they are fit for purpose and inclusive of everyone."

IFRC as a global reference on disaster law

Research has been a core part of IFRC's work for the past 20 years, from the early reports defining disaster law and laying the foundation of IDRL to today's research on contemporary issues like COVID-19 and comprehensive disaster risk management. Partnerships with academic institutions have supported IFRC's extensive research in several areas of disaster law.

IFRC Disaster Law regularly contributes to books on disaster law and the *Yearbook of International Disaster Law*, thereby participating in global thinking on issues relating to disaster law. The team in Africa recently contributed an article on legal preparedness for international disaster assistance in the Southern Africa Development Community to the Yearbook, which explores the extent to which international treaties and global tools have influenced the development of disaster risk management legislation at the domestic level in Malawi, Mauritius, Namibia, Seychelles, and South Africa.

Martha Bradley, Associate Professor of International Law at the University of Johannesburg said it is critical that African scholars and practitioners contribute to and stimulate discourse on disaster law in the region. "Such discussions can help to identify best practices and innovative solutions to the issues faced on the ground."

Members of the IFRC Disaster Law team also regularly present

lectures on disaster law at universities across the globe.

Dr Dug Cubie, a senior lecturer in disaster law at University College Cork (UCC), has been involved with disaster law since he heard a talk on IDRL 15 years ago, which inspired him to do his PhD in disaster law.

"Through their collaboration, IFRC and academics have significantly strengthened the evidence base for arguments made to governments or other organizations. IFRC has used this evidence to advocate for changes in laws, policies, or procedures. Academics, with their independent research, have provided neutral evidence that supports the work of the IFRC.

A research project between IFRC and the School of Law of UCC on the integration of disaster risk reduction and climate change adaptation in legal and policy frameworks resulted in the publication of the [Global Synthesis Report on Law and Policies for Climate Resilience](#) in 2021. Conversely, academics rely on the insights and experiences of IFRC to ensure their research is relevant to real-world situations.

"This symbiotic relationship is crucial because disaster law is such a practical field—it must be considered at the domestic level. Governments understandably want evidence before enacting or changing domestic laws. The academics' work with IFRC has provided this evidence, it enhances the arguments from both perspectives."

Over the past twenty years, as the technical area of disaster law has emerged and grown, the academic and research hubs for disaster law have grown, too, with formal institutions and groups, scholarly journals, and qualifications.

"It's interesting to consider when disaster law truly becomes a recognized field. Personally, as part of my professional journey, I've been striving to elevate its importance. Reflecting on the role of academics in this area, it's worth noting that disaster law was not something I studied formally, yet it has become central to my work. IFRC's work on disaster law has been instrumental in raising the attention of the academic community to this new field of law," said Dr Cubie.

Through its work, IFRC Disaster Law has become a global reference for disaster law. In collaboration with Roma Tre University and UCC, and additional academic partners, the IFRC Disaster Law Database was established in 2021 to serve as a resource for practitioners and academics working in the field of disaster law.

Roma Tre University has been instrumental in the development of the Disaster Law Database.



The 2023 Caribbean IDRL Workshop to enhance regional frameworks for disaster relief and humanitarian assistance, with government, civil society, Caribbean Red Cross Societies and IFRC.

Professor Giulio Bartolini, Full Professor of International Law at Roma Tre University and Editor-in-Chief of the Yearbook of International Disaster Law, said he is very proud to collaborate with the IFRC in the development of the Disaster Law Database.

“It has proven to be a valuable resource for academics and practitioners. The Database contains almost 3,000 documents, including international, regional, sub-regional and national disaster risk management-related instruments, case law, and research reports. It is the first of its kind in the world and contributes to the development of disaster law as an emerging field of international law.”

The IFRC’s work in the development of research and tools on disaster law, as well as the resolutions of the International Conference on topics related to disaster law, have contributed significantly to the development of international soft law. To further increase the recognition and implementation of disaster law, IFRC Disaster Law regularly hosts platforms for governmental discussions on Disaster Law and conducts training

targeted at National Societies and Governments at country and regional levels around the globe. These platforms have also provided valuable opportunities for peer-to-peer exchange across regions.

“These events and platforms provide spaces for discussions between National Societies and governments on legislative review and enable the participants to share success stories, highlight concerns and discuss how disaster laws and coordination mechanisms help manage disaster risk from their countries and regions. We have a lot in common, even though we are spread across oceans,” said María Martínez, Head of the IFRC Country Cluster Delegation for the Indian Ocean Islands.

An International Disaster Law Course is held annually at the prestigious International Institute of Humanitarian Law in San Remo, Italy. Jointly organized by humanitarian and academic institutions with expertise in international disaster law, the course seeks to offer a comprehensive overview of disaster law as a rapidly evolving field.

Lieutenant General (rtd) Giorgio Battisti, President of the International Institute of Humanitarian Law, said, “The international recognition of IFRC Disaster Law’s expertise in this area led us to join forces with the IFRC, academics and practitioners to develop this important course. IFRC’s unique field experience adds significant value, credibility and richness to the course content, something that is regularly acknowledged and appreciated by participants joining from all over the world.”

Several online training courses on topics such as [IDRL, law and disaster preparedness and response and law and disaster risk reduction](#) have been developed to disseminate disaster law amongst National Societies, governments, academics and the general public. In 2023, IFRC Disaster Law, in partnership with the International Disaster, Emergency and Law Network (IDEAL), a global group of disaster law academics and experts, and with the support of the Italian Red Cross, launched the world’s first free online disaster law course, [Law and Policies for the Protection of the Most Vulnerable](#), to increase knowledge of disaster law and how it can help save lives and keep communities safe in disasters.



Practitioners and academics at the 2023 International Disaster Law Course in Italy.

Looking ahead

A global disaster treaty



Isabelle Granger, IFRC's Disaster Law Lead, presenting on the Draft Articles at the United Nations in New York.

As the IFRC reflects on **twenty years** of advancing disaster law, attention turns to a pivotal development: the potential establishment of a global treaty dedicated to protecting individuals during disasters—the first of its kind.

While various sector-specific instruments govern international disaster response, there is no comprehensive framework that integrates all aspects and actors involved and identifies respective rights and duties. This has led to a fragmented international legal landscape. A global treaty would unify these elements, providing clear guidance on state and assisting actors' responsibilities and necessary actions to safeguard people during disasters.

In late 2024, a working group from the UN General Assembly's Sixth Committee will present recommendations to the General Assembly concerning the potential adoption of an international convention based on the UN International Law

Commission's *Draft Articles on the Protection of Persons in the Event of Disasters*. Adopted in 2016, these Draft Articles cover critical areas such as human rights, humanitarian principles, international cooperation, disaster risk reduction, and the provision of external assistance.

The idea of a global treaty in this sector has been discussed for over a century, but it gained significant momentum in 2007 following the legal challenges exposed by the 2004 Indian Ocean earthquake and tsunami. This led the International Law Commission to include the protection of persons in disasters in its program of work in 2007.

The IFRC actively contributed throughout the development of the Draft Articles by providing reports and feedback on the various topics addressed. Notably, the numerous references to the IFRC's IDRL Guidelines in the preparatory works that led to the Draft Articles, as well as in their commentary, highlights the influence of IFRC work on their content.

Arnold Pronto, Secretary of the United Nations International Law Commission, said, "The IFRC's seminal IDRL Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance played a pivotal role in shaping the International Law Commission's work on the draft articles on protection of persons in the event of disasters."

Isabelle Granger, IFRC's Disaster Law Lead, is optimistic about the increasing attention to the Draft Articles and is proud of IFRC's role in shaping them.

"Given today's escalating impacts of frequent disasters compounded by climate change, establishing a global framework is essential for standardizing disaster risk management and protecting people in disasters.

"I am immensely proud of how our work has informed the Draft Articles. This recognition underscores the value and credibility of our contributions over the past 20 years and our unique role and expertise in advising states on disaster risk management."

IFRC [supports the development of a new treaty based on the Draft Articles on the Protection of Persons in the Event of Disasters](#) to strengthen disaster risk management, helping to save lives and keep communities safe.

Ms Granger hopes the Draft Articles and any treaty or instrument developed on the basis thereof will enhance disaster protection and effective response.

"My hope is that the final instrument, when developed, will enshrine disaster risk reduction as an obligation. It will lead to better protection for people, more efficient and rapid international support, and ultimately save lives."

IFRC Disaster Law

Saving lives and keeping communities safe through the development and implementation of effective disaster laws, policies and plans.

Contact

Feel free to contact our team in Geneva or at one of our regional offices. Please find contact details here:

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Wailotua village, with support from the Fiji Red Cross, conducts a community evacuation drill as part of their disaster preparedness plans for cyclone season.

