

30th International Conference of the Red Cross and Red Crescent

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REPORT OF THE WORK FROM COMMISSION C

STRENGTHENING THE LEGAL FRAMEWORKS FOR INTERNATIONAL RESPONSE TO DISASTERS

Chairman:
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REPORT TO CONFERENCE

Presented by: H.E. Ambassador Ahmet Üzümcü – Rapporteur, Commission C

1. Madame Chair, it is my pleasure to present the report of yesterday's proceedings in Commission C on "Strengthening the Legal Frameworks for International Response to Disasters." The Commission was chaired by Dr. Raymond Forde, President of Barbados Red Cross Society.
2. The work of Commission C began with introductory presentations by three invited speakers followed by an open debate in which over 120 delegations from Governments and National Societies took part.
3. The first presenter, Dr. Salvano Briceño, Director of the United Nations International Strategy for Disaster Reduction, highlighted the importance of being prepared not only to respond to disasters but also to reduce vulnerabilities before they strike. Despite global commitments to prioritize risk reduction, more work remains to be done to move towards a holistic approach to disaster management and to affirm a human right to safety. He highlighted the links between the IDRL Guidelines and the Hyogo Framework of Action, whose "Priority 5" calls for greater preparedness and contingency planning. He encouraged Conference members to link our follow-up efforts on the new Guidelines with those to implement the Hyogo Framework.
4. The second presenter, Senator Richard Gordon, Chairman of the Philippine National Red Cross highlighted the experience of Southeast Asian National Societies with legal issues in disaster response. He noted that the recent proliferation of actors involved in international response has led to new regulatory challenges, including both entry barriers for relief goods and equipment as well as quality and coordination problems. He encouraged governments to take a more pro-active and forward-looking approach rather than relying on ad hoc arrangements to address these problems. In this respect, he highlighted the recent efforts of a number of governments in the region to strengthen their applicable laws and shared the recent commitments of the Southeast Asian National Societies towards promoting legal preparedness.

5. The third presenter, Dr. Charles Agbo, Director of Planning, Research and Forecasting at the Nigerian Emergency Management Agency, informed participants of his Government's efforts to strengthen its institutional policy and regional frameworks with regard to international disaster response. Nigeria has also played a leading role in ensuring that the issue of legal preparedness for international disaster response is also taken up and is suitably addressed at the sub regional and regional level. This was demonstrated by its collaboration with ECOWAS and the African Union.
6. The open debate that followed, affirmed the widespread agreement among Conference members that legal preparedness is directly linked to reducing human suffering.
7. Many participants expressed their satisfaction with the IDRL Guidelines and the consultation process by which they had been developed and urged their adoption. We learned about a number of existing initiatives by both Governments and National Societies to promote sound legal preparedness in their countries. Apparently, some have already begun to make use of the IDRL Guidelines. Consultations between Governments and relevant agencies on the draft Guidelines had spurred a deeper discussion of how they would address these types of problems in the future.
8. In response to first guiding question submitted by the Conference organizers, namely "*How can the Guidelines be useful in your national context?*", the participants stated that the Guidelines were useful, in that:
 - They are non-binding and adaptable to local circumstances and seek to provide useful practical guidance to common problems without impinging on the sovereign rights and responsibilities of domestic authorities.
 - They also allow the Red Cross and Red Crescent Movement to work according to its principles and values in disaster management.
 - Moreover, they conveniently compile existing international norms and best practices for the reference of Governments.

9. Participants emphasized that the Guidelines can be useful as a “reference” for governments interested in strengthening their legal and policy frameworks to prepare for the possibility of international disaster response. They also agreed that it may serve as a “checklist” of common legal issues which may arise and which should be taken into account by National Societies and organizations when receiving and providing assistance.
10. In response to the second guiding question, “*What additional steps can be taken to promote legal preparedness for disasters?*”, participants suggested that States and National Societies should examine their national, legal, policy and institutional frameworks to see how they might be strengthened. Furthermore, all relevant actors should share best practices so as to enable all of us to better provide humanitarian services.
11. With regard to the third guiding question, “*How can National Red Cross and Red Crescent Societies best support their governments in improving legal preparedness?*”, a number of National Societies expressed their commitment to work on this issue with their governments. It was suggested in particular that National Societies that are represented on National Disaster Management Committees or similar bodies seize the opportunity to promote the utilization of the IDRL Guidelines in those fora. They should take the relevant measures vis-à-vis legal preparedness as part of their contingency planning processes.
12. Participants underscored the significance of the dissemination of the Guidelines and urged their use not only at the national but also at the regional level. Commitment by Governments was also expressed to adopt programs towards dissemination of the Guidelines and to encourage an inclusive dialogue with law-makers, disaster management authorities, National Societies, and civil society more generally.
13. On the fourth guiding question, “*How might issues raised by the IDRL guidelines be addressed at the regional or sub regional levels?*”, it was recommended that regional and sub-regional organizations be invited to make use of the IDRL Guidelines. Moreover, the Federation was encouraged to raise awareness of the Guidelines at regional organizational meetings. A commitment was expressed by Governments to work together with National

Societies and the Federation to increase policy cohesion on international disaster assistance at the regional level.

14. With regard to best means to link follow up efforts on the Guidelines with other initiatives, as raised by the fifth guiding question, Commission participants suggested that the IDRL Guidelines might be mainstreamed in national and regional platforms developed pursuant to the Hyogo Framework for Action.

15. Finally, a number of participants commented on potential future activities for the Federation in this field. It was suggested that the Federation should be pro-active, and continue to lead collaborative efforts on advocacy and research around legal preparedness, for instance through operational case studies and information sharing. The Federation should work with and empower National Societies to provide advice to their governments on how to make best use of the Guidelines. The Federation should also develop new tools for dissemination and raising awareness, for example through training materials. The importance of working with UN in the area of capacity building was highlighted. Lastly, there was a request to the Federation to raise the necessary funds to establish a regional presence on IDRL in Africa and the Americas.