

AFRICA REGIONAL CONFERENCE ON LOCALISATION
ADDIS ABABA

DISASTER LAW PROGRAMME & THE LOCALIZATION WORKSTREAM

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DISASTER LAW PROGRAMME & THE LOCALIZATION WORKSTREAM

DISASTER LAW



The **laws and regulations** which:

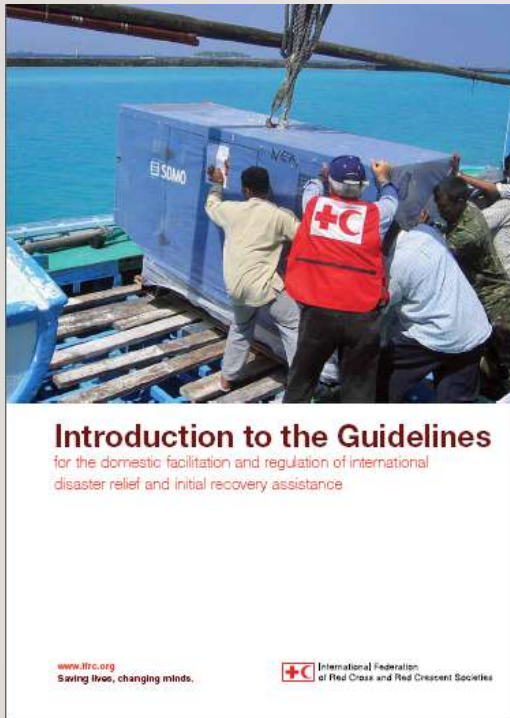
- ✓ address the **roles** and **responsibilities** to **manage** and **respond** to disasters
- ✓ **minimise impact** of disasters
- ✓ **reduce disaster risks**

DISASTER LAW PROGRAMME: WHO WE ARE & WHAT WE DO



- Programme main objectives:
 - Strengthening Disaster Law in the Region
 - Strengthening the auxiliary role of National Societies
 - Building the capacity of NS's to efficiently advocate for legislative reforms on disaster prevention, preparedness, response and recovery
- Main themes include:
 - Auxiliary role
 - Legal Preparedness for International Disaster Assistance (IDRL)
 - Law and Disaster Risk Reduction
 - Domestic Preparedness and Response

THE IDRL GUIDELINES



- Adopted by consensus by the 30th International Conference in 2007
- Compile existing international norms and best practice
- Recommendations to governments on how to prepare domestic laws and procedures for international assistance

CORE IDEAS OF THE IDRL GUIDELINES



Domestic Actors have the primary role



International Actors have responsibilities



International Actors need legal facilities



Some facilities are conditional

LOCALISATION AND DISASTER LAW

- **“As local as possible as international as necessary”**
- Getting involved with the Localisation workstream
 - Disaster Law introduced during the 2018 GECEAO Meeting
 - The importance of legislation and implementation of disaster related regulatory framework was highlighted
 - As recommended actions: National governments to develop or update national Disaster Management Laws
 - Be guided by IDRL guidelines in these processes
 - Role of National Society as an auxiliary to the National government and supporting these process

LOCALISATION AND DISASTER LAW

- Working with ECOWAS
 - Disaster Law was placed in Strategic Objective # 1 of the ECOWAS Humanitarian Policy and Plan of Action which focuses on “Strengthening the Legal Framework for Disaster Management.”
 - Detailed IDRL questions part of the ECOWAS “Self-Assessment Tool” adopted in September 2018.
 - Plan of Action of the ECOWAS Humanitarian Policy (2018-2022) : support in the development of the handbook and its implementation in two, member states.

ECOWAS HUMANITARIAN POLICY

- Seeks to standardize the practice of humanitarian action in ECOWAS Member States by fostering a balanced linkage between Humanitarian Action, Human Security and Human Development
- The vision behind the Policy is the creation of a **borderless, prosperous and cohesive region with the capacity to effectively prevent, mitigate, prepare for and limit the impact of conflicts and disasters in West African**
- The Policy focuses on four priority areas, namely, Conflict; Natural Disaster; Human-made Disaster; and Mixed-Migration and Refugee Protection.



PLAN OF ACTION OF THE ECOWAS HUMANITARIAN POLICY 2018-2022

STRATEGIC OBJECTIVE 1

Ensuring Appropriate Legal and Policy Frameworks for Preventing and Responding to Emergencies

	ACTIVITIES	Success Indicators	Responsible Institution	Sources of Verification	Timeframe
1	<p>Member States to adopt and implement:</p> <ul style="list-style-type: none"> • A Policy on National Disaster Management • Plan of Action <p>in the area of Humanitarian Affairs issues, inclusive of Disaster Risk Reduction and Emergency Management issues¹</p>	<p>Number of States that have adopted:</p> <p style="padding-left: 40px;">A National Disaster Policy (1) and</p> <p style="padding-left: 40px;">National Action Plan on Disaster Risk Reduction and Emergency Issues</p>	<p>National Platforms</p> <p>National Emergency Management Agencies</p>	<p>Copies of Policy and National Action Plan on Disaster Risk Reduction and Emergency Management Issues developed</p> <p>Reports of meetings</p>	2018-2022
2	<p>Member States shall create a specific <u>National Agency for Disaster Management</u>.</p> <p>The Agency shall be established, preferably, at the highest levels of government</p>	<p>National Agency for Disaster Management established</p> <p>Implementation of plans by the Agency</p> <p>Degree or legal documentation of its creation</p> <p>Number of agencies created</p>	<p>Member States</p> <p>National Platforms</p> <p>National Emergency Management Agencies</p>	<p>Copy of Government Gazette</p> <p>Report of establishment</p> <p>Programme and Implementation reports</p>	2018 – 2022

3	<p>Member States to promote <u>Disaster Management Legislation</u> in the following areas amongst others: Core emergency management and financing <u>Engineering, industry and building related safety</u> issues <u>Aviation and transport</u> related safety concerns Areas of <u>environmental safety, Health Security, One Health Approach</u> <u>Areas of Facilitation and international cooperation in case of emergency</u></p>	<p>Number of States that have enacted Disaster Management Legislation</p> <p>Compliance of the legislation with the ECOWAS models and International best practices</p>	<p>National Assembly</p> <p>National Platform</p> <p>National Emergency Management Agencies</p>	<p>Gazetted copies of laws enacted and legislations</p> <p>Information Education and Communication Materials (IEC)</p>	2018-2022
4	<p>ECOWAS and Member States to promote and codify core protection <u>instruments and standards</u> within the context of crisis and emergencies and ensure compliance</p>	<p>Codification of Protection Standards/Instruments by ECOWAS and Member States</p> <p>Number of Member States that have conducted sensitization/advocacy meetings on the need for protection during emergencies</p> <p>Number of Member States that have codified Protection Instruments and Standards</p> <p>International Humanitarian Law ratified by all the states</p>	<p>ECOWAS EERT</p> <p>ECOWAS Standby Force</p> <p>National Platforms</p> <p>National Emergency Management Agencies</p>	<p>Copies of codified Instruments</p> <p>Reports of sensitization/advocacy meetings</p> <p>IEC Materials</p>	2018-2022
5	<p>ECOWAS and Member States to establish and implement <u>Standards and Guidelines for the use of military assets</u> in emergencies</p>	<p>ECOWAS development of Standards and Guidelines</p> <p>Number of Member States that have established and have begun implementation of Guidelines for the use of military assets in emergencies</p>	<p>ECOWAS</p> <p>National Emergency Management Agency</p>	<p>Copies of the Guidelines developed</p>	2018-2022

INITIAL RAPID-SELF ASSESSMENT IN DM

- This tool serves as an initial basis for composing a regional profile on institutional preparedness capacity and it is based on the IDRL Guidelines:
- Legal and Policy framework on Disaster Management:
 1. Is there a National Legislation for Disaster Management in your country?
 2. Are there legal provisions/regulatory framework for international cooperation during emergencies?
Do these cover:
 - ✓ Receipt of international humanitarian aid and aid workers
 - ✓ Clearance of relief materials through customs without delay?
 3. Are there mechanisms for emergency early warning for different hazards clearly defined by the legislation?

INITIAL RAPID-SELF ASSESSMENT IN DM

4. Does the Legislation cover International Disaster Response Law (IDRL) and to what extent?
5. Is there a National Disaster Management Policy to guide disaster management efforts in your country?
6. Are roles and responsibilities of different institutions clearly defined?
7. Does the Policy include provisions for the role of non-state actors?
8. Is the Disaster Management Policy mainstreamed in other national policies, for example: agriculture, gender, health, protection, environment, security, education, etc?
9. Are there provisions for emergency early warning in the Disaster Policy/strategy?
10. Is the National Disaster Management Policy backed up by a national Plan of Action?

DISASTER LAW AND ECOWAS MEMBER STATES

By Alasan Senghore

Secretary General

Gambia Red Cross

- National Workshop in the Gambia
 - Outcomes of the localization workshop in the Gambia
 - Roadmap to developing the National DRM Legal Framework



DISASTER LAW AND ECOWAS MEMBER STATES

By Kpawuru Sandy

Secretary General

Sierra Leone Red Cross

- National Workshop in Sierra Leone
 - Outcomes of the localization workshop in the Sierra Leone
 - Roadmap to developing the National DRM Legal Framework



Disaster law

Thank you!

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For More Information please visit:

<http://www.ifrc.org/en/what-we-do/disaster-law/>

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