DISASTER LAW PROGRAMME & THE LOCALIZATION WORKSTREAM

AFRICA REGIONAL CONFERENCE ON LOCALISATION
ADDIS ABABA

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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.
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**

<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>Success Indicators</th>
<th>Responsible Institution</th>
<th>Sources of Verification</th>
<th>Timeframe</th>
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</table>
| 1. **Member States to adopt and implement:**  
  - A Policy on National Disaster Management  
  - Plan of Action in the area of Humanitarian Affairs issues, inclusive of Disaster Risk Reduction and Emergency Management issues¹ | Number of States that have adopted:  
  - A National Disaster Policy (1) and  
  - National Action Plan on Disaster Risk Reduction and Emergency Issues | National Platforms  
  National Emergency Management Agencies | Copies of Policy and National Action Plan on Disaster Risk Reduction and Emergency Management Issues developed  
Reports of meetings | 2018-2022 |
| 2. **Member States shall create a specific National Agency for Disaster Management.** The Agency shall be established, preferably, at the highest levels of government | National Agency for Disaster Management established  
Implementation of plans by the Agency  
Degree or legal documentation of its creation  
Number of agencies created | Member States  
National Platforms  
National Emergency Management Agencies | Copy of Government Gazette  
Report of establishment  
Programme and Implementation reports | 2018 – 2022 |
<table>
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<th></th>
<th>Member States to promote <strong>Disaster Management Legislation</strong> in the following areas amongst others: Core emergency management and financing Engineering, industry and building related safety issues Aviation and transport related safety concerns Areas of environmental safety, Health Security, One Health Approach Areas of Facilitation and international cooperation in case of emergency</th>
<th>Number of States that have enacted Disaster Management Legislation</th>
<th>National Assembly National Platform National Emergency Management Agencies</th>
<th>Gazetted copies of laws enacted and legislations Information Education and Communication Materials (IEC)</th>
<th>2018-2022</th>
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<td>4</td>
<td><strong>ECOWAS and Member States to promote and codify core protection instruments and standards within the context of crisis and emergencies and ensure compliance</strong></td>
<td>Codification of Protection Standards/Instruments by ECOWAS and Member States</td>
<td>ECOWAS EERT ECOWAS Standby Force National Platforms National Emergency Management Agencies</td>
<td>Copies of codified Instruments Reports of sensitization/advocacy meetings IEC Materials</td>
<td>2018-2022</td>
</tr>
<tr>
<td>5</td>
<td><strong>ECOWAS and Member States to establish and implement Standards and Guidelines for the use of military assets in emergencies</strong></td>
<td>ECOWAS development of Standards and Guidelines Number of Member States that have established and have begun implementation of Guidelines for the use of military assets in emergencies</td>
<td>ECOWAS National Emergency Management Agency</td>
<td>Copies of the Guidelines developed</td>
<td>2018-2022</td>
</tr>
</tbody>
</table>
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?
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
Thank you!

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For More Information please visit:

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