The International Federation of Red Cross and Red Crescent Societies (IFRC) Disaster Law Programme has worked in the Pacific since 2010, starting with the review of Vanuatu’s legal and policy framework for disasters in partnership with the Government and Vanuatu Red Cross. When Tropical Cyclone Pam tore through Vanuatu in 2014, shortly after the review was finalised, Vanuatu issued its first-ever request for international assistance, to which the response was beyond expectation, and the country was flooded with uncoordinated aid and assistance. Described as a ‘wakeup call’ by the Government of Vanuatu for international disaster law legal reform, it was a catalyst for Vanuatu and the rest of the Pacific.

An IFRC disaster law advisor was quickly deployed to support the government with regulatory barriers arising from the response, and in the weeks, months and years that followed, the journey to review, reform and operationalise laws and policy relating to disaster management began in Vanuatu. Since then, IFRC’s Disaster Law Programme has reached across the Pacific Ocean to work in fifteen Pacific countries.

Today, we near the completion of the review of Fiji’s National Disaster Management Act in partnership with the Government of Fiji and Fiji Red Cross. This is a significant piece of work that will support the national disaster risk management system to be proactive and focused on disaster risk reduction, a shift from a traditional reactive, response-based model. The review includes the adoption of a cluster system, establishment of subnational administration, regulation of international aid, the strengthened role of a disaster service liaison officer and legal facilities for recognised NGOs and humanitarian organisation. Consultations for the review have been with diverse groups from across Fiji, ensuring that no one is left behind in legislation and in the decision making process.

IFRC’s Disaster Law Programme in the Pacific is a success, this can be contributed to the technical experience and expertise, but equally so to the unique way in which we work – long term programming, support that is localised and contextualised and coordination that brings everyone together.

While the ‘downstream’ community impacts of the implementation of disaster law take longer to see, what we are seeing is governments recognising the need for efficient legislation, with support from the Disaster Law Programme to make positive legal changes, and committing to the process of change, which can be hard and long. For countries like Vanuatu, where significant disaster law reform has been carried out, humanitarian responses are coordinated, effective, and locally-led, with aid getting to those that need it most – a must for the number one ranked disaster risk country in the world.

As the only international organisation mandated to provide disaster law technical advice, there is an increasing demand for our support and a widened scope that includes protection and inclusion, displacement, climate change, holistic support to governments on risk governance, and now, COVID-19.

Pacific communities are at the frontline of disasters and climate change, and with the arrival of COVID-19 to their shores, supporting governments to have effective disaster laws and well-functioning disaster risk management systems in place which can respond to a multitude of hazards, is crucial for a humanitarian structure that can save lives.

PHOTO: Enia, pictured left, is registered at the first aid distribution following Cyclone Pam. Red Cross was the first organisation sanctioned by the Government of Vanuatu to begin relief distributions after a halt from the government due to an influx of uncoordinated international aid and assistance.
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<th>Our Approach</th>
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<td><strong>Long-term programming</strong> with long-term regional experts, strategies, and plans. Working through our national Red Cross Societies, who are formally linked to their DRM mechanisms, also gives permanence and sustainability to our approach.</td>
<td>Laws can take a long time to develop and change but our commitment and consistent approach mean we are always there and have continued momentum. We have long and strong relationships with government and stakeholders, resulting in trust and recognition and access.</td>
<td>Fiji's disaster management review maintained momentum, with Fiji NDMO in the lead and remained on track, regardless of delays due to institutional changes and ongoing disasters – cyclones, floods and COVID-19.</td>
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<td><strong>Localised support</strong> to national governments and actors.</td>
<td>Disaster law knowledge and decisions are with local actors, from government to civil society and community.</td>
<td>The TC Donna response in 2017 was well thought out, measured, and coordinated with the Government of Vanuatu at the helm every step of the way, this can be attributed to learnings and policies and procedures for international assistance developed and implementation after TC Pam.</td>
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<td><strong>Coordination and cooperation</strong> of partners and stakeholders at national, regional, and international levels.</td>
<td>Everyone - governments, agencies, donors, CSOs, community representatives – is at the table. This builds transparency, trust and shared understanding and knowledge of humanitarian systems and expectations.</td>
<td>In the IFRC co-chaired Risk Governance working group, IFRC supports the chair and deputy chair to bring together representatives from governments, regional organisations, private sector, civil society groups, academia and development partners.</td>
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<td><strong>Proactive advocacy</strong> for disaster law with Pacific governments and stakeholders.</td>
<td>A supply-driven to demand-driven model, with governments now requesting IFRC support on disaster law matters.</td>
<td>The Government of Kiribati reached out to Kiribati Red Cross and IFRC for support on reviewing their disaster risk management / climate change bill and draft regulations. IFRC has provided disaster law support in more than half of the Pacific.</td>
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<td><strong>Embracing Pacific regionalism</strong> through ongoing advocacy for a regional disaster management mechanism.</td>
<td>Leadership and groundwork for the establishment of a regional disaster mechanism in the Pacific, at PIFS, at government and CSO level. This includes long term advocacy, peer support facilitation, PIFS / ASEAN exchange and Pacific mapping, of domestic IDRL arrangements for 16 states.</td>
<td>The establishment of the Pacific Humanitarian Pathway on COVID 19, to ensure required humanitarian and medical personnel can efficiently reach member countries. The Pathway has so far helped facilitate the movement of PPE the repatriation of citizens.</td>
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<td><strong>Advocating for an integrated approach</strong> to disaster law, cementing its role in developing resilience, climate change adoption and DRR frameworks.</td>
<td>Disaster law principles are integrated to reduce fragmentation on the ground and reduce the burden on local actors and communities implementing different systems.</td>
<td>The inclusion of disaster law in the FRDP, Goal 3 Strengthened Disaster Preparedness, Response and Recovery: Review and strengthen disaster risk management planning arrangements and legislation, ensuring clearly defined roles and responsibilities and an inclusive approach.</td>
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Regional Milestones

- 2012 - PIFS leaders urge Pacific states to utilise IFRC International Disaster Response Law guidelines, and included in the PIFS leaders communique. IFRC & PIFS hold workshop for Pacific governments & Red Cross Societies to look at disaster law & ways for cooperation.


- 2015 - Workshop held with PIFS for Pacific NDMOs & Red Cross on disaster law to develop draft Regional Guidelines for International Disaster Assistance & Cooperation in the Pacific, formalised at the Pacific Humanitarian Team Meeting.

- 2016 - IFRC paper, Regional Mechanisms for Disaster Response, is prioritised by PIFS as an issue for the Pacific. FRDP endorsed which includes an emphasis on law & policy in DRM, at both national & regional level.

- 2017 - PIFS & SPC attend the IFRC Asia Pacific Disaster Law Field School. IFRC facilitates first-ever exchange between Pacific & ASEAN, with Pacific government, Red Cross, PIFS and private sector, representatives to share learning on regional governance mechanisms for DRM and climate change adaption.

- 2018 – PIFS / Commonwealth IFRC / workshop for Pacific Attorney Generals, NDMOs and Red Cross on Legislating for Climate Smart Disaster Laws.

- 2019 - Pacific Resilience Partnership meeting, working group for Risk Governance is formed, workshop with PIFS/ UNDRR on Climate Smart Disaster Laws and Policy, for Attorney Generals, NDMOs and Red Cross.

- 2020 – Pacific Resilience Partnership Technical Working Group for Risk Governance convened

- 2020 – Pacific regional Response Legal and Policy Mapping

National Milestones

- Australia - International Disaster Response Law (IDRL) Case Study (2010)


- Kiribati - Support to review Disaster Risk Management / Climate Change Bill and DRM / climate change regulations (2020)

- Marshall Islands - Ongoing discussion with Government to review disaster law (2020)

- Nauru - National Disaster Management Act (2016)

- New Zealand: Disaster Risk Reduction and the Law Case Study (2014)

- Palau – Support requested by Palau Red Cross and NEMO for legislative advocacy capacity building (2019)

- Samoa – IDRL Report (2016); recommendations from report included in the National Disaster Management Plan (2017) will also inform the review of their Act

- Solomon Islands – National Society advocacy support to review Red Cross Act (2019), ongoing discussion with NDMO on supporting the process for the review of their DM Law (2020)


- Tuvalu - Support to disaster law review process commences ( 2020)

- Vanuatu: IDRL Report (2011); DRR Report (2012); TC Pam (2015); Legislative Review of Vanuatu's legal framework for disaster (2016); Bill was passed into Law (2020)
A Regional Approach

The Disaster Law Programme has worked with regional bodies in the Pacific for a decade on disaster law, initially collaborating on IDRL, our support has grown to cover the whole ambit of law and disaster risk management and the integration of climate change adaptation. We work closely with the Pacific Islands Forum Secretariat on technical reviews of national legislation, disaster and climate training initiatives with Pacific legal drafters and national disaster management officers. We have also been advocating and fostering dialogue on the importance of a regional approach to disaster preparedness and response.

With a seat on the Pacific Resilience Partnership Taskforce, IFRC is positioned to provide leadership and expertise around a broad area of disaster risk management, risk governance and to support member states in the implementation of their regional risk governance commitments in their domestic laws and policies.

Technical Working Group on Risk Governance

IFRC co-chairs the Pacific Resilience Partnership Risk Governance Technical Working Group with Solomon Islands NDMO as chair, Fiji NDMO as the deputy chair and PIFS as the co-chair. The working group aims to strengthen risk governance for resilient development in the Pacific through regional collaboration, promoting best practices, providing guidance for national policy and legislation development processes, and facilitating the exchange of lessons learned, with an initial focus on the development and implementation of climate-smart disaster risk management legal framework. The diverse membership makeup of the group reflects the spirit of the PRP, bringing together government, private sector, academia and community.

- 15 Pacific countries working with the Disaster Law Programme
- 15 disaster law research projects
- 14 countries with disaster law Influenced or in the process of influencing
- 10 Pacific governments currently engaging in disaster law processes