The International Federation of Red Cross and Red Crescent Societies (IFRC) Disaster Law Programme works across the diverse and vast region that is Asia, from Afghanistan to Japan, Mongolia to Timor Leste, providing disaster law technical support, capacity building, peer learning and research in 21 countries for more than 15 years.

In Asia, the Disaster Law Programme focuses on countries with particularly high disaster risk and those who are actively developing or reviewing their disaster risk management legalisation. We have worked across Southeast Asia - Cambodia, Indonesia, Laos, Myanmar and the Philippines. We have worked extensively in Nepal following the 2015 earthquake, Mongolia, and recently in China, where a research report, International Disaster Response Law in China, has been under consideration by the Ministry of Emergency Management.

Given the differences and diversity of the region, the Disaster Law Programme’s approach in Asia is not ‘one size fits all’. This tailored approach applies to who the programme works with, adapting to work in partnership with governments, national disaster management offices, Red Cross Red Crescent Societies and with regional bodies like ASEAN. The tailored approach also reflects the growing scope of the Disaster Law Programme and the needs of the countries – from response-based to underpinning all aspects of disaster risk management – risk reduction, preparedness for response and recovery, integration into resilience and also working to ensure community engagement in the disaster law process.

In Mongolia, IFRC and Mongolia Red Cross have worked with the Government to revise disaster protection law through a contemporary approach to disaster management, moving the country from a reactive response paradigm to one which is proactive and works to prevent and reduce the risk of disasters on people, livestock and the environment. Mongolia is now putting concerted efforts into ensuring these new frameworks are implemented and well understood, particularly at the community level through a national awareness campaign with support from Red Cross.

A common and important theme to our approach and outcome of the work in Asia is a shift to a more localised way of working, with disaster law processes and systems grounded in strong and nationally owned governance frameworks, and regional mechanisms. With countries like the Philippines, Indonesia and Japan who have immense experience responding to frequent and intense disasters and emergencies, huge knowledge and expertise already exist in within the region.

PHOTO: Red Cross has been involved in disaster law activities in Lao PDR since 2009 when research was undertaken on legal preparedness for responding to disasters and communicable disease emergencies. Due to an inherent link between climate change and disaster events, the Lao Government has decided to develop an integrated legal framework for disaster risk management and climate change, which would be one of the first of its kind in the region. Since 2013, IFRC and Lao Red Cross have been working with the UNDP and the Ministry of Natural Resources and the Environment on the development of this law.
Effecting law and policy change requires a long term investment and partnership. Having worked in the region for more than 15 years, we are now working with countries who are already in a position to review disaster management laws for a second time, following the learnings over time from large scale disasters and wanting to ensure that their governance frameworks are more responsive to current and emerging challenges like displacement, climate change and health hazards. This longevity is testament to the success and impact of the Disaster Law Programme, and our commitment has led to respect, trust and access with governments, but also within Asia’s strong civil society.

Fifteen years on from our early work in Asia after the huge tsunami to hit the region in 2004, we are again working regionally as we respond to the COVID-19 pandemic alongside National Societies, governments and communities to ensure all emergency preparedness and response efforts - whether it be for natural hazards, climate induced, or public health emergencies is underpinned by clear laws and regulations.

Nepal

Nepal Red Cross leads the way in disaster law research and activity in South Asia, while work began in 2008 when the massive 2015 earthquake struck, the country’s 34-year-old Natural Calamity Relief Act was still untouched and therefore outdated, without processes or rules in place to assist in managing the flow of outside assistance that poured in. The aid that poured into Nepal quickly grew into mountains, peacetime customs processes caused lengthy delays in clearing processing, confusion and tension ensued and most importantly, critical aid items did not get to the people who needed it most quickly. The earthquake was a wakeup call for Nepali authorities, who with the support of IFRC and Nepal Red Cross, have made strides to strengthen legal and policy preparedness for disaster since then, including:

- Ongoing humanitarian diplomacy with authorities for more systematic procedures based on best practice
- A workshop with more than 200 participants from across the sector to reflect and identify opportunities to strengthen Nepal’s legal and policy preparedness for disasters
- Development of ‘zero’ draft of international assistance guidelines
- Government roundtable on international assistance guidelines
- Community consultations on international assistance
- The development and passage of Disaster Management Law was passed in 2017, which includes provisions on international assistance, including a new customs regulation on relief goods to get them in quicker and to remove taxes.
- May 2019, the Disaster Risk Reduction Management Rules which support implementation of the Nepal Disaster Reduction Management Act. 2017 were adopted.

Today, the systems that came out of support and advocacy for IDRL and the development of customs regulations following the 2015 earthquake are being used in Nepal's response to the COVID-19 pandemic for the logistics of aid items and PPE.

Indonesia

The destructive tsunami that hit Indonesia and the wider region in 2004, marks the start of a long and strong relationship between the Government of Indonesia and Palang Merah Indonesia, (Indonesia Red Cross) and the Disaster Law Programme. The tsunami brought widespread devastation and loss of life and livelihoods, and exposed gaps and needs in comprehensive and sophisticated, national disaster management system, in addition, it became a catalyst for disaster law regionally and globally.

Over the years, PMI has been actively at the forefront of the various processes to develop and strengthen the legal framework for DRM in Indonesia. In 2017 technical support from IFRC and PMI contributed to the development of the landmark legal framework for disaster management.

In 2018, the National Disaster Response Framework for Indonesia was approved by the Government, becoming the country’s primary response regulation and aimed to clarify roles, responsibilities, and the organisation of response to a disaster across Government and non-government agencies. It includes specific roles for PMI and IFRC as national and international partners to the government in a number of areas.
### Engagement with ASEAN

Strong regional governance arrangements in Asia has helped foster a sense of confidence and strength in regional disaster management. In 2005, ASEAN member states signed the Asian Agreement on Disaster Management and Emergency Management Response (AADMER), to improve cooperation and coordination in the response to disasters, which started to put the onus on the region building their own capacity and supporting regional peers in times of disaster. IFRC’s early work on IDRL helped feed into the development of the AADMER, and the mechanism promotes the work of IDRL guidelines. IFRC and ASEAN have worked closely over the last 15 years through peer learning, research and aligned priorities.

- **2005** - ASEAN member states sign the ASEAN Agreement on Disaster Management and Emergency Response (AADMER).
- **2009** - AADMER enters into force. The accompanying AADMER Work Programme (2010-2015) is adopted, which promotes the use of the IFRC’s IDRL Guidelines.
- **2012** - ASEAN, National Societies from Southeast Asia and IFRC develop a Joint Action Plan, which strongly features disaster law as a component in key areas of cooperation in its AHA Centre for Excellence (ACE) training programme. Since this time, IFRC facilitates annual training on disaster law as part of ACE training.
- **2015** - IFRC hosts South East Asian Regional Disaster Law Forum, including participants from ASEAN/ AHA, South East Asian Governments, National Societies and humanitarian partners.
- **2016** - The AADMER Work Programme for 2016-2020 is adopted. Priority Programme 3 prioritises legal and policy architecture in support of an integrated system of good governance for risk and climate change management from national to local and community levels.
- **2017** - The ASEAN Committee on Disaster Management (ACDM) and IFRC partner on Peer to Peer Learning: Disaster Law and Policy Platform. This includes a regional mapping of AADMER implementation into law and policy in ASEAN countries.
- ASEC and AHA attend the IFRC Asia Pacific Disaster Law Field School.
- ASEC and AHA host a delegation from the Pacific to discuss and share learnings on development and operationalisation of regional risk governance.
- **2018** - ASEAN Disaster Law Platform is launched.
- IFRC partners with ASEAN and Southeast Asian Academic networks on inaugural Academic Regional Forum on Climate Smart Disaster Laws.
- **2019** - AHA Centre and IFRC host International Assistance Workshop, attended by governments, humanitarian partners and National Societies.
- **2020** - IFRC identifies disaster law as a continued priority area for partnership in AADMER work plan 2020 - 2025.

### ASEAN Research and Publications

- ASEAN Disaster Law Mapping Implementing AADMER: A Regional Stocktake
- ASEAN Disaster Law Mapping Implementing AADMER: ASEAN Country Profiles
- ASEAN Disaster Law Mapping Platform
- Disaster Law in Southeast Asia: Summary of progress 2012 – 2015
- Case Study: Supporting National Societies to Contribute to Disaster Law Development
- IFRC Asia Pacific Disaster Law Programme – Engaging with ASEAN Regional Organisations on Disaster Law
Laws Directly Influenced

- **Lao PDR**: Law on Natural Disaster Prevention and Control, 2019
- **Maldives**: Disaster Management Law, 2015
- **Mongolia**: Disaster Management Law, 2017
- **Myanmar**: Natural Disaster Management Law, 2013
- **Nepal**: Disaster Risk Reduction Management Rules which support implementation of the Nepal Disaster Reduction Management Act, 2017
- **Philippines**: Implementing Rules and Regulations of the National Disaster Risk Reduction and Management Act, 2011. COVID-19 Law 2020 (Philippine Red Cross auxiliary role in COVID)
- **Vietnam**: Law on Disaster Management, 2013

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Research and Publications in Asia

- **Afghanistan**: International Disaster Response Law in Afghanistan
- **Bangladesh**: International Disaster Response Law, Consultation on Strengthening Legal Preparedness for International Disaster Assistance in Bangladesh
- **Cambodia**: 2009 IFRC Legal Preparedness for Responding to Disasters and Communicable Disease Emergencies: study report Cambodia, 2017 IFRC UNDP Implementing the Law on Disaster Management in Cambodia: Developing Subsidiary Legislation
- **Lao PDR**: 2009 IFRC Legal Preparedness for Responding to Disaster and Communicable Disease Emergencies Laos
- **Pakistan**: International Disaster Response Law in Pakistan
- **Philippines**: 2012 IFRC Philippines DRR Law Desk Survey, 2016 PRC HLP Roundtable on Housing, Land and Property Regulatory Barriers to Shelter and Settlements in Disaster-Affected Communities
- **Sri Lanka**: Legal Issues from the International Response to the Tsunami
- **Thailand**: 2006 IFRC Legal Issues from the International Response to the Tsunami
- **Vietnam**: 2009 IFRC Legal Preparedness for Responding to Disasters and Community Disease Emergencies, 2014 IFRC How Law and Regulation Support Disaster Risk Reduction: Case Study Vietnam

- 21 countries engaged with disaster law programme
- 18 countries with disaster law research projects
- 12 countries with disaster law influenced or in the process of influencing
- 9 countries with successfully influenced law change
- 7 governments currently engaged in disaster law processes