



Regional Disaster Law & Legislative Advocacy Workshop

11 – 13 November 2019

Abuja, Nigeria

Introduction

Having strong, inclusive and well implemented disaster laws underpins a well-functioning disaster risk management system and is essential to prevent and reduce the impact of disasters. They provide the legal and institutional basis on which to undertake all aspects of disaster risk management from risk reduction, preparedness to response and recovery, and contribute to strengthening the resilience and the protection of vulnerable and disaster-affected populations.

The Disaster Law regional workshop aimed at providing an intensive training to African, Latin America and Caribbean National Societies on the key thematic areas, tools and resources developed by IFRC to strengthen national legal framework for effective disaster risk management.

The workshop also sought to provide an advocacy training piloting the newly developed “advocacy toolkit” to enable National Societies to advocate for better laws, regulations and policies for disaster risk management. This included the presentation of tools and material on legislative advocacy and humanitarian diplomacy, and reflexion of the current status of the auxiliary role and the relationship with key stakeholders. Further, to support the implementation of these activities at national and regional level, peer to peer exchanges were proposed to be organized through the conformation of a Regional Disaster Law Champions Group to operate as a community of practice.

Day 1 – November 11, 2019

Opening Ceremony

Master of Ceremony: Stella Ngugi, Disaster Law Officer, Africa Regional Office, Disaster & Crisis, International Federation of Red Cross and Red Crescent Societies.

Bolaji Akpan Anani, President, Nigeria Red Cross



Mr. Bolaji welcomed guests and appreciated the IFRC for hosting the timely workshop in Nigeria. Noting that Nigeria is quite disaster prone, he highlighted that over the past few years, the impact of these disasters has been highly exacerbated by climate change. He noted that discussions on developing national disaster laws is relevant due to the evolving nature and impact of disasters. He lauded the IFRC for the work done in developing the Disaster Law

thematic and encouraged their continued to support to National Societies to advocate for these laws in their countries. While noting the desire of the Nigeria Red Cross to engage with IFRC on this issue, he emphasized the work the Nigeria Red Cross has been doing with national government agencies in developing a functioning disaster risk management system. Mr. Bolaji urged participants to actively engage in the discussions over the next coming days to ensure to develop skills to efficiently advocate for disaster laws in their countries.

Maria Martinez, Disaster Law Programme Coordinator for Africa

Ms. Martinez welcomed the participants representing National Societies from across Africa Latin American and The Caribbean. She highlighted that in the course of the next 3 days facilitators would cover the Disaster Law thematic areas in depth, in order to furnish participants with all the tools and resources necessary to support their advocacy efforts at country level. As this was an inter-regional workshop, she noted that throughout the session's participants would have ample opportunities to exchange perspectives, experiences, challenges and success practices in enhancing the understanding and incorporation of the Disaster law thematic into Disaster Risk Management Frameworks.

Additionally, using the Legislative Advocacy Toolkit, Ms. Martinez that participants would have an opportunity to explore the practical application of advocacy and humanitarian diplomacy in the exercise of the auxiliary role function. She further noted that the upcoming International Conference would offer the perfect opportunity for national societies to advocate for policy coherence in Disaster Risk Management, through the adoption of the resolution: "Climate Smart Disaster Laws and policies that leave no one behind". She encouraged participants to actively engage in the workshop and expressed optimism that the culmination of the workshop would be formation of an inter-regional champions working group where participants can continually engage and share best practices.

Introduction to the Auxiliary role of National Societies & Presentation on the Findings of the Auxiliary Role Mapping

Maria Martinez, Disaster Law Programme Coordinator for Africa

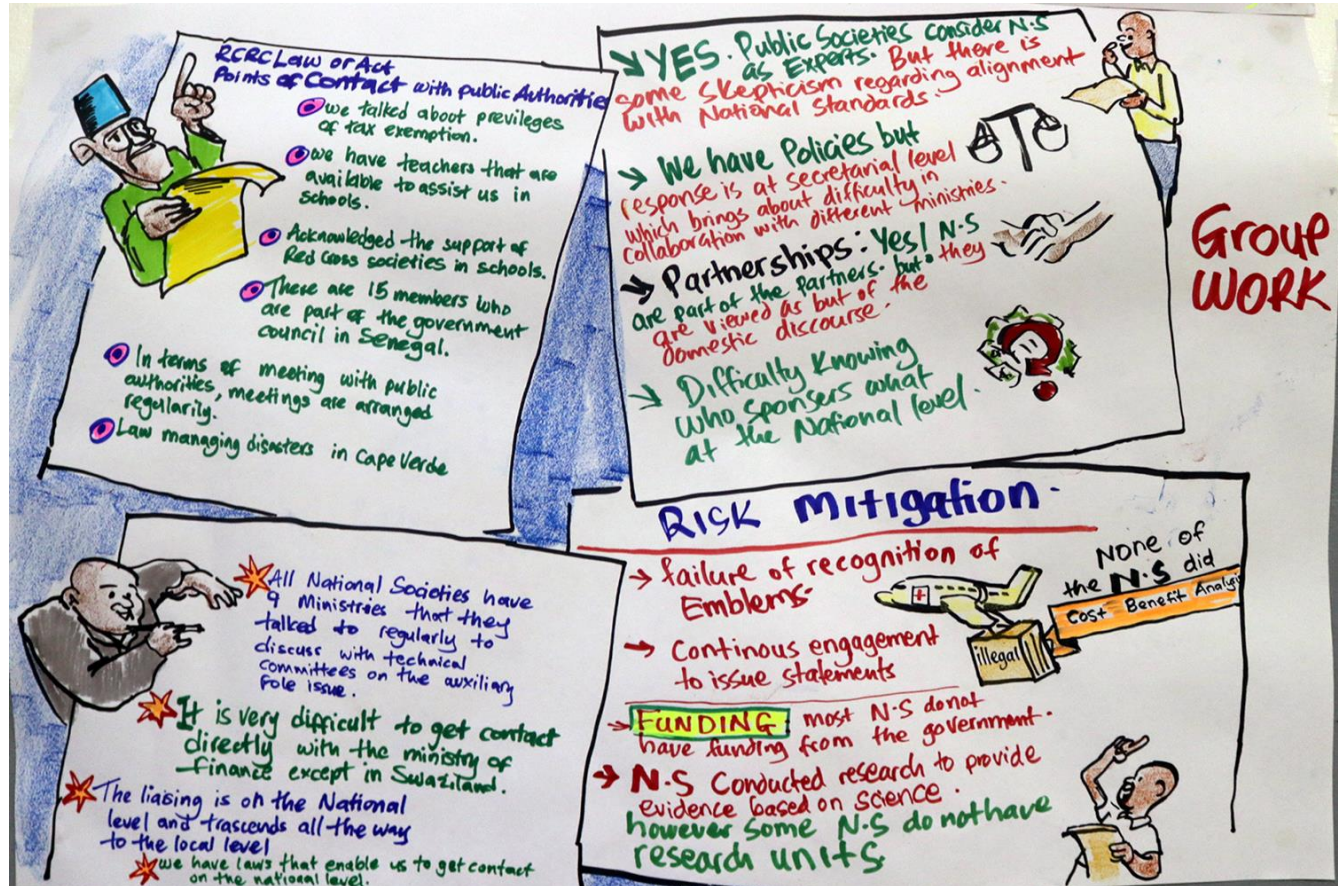
Ms. Martinez discussed the history and scope of the Red Cross' Auxiliary role with special reference to the history and development of the movement as well as the importance of the Fundamental Principles. She also discussed the unique nature of the RC auxiliary role and how the RCRC societies can engage government to offer technical counsel on a myriad of issued. She noted that this role is critical to RCRC societies effectiveness in fulfilling their mandate, and as a result all should endeavour to guard this unique relationship. In this regard, she pointed out the crucial role Parliamentarians, in their development of RCRC related laws, in the promotion and safeguarding of this role.

Further, Ms. Martinez introduced the participants to an ongoing Global Mapping of the Auxiliary Role of National Societies. She noted that the purpose of the mapping was to articulate the Auxiliary Role of National Societies given through national legislation and policies as well as bilateral/multilateral agreements. This mapping would focus on the auxiliary role with respect various sectors such as Disaster Risk Management, Migration, Legal Facilities, Health management as well Civil Military Relations. In providing the preliminary findings of the 10 African Countries¹ mapped so far, she noted that majority of the national societies were recognized by law as voluntary aid societies. She further added that although most national societies had a clear mandate in the public health management sector, there was still some that did not have express recognition under law of their role in disaster management as well as with respect to disaster displacement issues. Ms. Martinez also added that most

¹ Malawi, Zambia, South Sudan, Sierra Leone, Seychelles, Uganda, Rwanda, Nigeria, Liberia, Gambia

had recognised roles in civil military engagements and to facilitate their work, most national societies enjoyed various legal facilities such as varying tax exemptions.

Auxiliary role group exercise



Key legal issues in disaster risk management, Disaster law themes part 1: International Disaster Response Law (IDRL)- Americas experience

Sophie Teyssier, Disaster Law Coordinator for the Americas

Ms. Teyssier introduced the workshop participants to the key disaster law theme, 'Legal issues in international disaster response' or 'International Disaster Response Law'. She outlined the key regulatory barriers when it comes to facilitating and regulating international disaster response, and the absence of a comprehensive global framework to address these issues. She noted that over the past 10 years, the IFRC has supported National Societies to assist their governments in using the "Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance" (also known as the "IDRL Guidelines") to develop, examine and strengthen their laws and procedures for international disaster response. She also shared anecdotal examples of some of the regulatory issues that have been faced in recent large-scale disasters and highlighted new tools that had recently been developed by the IFRC, such as the IDRL Checklist and Model Decree, to help states overcome these challenges.

IDRL Exercise (Group Work - scenario-based exercise, followed by plenary discussion)

Stella Ngugi, Disaster Law Officer for Africa



DAY 2 – November 12, 2019.

Disaster law themes part 2: Law and Disaster Risk Reduction

Stella Ngugi, Disaster Law Officer for Africa

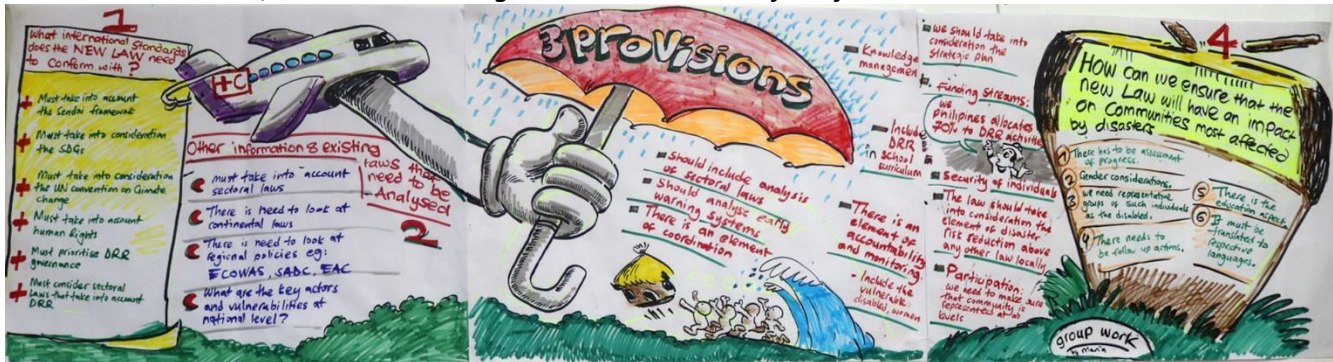
Ms. Ngugi while introducing the participants to the key definitions of disaster risk reduction, highlighted why legal frameworks for DRR are important. She noted that laws and regulations serve as a foundation for building community resilience and are essential to reducing existing risks posed by natural hazards, as well as preventing new risks from arising. She also detailed global commitments in strengthening disaster risk management such as the Sendai Framework for Disaster Risk Reduction 2015-2030 (the Sendai Framework), with a focus on Priority 2 which call for strengthening disaster risk governance to reduce disaster risks. She also highlighted other International conventions and prompted discussions with the participants on the role of human rights in DRR.

Ms. Ngugi introduced [The Checklist on law and disaster risk reduction](#) which provides a prioritized and succinct list of ten key questions that relevant actors need to consider, to ensure that their laws provide

the best support for disaster risk reduction. She noted that It is designed to serve as an assessment tool to guide the development and review process of relevant laws and regulations that can enhance disaster risk reduction. She emphasized the cross-cutting and multi-sectoral nature of disaster risk reduction, and the need to look beyond disaster risk management laws and consider all relevant sectoral laws, such as building codes, land use plans, and environmental protection laws.

Group exercise on Law and DRR (Checklist on Law and DRR)

Ms. Maria Martinez, Disaster Law Programme Coordinator for Africa



Following a scenario shared with the participants, questions highlighted for discussion were:

What international standards does the new law need to conform with? They could use the Sendai Framework, part 2 DRR Governments or other international documents, such as Hyogo Framework and the Resolution 6 and 7, International Conference.

What other information and existing laws need to be analyzed before deciding on the focus and the new law? Check laws and regulations related to disaster risk management, emergency management, civil defense laws. On specific hazards: Storms, floods, seismic protections.

Since the National authorities have identified DRR as an important national priority for the coming years, what sort of provisions should the new law include to ensure DRR is effectively prioritized? Use all the checklist questions. Also check the knowledge management, content of the law that is applied and known in all levels, including DRR into the school curriculum, Include people with disabilities.

How can the committee ensure that the new law will have an impact on the communities who are most affected by disasters? With education, including vulnerable societies, follow up actions, an implementation plan, progress reports.

Protection, Gender, Inclusion and Disaster Law

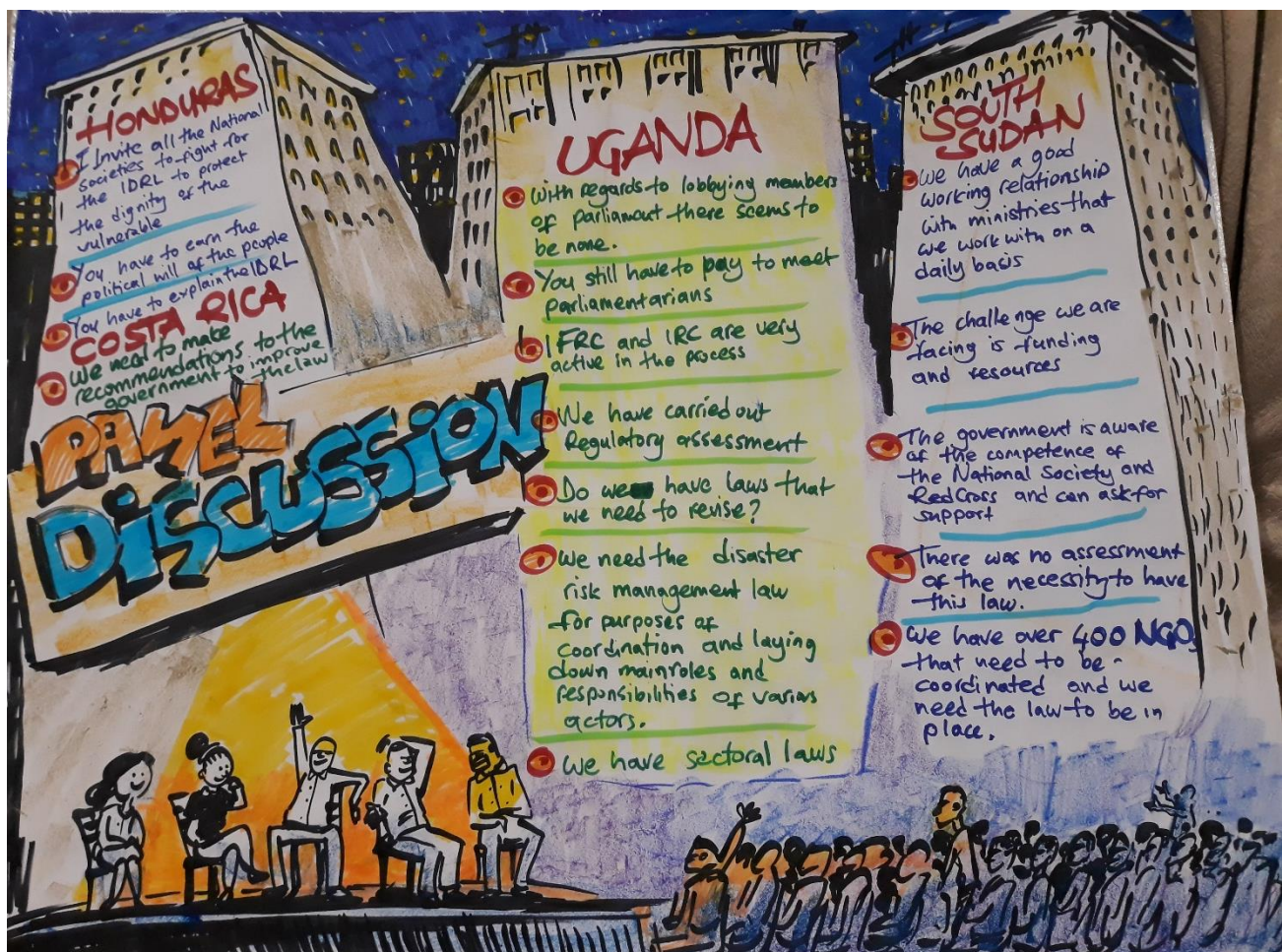
Kaisa Laitila, Protection, Gender and Inclusion Coordinator

Ms. Laitila introduced the participants to the discussion on Protection, Gender & Inclusion by showcasing 4 scenarios of persons facing different challenges following a disaster. Participants were asked to identify key challenges faced by these individuals and how they could overcome these

challenges. During her presentation, Ms. Laitila highlighted that there is need to identify the invisible impacts of disasters, and for disaster management actors to adopt a proactive approach to identify and address the invisible risks that a disaster might have on various groups within a population. In highlighting the need for development of gender and diversity sensitive law, policies and procedures reflect international humanitarian standards, she noted the research carried on [“Effective law and policy on gender equality and protection from sexual and gender-based violence in disasters”](#). She urged that in order to truly encourage resilience among communities, DM Legal frameworks should not only reflect equality and non-discrimination obligations but also ensure that marginalized groups should be consulted in the development phase.

Panel Discussion: National Societies will present their experiences carrying out Disaster Law projects.

National Societies participants from South Sudan, Uganda, Honduras and Costa Rica detailed their ongoing disaster law projects, highlighting the best practices they have adopted, achievements made so far, challenges they have encountered and plans to develop various legislations in the coming year.



Group exercise: Next steps. Swot Exercise

Participants were divided into groups to do a SWOT analysis on National Societies being involved in Disaster Law activities

STRENGTHS:

- Auxiliary role of the NS
- Wide coverage and visibility of the NS
- Technical skills and capacity of the RC movement
- Having different partners
- National societies capacity in DRR
- The legal mandate RC Act
- Humanitarian diplomacy skills

WEAKNESS:

- 1.Limited capacities on development of DRR Legislation
- 2.Internal negative “office politics” such as internal wrangling between board and management
- 3.Lack of political will
- 4.Some NS they don’t engage effectively with their affiliated ministries.
- 5.Limited resources to support DRR Framework development research, assessment, etc.
- 6.Existence of international frameworks

SWOT ANALYSIS

OPPORTUNITIES:

- 1.Focal person for the project is a member of the NS Assembly
- 2.Existence of a National Disaster Management and Funds
- 3.Prominent persons (First ladies, Members of Parliament) are part of the NS
- 4.IFRC Support
- 5.Humanitarian diplomacy
- 6.Disasters increase is an opportunity for advocacy.
- 7.Having different partners to the support of IDRL.
- 8.Availability of disaster law tools, example: Sendai Framework.
- 9.Engagement of the governments on DRR Policy.
- 10.DM Authorities and act policies in place
- 11.Different sectoral laws in place. Ex: water laws, building code, etc.
- 12.Relevant parliamentary portfolio committees in place.
- 13.Reliable political will to legislate and implement an implementing decree.

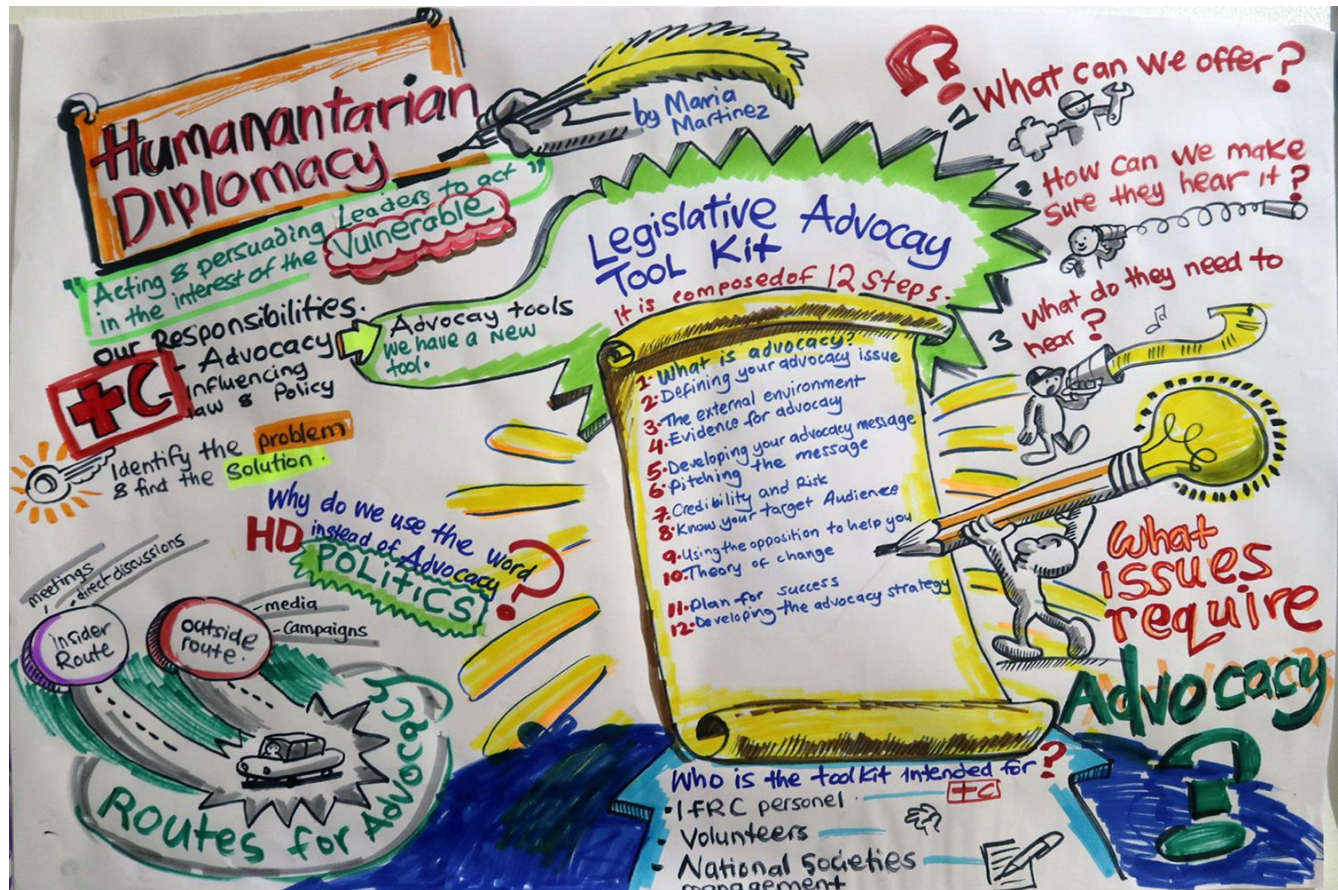
THREATS:

- 1.No pressure groups for advocacy
- 2.Length of time that takes for the laws to be presented.
- 3.Competing interests with government bodies and other humanitarian actors
- 4.High cost of lobbying legislators.
- 5.Lack of political will/government interest
- 6.Corruption on some governments
- 7.Limited funding to support IDRL
- 8.Political and economic instabilities
- 9.Conflict of interest from different groups/ other key players
- 10.Conflicts of interest between NS and certain structures
- 11.Cub procedures at government level.

Day 3- November 13, 2019

The objective of the day’s activities was to introduce the participants to the Legislative Advocacy Training toolkit and familiarize them with the process of advocacy in preparation for their engagements with government officials and other actors on the topics covered over the previous two days. The day’s activities encouraged the participants to practice the advocacy processes highlighted to them over the

course of the day. Through several group discussions and presentations, participants identified advocacy issues to highlight, stakeholder to engage on the issues as well as practiced pitching the issues through the Elevator Pitch exercise. They were also encouraged to apply consideration of credibility and risk in the development of their advocacy messaging and strategies. Participants were similarly given an opportunity to simulate how they would tackle these issues through a mock media interview.



Introduction to the Legislative Advocacy Toolkit

Ms. Maria Martinez, Disaster Law Programme Coordinator for Africa

During this introductory session Ms. Martinez elaborated on the concept of legislative advocacy and offered clarity around definitions. In explaining the full spectrum of advocacy, she invited participants to reflect on why advocacy is important to them and what it means for RC/RC societies.

Noting that legislative advocacy is focused on achieving legal and policy change at the national and local level. Ms. Martinez highlighted that when developing advocacy messages, it is important to have in mind, the problem, the solution and the ask.

Identifying the issue that requires advocacy

Ms. Sophie Teyssier, Disaster Law Programme Coordinator for the Americas

During this session Ms. Teyssier sought to help participants to identify how to select their advocacy issue through introduction to the 'BUT WHY' technique. This technique is a tool to help them

