



International Federation  
of Red Cross and Red Crescent Societies



# IDRL

I  
International

D  
Disaster

R  
Response

L  
aws, rules and  
principles



## Scope of “IDRL”

**I**

**International** / cross border responses

**D**

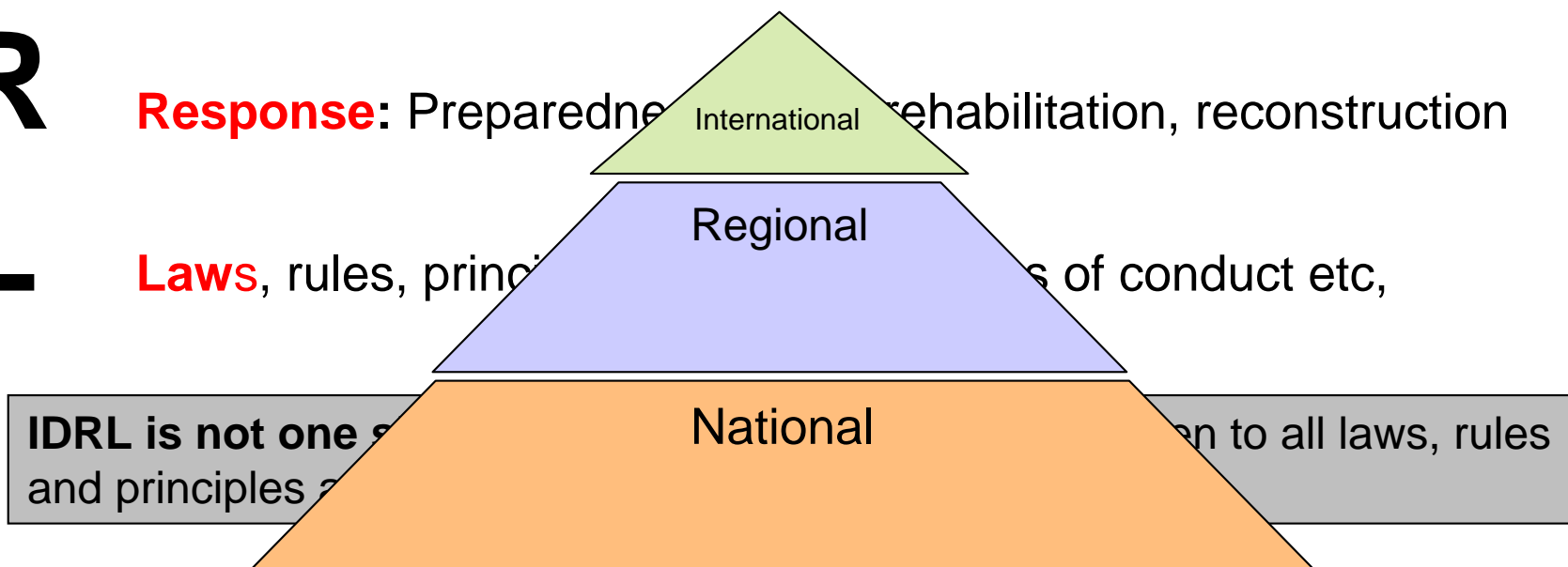
**Disaster**: Non-conflict, natural, technological, man-made, public health emergencies

**R**

**Response**: Preparedness, relief, rehabilitation, reconstruction

**L**

**Laws**, rules, principles, codes of conduct etc,





## Common legal issues for international assistance

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- Access – offers / requests
- Legal status
- Visas / professional qualifications
- Customs, tax, duties, import/export
- Vehicles, telecommunications
- Coordination
- Quality, accountability





# What is IDRL?

Laws, rules and principles applicable for international disaster response operations.

## International / regional

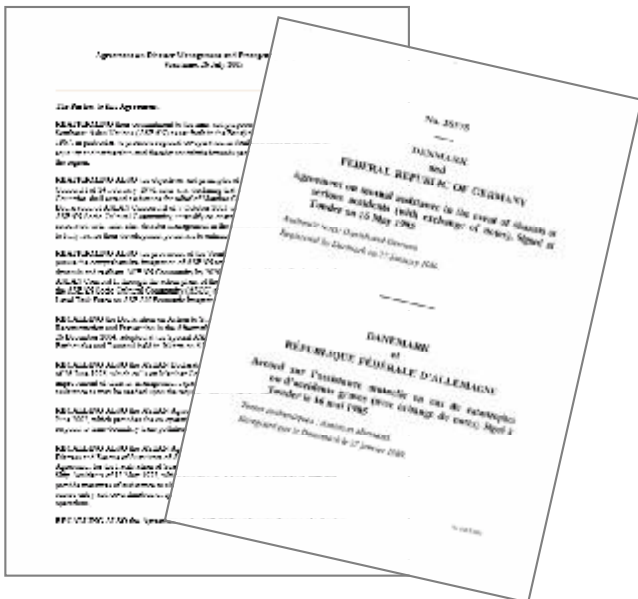
- § Treaties, conventions
- § Agreements – MOUs, partnerships
- § Resolutions – UN, Red Cross
- § Declarations – International conferences
- § Principles

## National

- § Disaster management laws/policies
- § Other legislation, decrees, decisions
- § Policies, planning instruments

## Institutional

- § Codes of conduct
- § Standards, guidelines
- § Policies, statutes
- § Principles





## IDRL Programme aims to:

- § Contribute to minimising operational challenges by improving “legal preparedness” for international and regional response to disaster.
- § Remove legal bottlenecks and bureaucracy which hamper international relief activities
- § Ensure that proper quality and accountability standards are in place
- § Ensure that international assistance respects and supports national and community-based DM action
- § Ensure that national laws, plans, policies anticipate and prepare for the possibility of international assistance
- § Ensure that international rules and standards are reflected in national legislation and practices



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# Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance





# Proposal -- Guidelines that will:

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- ∅ Provide non-binding guidance for national law
- ∅ Reaffirm the primary role of the affected state govt.
- ∅ Compile and reaffirm existing int'l norms (see Annotations)
- ∅ Suggest facilities that are needed to ensure effective and efficient assistance
- ∅ Link to compliance with minimum standards





## Will

- ü Speed up the process of delivering international assistance
- ü Will enhance coordination
- ü Will improve quality and accountability of international assistance



## Will not:

- û Interfere with sovereignty
- û Undermine capacity building
- û Replace the need for other coordination mechanisms







# Global studies





# Asia Pacific Studies

Pre-disaster

§ Nepal

§ Fiji

§ Indonesia

§ Vietnam

§ Sri Lanka





# Asia Pacific Studies

## Tsunami studies

- § Thailand
- § Indonesia
- § Sri Lanka

Legal issues from the international response to the  
tsunami in

**Sri Lanka**



Photo: International Federation of Red Cross and Red Crescent Societies

An International Disaster Response Laws,  
Rules and Principles (IDRL) Programme Case Study

July 2006



# Cambodia Legal Preparedness Study

- § Focus on AI Pandemic
- § Examine 'legal preparedness' from different angles:
  - ∅ Organisational
  - ∅ National
  - ∅ International





# Organisational Legal Preparedness

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- § Internal contingency plans in place
- § HR / Labour law issues
  - ∅ Staff / volunteers / families
  - ∅ Expat / local
- § Insurance
- § Travel restrictions
- § Service continuity
- § Mandate to respond?
- § Adequate resources

Companies often already have obligations to  
consider these issues



# National legal preparedness

- § National Contingency Planning
- § Coordination, roles, responsibilities
- § Information sharing (obligations/restrictions)
- § Containment vs Access
- § Secondment of resources
- § Service continuity



# International legal preparedness

- § International contingency planning
- § Coordination between agencies / govts
- § Information sharing
- § Cross border movement:
  - ∅ Medication
  - ∅ Equipment
  - ∅ Goods
  - ∅ Personnel



# Legal requirements / tools

## International Level

- § Human rights / humanitarian principles
- § Treaties
- § UN resolutions
- § International Health Regulations / WHO guidelines & tools
- § Regional agreements (ASEAN etc)
- § Sphere Standards / Codes of Conduct
- § ....and more

## National Level

- § Emergency powers
- § DM law
- § Public health law
- § Customs
- § Tax
- § Immigration
- § Transport
- § Public works
- § Insurance
- § Labour laws
- § ....and more



# Process for legal preparedness

- § Understand the contingency planning process at different levels (organisational, national and international)
- § Identify the key legal aspects
- § Research relevant national laws
- § Examine the implementation of relevant regional / international laws & standards
- § Identify potential legal issues
- § Make recommendations, where possible, for resolving them
- § Develop a follow up process, with action points/deadlines



# Resources needed

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- § Facilitators (1 or more)
- § Support / participation from national government
- § Participation from local / foreign organisations
- § Local researchers (1 or more)
- § Workshops – during and after research



# Discussion / Information

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## General questions about legal preparedness

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- § Have organisations already considered legal issues as part of contingency planning?
- § Should there be greater inclusion of legal issues as part of contingency planning?
- § Is there a need for more information / guidelines / training on these issues?



## Substance questions

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- § What are the most relevant legal issues?  
What else needs to be addressed?
- § Do you know of other legal research in this area?
- § How could it make a useful contribution to contingency planning?
- § Is there interest to conduct similar research elsewhere? With other partners?