



# Power of humanity

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## Strengthening disaster risk governance through comprehensive disaster laws, policies and plans

DRAFT ZERO RESOLUTION

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The 34th International Conference of the Red Cross and Red Crescent,

*expressing* concern at the increasing frequency and intensity of disasters, crises and other emergencies, compounded by climate change, and their devastating humanitarian impacts, especially on people in vulnerable situations,

*recalling* that strengthening disaster risk governance is one of the four priorities for action set out in the Sendai Framework for Disaster Risk Reduction 2015–2030, reflecting the international community's recognition of the importance of legal and policy frameworks for effective disaster risk management (DRM) in addressing disaster impacts on people, that the Midterm Review of the Sendai Framework highlighted that progress towards achieving this priority has been varied and that United Nations resolution A/RES/77/289 calls on States to strengthen comprehensive disaster risk governance and ensure that it is supported at all levels by legal and regulatory frameworks, policies and plans that reflect the responsibility to reduce disaster risk,

*recalling* previous resolutions of the International Conference referring to legal and regulatory frameworks, policies and plans for DRM, namely Final Goal 3.2 of the Agenda for Humanitarian Action adopted at the 28th International Conference (2003), Resolution 4 of the 30th International Conference (2007), Resolution 7 of the 31st International Conference (2011), Resolution 6 of the 32nd International Conference (2015) and Resolution 7 of the 33rd International Conference (2019), and the important and ongoing role of the International Conference as one of the key international fora for continued dialogue on strengthening disaster laws, policies and plans,

*recalling* the mandate conferred by States on the International Federation of Red Cross and Red Crescent Societies (IFRC) and National Red Cross and Red Crescent Societies (National Societies) to support public authorities in the development and implementation of legal and regulatory frameworks, policies and plans relevant to DRM, as established in the resolutions of the International Conference referred to in the preceding paragraph,

*recalling* that the United Nations has repeatedly emphasized the importance of States strengthening their regulatory frameworks for international disaster assistance, through resolutions such as A/RES/72/132 and A/RES/72/133, and that these resolutions have highlighted the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance (IDRL Guidelines) developed by the IFRC and the technical support available to States from the International Red Cross and Red Crescent Movement,

*recalling* Resolution A/RES/46/182, the Guiding Principles contained in the annex thereto and Resolution A/RES/76/119 which established a working group of the Sixth Committee to examine the prospect of developing a treaty or any other potential course of action with respect to the International Law Commission's Draft articles on the protection of persons in the event of disasters,

*recalling* that, as early as 1973, the International Conference expressed concerns about the degradation of the environment and its negative consequences for humanity, in particular, in Resolution XVII of the 22nd International Conference (1973) and Resolution 1 of the 30th International Conference (2007), and that the above-mentioned Resolution 7 of the 33rd International Conference welcomed the contribution of the International Conference to dialogue on domestic legal and policy frameworks for adaptation to climate change,

*recalling* the important role of legal and regulatory frameworks, policies and plans in achieving the Sustainable Development Goals and the Paris Agreement's global goal on adaptation of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change,

*recalling* Resolution 3 of the 33rd International Conference (2019) on tackling pandemics and epidemics and the Bangkok Principles for the implementation of the health aspects of the Sendai Framework, which emphasize the importance of coherence between national DRM frameworks and those related to emergency and disaster risk management for health, and *noting* the increase in environmental health hazards as a result of climate change,

*welcoming* the progress that many States have made in strengthening their legal and regulatory frameworks, policies and plans since the 33rd International Conference, drawing *inter alia* on advice and support from their National Society,

### **Legal preparedness for disasters and emergencies**

1. *encourages* States to develop and improve legal preparedness for disasters and emergencies to reduce disaster risks and impacts on people, especially those in vulnerable situations, and to ensure that they have up-to-date and comprehensive legal and regulatory frameworks, policies and plans in place to manage disaster and emergency risks of all kinds;
2. *recognizes* the new *Disaster Risk Governance Guidelines: Strengthening Laws, Policies and Plans for Comprehensive Disaster Risk Management* (the Guidelines) as a non-binding but important benchmarking tool to help States, where relevant, strengthen legal preparedness for disasters and emergencies of all kinds;
3. *encourages* States to use the Guidelines to review their legal and regulatory frameworks, policies and plans, identify strengths, weaknesses and gaps and determine, where applicable, the types of provisions that may need to be enacted to improve legal preparedness for disasters and emergencies;

### **Institutional arrangements for DRM**

4. *encourages* States, along with the IFRC and National Societies, to strengthen their institutional arrangements for DRM, including for disaster prevention, mitigation, preparedness, anticipatory action, response and recovery and in relation to all hazards, and to consider, as appropriate, whether their relevant legal and regulatory frameworks, policies and plans:
  - a. mandate a lead government authority responsible for DRM and clearly outline the roles and responsibilities of all relevant government institutions, organizations and other actors involved in DRM, including the roles and responsibilities of the National Society as auxiliary to its public authorities in the humanitarian field
  - b. ensure coherence and alignment regarding the respective mandates, roles and responsibilities of DRM authorities and those responsible for disasters caused by biological, environmental, geological, hydrometeorological and technological hazards
  - c. promote an all-of-government and all-of-society approach to DRM, establishing inclusive coordination and knowledge-sharing mechanisms among relevant government institutions, organizations and other actors at all levels and for different aspects of DRM and enabling the participation, protection and inclusion of all people in DRM, especially those in vulnerable situations at risk of being disproportionately impacted by disasters
  - d. mandate an interministerial commission or some other standing body at the national level to promote the strengthening of relevant legal and regulatory frameworks, policies and plans
  - e. mandate practical measures for strengthening the preparedness, readiness, knowledge and capacities of relevant government institutions, organizations and other actors in DRM, such as training, drills and simulation exercises;

### **Innovative approaches to DRM**

5. *encourages* States to strengthen their relevant legal and regulatory frameworks, policies and plans to implement a multi-hazard early warning system that leads to anticipatory and early action and to consider, as appropriate, whether they clearly define and allocate roles and responsibilities for establishing, coordinating and overseeing such activities;
6. *encourages* States to use their relevant legal and regulatory frameworks, policies and plans to avoid and reduce the humanitarian impacts of disasters, crises and other emergencies, compounded by climate change, and to consider, as appropriate, whether they:
  - a. mainstream disaster risk reduction measures into relevant legal and regulatory frameworks, policies and plans relating to DRM, climate change, land use planning, construction, the environment and natural resource management and provide for the protection, sustainable management and restoration of ecosystems
  - b. include provisions to reduce disaster displacement risk, assist and protect those who are displaced by disasters and support them in finding durable solutions;
7. *encourages* States to prepare for recovery in advance of disasters and to consider, as appropriate, whether their relevant legal and regulatory frameworks, policies and plans provide for an effective domestic recovery system that mandates long-term and multi-sectoral recovery planning, provides long-term recovery funding and establishes a commitment to incorporate risk reduction measures into recovery consistent with the “build back better” principle propounded by the Sendai Framework;

### **Legal frameworks for international disaster assistance**

8. *emphasizes* the continuing relevance of the IDRL Guidelines adopted by Resolution 4 of the 30th International Conference in 2007;
9. *encourages* States to accelerate efforts to develop and strengthen legal and regulatory frameworks, policies and plans for international disaster assistance and to make use of the IDRL Guidelines as a non-binding but important tool to support their efforts;
10. *encourages* States to have regard to the IDRL Guidelines in the course of ongoing discussions on the prospect of a new international convention or some other instrument based on the International Law Commission’s Draft articles on the protection of persons in the event of disasters;

### **Extending support and research**

11. *welcomes* the significant contribution of the IFRC and National Societies to advising and supporting public authorities in strengthening legal and regulatory frameworks, policies and plans relevant to DRM;
12. *recognizes* the unique added-value of the IFRC and National Societies in the area of disaster law, based on over 20 years of practice combining legal expertise with invaluable network-wide humanitarian experience in reducing and managing disaster risks and meeting the needs and improving the lives of vulnerable people affected by disasters and emergencies;
13. *reaffirms* the important and ongoing role of the International Conference as one of the key international fora for continued dialogue on the strengthening of legal and regulatory frameworks, policies and plans relevant to DRM;
14. *requests* the IFRC to continue developing leading research and recommendations on how legal and regulatory frameworks, policies and plans can provide the foundation for effective disaster risk governance;
15. *requests* the IFRC and National Societies to continue providing advice and support to States for the review, development and implementation of comprehensive legal and regulatory

frameworks, policies and plans for DRM, with a view to strengthening disaster risk governance;

- 16.** *requests* the IFRC, in consultation with National Societies, to submit a progress report on the implementation of this resolution to the 35th International Conference.