



Power of humanity

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Strengthening disaster risk governance through comprehensive legal and regulatory frameworks

DRAFT RESOLUTION

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DRAFT RESOLUTION

Strengthening disaster risk governance through comprehensive legal and regulatory frameworks

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

expressing concern at the increasing frequency and intensity of disasters, compounded by climate change and other factors, their devastating humanitarian impacts and disproportionate consequences on persons in vulnerable situations, often including women and girls, children, older persons, indigenous communities, displaced persons, persons with disabilities and persons living in contexts affected by fragility, conflict and violence,

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, that the Midterm Review of the Sendai Framework highlighted that progress towards achieving this priority has been varied, that United Nations General Assembly Resolution 77/289 of 18 May 2023 calls on States to strengthen comprehensive disaster risk governance and ensure that it is supported at all levels by legal and regulatory frameworks that reflect the responsibility to reduce disaster risk, and that this has been reiterated by the Bali Agenda for Resilience,

recalling also the important and ongoing role of the International Conference of the Red Cross and Red Crescent (International Conference) as one of the key international forums for continued dialogue on strengthening legal and regulatory frameworks for disaster risk management (DRM) and 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), as auxiliaries to their public authorities in the humanitarian field, to support the development and implementation of legal and regulatory frameworks relevant to DRM which ensure the adequate protection and inclusion of all people, especially those in vulnerable situations, as established in previous resolutions of the International Conference, including Resolution 7 of the 33rd International Conference (2019),

reaffirming that relief actions are an expression of international solidarity and that extending relief strengthens friendly relations among peoples and thus contributes to the consolidation of world peace, as stated in Resolution 18 of the 20th International Conference of the Red Cross (1965) and reaffirmed in Resolution 4 of the 30th International Conference (2007), *further reaffirming* that humanitarian assistance should be provided in accordance with the principles of humanity, neutrality, impartiality and independence, as stated in United Nations General Assembly Resolution 46/182 of 19 December 1991 and in Resolution 58/114 of 17 December 2003, and *recalling* United Nations Security Council Resolution 2664 of 2022 in regard to threats to international peace and security,

recalling that the United Nations General Assembly has repeatedly emphasized the importance of States strengthening their regulatory frameworks for international disaster assistance, through resolutions such as 72/132 of 11 December 2017 and 78/120 of 8 December 2023, and that these resolutions 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 also United Nations General Assembly Resolution 76/119 of 9 December 2021 which established a working group of the Sixth Committee to examine the International Law Commission's

draft articles on the protection of persons in the event of disasters (draft articles) and to consider further the recommendation of the Commission for the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles, or any other potential course of action with respect to the draft articles,

acknowledging that the United Nations Framework Convention on Climate Change and the Paris Agreement are the primary international, intergovernmental forums for negotiating the global response to climate change, and *further recalling* that, as early as 1973, the International Conference expressed concerns about the degradation of the environment and its negative consequences for humanity, and 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 and disaster risk reduction in achieving the Paris Agreement's global goal on adaptation of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, in the context of its temperature goal, and in achieving the Sustainable Development Goals,

recalling also 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 DRM for health, and *emphasizing* that national legal and regulatory frameworks should be in line with States' obligations under the International Health Regulations (2005),

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

Preparedness for disasters

1. *encourages* States to develop and improve preparedness for disasters to reduce disaster risks and impacts on people, especially those in vulnerable situations, often including women and girls, children, older persons, indigenous communities, displaced persons, persons with disabilities and those living in contexts affected by fragility, conflict and violence, and to put in place comprehensive legal and regulatory frameworks to manage disaster 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-legally binding but important recommendation and benchmarking tool to help States, where relevant, strengthen legal and regulatory frameworks for disasters of all kinds and *encourages* States to use the Guidelines to review their legal and regulatory frameworks and determine, as applicable, how to improve preparedness for disasters;
3. *also recognizes* that disaster risks as well as capacities to manage such risks differ substantially among and within countries and regions; and *encourages* States and National Societies to reinforce bilateral, sub-regional, regional, and international cooperation to support implementation of this resolution, including through the voluntary sharing of their knowledge, experiences and good practices as well as tools, mechanisms, technology, and non-sensitive data and information, on mutually agreed terms;

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, response and recovery and in relation to all hazards, and to consider, as appropriate within their contexts, whether their relevant legal and regulatory frameworks:
 - a. establish a national-level governing entity or framework for DRM; clearly outline the roles and responsibilities of all relevant government institutions, organizations and other actors involved in DRM and establish financing mechanisms, as relevant, for the implementation of DRM activities
 - b. ensure coherence regarding the respective mandates of DRM authorities and others responsible for managing disasters triggered by biological, environmental, geological, hydrometeorological and technological hazards
 - c. promote all-hazards, all-of-government and all-of-society approaches to DRM, establishing inclusive coordination mechanisms among all relevant government institutions, organizations, the private sector and local actors at all levels and for different aspects of DRM and enabling the meaningful participation and inclusion of all people in DRM, including women, men, girls and boys of different ages, disabilities and backgrounds, especially those in vulnerable situations at risk of being disproportionately impacted by disasters
 - d. provide for an interministerial or national commission, or other standing body or appropriate coordination mechanisms, to promote the strengthening of relevant legal and regulatory frameworks
 - e. recognize, as appropriate, the auxiliary role of the National Society, clearly outline their roles and responsibilities, maintain a permanent dialogue with them by including them in relevant coordination mechanisms and communication channels and provide them with operational facilities to enable them to conduct their humanitarian activities effectively and in line with the Fundamental Principles
 - f. provide for practical measures to strengthen the knowledge and capacities of relevant government institutions, organizations and other actors in DRM, such as training, drills, simulation exercises and education, focusing not only on physical aspects but also on mental health and psychosocial support, as well as financing mechanisms for coordinating and overseeing such activities;

Innovative approaches to DRM

5. *encourages* States to strengthen their relevant legal and regulatory frameworks to prevent and reduce disaster risks and the humanitarian impacts of disasters, especially on persons in vulnerable situations, and to consider, as appropriate, whether they:
 - a. implement a people-centred, multi-hazard early warning system that leverages new technologies and innovations, leading to anticipatory and early action that reaches those hardest to reach
 - b. mainstream disaster risk reduction measures and the “Think Resilience” approach propounded by the Bali Agenda for Resilience into relevant legal and regulatory frameworks relating to DRM, climate resilience, land-use planning, construction, the environment and natural resource management
 - c. address drivers of disaster risk and promote complementarity between humanitarian and development sectors in building resilience
 - d. include provisions to reduce the risk of displacement due to disasters, assist those who are displaced and support them in finding solutions

- e. provide measures for delivering mental health and psychosocial support to affected people
- f. prepare for recovery in advance of disasters and provide for an effective domestic recovery system in line with Priority 4 of the Sendai Framework, including its “build back better” principle;

Legal frameworks for international disaster assistance

6. *emphasizes* the continuing relevance of the IDRL Guidelines adopted by Resolution 4 of the 30th International Conference in 2007 and *encourages* States to make use of them as a tool for developing and strengthening legal and regulatory frameworks for international disaster assistance and improving humanitarian access, and to collaborate with National Societies in this regard;
7. *encourages* States to consider the contents of the IDRL Guidelines in the course of ongoing discussions on the prospect of the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles or any other potential course of action with respect to the draft articles, and in the development and strengthening of regional disaster cooperation mechanisms;
8. *calls upon* States to include appropriate provisions for humanitarian activities in their domestic sanctions frameworks consistent with United Nations Security Council Resolution 2664 of 2022;

Extending support and research

9. *welcomes* the significant contribution of National Societies, as auxiliaries to their public authorities in the humanitarian field, in conducting research, advising and supporting public authorities in strengthening legal and regulatory frameworks relevant to DRM;
10. *recognizes* the unique added-value of National Societies and the IFRC 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 persons in vulnerable situations and/or affected by disasters;
11. *requests* the IFRC to continue to support National Societies, States and relevant regional and intergovernmental organizations in the field of disaster laws with respect to the areas of concern mentioned in this resolution, including through developing research and recommendations; technical assistance; capacity building and training; developing tools, models and guidelines; advocacy and promoting the sharing of experiences, techniques and best practices;
12. *also requests* the IFRC, in consultation with National Societies, to submit a progress report on the implementation of this resolution to the 35th International Conference.