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POLICY PAPER



## IORA and disaster risk management: fostering collaboration with existing international bodies

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### Summary

Disaster Risk Management (DRM) is one of six focus areas of Indian Ocean Rim Association (IORA). The Jakarta Concord, signed by the IORA member states, includes specific objectives aimed to further strengthen DRM within the region. In particular, paragraph 16(d) of the Jakarta Concord brings two international policy frameworks within the realm of IORA's focus to address DRM: the Paris Agreement, adopted under the United Nations Framework Convention on Climate Change (UNFCCC), which calls for Parties to the agreement to enhance their understanding, action and support to the loss and damage associated with the adverse effects of climate change, and the Sendai Framework for Disaster Risk Reduction (Sendai Framework), which sets out seven global targets aimed at the reduction of disaster risk and losses. Since its entry into force, the UNFCCC has adopted various binding decisions that address the adverse effects of climate change, including more frequent and severe disasters.

The aim of this paper is to determine whether or not there are grounds for collaboration between the IORA and the UNFCCC to further enhance and strengthen DRM within the Indian Ocean Rim region. In doing so this paper identifies collaboration with the Executive Committee of the Warsaw International Mechanism for Loss and Damage (WIM) as a theme of common interest to all the IORA countries. It also provides specific recommendations that will benefit all the IORA countries. Furthermore, it also leaves room for the IORA countries to conduct additional DRM research and agenda setting at a national level. It is argued that collectively these international frameworks form the basis for cooperation between the WIM and IORA, including sharing knowledge and building further capacity within the region to enhance and strengthen DRM.

### Background

DRM<sup>1</sup> is included in the Indian Ocean Rim Association IORA charter<sup>2</sup> as one of its six focus areas. At the international level governments have adopted the Hyogo Framework for Action<sup>3</sup> and its successor, the Sendai Framework for Disaster Risk Reduction 2015–2030 (Sendai Framework).<sup>4</sup> Regionally, IORA's policy approach to DRM is to focus on knowledge sharing and capacity building within the region, and places an emphasis on the importance of the 'collection, compilation and dissemination of relevant knowledge and information on hazards, vulnerability and capacities'.<sup>5</sup>

The policy approach of IORA towards DRM further highlights the multidisciplinary nature of DRM and the involvement of a range of stakeholders from all spheres of government and non-governmental organizations, as well as cooperation between regional and international partners both in the public and private sector. DRM is further strengthened by IORA's encouragement of partnerships between institutions, the development of joint training programs, and regional insurance schemes.<sup>6</sup>

In April 2015, the IORA Sustainable Development Programme (ISDP) convened an expert meeting<sup>7</sup> on 'Exploring Pre-emptive Disaster Risk Management Measures to ensuring Community Resilience.'<sup>8</sup> The main objective of the DRM discussions was to 'prepare IORA Member States to respond to various disasters through proper guidelines and objectives.'<sup>9</sup> The Deputy Permanent Secretary (Prime Minister's Office of the Republic of Tanzania) also highlighted the importance of regional cooperation for better DRM approaches.

One of the objectives of this expert meeting was for IORA to consider the establishment of a Regional Disaster Coordination Mechanism in the Indian Ocean Rim region to 'facilitate the sharing and exchange of information between Member States and to encourage mutual help and assistance between Member countries for disaster response and early warning systems.'<sup>10</sup>

It was further noted that this proposal was to be presented at the next meeting of the Committee of Senior Officials of IORA to be held in Mauritius on May 2015 for their consideration. Correspondence with the IORA secretariat indicated that this proposal was not discussed during the meeting of the Committee of Senior Officials.

In March 2017, the heads of States of the IORA member states signed the Jakarta Concord, committing them to enhancing DRM in the region by various specific objectives.<sup>11</sup> Further to this, the IORA Action Plan was adopted, calling for 'Improving resilience and response to disaster risk management.' Its short-term flagship initiative envisages that cooperation is enhanced with the Intergovernmental Oceanographic Commission (IOC-UNESCO) and other multilateral organizations and agencies. Medium-term initiatives include exploring the possibility of creating an IORA Centre of Excellence for DRM for sharing information, expertise and best practice and to implement training and capacity building programs. The IORA action plan also includes building resilience through early warning systems, regional exercises, and training for coordinated disaster risk reduction as a long-term initiative.

In order to further contribute to the understanding and effective implementation of paragraph 16(d) of the Jakarta Concord and to contribute to the improvement of resilience and response to DRM, while building on the IORA DRM policy approach, this report sets out to determine whether or not there are grounds for collaboration between the IORA and the UNFCCC, more specifically with the WIM, to further enhance and strengthen DRM within the Indian Ocean Rim region

### **The implications of paragraph 16(d) of the Jakarta concord**

The Jakarta Concord paragraph 16(d), sets out the objectives of enhancing DRM in the region by

- acknowledging the vulnerability of coastal and Small Island Developing States due to climate change and ocean acidification and by working together to implement the provisions of the Paris Agreement on climate change;

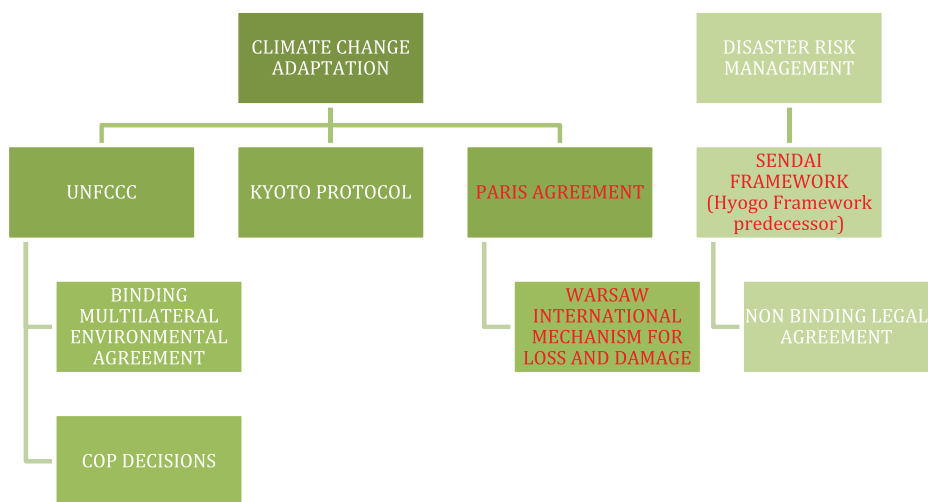
- strengthening regional disaster preparedness, community resilience, and disaster risk management in accordance with the Sendai Framework for Disaster Risk Reduction;
- improving geodetic data-sharing, methods and infrastructure and further developing integrated early warning systems in the region for forecasting and communicating disaster-related risks and hazards; and
- enhancing co-operation with stakeholders in addressing issues related to disaster and climate change through capacity building, including sharing of information, experiences and best practices to improve community resilience to minimize disruption of economic activities.

One of the most important implications is that paragraph 16(d) of the Jakarta Concord effectively brings two separate international policy instruments within the realm of IORA's focus to address DRM: firstly it includes the Paris Agreement, a binding multilateral environmental agreement addressing climate change, and secondly, it includes the Sendai Framework for Disaster Risk Reduction, a voluntary, non-binding agreement addressing disaster risk reduction.

The Paris Agreement, adopted to enhance the implementation of the UNFCCC, includes specific provisions regarding adaptation to the adverse impacts of climate change, and, in particular, the loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events.<sup>12</sup>

The Sendai Framework is a non-binding agreement, which, inter alia, calls for the review, and strengthening of the laws and regulations of DRR within countries. It also sets out seven global targets aimed at the reduction of disaster risk and losses. Its predecessor, the Hyogo Framework for action 2005–2015,<sup>13</sup> included priorities of action to reduce the risks associated with disasters. The first priority of action adopted by the Hyogo Framework was to 'ensure that DRR is a national and local priority with a strong institutional basis for implementation'<sup>14</sup> through policy, legislation and institutional frameworks for DRR.

The diagram below provides a broad outline of the most relevant elements of the international approach towards climate change adaptation (in this instance the loss and damage associated with the adverse impacts of climate change) and DRM.



In addition to these two separate international agreements, it is important to observe that traditionally countries often approach climate change adaptation and DRM separately. While a closer examination is beyond the scope of this paper, it is noted that policies dealing with climate change and DRM are often undertaken and implemented by different national line departments with different mandates. It can be argued that there is merit in further examining linking institutional arrangements and policies that address climate change adaptation and DRM. In this regard, it is recommended that Bangladesh be used as a case study since initial recommendations to establish links between disaster risk reduction and climate change adaptation in the context of loss and damage is made in recent literature.<sup>15</sup>

Since it has been established that countries are guided by the Sendai Framework to address DRM the focus of the paper now turns to opportunities within the UNFCCC to further enhance and strengthen DRM.

### **Opportunities within the UNFCCC to further enhance and strengthen DRM within the IORA region**

The basis of international action to adapt to climate change lies within the UNFCCC, the most important international climate change forum. As the supreme body of the UNFCCC, the Conference of the Parties (COP) is the highest decision-making body that meets annually to adopt binding decisions. While both the UNFCCC and its Kyoto Protocol, adopted in 1997, include adaptation as a climate change response measure, the initial operation within the COP process has been slow. The focus on adaptation as a policy only really started to gain momentum after the adoption of the 2001 Marrakesh Accords, followed by various COP decisions:

#### 1.1 Relevant decisions taken in 2007: COP 13

The UNFCCC first commenced work to consider disaster reduction strategies in 2007 when the COP 13 adopted the Bali Action Plan. The adaptation pillar of the Bali Action plan considered means to address loss and damage (L&D) and to enhance action on adaptation, in particular it considers, *inter alia*<sup>16</sup>

- risk management and risk reduction strategies, including risk sharing and transfer mechanisms such as insurance; and
- disaster reduction strategies and means to address L&D in developing countries that are particularly vulnerable to the adverse effects of climate change.

#### 1.2 Relevant decisions taken in 2010: COP 16

While there were no relevant decisions adopted during COP 14 and COP 15, the 2010 Cancun Agreements, adopted at COP 16, provided a more structured approach to consider strategies to address L&D under the UNFCCC. In particular, it recognized the need to strengthen international cooperation and expertise in order to understand and reduce loss and damage associated with the adverse effects of climate change, including

impacts related to extreme weather events and slow onset events.<sup>17</sup> A Work Program on Loss and Damage was also established under the Cancun Adaptation Framework. The purpose of this work program is to consider approaches to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change, including through workshops and expert meetings, as appropriate.<sup>18</sup>

### 1.3 Relevant decisions taken in 2011: COP 17

In 2017 work started on sharing and synthesising relevant knowledge on L&D. Parties agreed on technical work under three thematic areas:<sup>19</sup>

- assessing the risk of loss and damage associated with the adverse effects of climate change and the current knowledge on the same;
- a range of approaches to address loss and damage associated with the adverse effects of climate change, including impacts related to extreme weather events and slow onset events, taking into consideration experience at all levels; and
- the role of the Convention in enhancing implementation of approaches to address L&D associated with the adverse effects of climate change.

### 1.4 Relevant decisions taken in 2012: COP 18

The Doha Decision<sup>20</sup> agreed on the UNFCCC response to address L&D. The UNFCCC also took note of the Hyogo Framework for Action when the COP 18 paid closer attention to the relevant knowledge and ongoing work outside of the Convention, including

- the Special Report of the Intergovernmental Panel on Climate Change, Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation;
- the Global Assessment Report on Disaster Risk Reduction; and
- the Global Framework for Climate Services of the World Meteorological Organization.

Parties were also invited to augment action on addressing L&D associated with the adverse effects of climate change, by undertaking, inter alia, the following:

- a) assessing the risk of loss and damage associated with the adverse effects of climate change, including slow onset impacts;
- b) identifying options and designing and implementing country-driven risk management strategies and approaches, including risk reduction, and risk transfer and risk-sharing mechanisms;
- c) the systematic observation of, and data collection on, the impacts of climate change, in particular slow onset impacts, and accounting for losses, as appropriate;
- d) implementing comprehensive climate risk management approaches, including scaling up and replicating good practices and pilot initiatives;
- e) promoting an enabling environment that would encourage investment and the involvement of relevant stakeholders in climate risk management;

- f) involving vulnerable communities and populations, as well as civil society, the private sector and other relevant stakeholders, in the assessment of and response to loss and damage; and
- g) enhancing access to, and sharing of, data at the regional, national and subnational levels, such as hydrometeorological data and metadata, on a voluntary basis, to facilitate the assessment and management of climate-related risk.

The decision also acknowledges the further work necessary to advance the understanding of, and expertise on, L&D, which includes the following:

- c) enhancing coordination, synergies and linkages among various organisations, institutions and frameworks, to enable the development and support of approaches to address loss and damage, including slow onset event and comprehensive climate risk management strategies, which would include risk transfer tools;
- d) strengthening and promoting regional collaboration, centres and networks on strategies and approaches, including addressing loss and damage associated with the adverse effects of climate change, including slow onset events, including through risk reduction, risk sharing and risk transfer initiatives;
- e) enhanced capacity-building at the national and regional levels to address loss and damage associated with the adverse effects of climate change; and
- f) strengthening institutional arrangements at the national, regional and international levels to address loss and damage associated with the adverse effects of climate change.

To advance work on L&D, Parties<sup>21</sup>

- decided to establish an international mechanism to address L&D at COP 19;
- agreed to prepare two technical papers and conduct an expert meeting prior to COP 19;
- identified areas for advancing understanding and expertise of L&D;
- agreed on the role of the Convention in promoting the implementation of approaches to address L&D; and
- invited all Parties to enhance action on addressing L&D.

### 1.5 Relevant decisions taken in 2013: COP 19

In 2013 Parties established the following two institutional arrangements necessary to address L&D: <sup>22</sup>

1. the Warsaw International Mechanism for L&D associated with Climate Change Impacts (WIM); and
2. the Executive Committee.

The key functions of the WIM are to

- enhance knowledge and understanding of comprehensive risk management approaches;

- strengthen dialogue, coordination, coherence and synergies among relevant stakeholders; and
- enhance action and support, including finance, technology and capacity building.

The Executive Committee operates under the direction of, and is accountable to, the COP, to guide the implementation of the functions of the WIM. The Executive Committee was responsible for developing its initial two-year workplan for the implementation of the functions of the WIM for consideration by the subsidiary bodies in 2014.

### 1.6 Relevant decisions taken in 2015: COP 21

During COP 21, held in 2014, Parties decided mostly on institutional arrangements regarding L&D. However, in 2015, Parties to the UNFCCC adopted the Paris Agreement<sup>23</sup> that includes significant provisions on L&D. In particular parties decided on the continuation of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts, following the review in 2016.

Parties requested the Executive Committee of the Warsaw International Mechanism to

- establish a clearing house for risk transfer that serves as a repository for information on insurance and risk transfer, in order to facilitate the efforts of the Parties to develop and implement comprehensive risk management strategies;
- establish, according to its procedures and mandate, a task force to complement, draw upon the work of, and involve, as appropriate, existing bodies and expert groups under the Convention, including the Adaptation Committee and the Least Developed Countries Expert Group, as well as relevant organizations and expert bodies outside the Convention, to develop recommendations for integrated approaches to avert, minimise and address displacement related to the adverse impacts of climate change; and
- initiate its work, at its next meeting, to operationalise the provisions referred to in paragraphs 48 and 49 of the decision, and to report on progress thereon in its annual report.

Parties agreed that Article 8 of the Agreement does not involve or provide a basis for any liability or compensation.

### 1.7 Relevant decisions taken in 2016: COP 22

Of particular importance to this work is decision 3/CP.22 that encourages Parties to the UNFCCC to 'incorporate or to continue to incorporate the consideration of extreme events and slow onset events, non-economic losses, displacement, migration and human mobility, and comprehensive risk management into relevant planning and action, as appropriate, and to encourage bilateral and multilateral entities to support such efforts'.<sup>24</sup> This decision further invites the United Nations and other 'relevant institutions, specialized agencies and entities, the research community and the private sector, as appropriate, to strengthen cooperation and collaboration, including through partnerships, with the Executive Committee on topics relevant to addressing loss and damage associated with the adverse effects of climate change, including extreme events and slow onset events'.<sup>25</sup>



## The importance of the Paris agreement

On 4 November 2016, the Paris Agreement entered into force. Of particular importance to this work is its Article 8(1) (3) (4) and (5).

Parties to the Paris Agreement recognize the importance of ‘averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events, and the role of sustainable development in reducing the risk of loss and damage.’<sup>26</sup>

The Paris Agreement also calls for Parties to enhance understanding, action and support, ‘including through the Warsaw International Mechanism, as appropriate, on a cooperative and facilitative basis with respect to loss and damage associated with the adverse effects of climate change.’<sup>27</sup>

Areas of cooperation and facilitation to enhance understanding, action and support may include<sup>28</sup>

- (a) early warning systems;
- (b) emergency preparedness;
- (c) slow onset events;
- (d) events that may involve irreversible and permanent loss and damage;
- (e) comprehensive risk assessment and management;
- (f) risk insurance facilities, climate risk pooling and other insurance solutions;
- (g) non-economic losses; and
- (h) resilience of communities, livelihoods and ecosystems.

The articles of the Paris agreement apply to all IORA member states for two reasons:

- All IORA member states are signatories to the Paris Agreement
- In terms of the Jakarta Concord paragraph 16(d) countries committed themselves to implement the provisions of the Paris Agreement. It is argued that within the context of climate change and DRM, Article 8 of the Paris Agreement is relevant in order to further IORA’s objectives to enhance DRM in the region.

Within Article 8 lie both obligations and opportunities. First of all, as signatories to the agreement, all IORA member states recognize the importance of ‘averting, minimizing and addressing’ the loss and damage that are associated with extreme weather events and slow onset events. IORA member states also have the obligation to enhance their national understanding, action and support with respect to loss and damage suffered as a result of the adverse effects of climate change. Secondly, article 8 creates the opportunity for countries to cooperate with the WIM to enhance their own understanding, action and support with respect to loss and damage associated with the adverse effects of climate change. Article 8 also clearly identifies what the areas of cooperation with the WIM include, including but not limited to emergency preparedness. Most importantly, article 8 instructs the WIM to collaborate with relevant organizations and expert bodies outside the Paris Agreement.

## Conclusion and recommendations

In addition to countries' responsibilities under Article 8 of the Paris Agreement, there are also clear overlaps between IORA's policy approach in addressing DRM and the function of the WIM in addressing L & D. In particular, both aim to foster co-operation through capacity building, sharing of knowledge, information and best practices. Notably, IORA has as one of its main objectives to strengthen regional disaster preparedness and DRM<sup>29</sup> while the WIM includes emergency preparedness as one of the areas of cooperation and facilitation.<sup>30</sup> As member states to the UNFCCC, all IORA member states should enhance their understanding, action and support with respect to the L & D associated with the adverse effects of climate change. The aforesaid can, where appropriate, be achieved through the Executive Committee of the WIM on a cooperative and facilitative basis.<sup>31</sup>

It is therefore strongly recommended that IORA consider the possibility of collaboration with the Executive Committee of the WIM, as well as facilitating processes for member states to incorporate the work undertaken by the WIM. This co-operation can be strengthened by presenting it to the Council of Members to include in its formulation of policies or for consideration during decisions on new areas of co-operation in terms of its mandate with regard to the IORA charter.<sup>32</sup> A possible institutional vehicle to facilitate this process could be the Regional Disaster Coordination Mechanism recommended during the expert meeting in 2015. This cooperation will also fulfill the objectives of the short-term initiative of the Action Plan.

It is further recommended that IORA member states form a loose coalition within the UNFCCC negotiation process.<sup>33</sup> This would enable Member States to develop a common negotiating position with regards to issues related to DRM, and in particular to loss and damage issues within the region and/or sub-regions with commonalities that they wish to pursue during the UNFCCC negotiations.

## Notes

1. DRM within the IORA context includes both natural disasters and man-made disasters.
2. Adopted 9 October 2014.
3. Adopted 22 January 2005 available at <https://www.unisdr.org/2005/wcdr/intergover/official-doc/L-docs/Hyogo-framework-for-action-english.pdf>.
4. Adopted 18 March 2015 available at <http://www.unisdr.org/we/inform/publications/43291>.
5. IORA official website 'Disaster Risk Management' <http://www.iora.net/about-us/priority-areas/disaster-risk-management.aspx>.
6. IORA official website (n 5 above).
7. The following countries participated in the expert meeting: Australia, Bangladesh, Union of the Comoros, Indonesia, Kenya, Madagascar, Mauritius, Mozambique, South Africa, Sri Lanka, Sultanate of Oman, Tanzania and Yemen.
8. IORA Sustainable Development Programme (ISDP), 2015.
9. IORA Sustainable Development Programme (n 8 above) 4.
10. IORA Sustainable Development Programme (n 8 above) 8.
11. Paragraph 16(d) Jakarta Concord adopted 7 March 2017 available at <http://www.dirco.gov.za/docs/2017/iora0309a.pdf>.
12. Paris Agreement Article 8(1) (3) (4) and (5) entered into force on 4 November 2016. Available at [http://unfccc.int/files/essential\\_background/convention/application/pdf/english\\_paris\\_agreement.pdf](http://unfccc.int/files/essential_background/convention/application/pdf/english_paris_agreement.pdf).

13. The United Nations Office for Disaster Risk Reduction (UNISDR) Hyogo Framework for Action 2005–2015 <http://www.unisdr.org/2005/wcdr/intergover/official-doc/L-docs/Hyogo-framework-for-action-english.pdf>.
14. Hyogo Framework at III(B)(1).
15. Shamsuddoha, Roberts, Hasemann, and Roddick, 2013.
16. FCCC/CP/2007/6/Add.1\* p4 1(c)(i)(iii) <http://unfccc.int/resource/docs/2007/cop13/eng/06a01.pdf#page=3>.
17. Slow onset events include sea level rise, increasing temperatures, ocean acidification, glacial retreat and related impacts, salinization, land and forest degradation, loss of biodiversity and desertification.
18. Decision 1/CP.16 p 6 para 26 available at: [http://unfccc.int/adaptation/workstreams/loss\\_and\\_damage/items/7547.php](http://unfccc.int/adaptation/workstreams/loss_and_damage/items/7547.php) accessed on 24 July 2017.
19. Decision 7/CP.17 p5–8.
20. Decision 3/CP.18 p21.
21. Decision 3/CP.18 <http://unfccc.int/resource/docs/2012/cop18/eng/08a01.pdf> 21–24.
22. Decision 2/CP.19 <http://unfccc.int/resource/docs/2013/cop19/eng/10a01.pdf> 6–8.
23. Decision 1/CP.21
24. FCCC/CP/2016/10/Add.1 available at <http://unfccc.int/resource/docs/2016/cop22/eng/10a01.pdf>.
25. UNFCCC (n 33 above).
26. Paris Agreement Article 8(1).
27. Paris Agreement Article 8(3).
28. Paris Agreement Article 8(4).
29. Jakarta Concord Paragraph 16(d).
30. Paris Agreement Article 8(4).
31. Paris Agreement Article 8(4).
32. IORA charter chapter 5.
33. An example of a loose coalition within the UNFCCC is the Umbrella Group of non-EU developed countries which formed following the adoption of the Kyoto Protocol. Although there is no formal list, the Group is usually made up of Australia, Canada, Japan, New Zealand, Kazakhstan, Norway, the Russian Federation, Ukraine and the US. Groupings and actors within the UNFCCC available at [http://unfccc.int/essential\\_background/convention/items/6343.php](http://unfccc.int/essential_background/convention/items/6343.php) and more info at [http://unfccc.int/parties\\_and\\_observers/parties/negotiating\\_groups/items/2714.php](http://unfccc.int/parties_and_observers/parties/negotiating_groups/items/2714.php).

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