



Presentation to The Portfolio Committee on Cooperative Governance
and Traditional Affairs, Parliament of the Republic of South Africa, April
22nd 2015

Disaster Management Amendment Bill

[B1-2015]

Introduction

Honourable Committee Chair and Honourable Committee members it is indeed a great privilege for the GNDR to be given this opportunity to provide what we hope will be useful input into this critically important piece of legislation. The GNDR has a long history of involvement with organisations in South Africa and the southern African region. The GNDR is spread across more than 120 countries worldwide, our membership in excess of 800 organisations and 1,200 individuals in all regions share a vision: A world of resilient communities where vulnerable people are able to prepare for, mitigate against, recover from and adapt to hazards and a changing climate.

However, what brings our members together is being joined in the singular purpose of enabling civil society to connect local to global and speak with a collective voice that drives action to reduce risk and increase the resilience of the most vulnerable. It is for this reason that we find the work of this Committee and the proposed amendment so critically important.

Key Considerations

The legislative framework embodied in the Disaster Management Act of South Africa has many groundbreaking and important components. However, from a GNDR perspective we would like to reiterate the following:

Over 50% of disaster losses are: forgotten, unrecorded, unacknowledged, and unsupported. On the brink of launching a new UN framework for reducing disasters this is a disturbing statistic. Few of these disasters are recognised and recorded in the official statistics. A reality check is to remember these everyday disasters – not just those that make media headlines – shaping legislation, policy and action to tackle them.

This is the stark finding from a GNDR study spanning the whole of Latin America. If the same is true globally it presents a huge challenge.



It found that when people at the 'frontline' – in disaster-affected communities – are consulted, time and again they report that the biggest disaster impacts come from localised 'everyday disasters'; for example floods that damage their businesses, health and education, pollution damaging their environment, farming and drinking water, crime taking away possessions and livelihoods. They are largely unreported, uninsured, do not attract national government attention or unlock external financial assistance. In reality the majority of people most affected by disasters bear the cost of multiple inter-related risks in a complex, fast changing, uncertain and impoverished environment. Pressure on livelihoods, health and well-being is increased by factors such as crime, violence, insecurity, corruption and government failures, extreme price volatility and income disparity, climate change and environmental mismanagement. Affected communities have little choice but to take responsibility for the security and protection of their lives, livelihoods and assets.

Risk Profile for South Africa and the Region

When developing any policy or legislative instrument it is essential to be absolutely clear on what the legislation is attempting to address, how it will address it and ability to ensure compliance or enforcement. In this regard we consider it important to clearly understand the risk profile of South Africa and the southern Africa region:

Climate and Weather Related Hazards – the most significant natural hazards faced in South Africa and the region are climate and weather related. Droughts, cyclones and extreme weather events such as hail storms and flash floods take the greatest amount of attention in the public perception of disasters. These natural events are NOT disasters by themselves but the impact they have on human life and livelihoods creates the mistakenly called "natural disaster", in reality the event is only exposing systemic weakness and or human vulnerability. The climate and weather related hazards have a very strong link with many other hazards the combination of events can then result in compounded disasters.

Geophysical Hazards – earthquakes, sinkholes and tsunamis. Our risk profile for these hazards is relatively low – with notable exceptions in areas where there are mining operations.

Bio-physical Hazards – this refers to a range of disease transmission, often overlooked these hazards are a major concern in the whole region. The most notable one being HIV but there are others such as malaria and TB. Across the world there is increasing concern about zoonotic diseases such as avian influenza and ebola. In South Africa there is concern about a disease that was introduced from Europe – bovine tuberculosis (BTB) that poses a threat to both domestic and wild animals and in certain circumstances – human beings.



Environmental Hazards – environmental hazards are in our region of the world closely related to human activity. This includes contaminated water supply such as acid mine drainage. Polluted soil systems, reduced air quality etc.

Anthropogenic Hazards: the anthropogenic hazards are those that originate from human activity – they are often but not always closely linked with natural hazards.

Socio-economic and socio-political Hazards – in South Africa poverty and economic disparities are major drivers of society based hazards. This may exhibit itself in civil unrest, xenophobia, racial / ethnic prejudice and religious intolerance.

Socio-ecological Hazards – the declining productivity of South Africa's rural areas is currently driving and aggravating other hazards. Along with environmental degradation socio ecological hazards are the biggest challenge to climate change mitigation, adaptation and resilience.

Technological Hazards – this hazard relates primarily to hazards such as road accidents and industry related hazards.

Legislative and Policy Needs

Much of the detailed suggestions regarding the legislative amendment has already been addressed by other presenters such as Professor Van Niekerk of the African Centre for Disaster Studies. The following therefore addresses some of the wider conceptual needs that this committee needs to consider.

1. **Devolution** – it is important to recognise that mitigating and managing disaster risk can only be effectively done at local levels. Creating a policy and legislative framework that devolves authority and decision-making ability to lower accountable units is not only cost effective but operationally efficient. At a community level this can be done for disaster risk in much the same way Namibia has done with community management of natural resources.
2. **Legislative terminology** – it is essential to create a clear and enabling legislative framework that avoids ambiguous non-binding terminology that allows for non-compliance and responsibility avoidance.
3. **Regional responsibility** – as the most developed and powerful country in the southern African region South Africa has a responsibility to provide leadership and support to its regional partners. This can be done through various mechanisms and institutions such as SADC. The Act currently makes no provision for regional engagement and this will increasingly become an issue as the nature of many disasters will not be confined to national boundaries. The recent Ebola outbreak in West Africa is a case in point.
4. **Training and capacity building** – there is an urgent need for the government of South Africa to invest in training and capacity building not only for its own citizens but to also assist other institutions in the region. Currently the few institutions of higher learning offering training and capacity building in this field



are operating on shoestring budgets and heavily reliant on consulting work or the declining resources of international donors.

5. Cross sectoral approach to addressing root causes – disasters are for the most part symptomatic of system weakness. There will always be hazards of one kind or another, natural hazards such as floods or droughts and anthropogenic hazards such as civil unrest, political instability or war. In South Africa the challenge is to address root causes of that will aggravate the effect of any hazard. This can only be done with a multi-sectoral, multi departmental approach. To address threats from zoonotic disease for example will require the cooperation of health, agriculture and environment. Given the complex nature of disasters it is important for the law to provide an environment that recognises that the prevention of disasters is the responsibility of everyone in society.

Concluding Comment

There is no doubt that the Disaster Management Act and the Amendment Bill move South Africa in the right direction – the current flaws in the legislation may result in un-workable legislation. It is hoped that this committee will recommend an engagement with knowledgeable stakeholders, different organs of state and communities to develop a piece of legislation that not only caters for South Africa's needs in reducing disasters and providing quick and efficient responses when they do happen, but also providing the basis for regional leadership and support.

Hon. Chair and Hon. Committee members once again thank you for the opportunity to address meeting.



GNDR
Global Network of Civil Society
Organisations for **Disaster Reduction**
