

CONCEPT NOTE

Caribbean IDRL Workshop

November 17-19, 2021

Advancing the Regulatory Agenda Governing International Disaster Relief and Humanitarian Assistance in the Caribbean

BACKGROUND & CONTEXT

- A. Recent years have seen an increase in the scope, intensity and frequency of severe hazards and disaster events in the Caribbean region, and a commensurate increase in the breadth of planned and *ad hoc* international relief entering the region. This trend was highlighted in the 2017 Hurricane season, during which multiple Caribbean countries issued calls for international relief and recovery assistance, receiving inflows of goods and services through both established and *ad hoc* donors. Record numbers of humanitarian relief groups flowed into the Caribbean, including medical service providers, military personnel, engineering professionals and other specially regulated humanitarian actors. Caribbean governments benefitted significantly from humanitarian inputs, but in some instances bore the costs of unsolicited donations. Uncertainties surrounding the regulation, coordination and facilitation of international humanitarian groups were among the most significant legislative and policy gaps identified by stakeholders. These experiences have underscored the importance of having clear legislative, policy and practical guidelines for the governance of international relief actors, before, during and after a disaster event.
- B. Additionally, the 2020 COVID-19 crisis is a wake-up call that showcases the realities of unprecedented global systemic risks and demonstrates how vulnerable the world is to a truly global catastrophe. Many Caribbean governments, like the rest of the world, imposed unprecedented exceptional measures, including closing their borders and internal restrictions on freedom of movement and assembly in an effort to curb the spread of the virus. While these circumstances are the result of a public health crisis, the COVID-19 pandemic also presents a deeper socio-economic crisis that further intensifies already vulnerable Caribbean societies. Further, the highly active 2020 Atlantic hurricane season reminds us that extreme weather events do not stop during pandemics. It illustrates how risks overlap and exacerbate other risks, and that inequalities create vulnerability – between countries, but also within countries and communities.

Thus, it is imperative to continue to invest in preparedness in disaster prone contexts including legal and institutional preparedness through the adoption of law and policy frameworks that regulate and facilitate eligible international humanitarian aid and assistance.

- C. In the Caribbean, Comprehensive Disaster Management (CDM) is the management of all hazards through all phases of the disaster management cycle – prevention, mitigation, preparedness, response, recovery and rehabilitation – by all peoples – public and private sectors, all segments of civil society and the general population in hazard prone areas. It involves risk reduction and management and integration of vulnerability assessment into the development planning process. Since 2010, CDEMA Participating States adopted a Blueprint that provides the conceptual framework needed for the effective delivery of CDM at the national level. There are three principal components to the CDM Blueprint, i.e. policy, legislation, and country work programmes [PLC].
- D. As it relates to the *legislation* component of the Blueprint, CDEMA has integrated considerations regarding the planning and facilitation of International Humanitarian Assistance in its *Model Comprehensive Disaster Management (CDM) Legislation and Regulations, 2013*. In keeping with international best practice, these provisions on International Humanitarian Assistance were fairly influenced by IFRC's globally recognized "*Guidelines on the Facilitation and Regulation of International Disaster Relief Operations in case of Disaster*" (known as the "*IDRL Guidelines*"). CDEMA has promoted the adoption of its Model Legislation throughout the region, as well as supporting approaches to international relief management and facilitation set out in its *Comprehensive Disaster Management Strategy*. CDEMA's Regional Response Mechanism (RRM) presents a potential landing point for prospective international donors, and has provided some predictability and clarity for those donors who have an active regional presence.
- E. Recognising the need to continually improve and adapt to the increasing complexities of disasters, the IFRC has advanced its research in the regulation and facilitation of international disaster relief to develop additional tools to complement the *IDRL Guidelines*. These include the "*Model Act for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance, 2013*" (*IDRL Model Act*); the *IDRL Model Emergency Decree (2017)* and the *IDRL Checklist (2017)*. Using the *IDRL Guidelines* and *Checklist*, the IFRC, with the support and involvement of Red Cross National Societies and National Disaster Offices across the region has supported the review of laws and practices in Jamaica (2013), St. Vincent and the Grenadines and Grenada (2017), Dominica, St. Kitts and Nevis, Belize, Antigua and Barbuda and St. Lucia (forthcoming publications), in order to assess national and regional legislative and policy preparedness for international disaster response regulation. Benefiting from the support of CDEMA, these studies are highly consultative and bring to bear a Caribbean perspective on the types of regulatory strategies that are needed at the regional, sub-regional and national levels to fulfill the principles of the *IDRL Guidelines*.

- F. In alignment with a Memorandum of Understanding executed in 2016, CDEMA and the IFRC have collaborated on a number of initiatives designed to raise awareness on the importance of achieving regulatory and policy clarity on international disaster relief rules in the Caribbean. IFRC facilitated a 2016 meeting of CDEMA's Technical Advisory Committee¹ (TAC) on the issue of IDRL, and the outcome statements from this high-level activity identified the need to strengthen national regulatory and planning systems that guide the influx of humanitarian relief through national borders. Recently, at the 12th meeting of the TAC, held in April 2021, the TAC recognised the legislative matters emerging from the recent impacts of hazard events including the La Soufriere volcanic event; and the importance of the appropriate treatment of disaster relief and assistance within the national CDM Bill [legislation] and regulations. It further recognised the need to appropriately treat disaster relief and assistance within the CDM Bill [legislation] as a recommendation for the way forward. CDEMA continues to provide support to IFRC's national legislative reviews and contributes to regional discussions on the nuances of a Caribbean agenda for IDRL in laws, plans and policies.

PURPOSE

- G. It is within this context, that the Caribbean IDRL Workshop has been conceptualized, to examine ways in which the existing regional framework and its mechanisms can be strengthened through IDRL principles. Taking into consideration the doctrine of CDM, this Workshop seeks to facilitate the advancement of a Caribbean perspective on regionally appropriate regulatory standards that are aligned to current international best practices in IDRL.
- H. The Caribbean IDRL Workshop is funded by the INTERREG "Ready Together" Project led by the French Red Cross, through its Regional Intervention Platform for the Americas and the Caribbean (PIRAC) co-funded by the *European Regional Development Fund (ERDF)*, the *French Development Agency (AFD)* and the *Regional Council of Guadeloupe*. In partnership with the IFRC, CDEMA and the OECS, the "Ready Together" Project seeks to enhance disaster resilience in the Caribbean, identifying the need to strengthen disaster legal and institutional frameworks as one of its four key pillars along with enhancing economic actors' preparedness and promoting risk prevention among the Caribbean population.

¹ The CDEMA **TAC** comprise of the National Disaster Coordinators and representatives of specialized regional organizations, such as those engaged in technological, meteorological and seismological fields whose programmes are directly related to the regional disaster management agenda.

PROPOSED SCOPE & CONTENT

Objectives

1. **Examine ways in which the existing regulatory framework on international humanitarian assistance can be strengthened through IDRL principles by:**
 - Encouraging States **to adopt the Model CDM Legislation and the IDRL principles** through examination of key themes in international humanitarian assistance
 - **Sharing lessons learned** in international relief facilitation, in particular, the hurricane seasons of 2017, 2019, the COVID-19 pandemic response and the La Soufriere eruption with a view to strengthening this aspect of their comprehensive disaster laws and policies
 - Examining **National Comprehensive Disaster Management Legislation** and the **Regional Response Mechanism**
 - Examining new strategies in logistics management through the **Logistics and Relief Management Programme**
 - **Sensitization** to the international disaster response mechanism of the RC
 - Sharing Caribbean models and achievements in intra-regional (or south-south) relief coordination through **peer to peer exchange of experiences and knowledge with other regions (e.g. CEPREDENAC)**
 - Examining culturally appropriate strategies to address **gender responsive support** and the needs of vulnerable populations
2. **Create a Regional IDRL Working Group** responsible for advancing the recommendations of the Workshop through the development of Caribbean protocols and regulatory standards for the strengthening of the existing regulatory framework in the area of international humanitarian assistance.

Outcomes

- Clear understanding of the **added-value** of IDRL principles to existing regulatory frameworks on international humanitarian assistance.
- Identification of **key areas and opportunities** for the strengthening of CDM regulatory frameworks through the further adoption of IDRL principles.
- **Establishment of a Regional IDRL Working Group** to advance the development of Caribbean protocols and regulatory standards for the strengthening of the existing regulatory framework in the area of international humanitarian assistance.

PROPOSED PARTICIPANTS

In addition to the organizers, i.e. FRC PIRAC, IFRC and CDEMA, the Workshop will be attended by representatives of National Disaster Offices, Red Cross National Societies, regional and sub-regional organisations with interest in international disaster relief, and government officials from across the region with responsibility for ports (air and sea), foreign affairs, immigration, customs and taxation, food security, national security and health.

FORMAT

This Workshop is a virtual event over three half days and is jointly facilitated by CDEMA and IFRC. Participants will be engaged through virtual sessions via Zoom which will include presentations, panel discussions, working group activities and opportunities for open discussions.

To register for the Workshop, kindly use the following link:

<https://www.cadrim.org/caribbeanidrlworkshop>

For more information or questions about the event, please contact Jessie Jordan, Disaster Law Officer, IFRC at jessie.jordan@ifrc.org.