



# REPORT ON THE SECOND CARIBBEAN IDRL WORKSHOP

Re-engineering the Caribbean regulatory framework for international disaster relief and humanitarian assistance in the context of comprehensive disaster management-  
A Call to Action!

November 7-8, 2023



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# BACKGROUND AND CONTEXT

Over the last decade, the Caribbean has experienced a dramatic increase in the number of disasters and crises requiring regional and international humanitarian assistance. Stronger heatwaves on land and sea have resulted in more powerful storms, landslides, severe flooding and other kinds of threats. The impacts of climate change coupled with increases in unplanned urbanization, environmental degradation, and lack of proper land use management have also contributed to significant increases in the scale of destruction following a disaster. In some cases, damages have increased from hundreds of millions to billions of dollars, with tens of thousands being affected and displaced.

The number and variety of humanitarian actors, both domestic and international, have also increased over time. While this has provided more opportunities for meeting the humanitarian needs of disaster-affected populations, it has also strained the legal, physical, economic and operational infrastructure of Caribbean countries, which are generally not scaled to receive large inflows of humanitarian goods, personnel and equipment following a major disaster.

Recognizing the need to prioritize laws, policies and plans that institutionalize and operationalize an effective framework for delivery of international humanitarian assistance, the International Federation of Red Cross and Red Crescent Societies (IFRC) in partnership with the Caribbean Disaster Emergency Management Agency (CDEMA) and the French Red Cross through its Regional Platform of Intervention for the Americas and the Caribbean (PIRAC) facilitated the First Caribbean International Disaster Response Law (IDRL) Workshop in November 2021. This first workshop was organized in the framework of the READY Together/3 Oceans project co-funded by the INTERREG Caribbean Program under the European Regional Development Fund, the French Agency of Development and the Guadeloupe Region. The main objective was to address the urgent need to strengthen legal preparedness at national and regional levels to overcome regulatory challenges faced during large-scale emergencies.

## Establishment of the Regional IDRL Working Group

A key outcome of the First Caribbean IDRL Workshop was the joint commitment of CDEMA and IFRC to establish a Regional International Disaster Response Law (IDRL) Working Group to provide Caribbean-specific perspectives, insights and recommendations for improving the regional regulatory framework for the facilitation and coordination of international disaster relief, based on international best practices such as the *IDRL Guidelines*.<sup>1</sup> In September 2022, this commitment was realized with the establishment of the Regional IDRL Working Group as a Working Group of the Technical Advisory Committee (TAC) of CDEMA<sup>2</sup>. Subsequently in April 2023 the IDRL Working Group was assigned to the Work Programme Development and Review Sub-Committee (WPDRSC). This Sub-Committee has oversight responsibilities for the Comprehensive Disaster Management (CDM) Blueprint which provides the conceptual framework needed for the effective delivery of CDM at the national level.

In May 2023, the Regional IDRL Working Group finalized its workplan for 2023-2024 with two main outcomes: (i) Strengthened national capacity to develop laws, policies and plans to address the issues of international disaster relief; and (ii) Strengthened coordination of the Regional Response Mechanism and national mechanisms for IDRL. Within the context of these outcomes, the Working Group identified nine outputs and approximately thirty activities to support the delivery of those outputs.

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<sup>1</sup> [Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance](#) (also known as the *IDRL Guidelines*)

<sup>2</sup> 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.

Specifically for Output 1.1 and 1.2: To strengthen IDRL provisions for the Revised Model CDM Policy and the Revised Model CDM Legislation, key activities were identified to support the revisions required to strengthen the provisions of the CDM Model Policy and Legislation. This included a consultancy that reviewed the gaps within the legal and policy framework in relation to CDM and identified the IDRL requirements in CDEMA Participating States; developed evidence-based recommendations for addressing those gaps; and prepared proposed revisions to the model national CDM Policy and model national CDM Legislation to implement those recommendations. The consultancy also involved the development of an IDRL Gap Analysis Report and recommendations for the CDM Legal and Policy Framework in CDEMA Participating States and gathered validation of and buy in for these. This was achieved through a series of consultations including with the IDRL Working Group and regionally through the Second Caribbean IDRL Workshop.

## **Theme, purpose and objectives of the Second Caribbean IDRL Workshop**

The theme of the Second Caribbean IDRL Workshop was *“Re-engineering the Caribbean regulatory framework for international disaster relief and humanitarian assistance in the context of comprehensive disaster management- A Call to Action!”*

Within this context the main purpose was to build awareness and foster buy-in on the recommendations for improving the CDM legal and policy framework for international humanitarian assistance and to learn from recent experiences and foster high level engagement for IDRL in CDM Policy and Legislation.

In keeping with the main purpose, the following objectives were identified:

- To provide an update on the mechanism that has been set up to provide Caribbean-specific recommendations for improving the regulatory framework for the facilitation and coordination of international disaster relief within the context of CDM - The Regional IDRL Working Group.
- Promote the findings and recommendations of the IDRL Gap Analysis Report to key stakeholders (including high level decision-makers at the political and technical levels) for the implementation of IDRL in the CDM Legal and Policy Framework in CDEMA Participating States.
- Foster high level engagement among CDEMA Participating States to discuss ideas and share experiences in developing a CDM policy and legislation that incorporates IDRL principles.

More information on the intended scope and content of the workshop, the agenda, target audience and expected outcomes are included in the **workshop Concept Note at Annex 1.**

# DAY 1

## Opening Ceremony

**Dr. Nicole Greenidge (Workshop Moderator)**, Disaster Risk Management Specialist, CDEMA, welcomed participants to Opening Ceremony for the Second Caribbean International Disaster Response Law (IDRL) Workshop. She introduced the theme and the objectives of the workshop.<sup>3</sup> The following speakers were invited to provide opening remarks: Ms. Elizabeth Riley, Executive Director of CDEMA; Mr. Ariel Kestens, Head of Delegation for the Dutch and English-speaking Caribbean, IFRC; Mr. Jérémie Sibeoni, Head of Delegation for the French Red Cross, Regional Platform of Intervention for the Americas and the Caribbean (PIRAC); and the Honourable Myles La Rhoda, Minister of State with responsibility for Disaster Risk Management, for The Bahamas, who gave the feature address.

**Ms. Elizabeth Riley**, Executive Director, CDEMA, identified Comprehensive Disaster Management (CDM) legislation as one of the 5 elements of the CDM Blueprint for achieving resilience. Since the first iteration of model disaster management legislation in the 1990s, it has progressively evolved to the CDM Model Legislation and Regulations which was developed in 2013. As such, CDEMA has been advocating for its enactment in CDEMA Participating States. However, CDEMA notes that there have been some challenges with respect to implementation across CDEMA Participating States, and it is in the process of reviewing and making recommendations to accelerate this progress.

Ms. Riley acknowledged that appropriate legislation to support emergency response is critical, including for the timely movement of goods and humanitarian actors. She also recognized the need to update the CDM Model Legislation in relation to international humanitarian assistance. She noted the important partnership with the IFRC on this initiative and recalled the First Caribbean IDRL Workshop in 2021, which led to the establishment of the IDRL Working Group as part of the machinery of the CDEMA Technical Advisory Committee. She encouraged participants to move the Operational readiness agenda forward through discussions; that is the capability of a disaster management system to respond to a hazard, through an enabling environment guided by policy, legislation, and regulations as a foundational and reinforcing element to facilitate delivery.

**Mr. Ariel Kestens**, Head of Delegation for the Dutch and English-speaking Caribbean, IFRC, emphasized that laws and policies underpin all aspects of disaster risk management and form an often-invisible foundation, preparing communities before a disaster occurs as well as providing the capacity to respond and recover. However, he noted that one of the challenges in managing international humanitarian assistance is working out the right balance between facilitation and regulation. He highlighted the need to ensure that eligible assisting actors have appropriate legal facilities for humanitarian access; the need to protect disaster-affected populations from potential exploitation, harmful goods or low-quality assistance; and to maintain accountability and transparency as it relates to the impacts and results of disaster risk management activities.

Mr. Kestens considered that an updated CDM Model Legislation can serve both as a template for national law and policy development and a benchmarking tool for good practices. A legal and policy framework should address the relationship between victims, the affected State and eligible assisting actors as well as cooperation between affected States and eligible assisting actors.

Mr. Kestens emphasized the significant role of the IDRL Working Group to shape the advancement of IDRL in the region and recognised the importance of learning from the positive experiences of States in managing disasters. The recommendations, lessons learnt, and experiences shared can provide a basis for moving forward to enhance legal preparedness.

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<sup>3</sup> See Concept Note Annex 1 for the workshop theme and objectives.

**Mr. Jérémie Sibeoni**, Head of Delegation for the French Red Cross, Regional Platform of Intervention for the Americas and the Caribbean (PIRAC), acknowledged that the important work initiated under the READY Together Project was now continuing under the READY 360° project, and is contributing to the strengthening of disaster law in the Caribbean. He noted the ongoing collaboration between PIRAC, and its partners IFRC and CDEMA in relation to the work to reinforce regional cooperation in disaster management, and especially to develop effective mechanisms for the delivery of international humanitarian response. He considered these points to be essential in the Caribbean context particularly exposed to natural hazards and already affected by the impacts of climate change.

He highlighted that recent crises such as the volcanic eruption in St. Vincent and the Grenadines demonstrate that an operational legislative framework can play an important role in facilitating the rapid entry of international assistance. Emergency stocks and specialized international staff should be deployed to a territory in need, in a timely manner, when a request of international assistance is made. Coordination between humanitarian actors is also key and standard procedures can help disaster coordination, particularly for logistics management. He encouraged participants to build on this momentum to address the remaining challenges for better international disaster relief.

**The Honourable Myles La Rhoda (Feature Address)**, Minister of State with responsibility for Disaster Risk Management, for The Bahamas, acknowledged the important partnership between the IFRC and CDEMA and the establishment of the IDRL Working Group. He noted that the recommendations of the IDRL Gap Analysis to be discussed at the workshop, in his view, were on target, given the challenges faced by The Bahamas after Hurricane Dorian in 2019. The Minister referenced the importance of having effective coordination mechanisms in the aftermath of a major disaster and the significant role played by NEMA (National Emergency Management Agency) and the 'Core Group' (grouping of individuals, private sector and volunteers) that was established during the initial relief efforts.

The Minister noted that the experience of Hurricane Dorian gave The Bahamas a renewed commitment to implement comprehensive disaster management. As such, the new Disaster Risk Management Act was approved and enacted in December 2022. It provides a modern legal, institutional, and budgetary framework for the implementation of a comprehensive disaster risk management policy. One of the main policy instruments established by the Act is the National Humanitarian Assistance Standards which was inspired by the international standards defined under the Sphere Project and includes consideration for the needs of persons who are vulnerable on account of their age, disability, poverty, lack of resources, physical displacement, or gender. He urged the workshop to commit to international response becoming more efficient and better coordinated resulting in lives being saved.



# PLENARY 1: The Regional IDRL Working Group Update

**Description:** Colonel (ret'd) Nazrul Hussain, Director of the Civil Defence Commission in Guyana and Chairman of the IDRL Working Group, presented on the establishment of the IDRL Working Group, its purposes, progress on implementation and future plans.

**Col. (ret'd) Nazrul Hussain**, introduced how the Regional International Disaster Response Law Working Group (IDRL WG) was established through a joint initiative of CDEMA and IFRC. It was launched in September 2022, as a sub-committee of the CDEMA Technical Advisory Committee (TAC) for an initial duration of two years. He outlined that the main purpose of the IDRL WG is to provide Caribbean-specific perspectives, insights, and recommendations for improving the regional regulatory framework for the facilitation and coordination of international disaster relief within the context of Comprehensive Disaster Management (CDM).

In terms of membership, the IDRL WG comprises 2 representatives from the CDEMA Coordinating Unit; 1 representative from IFRC; 1 representative each from the National Disaster Organisations of Dominica, Guyana and St. Vincent and the Grenadines; 1 representative each from the National Societies of Belize, Dominica and St. Vincent and the Grenadines and 1 representative each from three regional organisations, namely the Caribbean Customs Law Enforcement Council (CCLEC); the Port Managers Association of the Caribbean (PMAC); and CARICOM (Caribbean Community) Implementation Agency for Crime and Security (IMPACS). The IDRL WG is chaired by Col. Hussain as the Director of the Civil Defence Commission in Guyana and the Deputy Chair is the Director General of the Belize Red Cross Society.

Col. Hussain outlined several key achievements of the IDRL WG which included the development of a draft vision statement; increased understanding of global and regional benchmarking documents related to IDRL; increased awareness of regional experiences in IDRL; development of a workplan for the period May 2023-Sep 2024; the launch of a consultancy to conduct a Regional IDRL Gap Analysis with recommendations for improving the CDM Legal and Policy framework in CDEMA Participating States in relation to IDRL; and conceptualizing and facilitating the roll out of the Second Caribbean IDRL Workshop.

Regarding the workplan, Col. Hussain highlighted that it was developed using a participatory approach and results-based management approach. The logical framework of the workplan identifies its main goal as 'Enhanced CDM legal and policy framework for international humanitarian assistance'. Priority issues to be addressed through the workplan include: strengthening multisectoral engagement; integrating foreign governments and civil military actors including multinational organisations, shipping companies, sectors involved emergency logistics and relief distribution in national coordinating mechanisms; and regulation and facilitation of assisting actors, among other priorities.

Col. Hussain highlighted the following objectives of the IDRL Working Group for 2024:

- **Plan and convene an IDRL table-top simulation exercise** that will seek to test existing frameworks and measure the effectiveness of proposed revisions to the CDM Model Law and Policy.
- **Engage in consultations and advocacy at national and regional levels** to promote the implementation of recommendations of the IDRL Gap Analysis research.
- **Pursue opportunities for funding technical assistance** for countries desiring to engage in a legislative reform process to develop a CDM policy and legislation with strengthened IDRL provisions.

## PLENARY 2: IDRL Gap Analysis Findings

**Description:** Tania Chambers, Legal Consultant for the IDRL WG, presented on the main findings of the IDRL Gap Analysis research as it relates to the legal and policy requirements for effective international disaster response in CDM for CDEMA Participating States.

**Ms. Tania Chambers** introduced her presentation by highlighting that research on international disaster response law (IDRL) has been ongoing in the Caribbean for the last twelve years, with the first IDRL research project being conducted in Jamaica with the Jamaica Red Cross Society in 2010. The IDRL Gap Analysis research provides a regional look at key international disaster response issues, building on the research of the last decade, and identifying new issues based on recent experiences.

### Main gaps in laws and policies

Key gaps identified in Caribbean national laws and policies in relation to international disaster response included: a lack of coordination framework tailored to large inflows of relief goods and personnel; no mechanism to integrate new and ad hoc donors; established donors were sometimes excluded from legal facilities needed to operate effectively; no clear standards exist for integrating sustainability, social protection and maintaining accountability in international disaster response activities.

### International disaster response actors

As it relates to integrating international disaster response actors into national coordination frameworks, Ms. Chambers identified key categories of actors such as international organisations, UN Groups, Red Cross, bilateral donors, diaspora groups and the private sector. Most countries facilitate some actors through their National Disaster Plans or National Disaster Committees. However, she noted that in recent years, the private sector is playing a more significant role in disaster response as seen in Hurricane Dorian. She emphasized that it is necessary as a region to integrate these actors into coordination frameworks through legal recognition and facilitation.

The types of legal recognition and facilitation for international disaster response actors may include special purpose legislation (e.g. Red Cross Act, UN Act) which may spell out tax arrangements. Other entities may be recognised in non-legislative ways such as in a disaster policy or plan or through sector coordination groups. Some organisations may be required to register through Companies or Charities legislation in relation to responding to a disaster relief effort. Foreign affairs networks and foreign military networks may also provide an avenue for recognition of actors.

Ms. Chambers highlighted the role of diaspora groups as becoming increasingly recognised as an important source of donations in recent disasters. However, they are also a major source of unsolicited and inappropriate goods. Only a few countries (e.g. Belize) establish diaspora coordination networks. However, there is generally a lack of coordination and communication facilities to diaspora networks. She noted that there is great potential for diaspora groups to play a more long-term role in CDM and untapped capacities for partnerships with in-country groups and cash-based donations.

In relation to visiting military and disciplined groups, Ms. Chambers noted that only a few countries (e.g. Jamaica) have laws on this issue. There are also existing coordination mechanisms through CDEMA and the RSS for civil military groups. However, where there are no laws or mechanisms in place, issues relating to chain of command or disciplinary gaps can arise, especially where it related to interactions between visiting disciplined forces and local personnel.

The coordination of new and ad hoc donors may work well in sector-based clusters such as in health and education. However, new and ad hoc donors tend to be excluded in general national coordination systems and foreign affairs networks. Additionally, the role of the International Humanitarian Assistance Coordinator, as envisioned by the CDM Model Legislation has not been optimized.

## **International disaster response goods**

Ms. Chambers identified various types of legal facilitation models used in the Caribbean for the movement of international disaster response goods. These included facilitation through disaster coordination laws which may be linked to a declaration of disaster; facilitation through customs, tax, immigration and labour laws which may not distinguish between approved and new actors, and may also be issued on a case-by-case basis for short time frames; facilitation through the legislative status of the organisation which may be conditional or require conformity to charity laws; and facilitation based on conventional practice, which can be unpredictable.

Arrangements in laws and policies for pre-positioning stock were highlighted as important components of legal preparedness and resilience for the CDM cycle. Ms. Chambers noted that it was an untapped opportunity for partnership between ad hoc donors and established international disaster response actors. However, there remain difficulties in accessing tax exemptions or legal facilities for these goods.

Ms. Chambers acknowledged that there were various gaps in relation to the requisition and communication of damage assessment and needs analysis (DANA) reports. These tended to be targeted to existing and established donor partners while excluding new and ad hoc donors which can lead to unsolicited and inappropriate goods.

In relation to the application of standards and quality control for international disaster response goods, Mr. Chambers highlighted the importance of consumer rights and labelling requirements, adhering to food and drug laws, protecting the private sector (e.g. against dumping, preference for cash donations) and protecting the environment. As regards standards and quality control for personnel, she noted the importance of having clear requirements for licensed professionals (e.g. engineers, doctors), a regional register of skilled volunteers, clear requirements of long-term recovery efforts (e.g. construction sector) and integration of international disaster response standards with risk mitigation strategies.

## **Eligibility and accountability**

The ability of international disaster response actors to access legal facilities and have legal recognition to do business on the ground is linked to registration and accountability mechanisms. To be eligible for access the organisation must be recognised in law (e.g. through Companies or Charities legislation). However, Ms. Chambers noted that in Jamaica, the Charities Act affected the fluidity of operations for the Jamaica Red Cross. Registration systems can also be heavily compromised on the ground after a major disaster (e.g. Dominica, after Hurricane Maria). This context raises the potential for activating different kinds of registration such as pre-disaster registration, regional registration (for international disaster response actors), temporary forms of registration or legal recognition to support a disaster response/recovery effort (e.g. 12-18 months).

Registration systems should then be linked to accountability mechanisms through the use of international humanitarian standards. Ms. Chambers raised the idea for a potential regional code of conduct. She highlighted the importance of sharing information through reporting and records management that will contribute to increased collaboration and equitable distribution of resources.

## Integration into the National Development Agenda

Ms. Chambers examined the importance of sustainability in the context of international disaster response. Particularly as it relates to proper solid waste management, this could include prohibiting importation of certain items (e.g. single use plastics) and proper disposal for chemical and medical waste. Additionally, she mentioned the importance of resilience in re-building, and construction of new infrastructure.

In relation to social protection and support mechanisms, it is necessary to include mechanisms for the protection of children and vulnerable groups, especially as it relates to safeguarding against sexual and gender-based violence. She noted the need to manage the quality of care provided to beneficiaries and acknowledged the need for special consideration for certain groups (e.g. refugees, indigenous persons, undocumented migrants.)

## Plenary Discussion

There was a Q&A session following Ms. Chambers' presentation, where she clarified that the research conducted had indeed targeted CDEMA Participating States. Additionally, the protection of the local economy by preferring local purchases and procurement and private sector partnerships were also considered as important areas for coordinating effective disaster response on the ground.

**Mr. Sherrod James**, Director of National Office of Disaster Services, raised the issue of international actors coming in to work with local businesses, and proposed they use the local businesses as a conduit and ensuring they are part of the process. He also raised the issue of international actors providing humanitarian services and creating expectations with local communities that are not sustainable for the local authorities to continue when the international actors leave after the short term. As such, it may be necessary to ensure a transfer of skills and resources to the public authorities and also civil society organisations who may continue the work. He also mentioned the challenges in managing influxes of inappropriate goods. Further, he commended CDEMA for the work they were doing in sensitizing international donors on how we work in the region and proposed the idea of localising and having a 'guide-book' at the national level, that could inform international actors on how to operate in-country and to plug into the national coordination framework.

**Ms. Elizabeth Riley**, Executive Director, CDEMA, highlighted that the IDRL Gap Analysis findings presented were very much on target. Since 2017, with the passage of Hurricane Irma and Maria, she noted the upsurge in international NGOs who are interested in working in the Caribbean space. From CDEMA's side, Ms. Riley highlighted that they have had to work hard to support States, to ensure that there are governance structures in place to accommodate an influx of international actors that are generally unknown. Ms. Riley also commented on the work CDEMA is doing to coordinate militaries across the region, which include 9 Caribbean states with established militaries. She noted that a large-scale military intervention would usually be necessary in a disaster situation that is at a catastrophic level, and she agreed that there is a need for legislative guidance for both regional and international military coordination.

On the recommendations side, Ms. Riley considered that there were some recommendations that could be examined through the IDRL Working Group, and as such, could be implemented at the regional level to support the national efforts of States. For example, a register of skilled volunteers, a regional code of conduct and a regional register of international organisations interested in working in the Caribbean. Secondly, she considered that there were actions that could be taken at the national level, to strengthen national level structures beyond the legislation, that could make the implementation of the legislation more effective. For example, where you have national coordination mechanisms for treating with the entry of international actors, you will now need to strengthen these mechanisms to treat with a scenario of an influx of unknown international actors. She alluded to the fact that these recommendations can contribute to CDEMA's vision for a 'Next-Level' Regional Response Mechanism.

# PLENARY 3: IDRL Gap Analysis Recommendations

**Description:** Lieutenant Colonel Kester Craig, Deputy Executive Director, CDEMA moderated a panel discussion (fireside talk) on the recommendations of the IDRL Gap Analysis research, with discussions on experiences in developing a CDM Law and Policy influenced by the IDRL Guidelines.

**Lt. Col. Kester Craig (session moderator)** opened the discussion by emphasizing the need for an established regulatory framework for international disaster relief. He noted that having an effective legal framework for IDRL, can avoid unnecessary delays, confusion and obstacles that may hinder the response to disasters. He pointed out that the objective for the session was to examine lessons learned and the recommendations of the IDRL Gap Analysis research to support countries to improve legal and policy frameworks for disaster response, as well as discuss the ongoing work of IFRC and CDEMA to advance IDRL in the region. Lt. Col. Craig introduced the panellists as follows: Mr. Carl Francis Smith, Permanent Secretary of The Ministry of Disaster Preparedness, Management and Reconstruction in The Bahamas,<sup>4</sup> Ms. Tania Chambers, Legal Consultant for the IDRL WG, Colonel (ret'd) Nazrul Hussain, Director of the Civil Defence Commission in Guyana and Ms. Michelle Forbes, Director of the National Emergency Management Organisation in St. Vincent and the Grenadines.

## Reviewing the CDM Model Policy and Legislation and proposal for expanding its scope

**Ms. Tania Chambers**, Legal Consultant for the IDRL WG, began her presentation by outlining the role of the Model CDM Law and Policy, which is to provide a regional template for law and policy development at the national level. It also serves as a benchmark for good practices, and as guidance for where we want to go. She acknowledged that in the current iteration of the Model CDM Legislation, the provisions relating to international disaster response were kept generally high-level. However, based on recent experiences, it may become necessary to include expanded details, but maintaining the law-making tradition of keeping the legislation relatively broad and saving granular details for other instruments such as regulations, policies, plans and protocols.

Ms. Chambers then examined the current 2013 provisions of the Model CDM Legislation relating to international humanitarian assistance and its limitations and proposed expanding the scope of issues in the CDM Model Policy and Legislation on international disaster response. These included adding components to the role and responsibilities of the International Humanitarian Assistance Coordinator; incorporating regulation and accountability mechanisms for new and ad hoc donors; applying more strategic efforts to reducing unsolicited and inappropriate donations; expanding integration of diaspora groups; and expanding partnerships with pre-approved humanitarian and disaster relief organisations (including private sector and faith-based organizations) to assist in monitoring and maintaining standards.

<sup>4</sup> Mr. Carl Francis Smith, Permanent Secretary of The Ministry of Disaster Preparedness, Management and Reconstruction, The Bahamas, was scheduled to participate in the panel, but was unable to join due to technical difficulties.

## Proposal for expanded legal guidelines

Ms. Chambers then provided proposals for expanding both the legal and policy framework for international disaster response. From the legal side, she proposed:

- i. Establishing a registration system for international disaster response actors.
- ii. Identifying the types of legal facilities that should be made available to registered/approved actors (e.g. exemptions and expedited facilities), the timelines for the facilities, and how they can be implemented.
- iii. More expansive roles and responsibilities surrounding the coordination structure and ensuring we use sectoral or cluster coordination, which can support monitoring standards.
- iv. Outlining rules for Visiting Forces, especially in relation to unsolicited or unplanned visiting disciplined forces (e.g. measures for cost recovery where necessary)
- v. Outlining types of standards to be established for international disaster response goods and mechanisms for enforcement (e.g. customs management)
- vi. Defining accountability mechanisms for international disaster response actors (e.g. sharing of information, social protection standards etc.)

## Proposal for expanded policy guidelines

From the policy side, she noted that the current Model CDM Policy does not focus on international disaster response but does leave an important blueprint for comprehensive disaster management within a sustainable development framework. She proposed expanding the policy framework according to the following guidelines:

- i. Referencing a need for a Code of Conduct for international disaster response actors.
- ii. Referencing standards and guidelines required for international disaster response goods.
- iii. Recommending cash-based donations and partnership with the local private sector, which include procurement models that focus on economic recovery.
- iv. Outlining guidance for ensuring environmental sustainability.
- v. Referencing strategies for reducing and disposing of unsolicited donations.
- vi. Strengthening coordination and support systems for skilled volunteers, making use of the regional systems to guide volunteers from outside of the region on standards required in the Caribbean.
- vii. Outlining guidance (high-level) for integrating social protection and support systems with special consideration for vulnerable groups within international disaster response efforts.
- viii. Outlining guidance for integrating international disaster response support with risk mitigation strategies and resilient building guidelines.

Ms. Chambers considered how enhancing the CDM framework with respect to IDRL could contribute to global benchmarking in areas such as regional cooperation for improving resilience; how we integrate diaspora communities into response frameworks; how we manage the socio-economic and geo-political context as small islands states; and how we integrate IDRL into comprehensive disaster management frameworks.

## Sharing experiences at national level in developing a CDM policy and legislation with IDRL

**Col. (ret'd) Nazrul Hussain**, Director of the Civil Defence Commission in Guyana, explained the background and context of Guyana's comprehensive disaster management legislation. Currently, there is a Draft Bill that has not yet been tabled before Parliament. During the COVID-19 pandemic, there were various gaps identified in the framework and lessons learned during that period. For example, there were logistics chain management issues that impacted the provision of supplies, which in turn, impacted other sectors such as production and shipping. Col. Hussain noted that several other Caribbean countries that had enacted disaster management laws in the early 2000s, were also now looking to update their legislation. In that regard, Guyana is also working to update its law based on the revised CDM Model, ensuring that it is aligned with other Participating States and CDEMA.

Col. Hussain reflected on several issues identified by Ms. Chambers as issues also affecting Guyana's disaster response operations. For example, issues relating to the movement of disaster relief goods and personnel, where it is necessary to involve personnel from customs and the bureau of standards, and determining what goods can be accepted or not accepted. Regarding the movement of personnel, he recalled that Guyana has recently joined the RSS Grouping that allows its military to move freely among other partner states that are within the RSS Grouping.

**Ms. Michelle Forbes**, Director of the National Emergency Management Organisation in St. Vincent and the Grenadines, started her presentation by indicating that St. Vincent and the Grenadines is looking to update its disaster management legislation in 2024. She acknowledged that their current legislation is not comprehensive in nature, nor does it include IDRL components. However, she considered that there are some existing plans and procedures within their coordination framework that have worked well in relation to international disaster response, but also other areas which they would like to improve on going forward.

## Good practices and challenges under the existing regulatory framework in SVG

In relation to the coordination of international actors, Ms. Forbes indicated that this is covered, to some extent, under their current plans and procedures. However, recent disaster events, particularly the La Soufriere eruption of 2021, demonstrated how they can be overwhelmed with the increase in external actors, especially in relation to personnel and disaster relief goods. She referred to a provision in the legislation (Cap. 388) where it states that anyone operating or wishing to operate in St. Vincent and the Grenadines in disaster management activities must have approval from the Director of NEMO. Ms. Forbes noted that this provision was rarely enforced during the recent emergencies due to the overwhelming number of actors operating. She also noted that the National Disaster Plan contains a section relating to the management of donations and relief, although she indicated that it needs to be strengthened.

Ms. Forbes stated that the Ministry of Foreign Affairs plays a pivotal role in the coordination of international actors and relief. However, this current arrangement needs to be re-examined, as it was clear that the Ministry was overwhelmed due to their many competing roles during the emergency. Ms. Forbes considered that they would need to examine how they would implement the recommendation for establishing the role of a designated International Humanitarian Assistance Coordinator.

The excellent cooperation between immigration and customs and NEMO was also highlighted as one of the areas that worked well. This was also tested in 2021 during the response to the volcanic eruption. She referred to a system of pre-deliveries where that provided the possibility of releasing goods and submitting documentation after. This prevented delays in receiving goods. In relation to immigration, she noted that they did not experience any issues in extending the stay of international actors.

In relation to the entry of goods, she referenced the St. Vincent and the Grenadines Red Cross being one of the entities with approved status to bring in items duty-free. However, when the 2021 eruption occurred, the government announced that other NGOs such as the Rotary Club and others were allowed to bring in relief goods and benefited from the exemption of duty. However, in relation to the 'other NGOs' it was not clear what they were doing, where they were operating and what goods they were bringing in.

In terms of good practices, Ms. Forbes highlighted the good relationship they have with the Adventist Development and Relief Agency (ADRA). She noted that they coordinated with the National Emergency Operation Centre (NEOC) and NEMO to ensure that they were channelling their aid in the right direction.

One of the practices that needs strengthening is in the inspection of goods by the department of Public Health at the various ports of entry. In this regard, they have sought to include the department of Public Health in all aspects of the emergency, even though this requirement is not yet in the law. This is especially relevant where shipments of expired goods are received, Public Health takes the responsibility to dispose of these items.

Another good practice is its partnership with the local suppliers, as part of their policy. Emphasis is placed on procuring goods as far as possible locally first, unless the goods cannot be sourced in-country. However, in the case of a large-scale emergency like La Soufriere, supermarkets ran out of goods. As such, it became necessary to outsource externally, however, still working through the local suppliers so as not to negatively impact the economy. Nevertheless, small business owners, such as the small 'corner' shops in local communities were heavily impacted by the relief goods coming into the country, as nothing was being sold in those shops while the response/recovery period was ongoing.

## **Updating policy and legislation for international disaster response in SVG within a CDM context**

Ms. Forbes explained that they are now working on updating their CDM Policy and Strategy, which will propel them into developing their CDM Legislation. She referred to the importance of using their 'Needs Lists' to guide donations, especially in a small island context where the diaspora is a significant source of donations. She noted that international actors need to be better coordinated. As such in the new legislation there needs to be pre-registration of actors prior to entry in-country, and they should also be assigned to a specific sector. In circumstances of a major disaster, she considered setting up stations at the airport to receive and register international actors.

One good practice that they would like to promote going forward is for international actors to plug into sectors such as the social sector. For example, in 2021, the World Food Programme plugged into the Ministry of Social Development where they were able to use the Ministry's data collected during the evacuation process to issue cash grants to displaced persons.

In relation to military coordination, Ms. Forbes expressed some scepticism on how this might be addressed. In a small island context, there may be bilateral conversations between Prime Ministers, but no written agreements. As such there is a lack of clarity on how costs are covered and many times those costs can end up being the burden of the National Disaster Office. She considered the idea of having a military cluster through the Coordinating Unit. However, this would have to be addressed considering the political context.

Ms. Forbes also acknowledged the pivotal role played by the Regional Response Mechanism during the response to the volcanic eruption in 2021. Through the RRM they coordinated the military and relief supplies, including mobile storage units in collaboration with the World Food Programme. However, she pointed out that when international actors leave, there is a gap left in-country. As such, it is necessary to build capacity locally to ensure continuity when international actors leave.



In terms of emerging issues, she highlighted that coordinating with the private sector remains a challenge. For instance, instead of coordinating with NEMO, they may show up at shelters, which is difficult to keep track. Therefore, it is important to bring the private sector on board within coordination structures, especially in countries where there is a large private sector. She noted that reporting systems need to be strengthened as it is essential to know what everyone is doing and how they are contributing to the 'big picture'.

## Plenary 3 Discussion

**Lt. Col. Craig** posed a question to Ms. Chambers regarding the issue of exemptions and whether there were any recommendations for how its application at the national level might apply at the sub-regional level. For example, in Jamaica where was a situation where goods were solicited to support another state within their sub-region, but the exemption arrangements that applied in Jamaica, did not apply for the other state.

**Ms. Tania Chambers** responded by emphasizing that it is critical that whatever we develop at the national level for international disaster relief, considers carefully the implications for sub-regional requirements. It requires thinking of international disaster response within the context of comprehensive disaster management, that is, considering the full cycle of preparedness, mitigation etc. In that thinking, pre-positioning goods for disaster relief should not contravene the intent behind tax exemptions, and movement of goods from country to country, and the uses of those goods can be classified as disaster relief items within the context of CDM. It requires sensitization of standards set at the regional level to the national level, so that governments understand what a Caribbean-specific IDRL framework should look like.

**Lt. Col. Craig** asked all the panellists to outline their next steps going forward. Col. Hussain, responded by indicating support for the advancement of IDRL with the Working Group. Specifically for Guyana, they would like to see the updated Model CDM Policy and Legislation manifested in Guyana through revisions to their own Draft Bill. Col. Hussain also noted that through the IDRL WG, they intend to use IDRL considerations to strengthen the CDEMA Logistics System. Following on, Ms. Chambers commented on the importance of practical examples driving the development of legislation. The idea is to infuse the findings with the right examples, so when it moves to the Attorney General's office, the rationale behind the recommendations is very clear. Finally, Ms. Forbes highlighted the importance of stakeholder engagements moving forward. For SVG, in 2023, they engaged with stakeholders to finalize their CDM Policy and Strategy, and now they are starting to engage with the Attorney General's Office regarding the changes they need to make to their legislation. Additionally, the After-Action Reviews will also inform legislative changes moving forward.

**Captain Stephen Russell**, Director of the National Emergency Management Agency, in The Bahamas was invited by Lt. Col. Craig to comment on the new legislative framework adopted in The Bahamas. Capt. Russell indicated that the new Disaster Risk Management Act was passed in December 2022. They are currently working with the Inter-American Development Bank and a team of consultants to develop a plan of action to operationalize the Act. One key area that they are currently working on in order to operationalize the Act is pre-financing and post-financing for disasters. In that regard, they are liaising with the Ministry of Finance to develop a comprehensive financial strategy for disaster risk management. Additionally, they are working on developing a series of policy instruments to operationalize the Act. These activities will also contribute to formalizing and establishing the new Disaster Risk Management Authority in 2024.

In relation to military coordination Capt. Russell also mentioned that they are working with the Ministry of Foreign Affairs, the US and British Governments to develop Status of Force Agreements (bilateral) to allow military actors to come into the country. The development of these agreements arose out of the significant support received, after Hurricane Dorian, from the US and British militaries, as well as through CDEMA. As such, they are working to formalize and refine those arrangements. In relation to donations, he recalled that they received an enormous amount of unsolicited donations after Hurricane Dorian. To that end, they formed a Working Committee comprised of Ministry of Foreign Affairs, customs, immigration, NEMA and other NGO partners to refine their operations in dealing with relief supplies coming into the country.

**Lt. Col Craig** responded to a question from the audience relating to the provision of technical assistance from countries with operating legislation to countries now developing legislation. Lt. Col. Craig indicated that through CDEMA, technical assistance could be facilitated.

**Ms. Michelle Forbes** responded to a question from the audience on how National Disaster Offices, that do not have a dedicated CDM legislation, might use other instruments (subsidiary or sectoral legislation) to facilitate IDRL and disaster risk reduction activities. She indicated that during the response to the volcanic eruption, they had weekly meetings of the Executive Council. Decisions that were made at that level were enacted, so it took the place of supporting legislation.

**Ms. Tania Chambers** complemented Ms. Forbes' response by indicating that some countries work through their National Disaster Plans and their Executive Powers. However, legislation and policy make things more predictable and standardized in responding to issues. In relation to the next steps that could be taken to advance legislative and policy work, there would be some clear guidelines emanating from the work of the IDRL WG. The hope is that these recommendations would be taken up at country level through the various National Disaster Offices and Attorneys General Offices.

**Col. Nazrul Hussain** also shared the experience of Guyana in relation to using other instruments where there is no CDM Legislation. He indicated that during the COVID-19 pandemic, they initially used a Health Ordinance dated around the 1930s. However, they considered the Ordinance to be archaic and then later referred to Executive Orders.

## Summary of Day 1 and Next Steps

Dr. Nicole Greenidge (Workshop Moderator) provided a brief recap of the sessions covered for Day 1 and outlined the agenda for Day 2.

## DAY 2

**Jessie Jordan (Workshop Moderator)**, Disaster Law Officer, IFRC, Dutch and English-speaking Caribbean welcomed participants to second day of the workshop. She provided a brief recap of the sessions from the previous day and also provided an outline of the agenda for Day 2.

### PLENARY 4: Overcoming challenges in facilitating the timely entry of disaster relief

**Description:** Mr. Kevon Campbell, Logistics Specialist, CDEMA moderated a panel discussion on overcoming the challenges in facilitating the timely entry of disaster relief in relation to logistics, ports and customs. This discussion included exchanges on the role of law and policy to facilitate international disaster relief and assistance.

**Mr. Kevon Campbell (session moderator)** introduced Plenary 4 by outlining the objectives of the session namely to examine the key issues and challenges faced by response agencies, measures and planned strategies to be undertaken regionally to improve key processes, the potential remedies and recommendations to overcome challenges and how legislation can better facilitate first mile logistics. The panellists for this session included Mr. Geoffrey Chao, United Nations World Food Programme; Mr. Michael White, Caribbean Customs Law Enforcement Council; and Kevon Campbell, CDEMA.

**Mr. Geoffrey Chao**, World Food Programme (WFP) began his presentation by outlining the responsibility of WFP, within the UN system, in facilitating logistics primarily because logistics is a key requirement for moving large quantities of food supplies around the world. In that regard, WFP has been working with CDEMA to resolve logistics issues in the region, while also collaborating with Red Cross.

#### Issues affecting the flow of goods management (unsolicited goods, customs, disposal)

Mr. Chao identified three key issues that affect the flow of goods management, namely unsolicited goods, customs and goods disposal. In relation to unsolicited goods, he highlighted the negative impacts they create on operations such as increasing the burden on already weakened management systems, burden on ecosystems and they also encourage pests, disease and crime. He referred to the need to engage in public awareness campaigns with the diaspora, faith-based groups, and other groups that may not be overtly associated with humanitarian response. In terms of applying regulatory mechanisms to reduce unsolicited goods, he examined the potential pros and cons. On the one hand, implementing control mechanisms and penalties on the shipment carriers can prevent the arrival of unsolicited goods in a disaster-affected country. However, it may also discourage shipment carriers from moving relief supplies entirely. WFP has also been moving away from in-kind donations to more cash-based transfers which can support local economies and allow persons greater choice. He also mentioned the flexibility of GoFundMe accounts which can be used to support donations to the response.

Regarding the issue of customs, there were varied experiences from Hurricane Dorian in The Bahamas and La Soufriere eruption in St. Vincent. In The Bahamas, during the initial days of the response, the borders were very porous due to the compromised security and border control systems. However, as time progressed, regulations and protocols were put in place. In St. Vincent and the Grenadines, the Prime Minister allowed for a wide range of NGOs to bring in goods and equipment by consigning it to NEMO. However, this led to logistical challenges, as a lot of resources were required to sort items.

In relation to disposal, Mr. Chao highlighted that if disposal is not facilitated in a timely fashion, this impacts the availability of warehousing facilities, which is usually limited in the best of circumstances. In that regard, he raised the possibility of having within the IDRL framework, the disposal of obsolete items through means, other than donation, which could provide revenue and also free-up warehousing space outside of an emergency. However, he emphasized the critical need for laws and policies to govern the management of disposal during an emergency, which require resources from the Ministry of Health. As regards post-disaster, he considered the need for application of mechanisms for disposing goods and equipment no longer needed. This could involve donation to the government, or to the people of the country, but should be applied in a way that is fair and does not cause more harm. (e.g. harm to the economy/ecology).

## Importing vehicles

Mr. Chao considered the legal use of imported vehicles with foreign licenses and insurance for those vehicles. He highlighted various issues associated with importing vehicles such as the protocols needed for clearing at the port, liability associated with driving on local roads among other issues. He noted that there is a need to put mechanisms in place to facilitate the use of imported vehicles quickly, while also ensuring adequate coverage for accidents.

## Telecommunications

On the issue of telecommunications, Mr. Chao mentioned the use of Starlink which offers great potential for use during emergencies. However, he noted that not all Caribbean countries have agreements for the use of Starlink. He considered the possibility of having a legal framework that allows for the relaxing of regulations during emergencies that will allow for the use of the Starlink or other similar telecommunications platforms that will provide mass communications facilities.

## The Caribbean Customs Law Enforcement Council (CCLEC)

**Mr. Michael Whyte**, Caribbean Customs Law Enforcement Council (CCLEC), introduced his presentation by providing a description of CCLEC as an amalgamation of 38 customs administrations from the Caribbean, which includes English, French, Dutch and Spanish speaking countries and territories. It also includes some extra-regional countries namely the United Kingdom, France, Spain and Netherlands. Currently CCLEC operates under an MOU (1989) and is in the process of transitioning to a treaty-based organisation that will be known as the Caribbean Customs Organisation. The main objectives of the CCLEC are to promote capacity building initiatives; develop and encourage the implementation of measures to enhance border security, inter-agency cooperation and information sharing; support regional efforts toward trade facilitation; and institute measures to promote integrity.

## The role of customs administrations in disaster response (challenges, strategies, recommendations)

Regarding the role and mandate of customs administrations, that is, to collect revenue and protect the society, it must balance trade facilitation with control. In a disaster situation, Mr. Whyte referenced the expectation for a quick release of relief supplies. However, the role of customs is to ensure that goods are released to the right agency or person(s), that goods are not diverted for other uses, and that concessions are not abused (e.g. to bring in items not intended for relief purposes).

In terms of challenges, Mr Whyte mentioned that customs administrations are not normally consulted when concessions are being developed. This may result in some legal requirements not being considered in concession arrangements. He also mentioned issues related to accountability for receiving goods, in terms of persons authorised to sign declarations. There is also a lack of consistency in relation to persons authorized to represent agencies.

During an emergency/disaster response scenario, Mr. Whyte outlined several strategies employed by customs administrations. These include participation in pre-strike meetings with disaster management agencies and personnel; safeguarding resources to ensure a quick re-start of operations (e.g. backing up of data on multiple servers, protecting equipment); ensuring safety of staff deployed to work immediately after resumption of operations; employing risk management techniques and working closely with other relevant agencies.

The importance of partnerships and arrangements with other agencies was also highlighted. These include having collaborative linkages between customs administrations and port authorities; information sharing between ship and airline agents to facilitate advance information and preparation; and collaboration with law enforcement agencies locally, regionally and internationally to identify known risks in advance of arrival of goods etc.

As it relates to recommendations, Mr. Whyte proposed consultation and involvement of customs at the policy formulation stage; participation of customs during the disaster preparedness phase of activities; improved coordination between customs, national disaster management agencies, port authorities and government agencies; and strengthened law enforcement at all levels.

## **CDEMA's strategic approach to relief management (initiatives and challenges)**

**Mr. Kevon Campbell** introduced CDEMA's strategic approach to relief management in the Caribbean, which is the CDEMA Logistics and Relief Management Programme. The main objective of this programme is to provide a policy and plan framework that will guide the creation and maintenance of procedures, systems and mechanisms. The main elements of the programme are the CDEMA Logistics System (CLS); the National Logistics Management Plans and Relief Management Documentation; Regional Logistics policy and plan; revised warehousing programme; training in logistics and relief management; and developing the relief and policy framework.

In terms of plans, policies and guidelines, Mr. Campbell highlighted the importance of developing national disaster plans and policies at country level. These instruments can establish roles and responsibilities and how activities should be executed. He also noted the value of integrating the CDEMA Logistics System into national and regional policies which can facilitate the smooth flow of relief. In terms of donation management policies, he highlighted that working groups and logistics coordination groups were established in several countries (e.g. Suriname, Guyana, St. Lucia). He also briefly mentioned the importance of operational guidelines, MOUs, SOPs, for Logistics Hubs and Distribution Centers.

Mr. Campbell emphasized the significance of collaboration with certain entities, namely the Port Management Association of the Caribbean (PMAC) and the global support and development partnership agreement for access to a humanitarian vessel (M/V Dawn). Regarding the partnership with PMAC, he noted ports as a critical component in logistics management. It is essential to understand the capacities of ports and opportunities for support and collaboration. Within this context, a workshop will be carried out with PMAC to determine a framework for port evaluation, framework for adopting surge capacity teams, framework for expanded warehouse capacity, and overall strengthening for disaster risk management and business continuity for ports.

Despite initiatives being carried out at the regional level, Mr. Campbell highlighted several challenges for implementation at the national level. These include a lack of capacity (e.g. staffing, skilled personnel) within countries to continue the logistics plan and policy process after completion of the Logistics and Relief Management Workshops; lack of buy-in from relevant ministries on the policy documentation; lack of capacity to integrate CLS into the framework of all 19 Participating States; and a lack of adequate staff to maintain the outputs of the relief and logistics programme.

To overcome these challenges, Mr. Campbell highlighted various next steps such as working with countries to develop final versions of national policy documents that are approved by Cabinet; continue CLS training for development and application in Participating States; establishing a warehousing programme; and development of a regional plan and policy for logistics.

## Plenary Discussion

**Mr. Campbell** received a question from the audience regarding the disposal of hazardous materials. Specifically, the issue of bilateral agreements to remove shipped and processed hazardous waste, and the application of the Basel, Stockholm and Rotterdam Conventions between affected countries, and countries that can provide assistance. In response, Mr. Campbell noted that disposing hazardous waste is often the burden of the affected State, where resources that could be put towards the emergency response have to be diverted to dispose of the hazardous waste.

**Mr. Chao** responded by indicating that the first action should be to limit the amount of waste coming into the country at the beginning. However, he considered that there were various approaches that could be taken. He noted the existence of a facility being built in Barbados for storage of pre-positioned goods that could have the capacity to be a collection point for further processing and disposal of items. However, it would require the development of a collection policy. Additionally, they have been examining the inclusion of mobile incineration units (medical grade) within the facility. Another idea he proposed was the possibility of using a vessel (e.g. the M/V Dawn) as a collection and processing point for waste disposal. Within that context he emphasized the need for a regulatory framework for disposal that forms part of the domestic law, international disaster law and the national strategic response plan of the country.

**Mr. Campbell** further highlighted the work being undertaken through CDEMA to support countries to develop disposal policies. He also acknowledged the Logistics Hub Facility being built in Barbados, as referenced by Mr. Chao.

**Lt. Col. Kester Craig** noted the importance of proper logistics management after a disaster and welcomed the support and partnership of all key players including the World Food Programme and Global Support and Development to enhance the logistics system in the region. In relation to the issue of customs not being before and during a disaster event, he highlighted that there are usually disaster risk management platform groups that operate pre-impact. They are usually based with the National Emergency Operations Centre (NEOC) which should include customs 'at the table' both prior and during the disaster event.

Lt. Col. Craig also noted their continued work with shipping and port agencies to enhance the movement of disaster relief within the region. This work involves examining ways to reduce the gaps within the logistics system. There is already an MOU with Tropical Shipping, however, CDEMA is looking to expand into other partnerships.

In relation to unsolicited goods, Lt. Col. Craig posed a question to the panel on whether there are any immediate actions that could be taken from national and regional agencies, to reduce coming into the country. He also considered the issue of taking control of private resources for life saving response, and whether this might be a relevant issue for legislation.

**Mr. Campbell** noted that on the issue of unsolicited goods, he considered that the magnitude of the disaster and the location of the disaster are factors that increase the risk of an influx of unsolicited goods. For example, the proximity of The Bahamas to Fort Lauderdale, FL, USA made it easy to ship items. He considered that the CLS provides the potential to reduce the incidence of unsolicited goods by knowing up front, what states need and giving states the power to request specific items and to refuse items. This approach should be coupled with awareness-raising to the public and particularly the diaspora via social media and other platforms.

# PLENARY 5: Optimizing multisectoral engagement between state and non-state entities for effective international disaster response

**Description:** Stacy Cummings, Legislative Advocacy Advisor, IFRC, moderated a panel discussion on the experiences, good practices, lessons learnt and challenges in cooperating and coordinating between sectors and among state and non-state agencies during major disasters and crises. The discussion included an examination of the role of laws and policies in establishing effective mechanisms for multisectoral collaboration during major disasters, including collaboration between National Societies and National Disaster Organisations and other agencies.

**Stacy Cummings (session moderator)** highlighted the chaotic environment that often overflows in the wake of a major disaster. This can result in confusion in relation to where certain responsibilities lie and coordination among actors. In the absence of clear legal frameworks, policies, plans and protocols for international disaster response, there can be significant delays in relief reaching affected communities. She indicated that the objective of the session was to engage in discussions around how to minimise the potential for this confusion by sharing lessons learnt from recent disasters, recommendations for improvement including legal and policy reforms, and improving engagement between National Societies, National Disaster Offices and other DRM agencies. She introduced the panellists as follows: Ms. Michelle Forbes, Director of the National Emergency Management Organisation (NEMO) in St. Vincent and the Grenadines; Ms. Descima Hamilton, Volunteer, St. Vincent and the Grenadines Red Cross Society; Mr. Daniel Mendez, Director of the National Emergency Management Organisation (NEMO) in Belize; and Ms. Lilia Bowman, Director General of the Belize Red Cross Society.

## Good practices, challenges and the way forward for strengthening multisectoral collaboration during emergencies in SVG.

**Ms. Michelle Forbes**, Director of the National Emergency Management Organisation in St. Vincent and the Grenadines, began her presentation by outlining some of the good practices in coordination and collaboration that were in place even before the eruption of the La Soufriere volcano in 2021. In 2019, the National Volcano Plan was tested through the Trade Winds training exercise,<sup>5</sup> where actors locally and regionally were already on board through the CDEMA Regional Response Mechanism. She also noted that the NEOC had already been activated a year prior to the eruption due to the ongoing COVID-19 pandemic.

Interestingly, she observed that many international partners did not view the ongoing volcanic crisis as an emergency. They waited until after it erupted before channelling resources to the country. This would have significantly affected disaster preparations and resulted in challenges in getting goods into the country. However, she recognised that from the time the alert level went to orange, the entire Regional Response Mechanism was activated. Through that activation, they were able to obtain resources from various partners including the British Government and the Seismic Research Centre.

Some of the challenges faced were in relation to international actors not understanding their role. For example, some of these actors chose to coordinate with certain institutions, only, instead of through the NEOC and the

<sup>5</sup> *Tradewinds 2019 was a Caribbean-focused training exercise, sponsored by U.S. Southern Command, designed to help participants better respond to natural disasters and land and maritime threats. The exercise included U.S. military and security agency personnel, conducted between May 30 - June 21, 2019.*

national coordination system. Another challenge Mr. Forbes observed was that there were actors, including local actors, competing for relevance and visibility, which may have impacted some aspects of coordination. Another major challenge was in relation to the movement of large shipments of relief supplies. In the early stages of the La Soufriere emergency response, it was difficult to move supplies from the port which resulted in bottlenecks and delays. However, this was able to be resolved through the Regional Response Mechanism and other partners such as the WFP.

One good practice during the La Soufriere emergency was the establishment of weekly coordination meetings, where all international actors on the ground (known to NEMO) were invited. During these meetings, international actors were able to share information on what they were doing and what they wanted to do. For example, when it became necessary to move persons out of emergency shelters, into other rental facilities, the Red Cross was able to say upfront what they could facilitate.

In terms of a regulatory framework, there were several operational procedures that worked. However, one of the challenges faced was that many actors were unaware of the procedures or how processes worked. She also considered that having an IDRL law and policy would have provided guidance on how to send relief and relevant procedures and channels and provide a framework for engagement into the national coordination system. She acknowledged that what is needed is strengthening of the legal and policy framework, recognising that there were some aspects of the existing regulatory framework that worked well.

## **Strengthening the auxiliary role of the Red Cross through multisectoral engagement**

**Descima Hamilton**, Volunteer, St. Vincent and the Grenadines (SVG) Red Cross Society, began her presentation by providing some history into the origin of the SVG Red Cross Society, as a branch of the British Red Cross. She described the SVG Red Cross Society as a private and independent organisation with a recognised public function. She also noted the seven Fundamental Principles of the Movement, to which the SVG Red Cross Society abides by. She considered that the principle of unity, would have been one of the most relevant principles that guided their response during the La Soufriere emergency and other disasters. Additionally, Ms. Hamilton explained that issues of gender and climate change adaptation are also integrated into the Red Cross' response in an emergency.

In relation to the auxiliary role, Ms. Hamilton highlighted that while the SVG Red Cross Society is an independent organisation, it does work with its government partners to fulfil its humanitarian mandate. She described the role of the National Society during various recent emergencies such as the dengue outbreak, the COVID-19 pandemic and the La Soufriere volcanic eruption, as an auxiliary to the government supporting and complementing their activities. For example, the government recognised the National Society as key influencers in the community and were invited by the Ministry of Health, to work with them under their 'Vaccine for Life' campaign. Additionally, the Draft National Disaster Plan identifies the auxiliary role of the SVG Red Cross Society by indicating that it will fulfil its humanitarian mandate, whether during disaster or peacetime, in coordination with NEMO. Although not yet adopted, it provides the direction or intention of how the auxiliary relationship should operate.

In terms of strengthening collaboration between the National Society and the public authorities, Ms. Hamilton noted that while the SVG Red Cross Society is very visible and its role is known within communities, it is less visible among policymakers. Nevertheless, the National Society is expressly mentioned in the National Emergency Disaster Management Act, 2006 where the SVG Red Cross Society is a member of the National Emergency Council and also the National Emergency Executive Committee. Considering the ongoing work by NEMO to review the legal and policy framework, she considered this as an opportunity to better codify the roles and responsibilities of the SVG Red Cross Society, so that the auxiliary role is well recognised in legal and policy instruments, including domestic laws, and national disaster plans. Additionally, in terms of recommendations for the National Society, she proposed that they would work to leverage their strengths, particularly during emergencies, so that their roles and responsibilities are well respected among agencies and partners.



## Key ingredients for successful multisectoral engagement with DRM stakeholders in Belize

**Mr. Daniel Mendez**, Director of the National Emergency Management Organisation (NEMO) in Belize, considered that the key ingredient for successful engagement of stakeholders is a willingness on both sides to engage in mutual collaboration. It is important to recognise that the State will always be challenged by resource constraints including financial and even personal. In that regard, the State must be willing to accept help from non-state entities and also to reach out to actors that can support the mutual achievement of objectives. In Belize, they have recognised this reality and are currently reaching out to entities that have been previously on the fringes but willing to provide support. Over the past months, NEMO has been reaching out to both traditional partners such as the Belize Red Cross Society and also non-traditional partners such as the Belize Chamber of Commerce and Industry to strengthen the public-private sector partnership.

## Lessons learned in collaboration and coordination during the response to Hurricane Lisa in Belize

**Ms. Lilia Bowman**, Director General, Belize Red Cross Society, began her intervention by recalling the response to Hurricane Lisa in November 2022, where most of the damage was concentrated in the Belize District, with lesser impacts in other areas. The Belize Red Cross Society activated its National Intervention Teams and other disaster response volunteers. Rapid needs assessments were conducted, and a plan of action was developed and implemented with the support of donors and the IFRC. This resulted in assistance (such as food, hygiene items, cash transfers) being provided to over 5000 persons.

There were various lessons learned during the response to Hurricane Lisa, she considered that the absence of collaboration agreements such as MOUs between state and non-state entities contributed to a lack of understanding of roles and responsibilities, inefficient use of resources, wastage and duplication. Another lesson learned was in relation to the importance of clear and constant communication and information sharing among partners, particularly in relation to data collection and distribution. She proposed that the use of joint assessments and a central database for use among all partners could support the streamlining of efforts and the mode of response. Additionally, closer collaboration among partners could have allowed for a better distribution of responsibilities.

Ms. Bowman expressed her excitement for the State initiatives being undertaken to strengthen partnerships with the Belize Red Cross Society and other actors. She recalled the signing of an MOU between the Belize Red Cross Society and NEMO. She considered this agreement as a first major step in standardizing efforts and tools used and having a common approach to disaster response.

## The role of law and policy in strengthening multisectoral engagement in disaster response in Belize

Regarding the role of law and policy in strengthening collaboration and engagement among partners, Ms. Bowman highlighted that this was already being discussed between the National Society and NEMO. Additionally, strengthening its own legal base, including its statutes and the Belize Red Cross Society Act were also priorities for the National Society. She emphasized that laws and policies are essential for establishing mechanisms for accountability and transparency; outlining roles and responsibilities for effective execution of plans of action; establishing communication mechanisms between state and non-state agencies; promote the need for consultation; and provide legal facilities for the entry of relief (e.g. duty waivers and tax exemptions). Specifically for the National Society, laws and policies can help to clearly define the auxiliary role and the responsibilities aligned to it, which is makes it most valuable, both for the National Society and the public authorities.

## Plenary Discussion

**Lt. Col. Craig** considered that the country perspective is important in designing instrument mechanisms to support needs. At CDEMA, he noted that, as a regional organisation, the leveraging of partnerships is critical to support the fulfilment of its mandate. This would involve the leveraging of resources in leadership and sharing of responsibilities. It is necessary to ensure that partners with the experience, resources and expertise can be placed in leadership positions within the context of both national and regional mechanisms.

**Ms. Jessie Jordan**, Disaster Law Officer, IFRC, responded to a question from the audience on whether there were any examples of IDRL laws within the region that would have already been tested during an emergency, with lessons learned that the region could benefit from. In response, Ms. Jordan recognised that unfortunately, in the Caribbean, there are no countries with IDRL laws that have been actually tested during an emergency. However, she did note the existence of the Model CDM Legislation of 2013, that was partly influenced by the IDRL Guidelines and serves as a benchmark and template for CDEMA Participating States, and on which the IDRL Working Group is currently working to update in terms of its IDRL provisions. Ms. Jordan also referenced the newly enacted Disaster Risk Management Act of 2022 in The Bahamas. Although not yet tested by a major disaster, it is as an example of legislation that has been influenced by the IDRL Guidelines, the Model CDM Legislation and lessons learned from Hurricane Dorian. Additionally, the IFRC Disaster Law Programme has also worked with many other countries outside of the Caribbean to develop IDRL laws (e.g. Honduras) or to incorporate IDRL components into their disaster laws.

**Mr. Mendez** took the opportunity to share that Belize is also in the process of taking steps to review their disaster management legislation and considered The Bahamas legislation as an example of good practice to follow. He ensured that they would be reaching out to all stakeholders as part of their process to review their law.

**Brian Dyer**, Director of the Nevis Disaster Management Department, raised the issue of the devolution of power agreements, that can be within the state or across states. In circumstances where communication is lost during a disaster, power can be given to another state or entity in the event of a major disaster impact. He noted that this type of agreement exists among European States. He proposed the idea of this type of agreement functioning within the CDEMA Regional Response Mechanism, through sub-regional focal points, which may be considered by CDEMA and may require discussion at the CARICOM level.

## Special Presentation: Red Cross Virtual Exhibition

**Jessie Jordan**, Disaster Law Officer, IFRC introduced the Red Cross Virtual Exhibition on disaster law under the theme, "Prepare, Be Ready, Respond: Advocating for effective disaster laws". The purpose of the exhibition is to: (i) highlight the work of Red Cross National Societies in times of emergency and preparation for disasters; (ii) make the link between the work of National Societies and the need for an enabling disaster law framework; (iii) promote recommendations of the disaster law studies and the results of the READY Together Project.

Ms. Jordan announced that the Red Cross Virtual Exhibition will be launched in December 2023, and will be available for the period of one year, and is sponsored through the READY 360° Project led by the French Red Cross, through its Regional Intervention Platform for the Americas and the Caribbean (PIRAC), and co-funded by the INTERREG Caribbean Program under the European Regional Development Fund.

The exhibition is accessible through this link: [IDRL Virtual Exhibition \(cadrim.org\)](https://cadrim.org)

# Summary of Key Takeaways, Recommendations and Next Steps

**Jessie Jordan**, Disaster Law Officer, IFRC, provided a summary of the key takeaways and recommendations of the workshop as discussed over the past two days.

For the **Opening Ceremony**, the key takeaways were noted as follows:

- Appropriate legislation is needed to support emergency response, including for the timely movement of goods and humanitarian actors.
- An updated CDM Model Legislation can serve both as a template for national law and policy development, and as a benchmarking tool for good practices.
- The IDRL Working Group has an important role to play in shaping the advancement of IDRL in the region.
- In times of emergency, each day counts for affected populations, and laws and policies should help open the doors and not be barriers.
- Standard procedures can help disaster coordination, particularly for logistic management.
- The Disaster Risk Management Act, 2022 in The Bahamas establishes a framework for developing National Humanitarian Assistance standards, which relate to minimum standards for the delivery of humanitarian assistance, inspired by the Sphere Project.

For **Plenary 1** on the Regional IDRL Working Group Update, the key takeaways were as follows:

- The IDRL Working Group was established in September 2022 as a joint initiative between IFRC and CDEMA.
- The mandate of the IDRL Working Group is to strengthen regulatory frameworks in relation to the facilitation and coordination of international disaster relief based upon international best practices such as the IDRL Guidelines.
- The membership of the IDRL Working Group consists of National Disaster Coordinators, Red Cross National Societies, regional organisations, IFRC and CDEMA.
- The main achievements of the Working Group include the development of a workplan for the period May 2023-September 2024, the IDRL Gap Analysis Consultancy and the carrying out of the Second Caribbean IDRL Workshop.
- The next steps for the Working Group include completing the IDRL Gap Analysis Report and disseminating the recommendations; planning and convening an IDRL simulation (table-top exercise); and mobilizing technical assistance for countries undergoing legislative reform.

For **Plenary 2** on the IDRL Gap Analysis Findings, the key takeaways were as follows:

- Coordination systems work well when it leans toward regional systems. Challenges occur when we have influxes of new and ad-hoc donors outside of the region, exposes gaps in legal and logistical systems.
- There are issues around the integration of various kinds of actors into national coordination systems. The range of actors include international donor partners, military and disciplined forces, new and ad hoc actors and diaspora groups.

- There are various types of legal facilitation arrangements used in the Caribbean for international disaster response. These include the facilitation model described in the CDM Model Legislation. Other facilitation models used may be found through sectoral laws (e.g. tax, customs, immigration laws) or may be through discretionary and executive powers that may not always be as effective as it should be.
- Movement of relief across borders can benefit from porous borders (Guyana/Belize), but may also require careful consideration with regard to logistics in situations of multi-island or multi-country procurement.
- The application of standards regarding quality control are required for specific relief items such as food, medicine and special equipment, as well as for the protection and sustainability of the environment. It may also apply to the licensing of professionals and skilled volunteers.
- Only eligible international disaster response actors should be given access to legal facilities and enjoy legal personality through systems of registration and should satisfy eligibility criteria.
- Accountability mechanisms should be implemented for international actors including through the establishment of international humanitarian standards and a regional role of conduct.

For **Plenary 3** on the IDRL Gap Analysis recommendations, the key takeaways and recommendations were as follows:

- The role of the CDM Model Law and Policy is to be a template for law and policy development and is a benchmark for good practice.
- There is a need for legislative guidance on managing registration/facilitation for international donors, where there is a large influx; regulation of international donors over an extended recovery period; unsolicited donations; donations consigned to groups outside of the National Disaster Office.
- Expanded legal guidelines can include provisions on the establishment of registration systems; types of legal facilities available for international actors; and roles and responsibilities of various actors.
- Expanded policy guidelines can include provisions on a code of conduct for international actors; standards and guidelines for relief goods; guidance for environmental sustainability; strategies for managing and reducing unsolicited donations; and special considerations for vulnerable groups.
- National Disaster Coordinators from Guyana and St. Vincent and the Grenadines shared experiences in developing CDM Laws, and shared lessons learned from recent disaster events including COVID-19 and the La Soufriere eruption.

For **Plenary 4** on overcoming challenges in facilitating the timely entry of disaster relief, the key takeaways and recommendations were as follows:

- Regulatory systems should address the management of unsolicited goods.
- Develop regulatory mechanisms for the safe management of disposals which can have a direct impact on the economy and the environment.
- Facilitate the legal use of foreign vehicles to support emergency response operations, while balancing the need to maintain safety and security on local roads.
- Consider the use of telecommunications platforms such as Starlink that can facilitate effective mass communication during emergencies.
- Customs administrations are not always consulted when concessions are being developed to support emergency operations.

- Strengthen coordination with agencies, which may include coordination and communication pre-disaster, at the disaster preparedness stage.
- Laws and policies should incorporate the establishment of mechanisms for logistics and relief management.
- Model documents (e.g. legislation, plans, policies, SOPs etc.) can be useful tools for countries to develop their own national instruments.
- Promoting the development of national plans and policies for logistics, donations management policies, operational guidelines are key for the effective roll out of the CDEMA logistics system (CLS).

For **Plenary 5** on multisectoral engagement, the key takeaways and recommendations were as follows:

- There is a need to have constant communication to ensure international actors have a proper understanding of their role, and the national laws, plans, policies and procedures that must be followed.
- Laws can play an essential role in guiding engagement with all actors.
- The auxiliary role of Red Cross National Societies outlines the National Society as an independent, private organisation with certain recognised public functions.
- The auxiliary role is most beneficial to the National Society and the State when roles and responsibilities are clearly outlined, which enables effective coordination with partners.
- For multisectoral engagement to be successful, there needs to be willingness and openness from both sides to work together, while acknowledging the existence resource constraints.
- Consider increasing the use of collaboration agreements (e.g. MOUs) to solidify arrangements between state and non-state entities.
- Closer alliances can allow for more effective coordination, sharing of information, and better distribution of relief on the ground.
- Laws and policies will help to define roles and responsibilities and can enable better collaboration.

In terms of **Next Steps**, Ms. Jordan indicated the following actions that will be taken by the IDRL Working Group:

- Complete the IDRL Gap Analysis Report with recommendations from the workshop.
- Provide recommendations for updating the IDRL provisions of the CDM Model Policy and Legislation, based on the IDRL Gap Analysis research.
- Engage in consultations with States interested in technical assistance for reviewing their CDM laws and policies on IDRL.

## Closing Remarks and a Call to Action

**Jessie Jordan (Workshop Moderator)**, Disaster Law Officer, IFRC, thanked all the participants for their engagement in the workshop sessions and invited the following speakers to provide closing remarks to the workshop: Mr. Ariel Kestens, Head of Delegation for the IFRC Dutch and English-speaking Caribbean; Mr. Jérémie Sibeoni, Head of Delegation for the French Red Cross, Regional Platform of Intervention for the Americas and the Caribbean (PIRAC); and Lt. Col. Kester Craig, Deputy Executive Director, CDEMA.

**Mr. Ariel Kestens**, Head of Delegation for the Dutch and English-speaking Caribbean, IFRC, noted that the tragic circumstances brought about by major disasters like Hurricane Dorian and Hurricane Maria have provided valuable data for the IDRL Gap Analysis research. The research revealed systemic gaps within national and regional mechanisms that demonstrate that our legal and policy frameworks are not currently scaled to bear the weight of a catastrophic disaster. Mr. Kestens referred to an example shared by the St. Vincent and the Grenadines NEMO during plenary 3, where the Ministry of Foreign Affairs played a pivotal role in coordinating international assisting actors and international humanitarian assistance but was quickly overwhelmed during the response to the La Soufriere eruption due to its many competing responsibilities. He considered that these circumstances clearly illustrated a need to have a designated international humanitarian assistance coordinator, which is a recommendation of the IDRL Guidelines and the Model Comprehensive Disaster Management Legislation.

Mr. Kestens also referenced the good practices and lessons learned that were shared during the workshop such as the recent Disaster Risk Management Act passed by the government of The Bahamas, which mandate the establishment of National Humanitarian Assistance Standards, which is a critical component of international disaster response and is also a key recommendation of the IDRL Guidelines.

Mr. Kestens highlighted the importance of the IDRL Working Group as a mechanism for facilitating the promotion of recommendations arising out of the research at regional and national levels. He encouraged all stakeholders to commit to the work of improving legal and policy frameworks for international humanitarian assistance and reiterated the support of the IFRC to provide tools and resources, both technical and financial, at our disposal, to support the adoption of effective laws and policies for disaster risk governance, including the adoption of provisions that enhance the facilitation and regulation of international disaster relief.

**Mr. Jérémie Sibeoni**, Head of Delegation for the French Red Cross, Regional Platform of Intervention for the Americas and the Caribbean (PIRAC), recognised the need to keep reinforcing disaster law through national and regional mechanisms, which can ensure immediate humanitarian response in case of disaster. He acknowledged that the previous years were focused on diagnosing and developing analyses and research, but now that we understand the gaps, it is necessary now to take action to address those gaps and implement the recommendations for an effective regulatory framework for international disaster relief and humanitarian assistance.

Among the priorities of the IDRL Working Group, Mr. Sibeoni highlighted the importance of standards and labelling for disaster relief goods; and the pre-positioning of goods directly in-country. He also mentioned the importance of integrating civil military resources for example, they developed SOPs with the French Army to be able to cooperate effectively. Finally, he emphasized the importance of conducting table-top simulation exercises for testing and putting roles into action.

**Lt. Col. Kester Craig**, Deputy Executive Director, CDEMA, noted that comprehensive disaster management is the guiding framework for building resilience in the Caribbean, with legislation being a cornerstone of that framework. He also highlighted the important role of legislation to secure the movement of goods, humanitarian actors, and international assistance. Legislation also ensures that aid adheres to standards and safeguards against criminal activities and optimizes the role of ports in receiving assistance while also reducing the incidence of unsolicited goods.

Lt. Col. Craig also cited the work of the IDRL Working Group in relation to the updating of the legal requirements for international disaster relief and expressed anticipation for the outcomes of the workshop and the other outputs of the Working Group, which will be presented at the next meeting of the CDEMA Technical Advisory Committee in April 2024. He indicated CDEMA's commitment to continue working closely with IFRC and the IDRL Working Group to ensure that the Model, tools and guidance are updated appropriately.

Lt. Col. Craig outlined a ten-point **call to action** as follows:

1. Governments and regional organisations must prioritize the implementation of IDRL to enhance disaster preparedness and response.
2. Develop and strengthen legal and policy frameworks for disaster risk management to ensure efficient and coordinated international humanitarian assistance.
3. Promote the adoption of the comprehensive disaster management concept, encompassing all hazards, involving all sectors of society, as a core component of building regional resilience.
4. Accelerate the advancement and adoption of CDM Legislation to guide national actions and facilitate international disaster relief operations.
5. Identify and address the root causes and barriers hindering the advancement of legal and policy frameworks, including limited resources, competing priorities, and political challenges.
6. Provide countries with technical support and guidance in adopting and adapting model legislation.
7. Raise awareness at all levels of society from policymakers to the general public about the importance of disaster legislation and its impact on livelihoods.
8. Appoint champions at the highest levels of government who understand the necessity of legal requirements and mobilized resources for implementation.
9. Foster collaboration and partnership among countries, regional organisations and international partners to provide relevant expertise and resources for legal and policy reforms.
10. Commit to a systematic and integrated approach to advance integrated and sustained IDRL, enhancing the region's resilience to disasters and saving lives.

# ANNEXES

## Annex 1: Concept Note

### CONCEPT NOTE

Second Caribbean IDRL Workshop  
November 7-8, 2023

#### BACKGROUND

Over the last decade, the Caribbean has experienced a dramatic increase in the number of disasters and crises requiring regional and international humanitarian assistance. Stronger heatwaves on land and sea have resulted in more powerful storms, landslides, severe flooding and other kinds of threats. The impacts of climate change coupled with increases in unplanned urbanization, environmental degradation, and lack of proper land use management have also contributed to significant increases in the scale of destruction following a disaster. In some cases, damages have increased from hundreds of millions to billions of dollars, with tens of thousands being affected and displaced.

The number and variety of humanitarian actors, both domestic and international, have also increased over time. While this has provided more opportunities for meeting the humanitarian needs of disaster-affected populations, it has also strained the legal, physical, economic and operational infrastructure of Caribbean countries, which are generally not scaled to receive large inflows of humanitarian goods, personnel and equipment following a major disaster.

Recognizing the need to prioritize laws, policies and plans that institutionalize and operationalize an effective framework for delivery of international humanitarian assistance, the International Federation of Red Cross and Red Crescent Societies (IFRC) in partnership with the Caribbean Disaster Emergency Management Agency (CDEMA) and the French Red Cross through its Regional Platform of Intervention for the Americas and the Caribbean (PIRAC) facilitated the *Caribbean International Disaster Response Law (IDRL) Workshop* in November 2021. This first workshop was organized in the framework of the READY Together/3 Oceans project co-funded by the INTERREG Caribbean Program under the European Regional Development Fund, the French Agency of Development and the Guadeloupe Region. The main objective was to address the urgent need to strengthen legal preparedness at national and regional levels to overcome regulatory challenges faced during large-scale emergencies.

A key outcome of this workshop was the joint commitment of CDEMA and IFRC to establish a Regional International Disaster Response Law (IDRL) Working Group to provide Caribbean-specific perspectives, insights and recommendations for improving the regional regulatory framework for the facilitation and coordination of international disaster relief, based on international best practices such as the *IDRL Guidelines*.<sup>6</sup> In September 2022, this commitment was realized with the establishment of the Regional IDRL Working Group as a Working Group of the Technical Advisory Committee of CDEMA<sup>7</sup>. Subsequently in April 2023 the IDRL Working Group was assigned to the Work Programme Development and Review Sub-Committee (WPDRSC). This Sub-Committee has oversight responsibilities for the Comprehensive Disaster Management (CDM) Blueprint which provides the conceptual framework needed for the

<sup>6</sup> [Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance \(IDRL Guidelines\)](#)

<sup>7</sup> 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.



effective delivery of CDM at the national level.

In May 2023, the Regional IDRL Working Group finalized its workplan for 2023-2024 with two main outcomes: (i) Strengthened national capacity to develop laws, policies and plans to address the issues of international disaster relief; and (ii) Strengthened coordination of the Regional Response Mechanism and national mechanisms for IDRL. Within the context of these outcomes, the Working Group identified nine outputs and approximately thirty activities to support the delivery of those outputs.

Specifically for *Output 1.1 and 1.2: To strengthen IDRL provisions for the Revised Model CDM Policy and the Revised Model CDM Legislation*, the key activities that will support are identification of the revisions required to strengthen the provisions. This will include a consultancy that would review the gaps within the legal and policy framework in relation to CDM with a view to identifying the IDRL requirements in CDEMA Participating States; developing evidence-based recommendations for addressing those gaps; and preparing revisions to the model national CDM Policy and model national CDM Legislation to implement those recommendations. It will also involve the development of an IDRL Gap Analysis Report and recommendations for the CDM Legal and Policy Framework in CDEMA Participating States and gathering validation of and buy in for these. This is being achieved through a series of consultations including with the IDRL Working Group and regionally through the Second Caribbean IDRL Workshop.

## THE SECOND CARIBBEAN IDRL WORKSHOP

The theme of the workshop is ***“Re-engineering the Caribbean regulatory framework for international disaster relief and humanitarian assistance in the context of comprehensive disaster management - A Call to Action!”***

Within this context the main objective is to build awareness and foster buy-in on the recommendations for improving the CDM legal and policy framework for international humanitarian assistance and to learn from recent experiences and foster high level engagement for IDRL in CDM Policy and Legislation.

This workshop is being organized by the IDRL Working Group with the support of the IFRC and CDEMA. It is being funded by the **“READY 360” Project** which is led by the French Red Cross, through its Regional Intervention Platform for the Americas and the Caribbean (PIRAC), co-funded by the INTERREG Caribbean Program under the European Regional Development Fund.

## SCOPE AND CONTENT

### Objectives

- 1. To provide an update on the mechanism that has been set up to provide Caribbean-specific recommendations for improving the regulatory framework for the facilitation and coordination of international disaster relief within the context of CDM - The Regional IDRL Working Group.**

Key sessions under this objective include:

- Sensitization on the rationale for the Regional IDRL Working Group (IDRL-WG) and its establishment since the First Caribbean IDRL Workshop (2021).
- General overview of the IDRL-WG’s workplan highlighting expected outcomes, intended outputs and activities.
- Showcasing key initiatives of the IDRL-WG, progress and implementation.

**2. Promote the findings and recommendations of the IDRL Gap Analysis Report to key stakeholders (including high level decision-makers at the political and technical levels) for the implementation of IDRL in the CDM Legal and Policy Framework in CDEMA PS.**

Key sessions under this objective include:

- Sensitization, validation and buy-in on the findings and recommendations of the Gap Analysis Report amongst high level and technical level stakeholders with roles and responsibilities in providing/ facilitating humanitarian assistance in times of disaster.
- Interactive sessions to discuss proposed recommendations and next steps required to enhance IDRL provisions in the CDM Model policy and legislation.

**3. Foster high level engagement among CDEMA PS to discuss ideas and share experiences in developing a CDM policy and legislation that incorporates IDRL principles.**

Key sessions under this objective include:

- Panel discussions among high level delegates on challenges and successes in developing a CDM policy and legislation that includes IDRL considerations.
- Peer to peer discussions among National Disaster Offices and National Societies to examine opportunities for collaboration in developing and advocating for laws and policies that enable the entry of timely and effective international humanitarian assistance.

## **EXPECTED OUTCOMES**

- **Clear understanding of the gaps** within the legal and policy framework at the regional and national levels of CDEMA Participating States in relation to CDM and IDRL requirements in the Caribbean.
- **Validation and buy-in on recommendations** to address the gaps identified in the legal and policy framework and to gather feedback for the participatory development of the recommendations and revisions to the model national CDM Policy and model national CDM Legislation.
- **Identification of key areas and opportunities for collaboration** in CDEMA Participating States for the strengthening of CDM policy and legislation through the adoption and implementation of recommendations and best practices in IDRL.

## **TARGET AUDIENCE**

- National Disaster Offices,
- Red Cross National Societies,
- Members of the IDRL Working Group- CDEMA CU, IFRC, Representatives of National Disaster Organisations of Saint Vincent and the Grenadines, Dominica and Guyana, Representatives of Red Cross National Societies from Belize, Saint Vincent and the Grenadines, and Dominica; Caribbean Customs Law Enforcement Council (CCLEC), The Port Management Association of the Caribbean (PMAC) and The Caribbean Community (CARICOM) Implementation Agency for Crime and Security (IMPACS)

- Regional and sub-regional organisations with interest in international disaster relief, and government officials (high-level and technical level) from across the region with responsibility for ports (air and sea), foreign affairs, immigration, customs and taxation, national security and other key aspects of disaster response.
- USAID PROSE project- POLICY AND REGULATORY REFORM FOR RESILIENCE ACTIVITY (PROSE) Advancing Comprehensive Disaster Management (CDM) Across the Eastern and Southern Caribbean (ESC) Region.
- French Red Cross PIRAC (development partner)

## **FORMAT AND REGISTRATION**

The Second Caribbean IDRL Workshop will be held on 7-8 November, 2023 from 9 am to 1 pm (AST). It is a virtual event being conducted over two half days. It is jointly facilitated by CDEMA and IFRC which serve as the secretariat for the IDRL Working Group. Participants will be engaged in virtual sessions via Zoom and will include presentations, panel discussions, working sessions and interactive discussions.

**To register for the Workshop**, and to view the Agenda, kindly use the following link: <https://www.caribbeanidrlworkshop.org/>

## **CONTACT**

For more information or questions about the event, please contact:

### **CDEMA:**

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### **IFRC:**

Ms. Jessie Jordan  
Disaster Law Officer  
Dutch and English-speaking Caribbean  
International Federation of Red Cross and Red Crescent Societies (IFRC)  
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## Annex 2: Agenda

### AGENDA

Second Caribbean IDRL Workshop  
November 7-8, 2023

Workshop theme: ***Re-engineering the Caribbean regulatory framework for international disaster relief and humanitarian assistance in the context of comprehensive disaster management- A Call to Action!"***

### AGENDA

TIME (AST)	SESSION
	<b>DAY 1 – NOVEMBER 7, 2023</b>
<b>9:00-9:30</b>	Opening Ceremony
<b>9:30-10:15</b>	Plenary 1: The Regional IDRL Working Group Update <i>Improving the CDM regulatory framework for international humanitarian assistance</i>
<b>10:15-11:15</b>	Plenary 2: IDRL Gap Analysis Findings <i>Facilitated presentation on the findings of the IDRL Gap Analysis Research</i>
<b>11:15-11:30</b>	BREAK
<b>11:30-12:30</b>	Plenary 3: IDRL Gap Analysis Recommendations: <i>Presentation on the recommendations with discussions on experiences in developing a CDM Law and Policy</i>
<b>12:30-12:45</b>	Summary and Next Steps

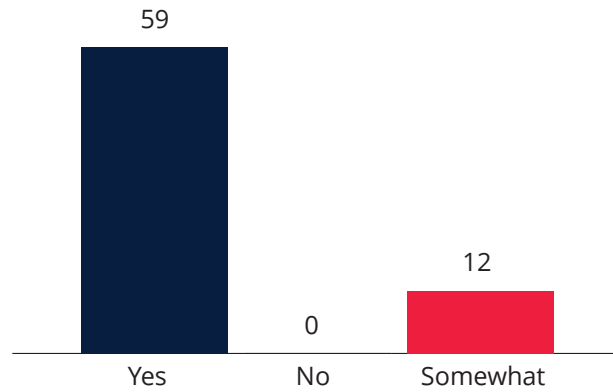
TIME (AST)	SESSION
<b>DAY 2 – NOVEMBER 8, 2023</b>	
<b>9:00-9:15</b>	Welcome and recap of Day 1
<b>9:15-10:15</b>	Plenary 4: Overcoming challenges in facilitating the timely entry of disaster relief. <i>Discussion on logistics, ports and customs, and overcoming the challenges in facilitating the timely entry of disaster relief. Peer to peer exchanges including ports, customs, NDCs and NS on the role of legislation to facilitate international disaster relief and assistance.</i>
<b>10:15-11:15</b>	Plenary 5: Multisectoral engagement <i>Optimizing multisectoral engagement with state and non-state entities for effective international disaster response.</i>
<b>11:15-11:30</b>	BREAK
<b>11:30-11:45</b>	Special Presentation: Red Cross Virtual Exhibition
<b>11:45-12:45</b>	Closing: Call to Action <i>Presenting the key recommendations and identification of next steps with closing remarks and a call to action.</i>
<b>12:45-12:50</b>	Vote of Thanks

## Annex 3: Participant Polls

### Plenary 1

**Question: I believe that the IDRL Workplan is on the right track**

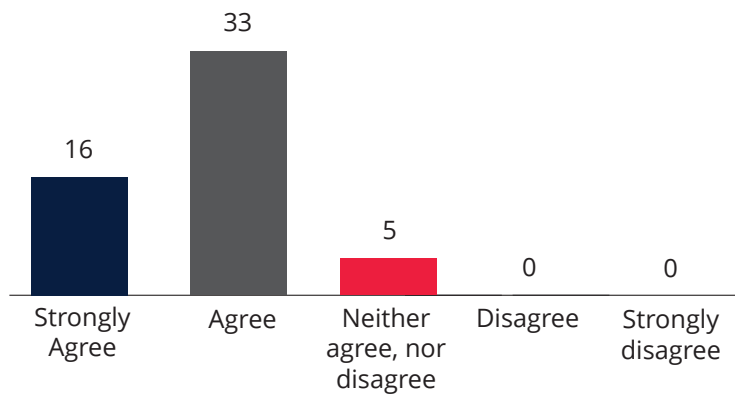
(Number of votes: 71)



### Plenary 2

**Question: I agree with the gaps identified in the IDRL Gap Analysis**

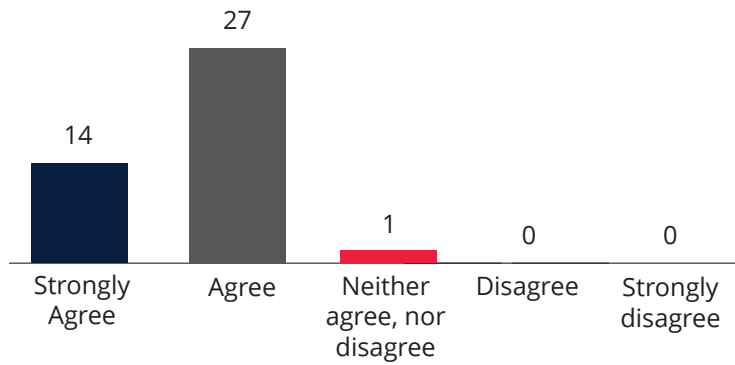
(Number of votes: 54)



## Plenary 3

Question: I agree with the recommendations given to address the gaps in the IDRL Gap Analysis

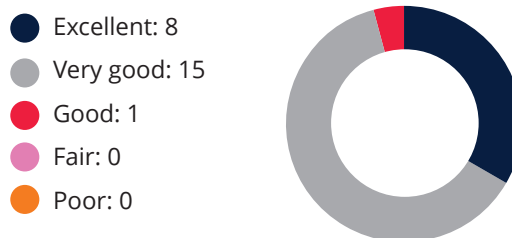
(Number of votes: 42)



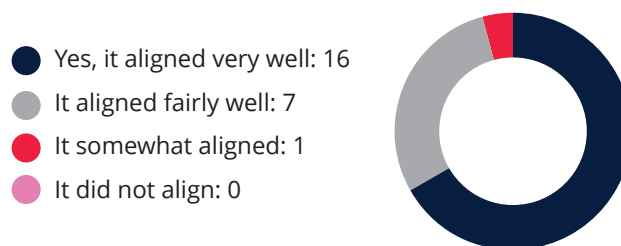
## Annex 4: Workshop Evaluation

24 responses

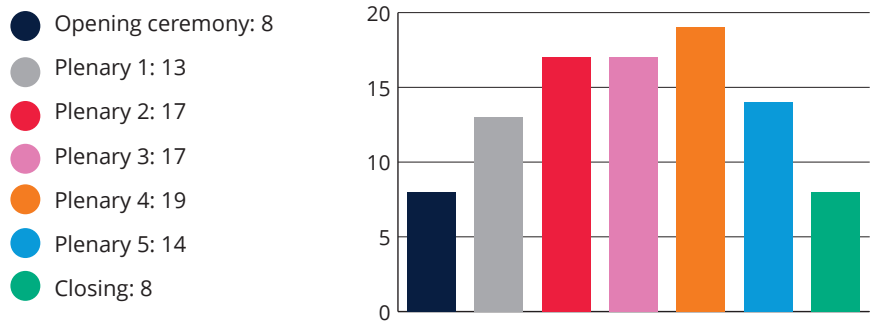
1. Overall, how would you rate the workshop?



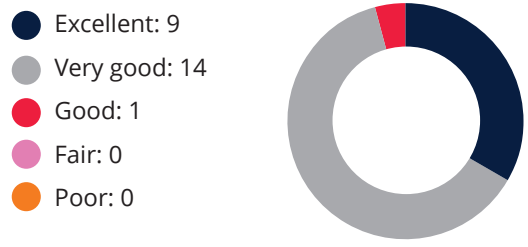
2. In your opinion, did the workshop content align with your expectations and needs?



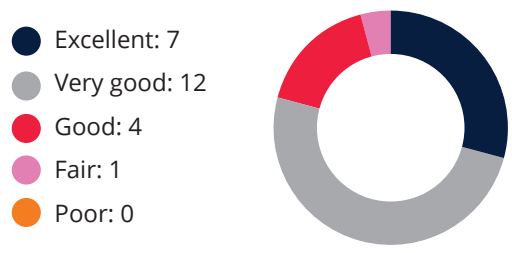
### 3. Which session(s) did you find the most useful? Click all that apply



### 4. How would you rate the moderators' / facilitator's knowledge and expertise?



### 5. How would you rate the workshop's duration and schedule?





# **THE FUNDAMENTAL PRINCIPLES OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT**

## **Humanity**

The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples.

## **Impartiality**

It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

## **Neutrality**

In order to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

## **Independence**

The Movement is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

## **Voluntary service**

It is a voluntary relief movement not prompted in any manner by desire for gain.

## **Unity**

There can be only one Red Cross or Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

## **Universality**

The International Red Cross and Red Crescent Movement, in which all societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.



**The International Federation of Red Cross and Red Crescent Societies (IFRC)** is the world's largest humanitarian network, with 191 National Red Cross and Red Crescent Societies and around 14 million volunteers. Our volunteers are present in communities before, during and after a crisis or disaster. We work in the most hard to reach and complex settings in the world, saving lives and promoting human dignity. We support communities to become stronger and more resilient places where people can live safe and healthy lives, and have opportunities to thrive.

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