

HUMANITARIAN ASSISTANCE

Towards Building a Regional Mechanism

Ministry of Foreign Affairs, International Trade and Worship

White Helmets Commission

Republic of Argentina

1. GENERAL FRAMEWORK

THE CURRENT DISCUSSION ON HUMANITARIAN ASSISTANCE

In the last decades, the increasingly less "natural" disasters went up exponentially. In our continent only, 4 million people were affected every year, 5,000 people died, and material losses amounted to US\$ 3.2 billion. Between 1996 and 2005, more than 1,262 natural disasters took place in The Americas.

In the light of these dramatic situations, various peoples, governments, and international agencies are working to find new frameworks to prevent these events and mitigate their consequences and effects. The World Conference on Disaster Reduction gave way to the Yokohama Strategy and Plan of Action "for a safer world". The International Strategy for Disaster Reduction and the Hyogo Framework for Action 2005-2015 are oriented towards boosting the resilience of nations and communities to disaster, identify poverty as the main cause of vulnerability, acknowledge the need for a comprehensive risk approach, the importance of regional approaches, and the inclusion of communities in the process of risk reduction as a key element for success. These are important landmarks.

Communities moved forward. The paralyzing concepts of "natural hazard", "threat", and "external risk" were replaced by those of "vulnerability", or "comprehensive risk management". The mechanism of response to "faits accomplis" was contrasted with the elaboration of prevention tools.

The current scenario calls for a regional articulation to face emergency and disaster. Many countries, subregional bodies and multilateral agencies and bodies are willing to do it.

Until recent years, we exclusively worked on the outlining of strategies for disaster response and assistance, but we overlooked prevention and comprehensive risk management. This is one of our current challenges. The new conceptual frameworks include prevention and participation in an attempt to reduce the underlying risk factors, and urge us to strengthen our preparedness to meet disaster in order to ensure an appropriate, prompt, effective and efficient response.

There are different models to address this issue, and we believe that they can be summarized in two real paradigms that go beyond technicalities and search deeper into politics and geopolitics. On the one hand, the concept of "Humanitarian Assistance", based on the considerations conveyed through the participation of the community and on respect for the sovereignty of nations. On the other hand, the concept of "directed assistance" is hierarchical, crippling and threatening, subsidiary to the doctrine of "Humanitarian Intervention" and "National Security".

Prevention, planning, and coordination do not imply overlooking response. The players in the hemisphere stand together on this, and thus the time has come to discuss, learn and take advantage of many of the national experiences with a regional and multilateral approach. Above all, the time has come to build a new device that enables us to enhance our endeavors, reduce bureaucratic barriers, invigorate the mechanisms to detect humanitarian assistance needs, and speed up procedures of action.

In order to address this reality the OAS General Assembly passed resolution AG/RES 2372 in June 2008 which urges *"...member states to promote debate on disaster prevention management, to facilitate analysis of possible mechanisms for working together with regional agencies, and to include participation by the community and its organizations in the diagnostic assessment of their problems and, above all, in developing prevention and response tools..."*

A few months ago the XXXIX Assembly, convened in San Pedro Sula, passed resolution 2492 which took a fundamental step in resolving: *"...To instruct the Permanent Council and the Inter-American Council for Integral Development to convene a meeting to begin the process of joint assessment of existing legislative and coordination mechanisms in the natural disaster and humanitarian assistance areas, which takes into account coordination efforts that can be made by the Organization, and to consider the advisability of updating them, presenting a proposal for action by the third quarter of 2010" and "...To request both councils to consider, in order to implement such a mandate, forming a joint working group composed of member states' representatives, who may be assisted by experts from the countries, the General Secretariat, and relevant inter-American, international, regional, and subregional bodies and institutions..."*

These elements announce that the time has come to create instruments, protocols for action, and human resources and materials data banks, to be agreed on and shared by the aggregate of the countries. We need to make progress on the creation of a hemispheric scheme for prevention and response.

In this regard and in compliance with the latest Resolution, we suggest moving forward in the appointment of a Working Group who will review the existent rules, protocols, working guidelines, and mechanisms, and submit a proposal to the Hemisphere by the end of 2010.

We call upon the Member States to participate actively in evaluating how the Working Group should be made up. We must also analyze what the working method and meeting schedule should be, and what national, regional and subregional standards and experiences should be included in the mechanism that we design.

The Argentine Republic is interested in providing support to this Working Group, and we therefore include some ideas for the debate, which must be governed by the fundamental principles of humanitarian assistance: neutrality, impartiality, independence, and respect for national sovereignties.

2. CONSIDERATIONS ON LEGAL ASPECTS

REVISION OF REGIONAL RULES

Before assessing the legal aspects for building a regional mechanism, we must bare in mind that 18 years after the establishment of the Inter-American Convention to Facilitate Disaster Assistance, in the General Assembly of the Organization of American States convened in Chile in 1991, only 4 countries out of its 34 members have signed or ratified it.

The revision and drafting of rules aimed at enabling, ensuring and improving Humanitarian Assistance mechanisms in the region should be carried out within the background provided by the Hyogo Framework for Action 2005-2015, signed and encouraged by our countries, and it will contribute to undertake the actions laid out in the International Strategy for Disaster Reduction.

Furthermore, we must take into account the advances made by international, regional and

subregional agencies. Some of the previous rules and regulations drafted for instance by the Office of Humanitarian Affairs of the United Nations, the International Committee of the Red Cross, the Andean Committee for Disaster Prevention and Care (CAPRADE), among others, should be taken into consideration together with the experiences and commitments made by our representatives in various specific international forums.

Within this context, we propose to reformulate the scope and limitations of humanitarian assistance, underscoring the subjects that enable a greater effectiveness and efficiency in our actions, and giving preeminence to the local prevention and strengthening activities that facilitate progress towards formalization, through regional agreements, protocols and standards.

Any development on this matter must give the potential assistance recipient country the prerogative to decide on legal and administrative aspects such as the need to grant helpers a visa, according to the recipient country's considerations, and the boundaries for the entry and deployment of international equipment on their territory.

Rules regarding the penal, civil and administrative responsibilities of the international assistance personnel must be outlined in a precise and simple manner, and provide the necessary legal tools that enable assistance recipient countries to decide, according to the seriousness of the disaster, upon the level immunity, and the entry and transit requirements that assistance teams must meet. These rules must also enable them to provide protection to the humanitarian assistance personnel pursuant to United Nations Resolution A/63/138 and other related resolutions.

In an attempt to reach truly effective agreements, we will seek consensus on the need to establish and report to a National Coordinating Authority, in accordance with the national legislation and the traditions and customs of each country. This authority would be linked to the regional or subregional coordination bodies that are yet to be defined. Every country would detail the duties of each component of their own response system, and in particular, the articulation between their protection, defense or response agencies, and the office responsible for coordination at an international level.

In a situation of emergency or disaster, once an affected country declares national state of emergency, the National Coordinating Authority would be responsible for sending assistance applications, receiving the offerings of other States, and coordinating assistance within its national jurisdiction.

Moreover, each country would have to analyze their rules, traditions and customs, with a view to generating effective and efficient devices before the possibility of becoming an international humanitarian assistance seeker or provider, or being on the transit territory of assistance. In reference to this, we will seek formal instruments to speed up or excuse them from certain customs procedures, facilitate the transit of means of transport, equipment, supplies, and personnel. The enforcement of these legal devices will be limited to the restricted areas delimited by the assistance recipient state or the state through which aid transits.

In this regard, the customs and migration agreements signed prior to an event of disaster will shed light on a large part of potential disputes. The region can assess these agreements, and once the relevant adjustments are made, embrace the "Model Agreement on Customs Facilitation" in emergency humanitarian assistance operations lead by the United Nations as an expeditious model. The Model Agreement, passed by the Permanent Technical Committee of the World Customs Organization in 1996, aims at laying the foundations for developing practical working procedures at a bilateral level between the United Nations and a specific country.

The notion of "Customs Facilitation" intends to "expedite and standardize" the customs procedures that humanitarian assistance operations entail for the organizations and agencies that take part in the process. This applies to delegates and experts in multilateral organizations missions, emergency intervention staff, international search and rescue teams, medical teams, specialized teams provided by the different government agencies, etc.

We will have to agree on rules towards the speeding of customs controls and record procedures of entry and exit for national or imported goods going to the humanitarian assistance efforts to help countries and peoples affected by disaster; and to the responders, their belongings and necessary equipment for the discharge of their duties.

By way of illustration, we can name some of these measures: simplifying documents and inspection procedures; making arrangements for the dispatch of assistance outside working hours and officially designated areas without granting additional benefits to customs staff for their assistance; authorizing the early presentation of documents; giving up any economic restrictions, rights and duties. As far as the "export" of supplies is concerned: the swift examination of goods when lodging a summary declaration; stamping assistance shipments with the customs stamp so as to prevent delays in the following stages of transportation; dispatching and storing assistance shipments in customs warehouses before they need to be exported. Regarding the "import" of goods, we can mention: temporary admission of goods with a conditional exemption on import taxes and duties; expeditious examination by sampling or selection. The "transit" of elements can be exemplified by the authorization to break up/gather assistance shipments for their following transportation without previous examination; or by the facilitation of the movement of shipments in transit.

3. OPERATIONAL PROPOSAL

GENERAL ASPECTS

We intent to develop a multilateral humanitarian assistance joint model for prevention, preparedness, and response activities to address disaster, organized by and with participation by the communities. The model should also include a local risk management approach, without overlooking the importance of the rehabilitation, rebuilding and development stages in which the outlined mechanism could be implemented.

As to the "coordination" of the regional humanitarian assistance system, we recommend analyzing the elaboration of a Humanitarian Assistance Coordination Matrix that includes a list of the national resources at the service of emergency and the potential needs of each country, according to their history of disaster.

In view of the strength, experience and work of many of the continent's emergency and disaster prevention and response agencies, we believe it would be appropriate to evaluate the possibility of setting a coordination model based on those structures. This would have a strong thematic impact on Andean Countries, Central America and the Caribbean, and it would progressively bring the Mercosur near.

The proposal envisages:

- Devising a liking system for coordinated humanitarian assistance and prevention, based on national possibilities and needs, and sustained by the experiences and strength of the specific subregional agencies.
- Detecting local capabilities and resources, and outlining prevention, action and response mechanisms in the countries involved.
- Articulating these resources, incorporating technicians, professionals, and local experiences and organizations.
- Drawing up local assistance management schemes that envisage common distribution and monitoring systems.
- Training vulnerable populations through risk management, prevention and emergency mitigation plans.

- Building local networks that can be added to the tools of social organizations and volunteer groups.
- Articulating the local scheme with international and regional bodies and initiatives (e.g. CHA, VNU, ISDR, OAS, etc.)

SPECIFIC ASPECTS

A. Coordination for disaster prevention and response:

- Devising and strengthening coordination mechanisms among national thematic Focal Points for the development of activities for prevention and immediate response.
- Enhancing communication mechanisms between those Focal Points.
- Designing a database of the available human and financial resources, logistics and equipment, and supplies.
- Reinforcing the existent comprehensive assessment mechanisms of damages, needs and demands.
- Elaborating a regional training plan.

B. Strengthening national structures:

- Regionally supporting the strengthening of the existing structures and institutions, and contributing to the development of the capacities needed for risk management.
- Specifying the needs of each country, both for their strengthening and response actions.
- Defining regional offers taking the national outlook into consideration.
- Enumerating the offers of each country and adding them to the created database (Coordination Matrix.)

C. Training, and knowledge and technique transfer:

- Contributing to train teams in civil protection areas and other areas involved.
- Going deeper into training for prevention, risk analysis, supply management and organization of storage facilities, crisis management, and the Emergency Operations Committee (EOC.)
- Outlining a comprehensive damage assessment model according to the specific needs.
- Devising plans to raise awareness on the complete process of disaster and prevention possibilities.

D. Regional support to disaster reduction strategies:

- Using the various thematic subregional supporters (IACNDR, INMD, ISDR, CEPREDENAC, CDEMA, CAPRADE, MERCOSUR-REHU, etc.), to set up and later on implement a model mechanism of this nature.
- Drawing up a meeting schedule for specific coordination mechanisms.
- Contributing to forge National Platforms for Disaster Reduction, in accordance with the efforts of the ISDR, and within the framework of the Hyogo Agreements.

E. Building a Humanitarian Assistance Coordination Matrix

Creating a coordination, planning and monitoring tool at the service of the needs assessed by each country and their possibilities and perspectives of offering or requesting assistance, or providing emergency resources.

The Coordination Matrix would enable each country to define the kind of contribution that they could put at the service of the requester, or could request, according to their history of events of disaster and the set criteria. This entails outlining and implementing a recording, planning, coordination and follow-up mechanism that speeds up procedures and boosts humanitarian assistance in the region.

This component of the White Helmets' proposal aims at creating an instrument for the generic record of the human resources, humanitarian supplies and equipment that the countries signatories to this instrument would be able to provide in a multilateral response to disaster.

In turn, the matrix would take down, considering the historical sequence of disaster in each

country, the characteristics of disasters, the needs that arise when it strikes, and the requirements for strengthening, training and exchanging experiences oriented towards prevention and improving the capacity of response. The coordination stage would profit from both data fields for planning future actions, and organizing response in the face of a situation of emergency or disaster.

To summarize, each country would inform the Matrix, directly or through a previously authorized organization, of the assistance provided or received by them. In order to offer humanitarian assistance to the regional community, the countries will have to define their humanitarian resources (logistics, supply management specialists, sanitary doctors, psychosocial assistance, shelter and community center organizers, communication, etc) and material resources (food, medicine, drinking water, cabanas, clothing and footwear, etc.) They will also have to detail the type of resources they lacked when they had to resort to international humanitarian assistance in previous disasters.

This information must be as detailed as possible, and include a complete description of the magnitude, volume, quantity and location of the delivered assistance.

Each country would appoint a National Coordinating Authority in compliance with their legislation and traditions and customs, and would keep the information regarding the officials responsible for coordinating international humanitarian assistance updated.

F. Organizing a regional structure for the effective management of emergency humanitarian supplies

Following the experience of the implementation of supply management systems and actions developed by the various countries, agencies and bodies in situations of disaster, we put forward the appointment of subregional teams specialized in setting up common devices for a comprehensive management of emergency resources that incorporate local trained structures and volunteer groups.

We intend to develop standardized response tools that bring transparency and efficiency to operations and facilitate the inclusion of vulnerable communities, or communities directly affected by disaster, in the supply management process and global response.

The subregional disaster response, coordination and preparedness structures will be in charge of the coordination and overall implementation of the process, with its offices in subregional organizations and one coordination team per each one of them.

Proposal scheme (Coordination Matrix)

1. GENERAL COORDINATION TEAM
Articulating trainings and defining support to the subregions in situation of emergency or disaster.
2. SUBREGIONAL RESPONSE COORDINATION TEAM
Organizing the tasks of specialized teams in every country in their subregion.
Coordinating trainings for disaster prevention, response and intervention.
 - ACS
 - CAPRADE
 - CDEMA
 - CEPREDENAC
 - UNASUR
 - MERCOSUR - REHU
3. SUBREGIONAL TECHNICAL TEAM
Responsible for training, organizing and supporting activities in situations of disaster.
4. NATIONAL TECHNICAL TEAM
Summoning and training volunteers; setting up the linking system and articulating the supply management device with every actor involved in the management of crisis;

coordinating the team of volunteers.

5. VOLUNTEER TEAM

It is Pre-integrated by members of vulnerable communities and populations affected by disaster.

Responsible for carrying out the tasks of the logistics chain of emergency supplies.

Besides a situation of disaster, a tool with these features would enhance the elaboration of inventory and supply management systems in every organization involved in the general system of prevention and response (civil protection, health, education, civil society organizations, etc.)

4. WORKING GROUP ROUTING SHEET WITH A VIEW TO IMPLEMENTING THE REGIONAL MECHANISM

- A. Agreeing on an agenda for the Working Group
 - Elements

- B. Outlining the strategy for building a regional mechanism for PREVENTION, RISK MANAGEMENT and RESPONSE
 - including: participation by the Community (Hyogo Framework for Action); the reinforcement of local capacity and community organization; local and regional training

- 1. Registering, comparing and reconciling the existent protocols in the Ministries of Foreign Affairs of Latin America and the Caribbean.

- 2. Proposal for tax exemption (on supply imports / exports)

- 3. Facilitation of customs procedures

- 4. Prevention / response actions scheme
 - a. PREVENTION
 - (Local) Strengthening
 - Building local capacity
 - Organizing communities
 - Constituting volunteer teams
 - Training
 - Local workshops
 - Regional courses

 - b. Agreeing on a COORDINATION mechanism (regional / subregional)
 - Framework of rules (complementary to the ones regarding customs and taxes)
 - Building an emergency alert and declaration mechanism
 - Customs and transit facilities
 - Operational Model
 - Strengthening the country
 - Subregional coordination

 - c. Creation of tools:
 - Humanitarian Assistance Coordination Matrix
 - Management of supplies and warehouses

5. HEMISPHERIC ACTORS IN THE SPHERE OF HUMANITARIAN ASSISTANCE

The proposal of the White Helmets Initiative is, in the first place, a summary of the experiences, concepts, good practices and, why not frustrations, of not only one organization or country, but also of the 16 countries that make up our network of focal points, the 30 communities and

national governments that take part in prevention and comprehensive risk management projects, and the 27 events in the hemisphere that were assisted by disaster care and social emergency missions.

Likewise, we include a series of proposals presented in various regional forums by most of the main actors in comprehensive risk management.

Subregional Organizations

- Caribbean Disaster Emergency Management Agency (CEDMA)
- Coordination Centre for the Prevention of Natural Disasters in Central America (CEPREDENAC)
- Andean Committee for Disaster Prevention and Care (CAPRADE)
- Union of South American Nations (UNASUR)
- Southern Common Market (MERCOSUR) - REHU

National Experiences with Regional Projection and Multilateral Implementation

- Office of U.S. Foreign Disaster Assistance, and risk reduction, USAID.
- Coordination of the Task Force on Natural Disasters of the Rio Group, lead by Mexico
- Simón Bolívar Humanitarian Task Force, Venezuela
- Argentina's White Helmets Initiative
- Brazil's Zero Hunger Program

International Organizations

- Inter-American Committee for Natural Disaster Reduction (IACNDR)
- OAS Inter-American Network for Disaster Mitigation (INDM/OAS)
- Pan American Health Organization (PAHO)
- Inter-American Development Bank (IDB)
- Office for the Coordination of Humanitarian Affairs (OCHA)
- World Food Programme (WFP)
- United Nations International Strategy for Disaster Reduction (ISDR)
- International Committee of the Red Cross (ICRC)
- International Federation and National Federations of Red Cross and Red Crescent Societies
- Ibero-American Association of Civil Protection and Protection Governmental Agencies (Asociación Iberoamericana de Organismos Gubernamentales de Defensa y Protección)