

# Injects for Phase 2 – Regional and International Assistance

## Environment

### Environment Inject 1 –

#### Accepting assistance and costs (environment)



An international environmental organisation "Tree Aid International" is requesting immediate permission to send a team of arborists to undertake an assessment of any trees which might have been affected by the disaster. The team will require accommodation and transport to be provided by the government or local communities.



**Task:** Consider whether their offer of assistance should be accepted, and in doing so consider:

- Which government entity has the responsibility decide whether to accept their assistance?
- What are the criteria and conditions for deciding whether to accept such offers?

#### Discussion questions:

(See Reference IDRL Checklist)

	<b>Q4</b>	<b>Do your country's laws and regulations outline a process for requesting/welcoming offers of international disaster assistance, and for terminating international assistance?</b>
<input type="checkbox"/> Is there a specific governmental entity responsible for requesting international disaster assistance or accepting offers?		
<input type="checkbox"/> Are there procedures in place for such requests? Do your country's laws specify the level of detail to be included in the requests?		
<input type="checkbox"/> Are the procedures in place to ensure coordination and exchange of information about specific needs between the entity responsible for requesting international assistance and the national disaster management agency or civil protection?		
<input type="checkbox"/> Are the procedures clearly stipulated and the information easily accessible to governmental and non-state actors wishing to provide assistance?		
<input type="checkbox"/> Are there provisions in the law about the acceptance or refusal of international offers of assistance?		
	<b>Q5</b>	<b>Do your country's laws and regulations provide for necessary legal facilities to be provided to international assisting actors?</b>
<u>Additional facilities for international disaster relief</u>		
<input type="checkbox"/> Do national laws, policies or plans provide for free or reduced price facilities for relief and initial recovery providers, such as: in-country transport (including by national		

airlines), use of buildings and land, use of cargo equipment and loading/unloading support?		
	<b>Q6</b>	<b>Do your country's laws and regulations set out quality standards for international assisting actors?</b>
<input type="checkbox"/> Does the country's national laws and regulations provide for minimum standards in humanitarian/early recovery activities? <ul style="list-style-type: none"> <li><input type="checkbox"/> Are assisting actors and their personnel abiding by the country's domestic laws and applicable international law?</li> <li><input type="checkbox"/> Are they coordinating with domestic authorities and other assisting actors?</li> <li><input type="checkbox"/> Are they respecting the human dignity of disaster-affected persons at all times?</li> </ul> <input type="checkbox"/> Is the disaster relief and initial recovery assistance provided in accordance with the principles of humanity, neutrality and impartiality?		
<input type="checkbox"/> Are there minimum standards set out in your laws and regulations in line with international quality standards? <ul style="list-style-type: none"> <li><input type="checkbox"/> Is the support responsive to the special needs of vulnerable groups and adequate for the needs identified?</li> <li><input type="checkbox"/> Is it provided by competent and adequately trained personnel, in a transparent manner?</li> <li><input type="checkbox"/> Is it carried out with the appropriate involvement of affected persons, in a manner that is sensitive to cultural, social and religious customs and traditions?</li> <li><input type="checkbox"/> Is it carried out so as to minimize negative impacts on the local community, economy, job markets, development objectives and the environment?</li> </ul>		
	<b>Q7</b>	<b>Do your country's laws and regulations set out eligibility requirements for international assisting actors to receive legal facilities?</b>
<input type="checkbox"/> Do the legal facilities (point five above) provided by the affected State to international actors depend on their competence and experience, and compliance with domestic laws and international quality standards? <input type="checkbox"/> Was the determination of those international actors that would be eligible for receiving these legal facilities established before the disaster? <input type="checkbox"/> Do you maintain an updated list of approved actors?		
<b>IDRL Guidelines art. 24. Costs</b> <p>The costs of providing international disaster relief or initial recovery assistance pursuant to these Guidelines should normally be borne by the assisting State or assisting humanitarian organization. However, assisting States may agree in advance with the affected State for the reimbursement of certain costs and fees, or for the temporary loan of equipment.</p>		

## Injects Phase 2 – Regional and International Assistance

### **Check laws and policies related to:**

- Disaster management / emergency management / civil protection / humanitarian assistance
- Foreign Affairs
- International organizations
- Non-governmental organizations
- Food security
- Environment

### **See Model IDRL Provisions for the CDM Model Legislation**

### **Notes for Traffic Light exercise:**

- Consider the extent to which current laws and policies address the issues raised and whether they have the level of detail required.



**Environment Inject 2 –**

**Import requirements and accountability (food)**

An investigation is underway regarding a local NGO which has been distributing imported food containing a pest which is highly damaging to some of the local crops. The local NGO is refusing to accept responsibility, saying the food was imported by their international NGO partner and they were required to distribute it as per their partnership agreement. The international NGO claims the food should be exempted from normal restrictions because it is an emergency situation.

**Task:** What action should be taken by the government and by whom? What are the applicable laws and policies that apply?

**Discussion questions:**  
(See Reference IDRL Checklist)

	<b>Q5</b>	<b>Do your country’s laws and regulations provide for necessary legal facilities to be provided to international assisting actors?</b>
<i>Food, medication and quarantine</i>		
<input type="checkbox"/> Does the food safety law provide for any special or simplified procedures in disaster settings regarding food imports?		
	<b>Q6</b>	<b>Do your country’s laws and regulations set out quality standards for international assisting actors?</b>
<input type="checkbox"/> Does the country’s national laws and regulations provide for minimum standards in humanitarian/early recovery activities? <ul style="list-style-type: none"> <li><input type="radio"/> Are assisting actors and their personnel abiding by the country’s domestic laws and applicable international law?</li> <li><input type="radio"/> Are they coordinating with domestic authorities and other assisting actors?</li> <li><input type="radio"/> Are they respecting the human dignity of disaster-affected persons at all times?</li> </ul>		
<input type="checkbox"/> Is the disaster relief and initial recovery assistance provided in accordance with the principles of humanity, neutrality and impartiality?		
<input type="checkbox"/> Are there minimum standards set out in your laws and regulations in line with international quality standards? <ul style="list-style-type: none"> <li><input type="radio"/> Is the support responsive to the special needs of vulnerable groups and adequate for the needs identified?</li> <li><input type="radio"/> Is it provided by competent and adequately trained personnel, in a transparent manner?</li> <li><input type="radio"/> Is it carried out with the appropriate involvement of affected persons, in a manner that is sensitive to cultural, social and religious customs and traditions?</li> </ul>		

- Is it carried out so as to minimize negative impacts on the local community, economy, job markets, development objectives and the environment?

**IDRL Guidelines art. 4**

Assisting States and eligible assisting humanitarian organizations should assume responsibility for removing or disposing of any unwanted and unused relief and initial recovery goods, particularly if they may pose a threat to human health or safety, or the environment.

**Check laws and policies related to:**

- Disaster management / emergency management / civil protection / humanitarian assistance
- Foreign Affairs
- International organizations
- Non-governmental organizations
- Food security
- Agriculture
- Environment
- Quarantine
- Customs

**See Model IDRL Provisions for the CDM Model Legislation**

**Notes for Traffic Light exercise:**

- Consider the extent to which current laws and policies address the issues raised and whether they have the level of detail required.

**Environment Inject 3 –**



**Disposal of expired goods**

An international NGO is needing to dispose of a large number donated relief items and medications which were imported but found later to have passed their expiry date. They have been burning them in large bonfires because this is the only solution they can afford, but a local school claims this is against the law and is concerned about the potentially hazardous smoke haze. The INGO claims they are exempt from local laws because they are a foreign organisation working in a disaster situation.

**Task:** What are the relevant laws and policies that apply? Is the INGO exempt? What should they be doing instead? Who bears the costs?

**Discussion questions:**

(See Reference IDRL Checklist)

	Q5	<b>Do your country's laws and regulations provide for necessary legal facilities to be provided to international assisting actors?</b>
<p><i>Food, medication and quarantine</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Does existing law regulating medications have special or simplified rules to facilitate and monitor the import/export of medications for disaster relief?</li> <li><input type="checkbox"/> Does the food safety law provide for any special or simplified procedures in disaster settings regarding food imports?</li> </ul>		
	Q6	<b>Do your country's laws and regulations set out quality standards for international assisting actors?</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Does the country's national laws and regulations provide for minimum standards in humanitarian/early recovery activities?             <ul style="list-style-type: none"> <li><input type="radio"/> Are assisting actors and their personnel abiding by the country's domestic laws and applicable international law?</li> <li><input type="radio"/> Are they coordinating with domestic authorities and other assisting actors?</li> <li><input type="radio"/> Are they respecting the human dignity of disaster-affected persons at all times?</li> </ul> </li> <li><input type="checkbox"/> Is the disaster relief and initial recovery assistance provided in accordance with the principles of humanity, neutrality and impartiality?</li> <li><input type="checkbox"/> Are there minimum standards set out in your laws and regulations in line with international quality standards?             <ul style="list-style-type: none"> <li><input type="radio"/> Is the support responsive to the special needs of vulnerable groups and adequate for the needs identified?</li> <li><input type="radio"/> Is it provided by competent and adequately trained personnel, in a transparent manner?</li> </ul> </li> </ul>		

- Is it carried out with the appropriate involvement of affected persons, in a manner that is sensitive to cultural, social and religious customs and traditions?
- Is it carried out so as to minimize negative impacts on the local community, economy, job markets, development objectives and the environment?

**IDRL Guidelines art. 4**

Assisting States and eligible assisting humanitarian organizations should assume responsibility for removing or disposing of any unwanted and unused relief and initial recovery goods, particularly if they may pose a threat to human health or safety, or the environment.

**Check laws and policies related to:**

- Disaster management / emergency management / civil protection / humanitarian assistance
- International organizations
- Non-governmental organizations
- Medicines/controlled substances
- Environment
- Health and Sanitation
- Customs

**See Model IDRL Provisions for the CDM Model Legislation**

**Notes for Traffic Light exercise:**

- Consider the extent to which current laws and policies address the issues raised and whether they have the level of detail required.