



**ORGANIZATION  
OF AMERICAN  
STATES**

# **BEST PRACTICES & RECOMMENDATIONS: DISASTER LEGISLATION & INSTITUTIONAL FRAMEWORK**

**WATSONWEBLEY**

**CARIBBEAN EMERGENCY LEGISLATION PROJECT | REGIONAL WORKSHOP |  
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# What is a Best Practice?



**Definition:** –noun

A technique or methodology that, through experience and research, has reliably led to a desired or optimum result;

A practice which is most appropriate under the circumstances given external and systematic forces

# Benchmarked Territories

- ❑ **Africa:** The Gambia & South Africa
- ❑ **Pacific:** Marshal Islands, Australia, Fiji, Micronesia, Vanuatu
- ❑ **Asia:** Singapore, India, Indonesia, Philippines
- ❑ **Americas:** United States of America, Canada, Colombia



# Disaster Declarations

## DEFINITIONS

- Move away from rigid labels of emergency or disaster
- Address the impact and result of the disaster vs. the type
- Natural & man-made disasters covered
- Eminence and threats of disaster covered

## PROCEDURES

- Authority to make declarations
- Governance and accountability is clearly addressed
- Mass-communication on the local, regional & international level
- Written with specificity

## DURATION

- Flexible
- Based on actual circumstances vs. fixed in legislation

## POWERS

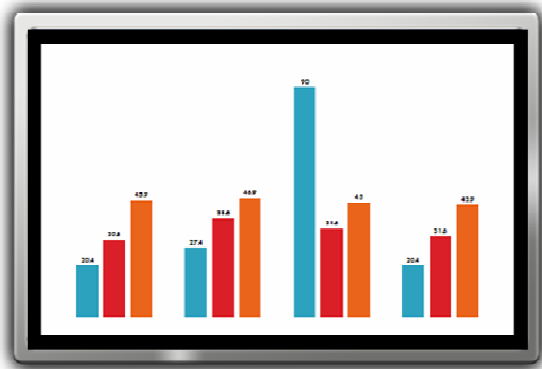
- Powers stated with specificity
- Regulation making powers
- Clearly who and what entities are vested with power

# Funding: Mechanisms

- Dedicated primary funding source (e.g. disaster funds)
- Supplementary or Contingency Funding Mechanism
- Pooling of risk between public & private sectors (e.g. disaster taxation, insurance)
- Transform donor funds into a sustainable funding source (e.g. CCRIF)

**IMPORTANT:  
LACK OF FUNDING IS  
THE CRITICAL DEFICIT  
FOR DISASTER  
MANAGEMENT SYSTEMS  
WORLDWIDE**

# Funding Mechanisms: Features



The desired characteristics and underlying principles for disaster funding methods include the following key elements:

- ❑ Adequacy & Efficiency
- ❑ Risk Exposure Analysis
- ❑ Risk Pooling
- ❑ Address Moral Hazard
- ❑ Embedded in legislation
- ❑ Governance & Accountability

# Other Critical Areas

## TELE-COMMUNICATIONS

- Tampere Convention
- Global standard on disaster communications
- Adopted in only Barbados, Dominica, Haiti & St. Lucia and St. Vincent & Grenadines

## INTERNATIONAL AID

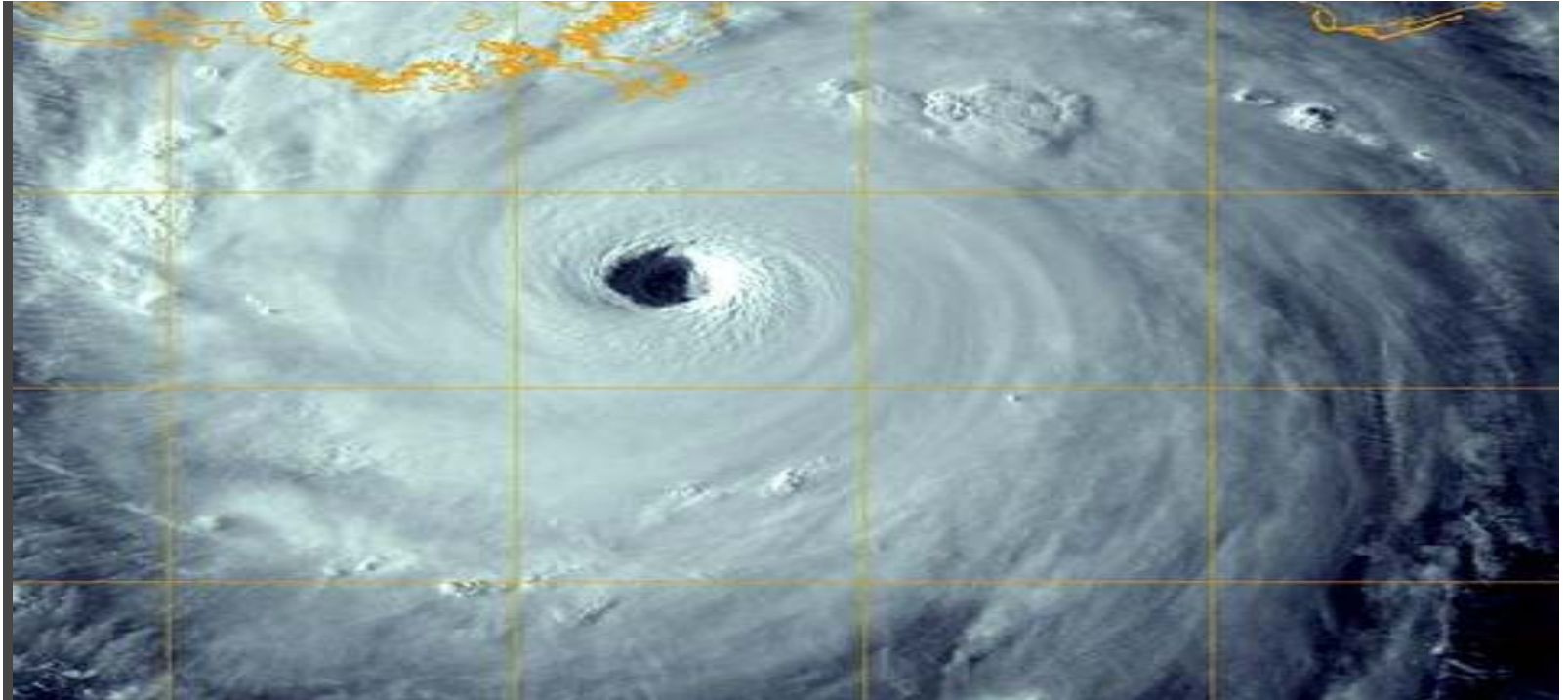
- IFRC is the primary international body with respect to aid
- Initiation & Termination of aid
- Coordination
- Privileges & Immunities
- Immigration , Customs & Taxes
- Legal status

## SECURITY & HEALTH

- Contemplated as disasters due to destabilizing and widespread impact
- Disaster management system should extend to respond to these disasters



OAS / DSD



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