



Asia-Pacific  
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# Emergency Response Travel Facilitation for Personnel, Goods and Equipment in Times of Crisis



A Stocktaking Study prepared for the  
APEC Emergency Preparedness Working Group  
(EPWG) (SUMMARY REPORT)



**Asia-Pacific  
Economic Cooperation**

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September 2013

### **DISCLAIMERS**

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## Acronyms

ABAC	APEC Business Advisory Council
ABTC	APEC Business Travel Card
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
ATA	(also A.T.A) Admission Temporaire/Temporary Admission
BMG	Business Mobility Group (APEC)
BOI	Board of Investment
CIS	Commonwealth of Independent States
CSO	Civil Society Organizations
CSR	Corporate Social Responsibility
CTI	Committee on Trade and Investment (APEC)
DHL	(Private sector international logistics and delivery company)
DHS	U.S. Department of Homeland Security
DMRS	Disaster Monitoring and Response System
DOS	U.S. Department of State
DRT	Disaster Response Team
EPA	Environmental Protection Agency
EPWG	Emergency Preparedness Working Group
ERTF	Emergency Response Travel Facilitation
FEMA	U.S. Federal Emergency Management Agency
GDP	Gross Domestic Product
HA/DR	Humanitarian Assistance and Disaster Relief
I/NGO	Intergovernmental and Nongovernmental Organizations
IDRL	International Disaster Response Laws
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IT	Information Technology
MOU	Memorandum of Understanding
NDCC	National Disaster Coordinating Council (Philippines)
NDMA	National Disaster Management Agency
NEXUS	(a Canada-U.S. border crossing program for frequent travelers)
NGO	Nongovernmental Organization(s)
NRF	National Response Framework
NVOAD	U.S. National Voluntary Organizations Active in Disaster
NZCS	New Zealand Customs Service
OCD	Office of Civil Defense (Philippines, et al.)

OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OFDA	(USAID) Office of Foreign Disaster Assistance
OSS	One-Stop-Shop
PDC	Pacific Disaster Center
PNG	Papua New Guinea
PNRC	Philippines National Red Cross
PNWBHA	Pacific North West Border Health Alliance
PS	(Canadian Department of) Public Safety
SCCP	Sub-Committee on Customs and Procedures
SCEPC	Senior Civil Emergency Planning Committee
SCO	Shanghai Cooperation Organization
SEZ	Special Economic Zone(s)
TATF	Technical Assistance and Training Facility
THB	Thai Baht
U.S.	United States (of America)
UH	University of Hawaii
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNITAR	United Nations Institute for Training and Research
UPS	(Private sector international logistics and delivery company)
USAID	United States Agency for International Development
USAR	Urban search and rescue
USD	U.S. Dollars
USG	U.S. Government
WCO	World Customs Organization
WFP	World Food Programme
WTO	World Trade Organization



## Contents

Acknowledgements .....	i
Acronyms .....	iii
Introduction .....	1
I. Emergency Response Travel Facilitation Background.....	1
II. Results of APEC Stocktaking Survey .....	2
Legislative Framework .....	2
Practical Issues and Challenges .....	3
III. Case Studies .....	3
Legislative Frameworks.....	3
Cross-border Collaboration.....	4
Lessons from Large Events.....	5
IV. Conclusion and Recommendations.....	6
General recommendations .....	6
More specific recommendations from APEC survey respondents .....	7
References:.....	8



## Introduction

During major disasters, even the most prepared economy may need to solicit relief assistance from international partners to save lives, assets, and environmental resources. Entry of emergency responders, goods, and equipment can be complex and involves multiple government functions ranging from immigration and customs, disaster response, professional certification, health, safety and security. Yet, few economies have comprehensive laws, guidelines, or procedures to coordinate this process, and few allocate adequate resources to deal with the cross-border disaster issues.

In recognition of this gap, Indonesia made emergency response travel facilitation (ERTF) a priority for its 2013 host year and brought together APEC's Business Mobility Group (BMG), Sub-Committee on Customs and Procedures (SCCP), and Emergency Preparedness Working Group (EPWG) to develop an action agenda. Recommendations of this action agenda include: 1) taking stock of procedures and policies related to delivering and receiving disaster assistance; 2) developing a work plan to address issues related to ERTF; 3) exploring practical cooperation to develop measures that would expedite border formalities for a limited number of emergency responders; and 4) ensuring that ERTF remains a priority agenda item in APEC and the EPWG.

As a part of this wider effort, the objective of this report is two-fold: 1) to understand current policies and procedures governing the cross-border movement of emergency personnel and disaster goods and equipment within APEC economies; and 2) to identify best practices that can be used to help formulate policy recommendations to effectively deal with the international movement of emergency responders, disaster goods and equipment. The Technical Assistance research team understands that various APEC economies differ in terms of their legal frameworks and governmental structures. Therefore, it is understood that no action that challenges the sovereign rights and independent decision making of any economy can be advanced. The accommodation of these differences will have to be considered as APEC moves toward emergency response travel facilitation.

## I. Emergency Response Travel Facilitation Background

ERTF addresses issues and procedures related to the entry and operation of international personnel, goods and equipment into an economy that requests urgent humanitarian assistance and disaster relief (HA/DR). ERTF issues are multi-dimensional and relate to:

- **Personnel** (e.g., granting of visas, work permits, recognition of credentials, free movement)
- **Goods and Equipment** (e.g., inspection requirements, import/export/re-export restrictions, customs clearance, addressing unwanted materials, quarantine, fumigation, and food restrictions)
- **Transport** (e.g., permission for vehicles, insurance, free movement, disposal of vehicles)
- **Legal Issues** (e.g., legal status, currency, hiring/terminating local staff, temporal credentials and licenses, liability issues, corruption)
- **Finance and Taxation** (e.g., exemptions/refunds for customs duties, taxation, tariffs, or fees; provisions for currency exchange and money transfer)
- **Safety and Security** (e.g., provision of care for responders; safety of personnel; public announcements of special policies affecting entry facilitation).

A number of organizations are developing a body of good practice to deal with these issues. Perhaps the most respected and far-reaching efforts to improve entry facilitation are being spearheaded by the International Federation of Red Cross and Red Crescent Societies (IFRC). In their numerous initiatives, IFRC advocates the establishment of a relevant and effective set of rules and regulations,

both domestic and international, for foreign entry facilitation. The IFRC suggests that disaster response laws and procedures should be based on *three core principles*<sup>1</sup>:

1. Domestic authorities are the primary party responsible for HA/DR in times of domestic crisis. International assistance should only complement, not replace, domestic efforts.
2. International assistance should adhere to a minimum set of quality standards.
3. Authorities from the economy receiving international assistance should facilitate entry of relief personnel, goods, and equipment by expediting visas and customs clearance, enabling swift transport, and providing legal support and protection to foreign relief personnel on duty.

This report builds on this body of emerging good practice in the area of travel facilitation, and identifies the issues most salient to the Asia Pacific region, through the analysis of a detailed survey administered by the APEC Emergency Preparedness Working Group (EPWG).

## II. Results of APEC Stocktaking Survey

The purpose of the APEC ERTF Survey was to take stock of the current practices and challenges within APEC economies related to delivering and receiving international assistance. A total of 19 APEC economies responded to the survey.<sup>2</sup> The survey questions targeted information on the legislative framework, practical issues, and entry facilitation best practices from experts who are knowledgeable about topics areas related to entry facilitation. Major findings from the survey are summarized below. More complete analysis of findings can be found in the full report.

### Legislative Framework

Survey question #1 asked, “Does your economy have bilateral, multilateral, or regional treaties and agreements, which facilitate cross-border movements of international disaster assistance to your economy?” Fifteen of eighteen economies responding to the question indicated that they participate in bilateral, multilateral, or regional treaties and agreements that address entry facilitation, and one additional economy indicated that such agreements were planned for the future. Among treaties and conventions, the Kyoto Customs Convention is by far the best known, most relevant, and most actively used by survey respondents. While many respondents were not familiar with the resolutions and guidelines listed, the UN General Assembly Resolutions were perceived as being the most significant. While the IFRC IDRL Guidelines and the Model Act are less well known to respondents, Canada, Mexico, and Russia cited the importance of these guidelines and have actively incorporated them.

Another question asked, “Does your economy have any domestic regulations or legal guidelines to identify who is allowed to enter the economy for the purpose of disaster relief?” Eleven of sixteen responding APEC economies indicated that their economy has domestic regulations to identify who is allowed to enter the economy for disaster relief, and an additional two indicated that such regulations or guidelines were planned. Current legal frameworks and their implementation appear to be based on the immediate relief needs with lesser consideration given to business continuity and future sustainability.

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<sup>1</sup> IRDL Guidelines can be downloaded at <http://www.ifrc.org/idrl>

<sup>2</sup> The economies submitting responses include Australia; Brunei Darussalam; Canada; Chile; China; Hong Kong, China; Indonesia; Japan; Malaysia; Mexico; New Zealand; Peru; Republic of Korea; Russia; Singapore; Chinese Taipei; Thailand; United States; and Viet Nam.

One important function of regulations and guidelines is to prioritize the entry of international assistance. APEC economies have used a variety of approaches, including ad hoc procedures, standard blanket procedures, and pre-authorization. Survey responses provide little evidence of solid legislative frameworks that specify how to pre-authorize and prioritize entry of the most appropriate and urgently needed international response (as recommended by the Model Act). One effort in this area is Australia's minimum standards for authorizing foreign responders working in the economy, including accreditation and equipment standards. Similarly, Canada developed a triaging process in the context of its Federal Emergency Response Plan to prioritize the people and goods that are most urgently needed. It also includes a process to communicate key information and decisions with stakeholders.

Certain types of emergency goods and equipment, such as medical supplies, telecommunications, or search and rescue animals play a crucial role in response operations and can pose a challenge from a customs perspective. The majority of respondents have specific regulations and procedures covering medications and medical equipment, food, and vehicles. Other categories addressed by economies include search and rescue equipment and specialists' tools (Australia), military supplies and equipment (Canada), or clothing, footwear, tents and premade modular houses (Peru). Even when procedures are in place, regulatory challenges could still arise.

### **Practical Issues and Challenges**

The survey also explores a variety of practical issues related to ERTF from the perspective of an economy receiving, providing, and supporting the transit of international assistance. Survey responses confirm that, in times of major disasters ad hoc procedures tend to lead to bureaucratic bottlenecks and operational confusion, and consequently, such procedures result in delays in rescue and recovery operations. Many economies have created interagency special task forces to help resolve this issue. With respect to personnel, visa issuance does not appear to be particularly problematic. However, recognition of credentials of foreign responders and issuance of work permits continue to present problems. This issue is important not only from the perspective of humanitarian assistance, but also for business continuity. For goods and services, the most problematic issues include customs clearance delays due to insufficient or incorrect documentation, rigidity of customs procedures, and the large volume of relief goods. Other issues relate to specific types of goods and equipment, in particular medications and medical equipment, as well as the suitability of relief goods to address critical needs. This indicates that pre-authorization and prioritization strategies for international assistance may provide improvements compared to ad hoc decisions by the customs authorities in times of disaster.

## **III. Case Studies**

To provide more detailed information on specific domestic or regional initiatives in APEC economies, the study includes a series of case studies on three main topics: 1) Domestic Legislative Frameworks; 2) Cross-border Collaboration; and 3) Lesson Learned from Large Events. More details on these case studies are available in the full report.

### **Legislative Frameworks**

Strong domestic and international legislative guidelines are needed to ensure economies can quickly and effectively recover after a disaster. The following three case studies describe actions taken by three APEC economies to develop a domestic ERTF legislative framework.

**Thailand.** The Thai government has taken a number of steps to improve the domestic legislative framework related to disaster management, including the passage of the 2007 Disaster Prevention and Mitigation Act and the development of a National Disaster Prevention and Mitigation Plan for 2010-2014. Currently, the government is revising the Act to amend the Customs Tariff Decree to better facilitate customs clearance of relief items after disasters (WCO 2012, 6). Also, in 2013 Customs developed a Business Continuity Plan (BCP) to help maintain operations and quickly recover critical business processes during disasters. This measure was partially in response to disruptions at a number of customs facilities during the 2011 flooding (Thai Customs 2013B). In addition, Thailand is developing an action plan to help improve the facilitation of the movement of relief goods and personnel during times of emergency.

**Viet Nam.** Viet Nam has a large number of laws and regulations covering different types of disasters, but no single comprehensive law on disaster management (IFRC 2009). In 2007, Viet Nam approved a National Strategy on Natural Disaster Prevention, Response and Mitigation to 2020. This strategy focuses on developing a comprehensive domestic disaster response plan. It includes policies and guidelines related to the UN Convention for Climate Change, the Kyoto Protocol, and the Hyogo Framework for Action. In 2009 an Implementation Plan for this strategy was approved that includes the development of regulations to establish disaster assistance organizations and improve the efficiency of resource mobilization. Viet Nam has been working to develop an action plan to accompany the policy changes to help improve the facilitation of relief goods and personnel during times of emergency (WCO 2012).

**Indonesia.** After the 2004 Indian Ocean Tsunami, disaster management reform became a priority for the Indonesian Government (UNDP 2009). Development of the new legislation involved several domestic and international stakeholders including the Indonesia Society of Disaster Management (MPBI), the Indonesia Red Cross (PMI), the IFRC, OCHA, and UNDP. This consultative process contributed to the passage of the 2007 Law Concerning Disaster Management (Law 24/2007), which established the National Disaster Management Agency (BNPB). This law and its accompanying regulations outline the mechanism for the participation of international institutions and foreign NGOs in disaster management (PP23/2008). In a non-emergency situation, the new legislation requires organizations that participate in disaster management to put into place a memorandum of understanding and workplan between BNPB and the organization on the type of support to be offered. The legislation also provides a simplified procedure for disaster response emergencies. The head of the BNPB must grant approval based on disaster relief needs (PP23/2008). As with Thailand and Viet Nam, Indonesia is working to develop an action plan to accompany the policy changes to help improve the facilitation of relief goods and personnel during emergencies (WCO 2012).

### **Cross-border Collaboration**

Important lessons can be learned from the example of cross-border collaboration between Canada and the United States (U.S.). The two economies share the longest border in the world, with 5,525 miles across 13 U.S. states and eight Canadian provinces. Approximately 300,000 people cross the border in both directions each day (Public Safety Canada (A)).

**Economy-level Collaboration.** Canada and the U.S. have established a variety of bilateral acts, agreements, and plans for collaboration on emergency management. For example, the *Agreement between the Government of Canada and the Government of the United States of America on Emergency Management Cooperation* (signed 2008, entered into force 2009), sets the framework for federal-level collaboration on emergency management on issues including the movement of evacuees,

emergency personnel, and equipment; information sharing; and joint efforts for management of emerging threats (DHS (A); Canada Treaty Information). Another example is the non-binding *Canada-United States Action Plan for Critical Infrastructure* (2010), which aims to improve sector-specific cross-border collaboration and information sharing during and following incidents (DOS; Public Safety Canada (B)). The U.S. and Canada also have the joint NEXUS program for faster processing of pre-screened travelers, which may be helpful for enrolled responders (DHS (B)). The United States and Canada waive customs duties and taxes for emergency equipment and supplies. A complete list of bilateral tools can be found in the Compendium of U.S.-Canada Emergency Management Assistance Mechanisms, 2012 (DHS (A)).

**Local-level Collaboration.** The bordering economies have established collaboration agreements with detailed procedures for disaster response at the local level. One example is the Pacific North West Border Health Alliance (PNWBHA), which includes the Canadian provinces Yukon Territory and British Columbia, and the U.S. states Alaska, Washington, Montana, Idaho, and Oregon. PNWBHA holds an annual workshop and has established operational guidelines for moving emergency medical staff and resources across the border. The guidelines help facilitate timely and efficient movement of personnel, goods, and equipment across the border in a declared emergency or mass casualty incident that requires a response beyond the state or provincial capacity (PNWBHA (A), (B), (C)).

### Lessons from Large Events

The case studies in this section provide insight into how the Philippines, Chile, and Thailand managed large disaster events that required international assistance.

**Typhoons Ketsana (Ondoy), Parma (Pepeng), and Mirinae (Santi), Philippines.** In September and October 2009, the Philippines was hit by three typhoons: Ketsana (Ondoy), Parma (Pepeng), and Mirinae (Santi). These three typhoons contributed to about 1,000 deaths and 700 injuries. Several lessons were learned during this series of storms. First, the Philippine government successfully leveraged private sector knowledge through the deployment of a DHL Disaster Response Team, which helped unload 450 tons of relief goods. This “surge capacity” helped when customs employees were dealing with their own flooded homes (DHL 2009). Second, the response effort provided an opportunity to pilot a “one-stop-shop” (OSS) mechanism for entry of humanitarian response supplies that brings together all concerned agencies at a single point of entry. A third important lesson learned is that relief supplies may be sourced locally if local markets are functioning and supplies are sufficient. Under its OFDA grant the American Red Cross, working with the Philippines National Red Cross (PNRC), used local procurement for many of the needed supplies. This reduced the burden on customs, improved efficiency of the relief effort, and helped support the local economy.

**February 2010 Earthquake in Cobquecura, Chile.** In February 2010 Chile experienced an earthquake with a magnitude of 8.8 on the moment magnitude scale. More than 500 people died, about 12,000 were injured, and 800,000 were displaced (Araneda et al, 2010). Over 40 economies contributed to response and recovery efforts with over US\$70 million in official and private contributions. Initially, this large volume of donations led to logistical problems. In response, Chile adapted its military planning model for operations other than war. Strategies included, among others: 1) mapping disaster needs, transportation routes, warehouses, and response resources to improve the coordination of response; 2) creation of a standard family box, with basic food supplies for a family of four for four days; 3) reduction of central warehousing needs by implementing mixed distribution strategies and local distribution; and 4) training of Town Hall staff and appointing delegates to supervise the distribution. Lessons learned have been institutionalized post-disaster to help to better

prepare for similar situations in the future. This includes development of training for emergency response personnel, a system of agreements with warehouse facilities and suppliers, and improved information and communications systems. These new policies and strategies have been tested and have proven effective in the response to emergencies stemming from volcanic eruptions in the South of Chile in 2012 and 2013 (Pesse 2013).

**2011 Flooding, Thailand.** Thailand experienced its worst flooding in roughly 50 years from late July to early December 2011. The flooding killed as many as 680 people, and forced more than 165,000 people from their homes. The World Bank estimates that economic losses associated with the flooding amounted to THB 1.4 trillion (about USD\$45.7 billion), making the floods one of the top five costliest natural disaster events in modern history (Aon Benfield 2012). This case provides a useful lesson on providing a flexible regulatory environment during and following a natural disaster. The impact of the flooding was felt acutely in the manufacturing sector, which accounts for more than 35 percent of Thai GDP and 20 percent of employment (WDI 2011). This sector has a high level of foreign investment, particularly in the special economic zones (SEZs). The Thai Customs Department took measures to minimize the impact of the flooding on the manufacturing sector by allowing businesses located in the SEZs to move goods, equipment, and operations out of the flood zones without losing preferential treatment under customs and tax laws.

## IV. Conclusion and Recommendations

### General recommendations

Given the diversity of the APEC member economies, it appears presumptuous to propose a set of specific recommendations to better facilitate movements of relief responders, goods and equipment, and funds between assisting and receiving economies. Instead, moving forward as a community, the following activities are proposed to support emerging good practice in travel facilitation:

1. Continue to review and self-assess domestic policies and procedures with regard to providing and hosting international relief assistance.
2. Update and improve—within individual economies—current domestic legislation to align with new domestic and global realities, and with the international framework proposed by institutions such as International Federation of Red Cross and Red Crescent Societies, United Nations, APEC and ASEAN.
3. Conduct gap analyses within separate economies to identify domestic resources, capacities, and competencies in dealing with major disaster scenarios to enhance domestic preparedness baselines, and pinpoint areas that might need international assistance and collaboration.
4. Intensify partnerships among government organizations, businesses, local communities for exploring scenarios of relief coordination and recovery, with business continuity and economic and social development as the end goal.
5. If a disaster strikes outside the economy, understand when to stand down and as appropriate volunteer as an assisting economy to join the international relief effort and to put domestic institutions into action.



## More specific recommendations from APEC survey respondents

We have included all of these insightful suggestions from survey respondents because they address the salient issues associated with legislation, preparedness and readiness, and best practices.

Collectively, respondents offer the following recommendations:

1. Document existing response capabilities, requirements, and standards for international assistance in APEC economies.
2. Determine legal baselines and barriers in APEC member economies, given their diversity.
3. Establish common legislation, regulations, procedures, and guidelines within APEC and promote bilateral and multilateral cooperation based on such provisions.
4. Leverage and promote successful initiatives, such as the IDRL Guidelines and Model Act in the APEC economic, social, cultural, and political context.
5. Continue to undertake dialogue and dissemination activities by conducting workshops and capacity-building programs that include learning from the experiences of APEC economies affected by disasters.
6. Increase awareness and engagement of APEC economies by collaborating with other regional initiatives, such as ASEAN.
7. Explore the expansion and facilitate usage of the APEC Business Advisory Council (ABAC) APEC Business Travel Card (ABTC) by approved emergency response organizations or agencies.

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