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1.0 Brief Project Description:

The Department of Sustainable Development (DSD) of the General Secretariat of the Organization of American States (GS-OAS), with the support of the World Bank ('the Bank'), is the executing agency for the Caribbean Emergency Legislation Project ('CELP'). The objective of the project is to build legislative capacity to enhance legal and institutional frameworks for state of emergency and budget appropriation in eleven CARICOM countries and the Dominican Republic. Further, the project aims to make recommendations on how to improve legislative channels and administrative procedures during, and immediately after, the occurrence of a natural disaster.

Pursuant to these objectives, the project will assess current legal-institutional frameworks in the Caribbean applicable under a state of emergency, review global best practices, and promote dialogue with national and regional stakeholders, in order to ascertain areas for improvement and make recommendations that are best suited for the Caribbean region.

2.0 Project components and Expected Outcomes:

The project consists of the following components:

1. Improving the Legal and Institutional Frameworks Related to State of Emergency



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The activities of this component will support the development of recommendations to improve the legal and institutional frameworks related to state of emergency, and budget appropriation and execution in emergency situations by: (a) analyzing the existing legal and institutional frameworks in the countries; (b) conducting a comparative analysis of these frameworks in other regions; and (c) identifying best practices and formulating recommendations to revise state of emergency legislation and administrative procedures. The expected outcome from the execution of these activities is that needs will be identified and recommendations made to improve legal and institutional frameworks during a state of emergency.

2. National and Regional Outreach and Validation of Findings

This component involves initiating dialogue at both the national and regional levels on how to improve state of emergency legislation. The dialogue will be guided by the analytical findings and recommendations arising out of Component 1, and will manifest through: (a) conducting national workshops in select countries, with experts engaged in natural disaster emergency management, budget appropriation, and legislative reform; and (b) conducting a regional workshop to discuss: the findings and recommendations of the legal and institutional framework analysis, and the steps that may be taken to implement reforms. It is expected that activities under this component will yield a participatory assessment of the state of the legal and institutional frameworks in the Caribbean, with recommendations for improvement offered.

2.1 Description of Results

The following is a summary of the results achieved at the outcome level and related to project governance between January 2010 and July 2010.

2.1.1 Improving the Legal and Institutional Frameworks Related to State of Emergency

Pursuant to the project's work plan, the following three activities were executed to achieve this expected outcome:

- Activity 1.1. Assessment of national legal and institutional frameworks related to state of emergency, budget appropriation, including budget appropriation and execution.
- Activity 1.2. Comparative analysis of international legal and institutional frameworks
- Activity 1.3. Identification of best practices and recommendations for improving national and international legal-institutional frameworks.

The findings of each Activity will serve to assist each project country in improving their legal and institutional frameworks related to state of emergency.



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Regarding Activity 1.1, extensive field and desk research on the frameworks continued and concluded during the reporting period. Such research resulted in an inventory, composition of a matrix of the legal and institutional frameworks in all the project countries; an assessment of the gaps/weaknesses in the legal, institutional and financial frameworks; and the identification of key recommendations (including those specific to each project country) and conclusions.

The inventory and matrix include laws on physical planning, environmental management, public health and infrastructure. More specifically, the laws listed contain provisions that speak to the source of power and operational support upon which officials rely when disaster strikes. The following are some notable findings from this Activity:

- On average, for each country, five key legislative instruments were identified as being germane to the issues of the project. It was found that in all the project countries, except Haiti, there were constitutional provisions addressing the declaration of a state of emergency, particularly in the event of a disaster. The constitutions include provisions on the circumstances that must exist for a state of emergency to be declared, who can make the declaration, the duration, procedure to extend, etc.
- As a complement to the constitutional provision, eight out of twelve project countries has an Emergency Powers Act. The Act elaborates on the scope of the Governor General's powers and addresses the role of the Cabinet. Haiti specifically has Law of the Declaration of a State of Emergency, while Trinidad has a Disaster Measures Act.
- In Grenada, while the constitution gives the Governor General authority to declare a state of emergency, the National Disaster (Emergency Powers Act) gives the Prime Minister the authority to make a disaster declaration.
- Eight of the twelve project countries statutorily established a disaster management/preparedness/prevention agency or office. These Acts often outline, some more detailed than others, the agency's roles and responsibilities.
- All the project countries have a office/agency of emergency and/or disaster preparedness, mitigation, response, or management. Apart from government agencies, once a state of emergency is declared (or even before) support is often received from the local Red Cross and other external agencies.
- Few countries have complementary regulations.
- Most of the project countries do not have a national building code.
- In most project countries there is no specific line item allocation in the national budget for disasters nor is there a national disaster fund. Thus funds are generally taken from the Consolidated Fund which is governed by a Finance Act or other similar instrument, and disbursed by the Ministry of Finance once the appropriate procedure is followed by the entity responsible for disaster management/preparedness, etc. Notable exceptions however include the Dominican Republic which has a National Fund for Disaster Prevention, Mitigation and Response: Civil Defense Fund which has administrative, technical and financial autonomy. State Law for Budget No 423/06 establishes the amount to cover



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unexpected costs generated by public calamities or catastrophes, which must be approximately of 1 % of the budget and its use, is decided by the President of the Republic in conformity with the measures adopted by National Emergency Commission. Trinidad and Tobago established National Disaster Relief Fund (NDRF) which is accessible by the Government upon declaring a national disaster. The Fund was established to release funds to another government unit or to home-owners, for the construction of homes.

In terms of weaknesses in the legal and institutional framework the following are some of the findings:

- Whether combined or from a single source, *committed* resources for disaster management are woefully inadequate.
- Disaster and emergency management often fluctuate in importance at the political level.
- Donor agencies are often viewed as main funding sources instead of supplementary.
- Some countries focus on disaster response instead of prevention and mitigation.
- There is often difficulty in reconciling economic plans and development plans in terms of the regulation of building codes.
- Most project countries do not have a national building code.
- In Grenada, there is a potential for conflict between powers of the Governor General and Prime Minister in terms of making state of emergency and disaster declarations.
- Most project countries do not have a hierarchy of officials who can act where the original official (e.g. Governor General) is unable to act.
- In many project countries there is a lack of cohesion/coordination among response agencies. While in some countries disaster mitigation is being addressed in the country by individual agencies, it is not being done on a comprehensive national basis.
- Some legislation do not adequately elaborate on the roles the various bodies are expected to play in disaster management nor do they clearly indicate the action to be taken by empowered authorities in the event of a disaster.
- In some countries, such as Grenada the National Disaster Management Agency has not been established statutorily.
- Limited or no regulations accompany the disaster/emergency management laws.
- Some institutions do not have the capacity to effectively manage/prepare for an emergency/disaster.
- In a few project countries, information for prevention, mitigation and response, risk maps and vulnerabilities is only available for some areas.

The following are some of the key recommendations:

- Establish adequate legislative authority for disaster management .



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- Enact legislation to promote the implementation of improved standards for all buildings and infrastructure.
- Draft and implement regulations.
- Establish adequate funding mechanisms for disaster management.
- Create mechanisms for transparency and accountability of external agencies.
- Promote capacity building and strengthen institutional arrangements.
- Enhance risk management and insurance coverage for disasters.
- Promote the transfer and exchange of disaster information.
- Improve access to information and promote effective communication.
- Update national emergency plans and procedures.
- Strengthen community committees.
- Improve capability of disaster and emergency personnel.

Regarding Activity 1.2, the comparative study involved gathering disaster/emergency legislation from over 60 countries, and identified those examples that appeared to have the greatest potential relevance for the project countries. The analysis began by listing ‘key’ legislation and other instruments and identified the standards used in selecting them. The factors used to determine a ‘key’ instrument were: accessible language, coverage (only instruments specifically directed at emergency/disaster prevention, relief, management and/or funding mobilization were selected), country size¹, and development/income classification (relying on the World Bank Human Development Index classifications). Thus, on the basis of the above criteria laws from 31 countries provided key examples. It must be noted however, that these laws demonstrate a relatively high level of variability in the development of effective disaster/emergency legislation. Each national legislative revision, adjustment or amendment process undertaken by project countries will have different particular needs and challenges, and be called on to address them under very different legislative approaches. The study also provided a basic overview of the legislative types and processes found in the national legislation described in the matrix, followed by a similar overview of the international instruments.

The Activity examined at length, the declaration component of emergency and disaster laws including its purpose; how emergencies and disasters are defined along with how the clauses are integrated in the law; defining the relationship between emergency and disaster declarations; linking the declaration to specific activities and powers; other legislative procedures and choices such as who makes the disaster/emergency

¹ The greatest challenge for most SIDS arises from their relatively small size, workforce and national budget, leading normally to governmental units that are very limited in size, and to operational dynamics that require each governmental employee at the professional level to cover a relatively broad brief. Larger and more populous countries have larger national bureaucracies, enabling higher levels of specialization. Hence, although not a firm “rule” of this analysis, most of the “key” legislation selected came from smaller countries and SIDS



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declaration, the duration of the declaration, disaster management plans and their implementation; integrated legislative/administrative disaster systems; legislative provisions for disaster/emergency management and planning; relevant financial mechanisms such as normal administrative appropriation, extra-budgetary allocation, finance provisions in emergency legislation, national disaster funds, insurance, public guarantees and microfinance mechanism. The analysis also included an examination of international and regional hard and soft law instruments governing foreign actions in emergency/disaster situations;

The following are some key findings from the comparative analysis under Activity 1.2:

- Nearly all significant or overarching legislative/administrative development relating to emergency/disaster law occurs in countries recently after they have suffered major disaster or emergency events. This factor is closely related to the alignment of political will within the country, to avoid suffering such significant injury or damage in the future.
- Countries generally move from the use of system-models that are relatively similar to other countries (adopted as initial legislative approaches) to increasingly individual systems that are effective within their own unique national governmental, social, political and environmental situations. Experience enables each country to fine-tune its emergency-disaster legislation, to address and adjust to challenges identified and obstacles encountered in the country's most recent emergency or disaster².
- In countries that have relatively inflexible governmental checks and balances, a constitutional declaration will often be designed to create special powers for the central government in the event of a rather broad range of "emergencies" including war, domestic insurrection and in some cases commercial strikes. In some countries, disaster response processes and natural resource emergency activities are tied to or triggered by the central government's declaration of emergency or disaster. In other countries (including some that have a constitutional process for declaration of emergency or disaster) another agency or minister has a power to declare emergency/disaster, usually tied to special powers to access funds and/or to trigger the application of disaster/emergency plans.
- Where a country has more than one law that addresses such declarations, some have adopted legislation to clarify in detail a declaration process that was originally described in the constitution.
- It was difficult to assess 'effectiveness' of some laws through a desk study or to ascertain such information through interviews with local officials. One main reason is that some emergency/disaster frameworks have not yet been adequately tested in practice.

² For example: Following the Asian tsunami, officials in Thailand were quick to state that "*the Civil Defense Act of 1979 will soon be 'superseded' by a new Act*"



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- In most of the “key provisions”, a significant percentage of the text is given over to the formal legal establishment of one or more governmental disaster/emergency authorities, and the delineation of their mandates.
- Within the emergency/disaster frameworks studied, there are generally three kinds of bodies: (1) standing agencies or offices (governmental staff); (2) coordination commissions or similar cross-agency/cross-ministerial bodies comprised of representatives of a wide range of governmental and/or non-governmental units that are potentially involved in disaster/emergency prevention and/or response; and (3) oversight and/or advisory commissions whose membership consists of government or non-governmental members (or both).
- Only a few of the countries examined specifically created or enabled the creation of, by legislation, some type of standing emergency/disaster fund.
- The effectiveness a fund within a country’s national disaster/emergency framework is less dependent on the contents of the specific legislative provisions than on the organic laws, political commitment and economic ability of the country to commit the relevant funds and to view that commitment as permanent and non-retractable.
- At the core of budgetary and financial provisions is the belief that special policy treatment of disaster and emergency funds and disaster-related budgetary allocations is required in all countries. The goal will be to motivate legislators to insert legal mechanisms that essentially guarantee that adequate funds will be on hand at the critical time. While some countries’ laws and practices enable this type of mechanism, others do not. In many countries there is no direct means of ensuring future budgetary allocation.
- At the regional level (and possibly at the national level in countries with a high rate of public involvement in governmental oversight), provisions calling for public reporting of “treatment of disaster funds” can provide a compelling tool for encouraging good performance with regard to disaster/emergency financing.
- Several of the laws in the countries studied include legislation designed to effectively pre-empt the budgeting decisions or impose restrictions on it that will make it difficult for the legislature to skimp on emergency funding. One example is American Samoa, whose law specifically states that “[i]t is the intent of the Legislature and declared to be the policy of the territory that funds to meet disaster emergencies must always be available.”
- Some laws include very specific provisions relating to the right of the agency to borrow funds and/or to solicit international assistance, whether for disaster prevention or for response when a disaster has occurred. In some countries, past experiences indicate that government agencies which attempt one of these activities may face legal and political challenge.
- The two the most straightforward financial provisions found in the examination of non-project country legislation are those that specifically separate management funds



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of the disaster/emergency agency from other national funding, calling for that body to operate under a special separate account,³ or specifically requiring that certain agencies and governmental bodies must be responsible for specified contributions to disaster/emergency agencies⁴.

- The Caribbean region is a leader in developing the first international instrument Agreement Establishing the Caribbean Disaster and Emergency Response Agency (CDERA) which focused directly on emergency and/or disaster management, planning and cooperation. The Agreement is one of a very few binding international instruments and processes directly addressing emergency/disaster management. Apart from the Caribbean Disaster and Emergency Management Agency (CDEMA, formerly CDERA) the only other international instrument specifically focused on disaster issues is the ASEAN (Association of South East Asian Nations) Agreement on Disaster Management and Emergency Response.
- There is a lack of direct emergency/disaster-related instruments in international law. The reasons include: sovereignty, i.e., national governments are generally unwilling to enter into binding instruments relating to domestic activities, such as domestic preparation for and response to emergencies or disaster; and potential liability, i.e. concern that international instruments will be held to represent “international customary law”, creating legal obligations for each country under international or national law. For many countries, even an international provision that is specifically made non-binding may be a basis for legal action⁵.

Regarding Activity 1.3 an analysis of best practices in benchmarked jurisdictions, a situational analysis of target countries’ legislation, and factors affecting implementation of legislation, were conducted. Benchmarked jurisdictions were selected using the following criteria: disaster type, geographic conditions, governance structures, small island developing states, economy, and disaster related developments. The selected benchmark countries met at least three out of six of the criteria and were classified in two categories: developing and developed countries, as defined by the International Monetary Fund.

³ New Brunswick, (Canada), Emergency Measures Act, (S.N.B. 1978, c. E-7.1), §§20-21; Ethiopia, Relief and Rehabilitation Commission Establishment Proclamation, No. 173/1979; Lesotho, Disaster Management Act, No. 2 of 1997, §§35-36; Nigeria, National Emergency Management Agency (Establishment, etc.) Decree 1999, No. 12 of 1999, §§13-15, 17-18.

⁴ Guam, Compensation to Farmers for Crop Damages, Title 8, Chap. 12: Administrative Rules and Regulations.

⁵ In Australia, it is common for activist groups to take action against their own government, claiming that international decisions, even if non-binding, for a customary law which all governments must recognize. *See*, Smyth, 2001. In one highly publicised case, environmentalists claimed Australia was violating international guidelines in its permitting decisions in and around an Australian World Heritage Site called Kakadu National Park. As a result, the government of Australia has been a notable opponent of international guidelines that it fears might form the basis for a legal challenge by Australians against the actions of their own government. Note, however, that the Kakadu controversy was primarily fuelled by the fear that Kakadu would be listed as “world heritage in danger” under the World Heritage Convention – potentially embarrassing relevant activists and officials alike..



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Best practices were identified in the following categories: emergency and disaster declaration including definitions of disasters and emergencies, declaration procedures, manner, content, publication, duration, coordination, along with powers related to declarations, and regulations related to declarations; funding and budget appropriation; international aid, relief, and recovery efforts, emergencies, disasters and national security; emergencies and human health; and communication systems.

The following are some of the findings from the best practices analysis:

- Countries should not be tied to specific labels of disasters or emergencies, which ever term is utilized in legislation, the specifics of the events, intended to be encompassed by the definition, should be provided.
- Categories of natural and man-made disasters should be maintained, combined with the impacts, causes and results, holistic definitions can be developed.
- Emphasis should be placed on threats of disasters and threats of emergencies in definitions. This emphasis will allow for effective preemptive action to be taken to address disasters and emergencies before they occur.
- The authority to make the necessary declarations should be clearly spelt out in legislation.
- Provisions requiring acting on advice and recommendations support accountability, and reduce arbitrariness in the exercise of powers and prohibits abuse.
- The declaration should be in writing with as many particulars and specifics as are necessary to address the specific situation.
- Flexibility should be provided regarding the duration of the declaration having regard to the actual circumstances which originally caused the declaration to be made.
- The declaration and accompanying instruments should be specific as regards the powers to be exercised and the person or agency exercising those powers.
- Powers of coordination should also be clearly expressed in the instrument used to initiate the declaration.
- Regulation making powers are essential for the effective introduction of supporting and enabling measures.
- Effective funding mechanisms provide dedicated annual and recurring funds.
- Establishing supplementary or contingency source of funding that can be accessed when primary funds for disaster recovery and rehabilitation are exhausted or disaster exceeds a certain magnitude.
- Funds are allocated based on a realistic risk assessment of future disaster costs.
- Disaster funds are supported by procedures and guidelines that ensure impartiality, accountability, efficiency, and discourage waste and moral hazard.



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- Disaster funding mechanism allows for pooling of risk between public and private sector stakeholders.
- Disaster funding mechanism is supported by legislation.
- Legislation have clear provisions concerning the initiation and termination of international aid relief, privileges and immunities with respect to immigration & customs; goods & equipment (including medical supplies); tariffs, taxes and duty; transportation (freedom of movement, waiver of restrictions, tolls, etc.; legal status of international organization in domestic jurisdiction (operate, contract, sue) and immunity from prosecution for relief activities.
- It is imperative to have a designated emergency relief/ international aid country coordinator.
- The inclusion of national security considerations in the definitions of disasters and emergencies are important in providing the scope and basis for effective action. Responses to terrorism and terrorists acts as a basis for emergency action are examples of effective action based on clear legislative definitions.
- There is an important interaction among national security interests, established rights and human rights. The response to national security concerns should not be to the limitation of enshrined human and other rights. This is a matter which has engaged the attention of the Caribbean Courts on several occasions.
- The delegation of powers under specific legislation is a useful power to permit the effective implementation of the particular emergency measure. The person to whom the delegation is made should have the knowledge and capacity to address and effectively implement the necessary measures.
- Adoption of a stated emergency telecommunication action plan and designated emergency telecommunications coordinator has proven useful.
- Maintaining current and up-to-date inventory of telecommunication resources.

Finally, during the reporting period the OAS-DSD created country profiles based on the findings of Component and continued to maintain and update the database with relevant constitutional and legislative provisions on the declaration of state of emergency and disaster management, from the twelve project countries. The database serves as a valuable resource in building legislative capacity to enhance legal and institutional frameworks for state of emergency in the Caribbean and is available in the following link:

http://www.oas.org/dsd/EnvironmentLaw/CaribbeanLegislationProject/Disaster&StateEmergency/car_eme_leg_e.htm .

2.1.2 National and Regional Outreach and Validation of Findings



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The OAS-DSD conducted, during the reporting period, two national workshops (Grenada and Jamaica) one regional workshop and a Steering Committee meeting in Saint Lucia. The reports for the respective meetings may be found at the following links.

Regional workshop

<http://www.oas.org/dsd/EnvironmentLaw/CaribbeanLegislationProject/Documents/Reports/DRAFTCELRegionalworkshopreportrev2.pdf>

Grenada national workshop

http://www.oas.org/dsd/EnvironmentLaw/CaribbeanLegislationProject/Documents/Reports/DRAFTWorkshopReport%20_GR_%20rev1.pdf

Jamaica national workshop

http://www.oas.org/dsd/EnvironmentLaw/CaribbeanLegislationProject/Documents/Reports/DRAFTWorkshopReport%20_JA_%20rev%202.pdf

Second Steering Committee meeting

<http://www.oas.org/dsd/EnvironmentLaw/CaribbeanLegislationProject/Documents/Reports/Microsoft%20Word%20-%20Draft%202ndSteeringCommitteeMeetingReportrev.pdf>

The reports indicate all the national and regional stakeholders who participated, the issues discussed and recommendations offered. All presentations made at the workshops may be found at the following link:

<http://www.oas.org/dsd/EnvironmentLaw/CaribbeanLegislationProject/DefaultCLP.htm>

The following are some of the recommendations from the Grenada workshop conducted on March 22, 2010

- Enact a legislative framework for NaDMA.
- Specify clearly the instances when declarations should be made.
- Broaden the definition of disaster.
- DRAFT a comprehensive disaster management legislation.
- Establish cooperation arrangements among CARICOM countries on leadership matters during disasters as a pro-active measure against a leadership vacuum and provide an option to maintain transitional leadership.
- Implement legislation and other mechanisms to deter post-disaster challenges such as: looting, and price gauging.
- Allocate more funding for disaster management.
- Clarify and define functions of the Grenada Red Cross Society and ad-hoc organizations.



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- The OAS could assist governments as part of their mandate in securing funds from external donor agencies. Also, it was deemed more important to formulate programmes instead of ad hoc projects.
- Share the cost of disaster funding by, inter alia, engaging the private sector and appealing to corporate stewardship by inviting them to participate in projects at the community level; or propose that they reserve interest earned on large deposits or profits for disaster mitigation/management projects.
- Enhance the flow of information between committees and the ministries, and ensure timely feedback and government endorsement of recommendations from committees.
- Transparency initiatives should involve civil society and the private sector

Recommendations from the Jamaica workshop conducted on March 25, 2010 include:

- Draft building codes to require that buildings above three stories should be on rollers, and specific rules for bridges ought to be implemented.
- Draft and implement legislation on forced or mandatory evacuation (currently being added to legislation).
- Engage telecommunications companies as there are often telecommunication challenges post- disaster, therefore telecommunication.
- Design a website to act as a clearing house for disaster/emergency related information.
- Remove 'red tape' which hinder the smooth receipt of relief supplies, etc
- Encourage the private sector to make more donations. A sustainable fund should be built from the private sector.
- Create incentives for the private sector to give money, therefore donations should be made tax exempt.
- Establish a tax fund.
- Establish a national disaster funding scheme similar to those established for education and housing, and insure the fund.
- Establish a Mitigation Fund.
- Conduct hazard mapping of the entire country as this may encourage donors to provide resources for mitigation work.
- Ensure transparency in the use of funds, through proper record keeping and reporting.

Recommendations from the regional workshop conducted in Saint Lucia on May 21, 2010 include:

- Establish a National Disaster Trust Fund
- Place more emphasis on mitigation and regulations and standards. Further, there needs to be a movement towards creating and implementing regulations.



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- Include in legislation issues pertaining to multi-hazards and early warning systems .
- Collaborate with CDEMA in their review of the Model Disaster Legislation.
- Examine Multilateral Environmental Agreements (MEAs) and their impact on national disaster laws.
- Examine land use laws and the benefit they may have for disaster risk management.

The following are key recommendations from the Steering Committee conducted in Saint Lucia from May 20-21, 2010:

- The OAS could assist Haiti in developing a comprehensive disaster management law.
- Share the results of the project with those at the highest political level. Thus conduct intra-agency meetings with Offices of the Prime Minister and invite Members of Parliament and councilors to environmental law related workshops and share the project findings with the CARICOM Heads of Government and the OAS Permanent Council. Prepare an information paper on the findings of the project for Parliamentary Review in the project countries.
- Identify model regulations to support existing legislation. Further, in the event that model regulations are not the ideal, perhaps a checklist or guidelines may be more useful. Thus there should be a clear identification of what the regulatory process should look like
- Provide countries with the steps to internalize the project's findings by developing a set of guidelines

Upon conclusion of all the abovementioned meetings the OAS identified immediate next steps: prepare a policy brief for Member States, drawing on the findings and recommendations of the project; a checklist on how to mainstream project findings at the national level; conduct further outreach at the national level with key decision makers and provide support for the development/drafting of regulations; and liaise with CDEMA in order for project findings to be considered in drafting of new model legislation for the region.

In terms of other outreach during the reporting period, OAS-DSD shared the experiences and findings from the project at a meeting of the International Federation of the Red Cross' Advisory Committee on International Disaster Assistance Model Law, conducted in Geneva Switzerland on May 28, 2010. Further, the OAS-DSD conducted a special session ("Good Governance in Disaster Management in the Americas") at the Third International Disaster and Risk Conference (GRF/IDRC) in Davos, Switzerland on June 2, 2010. The project and its findings were presented during this special session before disaster and risk management experts from around the world.



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2.1.3 Project Governance

During the reporting period the OAS-DSD provided feedback to the consultants regarding deliverables submitted. Further, it organized and successfully executed the national and regional workshops, and Steering Committee meeting. It ensured the attendance of key national and regional stakeholders. Additionally, the Steering Committee provided valuable recommendations and assisted the OAS in identifying the abovementioned immediate next steps.

2.2 Performance Indicators

The activities of the project conducted had a positive effect in propelling the project towards a successful implementation. The positive effects are shown by reference to the following indicators:

- **Number of national and regional participants engaged in pursuing the project's objectives**

In conducting the assessments under Activity 1.1 and 1.3, fifty-two participants were engaged to ascertain information on the relevant legal and institutional framework, their operability and success. These participants included representatives from Ministries of Finance and Environment, and national disaster management offices. Approximately forty participants from the national level participated in the Grenada workshop, and thirty-eight in the Jamaica workshop. These participants included representatives from Ministries of Legal Affairs, Finance, and Environment; national disaster management offices, local NGOs, academia, as well as consultants and representatives from the insurance sector.

Regarding the regional workshop, there were thirty-seven participants from across the Caribbean region, representing various entities including: National Disaster/Emergency Management Officers, Attorney General departments, Ministries of Finance, Civil Protection Agencies, CCRIF, CDEMA, UNDP, OECS Secretariat, IFRC, Eastern Caribbean Court, CCCCC, and the insurance sector.

- **Number of countries engaged in implementing legislative reform based on recommendations for improved legal frameworks.**

At this stage, the number of countries engaged in implementing legislative reform based on recommendations from the project cannot be definitively verified given the following main reasons: (1) legislative reform is not merely academic and administrative, it is also political thus any acceptance and subsequent implementation of recommendation proffered must endure an often lengthy political process; (2) the timeframe between the



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formulation of recommendations, discussion of the findings of the project including recommendation at the region and national workshops, and other peer review, has been short and only occurred within the last few months. Thus it is too soon to determine which countries are engaged in legislative reform based on the project's recommendations.

However, it should be noted that many of the project countries are currently drafting and/or updating their disaster/emergency management legal and institutional framework. For example, Jamaica has been conducting a review of its Disaster Management Act, and Trinidad and Tobago is drafting legislation to statutorily establish its national disaster management office. Many of the entities involved in these domestic legal and institutional reforms, were extensively and substantively engaged in the execution of the project's activities. The project's findings and recommendations were shared with these national and regional stakeholders, through the national and regional workshops, who also provided recommendations for the way forward.

- **Number of national workshops held**

Two national workshops were conducted: Grenada and Jamaica

- **Regional workshop held.**

One regional workshop was conducted in Saint Lucia

3. Conclusion

During the period of this report, the project experienced tremendous success not only in ascertaining the legal and institutional frameworks in the project countries, and countries around the world, but also in outreach. The outreach component served to not only validate the findings of the project but also facilitate information and experience sharing among key national and regional stakeholders. The participants benefited from these enriching exchanges and the OAS-DSD was able to identify clearly some necessary next steps. These next steps include: assisting Haiti in developing a comprehensive disaster management law; preparing a checklist for mainstreaming project findings at the national level; preparing a policy brief for Member States, drawing on the findings and recommendations of the project; and liaising with CDEMA to support including project findings in their work on updating the Model Disaster Legislation.



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