

Disaster response and the role of Immigration



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This policy brief answers three questions:

- Why is the role of immigration officers important in responding to a disaster?
- How do immigration processes hinder an effective response? And,
- What action should be taken now?

Responding to a disaster

Our region is vulnerable to major disasters, from earthquakes, tsunamis and volcanic eruptions to flooding and cyclones.

At the time of a disaster focus is on the immediate needs of those affected. Frequently little thought is given to the way laws, regulations and procedures help or hinder the response from domestic authorities, or if the call goes out, the international community and aid agencies. However, bottlenecks, delays, and a lack of coordination can all result from over or under regulation.

The International Federation of Red Cross and Red Crescent Societies (IFRC) has developed a comprehensive set of guidelines (the "IDRL Guidelines") to promote

best practice and help governments develop laws and plans to avoid the common regulatory problems that affect the speed and effectiveness of international disaster relief operations.

The guidelines follow 7 years of research and consultation, and were agreed upon by all member States at the 2007 International Conference of the Red Cross and Red Crescent.

The key issue for immigration is ensuring international relief and recovery workers, following a request, are able to enter a country quickly and legally, and are cleared to do their jobs. In the event of a disaster, immigration officers must be prepared and able to fulfil this role.

Summary of key messages

- Immigration officers have a key role ensuring international disaster relief personnel can enter a country quickly and legally in the event of a disaster.
- Immigration rules and procedures governing visas, work permits, periods of stay and renewals should not hinder disaster relief operations.
- To ensure ongoing border security, appropriate checks should continue.
- Planning and developing clear procedures now will make an important difference if a disaster strikes.

Why is the role of immigration officers important?

Delays at the border can cause administrative and logistical difficulties for a government managing a disaster, and can cause frustration and significantly higher costs for aid providers.

But most importantly, delays can cause further suffering to those already badly affected by a disaster.

At the same time, appropriate border

checks should be maintained to deter illegal activities such as trafficking, particularly of children, which became a major concern after the 2004 Indonesian tsunami and the 2010 Haitian earthquake.

Appropriate processing at the border can also give governments important information on exactly who is in the country providing assistance.

Facts:†

No. of disasters affecting more than 500 people in PICTs, 2001-10	>49
No. of disasters affecting more than 500 people in PICTs, 2009	10
No. of PICTs <u>not</u> suffering a disaster affecting more than 500 people, 2001-10	3
No. of PIDC members reporting specific procedures for entry of disaster personnel	4

† Facts compiled from www.emdat.be and the PIDC Annual Collection Plan

What possible obstacles need to be considered?

Following the 2009 tsunami, Samoan Immigration identified several factors that could create obstacles for international relief workers. These are set out here, with others identified by IFRC and the questions that need to be asked of immigration procedures.

Visas

Due to the nationality of some relief workers, they may ordinarily require advance visas to enter your country. Following a disaster, would they still need to get an advance visa? How quickly could they get these visas? Could they apply on arrival?

Work permits

Relief workers have a wide variety of roles and backgrounds—military, recovery specialists, doctors, planners and administrators. Depending on legislation, the work they do may require them to have a work permit. How quickly could a work permit be issued? What evidence would they need to provide? Could they be clearly exempted from work permit requirements?

Qualification recognition

Some workers, such as doctors or nurses, may, according to existing legislation or policy, need a licence to practice in your country. If so, how quickly could their qualifications be verified and a licence granted? Would this issue affect work permits?

Duration and renewal

Immediately after a disaster it is difficult to know how long relief workers will need to stay. Would relief workers be granted entry for long enough to avoid repeatedly applying for renewals? If renewals are needed, could they be issued in-country quickly?

Fees

Fees can take money away from helping individuals and can add extra processing time. Is there an option to waive fees for relief workers in your regulations?

Transit

If a nearby country has been hit by a disaster, could relief workers quickly get visas to transit through your territory?



What action should immigration departments take now?

“Unnecessary bureaucratic barriers are making humanitarian aid slower, more expensive and less effective than it should be.”

Bekele Geleta
Secretary General,
International Federation
of Red Cross and
Red Crescent Societies

If a disaster struck now and your government asked for overseas assistance, would immigration officers be able to quickly and legally process relief workers? Are there clear answers in immigration policy and legislation to the questions asked above?

Even when appropriate laws or procedures are in place, we cannot always be sure people are aware of them or of how and when they should apply.

When there are not appropriate laws in place, creating those laws will provide clarity and certainty in the long term. In the short term existing legislation may be flexible enough to cope with the demands placed on immigration after a disaster, the key is knowing what rules are relevant and what powers can be used.

Recommended actions:

- Contact the national disaster management office or equivalent to discuss the role of immigration.
- Consider existing laws and procedures in light of the possible obstacles and questions set out above.
- Update written procedures based on existing legislation detailing how immigration would respond following a disaster, and share with relevant agencies.
- Consider the need for changes to legislation to remove any obstacles.
- Ensure that in the event of a disaster immigration is represented on relevant disaster coordinating committees.


Further information

The “IDRL Guidelines” are guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance. “IDRL” stands for International Disaster Response Laws, Rules and Principles.

Expediting the entry of international relief workers is just one part of these guidelines. IFRC has a regional programme to help countries look at all aspects of IDRL.

For more information please contact your disaster management office, Pacific IFRC office, or PIDC:

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