



Study on legal preparedness for international assistance in the event of disasters

Towards the implementation of the “IDRL” Guidelines in Dominican Republic (Summary)

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About this study

This study was developed as an initiative of the IFRC and the Dominican Red Cross. It is part of the IFRC Disaster Law Program. It was prepared between April 2013 and March 2014, and was readjusted between January and February 2015. This study was systematized and drafted by Rocio Escauriaza, Haiti Delegate for the Disaster Law Program, and Isabelle Granger, Disaster Law Program Coordinator for the Americas. Neyra Paulino, consultant for the program, carried out the research. Finally David Fisher, Maria Martinez and Luis Luna, from the IDRL program participated in the process of refining and the validation of this report.

It is worth noting that this report analyses the institutional and legal framework of the Dominican Republic with regard to the international assistance in the event of disasters, and not in situations of conflict, nor presents applicable rules in the event of disaster and conflict situations happening at the same time in a given country.

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About the Disaster Law Program

The IFRC Disaster Law Program aims to reduce the human vulnerability through the promotion of the legal preparedness to disasters. The Program works on three main areas: (1) Technical assistance: cooperating with the Red Cross/Red Crescent National Societies and other partners to support the governments on the strengthening of their legal framework related to disasters (2) The strengthening of capacities: developing the Red Cross/Red Crescent National Societies capacity to advise their governments on the development of a disaster risk management legal framework (3) Promotion, dissemination and research: creation of alliances at international and regional levels with regard to the legal preparedness.

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Cover photo: Volunteers Elizabeth Payamo and Adalberto Suazo work for the IFRC Emergency Response Unit logistics, coordinating the humanitarian aid shipments to Haiti

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Executive summary

This report summarizes the findings and recommendations of a “*Technical assistance project for the facilitation and regulation of international humanitarian assistance in Dominican Republic*”. It was aimed to analyse the existing regulation on international assistance in the event of disasters in Dominican Republic, in the light of the country’s experience, the global experience and the “Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance (IDRL guidelines)” and other international and regional standards. The project has been implemented in coordination with the Dominican Red Cross (DRC) and the Dominican Republic National Emergency Commission (NEC) through its Technical Committee.

The Hispaniola Island lies in the path of hurricanes and tropical storms at risk of hydro-meteorological hazards (tropical storms and flooding). Additionally, the existence of seismic faults creates a permanent risk of earthquakes on the island territory. Dominican Republic has been severely affected in various occasions by hurricanes and earthquakes; and has served as a humanitarian bridge facilitating the relief and recovery efforts during the response to the Haiti earthquake on January 2010.

The Dominican Republic has a National Risk Management System regulated mainly by the Law 147-02 on Risk Management and its regulation for implementation in the Decree No. 874-09. These instruments create national coordination instances that allow the planning and implementation of actions towards the reduction of risks and response to disasters. These instances go from the highest political and decision making level preceded by the Presidency of the Republic, to the coordination and implementation of activities at local and municipal levels.

With regard to the coordination of international assistance in the country, the law 147-02 that creates the PMR National System appoints the Emergency National Commission (ENC) as coordination entity for international assistance, but similarly the regulation for the implementation of the Law 147-02, also appoints functions to different dependencies such as COE, the Chancellery and the General Customs Directorate (GCD); in order to guarantee the coordination of the humanitarian aid during disaster situations. At the moment there are no protocols defining functions or coordinating activities among the institutions established in the PMR National System for assistance.

The Law 147-02 of Risk Management RM provides the warnings in the event of emergencies that will be issued by the COE, and it is the President of the Republic after hearing the recommendation of the ENC who will declare the state of emergency. The system does not have an official mechanism to communicate to other States and international bodies the post-disaster situation and needs.

There are established legal processes to register non-profit organizations and a protocol in Chancellery for the registration of international organizations in the country. The process to register a non-profit organization takes between 6 to 8 months and there is not a fast-track procedure available to be implemented in the event of an emergency. The already registered humanitarian institutions have legal facilities such as customs exemptions and tax exemptions. However, non-registered

organizations do not receive facilities and therefore will not be able to perform common legal activities such as bank transactions or basic contracts. The Law 3489-53 on Customs Regime does not have provisions on humanitarian assistance, which results in a lack of internal protocol when it comes to processing items declared as humanitarian aid. Officially, there is a tax exemption process that can be accessed through the formalization of a request before the Ministry of Finance and subsequently with the GCD. During the Haiti operation the President of the Republic instructed the GCD to waive all duties in order to provide humanitarian assistance to Haiti; this waiver implemented during the operation facilitated the country to serve as a humanitarian bridge for the countries and organizations willing to provide assistance, however this good practice did not translate into protocols or documents for a future emergency. The Dominican Republic is not part of the Tampere Convention, however in practice the Dominican Institute of Telecommunications (INDOTEL) has established emergency radio frequencies and facilitated their access for international humanitarian organizations during a relief operation. It is worth noting that all institutions of the PMR National System including the CRD benefit from privileged radio frequencies.

There are no particular legal provisions in the country with regard to the importation of foods during an emergency or regarding the use of animals during relief operations; but currently actions have been taken to create protocols to act accordingly in the event of an emergency. The importation of medications is under the control of the Ministry of Public Health and the General Health Law has provisions that facilitate the necessary permits needed before the occurrence of an emergency.

Currently there are no provisions in place for guaranteeing the quality of the humanitarian assistance, or related to the responsibility of the humanitarian personnel. In practice, the COE implements the Humanitarian Assistance Management System (SUMA) with regard to the control and accountability, and the humanitarian organizations already settled in the country abide to the Humanitarian Charter and Minimum Standards in Humanitarian Response (The Sphere handbook).

The country do not establish special regulations on the entrance of foreign personnel during a humanitarian mission, there are no special visas available for this purpose, therefore the personnel must enter the country with a tourist visa, which limits their capacity to assume legal obligations since this visa does not authorize them to work or carry out business during their stay as tourists. With regard to permits for the practice of medical activities, the Ministry of Health has a procedure for granting an accreditation and practice permit for a limited period of time.

The country does not establish provisions on the facilitation of transportation of humanitarian goods, but there is a facility for internal transportation of necessary items for humanitarian assistance through the exemption from payment of tolls, provided that the organizations performing humanitarian activities have previously subscribed the corresponding agreements. All vehicles should be insured according to the law, and the insurance can be easily obtained with the motor serial number. Foreign driver's licenses can be used provisionally during a three month period from entering the country, and must be subsequently homologated.

The Dominican Republic establishes tax exemptions and privileges for duly registered international organizations in the country; the foreign personnel who enter into the country as tourists must pay all taxes and common administrative duties generated from daily activities. The only way to obtain tax and duty exemption is through the administrative operation and the registration of the specific humanitarian organization.

In the country there are no laws in place that impose barriers to the humanitarian organizations willing to provide assistance to the victims of a disaster, the only restrictions that the Dominican State would impose are related to security matters.

With regard to the personal security during emergencies, the legal provisions on RM matters establish that the security bodies of the State are responsible to protect and safeguard the people's integrity during a disaster response operation. The regulation does not specify that the relief personnel will be protected, but does specify that humanitarian goods must be protected.

With regard to accountability and transparency matters, the regulation on the RM law establishes the administration and allocation of goods system to address disaster situations, and points out that the PMR National Fund is responsible for the administration of goods donated to cope with the disaster. The fund only manages goods of monetary value, therefore donations-in-kind are not under their control. Non-profit organizations are required to report their economical activities on a yearly basis to continue receiving the benefits on tax exemptions.

With regard to the State as a transit country, national legislation does not provided for this type of special exemptions related to the transit of humanitarian assistance through the national territory. Practically, during the Haiti earthquake operation in 2010, the Dominican Republic did not have the necessary protocols and procedures in place to facilitate the humanitarian transit, however the Government ordered the Dominican institutions to waiver all duties and fees, and to facilitate the humanitarian assistance headed to Haiti.

For the shipping of international assistance from the country, the Law 147-02 on RM and its regulation of implementation establish that the country can offer assistance to another State, when determined by the president and through the coordination between the ENC and the Ministry of Foreign Affairs. Apart from this provision there are no other rules or regulations on this.

The recommendations prepared by the working group during the consultations are focused on the creation of protocols and regulations that support the humanitarian efforts during relief operations that require international assistance by implementing the recommendations of the "Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance (IDRL guidelines)".

Summary of the recommendations

[With dates indicating the time for compliance in brackets at the end of each recommendation]

Overview of legal and policy frameworks

1. We recommend the implementation of the commitments made by the Dominican Republic in various instruments both international and regional, which have been signed and ratified by the country, in the national legal framework.

[Proposed deadline: 1.31.2017]

2. As part of SICA the Dominican Republic has adopted the MecReg (Regional Mechanism of Mutual Aid in the Event of Disasters) committing itself to develop and approve the Manual of Chancelleries and the CCAH Manual, in this regard we recommend its early development and adoption in order to establish the roles and responsibilities of relevant ministries within the framework of international cooperation and coordination of international humanitarian assistance.

[Proposed deadline: 6.30.2015]

3. Once the CCAH and Chancellery manuals have been adopted, disseminate them among the institutions of the RM National System and the various diplomatic missions in the country and other governmental and nongovernmental organizations.

[Proposed deadline: 9.30.2015]

Institutional Arrangements

4. It is recommended to clarify the coordination mechanisms within the national legal framework, defining the roles and responsibilities of each institution involved in the coordination of international assistance; particularly the role of the MEPyD (Ministry of Economy, Planning and Development), the Chancellery, the GCD, the ENC and the members of the HOPEFOR Commission who are legally mandated to coordinate and manage the international assistance in the country. In this sense, a definition of international assistance would do well in order to avoid confusion between the roles of the MEPyD, ENC, Chancellery, GCD and other members of the HOPEFOR Commission.

[Proposed deadline: 12.31.2015]

5. To develop the National Integrated Information System under the article 19 of the Law 147-02 in collaboration with institutions that form part of the RM, for the purpose of turning it into an input for the National Plan for Risk Management.

[Proposed deadline: 3.31.2016]

6. Enable the National Fund for Prevention, Mitigation and Disaster Response, so that it can fulfil the purpose of its creation and finance the National Risk Management Plan, and the necessary actions for disaster response and recovery.

[Proposed deadline: 6.30.2016]

7. It would be useful to consolidate the auxiliary role of the Dominican Red Cross to the public authorities, at the level of the Directorate General for Integrated Disaster Risk Management created by the RM Bill, considering the multiplicity of disasters, the mandate given by law to the Red Cross as auxiliary to the public authorities in the humanitarian field, and the international agreements to which the role of the National Society is framed.

[Proposed deadline: 12.31.2015]

8. The ENC is responsible for ensuring and promoting the participation of the civil society, including at local level (donor NGOs and national and international NGOs). For the empowerment of the civil society, a further diffusion of the RM activities in the country, the awareness of the population in general on the actions to reduce vulnerability accompanied by a national campaign for such purposes is recommended. In this sense, it would be advisable to increase the participation of the civil society at the level of the PMR Provincial, Regional and Municipal Committees, by identifying organized groups to have a representation of the civil society that enjoys recognition within the community.

[Proposed deadline: 6.30.2016]

9. The inclusion and involvement of the private sector in the process of RM is equally important, it should be taken in consideration before a disaster strikes, it must become an active component that cooperates and has a voice in the processes of decision making, getting involved in the preparation, mitigation and response to disasters.

[Proposed deadline: 12.31.2016]

Early warning and disaster surveillance

10. A common form to gather essential information about the damages and needs caused by the disaster could be established through the COE and used to consolidate information serving as a general procedure for all institutions.

[Proposed deadline: 5.30.2015]

11. In this sense, the COE could establish mechanisms for expeditious exchange of information, and search support from international and national organizations in order to consolidate a damage-and-needs report that the ENC would communicate to the Nation’s President for the purpose of issuing or not a State of Emergency.

[Proposed deadline: 9.30.2015]

Declaration of a state of emergency and request for external aid

12. Legislation should establish the procedures to request international assistance, clarifying the type of direct donations required by international organizations in the country (physical presence) based on the EDAN and consolidated by the COE; and also contain clear processes of initiation and termination of assistance and the granting of legal facilities necessary to facilitate the response operations. In this sense, an operative protocol establishing the procedure to make an international assistance appeal that would be executed once the State of Emergency is declared could be prepared, making sure that it covers the whole relief and initial recovery assistance period. This protocol should be part of the Chancellery Handbook and to be applied by the COE, allowing the streamlining of the information on the type of assistance required and the legal facilities that will be granted to the responding organizations providing international humanitarian assistance.

[Proposed deadline: 6.30.2015]

13. Similarly, it would be appropriate to consider adopting a procedure for the termination of the initial assistance. If the State decides to modify the state of emergency, it shall officially notify the organizations on the ground and hold meetings to enable them to analyse the impact of the termination of the assistance to the affected community; this procedure should also be provided to apply to the opposite situation, when the organization wants to complete the mission.

[Proposed deadline: 6.30.2015]

Legal status of foreign entities providing assistance

14. It would be advisable to develop a special regulation on international humanitarian assistance based on the recommendations of the IDRL Guidelines, containing the legal facilities for personnel, assets (including equipment) relief goods (including equipment) special agents eligible for the purpose of having a provisional legal status that applies to the period of relief and initial recovery. In this sense, the ENC could, through the COE, manage the inclusion in the RM Law and other sectorial laws, the granting of such legal facilities, in order to create within the PMR National System protocols to the internal of the institutions that make up the system. [06/30/16] It is recommended to promote, at the level of the National Emergency Commission, the development of a regulation that addresses the legal facilities for staff, assets (including relief equipment) special goods (including medical and telecommunications equipment), transportation, tax

exemption, extended working hours at offices and public agencies, and the definition of operating costs of humanitarian operations.

[Proposed deadline: 12.31.2015]

15. Given that the registration process can take between 6-8 months, the establishment of a pre-registration system is recommended, whereby, organizations not based in the country with an interest in providing assistance in future emergency situations can submit a proof of eligibility to the competent authority, so that they can receive legal facilities during the provision of relief in the aftermath of a catastrophe provided that they fulfil all the requirements, especially when it comes to a large amount of relief. Legal facilities must be subject to clear eligibility criteria previously established by the country.

[Proposed deadline: 12.31.2015]

16. In view of the foregoing, the government should establish clear criteria for the pre-selection of eligible relief providers that will be entitled with legal facilities to perform during the aftermath of a disaster, also the mechanisms for their selection and the roles of the governmental bodies responsible for the process. In this sense, the ENC could assume their inter-agency coordinator role to ensure accreditation and granting of legal facilities to registered non-governmental organizations.

[Proposed deadline: 12.31.2015]

17. The Dominican government should create a registration mechanism for international relief providers who were unable to pre-register prior to the disaster and wish to provide humanitarian international assistance. To do this, we recommend the establishment of a single window registration procedure through which the eligibility of a humanitarian agent to legal facilities can be determined and become a registered agent provided that the criteria have been met.

[Proposed deadline: 12.31.2015]

Custom arrangements for the reception of relief goods

18. We recommend the implementation of the Customs Act of a simplified and expedited procedure for the clearance of humanitarian goods and personnel to respond in disaster situations, in accordance with the provisions of the CAUCA and RECAUCA, which are binding in the country. To do this, we recommend the inclusion of a section on international humanitarian assistance, and also an instrument for the regulation of the best practices achieved from the Haiti Operation 2010, where Dominican Republic used special customs clearance procedures, which enabled the prompt delivery of humanitarian assistance. The latter provided that those special customs procedures should only be granted to eligible actors, as recommended by the IDRL Guidelines.

[Proposed deadline: 6.30.2016]

19. In this sense, it would be advantageous to have a definition of humanitarian goods within the customs rules and thus facilitate the entry or departure of international humanitarian aid by eligible agents previously authorized by the country. After defining which are the goods and equipment for humanitarian assistance, they could be included in the Integrated Customs Management System (SIGA) and get a nomenclature that allows for a proper customs declaration free of charge and with privileged terms.

[Proposed deadline: 3.31.2016]

20. Integrate the recommendations of the IDRL Guidelines into the Customs Act to adequately regulate all customs aspects in disaster situations when the Dominican Republic plays the role of an affected country, transit country and donor country. [06/30/16] Once this law is modified, necessary protocols and regulations must be developed to allow its implementation. As the next step we recommend providing training to customs officials at border control posts to provide them with the knowledge on the new procedures applicable in emergency situations.

[Proposed deadline: 12.31.2016]

21. We recommend the establishment of the Single Window in accordance with the provisions of MecReg, ensuring that all entities have a role in the facilitation of international humanitarian aid as well as the members of the HOPEFOR Commission take part in this team and thus allow an expeditious flow of goods and equipment required for the response. To do this, the Ministries of Foreign Affairs, Civil Protection, Environment, Armed Forces and Telecommunications, the Ministry of Agriculture (Department of Plant Protection) and the Ministry of Public Health and Social Assistance (Department of Drugs and Pharmacies) should be included within the Single Window team to expedite the process of entry of international assistance, in accordance with the MecReg. Also, it is necessary to define the roles and responsibilities of the various entities regarding the HOPEFOR Initiative.

[Proposed deadline: 12.31.2015]

22. Develop the Chancellery and CCAH Handbooks in accordance with MecReg, in order to harmonize its content with sectorial laws and all the entities integrating the Single Window, ensuring their faithful compliance in practice. Likewise ensure that sectorial laws provide for the expeditious release of goods and humanitarian equipment in an emergency situation.

[Proposed deadline: 6.30.2015]

Communications Equipment

23. The Telecommunications Act could provide legal facilities for eligible international agents and domestic agents so that they can quickly obtain permits and the use of radio frequencies. The law could also facilitate the entry of telecommunications equipment for humanitarian logistics into the country. Therefore, we recommend its inclusion into the performance protocol to facilitate obtaining licenses and the access to radio frequencies for telecommunications equipment.

[Proposed deadline: 6.30.2016]

Food

24. We request the recommendation of the IDRL Guidelines (18.4) regarding the modification or reduction of ordinary requirements on fumigation and prohibitions applicable to food import and export from the States and eligible actors to be taken into account in the preparation of the draft Law on Food Sovereignty and Food and Nutrition Security.

[Proposed deadline: 6.30.2016]

25. We also recommend modifying or reducing as far as possible ordinary requirements to the States and eligible agents with regard to fumigation and prohibitions applicable to food import and export.

[Proposed deadline: 6.30.2016]

Animals

26. Through its instances the National Emergency Commission could have a memorandum of understanding with the Ministries of Agriculture, Public Health and Customs in order to facilitate entry into the country of certified Rescue Dogs, for such purposes the creation of an exception within the Law 4990-58 on Plant Protection is recommended to facilitate the entry of rescue dogs by eligible agents.

[Proposed deadline: 3.31.2016]

Medications

27. We recommend the Dominican Republic to reduce legal and administrative obstacles to the export, transit, import and re-export of medications and medical equipment from the States and eligible agents in order to provide necessary assistance for relief and initial recovery, provided that it is consistent with public safety and the international law. Meanwhile, assisting States and eligible humanitarian organizations should take reasonable measures to ensure the quality, adaptation to the needs and safety of these medications and equipment and especially that:

- a. medications are approved to be used in the State of origin and the affected State;
- b. medications used in their own operations:
 - (i) are transported and maintained in appropriate conditions to keep their quality;
 - (ii) are guarded against misappropriation and abuse.
- c. medications they donate intended to be used by third parties in the affected State:
 - (i) are valid for no less than twelve months before their expiration date when entering the country, unless otherwise agreed by the receiving authorities;
 - (ii) are transported and kept in appropriate conditions to ensure their quality until they reach the affected State; and
 - (iii) are appropriately labelled in a language understood in the affected State with the International Non-proprietary Name or generic name, batch number, dosage form, strength, name of manufacturer, quantity in the container, the storage conditions and expiration date.

[Proposed deadline: 6.30.2016]

Quality of the international assistance and responsibilities of international agents

28. The accountability of these aspects could be established through the regulation of the Law 122-05 on the registration and promotion of non-profit associations.

[Proposed deadline: 3.31.2016]

29. It is advisable to have a law establishing that imported assets (including equipment) in times of emergencies must meet the quality standards set in Dominican Republic and validated internationally.

[Proposed deadline: 3.31.2016]

30. The Dominican Republic could, during the amendment efforts to the legal framework of the RM National System, include legal provisions allowing adequate controls to ensure compliance *inter alia* with minimum quality standards in the provision of international and domestic humanitarian assistance. In this sense, it would be desirable to establish a clear procedure for the accountability of humanitarian actors to ensure the quality of the provided aid. The granting of legal facilities for humanitarian assistance should be subject to compliance with the pre-selection criteria established in section 5.4 and the attention to quality standards and coordination mechanisms in this process.

[Proposed deadline: 6.30.2016]

31. The ENC, as the main operating entity coordinating the RM National System could create a protocol that facilitates the evaluation of the quality of the services provided, and establish the responsibility of agents who do not guarantee the provision of assistance in compliance with the principles of humanity, neutrality and impartiality.

[Proposed deadline: 3.31.2016]

Management of foreign personnel during disaster situations

32. The Dominican State could establish a visa and / or humanitarian work permit for eligible agents, renewable for the duration of the relief and initial recovery phases. The Ministry of Foreign Affairs and the Directorate of Immigration may jointly establish expedited procedures to achieve these special humanitarian visas and permits for international relief personnel, subject to accreditation of the appropriate agency to operate in the Dominican territory. The visa and / or work permit should be issued to eligible agents in the Single Window, after arrival.

[Proposed deadline: 3.31.2016]

33. The ENC together with the offices of the Ministry of Foreign Affairs, Immigration and Public Health could develop a protocol into a national law that guarantees the recognition of professional qualifications and professional practice for eligible agents until the end of the initial assistance period.

[Proposed deadline: 3.31.2016]

34. It would be important to ensure recognition of the international insurance and driver's licenses throughout the period of relief and initial recovery assistance, which may extend beyond 90 days.

[Proposed deadline: 6.30.2016]

Transportation during disaster situations

35. The Dominican Republic should develop a protocol to implement the Annex 9 of the Chicago Convention on facilitation for humanitarian mission aircrafts; the procedure for granting priority over-flight, landing and take-off permits for humanitarian assistance aircrafts. Likewise, provisions of the Convention on Facilitation of International Maritime Traffic should be implemented.

[Proposed deadline: 12.31.2016]

36. To ensure the effective arrival and transit of humanitarian goods, it would be advantageous to provide facilities of access to the entire network of roads, ports and airports; and the use of loading and unloading equipment as well as docks and warehouses. The facilities could include accessibility, free grants and cost reduction during the period of emergency and early recovery. In this sense, we recommend undertaking negotiations with the Guild of Transportation and private transport companies to agree on the facilities to be granted based on the experience gained from the Haiti earthquake.

[Proposed deadline: 12.31.2016]

Taxes, currency exchange and duties

37. The Dominican Republic ensures tax exemption to those organizations previously registered. In an emergency, if the pre-registration system has been established, it would be advisable to ensure that pre-registered organizations will receive the same legal ease. It would also be advisable to facilitate all necessary bank transactions involved in a disaster relief or an initial recovery assistance. It is recommended that the ENC develop a cooperation agreement with the governor of the Central Bank so that humanitarian organizations can enter the country with foreign currency and the bank can convert it into national currency.

[Proposed deadline: 6.30.2016]

Freedom of access and security

38. The Dominican Government could consider adopting a regulation or regulated provisions to take specific measures that guarantee the safety of the humanitarian personnel during disaster relief operations and early recovery programs; ensuring that the protection extends to individuals, movable and immovable assets for humanitarian action. Also, this provision should include recognition of freedom of movement of registered international agents providing humanitarian assistance.

[Proposed deadline: 6.30.2016]

Additional facilities for the international assistance in the event of disasters

39. The Dominican Government could ensure that the single window for the processes and procedures for the provision of international humanitarian assistance works extended hours (outside normal office hours) and that this applies to all basic services units for the provision of assistance.

[Proposed deadline: 12.31.2015]

40. To develop laws, policies or plans that establish special rates or promote exemptions for eligible assistance providers with regard to the use of airlines, facilities, land, equipment etc. to facilitate the provision of assistance during a disaster.

[Proposed deadline: 6.30.2016]

Responsibility and transparency

41. The Law 122-05 could provide for the regulation and promotion of non-profit associations and their accountability, regardless the origin of the funds executed. It should be noted that the eligibility of humanitarian agents should be conditional on compliance with the requirements established by the law, including obligations to prepare annual reports on the status of the received donations and corresponding accounts.

[Proposed deadline: 6.30.2016]

Dominican Republic as provider or transit State of international humanitarian assistance

42. The Dominican government could establish a legal, regulatory and institutional framework to facilitate the transit of international humanitarian assistance through its territory, airspace and territorial waters, thus ensuring that humanitarian assistance reaches the affected State without delay. Similarly Dominican Republic should adopt within their national legislation provisions regarding the expeditious import and export of international assistance in accordance with the provisions of CAUCA and RECAUCA.

[Proposed deadline: 6.30.2016]

43. Ensure that the provisions contained in the Agreement between the United Nations and the Government of the Dominican Republic on Measures to Expedite the Import, Export and Transit of Disaster Relief Consignments are incorporated into the national legal framework, as well as other recommendations in this report, for its implementation through the development of protocols and activation handbooks, and finally through training to agents responsible for the implementation of this regulation.

[Proposed deadline: 6.30.2016]

44. We recommend the institutionalization of the good practices adopted for the Haiti disaster response with regard to the transit of international assistance in the aftermath of the earthquake. It would be desirable to ensure that the ENC coordinate with the Dominican Civil Aviation Institute (IDAC), Airports Department, Port Authority, Borders and Ministry of the Armed Forces, to establish the legal framework for the transfer of humanitarian aid. The Manual of Chancery currently under development and soon to be approved could have important provisions on the subject.

[Proposed deadline: 6.30.2016]

The Fundamental Principles of the International Red Cross and Red Crescent Movement

Humanity / The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples.

Impartiality / It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided *solely* by their needs, and to give priority to the most urgent cases of distress.

Neutrality / In order to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

Independence / The Movement is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

Voluntary service / It is a voluntary relief movement not prompted in any manner by desire for gain.

Unity / There can be only one Red Cross or Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

Universality / The International Red Cross and Red Crescent Movement, in which all societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.



International Federation
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