

ARF General Guidelines for Disaster Relief Cooperation

Final

In line with the principles of humanity, neutrality and impartiality and based upon UN recognized standards, the General Guidelines aim to establish a basic framework for disaster relief cooperation among ASEAN Regional Forum participating countries, to promote more effective cooperation, and to reduce the losses due to frequent disasters.

1. Scope

- a) In this document, “disaster” refers to a situation which requires assistance among the ARF participating countries in certain region where a natural or man-made event has caused significant human injuries and fatalities, serious damage to properties, livelihood, essential services, lifelines and public infrastructure, disruptions to the functioning of a community or society and threats to public health, and surrounding environment. The provision of humanitarian assistance in situation of armed conflict is beyond the scope of these guidelines.
- b) “Relief” refers to resources and humanitarian action that the ARF participating countries could offer, which include, but are not limited to personnel, equipment, relief supplies, and actions related to transit facilitation.

2. Basic Principles

- a) **Mutual Assistance on Equal Footing.** In carrying out disaster relief cooperation, ARF will recognize the centrality of saving human lives and alleviating suffering where it is found. The Assisting Country will, on a voluntary basis and in accordance with its domestic laws and regulations, provide relief to the Receiving Country, and shall respect the sovereignty and territorial integrity of the Receiving Country without any racial, ethnic, or religious discrimination. The Receiving Country, upon receipt of relief from the Assisting Country, should ensure the timely, fair and transparent distribution of relief, and give timely briefing on how the relief is being used. The ARF participating countries will, within their capabilities, facilitate the disaster relief operation, such as, but is not limited to, the rapid and unimpeded delivery of relief consignments, equipment and personnel, the protection of such consignments.
- b) **Respect for Receiving Country's Decision.** The Receiving Country has the first and foremost responsibility to take care of the victims of disasters occurring on its territory. The Assisting Country will provide disaster relief only with the consent of the Receiving Country. All disaster relief activities by the Assisting Country within the territory of the Receiving country should be supportive of the guidance, coordination, and arrangements of the government of the Receiving country.
- c) **Decision by Mutual Agreement.** The Receiving Country and the Assisting Country are ready to discuss and resolve differences and related issues that emerge during the preparation, launch, implementation, and conclusion of disaster relief operations, by seeking mutual agreement in ways comfortable to both sides.
- d) **Enhancing Coordination.** Recognizing the central role of the United Nations, in particular the Office for the Coordination of Humanitarian Affairs (OCHA), in coordinating the international humanitarian

assistance efforts, the ARF participating countries will enhance coordination among themselves and with the humanitarian disaster relief activities of the United Nations and other international, regional, and local governmental and non-governmental organizations.

3. Launch of Disaster Relief Operations

- a) The disaster relief operations should be launched with the consent of the Receiving Country. The national disaster relief contact points of the ARF participants, or international organizations should be informed by the Receiving Country or the UN agencies through diplomatic channels after a disaster has stricken. Taking into account the speed with which assets and personnel need to be on the ground to have practical effect at saving lives and alleviating human suffering, the designated lead agencies for disaster relief of the ARF participants will undertake the coordination of disaster relief efforts within its territory. ARF participants are encouraged to stock-take and inform the contact points of their lead agencies and resources and capacities for overseas disaster relief to facilitate the process.
- b) The Receiving Country, in its request, should make clear the details of the disaster, such as location, time, nature, and magnitude of the disaster, as well as the relief needs and priorities, and where applicable, may seek assistance from the international post disaster damages and needs assessment (PDNA) teams in identifying the areas of greatest need.
- c) Upon receipt of the request for disaster relief, the ARF participating countries should, in a timely manner, review such requests and inform the Receiving Country as soon as possible whether it can provide assistance and, if applicable, of the nature, amount, and terms of the relief. All forms of relief from the Assisting Country should conform to the aim and requirement for disaster relief of the Receiving Country and be conducive to rehabilitation and be compatible with

the long-term development of the Receiving country.

- d) The ARF participating countries should adopt all necessary measures to, as far as possible, prevent disaster within their territories from spreading abroad, and will immediately inform the relevant countries and international organizations when the danger of such spread emerges, so that coordinated measures can be undertaken to mitigate the effects.
- e) In accordance with their domestic legislation and regulations, the ARF participating countries in the proximity of emergencies, upon receipt of the request by the Assisting Country or the Receiving Country, are encouraged to facilitate, to the extent possible, the transit of PDNA and disaster relief teams, equipment, facilities, and material supplies that are bound for the Receiving Country.

4. Management of Disaster Relief

- a) Unless otherwise agreed, the Receiving Country should exercise the overall direction, coordination and supervision of the foreign disaster relief teams within its territory. Disaster relief teams of the Assisting Country should follow the general plan of the Receiving Country for disaster relief operations.
- b) The government of the Assisting Country retains the full competence and responsibility for the internal management of all personnel, equipment and resources in disaster relief operations. The government of the Receiving Country should facilitate the work of foreign disaster relief teams within its territory, and do its utmost to ensure the safety of these personnel, equipment, and material supplies in the disaster relief operations. ARF participating countries will work together on importation, clearances, transfers, or exportation to accommodate disaster relief operations with the least possible delay.

- c) During their stay in the Transit Country and the Receiving Country, members of the disaster relief team should strictly abide by all the laws and regulations and respect the customs of these countries, implement relief impartially on the basis of need, not become involved in local disputes, and will seek to avoid having an adverse effect on the local economy.
- d) Military assets should only be requested for disaster relief as a last resort where there is no comparable civilian alternative and when their use can meet a critical humanitarian need. The use of such assets will be subject to mutually agreed arrangement between the Receiving and Assisting Countries, including, if applicable, to the appropriate status of forces arrangements.
- e) The Receiving Country and the Assisting Country should coordinate with each other to determine the length of stay of the disaster relief team. The Receiving Country has the right to ask the Assisting Country to withdraw any of its personnel, equipment or materials from the territory of the Receiving Country, within time frame agreed by both countries.
- f) Following the principle of friendly consultation, the Assisting Country and the Receiving Country should coordinate and consult to resolve the issues arising from disaster relief operation.

5. Cost of Disaster Relief

Disaster relief assistance should be provided at no cost to the Receiving Country, unless otherwise agreed between concerned States or regulated by international agreements.

6. Amendment and Relations with Other Instruments

- a) The Guidelines are of a non-binding nature and will not, in any way, affect the rights, obligations or responsibilities of States and where

relevant, individuals under the Charter of the United Nations and, where applicable, the Convention on the Safety of United Nations and Associated Personnel, the Geneva Conventions of 1949 and the Additional Protocols of 1977 or under other applicable international laws.. The Guidelines may be amended by consensus as the situation requires.

- b) To strengthen regional disaster relief collaboration and apply the Guidelines more effectively, the ARF participating countries are encouraged to enhance their disaster relief capacities through such cooperative activities as joint exercises, training programs, and partnerships with relevant bodies of ASEAN, UN and other international organizations, to reach a bilateral or regional understanding on the use of disaster relief resources, as well as to support the efforts for establishing a regional arrangement for the facilitation of the provision of the immediate humanitarian assistance.