

Key

Key Messages for National Societies' Advocacy Efforts to Enact Disaster Laws and Policies Facilitating Preparedness and Response to the COVID-19 Pandemic

The auxiliary role establishes a space for dialogue between the Red Cross/Red Crescent National Society (National Society) and its government, for a two-way relationship. In essence, the auxiliary role gives National Societies a unique position and a seat at the decision-making table. Based on this, National Societies are well positioned to **request that legal facilities are put in place to enable them to undertake their responsibilities and provide support in preparedness and response activities during the COVID-19 pandemic.**

This document outlines key messages for National Societies' advocacy efforts for laws and policies facilitating preparedness and response to the COVID-19 pandemic. The document begins by briefly outlining three key steps that National Societies should take in order to prepare to approach government authorities.

PREPARING TO APPROACH GOVERNMENT AUTHORITIES

In order to prepare to approach government authorities, National Societies should take three key steps.

Firstly, National Societies should prepare their *advocacy messages* for government. An advocacy message has three components: a problem, a solution and a request. National Societies will need to carefully consider how to frame and communicate each of these components. This document outlines key messages for National Societies to advocate to government for the legal facilities that they need for their COVID-19 preparedness and response activities.

Second, National Societies should identify *who* to approach. This should be the person, department or agency that has the power to grant their request. Some National Societies may have access to the President or Prime Minister, in which case this person is likely to be the best person to approach for most types of request. However, if a National Society does not have access to the President or Prime Minister, they may need to approach different persons or authorities for different types of request. For example, in relation to a request for free medical care for volunteers, the appropriate person to approach may be the Minister for Health. In relation to a request for a tax exemption, the appropriate person may be the Minister for Finance. This document also provides National Societies with suggestions about *who* to approach for different types of request.

Third, National Societies should identify *how* to approach the appropriate person or authority. A good starting point is for the President of the National Society (or a senior leader, such as the director for disaster management or health) to write a letter to the person or authority. The letter should briefly outline the issue and request a meeting, which can be used to discuss the auxiliary role and the key advocacy messages. **Annexure 1** is a template letter which National Societies can adapt as appropriate.

While it is appropriate for a senior figure within the National Society to be involved in approaching government, they should do so in close coordination with a representative from the relevant technical unit, who has a first-hand understanding of the issue. For example, a representative of the Logistics team should be involved in approaching government in relation to customs issues, while a member of the Finance department should be involved in relation to cash programming.

National Societies' advocacy efforts can be supported by local IFRC or ICRC staff. In particular, the Disaster Law Programme's Regional Coordinators are available to assist National Societies to advocate to government for legal facilities. Their contact details are set out in **Annexure 2**, which also contains a short list of helpful resources on advocacy and the auxiliary role. For detailed guidance on advocacy, National Societies should refer to the **Legislative Advocacy Toolkit**.

Auxiliary role

Relevant government authorities: All. The auxiliary role should be a key part of *all* advocacy efforts conducted by the National Society, regardless of which government authority it is in dialogue with or which specific topic it is advocating on.

Relevant NS teams: All

The auxiliary role defines the relationship between the NS and its government; their roles and responsibilities, ensuring that - **National Societies operate autonomously and in compliance with the Movement's Fundamental Principles.**¹

The auxiliary role however does not mean that the NS is compelled to undertake any task related to COVID-19. Nevertheless, the NS will:

- give serious consideration to any request by their public authorities to carry out humanitarian activities within their mandate
- advise the Government to limit its requests to activities that are not in conflict with the Fundamental Principles or the Statutes of the Movement or the NS's mission; the NS has the duty to decline any requests falling outside this scope
- request that government policies, guidelines and legislation enacted to prepare and/or respond to the COVID-19 pandemic expressly reflect the role and responsibilities of the NS; to facilitate execution of its duties.

It is important that any activity accepted to be performed by the NS, upon government request, **is reflected in policy instruments, guidelines, and/or legislation. Further, the National Societies' roles and responsibilities should be clearly outlined.**

Coordination mechanism to include RCRC

Relevant government authorities: President/Prime Minister; Interior Minister; Health Minister, National Disaster Management Office or Civil Protection Agency

Relevant NS teams: Management; Disaster Management

Effective disaster preparedness and response requires coordination both horizontally between different sectoral agencies, and vertically between different levels of governments. Most governments have already set up coordination mechanisms to prepare and respond to the COVID-19 pandemic. As a key actor in the preparedness and response efforts, and as auxiliary to government in the humanitarian field, the National Society **should be included in multi-sectoral governmental coordination mechanisms and communication channels** for preparedness and response efforts to the COVID-19 pandemic.

Coverage for RCRC volunteers

Relevant government authorities: President/Prime Minister; Interior Minister; National Disaster Management Office or Civil Protection Agency; Minister for Health; Minister for Social Services

Relevant NS teams: Management; Disaster Management; Health

The IFRC global volunteer insurance policy does not provide coverage for COVID-19, even if the illness was contracted during IFRC or National Society activities. Similarly, many National Societies have volunteer insurance policies that exclude coverage for illnesses such as COVID-19. As a result, in some countries, RCRC volunteers that have contracted COVID-19 are incurring significant out-of-pocket medical costs. Further, in some countries, the families of volunteers that have died from COVID-19 do not have access to any compensation or death benefits.

¹ The Red Cross promotes the recognition and observance of its Fundamental Principles: humanity, impartiality, neutrality, independence, voluntary service, unity and universality in the crafting and implementation of special measures designed to contain and mitigate the impact of the pandemic.

If a National Society is affected by this issue, it should consider requesting government to introduce a law or policy providing its volunteers with **the same medical care and/or death benefits that are provided to its own frontline workers**. This request can be supported by reference to the National Society's auxiliary role and the contribution that its volunteers are making to preparing and responding to the pandemic.

The auxiliary role means that NS volunteers are (or should have the opportunity to be) an integral part of the government's response to COVID-19; working closely with government actors to support or complement their activities. It follows that it is reasonable for NS volunteers to be provided with the same or similar coverage as government workers, in terms of medical care and death benefits/compensation.

Annexure 3 is a draft letter to government authorities regarding coverage for volunteers, which National Societies can adapt as appropriate.

Freedom of movement and access to vulnerable population

Relevant government authorities: President/Prime Minister; Interior Minister; Health Minister; National Disaster Management Office or Civil Protection Agency

Relevant NS teams: Management; Disaster Management

The RCRC Movement aims to continue providing humanitarian assistance to those in need, focusing on preparedness and response to medical and non-medical needs arising from the COVID-19 pandemic. Additionally, the RCRC Movement is committed to continuing to work on other ongoing crises, addressing the needs of populations affected by the humanitarian consequences of natural disasters, armed conflicts, other situations of violence and human mobility.

To ensure access to vulnerable and affected populations, National Societies will need to develop and maintain regular **dialogue with government authorities, communities and non-state actors**, adapting their advocacy messages to **request that their personnel and volunteers to be classified as 'frontline', 'emergency' or 'essential' workers**, or such other classification that will allow them to remain exempt from curfews, limitations on business opening hours and other general population control strategies. Dialogue with all interlocutors should also focus on securing **freedom of movement for RCRC staff, volunteers and vehicles**, which will be essential for effective preparedness and response efforts relating to the COVID-19 pandemic. It will be important to ensure that RCRC can:

- Move to and from operating hospitals, testing sites, field clinics, ambulances and other services or health facilities anywhere in the country
- Access crisis-hit areas affected by the COVID-19 pandemic to conduct their life-saving activities
- Access vulnerable communities in rural and urban settings, throughout the country, including refugee, migrant and IDP Settlements as well as places of detention. Notably, advocacy to secure access to communities will also include:
 - working towards acceptance of RCRC Movement through advocacy with local authorities or leaders
 - recruiting/engaging volunteers from the targeted communities
 - involving communities in the prevention and response campaigns

Additionally, access should be granted to places where the National Society and RCRC Movement components in-country can operate to/from, including:

- RCRC Movement offices, residences, warehouses, and logistics hubs (including airports, ports, land borders, customs clearance points, etc)
- Shops, markets and warehouses where the National Society or RCRC Movement might need to procure medical and non-medical equipment to prepare for and respond to the COVID-19 pandemic.

The RCRC Movement will commit to **observing safety precautions aimed at preventing the spread of COVID-19** (namely social distancing, using personal protective equipment, hand washing) to ensure the safety of communities, as well as disaster preparedness, relief and recovery personnel and volunteers.

All departments/units of the National Societies shall incorporate the Safer Access framework in all activities/operations/movements of the preparedness, response or recovery phases of the COVID-19 pandemic.

(Note - these messages should also be used in dialogue with non-state actors and armed groups, in coordination with ICRC whenever necessary).

Facilities for RCRC Movement

Relevant government authorities: President/Prime Minister; Interior Minister; Health Minister; Minister for Immigration

Relevant NS teams: Management; Disaster Management

National Societies are often assisted by other RCRC National Societies, the IFRC and ICRC (RCRC Movement) in *“risk reduction, disaster preparedness, the organization of their relief actions and the relief operations”* as well as in *“providing relief by all available means to all disaster-affected persons”* and *“organizing and coordinating international relief actions.”*

In order to obtain support from the RCRC Movement and to effectively prepare and respond to the COVID-19 pandemic, the National Society should request the government to provide **RCRC actors deployed under the umbrella of the RCRC, freedom to enter, leave and move about the territory of the country, once applicable precautionary and safety measures have been observed (e.g. self-isolation for 14 days).**

To that end, the National Society should **request the following legal facilities:**

- Waiver of travel restrictions for RCRC personnel traveling to and from COVID-19 affected countries, committing to observe safety measures whenever considered necessary (e.g. 14 days isolation)
- Issue of visas on arrival for RCRC humanitarian personnel
- Automatic recognition or fast-track procedures for the recognition of professional foreign qualifications (especially for physicians, nurses, paramedics, etc.)

The NS will advocate for government authorities to **provide adequate legal status to the RCRC movement organization** coming to support them, ensuring that they can legally operate on their territory so as to enjoy the rights, inter alia, to open bank accounts, enter into contracts and leases, and acquire and dispose of property for the purpose of preparing for, responding to and supporting the initial recovery phase to the COVID-19 pandemic.

Tax exemptions

Relevant government authorities: President/Prime Minister; Interior Minister; Finance Minister; Health Minister

Relevant NS teams: Administration and Finance

The NS should advocate for a legal framework that facilitates the work of the Red Cross Movement (and humanitarian actors), removing unnecessary cost burdens and bureaucratic barriers which may deter individuals and organizations from participating in this essential work.

It is advisable that the NS advocates for the following:

- exemptions from VAT and other taxes associated with the conduct of preparedness, response and recovery activities for the COVID-19 pandemic, in particular for goods, equipment, property and services
- approval for the RCRC Movement (and humanitarian organizations) to freely bring currencies in and out of the country for operations concerning preparedness and response to COVID-19.

Cash transfer programs

Relevant government authorities: President/Prime Minister; Interior Minister; Finance Minister, Health Minister

Relevant NS teams: Administration and Finance

Response and relief activities connected to COVID-19 means ensuring that the most vulnerable population has access to basic needs and livelihoods. As confinement measures have been adopted, the most vulnerable might have been hit. The use of cash or Cash Transfer Programs (CTP) in disasters and conflict is increasing to facilitate preparedness, response, and recovery activities. Cash is less costly to deliver than in-kind assistance, it provides greater choice and dignity to affected communities, and creates more opportunity for transparency. To maximize resources, National Societies should advocate for governments to consider:

- lifting administrative fees and taxes (both for sender and receiver)
- lifting cash transfer limits for the CTP
- easing bureaucracy
- fast track registration process of business

Access for cargo containing humanitarian assistance

Relevant government authorities: President/Prime Minister; Foreign Minister; Minister for Customs or Border Control; Health Minister

Relevant NS teams: Logistics

Many countries around the world have closed their borders and airports to the arrival of passengers but also a few countries have also reduced or closed their borders to the arrival of goods. The prompt arrival of medical material and equipment and non-medical relief items into the country should be a priority for all governments. National Societies should advocate for the prioritization of arrival of humanitarian aid through the following:

- Prioritizing landings for flights carrying humanitarian assistance
- Opening borders to facilitate the entry of humanitarian assistance (i.e. creating humanitarian corridors)

Customs clearance

Relevant government authorities: President/Prime Minister; Minister for Customs or Border Control, Health Minister

Relevant NS teams: Logistics

States have adopted quarantine measures including for government staff; therefore, services of public administration are reduced. However, the prompt arrival of humanitarian aid will be necessary at the stages of preparedness, response, and relief.

National Societies should advocate for originating, transit and affected States to:

- Waive or reduce inspection requirements. Where waiver is not possible, clear relief goods and equipment rapidly and as a matter of priority, through either a “*preclearance*” process or presentation of documentation post clearance; and
- Arrange for inspection and release outside business hours and/or at a place other than a customs office as necessary to minimize delay, in accordance with the safety regulations of the affected State. Assisting States and eligible assisting humanitarian organizations should respect any routes and delivery points prescribed by the affected State.

Import facilities

Relevant government authorities: President/Prime Minister; Health Minister; Minister for Customs or Border Control

Relevant NS teams: Logistics

National Societies might need to import and pre-position goods, material and equipment for the COVID-19 preparedness and response including: personal protective equipment, sanitation supplies, related relief items for health professionals, and non-medical relief items to communities and families whose health and/or livelihoods are affected by the disaster or by related isolation or quarantine requirements.

The National Society (on behalf of itself and other Movement Actors supporting them) should advocate to the government for **authorization to import medical material and equipment and non-medical relief items**. The NS will ensure that the imported items comply with all international quality standards and specifications are available in a language that can be understood for the purpose of customs clearance.

Export

Relevant government authorities: President/Prime Minister; Minister for Customs or Border Control, Health Minister

Relevant NS teams: Logistics

Many countries around the world have imposed export bans or limitations for medical material and equipment. Some countries have also closed their borders or restricted access to the import/export of goods.

Where appropriate, National Societies of countries with exports bans/limitations might need to advocate an exception to the export bans/limitations on humanitarian grounds, where an import of such items has been urgently requested by another member of the RCRC movement in order to respond to the COVID-19 pandemic.

The concerned National Societies should discuss with its national authorities and request:

- that any applicable exit, transit, and entry visas for the operating personnel of such transport vehicles be promptly issued
- an exception to the export ban that will allow them to export medical material, equipment and non-medical items such as relief goods for the use by a RCRC Movement actor, where there is a pressing need to respond to the COVID-19 pandemic
- an exemption from all customs duties, taxes, tariffs or governmental fees for medical material, equipment, and non-medical items such as relief goods
- permission to re-export any equipment or unused goods which the National Society or assisting humanitarian organization owns and wishes to donate to another National Society
- simplified and minimized documentation requirements for export, re-export, trans-shipment, and transit.

Transport

Relevant government authorities: President/Prime Minister; Minister for Customs or Border Control; Minister for Transport, Health Minister

Relevant NS teams: Logistics

National Societies should request their authorities to provide all facilities necessary for freedom of movement and access to affected areas (see section on *Freedom of movement and access to vulnerable population*) to enable transport of goods and equipment to prepare and respond to COVID-19.

- Originating², transit and affected States should grant, without undue delay, permission for the speedy passage of land, marine and air vehicles operated by an assisting State or eligible assisting humanitarian organization or on its behalf, for the purpose of transporting disaster relief or initial recovery assistance and, ideally, waive applicable fees.
- Permission should be granted for overflight, landing, and departure of aircraft. Such aircraft should also be authorized to operate within the territory of the affected State as required for the delivery of assistance.
- Any applicable exit, transit, and entry visas for the operating personnel of such transport vehicles should be promptly issued.

Storage

Relevant government authorities: President/Prime Minister; Minister for Customs or Border Control, Health Minister

Relevant NS teams: Logistics

RCRC National Societies are working on preparedness to respond to COVID-19. The NS should ensure that when importing medical and non-medical equipment and items, the Government will not impose conditions for immediate use/distribution and facilitate the storage of the items in RCRC Movement warehouses.

The NS will ensure that storage will comply with international quality standards and guarantee a cold chain (i.e. temperature-controlled transportation chain) for medication.

² “Originating State” means the State from which disaster relief and initial recovery personnel, goods and equipment begin travel to the affected State.

Annexure 1 – Template letter (General)

Title
Name
[(as relevant) Country/Attorney General/
Ministry of Interior]
Cc: [(as relevant) NDOs/NDMA]

Country, ____ March 2020

Letter of intention and call for governmental action to support the ____ Red Cross or Red Crescent preparedness and response efforts for the Coronavirus Disease (COVID-19)

Your [Excellency],

The ____ Red Cross or Red Crescent and the International Federation of Red Cross and Red Crescent Societies (the “IFRC”) commend the efforts of your government to respond to the unprecedented challenges faced by the country due to the COVID-19 pandemic. The ____ Red Cross or Red Crescent is working around the clock to [(as relevant) prevent transmission of the virus, help communities already affected by the outbreak to maintain access to basic social services, and reduce the economic, social and psychological impact on people].

At the 33rd International Conference of the Red Cross Red Crescent in December 2019, State parties to the Geneva Conventions and Red Cross and Red Crescent Movement components committed to Resolution 3 ‘Time to act: Tackling epidemics and pandemics together’ and to: ...“enable and facilitate Movement components, in accordance with their mandates and capacities and with international law, to contribute to a predictable and coordinated approach to epidemics and pandemics, including effective international cooperation and coordination, and engagement with and support to affected communities”...

As auxiliary to the public authorities in the humanitarian field and in the respect of the Red Cross Red Crescent Movement’s Fundamental Principles, the ____ Red Cross or Red Crescent has been engaging with the [(as relevant) Ministry of Health, Civil Protection, Ministry of Interior, EOC] to assist with the implementation of mitigating actions undertaken by the government [(as relevant) for the prevention, containment and treatment] of the Coronavirus. In this regard, the recognition of the critical role and responsibilities the ____ Red Cross or Red Crescent is playing to address the humanitarian needs and consequences of the crisis is critical to allow the ____ Red Cross or Red Crescent to operate, fulfil its humanitarian mission and complement governmental efforts.

As such, in line with the mandate provided to the ____ Red Cross or Red Crescent through the [(insert exact name) Red Cross or Red Cross Law] enacted on (date)] we kindly requests the authorities of [country] to grant the necessary legal facilities to the ____ Red Cross or Red Crescent in the preparedness and response phases of COVID-19 and potentially future upcoming disasters, including:

- **Waiver of movement restriction and exemption of quarantine** for ____ Red Cross or Red Crescent personnel and volunteers
 - to access communities and crisis-hit areas to conduct their life-saving activities and provide humanitarian support to groups in need
 - to access ____ Red Cross or Red Crescent premises such as Country Offices and Logistics Warehouses
- **Authorization of import and expedited customs clearance** for humanitarian relief items, non-relief items and equipment (such as personal protective equipment, sanitations supplies, related relief items for health professionals, and non-medical relief items to communities and families whose health and/or livelihood might be affected by the disaster or by related isolation or quarantine requirements)
- **Priority landing of airplanes carrying humanitarian assistance supplies**
- **Special and simplified custom clearance procedures, and measures in place to prevent delays**

- **Provisions for the elimination of customs duties, tariffs or fees**
- **Provisions to lift restrictions on humanitarian cash transfers to RCRC**

Further to this, as a key national actor in the preparedness and response efforts, and as auxiliary to the public authorities in the humanitarian field, the [Red Cross or Red Crescent] kindly request to be included in the coordination mechanisms and communication channels put in place in the response efforts to the Covid-19.

We reiterate the commitment and support of the [Red Cross or Red Crescent] and IFRC in providing necessary assistance to your government's preparedness and response efforts. [As such, we would like to kindly request for a meeting in order to discuss how we can best support your country in the preparation and response to disasters].

The [Red Cross or Red Crescent] and IFRC avail themselves this opportunity to renew to [(the Country Attorney General/Ministry of Interior)] the assurance of their highest consideration.

[Head of CCST]

[RC of _____]

Annexure 2 – Resources and contacts

Resources

The following is a short list of helpful resources on advocacy and the auxiliary role.

- The IFRC's [Legislative Advocacy Toolkit Participants' Handbook](#) provides very detailed guidance on how to advocate to government.
- The IFRC has Guides to the Auxiliary Role for [Africa](#), the [Americas](#), [Asia Pacific](#) and the [Middle East and North Africa](#).
- The 'Background Documents' for [Resolution 2 of the 30th International Conference](#) and [Resolution 4 of the 31st International Conference](#) provide a detailed overview of the auxiliary role.

Contacts

The Disaster Law Programme's Regional Coordinators are available to assist National Societies to advocate to government. The names and email addresses for the Regional Coordinators are below.

- **Africa Region:** Maria Martinez (maria.martinez@ifrc.org)
- **Americas:** Sophie Teyssier (sophie.teyssier@ifrc.org)
- **Asia Pacific:** Gabrielle Emery (gabrielle.emery@ifrc.org)
- **Central Asia:** Baktiar Mambetov (baktiar.mambetov@ifrc.org)
- **Geneva:** Isabelle Granger (isabelle.granger@ifrc.org)

Annexure 3 – Template letter (Coverage for Volunteers)

[National Society's Address]

[Target's address]

[Date]

Dear [target's name]

Re: Impact of COVID-19 on [National Society name] Volunteers

I write to request a meeting with you to discuss the impact of the COVID-19 pandemic on [National Society name] volunteers.

As you are aware, [National Society name] volunteers are playing a critical role in meeting the needs of communities affected by COVID-19. Since the onset of the pandemic, volunteers have been involved in [list or describe volunteer activities]. A total of [X] volunteers have provided assistance to [X] people.

The activities of [National Society name] volunteers have [complemented/supported/supplemented] the government's pandemic response, by [explain how the volunteer activities tie in with the government response]. This is consistent with the [National Society name]'s unique role as auxiliary to government in the humanitarian field, which is recognised by the [name of the law or policy that establishes the National Society's auxiliary role, mandate and responsibilities]. [National Society name] volunteers on the frontline have, similar to government frontline workers, exposed themselves to the risk of infection in order to meet the pressing needs of vulnerable and impacted communities.

Unfortunately, the [National Society name]'s insurance policy does not provide coverage for volunteers that have developed COVID-19. As a result, volunteers that have developed COVID-19 are facing significant medical costs which, in many cases, they are unable to meet. Further, the families of volunteers that have died from COVID-19 do not have access to any compensation. We estimate that approximately [X] volunteers are affected by these issues and anticipate that this number may increase significantly.

We would appreciate the opportunity to meet with you to discuss this pressing issue at your earliest convenience. We would specifically like to discuss the possibility of government providing free medical care to affected volunteers and compensation to the families of volunteers that have died. Such a scheme would accord with the government's commitment to facilitate the voluntary work of [National Society name] and to tackle pandemics and epidemics together.³ It would also be in line with international best practice.

We look forward to hearing from you.

Yours sincerely,

[Letter writer's name and position]

³ Resolution 4 of the 31st International Conference; Resolution 3 of the 33rd International Conference.