

International Disaster Response Law
Research Report: Southern African Region

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31 January 2003

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ABBREVIATIONS

AU	African Union
COMESA	Common Market for Eastern and Southern Africa
DMO	Disaster Management Organization of the Republic of South Africa
ECOWAS	Economic Community of West African States
FAO	Food and Agriculture Organization
ICRC	International Committee of the Red Cross
IDRL	International Disaster Response Law
IFRC	International Federation of Red Cross and Red Crescent Societies
MoU	Memorandum of Understanding
OAU	Organization of African Unity
SADC	Southern Africa Development Community
UNHCR	United Nations High Commissioner for Refugees

1 RESEARCH OBJECTIVES

The objectives of the research were to:

- Compile a list of international legal materials regulating disaster response operations in Africa (particularly Southern Africa), having due regard to the emerging definition of IDRL and with the focus on materials concluded under the auspices of African regional organizations or by African States or private actors amongst themselves;
- Analyze, classify and identify patterns (if any) within the corpus of African IDRL;
- Compile, where possible, contact details of institutions, interest groups and individuals with an interest in IDRL.

2 RESEARCH METHODOLOGY

The following actions were undertaken from October 2002 to January 2003 to gather the relevant international legal materials:

- Review of multilateral treaties concluded under the auspices of the following African regional organizations: OAU,¹ AU, SADC,² ECOWAS³ and COMESA,⁴

¹ The Organisation of African Unity (OAU), established on 25 May 1963 by the signing of the OAU Charter, is a continental grouping of some 53 Member States. Since the entry into force of the Abuja Treaty establishing the African Economic Community (AEC) in May 1994, the OAU has been operating on the basis of two legal instruments. For this reason the OAU is officially referred to as the OAU/AEC. An Extraordinary Summit of the OAU held in Sirte, Libya on 9 September 1999 called for the establishment of an African Union (AU) in conformity with the ultimate objectives of the OAU Charter and the provisions of the Treaty establishing the AEC. Following this, the *Constitutive Act of the African Union* was adopted during the Lomé Summit of the OAU on 11 July 2000. The Union will evolve from the OAU and the AEC into one unified institution (Source: <http://www.dfa.gov.za/for-relations/multilateral/oau.htm>)

² The Southern Africa Development Community (SADC) is a regional group of fourteen Southern African States, founded in 1992. Member States are: Angola, Botswana, Democratic Republic of the Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

³ The Economic Community Of West African States (ECOWAS) is a regional group of sixteen West African countries, founded in 1975. Member States are: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo.

⁴ The Common Market for Eastern and Southern Africa (COMESA) is a regional group of 20 mainly Eastern and Southern African States, established in 1994. Member States

- Review of decisions, resolutions, recommendations and communiqués issued by various organs of the OAU, ECOWAS and SADC;
- Review of the South African multi- and bilateral treaty collection (numbering approximately 2000 agreements);
- Dispatch of a questionnaire requesting information on agreements relating to disaster response to delegations of the IFRC in Southern Africa, and to a wide range of IGOs and large NGOs based in Southern Africa with some involvement in “disaster management”, “food security”, “health”, “development”, or “refugees”;⁵
- Telephonic follow-up of all IFRC delegations and of those IGOs and NGOs expressly involved in “disaster management” or “food security”;⁶
- Initiation of written and telephonic contact with national disaster management offices in Botswana, Malawi, Namibia, Swaziland and Zambia;
- Personal interview with the head of the newly-founded Disaster Management Organization in South Africa, Dr Louis Buys; and
- Review of material relevant to disaster response housed at the Library of the University of South Africa.

are: Angola, Burundi, Comores, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Namibia, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia and Zimbabwe.

⁵ A total of 263 questionnaires were dispatched but the response was very poor (in the region of 10%). The majority of respondents indicated that no formal agreements were in place, either with the government or with other IGOs or NGOs. The paucity of agreements between governments and IGOs and NGOs in the area of disaster response was later confirmed by telephonic contact with the national disaster offices of various Southern African governments. It appears that agreements, where these are in place, are concluded between IGOs and NGOs; eg the Letter of Agreement between the FAO and World Vision, or between large NGOs and smaller NGOs; eg Mr Sakou Jobe of ActionAid, Malawi indicated that his organization was in the process of concluding an agreement on food distribution with CARE, Malawi, which had in turn concluded an agreement with the World Food Programme in this regard. Mr David Gronert of the Adventist Development Relief Association, Malawi similarly indicated conclusion of such an agreement with CARE, Malawi.

A study of the Letter of Agreement between the FAO and World Vision indicates that such type of agreements may not be materially relevant to the main subject matter of IDRL, mainly because the contracting parties have no authority over nationally imposed controls such as customs duties and other regulatory requirements. The information in such agreements is probably regarded as sensitive (eg, World Vision forwarded the documents listed in Annexure A to the Author “in confidence”), which may explain the low level response to the questionnaire.

⁶ A list of persons from whom telephonic and written contact was obtained and who indicated an involvement in disaster response is included in Appendix.

In deciding which materials to include in the compilation, regard was had to:

- The broad definition of IDRL adopted at the 2001 IFRC Council of Delegates Meeting; ie that disaster response law “covers humanitarian responses to natural and technological disasters, including all measures in the areas of disaster prevention, relief and post-disaster rehabilitation.”
- A “step-by-step” approach which identifies mutual assistance treaties setting up the framework of response after disasters, treaties dealing with the financing of disaster operations or reduction, prevention and mitigation measures, and treaties dealing with assistance given to refugees and internally displaced persons after a disaster as “core documents” on IDRL; and
- Given the scarcity of materials in the Southern African region, a preference for including as many materials as possible, bearing in mind how some treaty provisions *could* be utilized in disaster response operations.

3 RESEARCH FINDINGS

3.1 LIST OF DOCUMENTS

A list of documents that relate or potentially relate to disaster response operations in Southern Africa is contained in Appendix A. Citation details for the various multilateral and bilateral agreements included in the list have been included as far as possible, but the overwhelming majority of the agreements have not been published in a treaty series of any sort.

3.2 NUMBER AND TYPE OF DOCUMENTS COLLECTED

There is no multilateral agreement between African states specifically regulating disaster response, either at a continental or regional level. Neither is a comprehensive bilateral treaty network entrenching mutual assistance in case of disasters in place for the Southern African region.

Although African States recognize the need for multi- and bi-lateral co-operation on issues of disaster response and mitigation (evident from the existence of bodies such as the SADC Disaster Management Committee),⁷ the level of consensus on these issues has generally not yet been articulated in formal written agreements.⁸

⁷ According to Dr Buys, Head of the South African DMO, the SADC Disaster Management Committee has been meeting since the early 1990's. The Committee's work centres on mutual support and the sharing of knowledge and best practice. Lack of continuity in the

The survey yielded a total of 15 multilateral and 24 bilateral agreements. The multilateral agreements generally treat disaster response as an incidence of continental or regional co-operation in trade,⁹ transport,¹⁰ health¹¹ and the management of natural resources.¹² None of the multilateral agreements presents a systematic approach to disaster response, and the issue tends to be mentioned in passing. A possible exception is the Dar es Salaam Declaration on Feeding of Infants and Young Children in Emergency Situations in Africa, which provides a comprehensive statement of the approach to infant feeding in emergency situations.

Two agreements can be classified as multilateral “border region” agreements,¹³ their objective being to control natural phenomena with cross-border effects (water resources along the Limpopo river and mosquito vector densities in the border regions of South Africa, Swaziland and Mozambique respectively).

The bilateral agreements generally fall into four categories:

- agreements responding to specific disaster situations;¹⁴
- agreements on search and rescue;¹⁵

8 Committee’s country representatives, as well as language barriers (Portugese and English), are experienced as constraints.
This may be soon set to change through increasing institutionalization of the disaster management function. South Africa is in the process of enacting a Disaster Management Bill which should empower the DMO to conclude agreements of co-operation with other State Parties, inter- and non-governmental organizations and the private sector. At the time of writing this report, South Africa (acting through the DMO) and Lesotho are in the process of concluding a bi-lateral Protocol on disaster management covering such issues as border crossing, overflight and landing rights, the use of military equipment, and liability (including criminal liability).

9 Eg, the Treaty establishing the African Economic Community (“Abuja” Treaty).

10 Eg, the SADC Protocol on Transport, Communications and Meteorology.

11 Eg, the SADC Protocol on Health.

12 Eg, the SADC Protocol on Shared Watercourse Systems.

13 Agreement between Botswana, Mozambique, South Africa and Zimbabwe relative to the Establishment of the Limpopo Basin Permanent Technical Committee and the Malaria Control Protocol between South Africa, Swaziland and Mozambique.

14 The MoU on Transportation by Road of Commodities Related to Drought Relief between South Africa, and Zimbabwe and Zambia respectively; the Letter of Intent concluded between the FAO and World Vision regarding distribution of food supplies in Zimbabwe; and the MoU between the National Disaster Management and Mitigation Unit of the Republic of Zambia and World Vision regarding distribution of food supplies in certain areas of Zambia.

15 The agreements on Co-ordination of Search and Rescue Services between South Africa and Namibia, Mozambique and the French Republic respectively.

- agreements establishing a broad framework for technical co-operation in a given field;¹⁶ and
- agreements dealing with the establishment of IGO and NGO missions and the status, immunities and privileges of their staff.¹⁷ The subject matter of these agreements, while general in nature, obviously has significant implications for the delivery of disaster relief when staff of the relevant organizations is involved.

A holistic picture of Southern African States' treaty obligations in respect of disaster response must of course take into account their participation in multilateral international instruments such as the UN Convention on the Privileges and Immunities of the Specialized Agencies, 1947. A comprehensive overview of such obligations, however, falls beyond the scope of this project.

3.3 NATURE OF THE INSTRUMENTS

The majority of the instruments collected are binding agreements, although a few of the SADC multilateral protocols have not yet entered into force. The Dar Es Salaam Declaration on Infant Feeding is declaratory rather than binding in nature. The "Declarations of Intent" regarding co-operation in the field of health¹⁸ are also not binding, although they are indicative of the State's intention to conclude a binding agreement.

3.4 NATURE OF THE CONTRACTING PARTIES

The majority of the agreements are between States, or between States and IGOs. Some of the agreements apply to the "executing agencies" of the IGO or NGO concerned – thus establishing a mechanism whereby rules, for example, on waiver of border procedures can apply to the operations of less well-established NGOs. Article II(3) of the Agreement between South Africa and the UNDP is representative in this regard:

"Assistance may be provided by the UNDP to the Government either directly, with such external assistance as the Parties deem appropriate, or through an Executing Agency, which shall have primary responsibility for carrying out the UNDP assistance to the project and which shall have the status of an independent contractor for this purpose ..."

¹⁶ Eg, Agreement on Co-operation in the Field of Health and Medical Sciences between South Africa and Nigeria.

¹⁷ This includes agreements between South Africa and the FAO, UNDP, WHO, UNICEF, IOM, UNHCR and ICRC.

¹⁸ Concluded between South Africa and Angola, Senegal, Uganda and Palestine respectively.

References in some of the agreements to “persons performing services” for the IGO or NGO concerned could serve a similar purpose.¹⁹

However, it appears that privileges and immunities extended by a State to an IGO are not necessarily extended to their executing agencies. For example, Art. 3(e) of the agreement between FAO and World Vision on the distribution of food supplies in Zambia provides that:

“The personnel assigned by the Recipient Organization to the organization and running of the project shall not be considered as staff members of FAO and shall not be entitled to any privilege, immunity, compensation or reimbursement by FAO ... Nothing in this Agreement or in any document relating thereto, shall be construed as constituting a waiver of privileges or immunities of FAO, *nor as conferring any privileges or immunities of FAO on the Recipient Organization or its personnel* [my emphasis].”

3.5 SUBJECT MATTERS COVERED

The agreements relate overwhelmingly to natural disasters such as floods, droughts, food security and insect infestations. In fact, the only agreement accommodating technological disasters is arguably the SADC Protocol on Transport, Communications and Meteorology, which obliges states to harmonize policies and strategies relating to road traffic incidents.

3.6 OBSERVATIONS ON CONTENT

This section provides detail on the various forms of co-operation presented by the agreements.

3.6.1 *Agreement to co-operate or to conclude further agreements*

The weakest form of co-operation consists in a simple agreement to co-operate in certain matters without specification of the nature or modalities thereof. Article 25 of the SADC Protocol on Health, for example, simply provides:

“State Parties shall –

- (a) co-operate and assist each other in the co-ordination and management of disaster and emergency situations;
- (b) collaborate and facilitate regional efforts in developing awareness, risk reduction, preparedness and management plans for natural and man-made disasters; and
- (c) develop mechanisms for co-operation and assistance with emergency services.”

¹⁹ Eg, Article XV of the Basic Cooperation Agreement between UNICEF and South Africa.

Similarly, a number of the agreements simply provide for the conclusion of further agreements or plans. Article 131(1)(e) of the COMESA Treaty, for example, presents an undertaking by Member States to “conclude such agreements amongst themselves as would facilitate the realization of food security in the Common Market.”²⁰

3.6.2 *National steps*

In a number of the agreements co-operation takes the form of an undertaking to take steps at a national level aimed at enhancing inter-country co-ordination. National steps could include the harmonization of policies, strategies, standards or laws. The Malaria Control Protocol, for example, establishes the Regional Malaria Control Commission (RMCC) as a means to guide further inter-country co-operation in malaria control.²¹ The RMCC is empowered by Art. 3(a) and (b) of the Protocol which obliges the State Parties to:

- (a) grant to the RMCC such powers and authorize the RMCC to perform such duties, under and subject to domestic law, as are necessary for the successful achievement of the Malaria Control Objectives ...;
- (b) implement policies, procedures or, where necessary, legislation or regulations to facilitate a co-ordinated approach to the Malaria Control Objectives by the Parties, with the advice and guidance of the RMCC;”.

3.6.3 *Establishment of permanent institutions*

The Malaria Control Protocol and the Limpopo Basin Permanent Technical Committee Agreement establish permanent structures as a means to guide and implement their future co-operation. The clarity with which the powers and duties of such structures are specified and the extent to which they can act without prior approval from governments is an indication of their potential effectiveness in disaster response. The powers and duties of the RMCC, for example, are clearly set out in the Malaria Control Protocol (see Art. 5), and State Parties are obliged to grant the body powers under their national laws (see paragraph 3.6.2 above). In contrast, the Limpopo Basin Permanent Technical Committee has advisory powers only.

3.6.4 *Request and response*

²⁰ See also Art. 25(2)(f)(iii) of the ECOWAS Treaty; Art. 46(f)(iii) of the Abuja Treaty; Art. 3 of the FAO Agreement (the Agreement on Assistance to Tsetse Control in Northern Kwa-Zulu Natal being an example of such a “further agreement”); section 59 of the UNHCR Agreement; section 31 of the IOM Agreement; and Art. 3 of the ICRC Agreement.

²¹ See also Art. 110(2)(a), (c) and (d) of the COMESA Treaty; Art. 6.14 and 6.14 and 6.16 of the SADC Protocol on Transport, Communications and Meteorology; and Art. 2(5)(b) of the search and rescue agreements between South Africa and Namibia and Mozambique respectively.

Five of the agreements collected make provision for a “request and response” approach.²²

The agreements between the South African government and the WHO, FAO and UNDP respectively provide for the provision of technical assistance only upon request by the government and approval by the IGO concerned. They all provide for the terms of such co-operation to be stipulated in further written instruments. Obviously, the need to obtain approval and formulate and conclude a written agreement has implications for the expeditious delivery of disaster relief.

The search and rescue agreements make provision for two different forms of request:

- (a) where one State Party requests permission to enter the territory of the other State for search and rescue purposes; and
- (b) where one State Party requests the other Party to provide search and rescue services in the requesting State’s territory.

In the case of (a), the principle is that the responding State will permit immediate entry of the search and rescue services of the requesting State, subject to such conditions as may be prescribed.²³ The search and rescue units of the responding State will render assistance to the requesting State if required. The parties agree to authorize their search and rescue units to request and provide such assistance without additional procedures. In the case of (b), the parties agree to assist one another “as far as possible”. The agreements proceed to specify the responsibilities of the requesting and responding State in the provision of such assistance.

3.6.5 *Border procedures and internal movement*

The agreements between the South African government and various IGOs and NGOs consistently provide that articles imported or exported by the organization for its official use are exempt from customs duties and prohibitions and restrictions on imports and exports,²⁴ subject to the proviso that such articles may not be sold in South Africa except under conditions agreed to with the government. This exemption is arguably broad enough to cover entry into South Africa of relief goods and equipment required for use in disaster situations.

²² See Art. 3 of the WHO Agreement; Art. 1.1 of the FAO Agreement; Art. 1(2) of the UNDP Agreement; and Arts 2(2) – (6), 5 and 6 of the search and rescue agreements between South Africa and Namibia and Mozambique respectively.

²³ See Art. 2(2) – (4) of the search and rescue agreements.

²⁴ See, eg, section 13(b) of the ICRC Agreement, section 29(b) and 30 of the UNHCR Agreement; section 13(b) of the IOM Agreement.

The UNHCR Agreement makes provision for a further exemption from the payment of dues, tolls or charges in respect of the use of roads, bridges, canals, waterways and port facilities.²⁵

In contrast, the bilateral agreements relating to search and rescue and the transportation of drought commodities do not make provision for exemption from customs duties. The agreement on search and rescue between South Africa and Namibia, for example, provides in Art. 6(6) and 7(1) as follows:

“The Party requesting assistance shall make arrangements for facilitating the entry of search and rescue aircraft or vessel of the other Party, and for notifying the authorities concerned that such entry is about to take place.

If a search and rescue aircraft or vessel of one Party lands or berths in the territory of the other Party in the course of such search and rescue operation, an oral or telephonic report shall be made to the nearest Customs and Immigration official so that he may assist, in any way possible, in connection with any special importation required in the search and rescue operation ...”

In terms of the agreement, the Parties must “endeavour” to establish agreements with the “relevant authorities” to allow for aircraft, sea vessels and other vehicles to land, berth, stop or pass through designated ports.²⁶

In the case of the MoUs relating to the transportation of drought commodities, the only exemption relates to the requirement to obtain a road transportation permit from the authorities of both contracting States.²⁷ The MoUs specify the commodities to which the exemption applies and include a disc to be displayed by a road transporter for identification purposes. In terms of Art. 5 of the MoUs, however, all other rules regulating the movement of goods between the countries, remain in place:

“The provisions of this Memorandum of Understanding shall not derogate from the application of the provisions of national laws and regulations imposing any restrictions and control on grounds of public health, road traffic, veterinary or phytopathological reasons or the levying of dues chargeable by virtue of such laws and regulations of a Contracting Party.”

In the case of personnel, the agreements between South Africa and various IGOs and NGOs consistently provide for the following:

- (a) exemption from immigration restrictions and alien registration;

²⁵ See sections 15 and 16 of the UNHCR Agreement.

²⁶ See Art. 5(5) of the South African – Namibian Search and Rescue Agreement.

²⁷ At the time the agreements were signed, road transporters were required to obtain permits from the country where goods were loaded, as well as from the country to which the goods were consigned. A “single permit” system has since been established between South Africa and most Southern African States.

- (b) prompt clearance and issuance of visas, licenses and permits, without cost;
- (c) freedom of movement to, within or from the country for purposes of undertaking the organization's business.

These exemptions and freedoms generally extend to officials, experts on mission and persons performing services of the organization concerned. The organization is generally obliged to notify the Department of Foreign Affairs of persons in its employ.

In the case of movement within South Africa, the UNHCR Agreement recognizes an additional duty to consult the government in advance with regard to large movements of personnel, stores or vehicles through airports or on railways or roads used for general traffic.²⁸

3.6.6 *Immunities and protection of personnel*

In those agreements that deal with personnel, the following principles relevant to the performance of personnel in disaster situations appear fairly consistently:

- (a) immunity from personal arrest, detention and the seizure of official baggage;
- (b) immunity from legal process in respect of words spoken or written or any acts performed whilst in an official capacity;
- (c) protection and repatriation facilities as are accorded to diplomatic envoys in times of international crises or national emergencies;
- (d) provision for the removal of the body and personal property of an official who dies in the country of operation.

The search and rescue agreements between South Africa and Namibia and Mozambique respectively make provision for persons who are injured in the course of a search and rescue operation. The State requesting assistance is responsible for compensating the injured party.²⁹

In terms of Art. 6 of the South African – Nigerian Agreement on Co-operation in the Field of Health and Medical Sciences, professionals participating in an exchange programme are entitled to free medical care available in public hospitals in the event of sickness in the host country.

²⁸ See section 21 of the UNHCR Agreement.

²⁹ See, eg, Art. 6(7)(d) of the South African – Namibian Search and Rescue Agreement.

3.6.7 *Co-ordination*

A distinction can be drawn between co-ordination at a policy-making and an operational level.

At a policy-making level, Art. 13(e) of the Constitutive Act of the African Union (AU) is significant. It provides that the Union's Executive Council "shall co-ordinate and take decisions on policies in areas of common interest to the Member States, including ... environmental protection, humanitarian action and disaster response and relief." The Executive Council should therefore serve as a main point of access in any effort to lobby African States to accede to any multilateral policy or legal agreement on disaster response.

At an operational level, only the search and rescue agreements address the issue of co-ordination in a comprehensive fashion. Key elements of the arrangements for co-ordination under these agreements include the following:

- (a) pooling of search and rescue facilities;
- (b) exchange of information regarding: (i) details of the projected mission; (ii) requirements for the entry of the other State's search and rescue units into the other State's territory; (iii) search and rescue plans of operation; and (iv) availability and serviceability of search and rescue facilities;
- (c) authorization for search and rescue units from different countries to communicate directly;
- (d) arrangements for joint training exercises and periodic liaison visits between search and rescue personnel;
- (e) responsibility to co-ordinate search and rescue operations with other service providers;
- (f) rules for determining which rescue co-ordination center must initiate and remain in charge of an operation; and
- (g) circumstances under which responsibility for search and rescue co-ordination must be transferred from one rescue co-ordination center to the other, and procedures applicable to such transfer.

The UNDP Agreement contains an interesting provision that is potentially very significant in the broader context of disaster prevention (understood

as reducing a population's vulnerability to a particular disaster agent through appropriate development projects). Art II(5) of the Agreement provides as follows:

“If the UNDP Resident Representative is also designated by the Secretary-General of the United Nations as the Resident Co-ordinator, he or she shall ... on behalf of the United Nations system, have over-all responsibility for, and shall undertake the co-ordination of, operational activities for development of all organizations of the United Nations system at the national level. He or she shall exercise team leadership and be responsible for evolving, at the national level, an integrated and multi-disciplinary programme and approach to development assistance ...”

The UNDP Representative could play a co-ordinating role in respect of disaster response by expressly building disaster mitigation measures into development assistance programmes, having regard to the views of IGOs and NGOs in the disaster response field.

4 CONCLUSION

Although there is awareness in Southern Africa of the need to formalize arrangements on disaster response and mitigation, few agreements are in place. Existing agreements between States are either too broadly focused (treating disaster response as an incidence of regional integration), or too narrowly focused (ad hoc agreements in response to specific disaster events), to provide clarity and predictability of conduct in the event of a disaster. South Africa has concluded bilateral agreements with a number of major IGOs that could be used to facilitate operations in the event of a disaster, but indications are that this is not necessarily the case in other Southern African States. Agreements between governments and large NGOs relating to disaster response are virtually non-existent. Finally, while it appears that agreements between IGOs and large NGOs relative to disasters are in place, such agreements are contractual in nature and are very narrowly focused on specific projects. It is uncertain to what extent privileges and immunities granted by a State to an IGO are also extended to an executing NGO.

**APPENDIX A: LIST OF DOCUMENTS REGULATING INTERNATIONAL
DISASTER RESPONSE IN SOUTHERN AFRICA**

REGIONAL AGREEMENTS
Treaty establishing the African Economic Community (Abuja Treaty) (Art. 46, 64, 77) Entered into force 3 June 1991 30 ILM 1241 (1991)
Treaty of the Southern African Development Community SADC Treaty (Art. 21 and 22) Entered into force: 17 August 1992 http://www.sadc.int/english/protocols/declaration_and_treaty_of_sadc.html
Agreement amending SADC Treaty (Art. 21 and 22) Signed 14 August 2001 http://www.sadc.int/english/protocols/agreement_amending_the_treaty_of_the_sadc.html
SADC Protocol on Shared Watercourse Systems (Art. 2.9 and 2.10) Entered into force: 28 August 1995 http://www.sadc.int/english/protocols/p_shared_watercourse_systems.html
Revised Protocol on Shared Watercourses (Art. 1, 4.5) Signed: 7 August 2000 http://www.sadc.int/english/protocols/p_shared_watercourse_revised.html
SADC Protocol on Transport, Communications and Meteorology (Art. 6.14, 6.15, 6.16) Entered into force: 24 August 1996 http://www.sadc.int/english/protocols/p_transport_communications_and_meteorology.html
SADC Protocol on Trade (Art. 9) Entered into force: 24 August 1996 http://www.sadc.int/english/protocols/p_trade.html
SADC Protocol on Health (Art. 25) Signed: 18 August 1999 http://www.sadc.int/english/protocols/p_health.html
SADC Protocol on Politics, Defence and Security Co-operation (Art. 2.2(l)) Signed: 14 August 2001 http://www.sadc.int/english/protocols/p_politics_defence_and_security_cooperation.html
Treaty establishing the Common Market for Eastern and Southern Africa (Art. 110, 129, 130, 131, 135) Entry into force: 8 December 1994 http://www.comesa.int/
Treaty of ECOWAS (Art. 25, 29) Entry into force: 28 May 1975 http://www.sec.ecowas.int/
Malaria Control Protocol on the Lubombo Spatial Development Initiative between the Government of the Republic of South Africa, the Government of the Kingdom of Swaziland, and the Government of the Republic of Mozambique Signed: 14 October 1999
Tripartite Agreement between the Government of the Republic of South Africa, the Government of the Republic of Mozambique and UNHCR for the voluntary repatriation of Mozambican Refugees from RSA Entry into force: 15 October 1993
Agreement between the Government of the Republic of Botswana, the Government of the People's Republic of Mozambique, the Government of the Republic of South Africa and the Government of Zimbabwe relative to the establishment of the Limpopo Basin Permanent Technical Committee Entry into force: 5 June 1986
Dar es Salaam Declaration on Feeding of Infants and Young Children in Emergency Situations in Africa (Participants from 18 African Countries, UNHCR, UNICEF) November 1999

Bilateral Agreements
Agreement between the Republic of South Africa and the FAO on Assistance to Tsetse Control in Northern KwaZulu-Natal Signed: 2 May 1996
Agreement between the Government of the Republic of South Africa and the Government of the French Republic regarding Merchant Shipping and Related Maritime Matters Signed: 26 June 1998
MoU between the Republic of Zimbabwe and the Republic of South Africa on the Transportation by Road of Commodities Related to Drought Relief Signed: 9 June 1992
MoU between the Republic of South Africa and the Republic of Zambia on the Transportation by Road of Commodities Related to Drought Relief Signed: 26 June 1992
Agreement between the Government of Mozambique and the Government of the Republic of South Africa Regarding the Co-ordination of Search and Rescue Services Signed: 10 May 2002
Agreement between the Government of the Republic of South Africa and the Government of the Republic of Namibia Regarding the Co-ordination of Search and Rescue Services Signed: 8 September 2000
Agreement between the Government of the Republic of South Africa and the Government of the French Republic for the Co-ordination of Search and Rescue Services Signed: 31 May 2001
Specific Agreement between the Government of the Republic of South Africa and the Government of Denmark Regarding the Establishment of an Environmental Rapid Response Facility Signed: 26 April 1997
Basic Agreement between the Government of the Republic of South Africa and the United Nations High Commissioner for Refugees Concerning the Presence, Role, Legal Status, Immunities and Privileges of the UNHCR and its Personnel in the Republic of South Africa Signed: 6 September 1993
Agreement between the Government of the Republic of South Africa and the International Committee of the Red Cross Regarding the Legal Status, Privileges and Immunities of the ICRC Signed: 23 February 1995
Agreement between the Government of the Republic of South Africa and the International Organization for Migration Regarding the Legal Status, Privileges and Immunities of the International Organization for Migration Signed: 22 February 1995
Agreement between the Republic of South Africa and the United Nations Development Programme Signed: 3 October 1994
Basic Agreement between the World Health Organization and the Republic of South Africa for the Establishment of Technical Advisory Co-operation Relations Signed: 5 December 2000
Agreement to Establish FAO Representation in South Africa between the Government of the Republic of South Africa and the Food and Agriculture Organization of the United Nations Signed: 25 August 1997
Agreement between the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Republic of South Africa on the Establishment of UNESCO Headquarters in South Africa Signed: 12 September 1996
Basic Co-operation Agreement between the United Nations Children's Fund and the Government of the Republic of South Africa Signed: 3 May 1996
Agreement between the Republic of South Africa and the League of Red Cross and Red Crescent Societies Regarding the Establishment of a Delegation in the Republic of South Africa Signed: 23 October 1991

Agreement between the Republic of South Africa and the Government of the Czech and Slovak Republic on the Abolition of Visa Requirements for Holders of Diplomatic and Service Passports Signed: 29 October 1991
Agreement between the Republic of South Africa and the Government of the United States of America Concerning the Program of the Peace Corps in South Africa Signed: 5 December 1995
Agreement between the Government of the Republic of South Africa and the Government of the Republic of Nigeria on Co-operation in the Field of Health and Medical Sciences Signed: 28 March 2002
Declaration of Intent between the Government of the Republic of South Africa and the Government of the Republic of Angola on Co-operation in the Field of Health Signed: 23 May 2002
Declaration of Intent between the Government of the Republic of South Africa and the Government of the Republic of Senegal on Co-operation in the Field of Health Signed: 4 June 2002
Letter of Agreement regarding the Provision of Funds from the FAO of the United Nations to the Non-Governmental Organization World Vision* Signed: Not indicated Copy with Author
Memorandum of Understanding between the National Disaster Management Mitigation Unit, Republic of Zambia and World Vision International (Zambia) partnering with World Vision of Australia* Signed: Not indicated Copy with Author

* World Vision forwarded these agreements to the Author on the understanding that their detailed content would remain confidential.

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