

Mitigating foreseeable risks associated with international emergency response

The intent of this article is to highlight the complexities of emergency response planning for organizations that operate across National borders. Emphasis will be focused on foreign responder training and experience, cultural differences, foreign government policies and regulations, physical security of buildings and foreign response capability in terms of foreseeable risk. Knowing and understanding the emergency response environment prior to organizational set-up will be stressed in terms of how to leverage foreign response capabilities to your company's advantage while simultaneously developing initiatives to fill in response gaps, if needed.

By Marne Smith

Working for a branch campus of an American university operating abroad, I do quite a bit of thinking about Duty of Care and what this tort requirement means in terms of our responsibility for covered individuals. Individuals at my organization that are covered under Duty of Care include employees, their dependents, students and visitors to our foreign campus. Under the most basic conditions, Duty of Care pertains to the area of responsibility that falls between deliberately causing injury to others and accidental injury that is unforeseeable.¹ The area between deliberate and accidental injury deals with negligence in the form of foreseeable risk and is not considered deliberate. However, negligent injury in regards to Duty of Care is not considered an accident either, as foreseeable risk can be identified and mitigated to some degree.

In an international setting, Duty of Care extends to covered individuals in three critical areas: Providing information about the risks in the area in which people will be working, living, and traveling; monitoring the international environment for potential hazards/risks and updating people as

needed; and providing support and assistance in the event of crisis or emergency.² Focusing on potential hazards and risks, most professionals responsible for assessing risk would zero in on the more obvious predictable threats that covered individuals may face such as theft, violence, acts of terror (depending on the area of international operation), legal problems, illness and injury. However, one area that is often overlooked is the risk associated with emergency management and response. Blanchard³ defines emergency management as the "preparation for and the coordination of all emergency functions" (p. 345). These functions include firefighting, police, medical and health services, emergency rescue and emergency transportation. All of these functions can be associated with foreseeable risk and should be examined in comparison to probability and severity of consequences resulting from deficiencies in these operational functions.

The ability to manage in an emergency includes a reliance on the professional responders that show up at the scene of the incident, whether it is a medical emergency, fire, or a police emergency. My experience has shown that reliance on professional responders in foreign settings carries its own foreseeable risk. Local responders and dispatchers may have difficulty understanding a person in need of assistance because of language barriers. The

inability to explain the emergency and provide the location of where the emergency has occurred can be detrimental when quick response is needed.

In addition, it is important to gauge the capability of the fire service, ambulance service and hazmat service in your area of operation to determine if they are capable of handling incidents that involve your facilities and covered people. In my time abroad I have witnessed local responders arriving to a fire without proper turn-out gear and I have felt anxiety and frustration over not being understood when calling for an ambulance. These instances represent real vulnerabilities that can be identified and mitigated. I am not talking about providing equipment and training for local responders, rather, mitigation involves communicating the capabilities of local responders (or lack of) to covered individuals and setting up a system that allows for support to and assistance for covered individuals in an effort to address deficiencies. The support and assistance can include providing annual basic response training in the areas of fire extinguisher use and basic first aid, encouraging the development and testing of evacuation routes from businesses and homes, teaching basic foreign language skills to allow for communication during emergencies and providing directional routes to key locations for utilization during an emergency.⁴

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With regards to medical capabilities, it is important to know and communicate to covered individuals the location of the nearest hospital(s) and average transportation time by ambulance, the quality of the hospital staff, the extent of medical treatment available, requirements for payment of service, language skills of hospital staff, and location of capable medical care providers outside of hospitals. As a part of my job responsibilities, I have been involved with employees who were seriously ill and treatment had been denied by local hospital staff. I have also been involved with employees with serious injuries that could not be treated locally because the expertise or equipment was not available. Once an understanding of medical capabilities is determined, augmenting services where needed by ensuring outside medical consultation is available and a medical evacuation process is in place is important. For my organization, we use an outside service that provides 24/7 medical consultation provided by reputable American doctors who interact with the patient as well as with the local medical staff to determine that adequate care is being provided in a timely fashion. This professional service also includes medical evacuation and medical repatriation when necessary.

With regards to medical services, it is also beneficial to build, where possible, partnerships with emergency responders and medical facilities to further

improve upon services provided. Establishing personal contacts at response agencies and hospitals can create opportunities for joint training and information exchange that can prove valuable in a crisis situation.

In addition, it is important to establish a program that encourages the covered individual to assign power of attorney to a delegate who can authorize medical treatment and medically necessary evacuation of the covered individual and family members should the covered individual not be present or physically unable to make these decisions. Instances where medical care or medical evacuation cannot be provided because a legal document delegating authority for such decisions is not in place, is a genuine risk that should be considered.

Personally, I feel the area of building code and fire code compliance/enforcement is another area of risk that can have serious impact on emergency management and response. When looking at building safety as it pertains to hotels, employee residences and business locations, it is critical to recognize that safety code inspection of construction projects as well as inspection of existing buildings may not be as robust as what you are used to or may not exist at all. An actual incident that highlighted this foreseeable risk was a fire in a high-rise apartment building where my organization leased apartments for thirty families. My office was made aware of the fire from another employee who was in the area. I assumed evacuation of the building was underway therefore I activated our warden calling system to contact people in the building and direct them to a rendezvous point for headcount. My team and I soon realized that the problem was larger than establishing a gathering point for residents when it became obvious that the employees we were calling were not aware of the fire in the building and the need to evacuate. The resulting investigation highlighted significant deficiencies with life safety code systems in the building and it was an eye-opener for me and my organization. We no longer take for granted that physical safety and security of buildings is a given and we developed a residential and business property inspection program to address this risk.⁵



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