

Injects for Phase 2 – Regional and International Assistance

Humanitarian and Development

Humanitarian and Development Inject 1 –

Coordination

The UN is proposing to deploy an UNDAC team to support the set-up of a one-stop-shop for receiving incoming international assistance. A team is expected to arrive within 48 hours and they are requesting information about any pre-existing coordination mechanisms within the humanitarian and development community to manage international assistance.

Simultaneously, the CARICOM Disaster Relief Unit is prepared to deploy as part of the Regional Response Mechanism. CDEMA is coordinating with the National Disaster Coordinator to ensure that the CDRU is effectively integrated into the NEOC's operations.


Task: Describe the current mechanisms for activation and integration of deployment teams and relief from the Regional Response Mechanism (RRM), including roles and responsibilities of various RRM teams and links to government organisations and structures.





Describe the current non-government coordination mechanisms established in country for managing international assistance, including roles and responsibilities of different groups/organisations and links to government systems and structures.

What laws, policies and planning document support these mechanisms? How could the RRM and UNDAC teams provide support?

Discussion questions:

(See Reference IDRL Checklist)

	Q1	Does your country have a clear legal framework for disaster risk management which includes procedures relating to international disaster assistance?
<ul style="list-style-type: none"><input type="checkbox"/> Does your country have a disaster risk management/emergency management/civil protection law?<input type="checkbox"/> Do either of these laws mention international disaster assistance? Are procedures and protocols in place for the management of international disaster assistance?<input type="checkbox"/> Do the relevant sectoral laws (as listed below) contain any provisions relating to international disaster assistance?<input type="checkbox"/> Does the law or policy specify a procedure to report to other governments/regional organizations/ United Nations, CDEMA about emerging hazards that could lead to disasters and/or emergencies in the country and/or in a neighbouring country?		

	<p>Q2</p>	<p>Do your country’s laws and regulations clearly set out a focal point for coordinating international disaster assistance?</p>
<p><input type="checkbox"/> Is there a specific governmental focal point identified in your country’s laws for the coordination of international disaster assistance (including governmental and non-state actors)?</p> <p><input type="checkbox"/> Are there adequate and efficient procedures in place to ensure the coordination of international and domestic efforts among all levels of the government (national, regional and municipal) and across all governmental agencies?</p>		
	<p>Q3</p>	<p>Do your country’s laws and regulations outline the roles and responsibilities of different institutions relating to international disaster assistance?</p>
<p><input type="checkbox"/> Are the roles and responsibilities of relevant national institutions outlined in the disaster risk management/emergency management/civil protection law or other relevant sectoral laws?</p> <p><input type="checkbox"/> Who is responsible for developing and implementing the protocols and procedures of the respective areas for the effective management of international disaster assistance?</p> <p><input type="checkbox"/> Are the roles of the United Nations Resident Coordinator, CDEMA, National Red Cross/Red Crescent Society, and local or civil society actors in disaster response outlined in the law?</p>		
	<p>Q4</p>	<p>Do your country’s laws and regulations outline a process for requesting/welcoming offers of international disaster assistance, and for terminating international assistance?</p>
<p><input type="checkbox"/> Is there a specific governmental entity responsible for requesting international disaster assistance or accepting offers?</p> <p><input type="checkbox"/> Are there procedures in place for such requests? Do your country’s laws specify the level of detail to be included in the requests?</p> <p><input type="checkbox"/> Are the procedures in place to ensure coordination and exchange of information about specific needs between the entity responsible for requesting international assistance and the national disaster management agency or civil protection?</p> <p><input type="checkbox"/> Are the procedures clearly stipulated and the information easily accessible to governmental and non-state actors wishing to provide assistance?</p> <p><input type="checkbox"/> Are there provisions in the law about the acceptance or refusal of international offers of assistance?</p>		
	<p>Q8</p>	<p>Do your country’s laws and regulations establish a specialized unit for expediting the entry of international disaster assistance?</p>
<p><input type="checkbox"/> Are there any procedures in place in the law which provide for a consolidated, ‘One Stop Shop’ approach to international disaster response?</p> <p><input type="checkbox"/> Do your laws provide for the establishment of a disaster preparedness taskforce that considers issues related to international assistance?</p>		

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Foreign Affairs
- International organizations
- Non-governmental organizations
- Immigration
- Customs
- Agreement establishing CDEMA
- Regional Response Mechanism

See Model IDRL Provisions for the CDM Model Legislation

Notes for Traffic Light exercise:

- Consider the extent to which current laws and policies address the issues raised and whether they have the level of detail required.

Humanitarian and Development Inject 2 –



Prevention of sexual exploitation

A global report has just been released highlighting the issue of sexual exploitation by international humanitarian organisations during disaster operations. While the reports does not address this disaster in particular, the Chairs of the Caribbean Development Partners Group (CDPG) is keen to ensure that adequate measures are in place in every disaster context to prevent such exploitation from occurring.

Task: Prepare a brief report describing the various measures that you (collectively and as individual organisations) already have in place and/or which needs improving. What are the consequences for any organisation which does not have measures in place, or which have been found to be in breach of international standards?

Discussion questions:

(See Reference IDRL/DPR Checklists)

	<p>Q6</p>	<p>Do your country’s laws and regulations set out quality standards for international assisting actors?</p>
<ul style="list-style-type: none"> <input type="checkbox"/> Does the country’s national laws and regulations provide for minimum standards in humanitarian/early recovery activities? <ul style="list-style-type: none"> ○ Are assisting actors and their personnel abiding by the country’s domestic laws and applicable international law? ○ Are they coordinating with domestic authorities and other assisting actors? ○ Are they respecting the human dignity of disaster-affected persons at all times? <input type="checkbox"/> Is the disaster relief and initial recovery assistance provided in accordance with the principles of humanity, neutrality and impartiality? <input type="checkbox"/> Are there minimum standards set out in your laws and regulations in line with international quality standards? <ul style="list-style-type: none"> ○ Is the support responsive to the special needs of vulnerable groups and adequate for the needs identified? ○ Is it provided by competent and adequately trained personnel, in a transparent manner? ○ Is it carried out with the appropriate involvement of affected persons, in a manner that is sensitive to cultural, social and religious customs and traditions? ○ Is it carried out so as to minimize negative impacts on the local community, economy, job markets, development objectives and the environment? 		
	<p>Q9</p>	<p>Do your country’s laws and regulations provide adequate transparency, safeguards and accountability mechanisms governing international disaster relief and initial recovery assistance?</p>

- Are specific procedures in place to guard against diversion, misappropriation or fraud concerning foreign disaster relief and early recovery goods/funds?
- Is there a mechanism in place to remove the eligibility to receive legal facilities from international actors in case of violation of the quality standards in place (as detailed in question 6 above)?



Q9

Do your country's laws contain measures to ensure that vulnerable groups are included in, and protected by, disaster preparedness and response activities?

General measures to include and protect vulnerable groups

Non-discrimination

- Does the law guard against all forms of discrimination in all aspects of DPR?
- Does the law contain a recognition of the rights and specific needs of vulnerable groups during disasters?
- Does the law create a general obligation for disaster responders to protect and include vulnerable groups in DPR activities?

Needs of vulnerable groups

- Does the law and/or policy mandate that risk, needs and vulnerability assessments as well as contingency plans identify vulnerable groups and their specific needs?
- Does the law and/or policy mandate that planning processes outline key actions, resources and responsibilities for meeting the needs of vulnerable groups?
- Does the law and/or policy mandate that assessment and planning processes include the participation of vulnerable groups?
- Does the law and/or policy ensure restoring family links is an element of disaster response, including by making use of the services of the National Society, in its role as auxiliary to the public authorities in the humanitarian field?

Collection and protection of disaggregated data

- Does the law and/or policy mandate collection and protection of sex-, age- and disability- disaggregated data in risk, vulnerability and needs assessments?
- Does the law and/or policy mandate collection and protection of sex-, age- and disability- disaggregated data in relation to participation in DPR, disaster displacement, disaster impacts and the incidence of SGBV?
- Does the law and/or policy mandate the collection and protection of risk, vulnerability and needs assessment data disaggregated by context (rural, urban, peri-urban)?

Training and awareness-raising

- Does the law and/or policy require all government emergency responders (including sectoral agencies, the police and the military) to participate in training about the specific needs of vulnerable groups?

Participation of vulnerable groups

- Does the law mandate multi-stakeholder institutions to include representatives of vulnerable groups?
- Does the law mandate DPR actors to directly consult with vulnerable groups and promote their meaningful participation in relation to the design, planning, implementation, monitoring and evaluation of all aspects of DPR?
- Does the law and/or policy create quotas or targets for the recruitment of members of vulnerable groups as civil servants in DPR institutions?
- Does the law and/or policy mandate monitoring, evaluation and public reporting on the participation and inclusion of vulnerable groups in DPR?

SGBV Protection

- Does the law and/or policy mandate contingency planning for SGBV during disasters?
- Does the law and/or policy require post-disaster shelter to be designed and managed in a manner that prevents and mitigates SGBV?
- Does the law and/or policy require all government emergency responders to participate in training about SGBV?

Specific measures to include and protect vulnerable groups

Women, girls, adolescents and young adults

- Do disaster contingency plans identify key actions, resources and responsibilities in relation to sexual and reproductive health and menstrual hygiene management?
- Does the law and/or policy promote gender equality and encourage women and girls in leadership and decision-making roles?

Children

- Does the law and/or policy mandate contingency planning for child protection during disasters?
- Does the law and/or policy mandate contingency planning for the care of UASC during disasters, including the following key actions:
 - mitigating the risk of parent-caregiver separations;
 - locating, identifying and documenting UASC;
 - providing and monitoring alternative care arrangements for UASC;
 - conducting family tracing and verification; and
 - facilitating family reunification and integration?

Older persons and persons with disabilities

- Does the law mandate that all DPR activities are implemented in a manner that is accessible to people with physical, sensory, intellectual or psychosocial impairments?
- Do disaster contingency plans identify key actions, resources and responsibilities for providing disaster assistance in a manner that is adapted and appropriate for older persons and persons with disabilities?

Sexual and gender minorities

- Does the law and/or policy require information about sexual and gender identity to be collected, stored and disposed of securely?
- Do disaster contingency plans identify key actions, resources and responsibilities for ensuring that SGM have safe access to post-disaster shelter and water, sanitation and hygiene facilities?

Migrants, displaced persons and refugees; racial and ethnic minorities

- Does the law and/or policy require DPR activities to be implemented in a variety of languages, formats (e.g. print, audio, infographics) and media (i.e. formal, informal)?
- Does the law and/or policy demand participation of migrants, displaced persons and refugees in the elaboration of plans and strategies preventing, preparing for and recovering after disasters?

Indigenous groups

- Does the law prohibit indigenous groups from being removed from their land, except with their free, prior and informed consent?

	Q10	Do your country's laws contain measures to promote quality and accountability and to prevent fraud and corruption, in disaster preparedness and response?
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Quality

- Does the law and/or policy establish minimum standards for the provision of food, water, sanitation, hygiene, health care, shelter and other critical services and assistance during disaster response?
 - If yes, does and/or policy the law require DPR actors to use such minimum standards when developing and reviewing disaster contingency plans?
 - If yes, does the law and/or policy require DPR actors to use such minimum standards when monitoring and evaluating DPR activities?
- Does the law and/or policy establish a process for managing mass casualties during a disaster?

Post-disaster assessments

- Does the law mandate and assign institutional responsibilities for:
 - rapid and ongoing needs assessments, which are also used to inform the ongoing response?
 - assessments of losses and damages?
- Does the law and/or policy mandate assessments to take into account vulnerability, gender and diversity?
- Does the law and/or policy establish a coordinated, harmonized approach to post-disaster assessments across sectors?

Monitoring and accountability

- Does the law and/or policy require DPR actors to conduct monitoring and evaluation at the activity and program levels, taking into consideration vulnerable groups opportunities to equally benefit from services? Are there gender specific indicators included in M&E frameworks?
- Does the law and/or policy require the establishment of public grievance mechanisms?
- Does the law and/or policy require all DPR actors to regularly commission and publish external evaluations of their activities and programs?
- If yes, does the law also permit DPR actors to undertake internal evaluations, which do not need to be made publicly available, for the purpose of institutional learning and improvement?

Prevention of fraud and corruption

- Does the law mandate DPR actors to adopt measures to promote institutional resilience to corruption and fraud, such as codes of conduct, whistleblowing mechanisms and training?
- Does the law mandate DPR actors to implement function-specific controls to prevent fraud and corruption in finance, human resources, procurement, asset management and transport?
- Does the law and/or policy mandate DPR actors to implement measures designed to minimize the need for rapid hiring and procurement for DPR activities?

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- International organizations
- Non-governmental organizations
- Civil and criminal (penal) codes
- Prevention of sexual violence / domestic violence / violence against women
- Human rights / anti-harassment
- Child protection / child labour / child marriage / child abduction / child trafficking / child abuse
- Regional Response Mechanism

See Model IDRL Provisions for the CDM Model Legislation

Notes for Traffic Light exercise:

- Consider the extent to which current laws and policies address the issues raised and whether they have the level of detail required.

Humanitarian and Development Inject 3 –



Financial accountability


Following reports that some international relief organisations have been employing too many foreign staff and running assistance programs with overhead costs (those costs outside direct project implementation costs, such as administration and management) of more than 60%, a member of Parliament is demanding that the Ministry of Finance ends all tax exemptions and other financial facilities for all relief organisations, regardless of their legal status, and inspects their detailed financial records and employment contracts, with a view to approving only those organisations with international staffing and overhead costs of less of 20%.

Tasks: Are these demands reasonable and to what extent are you required to comply with the requests? Prepare a letter to the Ministry of Finance. What laws, policies and international standards can you draw from to support your conclusions?

Discussion questions:

(See Reference IDRL/DPR Checklists)

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	<p>Q9</p>	<p>Do your country’s laws and regulations provide adequate transparency, safeguards and accountability mechanisms</p>

		governing international disaster relief and initial recovery assistance?
<input type="checkbox"/> Are specific procedures in place to guard against diversion, misappropriation or fraud concerning foreign disaster relief and early recovery goods/funds? <input type="checkbox"/> Is there clear legal authority for a particular ministry/department to receive and disburse international donations made to the government, and to carry out monitoring and oversight? <input type="checkbox"/> Is there a mechanism in place to remove the eligibility to receive legal facilities from international actors in case of violation of the quality standards in place (as detailed in question 6 above)?		
	Q10	Do your country's laws contain measures to promote quality and accountability and to prevent fraud and corruption, in disaster preparedness and response?
<p><u>Quality</u></p> <input type="checkbox"/> Does the law and/or policy establish minimum standards for the provision of food, water, sanitation, hygiene, health care, shelter and other critical services and assistance during disaster response? <ul style="list-style-type: none"> ○ If yes, does and/or policy the law require DPR actors to use such minimum standards when developing and reviewing disaster contingency plans? ○ If yes, does the law and/or policy require DPR actors to use such minimum standards when monitoring and evaluating DPR activities? <input type="checkbox"/> Does the law and/or policy establish a process for managing mass casualties during a disaster?		
<p><u>Post-disaster assessments</u></p> <input type="checkbox"/> Does the law mandate and assign institutional responsibilities for: <ul style="list-style-type: none"> ○ rapid and ongoing needs assessments, which are also used to inform the ongoing response? ○ assessments of losses and damages? <input type="checkbox"/> Does the law and/or policy mandate assessments to take into account vulnerability, gender and diversity? <input type="checkbox"/> Does the law and/or policy establish a coordinated, harmonized approach to post-disaster assessments across sectors?		
<p><u>Monitoring and accountability</u></p> <input type="checkbox"/> Does the law and/or policy require DPR actors to conduct monitoring and evaluation at the activity and program levels, taking into consideration vulnerable groups opportunities to equally benefit from services? Are there gender specific indicators included in M&E frameworks? <input type="checkbox"/> Does the law and/or policy require the establishment of public grievance mechanisms? <input type="checkbox"/> Does the law and/or policy require all DPR actors to regularly commission and publish external evaluations of their activities and programs?		

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- Does the law and/or policy mandate DPR actors to implement measures designed to minimize the need for rapid hiring and procurement for DPR activities?

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Foreign Affairs
- International organizations
- Non-governmental organizations
- Finance/financial protection
- Civil and criminal (penal) codes
- Revenue Authority Act
- Fiscal Management and Accountability
- Fraud / corruption
- Immigration
- Monitoring / evaluation

See Model IDRL Provisions for the CDM Model Legislation

Notes for Traffic Light exercise:

- Consider the extent to which current laws and policies address the issues raised and whether they have the level of detail required.