

Injects for Phase 1 – National Response

Humanitarian and Development

Humanitarian and Development Inject 1 –



Prisons and PPE


A media report has revealed that facilities at Georgetown Prison ‘A’ were badly damaged by the disaster and the prison is now overcrowded with a lack safe drinking water and sanitation facilities, resulting in the outbreak of disease. An NGO is intending to provide health and sanitation services there, but prominent individuals are discouraging any assistance being given to the prisoners because they are “undeserving” of support. Moreover, some of the NGOs volunteers are refusing to participate in the program unless they are provided with adequate personal protective equipment and health insurance case they fall ill.

Task: What is the position of the humanitarian and development community on these issues, and to what extent is this supported by laws/policies?

Discussion questions:

(See Reference DPR Checklist)

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|  | Q6 | Do your country’s laws provide appropriate legal facilities for disaster preparedness and response? |
| <p><u>Volunteers</u></p> <p><input type="checkbox"/> Does the law provide clarity around the legal status, facilities, insurance, exemptions and training standards applicable to volunteers in disaster contexts?</p> | | |
|  | Q9 | Do your country’s laws contain measures to ensure that vulnerable groups are included in, and protected by, disaster preparedness and response activities? |
| <p><u>Non-discrimination</u></p> <p><input type="checkbox"/> Does the law guard against all forms of discrimination in all aspects of DPR?</p> <p><input type="checkbox"/> Does the law contain a recognition of the rights and specific needs of vulnerable groups during disasters?</p> <p><input type="checkbox"/> Does the law create a general obligation for disaster responders to protect and include vulnerable groups in DPR activities?</p> | | |

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|  | <p>Q10</p> | <p>Do your country’s laws contain measures to promote quality and accountability and to prevent fraud and corruption, in disaster preparedness and response?</p> |
| <p><u>Quality</u></p> <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?</p> <ul style="list-style-type: none"> <input type="radio"/> If yes, does and/or policy the law require DPR actors to use such minimum standards when developing and reviewing disaster contingency plans? <input type="radio"/> If yes, does the law and/or policy require DPR actors to use such minimum standards when monitoring and evaluating DPR activities? <p><u>Monitoring and accountability</u></p> <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?</p> <p><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?</p> <p><input type="checkbox"/> 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?</p> | | |

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Volunteering, employment, taxation, occupational health and safety, insurance,
- immigration, social welfare, charitable organizations
- Constitutional laws / human rights

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 –

NGO Tax

A local politician is seeking public support to increase the revenue of local government by proposing a new levy on local NGOs and charities, by charging them 10% of all money donations to support the relief operation.

Task: What is the position of the humanitarian and development community on these issues, and to what extent is this supported by laws/policies?


Would your opinion change after being given the following facts (consider each separately):

(a) the revenue from the 10% is intended to support future disaster preparedness activities of local government

(b) the 10% will only be required from organisations with high overheads, as a measure to discourage wasting donor money.

Discussion questions:

(See Reference DPR Checklist)

|  | Q2 | Do your country's laws support the implementation of an effective disaster risk financing strategy? |
|---|----|--|
| <p><u>National and local budget allocations</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Does the law mandate the allocation of funding from the annual budget for disaster situations, and if so, does it: <ul style="list-style-type: none"> – allocate sufficient funding to meet, as a minimum, the ongoing costs of institutional arrangements and low level disaster risks; – identify separate funds for preparedness and response; – allocate funding to local government (or require local governments to allocate funds); and – allocate funding for use by communities, including a wide range of community stakeholder groups? <input type="checkbox"/> Does the law establish special funds or reserves for disaster situations, such as emergency or contingency funds, and if so, does it: <ul style="list-style-type: none"> – identify separate funds for risk reduction, preparedness and response; – allow contributions from external sources; and – include provisions for replenishment? <input type="checkbox"/> Does the law establish institutional arrangements with clear roles and responsibilities for the monitoring and management of DPR/Disaster Risk Management (DRM) funds? <input type="checkbox"/> Does the law provide clear and streamlined procedures for FbF or the rapid release of funding in the event of a disaster, including in the absence of a State of Emergency or State of Disaster? <input type="checkbox"/> Does the law provide adequate transparency and safeguards against the misuse of funds? | | |

National disaster risk financing


- Does the law and/or policy establish and facilitate risk-informed disaster risk financing mechanisms which support the costs of DPR/DRM through a combination of public and private sector sources, such as disaster insurance or reinsurance schemes and risk mitigation incentive schemes (taxes, levies, exemptions, subsidies, grants)?
- Does the law and/or policy recognize the specific needs of vulnerable groups in disaster risk financing?

International grants, loans and credit

- Does the law and/or policy establish criteria for receiving international funds through grants, loans and contingent credit to support DRM activities?
- Does the law facilitate receiving international funds by ensuring robust financial management, accountability, reporting and audit systems?

International risk financing

- Does the law and/or policy provide for participation in international risk financing schemes, such as risk pooling or reinsurance schemes?
- Does the law and/or policy require a comprehensive disaster and financial risk analysis as a pre-requisite for participating in international risk financing schemes?
- Does the law facilitate access to international risk financing schemes by ensuring robust DPR/DRM, institutional, financial, accountability, reporting and audit systems?

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|  | Q6 | Do your country's laws provide appropriate legal facilities for disaster preparedness and response? |
| <p><u>Tax exemptions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Does the law provide tax exemptions to incentivise disaster preparedness and mitigate disaster losses for individuals and private organizations? | | |

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Banking / Insurance / International monetary transfers
- Social protection
- Anti-corruption, fraud
- Fiscal management and accountability
- Local government
- Taxation
- Charitable organisations

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 –

Migrants


An NGO supporting migrants, approaches you with a number of concerns about the current situation, seeking your support to raise these issues with the government. Their concerns include:

- (a) migrants were excluded from evacuation shelters by some community members due to conflicting reports in the media that suggested that migrants could be deported if found by the authorities.
- (b) a number of migrant women were viciously attacked at a relief distribution point, and now others are reluctant to attend and are not receiving adequate assistance.
- (c) some local residents from the disaster-affected areas were becoming hostile toward humanitarian workers claiming that they were giving preferential treatment to migrants due to their circumstances being considered more “vulnerable”, than others.

Task: What are the issues and solutions you would like to discuss with the government, and to what extent do current laws and policies support or hinder your recommendations?

Discussion questions:

(See Reference DPR Checklist)

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|---|-----------|---|
|  | Q9 | Do your country’s laws contain measures to ensure that vulnerable groups are included in, and protected by, disaster preparedness and response activities? |
| <p><u>Non-discrimination</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Does the law guard against all forms of discrimination in all aspects of DPR? <input type="checkbox"/> Does the law contain a recognition of the rights and specific needs of vulnerable groups during disasters? <input type="checkbox"/> Does the law create a general obligation for disaster responders to protect and include vulnerable groups in DPR activities? <p><u>Needs of vulnerable groups</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> 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? <input type="checkbox"/> Does the law and/or policy mandate that planning processes outline key actions, resources and responsibilities for meeting the needs of vulnerable groups? <input type="checkbox"/> Does the law and/or policy mandate that assessment and planning processes include the participation of vulnerable groups? <p><u>Migrants, displaced persons and refugees; racial and ethnic minorities</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> 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)? <input type="checkbox"/> 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?

Sexual and gender-based violence (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?

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Immigration / refugees and asylum seekers
- Prevention of sexual violence / domestic violence / violence against women
- Human rights / anti-harassment / anti-discrimination

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.