

Injects for Phase 1 – National Response

Infrastructure

Infrastructure Inject 1 –


Drones and privacy

A large and well-established local NGO has requested permission to use a UAV/drones to fly over some of the more remote affected areas to conduct a rapid assessment. They have also heard that the Guyana Red Cross Society has been trying to verify the status of people reported to be missing in that area by family members who have not heard from them. The NGO is intending to fly the drones close enough for families to identify their relatives.

Task: What are the legal issues associated with this request? Should permission be granted and if yes, under what conditions?

Discussion questions:

(See Reference DPR Checklist)

	Q6	Do your country's laws provide appropriate legal facilities for disaster preparedness and response?
<p><u>Licensing of UAVs (unmanned aerial vehicles) or drones</u></p> <p><input type="checkbox"/> Does the law provide a clear legal framework for the humanitarian use of UAVs and/or refer to the Humanitarian UAV Code of Conduct and Guidelines and the International Civil Aviation Organization Circular on Unmanned Aircraft Systems (UAS)?</p> <p><u>Data protection and privacy</u></p> <p><input type="checkbox"/> Does the law provide clarity about the use and protection of personal data in disaster situations, including permission for specific organizations, including the Guyana Red Cross Society, to use and store such data as part of their essential operations?</p>		

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Human rights
- Privacy / data protection
- Aerial, vehicle, transport

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.

Infrastructure Inject 2 –


WASH (Water, Sanitation, Hygiene)

A media report has shown footage of raw sewage contaminating the waterways of communities living downstream of the disaster-affected area and community leaders want to take legal action against upstream disaster-affected communities for the impact on their health and livelihoods. However, the upstream disaster-affected communities are complaining they have not received any support for the repair or rebuilding of their damaged latrines, so they are left with no choice but to use the river for their ablutions.

Task: What are the different roles and responsibilities of the communities and different levels of government? Are there minimum standards for sanitation after disaster?

Discussion questions:

(See Reference DPR Checklist)

	<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> <ul style="list-style-type: none"> <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? <input type="checkbox"/> 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="checkbox"/> If yes, does the law and/or policy require DPR actors to use such minimum standards when monitoring and evaluating DPR activities? 		

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Human rights
- Water and sanitation
- Public utilities
- Health
- Monitoring / evaluation
- National Security
- Local government

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.

Infrastructure Inject 3 –


Shelter, tenants and ownership

A number of organisations have been implementing emergency shelter programs, to support people who have lost their homes in the disaster with cash and materials to construct temporary shelters. However, they are only making their programs available to the owners of the destroyed properties. A number of tenants have complained that they have been excluded from the program even though they lost their homes. Some property owners are also complaining they have been excluded because they lost their legal documents in the disaster and the NGO is not covering any costs to replace them. They are calling on the government to do something about it.

Task: Are the NGOs breaching any laws or policies in their approach to the shelter program? What could the government do to assist?

Discussion questions:

(See Reference DPR Checklist)

	<p>Q8</p>	<p>Do your country’s laws contain measures to address common problems that arise in the context of shelter assistance in relation to housing, land and property rights?</p>
<p><u>Equitable access to emergency shelter assistance</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Does the law and/or policy governing emergency shelter assistance discriminate on the basis of tenure status? <input type="checkbox"/> Does the law expressly allow tenure to be demonstrated or verified using community verification, community-based land mapping and indicia other than land title documents (e.g. payment of rent and land taxes)? <input type="checkbox"/> Does the law establish procedures to regularise undocumented or informal land tenure, particularly as regards women? If so, are these procedures widely accessible? Are they simple and fast? <p><u>Maintaining access to important documents</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Does the law and/or policy mandate educating the general public about practical measures for maintaining access to important documents during disasters? <input type="checkbox"/> Does the law and/or policy establish procedures to expedite the replacement of personal identification and land title documents that are lost, damaged or destroyed during disaster? <input type="checkbox"/> Does the law and/or policy mandate that replacement documents are provided to disaster-affected persons free of charge? <input type="checkbox"/> Does the law establish procedures for recognizing, at least on a temporary basis, land ownership and use rights that are identified and documented through community verification and community-based land mapping processes? 		

Injects Phase 1 – National Response

Check laws and policies related to:

- Disaster management / emergency management / civil protection / humanitarian assistance
- Monitoring / evaluation
- Housing / land / property / land use planning / spatial planning
- Constitutional laws / human rights
- Indigenous lands / local government

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.