

# Injects for Phase 1 – National Response

## Environment

### Environment Inject 1 –


#### Emergency powers (environment)

A number of public roads have been damaged or made inaccessible by the disaster due to the buildup of debris and the dumping of damaged items and carcasses by residents on the roadways. To reach a number of affected communities, government and NGO assessment teams and vehicles for the distribution of relief items will need to pass and require extensive road clearance and debris management. Local authorities propose digging large pits in the backlands and dumping the debris and garbage including the carcasses of dead animals for burning or burial. However, local environmental groups are protesting that the construction of garbage pits for burning/burial is illegal and will cause permanent damage to the environment.

**Task:** What are the different interests involved and how should the issue be addressed? Later, you receive a copy of the emergency declaration: does it change this situation?

#### Discussion questions:

(See Reference Disaster Risk Governance Guidelines)

	<b>Green recovery</b>
<p><u>Environmental Impacts</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Does the law mandate and assign responsibility for the following key tasks:<ul style="list-style-type: none"><li>○ assessing environmental damage caused by disasters;</li><li>○ developing and implementing the environmental components of response and recovery plans;</li><li>○ ongoing monitoring of the environmental impacts of response and recovery activities; and</li><li>○ developing and implementing a disaster waste management plan.</li></ul></li> <li><input type="checkbox"/> Does the law require response and recovery plans to identify the measures that will be implemented to:<ul style="list-style-type: none"><li>○ remediate environmental damage caused by disaster;</li><li>○ safeguard against further environmental damage during response and recovery; and</li><li>○ use recovery as an opportunity to strengthen environmental practices.</li></ul></li></ul>	

- Does the law establishes a fast-track environmental impact assessment (EIA) process to ensure environmental protections continue to apply during recovery but do not slow down reconstruction.

**Check laws and policies related to:**

- Disaster management / emergency management / civil protection / humanitarian assistance
- Monitoring / evaluation
- Environment / environmental impact assessments
- Protected areas
- Roads and transport
- Constitutional 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.

**Environment Inject 2 –**


**Emergency Centre Standards**

Media has reported a situation at an NGO-managed emergency shelter where a large proportion of the occupants have people have fallen ill from food poisoning. The media footage shows food being stored in open containers close to the latrines, including the presence of mould and insects. The cooking facilities also appear unhygienic. Some evacuees are complaining that they have also been unable to eat the food because it contains meat that is not in accordance with their religious practices and no alternatives are being provided.

**Task:** What standards apply to this situation and what measures should be taken/by whom to ensure these standards are met?

**Discussion questions:**

*(See Reference DPR Checklist)*

	<b>Q10</b>	<b>Do your country’s laws contain measures to promote quality and accountability and to prevent fraud and corruption, in disaster preparedness and response?</b>
<p><u>Quality</u></p> <ul style="list-style-type: none"> <li><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?</li> <li><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?</li> <li><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?</li> </ul> <p><u>Monitoring and accountability</u></p> <ul style="list-style-type: none"> <li>• 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?</li> </ul>		

**Check laws and policies related to:**

- Disaster management / emergency management / civil protection / humanitarian assistance
- Fraud / corruption
- Health and Sanitation
- Monitoring / evaluation

**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.

**Environment Inject 3 –**

**Land acquisition for temporary shelter**


The National Emergency Operations Centre (NEOC) has asked for your support to identify land which can be requisitioned for temporarily accommodating a number of households in emergency shelters for a period of 3 months, but are concerned about the legalities. You have identified some private land as a potential site.

**Task:** Does the government have the power to requisition land for this purpose?

If so, who is the relevant authority, what is the procedure? Is there any entitlement to compensation for the property owner? Are there any provisions allowing/restricting any permanent fixtures (such as concrete, or drainage) and to restore the property to its original condition?

**Discussion questions:**

*(See Reference DPR Checklist)*

	<p><b>Q8</b></p>	<p><b>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?</b></p>
<p><u>Land and buildings for emergency and transitional shelter</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Does the law empower government to temporarily requisition land and buildings for emergency and transitional shelter during disasters?</li> <li><input type="checkbox"/> If so, is the government’s power to requisition land and buildings subject to strict controls that minimize interference with private property rights?</li> </ul>		

**Check laws and policies related to:**

- Disaster management / emergency management / civil protection / humanitarian assistance
- Housing / land / property / land use planning / spatial planning
- Constitutional laws / human rights
- Indigenous land
- 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.