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**Observations on strengthening community participation
in disaster risk reduction in disaster law and policy**

Maria Giovanna Pietropaolo

Intern, Disaster Law Programme

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For more information:

Disaster Law Programme

International Federation of Red Cross and Red Crescent Societies

P.O. Box 372

1211 Geneva 19

Switzerland

Email: disaster.law@ifrc.org

Website: www.ifrc.org/dl

Introduction

Recognition of the significant role of communities in disaster risk reduction (DRR) can be found in an increasing number of international instruments, national laws and policies.¹ Yet, despite extensive formal endorsement, in practice, community participation is often merely symbolic or simply missing. The present paper attempts to investigate the reasons compromising the effectiveness of communities' contribution in the field of DRR. The analysis is conducted looking at studies on the implementation of relevant national legislation, assessments of community-based projects undertaken with the support of NGOs, international organizations and National Red Cross and Red Crescent Societies and national progress reports on the implementation of the Hyogo Framework for Action.

Although barriers to community involvement are mainly context-specific, some common challenges are identified. Due to time constraints, the analysis focuses on the obstacles faced in the 'decision-making' phase of the DRR process.² Recurring challenges are presented alongside related good practices, if any, and findings are summarized in charts at the end of the analysis. Without claiming to be exhaustive, this paper draws on existing laws and secondary literature to flag some aspects that, if adequately addressed in relevant legislation and policies, might contribute to the effectiveness of community participation in DRR.

1. International acknowledgment of communities' role in DRR

The Sendai Framework for Disaster Risk Reduction 2015-2030 adopted at the Third UN World Conference calls for a whole-of society approach to DRR.³ It indeed encourages governments to seek the active contribution of relevant stakeholders including women, children and youth, persons with disabilities, poor people, migrants, indigenous peoples, volunteers, the community of practitioners, and older persons when shaping and implementing DRR policies, plans and standards.⁴ Analogously to its predecessor, the Hyogo Framework for Action 2005-2015 (HFA),⁵ the Sendai Framework makes a clear point about the importance of engaging communities in order to strengthen disaster governance. States are to this end encouraged

to assign, as appropriate, clear roles and tasks to community representatives within disaster risk management institutions and processes and decision-making through relevant legal frameworks, and undertake comprehensive

¹ For the purpose of this paper, 'community' is to be understood as "a group of people that may or may not live within the same area, village or neighbourhood, share a similar culture, habits and resources. Communities are groups of people also exposed to the same threats and risks such as disease, political and economic issues and natural disasters". IFRC, 'IFRC Framework for Community Resilience', 2014, at 10.

² For the purpose of this paper, with 'decision-making' stage of the DRR process, reference is made not only to the phase in which DRR programmes are developed and relevant decisions are taken but also to the preliminary phases in which vulnerabilities and capacities are assessed to diagnose risks.

³ The Sendai Framework for Disaster Risk Reduction 2015-2030 is a 15-year non-binding agreement adopted in March 2015 aiming at a substantial reduction of disaster risk and disaster-related losses. Sendai Framework for Disaster Risk Reduction 2015-2030, 2015.

⁴ Sendai Framework, para. 7.

⁵ Hyogo Framework for Action 2005-2015. Building the Resilience of Nations and Communities to Disasters, Resolution 2 in Report of the World Conference on Disaster Reduction, A/CONF.206/6, para. 16(h).

public and community consultations during the development of such laws and regulations to support their implementation.⁶

Securing community-based disaster risk reduction (CBDRR), that is a bottom-up approach in DRR activities grounded on the principle of community participation,⁷ is therefore today a common goal of the international community. Notwithstanding the recent focus on CBDRR, community involvement in managing disasters is not a new concept. Community-developed plans and responses to disasters were indeed the standard approach to building resilience to nature's challenges before States were created and governments took over DRR activities. However, the failure of pure top-down approaches in reducing the underlying risks to disasters has led to a renewed interest in community involvement in disaster risk management (DRM).⁸

The exclusively top-down enactment and implementation of DRR measures has indeed proven its inadequacy to reach those most affected by disasters and concerns that it may even make affected populations more vulnerable have also been raised.⁹ Complementing structural and policy frameworks shaped by authorities with bottom-up approaches can contribute instead to the adoption of DRR measures which are efficient, effective and sustainable.¹⁰ Efficiency ensues from deep community knowledge and experience concerning a given context that is accumulated throughout time and that encompasses information to which governmental authorities may not have access.¹¹ Effectiveness comes from the capacity to reach those most-affected and to lead, through community involvement in DRR governance, to widely accepted decisions and programmes.¹² Broad popular endorsement ensures indeed that DRR measures are more easily implementable. Finally, when DRR action is developed including with community involvement it is sustainable because it empowers populations at risk making them more self-reliant. Furthermore, thanks to the sense of ownership of DRR measures by the community, continuity in implementation is also ensured.¹³

Also in light of the above-mentioned advantages associated with community participation, the latter and more generally public participation in decision-making have been largely encouraged in international instruments concerning fields of activity closely connected to DRR.¹⁴ The Independent Expert on Human Rights and the Environment has referred to a

⁶ Sendai Framework, para. 27(f).

⁷ R. Shaw, 'Overview of Community-Based Disaster Risk Reduction', in R. Shaw (ed.), *Community-Based Disaster Risk Reduction* (2012), at 4.

⁸ Shaw, *supra* note 7, at 4-5. Whereas DRM and DRR are often used interchangeably, it should be noted that DRM has a broader reach since it includes risk-reduction activities carried out before, during and after a disaster. Conversely, DRR focuses on pre-disaster activities. Shaw, *supra* note 7, at 5.

⁹ T. Thi My Thi et al., 'Community-Based Disaster risk reduction in Vietnam', Shaw (ed.), *supra* note 7, at 268; Shaw, *supra* note 7, at 4.

¹⁰ UNDP Pacific Centre, Workshop Report: 'Community Participation in Disaster Risk Sensitive Development Planning', 2007, at 12.

¹¹ *Ibid.*, at 11; Shaw, *supra* note 7, at 4.

¹² Y. Matsuoka et al., 'Partnership Between City Government and Community-Based Organizations in Kobe, Japan', in Shaw (ed.), *supra* note 6, at 154.

¹³ UNDP, Workshop Report, *supra* note 10, at 12; Shaw, *supra* note 7, at 4.

¹⁴ See, for example, 'World Charter for Nature' adopted by GA Res. 37/7 (1992), para. 23; United Nations Framework Convention on Climate Change (1992), 1771 UNTS 107 (entered into force 21 March 1994); United Nations Convention to Combat Desertification in Countries Experiencing Serious Drought and/or

procedural duty identified by the UN and by several human rights bodies for States to facilitate public participation in environmental decision-making.¹⁵ Likewise, the UN Convention to Combat Desertification, at the global level, and the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, at the European level, call on States to empower people to effectively participate in decision-making in environmental matters.¹⁶

2. Community involvement in the real world

Unfortunately, the broad support formally expressed for community-level DRR has not always been translated into concrete measures. States have often enacted legislation (not only disaster management acts but also sectoral laws such as on water management, environmental protection, building and land management etc.) welcoming and encouraging CBDRR but often with no concrete follow-up. As reported in the 2015 Global Assessment Report on Disaster Risk Reduction prepared by the United Nations Office for Disaster Risk Reduction (UNISDR), the adoption of a community-based approach has become “mainstream and ubiquitous at all levels, while in reality community empowerment has been more symbolic than real”.¹⁷

The reasons underlying the deep discrepancy between formal commitments and practice vary depending on circumstances such as geographical position, economic and social conditions, culture, level of governmental support in a specific area, the fact of operating in urban or rural zones etc. Some challenges, however, apply across a number of contexts. Without claiming to be exhaustive, the analysis has led to the identification of two main categories of barriers to community engagement. On the basis of the premise that community involvement strongly relies on the decentralization of DRR responsibilities, the first category encompasses challenges faced in the decentralization process. It concerns in other words those contexts where legislation for devolution has been adopted but, mainly due to lack of resources, the structures that should ensure community involvement have not been established. The second level, instead, refers to situations in which functioning mechanisms and procedures for community involvement in DRR have been put in place (establishment of committees, consultation of community representatives, launching of projects in collaboration with communities etc.) but have only brought about symbolic participation with no real impact in the adoption of DRR measures.

3. Absence of governmental interlocutors and structures for community participation

The way we address progress in the field of DRR may have triggered a phenomenon called ‘hyper-reality’ in which “perceptions of progress and achievement in disaster management

Desertification, Particularly in Africa (1994), 1954 UNTS 3 (entered into force 26 December 1996), arts. 3(a) and 10(2)(e)(f).

¹⁵ Statement by John H. Knox, Independent Expert on Human Rights and the Environment at ‘The Development of Environmental Human Rights’ Meeting, November 2014, available at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=15274&LangID=E> (last accessed 9 September 2015).

¹⁶ Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998), 2161 UNTS 447 (entered into force 30 October 2001).

¹⁷ UNISDR., ‘Global Assessment Report on Disaster Risk Reduction 2015’ (GAR 2015), 2015, at 124.

contrast with the lack of progress in addressing the underlying risk drivers”.¹⁸ This concept, employed by the UNISDR in the assessment of the implementation of the HFA, could also be applied to the evaluation of advancements in the field of CBDRR. Frequently, national legislation or policies promoting community participation are adopted but are not implemented and mandated mechanisms are not established due to the shortage of accompanying resources.¹⁹ This flaw is mainly due to the fact that local levels of government are often entrusted with DRR responsibilities, including with the task of ensuring community participation, but are incapable of executing their functions.²⁰ This phenomenon, referred to as ‘asymmetrical decentralization’ to indicate that local governments receive the mandate but not the capacity and resources,²¹ leads to CBDRR being successful on paper but not on the ground.²² The UNISDR has referred to it as a key problem when analyzing reports on the implementation of the HFA between 2007 and 2013.²³ Several States, including Croatia, Ghana, Indonesia, Kenya, Lesotho, Myanmar, Palau, the Philippines, and Senegal have faced challenges related to lack of funds, staff or other essential instruments.²⁴ Therefore, in light of the significant role played by legislation and by the mechanisms mandated by it in promoting DRR including with community involvement, it is of paramount importance to secure adequate resources so to ensure the implementation of the adopted regulations.

3.1 Shortage of funds

Scarcity of financial resources allocated for DRR at the local level prevents the creation or successful operation of mechanisms to ensure community participation.

Answers to this challenge are necessarily context-specific. Some good practices from which inspiration could be taken can however be identified. There is, for example, general agreement on the importance of establishing a fund for DRM activities to be administered at the local level. This is indeed an element States had to report on to demonstrate their progress in the implementation of the HFA. Importantly, within this fund, allocation for DRR should be done separately from other disaster-related activities to avoid that, as is often the case, all available funds are allocated for disaster response. Specific line items in the budgets could be included so to help countries estimate DRR investments.²⁵ Iran, for example, makes sure that

¹⁸ *Ibid.*, at 116.

¹⁹ UNISDR, ‘Implementation of the Hyogo Framework for Action, Summary of Reports 2007-2013’, at 13.

²⁰ Devolution of DRR authority does not apply to countries that do not have a system of local government such as Anguilla, Antigua and Barbuda and the Cayman Islands. In the case of Anguilla, for example, the Public Outreach and Education Plan and Strategy and the Hazard Inspection Programme and Strategy directly operate throughout communities from the central level. ‘Compilation of National progress Reports in the implementation of the Hyogo Framework for Action (2009-2011). HFA Priority 1, core indicator 1.3’, available at [http://www.preventionweb.net/english/hyogo/progress/documents/hfa-report-priority1-3\(2009-2011\).pdf](http://www.preventionweb.net/english/hyogo/progress/documents/hfa-report-priority1-3(2009-2011).pdf) (last accessed 15 September 2015), Anguilla.

²¹ E. Silver, ‘Priority, Capacity, Information (A three stage approach to implementing disaster risk reduction and management at the local level)’, Nationwide Operational Assessment of Hazards (NOAH), 2014, available at <http://blog.noah.dost.gov.ph/2014/11/06/priority-capacity-information-a-three-stage-approach-to-implementing-disaster-risk-reduction-and-management-at-the-local-level/> (last accessed 8 September 2015).

²² GAR 2015, *supra* note 17, at 123.

²³ Summary of Reports 2007-2013, *supra* note 19, at 13.

²⁴ GAR 2015, *supra* note 17, at 123; Silver, *supra* note 21.

²⁵ Difficulties in estimating DRR investments have indeed been identified as a major challenge by several countries. See Summary of Reports 2007-2013, *supra* note 19, at 12.

2% of every local budget is dedicated to DRR.²⁶ A similar measure has been adopted in the Philippines,²⁷ whereas in Mozambique a share of the State budget is specifically allocated to provinces and districts for DRR activities.²⁸ In the US, the President can give financial support up to the value of 75% of the cost of DRR activities “which the President has determined are cost-effective and which substantially reduce the risk of future damage, hardship, loss, or suffering in any area affected by a major disaster”.²⁹

Concerning the identification of utilizable funds for DRR activities, some governments have started integrating DRR projects into development budgets. This practice has been followed, for example, in South Africa where DRM legislation establishes that DRR projects should be integrated into the development plan of each local municipality.³⁰ If resources are nevertheless insufficient to ensure community participation throughout the country, the government should be able to prioritize areas on the basis of a risk and capacities assessment.³¹ Other innovative responses to financial constraints have included relying on volunteers to bolster DRR programmes in Australia and Ghana and ensuring stronger participation of NGOs and Community Based Organizations (CBOs) in Anguilla, Australia, China, Ghana, Indonesia and Italy.³²

3.2 Inadequacy of staff

When DRR responsibilities are mandated to a specific department or level of governmental authority, barriers connected to the quantity or quality of personnel in charge often compromise the outcome of DRR processes. In many cases, no staff are specifically appointed to carry out DRR-related tasks or such responsibilities are assigned to officials already designated to execute other functions. With reference to the quality profile, moreover, States often appoint personnel lacking the relevant know-how and competencies. Communities involved in DRR at the local level might therefore miss the crucial interaction with the governmental interlocutor.

Regulations should therefore expressly regulate the appointment of dedicated staff. To avoid that DRR tasks are given second priority to other responsibilities as happened for example in Timor Leste,³³ *ad hoc* personnel should be appointed for DRR activities. Moreover, appointed staff should have a clear and precise mandate. In Peru, for example, despite the

²⁶ Summary of Reports 2007-2013, *supra* note 19, at 13.

²⁷ Philippines, Republic Act No. 10121, An Act Strengthening the Philippine Disaster Risk Reduction and Management System, Providing for the National Disaster Risk Reduction and Management Framework and Institutionalizing the National Disaster Risk Reduction and Management Plan, Appropriating Funds Therefor and for Other Purposes, section 21.

²⁸ Compilation of National progress Reports, *supra* note 20, Mozambique.

²⁹ US, Robert T. Stafford Disaster Relief and Emergency Assistance Act (as amended), April 2013, Section 404.

³⁰ D. van Niekerk, C. Coetzee, ‘African Experiences in Community-Based Disaster Risk reduction’, in Shaw (ed.), *supra* note 5, at 344. South Africa, Disaster Management Act (2002), Act No. 57 of 2002, art. 53(2)(a).

³¹ Silver, *supra* note 21.

³² Summary of Reports 2007-2013, *supra* note 19, at 13.

³³ J. Mercer, A. dos Reis Freitas, H. Campbell, ‘Community-based Disaster Risk Reduction in Timor-Leste’, in Shaw (ed.), *supra* note 7, at 249-250.

adoption of decentralization legislation, more precision in the definition of responsibilities has been considered necessary to avoid the inefficiency following from duplication of work.³⁴

Concerning personnel capacities, since DRR is a relatively new topic for many, the need is often perceived to ensure that appointed staff receive an adequate and continuous training including on the applicable legislation, technical concepts related to DRR, hazard and risk mapping, and on how to ensure effective community engagement. To address this challenge in the Philippines it has been suggested that some trainings are made mandatory with an enforcement mechanism at the national level.³⁵ In Mozambique, by contrast, the government supports internships at the district-level for university students in order to attract skilled workers in those areas.³⁶

3.3 Lack of access to essential information

Local authorities mandated to work in the field of DRR with the participation of the community must be provided with the support necessary to carry out their responsibilities. This, in addition to financial and human resources, includes access to relevant information. Governments, indeed, collect data which is essential for risk mapping, vulnerabilities assessment and capacities assessment. However, governmental authorities in charge of decision-making or of project implementation in the field of DRR, often have no access to those data either because they are scattered or because they are not open to all levels of government.

With a view to facing this challenge, it has been suggested to standardize data collection on the basis of systems to be established at the national level and to make all relevant information accessible to the public and also to the private sector.³⁷

4. Aspects of effective community participation in DRR

Even when functioning systems are put in place in order to ensure community involvement in DRR decision-making, participation might turn out to be merely symbolic. In order to avoid the development of tokenistic systems, legislation and policies adopted to engage communities in DRR should aim for effective contributions from community members. Authorities should, in other words, aim for a participation which “shows some effect, influences a particular decision, or produces a favourable outcome [...]”.³⁸ To contribute to the fulfillment of this objective, among others, the aspects presented below could be taken into consideration when shaping systems of community participation.

4.1 Participatory systems

An analysis of the mechanisms employed to engage communities in the assessment and planning phases of DRR projects has shown that a plurality of systems are relied on by States, NGOs and other organizations to make sure a community’s voice is heard. Due to

³⁴ Compilation of National progress Report, *supra* note 20, Peru.

³⁵ Silver, *supra* note 21.

³⁶ Compilation of National progress Report, *supra* note 20, Mozambique.

³⁷ Silver, *supra* note 21.

³⁸ G. Fernandez, R. Shaw, ‘Youth Council Participation in Disaster Risk Reduction in Infanta and Makati, Philippines: A Policy Review’, *Int. J. Disaster Risk Sci.*, 2013, at 123.

their heterogeneous character, it would be unreasonable to try to identify which system best engages communities without taking into account that the success or lack thereof of each of them is largely dependent on context-specific variables. In light of this, this section will only present a collection of the mechanisms which have been employed so far. For ease of exposition, the systems relied on will be presented in two categories namely, autonomous and institutionalized mechanisms.

Autonomous systems refer to all those mechanisms and processes that allow for community participation in DRR decision-making without being part of governmental structures. Reference is mainly made to the activities of CBOs and NGOs operating at the local level which carry out independent DRR assessments and subsequently share findings with authorities. The autonomous nature of this category of mechanisms should not be understood however as necessarily implying an absolute exclusion of governmental authorities from their processes. There are indeed non-institutionalized DRR structures that envisage the involvement of authorities to different extents. The Advance Locality Management in Mumbai is, for example, a partnership built between the Municipal Corporation of Great Mumbai and citizens which allows the community to be engaged in the field of waste management and to which the government contributes through the appointment of officers and providing technical know-how.³⁹ Government's involvement can also be more far-reaching as in the case of *Jisyubo*, a CBO in Japan that, besides being community-based, is "guided and mobilized with a soft-touch by local governments rather than being truly self-motivated".⁴⁰

Alternatively, States can institutionalize community participation by establishing entities in charge of DRR decision-making of which community representatives are members. A well-known example is the National Disaster Risk Reduction and Management Council established in the Philippines and reproduced at the regional, provincial, city, municipal, and *barangay* levels.⁴¹ In Zambia, satellite disaster management committees have been established at the district level for authorities and community representatives to undertake planning and coordination activities,⁴² similarly to the Venezuelan *Consejos Comunales*⁴³ and to the *Bokomi* committees in Japan⁴⁴. Participants to these committees can be elected by the community itself to ensure real representativeness. In the *Dhankuta* Risk Reduction Committee established in Nepal, however, the acting mayor selected the representatives at the moment of the establishment of the committee.⁴⁵ The system, although undemocratic, was necessary because people did not have by then any knowledge of the committee or of its field of activity.⁴⁶ In some places, like Nicaragua, community participation in DRR committees

³⁹ S. Parashar, R. Shaw, 'Community-Based Disaster Risk reduction Approaches in Urban India', in R. Shaw (ed.), *supra* note 7, at 118.

⁴⁰ M. Ishiwatari, 'Government Roles in Community-Based Disaster Risk reduction', in R. Shaw (ed.) *supra* note 7, at 26.

⁴¹ Philippines, Republic Act No. 10121, *supra* note 27, sections 5, 10-12.

⁴² Zambia, Disaster Management Act, Act No. 13 of 2010, section 21.

⁴³ Venezuela, Ley Orgánica de los Consejos Comunales, 10 April 2006, art. 2.

⁴⁴ Matsuoka et al., *supra* note 12.

⁴⁵ S. Jones, K. Aryal, A. Collins, 'Local-level governance of risk and resilience in Nepal', 37 *Disasters* 3, at. 458-459.

⁴⁶ *Ibid.*, at 458-459.

also depends on the decision of the mayor.⁴⁷ It is worth mentioning that sometimes institutionalized committees are entrusted with advisory and coordinating roles rather than with decisional powers. This is the case for example of the disaster management advisory forums in South Africa⁴⁸ and of the Provincial and Municipal Committees in Dominican Republic.⁴⁹ Ultimately, sometimes community participation is institutionalized without establishing *ad hoc* structures. The Mexican National System of Civil Protection, for example, is endowed with permanent mechanisms of consultation for the public to submit proposals and questions.⁵⁰

As anticipated, it would be inappropriate to take a stance on which system better allows communities to be involved in DRR decision-making. However, some guidance could be provided by an action research project carried out in Nepal during which two types of committees were established: one as a CBO and the other embedded in municipal government. The analysis carried out by Jones, Aryal and Collins following the project concluded that the institutionalized committee could more easily pursue its objectives because it had more chances to obtain funding for its functioning, it was better connected to relevant services and organizations and it could ensure more accountable and transparent work.⁵¹ However, the same research underlined that an institutionalized system would have probably not succeeded in the village where the CBO was established due to the lack of support for the local government in that different area of the country.⁵² All of the above suggests that, even though an institutionalized system may offer some important advantages, it is unreasonable to try to identify a ‘one size fits all’ solution.

4.2 Composition

As referred to above, the Sendai Framework calls for an all-inclusive approach to DRR. Section 36 details indeed the specificities of the contributions that can be offered by several social groups.⁵³ Inclusive participation ensures that all relevant perspectives are taken into account and therefore positively affects the degree of effectiveness of the outcomes of the decision-making process. Participation should therefore be encouraged for, in addition to local authorities and depending on the context, also civil society, volunteers, organized voluntary work organizations, CBOs, women, older persons, youth, persons with disabilities, indigenous peoples, migrants, academia, scientific and research entities and networks, business, professional associations, and private sector financial institutions. Moreover, practice shows that in several contexts the contribution of religious authorities and

⁴⁷ Nicaragua, Ley No. 337, 2000, arts. 17 and 20.

⁴⁸ South Africa, Disaster Management Act (2002), *supra* note 30, art. 51.

⁴⁹ Dominican Republic, Dec. No. 874-09 que aprueba el Reglamento de Aplicación de la Ley No. 147-02, sobre Gestión de Riesgos, y deroga los Capítulos 1, 2, 3, 4 y 5 del Decreto No. 932-03, art. 15.

⁵⁰ Mexico, Informe Nacional del Progreso en la Implementación del Marco de Acción de Hyogo (2013-2015) – Interim, at 13.

⁵¹ Jones, Aryal and Collins, *supra* note 45, at 464.

⁵² *Idem*.

⁵³ Sendai Framework, para. 36.

representatives of Red Cross and Red Crescent National Societies is also valued,⁵⁴ as well as the possibility to co-opt experts for a specific discussion or period of time.⁵⁵

A good practice concerning the involvement of a plurality of stakeholders can be drawn from the activities of the Rwandan Red Cross in carrying out vulnerabilities and capacities assessments and attributing a specific area of focus to different groups.⁵⁶ In the Rwandan context, the elderly focused on the history, women on the seasonal calendar and daily routine and young people on producing a map showing community development achievements.⁵⁷ The adoption of this method has allowed the National Society to achieve completeness in collecting required information and to ensure that each group was involved in the field where it could give the most efficient contribution.

Turning to the analysis of the participation of some specific groups of stakeholders, it should be observed that the involvement of women could be problematic in some contexts due to social constraints. Women's contribution is however considered essential in order for the risks, vulnerabilities and capacities assessments to be adequately carried out. Depending on the social context in which DRR activities are being undertaken, it is becoming increasingly common to separate women and men during consultations to be sure women feel free to express themselves. This was for example identified as a strength in the DRR process by local participants to exercises organized by the UNDP Pacific Centre,⁵⁸ in the work of FARM-Africa in Ethiopia,⁵⁹ and in Timor Leste.⁶⁰ In other contexts, such as in Nepal, men and women have met separately only in the earlier phases of consultations.⁶¹

Participation of community leaders is not always considered beneficial because they may dominate the process⁶² or their presence could contribute to the marginalization of already isolated groups.⁶³ However, their engagement can ensure that voice is given to communities at large and that programmes will receive the support of local people.⁶⁴ In order to reconcile those aspects, it has been suggested to engage local community leaders by ensuring that they are consulted merely as members of the team without any leading role in the DRR process.⁶⁵

4.3 Procedural guarantees

⁵⁴ See, for example, Zambia, Disaster Management Act, *supra* note 42, art. 51; Philippines, Republic Act No. 10121, *supra* note 27, sections 5(u) and 11(a)(16).

⁵⁵ South Africa, Disaster Management Act (2002), *supra* note 30; Zambia, Disaster Management Act, *supra* note 42, art. 21.

⁵⁶ IFRC, 'Using the vulnerability and capacity assessment tool in Rwanda', 2003, at 7.

⁵⁷ *Ibid.*, at 7.

⁵⁸ UNDP, Workshop Report, *supra* note 10, at 19.

⁵⁹ FARM-Africa, 'The key steps in establishing Community Managed Disaster Risk Reduction in South Omo pastoralist areas. FARM-Africa's field manual to guide practitioners in Ethiopia', June 2010, at 12.

⁶⁰ J. Mercer, A. dos Reis Freitas, H. Campbell, *supra* note 33, at 240.

⁶¹ IFRC, 'Analysis of legislation related to disaster risk reduction in Nepal', 2011, at 50.

⁶² IFRC, 'Vulnerability and capacity assessment. Lessons learned and recommendations', 2006, at 13

⁶³ The Brookings Institution, 'Moving Beyond Rhetoric: Consultation and Participation with Populations Displaced by Conflict or Natural Disasters', October 2008, at 32-33.

⁶⁴ Oxfam, 'Community Based Disaster Risk Reduction in Sri Lanka. A compendium of Good Practices', June 2013, at 6-7 and IFRC, 'Key determinants of a successful CBDRR programme. Community Based Disaster Risk Reduction. Study appraisal', September 2011, at 4.

⁶⁵ IFRC, 'Vulnerability and capacity assessment', *supra* note 62, at 13.

Whatever the method chosen and the composition opted for, it is important to ensure that communities do not end up having little choice but “agreeing with what had already been drafted at the central level”.⁶⁶

To avoid ‘coercive consultations’, community representatives should be involved in every stage of the decision-making process.⁶⁷ In Japan, for example, in *Bokomi* committees, community representatives can only formulate project proposals but the selection is then carried out by a review committee composed solely of city governmental officials making therefore non-governmental stakeholders feel deprived of any meaningful role.⁶⁸

Importantly, relevant stakeholders should have clear information on the time and procedure allowing for their intervention and, when they have been consulted but their inputs are not reflected in final decisions, it is good practice to ensure that the reasons that have led to not implementing their suggestions are shared with the community.⁶⁹

4.4 *Community involvement (ownership, knowledge and information)*

When systems to engage communities are put in place, some barriers to their participation might still challenge DRR activities. For example, “[S]ome stakeholders in civil society believe it is the exclusive role of governments to provide for public safety, while others, often NGOs, lack capacity and knowledge commensurate with the tasks”.⁷⁰ Moreover, not all communities are equally interested in DRR, especially those that have never been involved in a disaster tend not to consider it a priority. Encouraging community engagement and sense of ownership and ensuring that communities have the capacities to effectively participate in DRR are among the measures that can be adopted to face those challenges.

Concerning the first aspect, which is ensuring that community members are genuinely engaged and have a sense of ownership of the DRR process, a plurality of good practices have been put in place by States including involvement of the media to strengthen dissemination of DRR concepts at the local level,⁷¹ promotion of volunteerism,⁷² engagement of community leaders,⁷³ and organization of events to sensitise on the topic. In Japan for example, the Cabinet Office has organized, together with other partners, the Disaster Reduction and Volunteer Meeting, the Disaster Reduction Fair and a Community Development Forum.⁷⁴ Similarly, in Malaysia the Disaster Awareness Day is celebrated

⁶⁶ IFRC, ‘Law and disaster risk reduction at the community level. Background Report to the 31st International Conference of the Red Cross and Red Crescent’, October 2011, 31IC/11/5.5.2, at 8.

⁶⁷ ‘Moving Beyond Rhetoric’, *supra* note 63, at 32.

⁶⁸ Matsuoka et al., *supra* note 12, at 174.

⁶⁹ This has indeed been indicated as a central element in environmental decision-making in the context of the Aarhus Convention. H. Mullerova et al., *Public Participation in Environmental Decision-Making: Implementation of the Aarhus Convention* (2013), at 178.

⁷⁰ Summary of Reports 2007-2013, *supra* note 19, at 13.

⁷¹ Compilation of National progress Report, *supra* note 20, Indonesia; in France a member of the media is part of the committee in charge of disaster management activities. Loi n° 2003-699 du 30 juillet 2003 relative à la prévention des risques technologiques et naturels et à la réparation des dommages, 31 July 2003, art. L.565-1(2).

⁷² Compilation of National progress Report, *supra* note 20, Barbados and Yemen.

⁷³ Community Based Disaster Risk Reduction in Sri Lanka, *supra* note 64, at 6-7 and IFRC, Key determinants of a successful CBDRR programme, *supra* note 64, at 4.

⁷⁴ Compilation of National progress Report, *supra* note 20, Japan.

every year.⁷⁵ In Malawi stakeholders, such as people from risk areas, disaster experts, scientific communities, and practitioners working in DRR, receive a newsletter called “Humanitarian Update”.⁷⁶

In order to build community capacities, States mostly rely on trainings and education through, for example, masters programmes on disaster management.⁷⁷ However, in addition to general knowledge, communities should also be given access to specific information which can be used by people as basis for their decisions. In this sense, as underlined by UNISDR, there has been an “explosive growth in the production of risk information [...] but too little of this information ends up in the hands of users in a format that can inform decision”.⁷⁸ A good practice in this respect comes from the Mozambique Academy of Science where a Climate Change and DRM Knowledge Management Centre was established to function as a repository and dissemination platform of DRR information to the general public.⁷⁹

Conclusion

The successful adoption and implementation of DRR measures requires communities to be actively involved next to authorities in identifying risks and in planning ahead. However, a review of past and current practices has allowed to observe that, in addition to the cases not analysed in this paper of States lacking political will to engage communities in DRR, at least two other major categories of obstacles challenge community participation in the field and should therefore be addressed in order to ensure effective community involvement. Due to the reliance on devolution of governmental authority for community participation, legislation on decentralization of DRR competences should clearly envisage accompanying resources and instruments including funds, qualified personnel and access to information. Only ensuring functioning DRR systems at the local level can communities have a valid interlocutor in, or operational framework for, their engagement in the field of DRR. Moreover, when functioning systems are put in place to ensure community participation, they should provide for an effective as opposed to a symbolic involvement of stakeholders other than governmental authorities. Among the measures to be considered for the achievement of this goal are the choice of the most appropriate participatory system depending on the context, an inclusive approach, the adoption of procedural guarantees, and the promotion of DRR among the population including through trainings and education. Neglect of the examined aspects has indeed undermined, in a plurality of contexts, legislative and policy efforts to provide for effective community engagement in such a way impairing the ultimate goal of building resilience.

⁷⁵ *Ibid.*, Malaysia.

⁷⁶ Malawi, ‘National progress report on the implementation of the Hyogo Framework for Action (2013-2015)’, at 20.

⁷⁷ Mozambique, ‘National progress report on the implementation of the Hyogo Framework for Action (2013-2015) – Interim’, at 26.

⁷⁸ GAR 2015, *supra* note 17, at 134-135. See also p. 137.

⁷⁹ Mozambique, *supra* note 78, at 25.

Summary of findings

Absence of governmental interlocutors and structures for community participation	
Challenge	Good practices
<u>Lack/insufficiency of funding for local mechanisms</u>	<ul style="list-style-type: none"> ▪ Budget allocation for disaster management at the local level ▪ Specific budgeting for DRR ▪ Integration of development budgets ▪ Prioritizing geographical areas of work ▪ Using volunteers to bolster DRR programmes ▪ Promoting participation of NGOs and CBOs
<u>Inadequacy of staff</u>	<p><i>Quantity</i></p> <ul style="list-style-type: none"> ▪ Assignment of responsibilities to specific government officials ▪ Definition of a clear mandate <p><i>Quality</i></p> <ul style="list-style-type: none"> ▪ Continuous trainings (including mandatory) ▪ A greater focus on recent graduates
<u>Lack of access to essential information</u>	<ul style="list-style-type: none"> ▪ Development of a national system of data collection ▪ Ensuring that relevant data is open to those in charge of DRR-related activities
Problems in effectiveness of community participation	
Challenge	Good practices
<u>Tokenistic participatory systems</u>	Even though some advantages can be identified in establishing institutionalized mechanisms, depending on the context, autonomous systems of community consultation might offer more solid bases for community involvement.
<u>Incomplete assessments</u>	<ul style="list-style-type: none"> ▪ All-inclusive approach ▪ Possibility to co-opt experts for specific sessions ▪ Entrusting each group with a specific field of analysis ▪ Separation of women and men during consultations when necessary ▪ Engaging community leaders as members and not chiefs of the DRR process
<u>Procedural exclusion</u>	<ul style="list-style-type: none"> ▪ Ensuring participation throughout all the phases of the DRR process, and not just the final stages ▪ Clearly shaping and communicating community's tasks and powers in the DRR process ▪ Informing community members of the reasons for not adopting their suggestions
<u>Community exclusion due to lack of interest or capacities</u>	<ul style="list-style-type: none"> ▪ Engaging local media ▪ Organizing events to sensitise on DRR ▪ Engaging community leaders ▪ Promoting volunteerism ▪ Organizing trainings ▪ Promoting university courses on DRR ▪ Establishing knowledge management centres to facilitate access to relevant information by the community

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