

REPORT OF THE PARLAMERICAS DIALOGUE ON DISASTER RISK REDUCTION









22-23

PANAMA CITY



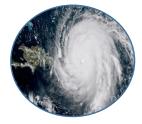


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Introduction

- 1.0 "Climate change poses a serious global threat that is increasingly being felt in many areas of the Americas and the Caribbean. All members of the population experience the impacts of climate change differently, but some groups, including women, are likely to experience compound levels of risk. These groups also tend to have unequal access to decision-making processes at all levels, which hinders their ability to contribute their knowledge and experience to climate-related planning, policy-making, and implementation. Parliamentarians can play a critical role in ensuring that their countries and legislatures adopt a gender-responsive approach to climate action. This will help to ensure that entire populations are involved in, and protected by, efforts to understand and adapt to climate impacts". (Adapted from ParlAmericas)
- 1.1 The Parliament of Trinidad and Tobago is a member of ParlAmericas and currently is a member of the Board of Directors and a Representative for the Caribbean Region. One of the Platforms of ParlAmericas is its Climate Change Programe which aims to promote parliamentary climate change action by focusing on the main four (4) functions of parliamentary work:
 - 1. Law making
 - 2. Oversight and monitoring
 - 3. Budget allocation and
 - 4. Representation and Awareness Raising
- 1.2 By letter of Invitation dated January 19, 2018, the Honourable Bridgid Annisette-George, Speaker of the House of Representatives, as a member of the Board of ParlAmericas was invited to participate in the Dialogue on Disaster Risk Reduction in Panama City Panama during February 22 and 23, 2018 which was co-hosted by ParlAmericas and United Nations Office for Disaster Risk Reduction (UNISDR). The Honourable Bridgid Annisette-George was accompanied by Mrs. Lynette Joseph-Guevara, Inter-parliamentary Relations Coordinating Unit of the Parliament.

- 1.3 The objectives of this Dialogue were to:
 - Receive key input for the Parliamentary Protocol for Disaster Risk Reduction and Adaptation
 - Identify best practices to advance the disaster risk reduction and adaptation agendas.

The two-day meeting provided knowledge on Disaster Risk Management and facilitated the exchange of ideas for the identification of key elements that must be considered when promoting legislative reforms for the effective implementation of the Sendai Framework for Disaster Risk Reduction and for making informed decisions by Legislatures on risk reduction and climate change adaptation.

1.4 Participants provided information on relevant existing legislation and/or legislative proposals in their respective jurisdictions in order to support dialogue between Parliamentarians, experts, and civil society representatives on the fundamental role of Parliaments in the implementation of disaster risk reduction action plans.

Day 1

The Inauguration Ceremony

- 2.0 The Inauguration Ceremony was held on Thursday, February 22, 2018. Welcoming Remarks were delivered by Mr. Javier Ortega, the Member of the National Assembly of Panama and President of the ParlAmericas Network on Climate Change, Mariela Vega, Member of the National Assembly of Panama, Mr. Raul Salazar and Karine Asselin, the Ambassador of Canada to Panama.
- 2.1 Senor Jose Di Bella Program Manager of Climate Change and Sustainability ParlAmericas gave context to the Dialogue in his Introductory Statement, which demonstrated the relationship between Climate Change adaptation and the achievement of sustainable development and the Sustainable Development Goals of Agenda 2030. He noted that Climate Change posed threats to development as natural disasters:
 - reversed poverty alleviation mandates
 - destroyed physical infrastructure and
 - jeopardised the wellbeing of citizens of affected communities.

Consequently inaction or inadequate action to mitigate climate change undermined the objective of sustainable development. Climate Change Adaptation policies and action were necessary to ensure and maintain advances of sustainable development.

Session 1

Basic Concepts of Disaster Risk Reduction and Climate Change Adaptation Pilar Moraga, Professor of the Faculty of Law of the University of Chile and Centre for Environmental Law and Principal Research, Centre of Climate Science and Resilience

- 3.0 As the main presenter for Session 1, Professor Moraga explained the main concepts of Disaster Risk Reduction and the overlaps and differences with Climate Change Adaptation.
- 3.1 The participants were told that disaster risk reduction should be viewed, on two levels (i) international and (ii) national. On the National Level, the meeting received information that there were fifteen (15) countries with specific climate change legislation, seven of which were within Latin America; two countries with bills before their respective Parliaments and thirteen others that had made commitment to enact climate change law.
- 3.2 Professor Moraga emphasised the need for the adoption of a legal framework for climate change and disaster risk reduction on the national level. Legislatures could be motivated to enact such legislation for various reasons ranging from the necessity to reduce its country's vulnerability, the reduction GHG, the attainment of sustainable development; the reduction of the costs of national security, the promotion of social and political consensus to the enhancement of the role of Parliamentarians in disaster risk reduction.

Session 2

The Sendai Framework for Disaster Risk Reduction and Climate Change Adaptation Presented by Mr. Raúl Salazar, Head of Regional Office, United Nations Office for Disaster Risk Reduction: The Americas

- 4.0 Session two (2) focused on the goals, objectives, priorities for action and principles established by the Sendai Framework for Disaster Risk Reduction. Participants learnt of the relationship between those objectives with the objectives of the sustainable development agenda and climate change adaptation. Participants were challenged to consider methods and processes that national parliaments could employ to support the integration of disaster risk reduction measures in consultations, legislative actions, budgets and monitoring of government's actions and policies.
- 4.1 Mr. Salazar noted that the aim of the Sendai Framework was to develop and strengthen, as appropriate, mechanisms to follow up, periodically assess and publicly report on progress of national and local plans; to promote public scrutiny and encourage institutional debates, including debates by Parliamentarians and other relevant officials, on progress reports of local and national plans for disaster risk reduction. The Sendai Framework particularly encouraged Parliamentarians to support the implementation of disaster risk reduction by developing new or amending relevant legislation and setting budget allocations. Of particular note are Articles 27(a)- 27(i) and 48(h) regarding the role of Legislators.
- 4.2 The presenter noted that the reasons the focus was primarily on the climate agenda were:
 - The existence of open opportunities for development and investment in renewable energy and managing the threats to development
 - To leverage resources thus calling for a collaborative effort among, governments, civil society and the business sector

- 4.3 Mr. Salazar opined that the Sendai Framework was aligned to international efforts such as the Paris Agreement and the Sustainable Goals on Risk Reduction. He noted that the six principles that drive the Sendai Framework were:
 - Prevention
 - Mitigation
 - Preparedness
 - Response
 - Recovery
 - Rehabilitation- stronger and better
- 4.4 Undoubtedly, it is the primary responsibility of nation states to employ Disaster Risk Reduction. This preventative approach should be people-focused, recognizing that there was a shared responsibility for the relevant stakeholders in any community, as threats were not limited to acts of nature but were environmental, technological, biological and human.
- 4.5 A Sample Matrix of Parliamentary Actions to support the Sendai Framework was provided and is annexed as Appendix 1



Madam Speaker among delegates at the Dialogue

Session 3:

Disaster risk reduction, climate change adaptation and the Paris Agreement

5.0 This session served the twin objective of:

i) providing the relationship between the disaster risk reduction agenda and the Nationally Determined Commitments of the Paris Agreement and the ways in which Parliamentarians could accelerate the implementation of both with legislation and;

ii) the need for and benefits of gender responsive measures.

- 5.1 Cayetano Casado from the United Nations Framework Convention on Climate Change UNFCCC and Ms Alma Pérez, Regional Assistant, Peace and Security made presentations on the topic that sought to advance the links between the disaster risk reduction agenda and climate change adaptation under the Paris Agreement.
- 5.2 Mr. Casado explained the process to formulate and implement National Adaptation Plans and provided a broad overview of the approaches to integrate adaptation. The process, he stated required finance, technology and capacity building to combat the challenges with the integration of the laws and policies at the national and subnational levels.
- 5.2 In her presentation, Ms Perez highlighted the importance of gender responsive measures within the agenda regarding risk reduction. The presenter stated there was a recorded increase of violence against women and girls during natural disasters. In that regard, it is requisite to impress on parliaments and governments the need to strengthen the capacity of women to respond to and recover from disasters while encouraging the participation and leadership of women in decision-making on disaster risk reduction.

Session 4

Dialogue on the experience and lessons learned by civil society in the implementation of disaster risk reduction and climate change adaptation plans

- 6.0 Session four was moderated by Ms. Maria Bastias, Regional Coordinator for Latin America and Caribbean, Global Network of Civil Society Organisation for Disaster Reduction. During that session, representatives from civil society organisations presented their experiences with the implementation of the Hyogo and Sendai Frameworks for Disaster Risk Reduction.
- 6.1 Ms. Bastias advised that as a civil society group, the UN Women would have supported the humanitarian response to hurricane hit countries in the following ways:
 - Deployment of human resource that ensured access to the government's emergency response as well as participated and involvement during the response and recovery phase
 - Issuing a gender alert with key action points to integrate a gender perspective in the humanitarian response
 - Supporting needs assessment with a gender perspective and ensuring the creation sex disaggregated data
 - Distributing dignity kits to Dominica, the British Islands and Antigua
- 6.2 The delegates also explored strategies through which civil society organisations could work jointly with Parliamentarians to advance the national agendas on climate risk reduction primarily in urban communities where more than 80% of the population resided.

Session 5

Dialogue on case studies and legislation on disaster risk reduction

7.0 The Honourable Bridgid Annisette-George, Speaker of the House was one of three presenters on the topic. The other two (2) presenters were Ms. Darcy De Los Santos, Member of the Chamber of Deputies of Uruguay and Senator Máxima Apaza of Bolivia.

- 7.1 The presenters gave examples of legislations on disaster risk reduction and highlighted the similarities and differences of the national regulatory frameworks while the participants reflected on the current status of disaster risk reduction and adaptation systems in their countries.
- 7.2 Participants were informed that the vulnerabilities were both man-made and natural. That although some countries were outside of the hurricane belt, there was susceptibility to flooding and earthquakes. Madam Speaker provided the gathering with legislation that comprised the legal framework on disaster management within Trinidad and Tobago. A copy of the presentation of the Honourable Speaker is attached at Appendix 2.



Hon. Bridgid Annisette-George making her presentation

7.3 The gathering recognized the need to implement laws to mitigate disaster risk.

Day 2 February 23, 2018 Field Visit

8.0 Day two began with a field visit which was organised in conjunction with the National Civil Protection System of Panama to two communities in Panama. Participants were taken to Arraijan and Punta Caimito. The objective was to provide an opportunity for Parliamentarians to observe the relationship between exposure, vulnerability, sources of risk and actions to promote integral disaster risk reduction and the role of local organisations and civil society in reducing disaster risk.



Delegates during the Field Visit

- 8.1 Information was provided to the participants on the different types of climate and disaster risks in their communities, and the possible impacts of climate change on coastal communities within their respective countries.
- 8.2 The participants learnt that risk will always exist, not only risks emanating from natural disaster. They were told that there was a need to identify the risk while creating leadership within the community so that the community could become the first responders rather than waiting for the response to come from outside. Communities needed to be empowered to respond to disasters. Parliamentarians were therefore encouraged to influence their

central and local governments to address risks ensuring that there was sufficient funding to address natural disasters and must have disaster awareness and disaster management plans.

Session 6

Dialogue on parliamentary actions to support the implementation of disaster risk reduction measures and the development of the new Parliamentary Protocol for Disaster Risk Reduction

- 9.0 Pilar Moraga, Professor, Faculty of Law, University of Chile, Centre for Environmental Law and Principal Researcher, Centre of Climate Science and Resilience led discussion in the sixth session. In that dialogue session, participants were divided into groups. They reviewed and presented accounts of legislative actions that promoted and facilitated the implementation of disaster risk reduction measures, and provided input for the ParlAmericas-UNISDR new parliamentary protocol for disaster risk reduction and adaptation for the hemisphere.
- 9.1 In discussion, participants voiced their concern that there was a lack of emphasis relating to disaster risk management and reduction, there may exits a flaw in the structure of the Executive regarding the location of the unit with responsibility for disaster, there was a slow pace in the enactment of legislation for disaster risk management and the funding that was given to support the five pillars of Prevention, Mitigation, Preparedness, Response, Recovery, Rehabilitation- stronger and better- was historically inadequate.
- 9.2 Reflecting on the following priorities: understanding disaster risk; strengthening disaster risk governance; investing in disaster risk reduction for resilience and enhancing disaster preparedness and build back better in recovery rehabilitation and reconstruction, the participants made several recommendations:
 - that disaster risk management be removed from the central government and placed within a statutory authority where more focus could be given and policies and programmes would be unaffected by changes in Governments as a result of elections

- that the government and the private sector organize similar sessions for the respective Parliaments
- that governments develop Risk Reduction Action plans for their respective countries and legislation to support national coordination for Disaster Coordination Units
- that Legislators' and Parliamentarians' role was to promote activities amongst their constituents that would enhance actions being done on the national and international levels and to be advocates on the local, national and international levels for climate risk reduction.
- That Legislators should implement legislation for the protection of coastal areas
- Governments should seek to establish National Disaster Funds
- Governments should establish rules and voluntary agreements within their respective countries to withstand food shortage for a particular length of time.
- Legislators should work with local communities to adjust building codes to withstand or combat the effects of national disasters.
- Legislators should include small grassroots organisations in disaster risk planning in order to build consensus and resilience.

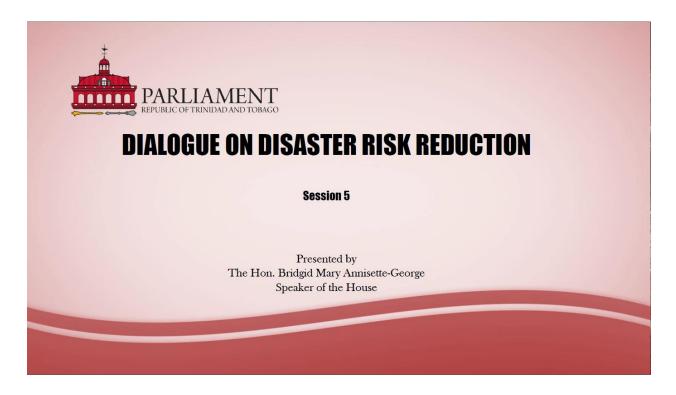
Conclusion

10.0 The two-day dialogue was enlightening in raising awareness of Disaster Risk Reduction and identifying the cross cutting requirement for resilience in all legislative proposals. The Dialogue clearly demonstrated that although Disaster Risk Reduction encompasses Climate Change Adaptation, it is not limited to the threats of climate but to the existence of all other threats including human, technological, biological and ecological.

Appendix I

Matrix of Parliamentary Actions to support the Sendai Framework for Disaster Risk Reduction

Sendai Framework for Disaster Risk Reduction Priorities for Action			
Priority 1 Understanding Disaster Risk	Priority 2 Strengthening disaster risk governance	Priority 3 Investing in disaster risk reduction for resilience	Priority 4 Enhancing disaster preparedness and "build back better" in recovery, rehabilitation and reconstruction
 Request disaster risk assessments from local government or relevant ministries to inform response measures. Advocate for these assessments to apply an intersectional gender lens in order to analyze differential capacities and needs 	 Monitor and ensure mainstreaming disaster risk is considered in all sectoral legislation, programs and policies 	 Promote investments in disaster risk assessments undertaken by local organizations, academic institutions and local governments 	 Review spending on reconstruction programs and plans
• Encourage local organizations and institutions to build knowledge on disaster risks, share experiences, lessons learned and good practices in the community to reduce risk	• Visit local organizations working on disaster risks reduction and request local briefings and dialogues to inform your work. Ensure grassroots women's organizations are represented and that their perspectives are included in all dialogues	 Seek resources – including financial – to be allocated at all levels of administration to develop and implement disaster risk measures. 	 Request reports and information from local government or relevant ministries on disaster preparedness and contingency policies, plans and programs
 Communicate local disaster risk to national governments, citizens and local institutions 	 Strengthen when possible mechanisms to assess and publicly report on investments, expenses and progress reports on disaster risk measures 	 Promote disaster risk assessments into land use regulations and legislation that influences urban planning 	 Promote in your district regular disaster preparedness, response and recovery exercises
• Review and study disaster losses in your district or city, and the impacts on different sectors of the population and the environment	 Involve local community representatives in decision- making processes and decision making on any disaster risk reduction discussions, including women and traditionally marginalized groups in a meaningful way 	 Promote legislation that creates incentives for the private sector to develop micro insurance programs for small businesses in urban and rural contexts 	 Strengthen women's representation and involvement in recovery planning / decision making through inclusion in public forums or dialogues during post disaster recovery and reconstruction processes
• Promote use of risk maps and visual tools to communicate to the general public and communities about local risks, including use of data from community mapping that captures gender specific capacities, vulnerabilities, management procedures	Develop legal frameworks where appropriate, that ensure participation and inclusion of all stakeholders	 Review health legislation to mainstream disaster risk management planning into infrastructure and primary health services, and women's & children's access to health services during disaster recovery and reconstruction stages 	







Realities and Vulnerabilities

The potential for disasters in Trinidad and Tobago, whether man-made or natural is very real. Not only is Trinidad and Tobago susceptible to major hurricanes, but also each year we experience some degree of flooding and earthquakes, which also pose a threat to people and property.

- Additionally, the presence of petrochemical facilities and operations increases the probability of the occurrence of a hazardous incident.
- Coastal and offshore industrial infrastructure and cities are exposed to marine and coastal threats- e.g. sea level rises from global climate changes.
- · Weak regulatory framework relating to building codes and land use.
- · Concentration of government services, etc in major population centres.



The Constitution

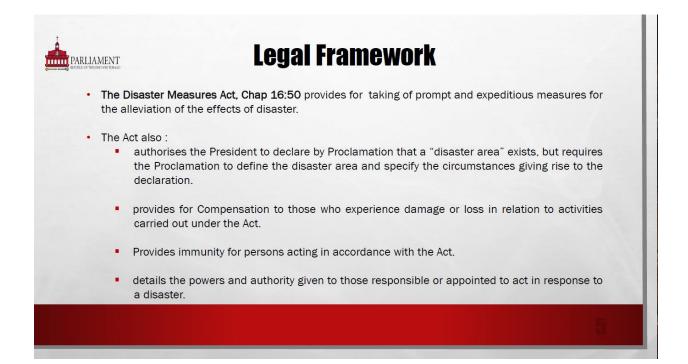
Our Constitution underscores the importance of the security and well-being of the citizenry.

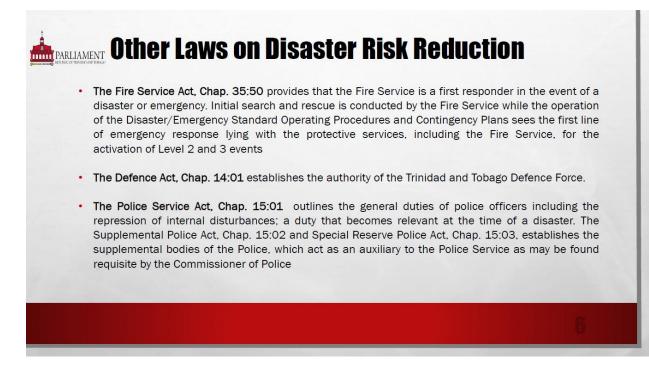
The Constitution states that :

"the President may from time to time make a Proclamation declaring that a state of public emergency exists" [Section 8(1)].

The Proclamation must contain a declaration that the President is satisfied:

"A public emergency has arisen as a result of the occurrence of any earthquake, hurricane, flood, fire, outbreak of pestilence or of infectious disease, or other calamity whether similar to the foregoing or not." [Section 8(2)(b)].

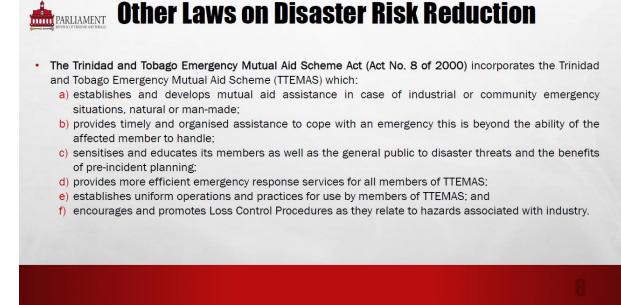


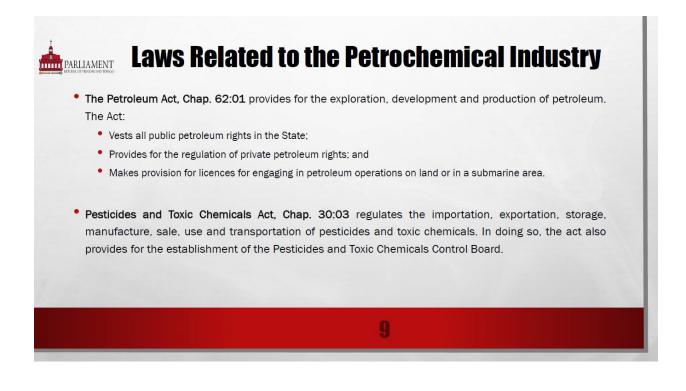


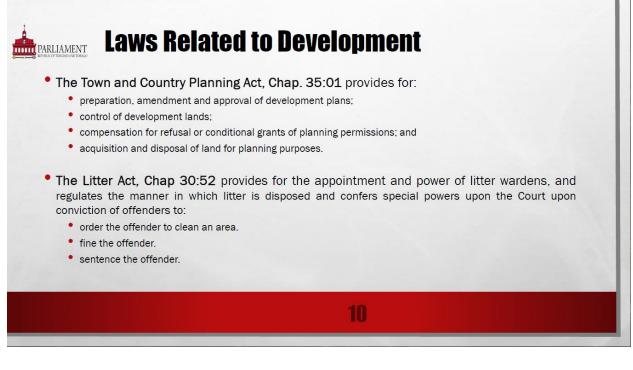
PARLIAMENT

Other Laws on Disaster Risk Reduction

- The Environmental Management Act, Chap. 35:05 establishes the Environmental Management Authority, which at Section 25 of the Act authorises The Authority, in consultation with the Minister and appropriate government entities, to undertake emergency response activities whenever the release or threat of release of a pollutant or hazardous substance or any other environmental condition, presents a threat to human health or to the environment.
- The Municipal Corporations Act, Chap. 25:04 via the local government and the local authorities are
 responsible for a broad range of public services, notably primary health care; education; and internal
 security including disaster preparedness and response measures.
- The Regional Health Authorities Act, Chap. 29:05 details the responsibility to provide efficient systems for the delivery of health care in Trinidad and Tobago. This is a critical responsibility in relation to disaster preparedness and response.
- The Water and Sewerage Act, Chap. 54:40 establishes the Authority and vests it with the authority for "maintaining and developing the waterworks. The Water and Sewerage Authority has a critical responsibility especially in times of disaster as it administers the supply of water and promotes the conservation and proper use of water resources and the provision of water supplies in Trinidad and Tobago.







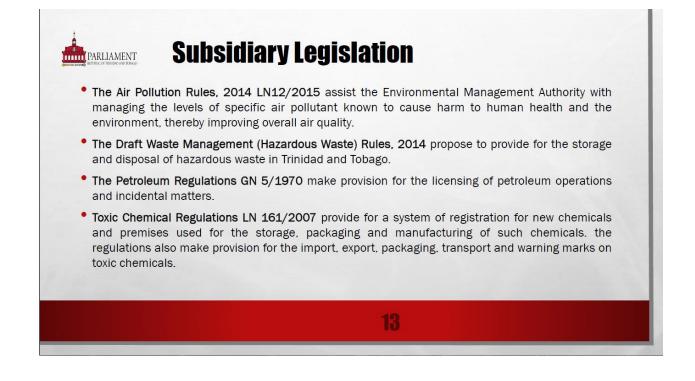
Arriament Laws Related to Technology

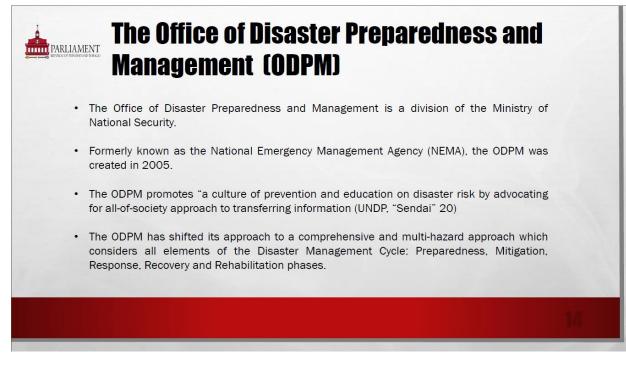
- The Computer Misuse Act, Chap. 11:17 seeks to prohibit the unauthorised access, use or interference of computers and creates a number of offences in relation.
- The Telecommunications Act, Chap. 47:31 establishes the Telecommunications Authority and provides for the regulation of telecommunications including offences, concessions, licences, inspection and technical standards.
- The Interception of Communications Act, Chap. 15:08 provides for the interception of communication, the acquisition and disclosure of data relating to communications and the means by which electronic data protected by encryption or passwords may be decrypted or accessed.
- The Cybercrime Bill, 2017 provides for the creation of offences related to cybercrime, including illegal data interference, identity-related offences, computer related fraud and forgery and violation of privacy.

Subsidiary Legislation

PARLIAMENT

- The Certificate of Environmental Clearance (Designated Activities) Order LN103/2001 designates activities which may have an environmental impact and which require a Certificate of Environmental Clearance
- The Noise Pollution Control Rules, 2000 LN 60/2001 set the prescribed standards for noise and control the emission of sounds into the environment that can be considered to be noise pollution.
- The Water Pollution Rules, 2001 LN 230/2001 protect the various freshwater systems and prohibit any person/organisation from releasing water pollutants into a receiving water body that may cause harm to human health and the environment.
- The Environmentally Sensitive Areas and Species Rules, 2001 LN 63 & 64/2001 provide standards and guidelines for the designation of environmentally sensitive species.





PARLIAMENT BENERICO TRANSMO AND TEESCO

The Office of Disaster Preparedness and Management (ODPM)

• The Vision of the ODPM is to build national Disaster Risk Management and Climate Change Adaptation capabilities with our partners and coordinate response and recovery operations in order to protect the people, environment and economy and ensure a disaster resilient nation.





Need for a Critical Shift

- According to the Inter Agency Group on Gender Equality and Women Empowerment for LAC there is a need for a critical shift.
- The Caribbean Basin is at risk since the disasters provoked by the occurrence of natural phenomena in the Latin America and Caribbean region (LAC) are among the most frequent and intense in the world.
- There have been significant increases in the frequency of floods, droughts, and hurricanes (266%, 360%, and 521%, respectively), while 75% of the region's population lives in zones at risk to these types of disasters.
- Research and data show that the disasters reinforce, perpetuate, and increase the gender inequalities, widening the gap between men and women in the world's most unequal region.
- In spite of the fact that disasters reinforce and increase the gender inequalities, women's potential contributions toward risk reduction and the feminine leadership to face disasters are frequently ignored.
- · Women and girls are effective information providers.



Recommendations

- · Need for more active participation by women and girls in the decision making process.
- Wider consultation required to incorporate the gender perspective prior to introduction of legislation.
- Establish the ODPM as a regulatory body. It will allow for a more effective framework for the coordination, monitoring and evaluation of disaster risk management activities across Trinidad and Tobago

