

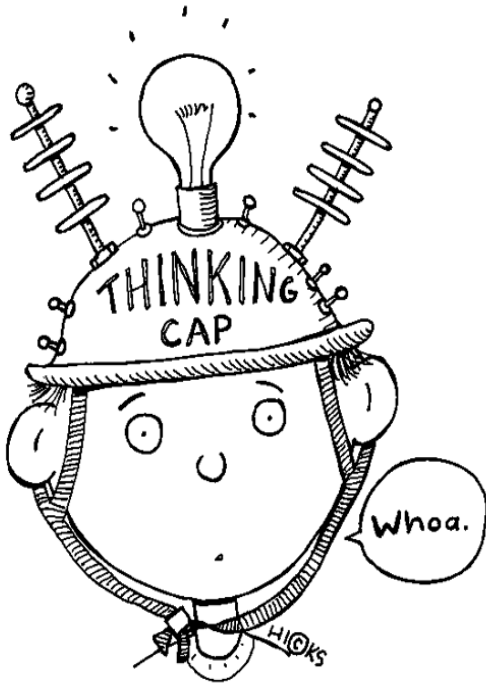
Regulatory  
Barriers to Shelter  
After Disaster

# *Addressing Regulatory Barriers to the Provision of Emergency and Transitional Shelter after Natural Disaster*

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Oxford**

# Broad Overview



- **Why?**
  - Legal and procedural issues often stand in the way of emergency and transitional shelter solutions
- **What?**
  - Inappropriate regulatory frameworks for post disaster shelter response
- **How?**
  - Temporary fixes and longer term removal or reduction of such barriers

# International Conference Resolution



- Meets every four years
- Comprises
  - 194 state parties to Geneva Conventions
  - ICRC and IFRC
  - 187 RCRC National Societies
  - Humanitarian agencies, religious and scientific organisations
- November 2011 – resolution passed which gave the mandate for the Regulatory Barriers initiative for the Disaster Law and Shelter and Settlements Department
- <http://www.ifrc.org/en/what-we-do/idrl/about-disaster-law/regulatory-barriers-to-emergency-and-interim-shelter-solutions/>

## *What is currently being done?*



- Two pronged attack!
  - Advocacy – government level
  - Practical Solutions – operational level
- Three overlapping areas:
  - Land and Property Rights
  - Settlement Planning
  - Shelter and Housing

## *Advocacy/Government Level*

- 3 Zones
  - Asia-Pacific – Indonesia, Nepal, the Philippines, Pakistan and Vietnam
  - Americas – Chile, Cuba, El Salvador, Haiti, Honduras and Peru
  - Africa - ...
  
- 3 Phases
  - Desk top study
  - In-country study
  - Development of recommendations for Governments

## *Practical Solutions*



- What innovative solutions are used by practitioners to overcome such barriers as (but not limited to!):
  - Gaps in documented evidence of ownership rights
  - Inequitable assistance as between documented owners and others (renters/squatters) and other bias in shelter assistance (gender)
  - Absence of effective procedures for temporarily requisitioning land
  - Problems with land planning zones, No Build Zones and boundary demarcation
  - A lack of appropriate building resources



# Amalgamation – the Philippines



REACH map showing partially damaged or destroyed houses on 9<sup>th</sup> December 2012

- Deployment to Mindanao of a disaster law delegate to advise the Shelter Cluster
- Use and verification of information discovered in Phase One of the Regulatory Audit for instance:
  - Lack of national land use planning code – lengthy process involved in declaration of No Build Zones
  - Lack of compulsory use of risk mapping results
- Practical support to shelter assessments – evidence of occupation
- Ability to provide clarity between theory and practice

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## ***Conclusion***

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- IFRC deliverable which hopes to benefit the whole sector but in order to do that a little bit of collaboration is needed...
- Information on case studies, innovation solutions, similar projects being carried out are all very welcome...
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- <http://www.ifrc.org/en/what-we-do/idrl/>



**FOR FURTHER INFORMATION ON REGULATORY  
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