

INTRODUCTION TO DISASTER LAW FOR PHILIPPINE RED CROSS CHAPTERS¹

Activity Report

Hotel La Rica, Tacloban City, Leyte
27-29 November 2017



Workshop/Training Objective/s:

- Strengthen the Chapter's knowledge of national policy and legal framework on Disaster Risk Management (DRM), and identify the rights, roles and responsibilities of different actors;
- Strengthen the Chapter's understanding of Philippine Red Cross' legal mandate, and its rights, roles and responsibilities as a humanitarian organization working at the local level;
- Strengthen the Chapter's understanding of its role in advocating for Red Cross and the community that it serves; and
- Familiarize the Chapter with basic elements of advocacy and humanitarian diplomacy, and translate auxiliary role at the Local Government Unit (LGU) level

¹This activity was made possible by the IFRC Regional Resilience Initiative supported by Global Affairs Canada and the Canadian Red Cross.

Facilitator/s and Participant/s: *(Agencies involve in the workshop)*

- **Participants:** 21 (11 male and 10 female) participants from 4 chapters
(For more information, see Annex 1: Database of participants)
- **Facilitators:**
 - Ana Villa Mariquina – Disaster Management Services (DMS), PRC
 - Butch Sison – DMS, PRC
 - Jizelle Repato – DMS, PRC
 - Roy Bautista – Humanitarian Diplomacy Manager, PRC
 - Linnet Jo – PRC Leyte Chapter
 - Jeffrey Sanchez – PRC Ormoc Chapter
 - Ernest Azores – PRC Cebu Chapter
 - Pebbles Lluz – Office of Civil Defense (OCD)
 - Blanca Cercado – Department of Interior and Local Government (DILG)

Programme:

Day 1: 27-Nov

- Introduction, Outline of training agenda and objectives and Pre-test
- Module 1, Session 1: What is DL? Definition and coverage
- Module 1, Session 2: History of DL development within Red Cross and Red Crescent
- Module 2, Session 1: “Philippine Disaster Risk Reduction and Management (DRRM) System” – Rights, Roles and Responsibilities (3Rs) of DRRM Actors and Institutions at National and Local Level
- Module 3, Session 1: Four Pillars of Philippine DRRM System – Response and Early Recovery
- Interactive Session: 3Rs Game
- Module 2, Session 2: 3Rs of PRC in National and Local DRRM institutions

Day 2: 28-Nov

- Module 3, Session 1: Four Pillars of Philippine DRRM System – Response and Early Recovery (continuation)
- Module 3, Session 1: Four Pillars of Philippine DRRM System – Prevention and Mitigation
- Module 3, Session 1: Four Pillars of Philippine DRRM System – Preparedness
- Module 3, Session 1: Four Pillars of Philippine DRRM System – Recovery*
- Module 3, Session 2: Integrated Risk Management
- Module 3, Session 3: Disaster Risk Governance
- Module 4, Session 1: Dignity, Access, Participation and Safety (DAPS) Framework
- Interactive Session: DAPS

Day 3: 29-Nov

- Module 4, Session 2: Basic Life Support Training Act**
- Module 5, Session 1: Overview of Local Rationalized Planning System (RPS)
- Module 5, Session 2: Local DRRM Plan and Local Climate Change Action Plan (LCCAP)
- Module 5, Session 3: DRRM Funding***
- Module 4, Session 3: Health
- Interactive Session: HLP
- Module 4, Session 4: Housing Land and Property (HLP) Rights and Security of Tenure in shelter and settlements
- Module 6, Session 1: Basic Concepts of Advocacy and Humanitarian Diplomacy (HD)
- Module 6, Session 2: Avenues for PRC Advocacy and HD in local settings
- Evaluation, Post-Test and Closing Ceremony

Note: Topics not discussed due to lack of time(*), materials(**) and facilitator(***)

Highlights / Achievements

- Module on Rights, Roles and Responsibilities of National & Local DRRM actors and Institutions.**
 This session was particularly helpful to participants because it provided them clearer understanding of the legal mandate of PRC in the Philippine DRM system. The 3Rs Lego Game was a good avenue for them to brainstorm on the vertical and horizontal coordination of DRM actors on the ground, and identify the rights, roles and responsibilities of the actors including components of the Movement. They realized that an actor can have rights, role and responsibilities simultaneously, based on the following definitions used: *right* is something that an actor can demand from government; *responsibility* refers to actions that each DRM stakeholder has to perform based on a legal or policy mandate; *role* refers to something that is not mandatory, but would be helpful to do. The difference between “role” and “responsibility” has to be clarified further.
- DAPS Interactive Gallery Walk.** The Gallery Walk was taken from the Asia Pacific DL training and adapted into the Philippine context, using Typhoon Haiyan as the scenario. Participants successfully applied the lesson on the DAPS framework by identifying these elements in each of the given scenarios. The participants, most of whom are experienced field officers, exhibited a high level of understanding of DAPS, and were able to thoroughly dissect each scenario and present flexible and needs-based options for humanitarian response.
- Local planning processes and advocacy.** While most of the participants were already aware of some of the required local government plans, this module provided them a holistic overview of the local planning process, the essential components of a local DRRM plan, and the role of PRC in bringing community voices into this planning process. Also, we learned that a PRC Chapter itself facilitating the local DRRM planning process in their locality, something that can be used as a model for PRC’s local advocacy work.

This training is also the first time that the Disaster Law Programme Advocacy Training was tested, and the feedback was that the “elevator advocacy pitch” exercise was an effective and engaging activity to practice basic advocacy messaging, with the feedback that participants can really use this skill in their daily interaction with local government officials and other stakeholders.

Philippine Red Cross is the first National Society to have a Disaster Law facilitator’s training for Chapter / Branch officers, and is the first to pilot the advocacy training of the Disaster Law Programme

- Tangible increase in knowledge of participants.** 10 of the 21 participants passed the post-test, with an average of 56% positive change from their pre-test results.

Activities with Photos:

Day 1: 27 November 2017

- **Introduction, outline of training agenda and objectives, pre-test**

The participants were welcomed by Mr. Edwin Pamonag, PRC Leyte Chapter Administrator, while Ms. Mariquina discussed the training objectives and an overview of the entire curriculum. As an ice-breaker, participants were paired to draw and introduce their peer to everyone including their expectations from this training.



A pre-test was administered to participants to measure their baseline knowledge on DL. This will be compared to the results of the post-test to identify the improvement in subject matter knowledge. It is a 40-point test that asks the participants to identify terms, determine whether a statement is true or false, enumerate and write an essay on the relevance of DL and advocacy. The pre-test average score was **13.76**. (For more information, see *Annex2: Pre- and post-test results*)

- **Module 1, Session 1: What is DL? Definition and coverage**

The training formally began with a lecture on the meaning and scope of “disaster law”. There was a quick run-through of related international and domestic frameworks and regulations and cross-cutting themes. Trivia on DL was also provided through question and answer in the presentation.

- **Module 1, Session 2: History of DL Programme development within Red Cross and Red Crescent**

After providing the conceptual definition of DL, the next presentation was on the rationale and chronology of the IFRC DL Programme (DLP) and an overview of available DL tools, i.e., DRR and Law Checklist, IDRL Guidelines and Model Act. The lecture emphasized that “legal preparedness” - having comprehensive and strong disaster laws in place before a disaster - is necessary to build resilience.

Ms. Mariquina emphasized that DL is part of PRC’s crosscutting activity in goal one (safe and resilient community) of its Strategic Plan 2017-2020. She also shared that, through DLP, PRC was able to substantially contribute and technically support the amendatory process of Philippine DRRM law.

- **Module 2, Session 1: “Philippine Disaster Risk Reduction and Management (DRRM) System”– Rights, Roles and Responsibilities (3Rs) of DRRM Actors and Institutions at National and Local Level**

The OCD from Region VIII office was invited to give a discussion on the national DRRM system. OCD is the Secretariat of the National DRRM Council (NDRRMC), considered as the national disaster management agency in the Philippines. Ms. Lluza, Training Chief, presented a snapshot of the Philippine hazard profile, then proceeded to the National DRRM Framework’s four thematic areas emphasizing the need to focus on prevention and mitigation, the DRRM institutional structures at the national and local levels (i.e. National and Local DRRM Councils, Local DRRM Offices, DRRM offices inside government agencies), and the coordination mechanisms



indifferent scales of emergencies.

This session provides an essential preview of the entire DRM system in the country, identify who are the common DRM actors at the local and national level, and what the 3Rs are based the system, laws and policies.

- **Module 3, Session 1: Four Pillars of Philippine DRRM System – Response and Early Recovery**

Ms. Lluz continued her session with the Incident Command System (ICS) and Early Response Planning (previously called Pre-Disaster Risk Assessment) mechanisms and highlighted procedures and concrete lessons from actual implementation of ICS. The role and importance of PRC's participation on ICS and PDRA was emphasized due to the organization's nationwide reach and services that reach the community level, among others.

Much of the participants' focus were on the ICS experiences, most specially on how PRC should participate in ICS on field. It was highlighted that PRC cooperation under the ICS framework is important to the fulfilment of its auxiliary role to government in the humanitarian sphere, but at the same time there is also a need to be cautious of PRC's participation to continue to uphold the fundamental principle of independence.

The discussion on International Humanitarian Cluster System was not discussed due to limited time.

- **Interactive Session: 3Rs Lego Game**

To better familiarize themselves with DRM actors and understand their 3Rs in DRM, participants were asked to play the "3Rs LegoGame". This game was developed by the IFRC Asia Pacific DLP team and was adapted to the Philippine context for this training (for example, "Ministry of Home Affairs" was changed to "Department of Interior and Local Government / DILG", and "Red Cross Branch" was changed to "Chapter"). Participants were arranged into 4 groups, and each group was provided with a set of "Lego cards", with one card representing one DRM actor. Blank cards They were then tasked to cluster the actors based on any or a combination of the following: rights / roles / responsibilities, thematic clusters, and/or coordination or interaction of each cluster with the other.



Groups presented their discussion results to the plenary. The following strategies were used:

- Cluster based on domestic and international actors and showed the coordination between these two groups; and
- National level actors and local level actors and showed the coordination between these two groups

An important realization was that it is difficult to simply categorize a DRM actor either as a right-holder or duty bearer; in most cases one actor can have all 3Rs. It was also challenging for most to distinguish between a "role" and a "responsibility". Lastly, all groups identified PRC's "responsibility" as an auxiliary to government in the humanitarian field and to ensure that the needs of the most vulnerable are represented and addressed in humanitarian action.

- **Module 2, Session 2: 3Rs of PRC in National and Local DRRM institutions**

This session linked the 3Rs of PRC (identified in the Lego game) to the discussion of PRC's legal mandate under Republic Act No. 10072 or the Philippine Red Cross Act of 2009--- this law expressly states that PRC is an auxiliary to government in the humanitarian field. The resource person also asked participants to define the "auxiliary role", then proceeded to discuss Red Cross' privileges and use of the RCRC emblem under the law, mandatory representation in and contribution to NDRRMCs and LDRRMC meetings, and some sharing on how 3Rs are applied in the context of the Movement's 7 fundamental principles.

Day 2: 28 November 2017

- **Module 3, Session 1: Four Pillars of Philippine DRRM System – Response and Early Recovery**

Mr. Sanchez continued this session to share the Cash Transfer Programming (CTP) of PRC and past experiences, and the particular government regulation supporting CTP implementation. Participants shared their experiences in CTP during Typhoon Haiyan Operations, and attested to the effectiveness of cash as a modality for assistance and the challenges faced in beneficiary validation and management of feedback mechanism from communities.



This session was closed by Ms. Mariquina with a presentation of policies and guidelines on declaring state of emergency/calamity, disaster response cluster system (highlighting the membership of PRC in selected sub-clusters), mechanisms for international humanitarian assistance and management of dead and missing (MDM) persons. It was an "A-Ha" moment for most Chapter participants to learn that PRC is beefing up its capacity on MDM.

- **Module 3, Session 1: Four Pillars of Philippine DRRM System – Prevention and Mitigation**

Mr. Mariquina then proceeded with this which highlighted the checklist on Law and DRR, and policies of key activities under this pillar namely risk assessment, environmental impact assessment, land use planning and zoning and building codes.

- **Module 3, Session 1: Four Pillars of Philippine DRRM System – Preparedness**

Mr. Azores presented the National Disaster Preparedness Plan (NDPP) crafted by DILG and highlighted the prescribed role of PRC as implementing partner of the NDPP framework. Rest of the presentation was highlighting the policies on contingency plan, early warning system (EWS), pre-emptive or forced evacuation, disaster risk financing insurance and introduction to forecast-based financing (FbF) as a potential mechanism to improve EWS.

Participants from Western Samar Chapter had raised several questions on the development of a Contingency Plan for local government units. The main inquiry was on the roles of PRC in developing the plan. The facilitator explained that PRC is a recognized partner in planning, and this is indicated in the NDPP. Based on this, PRC uses the planning template prescribed by OCD and the contingency plan workshops are to be facilitated by trained personnel by OCD as well. However, the facilitators stressed that the local chapters should improve coordination with OCD so that PRC can be seen as a partner in DRRM rather than a competition.

The facilitators had one challenging experience in terms of handling technical queries from participants. One participant had insisted that there is a separate Implementing Rules and Regulations (IRR) for OCD on RA 10121. Facilitators correctly explained that there is only one IRR for RA 10121 which applies to all government agencies, but the participant repeatedly challenged this answer. This experience was a good learning opportunity for facilitators to address technical questions and disagreement from participants.

Lastly, Ms. Mariquina informed the participants that PRC is piloting FbF in Philippines to improve how PRC can proactively respond to extreme weather events and how it can influence the government to adopt FbF using the evidence that will be gathered during the pilot implementation.

- **Module 3, Session 2: Integrated Risk Management (IRM)**



Mr. Sison presented the key rationale for development workers to make programming “IRM-proof.” IRM approach of CARE Philippines was presented where it explained the various drivers of risks, enabling environment and capacities of assets needed, followed by the features of IRM. Mr. Sison also explained and shared his experiences of how IRM fits into the local development process of the government and main policy references.

- **Module 3, Session 3: Disaster Risk Governance**

Ms. Repato discussed the concept of disaster risk governance, emphasizing that this principle is also as important as the other 4 thematic areas in DRM, and ties these areas together. For this training, the following 3 principles of disaster risk governance were highlighted: *whole-of-society approach, subsidiarity, and transparency and accountability*. Disaster risk governance provisions in the Philippine DRRM Act were cited, to emphasize that the law itself mandates DRM actors to practice effective disaster risk governance.

- **Module 4, Session 1: Dignity, Access, Participation and Safety (DAPS) Framework**

This session is composed of 3 sub-topics: gender and diversity (GAD), child protection in emergencies, and disability inclusion.

Ms. Repato began the discussion by explaining the high vulnerability of women and children during disasters, in terms of number of casualties and exposure to violence, and what are the global commitments to reduce or prevent gender-based violence. She then presented the Minimum Standard Commitments to GAD, the basic DAPS principles, and recommendations on how DAPS can be operationalized in PRC’s humanitarian action. Lastly, selected laws related to GAD were briefly explained.



With respect to child protection in emergencies, Mr. Azores discussed RA 10821 “Children’s Emergency Relief and Protection Act” and its purposes, scope and main themes. He emphasized that this law covers not only the needs of children but also of pregnant or lactating women. In this session, using schools as evacuation center was a last resort

according to this law.

Ms. Jo provided a quick overview of national disability inclusion laws. She highlighted Republic Act No. 7277 or the Magna Carta for Persons with Disabilities of 1992, by discussing the functions and roles of the Persons with Disability Affairs Office (PDAO) established under this law, specific roles of other government agencies, and also the UN Convention on the Rights of Persons with Disability which is the international legal framework on disability inclusion. Ms. Jo also shared her knowledge from the training she received from Handicap International on disability inclusion.

- **Interactive Session: DAPS Gallery Walk**

The DAPS Gallery Walk scenarios were adopted from the Asia Pacific Disaster Law Field School held last June 2017. The objective of this interactive session was to increase understanding of DAPS by asking participants to apply these principles in disaster response scenarios. The scenario provides the “story” of a beneficiary, narrated to the group by their facilitator. Group members were then asked to identify the DAPS issues that each beneficiary has, how these issues should be addressed by the Red Cross volunteer / officer and other relevant actors, and which DRRM laws or policies would be applicable or would need to be legislated in order to address the beneficiary’s differentiated needs.



Since the time for the interactive session was limited, it was adjusted such that only one group each was assigned to analyse one scenario (instead of all groups going all around the scenarios), and they each took turns to present their group discussion to the plenary to gather feedback. It was evident to the participants that the situation of the scenario characters was exacerbated by the typhoon, and the effect of some of their coping strategies are potentially irreversible causing them more harm. On the other hand, the participants were able to identify appropriate activities of PRC suitable to the needs of the characters.

Day 3: 29 November 2017

- **Module 4, Session 3: Health**

Mr. Sanchez presented the overview of domestic policies on pandemic preparedness, the regulation on Minimum Initial Service Package for Sexual and Reproductive Health, local policy on counterfeit medicines and the coordination mechanism of the Department of Health (DOH) in responding to health emergencies. One participant was requesting for information on the structure and roles Health Emergency Management Bureau of DOH but information was not available.



- **Module 5, Session 1: Overview of Local Rationalized Planning System (RPS)**

The DILG from Region VIII was invited to facilitate this session. Mrs. Cercado introduced the mandate of her agency and as to why RPS was conceptualized vis-a-vis Local Government Code and various plans required from the LGU. The entire presentation simplified the 4 components of the planning system such as mandating planning structure, planning mandates and mandated plans, planning process and authority levers. In each component,

key policies, purpose and/or activities were discussed. Some aspects of mainstreaming IRM was also included in the presentation.

During the presentation, participants were engaged in several question and answers with Mrs. Cercado to clarify issues experienced on the ground vis-a-vis PRC mandate. Mrs. Cercado also encouraged the chapter participants to apply membership in Local Development Council to influence planning and budgeting of the LGUs because the council has a seat for civil society organizations. *It should be noted however that in addition to the 4 CSO seats in local DRRM councils, PRC holds its own seat at the national and local DRRM councils as provided in RA 10121.

- **Module 5, Session 2: Local DRRM Plan and Local Climate Change Action Plan (LCCAP)**

Mrs. Cercado proceeded with her discussion on the key laws that mandates formulation of Local DRRM Plan and LCCAP. She further discussed the capacity building programs of DILG to support the LGUs in the planning and their monitoring system. Again, the participants were active in asking and sharing solutions to challenges that they commonly experience in their localities.

Mrs. Cercado shared the common challenges faced by and proposed solutions of LGUs in complying with the quality measures for crafting the Comprehensive Development Plans, Comprehensive Development Plan and Local Climate Change Action Plan.

- **Interactive Session: Spectrum Exercise**

Participants were asked to stand up and go to form a tenure security spectrum: the left most part representing those who feel “very secure” about their land tenure, and the rightmost part representing “very insecure”.



Selected participants shared why they feel secure or not so secured. Answers varied from having a house in safe location, adequate quality of house materials, occupying property that is owned by another family member, and uncertainty to own a rental house.

Ms. Jo then explained that in most cases, a person’s judgment of his or her “security of tenure” is usually guided by his or her own perception, which may either be correct or incorrect. This is why it is important to have a proper mechanism for tenure assessment during the preparedness stage and why it is important to disseminate awareness of different kinds of tenure and the right to adequate housing.

- **Module 4, Session 4: Housing Land and Property (HLP) Rights and Security of Tenure in Shelter and Settlements**

Ms. Mariquina linked the HLP thematic area to DL, then explained the RCRC Movement’s shelter and settlement aims, common regulatory barriers to shelter, and the 7 criteria under the right to adequate housing. Different types of tenureship was explained to highlight the sharing of the participants in HLP exercise regarding their security or insecurity in tenures. Changes on Philippine HLP policies and guidelines were also compared to show improvement pre- and post- Typhoon Haiyan operations.

Participants also shared their experiences on shelter and settlement challenges and practices to the group.

- **Module 6, Session 1: Basic Concepts of Advocacy and Humanitarian Diplomacy (HD)**

Mr. Bautista explained the key concepts of advocacy and how advocacy and lobbying is done in the Philippines. He briefly presented the Advocacy Checklist which is composed of 12 practical questions that would lead to a clearer understanding of what “advocacy” means, the importance and method of identifying core issues underlying an advocacy, different components and routes of influence, and skills necessary to have effective advocacy messaging.



Mr. Bautista then grouped the participants according to their geographic location to complete an exercise where they will draft an advocacy plan, map stakeholders and present key messages. Mr. Bautista concluded the session with tips for successful advocacy.

- **Interactive Session: Elevator Pitch Exercise**

To apply the lessons of this session, participants were asked to do the “elevator pitch exercise,” i.e., concise and clear communication of advocacy message with a decision maker in a very limited amount of time. Participants worked in pairs and had 2 scenarios where they will roleplay as a PRC staff or volunteer talking to a *barangay* captain and mayor (and vice versa) about particular PRC program or advocacy message.

After the exercise, some of the participants were asked to share what they thought worked and didn’t work with their advocacy style. The participants were fascinated with the exercise as they do not usually talk directly to decision-makers.

- **Module 6, Session 2: Avenues for PRC Advocacy and HD in local settings**

Mr. Sison facilitated an interactive session to illustrate a basic principle of humanitarian diplomacy – that is easier to advocate with stakeholders that we have a good working relationship or higher level of familiarity with, and far easier to avoid people who act as “barriers.” Nonetheless, he emphasized that it is important to know how to advocate with both types of stakeholders. He then shared examples on how advocacy and HD was applied by PRC in the local level and discussed 3 examples of successful IRM advocacies in rural and urban from the Partners for Resilience and Proud Of My Purok projects.

The participants appreciated the sharing of Mr. Sison and was inspired to see a case where PRC and an LGU can work together in a sustained manner. However, it was noted that those successes were achieved due to funding and technical support of a RCRC Movement Partner. Ms. Mariquina encouraged the participants to share their own experiences.

- **Evaluation, Post-Test and Closing Ceremony**

The participants answered the post-test which is similar to pre-test but with lesser questions due to exclusion of those sessions of facilitators. The average post-test score was **20.19** which is 5.53 point higher to the pre-test score. Unfortunately, 2 participants had lower post-test scores compare to their pre-test results. (For more information, see 2: Pre- and post-test results)

Evaluation forms were filled by the to provide feedback and recommendations on this pilot training. Based on the evaluation, **76%** agreed that the course contributed to their learning at the end and **62%** confirmed they can use the information in community activities. On the

other hand, results shows disagreement in facilitator's knowledge and skills and lack of clarity in course objectives vis-a-vis their role in the chapter. Other recommendation from participants were mastery of subject matter and presence of lawyer during the course. (For more information, see *Annex 3: Evaluation result*)

The training was closed with a speech from the board of directors from PRC Leyte Chapter inspiring the chapters to use the knowledge in chapter operations. It was followed by the awarding of certificate and group picture.



Results:

A. Learnings

- Importance of disaster law in effective DRRM, and in PRC's role as auxiliary to government in the humanitarian field
- Relevant policies on DRRM and the rights, roles and responsibilities of PRC
- Interactive sessions to break the ice or to further engage the participants in the discussions

B. Challenges

- Insufficient training preparations resulting to late arrival of participants from Western Samar Chapter
- Exclusion of some topics due to time limitation and unavailability of facilitator
- Limited consideration on the relevance of course to different roles of training participants (community volunteers, red cross youth, chapter staff, et.al)

C. Recommendations

- Recommendations for the module design:
 - Revise the module for chapter-level participants based on their needs--- if possible, more interactive activities and less discussion; and
 - Selection of facilitators with relevant background, experience and knowledge on disaster law

Annexes and Reference materials

All powerpoint presentations and other references were uploaded in the following link:

<https://drive.google.com/open?id=0B5Alxpd9e8aOSHIHWW1uOWR3QIk>

Follow up schedule/s:

- Completion of DL facilitators toolkit
- Revision of training module and sessions based on recommendations of participants from training evaluation

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Date: 13 December 2017