



INTEGRATED RISK MANAGEMENT LAW AND POLICY **CHECKLIST**



PARTNERS FOR RESILIENCE
Working together on disasters, climate, ecosystems

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INTRODUCTION

Why this checklist



WHAT IS IT AND WHAT IS IT NOT?

This Integrated Risk Management (IRM) Policy checklist has been developed for Partners for Resilience (PfR) Alliance partners and their in-country counterparts. The aim of the checklist is to identify areas for improvement within current legislation, policies and implementation in relation to PfR's IRM approach.

Your analysis can be used as a basis for advocacy strategies aiming to integrate Disaster Risk Reduction, Climate Change Adaptation and Ecosystem Management and Restoration into these laws, policies and their implementation on the ground.

The checklist doesn't provide guidelines to develop such strategies or to assess and support advocacy capacity with partners. See the reference page at the end of this document for tips and tools on these follow-on steps.



ATTENTION FOR USERS

1. **Short on time?**

If you urgently need to review a policy document and have little time, go to **Annex 1: Quick Scan**

2. **Want more detailed information?**

Pages **1 to 11** of this document introduce the checklist. Pages **12 to 28** contain the actual checklist.

3. **Looking for an example?**

If you are looking for an example of how to apply this checklist in practice, go to **Annex 2: PfR Indonesia** has kindly tested and customized a draft version of the checklist for use in Indonesia, and you will find their products in Annex 2 (available online at library.partnersforresilience.nl). These include the checklist questions worked into a customized structured list, and guidelines for workshops addressing each of the three stages of policy review addressed by this checklist, using different analysis indicators and tools. These can serve you as inspiring examples on how to use this template checklist for your own context.

BEFORE YOU BEGIN

When discussing legislation and policy, it is important to understand what these terms mean and how processes of development, amendment and review generally work. See for definitions and explanations page 31. While DRR legislation and policy is a self-evident target for your check, consider that topics related to Integrated Risk Management (IRM) may be spread across several policies and legislations that do not directly address the issue. For example, a new Culture Law might include topics related to traditional land usage whereas a health reform policy can address issues regarding gender and disaster management, and prevention among others. You will therefore have to decide how wide you want to or are able to throw your net in terms of exploring the policy and legislative landscape for IRM related aspects.

In addition, distinct legislation, policy and plans may not always include all three main aspects of IRM (Disaster Risk Reduction, Climate Change Adaptation and Ecosystem Management and Restoration). It will not be realistic to advocate for the inclusion of all three aspects exhaustively into dedicated legislation or policy; you will have to pick the most realistic and rewarding battle.

While providing a tool to analyse a law or policy, this checklist takes into account the IRM principles¹:

- Putting people at risk centre-stage, building on local and traditional resources and knowledge;
- Linking humanitarian and development domains by focusing on livelihoods;
- Addressing risk at a landscape scale;
- Managing and restoring ecosystems;
- Working on different timescales to ensure adaptive planning;
- Linking local realities with global processes;
- Integrating disciplines and approaches to encompass different risks;
- Partnering with communities, CSOs, government, knowledge institutes, private sector and media

The checklist is also inspired by the ideas developed in the Landscape Approach, see reference list.

¹ *Partners for Resilience: the next phase* <https://www.partnersforresilience.nl/en/about-us/our-vision-mission-and-approach>

² From <https://www.policynl.ca/policydevelopment/pages/evaluation-larger-process.html>

THE POLICY CYCLE

The IRM Policy Checklist is based on the policy cycle (see Diagram 1, please note that this is a simplified and ‘idealized’ picture²), which articulates a number of phases in policy development, with at the centre its basis, namely the evidence on which policy is based. This evidence describes the problem or situation that the law or policy is addressing.



Diagram 1: Policy cycle

EVIDENCE AT THE CENTRE OF POLICY



To give an example of the role of evidence in the policy cycle – imagine a land use policy. A land use policy should be based on a variety of evidence: A geospatial analysis, information regarding the ecosystems present, the needs of the population including the most vulnerable, climate change projections, cultural heritage in the area, agricultural aptitude, etc. Partners for Resilience is an evidence based advocacy programme and gathering such evidence and making it available to decision makers is an important strategy to influence laws, policies and their application. In many cases, the government does not have the necessary data available, this is an important entry-point for dialogue and support for better policy making.

In general, a policy framework should reflect the following features:

- Be forward-looking, that is, it must have a long-term view of the problem and offer a long-term solution;
- Benefit from the experience of others who have resolved similar situations;
- Seek new solutions to old problems by being clear on objectives and outcomes;
- Be based on a study or current analysis of the problem at hand;
- Offer an inclusive solution to all the segments of the community in which it will be implemented;
- Fit into the current policies being implemented by other agencies;
- Borrow from best practices and learn from implementation mistakes and successes elsewhere;
- Must have an in-built communication strategy for dissemination to the public and all stakeholders;
- Should have evaluation and review mechanisms as one of its features; and
- Provide a pre-legislation impact assessment statement.

For this checklist, we have adapted the above cycle to accommodate the different stages in which policy can be reviewed and/or influenced by civil society organizations (see diagram 2).

1. Policy Review - critical analysis of existing policies and legislation.
2. Planning and budget review - analysis of the translation of these policies into (annual) plans and budgets at national, district/provincial and local level.
3. Review of implementation - the actual implementation (and perceived) impact of these policies on the ground.
4. Policy influencing – after review, policy influencing strategies and actions are developed and conducted. This would be the follow up step of using the checklist and is not the topic of this document.

Building on the IRM evidence base (of the first and second phase of PfR³), the outputs of the three stages of analysis provide input for the strategies in the trajectories for policy dialogue (see Diagram 2). This analysis can be part of the baseline or subsequent studies at national, district or local level to inform the advocacy strategy and actions to be taken in the PfR dialogue trajectories.

Based on the four stages, this checklist consists of three distinct sections with their own unique set of key questions. Depending on the organisation and partner, the different sections can be used by different stakeholders, but all information should flow back to the key group/country team that develops the joint strategy for policy dialogue. In annex 2 examples are provided of facilitation guidelines for workshops and of analysis instruments / tools as used in Indonesia.

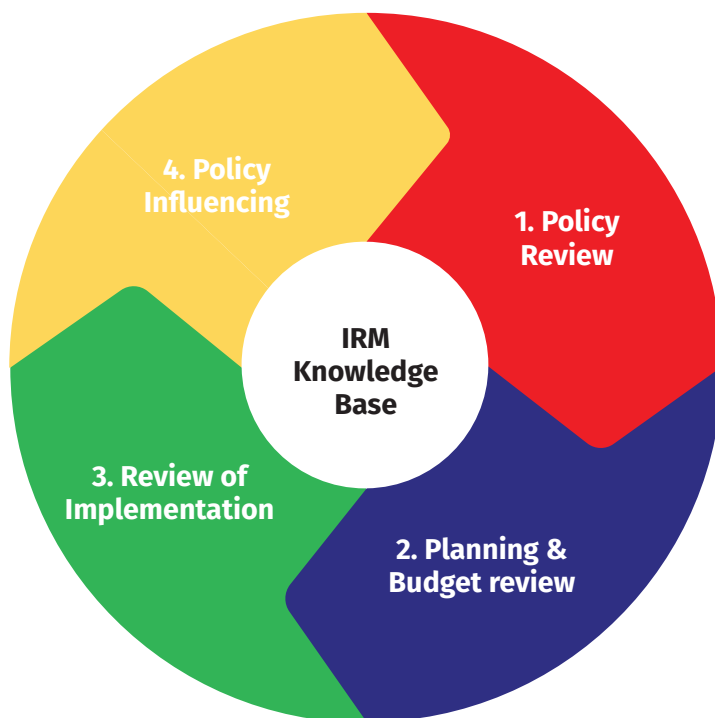


Diagram 2: Policy review cycle

³ See also the Partner for Resilience Library: <http://library.partnersforresilience.nl>



Entry points for engagement

In most countries it is not the norm that a law or policy carries a provision for automatic review as is described in the overview in Diagram 2. Therefore, it is important to keep track of initiatives to amend existing laws, or introduce new laws, update processes or guidelines, etc. and seize the opportunity these present so that we can push forward our agenda. We can then adjust our programming to be attuned to the opportunities that open to us.

To help identify opportunities for engaging in policy/law review the following questions can be used:

Review and adjustment mechanisms:

- Is review of the policy/law foreseen in the policy/law itself?
- Is the policy planned for review in the coming years? (Ministries and/or parliamentarians may be aware of this or can initiate review).
- Is there any internal initiative for policy review? (If the Ministry or Parliament is not planning a review, you can consider advocating for review).
- Is there a mechanism that provides Ministries or Parliament the ability to adjust a law or policy if needed?
- How are policies and legislations monitored?
- How are the observed policy weaknesses currently being addressed?

Stakeholder inclusion:

- Does the policy focal point/secretariat (usually within a Ministry) provide for policy dialogue or engagement forum with CSOs, donors, etc?
- Have stakeholder groups, including civil society, been consulted in the development, review or monitoring of implementation of the policy and does the policy reflect their inputs?
- Does the policy invite and promote participation of stakeholders in the development, review, planning and budgeting and implementation stages of the policy?
- Is there a regular forum for CSOs policy dialogue and engagement e.g. Sector working groups?
- Do you know how policies and regulations are perceived by other stakeholders, who are in favor, who against, who is powerful, who is powerless, who are allies? A power analysis can help you here.

In some countries, due diligence when it comes to the legislative process is clearly formalized and described, such as in Kenya's 'A guide to the legislative process in Kenya', published by the Kenya Law Reform Commission in 2015. This provides a good tool to assess to what extent the public has opportunities to participate in the development, formulation and review of policies and laws.

This type of document will answer important questions such as:

- Who are the key actors and institutions that make decisions about policies, as well as those who can influence policy makers?
- Who are the institutions and organizations that mediate the interface between policy and people?
- What is the distribution of political power among key actors?
(understanding the social and political context)

How to use this checklist



There are multiple ways to use this checklist. If limited time and resources are available, the checklist can be used to do a 'Policy Quick Scan', see Annex 1. For an example of how the checklist can be customized, see in Annex 2 which presents the work done by PfR Indonesia in creating guidelines and instruments to fit the Indonesian context.

As described above, the checklist is composed of three sections:

- 1. Policy review (page 12)**
- 2. Policy in planning and budget (page 21)**
- 3. Review of policy implementation (page 24)**

To answer the questions in each of these three sections you can rely on:

- A. Your current knowledge and close reading of the policy document.
- B. Meetings with stakeholders including those with expert knowledge on Disaster Risk Reduction (DRR), Climate Change Adaptation (CCA) or Ecosystem Management and Restoration (EMR) if needed, for critical analysis. For section 1, you will need mostly national level stakeholders, for section 2 and 3, planning and budget, implementation and impact you will also need stakeholders at sub-national level, and for section 3 in particular you will need to interact with local stakeholders.
- C. Meetings with stakeholders including government; by including government in your analysis of a policy you will be able to find out most about the background and implementation of the policy. It will also help you to build useful relationships with government stakeholders – be it at the national, regional or local level.

Bearing in mind that to influence the policy, you will need to involve other stakeholders including government, and it will be beneficial to reach out to them in the process to learn more. On the other hand, it is important to develop your own point of view and key asks for policy/implementation change – related to Integrated Risk Management – so while consulting with others make sure you keep your own agenda and purpose in mind.

The below questions are a guideline that can help you to ensure that you have looked at a policy from all relevant angles related to Integrated Risk Management.

When going through the questions in each category, you will find that you may not be able to answer all questions, even when speaking to local stakeholders and policy makers and implementers. Some questions may not be relevant to the policy you are analysing, other questions may not be relevant to the specific context you are working in.

At the same time, the fact that a question cannot be answered could point you to your advocacy agenda – you may want to advocate for the inclusion of this aspect that is lacking in the law or policy!

1. Law and/or Policy Review

WHAT IS IN THE LAW AND/OR POLICY
(AND MAYBE MORE IMPORTANTLY, WHAT ISN'T)?



First of all, it is key to select the law(s) and policie(s) central to your advocacy agenda, those that are directly related to the problem that you wish to address. To establish this, you will need to make an analysis of the broader policy landscape.

Once it is clear which law or policy (or policies) needs to be targeted, it is essential to obtain the most recent version of the law or policy you would like to review (including possible amendments/updates and implementation plans).

As it is a long and difficult process to put a certain law or policy on the political agenda for review, it can also be strategic to find out which laws/policies are already on the agenda to be reviewed so that the opportunity for PfR to be involved in this process can be seized. In this case a thorough IRM analysis of the policy/law under review is still needed for effective advocacy, to formulate 'policy asks' – the exact way in which you would like the law or policy to be adapted.



Discussing the existing policy with relevant policy makers and asking for explanations of the development of the policy, its history, its evidence base and current status can be a good starting point for learning more about the policy, building relationships with relevant policy makers and collecting important information for your policy analysis.

Depending on your scope and angle, the review of a policy document can include:

- gathering policy documents which have a bearing on the sector of concern;
- cataloguing the contents in relation to the purpose of the analysis;
- highlighting inconsistencies, links and overlaps between the documents;
- identifying particular innovations and lessons in the documents;
- comparing the positions in these documents with those of key stakeholder groups;
- noting any conflicts or gaps with respect to international obligations and opportunities;
- identifying issues related to implementation, notably on capacity implications; and
- identifying mechanisms for dialogue between stakeholders, for reconciliation of potentially competing objectives and inter-sectoral coordination.

Policy Coherence: Experience from the Philippines

When talking about policy/policies related to Integrated Risk Management, it is important to keep in mind that we are dealing with numerous policies and legislation – at least in the Philippines. There are key legislations, i.e. Philippine Constitution, Philippine Disaster Risk Reduction and Management Act, Climate Change Act. And a lot of legislation related to the environment, land tenure, building code, etc. These major laws have their corresponding implementing rules and regulations. Some have none yet, and are therefore difficult to implement.

Aside from these major legislations, there are executive orders, department orders, joint memorandum circulars, etc. There are also implementing guidelines that address specific concerns, such as mainstreaming DRR in local development plans, or mainstreaming climate change adaptation in local development plans.

The point of this elaboration is that the huge volume of policies and laws gives rise to a situation where policies and laws are increasingly lacking coherence, with specific provisions of specific laws even having the effect of cancelling each other out. To say the least, the large number of policy issuances causes confusion and contributes to poor compliance. Policy review must take this into account.

It is equally important to identify who are the ones issuing the policies and guidelines. Different agencies are responsible for issuing the large numbers of guidelines. This also contributes to the lack of coherence, and confusion, especially if agencies refuse to talk to one another, even if they acknowledge the problem privately. Policy research must identify how agencies and even individuals position themselves in relation to policy issues.

From among the large number of “policy-makers” it is essential to identify who carry the most influence. These should be the targets for policy advocacy. With the large number of agencies and individuals who tinker with policy, it is impossible to invest time and effort in them at the same level of effort.

It is also important that we get to know the process of policy-making and decision-making. It would be difficult for us to carry out policy advocacy without gaining intimate (or adequate) knowledge about the policy process, in particular about how amendments are introduced. The assumption here is that there are existing relevant policies, and it is easier to work on amendments of policies, to enhance policies, than to go through the process of advocating for new legislation.

Key questions for IRM policy analysis



EVIDENCE BASE

For a law or policy to reach its objective, it needs to be based on a clear assessment of the current situation as well as on a projection of how the current situation will be developing. These need to be based on evidence, a collection of data and research on the relevant factors the law or policy aims to regulate.

- 1. Is the policy rooted in evidence and based upon quality data and climate science information?**
- 2. Is the policy based on analysis regarding ecosystem functions and impacts on ecosystems? Does the policy avoid negative impact on vital ecosystem services and biodiversity?**
- 3. Is the policy sensitive to the (potential) impacts of climate change, urbanisation, population growth, global economic trends?**
- 4. Does the policy include an extensive risk mapping of the risks and hazards it is addressing, (geological, climatological, meteorological, conflict, earthquakes, etc.) present in the country (or target areas) including interlinkages between hazards?**
- 5. Is the policy addressing structural causes and proposing long-term strategies (or only short-term gains)?**



COHERENCE AND INTEGRATED APPROACH

A law or policy never stands on its own. It is part of a broader set of policies and laws, and the implementation of a policy will have effects beyond the scope of its immediate objectives. For example, a policy that aims to increase foreign investment may, by enabling foreign investment, have an impact on the ecosystems and livelihoods of the area where the investment will take place. These aspects should therefore be taken into account when a policy or law is formulated.

- 1. Does the policy take into account other existing policies regarding land use, DRR, environment and climate, and makes reference to these?**
 - If the law or policy is primarily a DRR law or policy, does it refer to relevant aspects and impacts on ecosystems and climate change? (e.g. how ecosystems management can be used to protect communities.)
 - If it is primarily an ecosystems or climate change law or policy, does it refer to relevant aspects and impacts of DRR? (e.g. how climate change may lead to higher frequency of weather-related hazards.)
- 2. Does the policy refer to current international standards related to IRM ratified by the country (e.g. UNFCCC, Sendai, SDG, Habitat 3, Ramsar)?**
- 3. Does the impact assessment include a social impact assessment? Does the social impact assessment sufficiently take into account vulnerable groups?**
- 4. If the policy is a land use or development policy (e.g. in relation to agriculture/ forestry/ fisheries/ infrastructure development and natural resources management) does it include environmental safeguards, thereby preventing increases in disaster risk?**
- 5. Does the policy facilitate measures that address environmental root causes of risk, including management and restoration of ecosystems and their services?**



COMMUNITY AT THE CENTRE

Communities should be at the centre of the law or policy, especially the poor and vulnerable, whose lives and livelihoods are increasingly under threat from disasters, the impacts of degraded ecosystems and climate change.

- 1. Does the policy identify causes of poverty and environmental degradation?**
- 2. Does the policy address issues of community access to and control over resources necessary for livelihoods and adaptation?**
- 3. Is it clear which institutions are responsible and accountable for the implementation of the policy (at national, regional and local level)?**
- 4. Do the institutional structures created in the legislation or policy have mechanisms to cascade to the community level? (are they decentralised to provincial or village level?)**
- 5. Is representation of the communities in the governance structures proposed in the legislation? (i.e. representatives of the public in any boards created) How?**



GENDER AND VULNERABLE GROUPS

Disasters do not strike everyone equally: some groups within society are disproportionately affected due to their already vulnerable position in terms of low income, ethnicity, gender, disability, youth and old age. Disadvantaged people often live in the most vulnerable geographical areas, which exposes them to natural hazards like floods, cyclones and droughts. When a disaster strikes, they have limited capacity to respond. Their houses are often of poor construction quality, and livelihoods are highly dependent on the weather conditions. To make things worse, they are often excluded in preparedness and relief operations. Similarly, it should be clear how the policy or law addresses the vulnerabilities of these groups.

- 1. Does the policy support gender inclusion and protection of women and other vulnerable groups?**
- 2. Does the policy take into account differing needs of different vulnerable groups in relation to shocks and stresses, including natural hazards, conflict, climate change?**
- 3. Does the policy acknowledge gender and how women and men have different vulnerabilities to shocks and stresses?**
- 4. How do poor and marginalized people participate in the policy making process or ensure effective policy implementation and review? Are these processes supportive of the principles of IRM?**
- 5. Is there representation of women within the governance structure created by the legislation or policy? Is the representation adequate? (Does it meet (legal) thresholds, such as half or 1/3 of all members are women?)**



RISK MANAGEMENT IN AN INTEGRATED LANDSCAPE APPROACH

The law or policy should take into account the entire landscape in which risks originate and manifest themselves, and the many interactions and interdependencies between the environment, livelihoods and communities in different parts of the landscape; up- and downstream a river, for example.

- 1. Do assessments and measures provided for in the policy take into account the wider landscape in which risks originate and manifest themselves? In particular:**
- 2. Does the policy facilitate access to climate information for risk analysis and planning?**
- 3. Does the policy facilitate the establishment of functional early warning systems (if applicable)?**
- 4. Does the policy encourage research on climate?**
- 5. Does the policy promote the protection of natural resources such as rivers, lakes, soil?**
- 6. Does the policy address the protection of key assets, including shelter, from hazards?**
- 7. Does the policy include clauses on preparedness for and mitigation of disasters, response and recovery?**
- 8. Does the policy facilitate building capacity of local stakeholders to respond to disasters?**
- 9. Does the policy promote livelihoods diversification to reduce vulnerability and increase adaptive and absorptive capacity?**
- 10. Does the policy promote appropriate land and water resources and agricultural technologies, and economic use of food, water and agricultural inputs?**
- 11. Does the policy facilitate access to financial services, such as savings and credit, insurances?**

2. Policy in Planning and Budget

HOW IS THE LAW AND/OR POLICY OPERATIONALISED?



A policy may 'tick all the boxes' on paper, with IRM integrated in its text. However, to operationalize a policy, additional steps are needed. The policy needs to be translated into concrete plans and these plans need to be backed by (sufficient) budget. Answering the questions below will help to increase insights into how effective a policy could be: Is it a paper tiger or a real one!

Planning and budget analysis may be used to:

- Amplify the voices of people who are not heard.
- Raise issues that would otherwise be neglected and draw the attention of the media and others in civil society.
- Confront unequal power dynamics that affect the distribution of public resources.
- Pressurise governance institutions to treat marginalized people with dignity.
- Create new public spaces for people's participation.
- Connect micro-level experiences to macro-level economic and social policies.
- Learn how decision-making systems work and how to make interventions earlier in the policy making process.
- Gain the knowledge needed to effectively participate in public debate.



When making a policy analysis together with stakeholders, it can be strategic to (also) invite someone from the Ministry of Planning and/or the Ministry of Finance (or their local counterparts) as they are aware of the policy and budget cycles and can advise on the proper timing for dialogues around the content of policy and the budgeting for policies.

Key questions for policy planning and budget analysis



DISTRIBUTION, COMMUNICATION

One of the main difficulties for policy makers is to ensure that the policy or law they have worked on is actually implemented. In many countries, the governance system is not very strong and local government is not always aware of the policy processes at the national level. Ensuring that laws and policies reach and benefit the communities where the impact should be felt is an important entry point for dialogue.

- 1. Is the law/policy translated into all national languages and where relevant into local languages/dialects? (It may be useful to ask who had mandate to do so and if it is actually being done. National governments often only translate into official languages. State/local governments may translate if they have that language as their official language if country constitution allows it. Otherwise who will translate into local dialects?)**
- 2. Has the law/policy already been translated into national and/or state/province/local (work) plans? In the case of a new law/policy is such translation foreseen in the law/policy? Should this happen even if it is not formally foreseen?**
- 3. Are policies and work plans distributed and discussed across departments (National Disaster Risk Management/Met office/ environmental department)?**
- 4. Are relevant government and non-government stakeholders informed on the policy through appropriate communication channels (town hall meetings, information leaflets, media, etc.)?**



BUDGET AND ACCOUNTABILITY

Apart from distribution, one of the major factors influencing the effectiveness of a policy is its budgetary support. Policies that, for example, state that each village should have a disaster plan, can look very good on paper, but if local authorities do not have funding to bring the community together to design such a plan, or to procure materials needed to protect the village, the policy remains just a policy.

- 1. Do you have access to the information on the budget/human resources to implement the policy?**
- 2. In case of an existing law/policy: Have sufficient human resources been allocated in the government system to implement the law/policy?**
- 3. Is there (going to be) a budget allocated in the national/regional/local budgets to fund the implementation of the policy?**
- 4. Is there sufficient budget allocated to implement the main goals of the policy?**
- 5. Does the budget include funds to monitor the impact of the implementation of the policy on disaster risk, vulnerable populations and ecosystem services?**
- 6. Are accountability measures in place for duty bearers and democratic control mechanisms (e.g. at national level the parliament, at local level community consultations) to check on implementation of the policy?**



MONITORING AND REVIEW

How do we know a policy is effective?

- 1. Are indicators identified to track impact/results of the policy?**
- 2. Are there regular meetings across relevant Ministries to discuss progress/implementation of the policy?**
- 3. Is a mechanism in place for reviewing progress of the plans and budgets ensuing from policy and are results publicly available?**
- 4. Are communities and CSOs invited to participate in policy review and/or hearing processes?**
- 5. Are support and planning mechanisms flexible and adaptive to changing risks, changing governance structures, and future planning needs?**
- 6. Is there a budget allocated to monitor the impact of the implementation of the policy on disaster risk, vulnerable populations and ecosystem services?**


3. Review of policy implementation

HOW IS THE LAW AND/OR POLICY IMPLEMENTED, WHAT ARE THE IMPACTS?



This part of the policy process is about identifying the effectiveness of the policy. Answering the questions below will help to understand if the policy trickled down from the national level to address issues in people’s lives. This analysis should result in an overview of the impact on the ground as well as gaps in implementation. The assessment of where a policy/law is implemented and how it is not (yet) implemented provides important evidence for the dialogue agenda to improve the policy and its implementation.

When reviewing policy implementation, it is important to be aware of the surroundings in the geographical area of your focus. Often you will already have relevant knowledge as PfR has been working in the area, landscape or community of focus. You can then draw from existing studies such as vulnerability, risk and capacity assessments, household surveys, etc. which have been done during PfR implementation. These can answer important contextual questions such as:

- 
- What are the main hazards in this area (e.g. drought, floods, conflict)?
 - What are the underlying factors that turn these hazards into risks for communities and ecosystems?
 - Is there increased incidence or stronger incidence of weather-related hazards (climate variability or change)?
 - Which groups in the community are more vulnerable? Who and where are the poor and marginalized?
 - What are their livelihood priorities?
 - What are the ecosystems important to people's livelihood priorities and strategies?
 - What is the relationship between people's livelihood strategies and natural resources management?
 - What policy sectors are relevant to the people's livelihood priorities and strategies?

Engaging with policy implementers

To be able to assess the level to which policy is implemented in practice, you will need to have knowledge of the local situation and involve local stakeholders. Besides knowledge of the policy, you will also need to get an overview of the situation on the ground. A methodology to get a clear view of this situation can be for example the Community Score Card, as developed by CARE, or similar tools from other organizations. The Community Score Card toolkit can be found here: http://www.care.org/sites/default/files/documents/FP-2013-CARE_CommunityScoreCardToolkit.pdf

One of the challenges often shared by policy implementers is the lack of technical capacity. This lack of capacity limits compliance. Local policy implementers are often asking for support from national level agencies on two key issues: coherence in policies, and enhancing compliance. By analysing the policy and finding areas for improvement we can advise the policy implementers on what they can do to improve implementation.

Key questions for review of policy implementation and impact



NATIONAL TO DISTRICT TO LOCAL IMPLEMENTATION

1. Is it clear which institutions are responsible and accountable for the implementation of the policy (at national, regional and local level)?
2. Does the policy facilitate development of plans by local stakeholders?
3. Does the policy facilitate implementation of plans by local stakeholders?
4. What are important gaps in implementation at the local level?



POLICY AWARENESS AT LOCAL LEVEL

1. Are local government officials aware of existing (national) policies (linked to Disaster Risk Reduction, Climate Change Adaptation and Ecosystem Management and Restoration)?
2. Are CSOs and communities allowed/able to engage in dialogue in regards to translation of national policies into local plans?
3. Are community leaders able to identify links between (national) policies and local community plans?
4. Are CSOs and communities engaged in encouraging accountability on implementation of policies?



PLANNING AND BUDGETS AT LOCAL LEVEL

1. Is designated budget from national policies traceable in local community plans and budgets?
2. How much of the committed budget allocation at national level has reached the district- and municipality level in real financial transfers?
3. Are women and vulnerable groups actively participating in the development of local implementation plans and their implementation/ review?
4. Do community members have access to community plans and budgets, and do they have a voice in community decision making processes?



IMPACT AT LOCAL LEVEL

1. Are there monitoring and evaluation systems in place to track local impact of national legislation?
2. Are community members able to see the impact of the policy (as implemented at the local level), and are they able to voice their concerns about the policies and how they influence their day to day reality?
3. As a result of the policy, have the problems related to the risks faced by the community been resolved?
4. As a result of the policy, are the communities better prepared for disaster?
5. As a result of the policy, does the community acknowledge that disaster impacts have decreased?
6. As a result of the policy, does the community recover faster when affected by disaster?
7. As a result of the policy, have the livelihoods of the community improved?

Reference list



POLICY ADVOCACY

Integrated Risk Management Advocacy Training Manual, by Partners for Resilience (2019): available online at <https://library.partnersforresilience.nl>

INTRAC (International NGO Training and Research Centre) resources: <https://www.intrac.org/resources/>

Mapping Advocacy Strategies - part of A New Weave of Power, People & Politics: The Action Guide for Advocacy and Citizen Participation, by Lisa VeneKlasen and Valerie Miller (2007): <https://justassociates.org/sites/justassociates.org/files/new-weave-eng-ch10-mapping-strategies.pdf>

ADVOCACY CAPACITY DEVELOPMENT

Capacity Building for Advocacy, by Chris Stalker with Dale Sandberg (2011): <https://www.intrac.org/wpcms/wp-content/uploads/2016/09/Praxis-Paper-25-Capacity-building-for-advocacy-Chris-Stalker-with-Dale-Sandberg.pdf>

THE POLICY CYCLE

Evaluation as Part of a Larger Process: <https://www.policynl.ca/policydevelopment/pages/evaluation-larger-process.html>

ENTRY POINTS FOR ENGAGEMENT

A guide to the legislative process in Kenya, Kenya Law Reform Commission, by Kenya Law Reform Commission (2015): <http://www.klrc.go.ke/images/images/downloads/klrc-a-guide-to-the-legislative-process-in-kenya.pdf>

SOURCES OF CHECKLIST QUESTIONS

On Integrated Risk Management, see Partners for Resilience: the next phase: <https://www.partnersforresilience.nl/en/about-us/our-vision-mission-and-approach>

A Landscape Approach to Disaster Risk Reduction in 7 Steps, by CARE and Wetlands International (2017): available online at <https://library.partnersforresilience.nl>

Integrating Ecosystems in Resilience Practice, by Wetlands International: available online at <https://library.partnersforresilience.nl>

Minimum Standards for local climate-smart Disaster Risk Reduction, by Red Cross Red Crescent Climate Centre (2012): available online at <https://library.partnersforresilience.nl>

REVIEW OF POLICY IMPLEMENTATION

Community Score Card Toolkit, by CARE (2013): http://www.care.org/sites/default/files/documents/FP-2013-CARE_CommunityScoreCardToolkit.pdf

Definitions and explanation of policy and legislation⁴

LEGISLATION

Legislation is law which has been promulgated by a legislature or other governing body, or the process of making it. Before an item of legislation becomes law, it may be known as a bill, and may be broadly referred to as “legislation” while it remains under consideration to distinguish it from other business. Legislation can have many purposes: to regulate, to authorize, to proscribe, to provide, to sanction, to grant, to declare or to restrict. Under the Westminster system, an item of primary legislation is known as an Act of Parliament after enactment. Legislation is usually proposed by a member of the legislature, or by the executive, whereupon it is debated by members of the legislature and is often amended before passage. Most large legislatures enact only a small fraction of the bills proposed in a given session. Whether a given bill will be proposed and enter into force is generally a matter of the legislative priorities of government. Legislation is regarded as one of the three main functions of government, which are often distinguished under the doctrine of the separation of powers. Those who have the formal power to create legislation are known as legislators; a judicial branch of government will have the formal power to interpret legislation; the executive branch of government can act only within the powers and limits set by the law.

POLICY

A policy is a principle or rule to guide decisions and achieve rational outcomes. A policy is a statement of intent and is implemented as a procedure or protocol. The term may apply to government, private sector organizations and groups, and individuals. Presidential executive orders, corporate privacy policies, and parliamentary rules of order are all examples of policy. Policy differs from rules or law. While law can compel or prohibit behaviours, policy merely guides actions toward those that are most likely to achieve a desired outcome.

⁴ *The Stands4 Network – Definitions Free base*

ANNEX 1

POLICY QUICK SCAN

This Quick Scan can be used:

- If you are invited to a law/policy consultation meeting and you would like to analyse the text proposed, or the existing text, through an IRM lens – either to share recommendations with your network ahead of the meeting to gather support and/or to bring these recommendations up during the consultation.
- If you are engaging in a Sector Working Group and a certain aspect of a policy/law is on the agenda of the meeting.
- If you are meeting local government officials and you would like to discuss the implementation of a certain law or policy.

Annex 1: Policy quick scan

EVIDENCE BASE

- Does the law or policy include an extensive risk mapping of the risks and hazards it is addressing, (geological, climatological, meteorological, conflict, earthquakes etc) present in the country (or target areas) including interlinkages between hazards?
- Is the policy based upon quality data and climate science information?
- Is the policy based on analysis regarding ecosystem functions and impacts on ecosystems? Does the policy avoid negative impact on vital ecosystem services and biodiversity?

- Your expertise is a perfect entry point for dialogue
- If the government does not have this data available, or is not familiar with it, this is a good entry point for cooperation to support gathering of this data and to influence the policy

POLICY COHERENCE AND INTEGRATED APPROACH

- If the law or policy is primarily a DRR law or policy, does it refer to relevant aspects and impacts on ecosystems and climate change? (e.g. how ecosystems management can be used to protect communities.)
- If it is primarily an ecosystems or climate change law or policy, does it refer to relevant aspects and impacts of DRR? (e.g. how climate change may lead to higher frequency of weather-related hazards.)
- Does the law/policy refer to relevant other policies (in particular those related to DRR, EMR, CCA)?

- The government department leading the policy/law development or review may not have a broad expertise on interlinkages with other relevant domains
- Providing expertise and linkages is a good entry point for dialogue and facilitating e.g. a round table or workshop bringing together different expertise can be a very effective role for Partners for Resilience
- This is an important point for engagement as it provides an opportunity to encourage thinking in a more integrated way and to engage with other authorities under different ministries (to encourage thinking outside ministry silos)

NEEDS OF VULNERABLE AND MARGINALISED GROUPS

- Does the policy take into account different needs of different vulnerable groups in relation to shocks and stresses, including climate change (e.g. ethnic, gender, disabled, marginalised groups, elderly)?
For example, are there provisions to ensure community engagement in the design of disaster plans, does it foresee in stimulating/ensuring women's participation in its governance mechanisms, does it ensure that early warning systems take into account disabled people?




- This is a great point to engage on especially if you have experience or access to experience from marginalised groups
- Testimonials from women, disabled people or elderly describing a recent experience where they encountered a 'point of improvement' of the policy can be very strong support for advocacy. E.g. if there was a weather alert that did not reach a remote community in time

INSTITUTIONAL MECHANISMS AND IMPLEMENTATION

- Is it clear which institutions are responsible and accountable for the implementation of the policy (at national, regional and local level)?
- Is the law/policy already translated into national and/or state/province/local (work) plans, in the case of a new law/policy is such translation foreseen in the law/policy?
- Are community members able to see the impact of the law or policy (as implemented on the local level), and are they able to voice their concerns about the policies and how the law or policy influences their day to day reality?
- Is there (going to be) a budget allocated in the national/regional/local budgets to fund the implementation of the policy?

- If it is not clear which institution has a certain responsibility it will weaken the implementation of the law/policy
- It is also crucial and a good access point for advocacy to discuss these roles with the authorities at district or local level
- A law/policy is often not concrete enough to give the authorities responsible for implementation a clear idea of what should be done. In many countries, local authorities are not sufficiently supported in terms of knowledge and expertise to implement the policy/law. Mobilizing this support from the national level can be a good entry point for engagement
- The formulation of guidelines/action plans, in consultation with responsible authorities at different levels as well as CSOs can be a great entry point to engage with the law/policy and its implementation
- Most community members will not be aware of the law of policy, but they do have the most relevant experience when it comes to the effects of, for example, a lack of an Early Warning System, a degraded ecosystem or effects of climate change. These experiences and voices are very important input for advocacy at local level but also at national level to bring a sense of on the ground reality to policy makers who are often based in the capital city where the situation may be very different from other areas in the country
- A budget for implementation is crucial for law/policy effectiveness. It should also be clear how this budget will be distributed
- This budget should also actually reach the district and local authorities which have the responsibility to implement the policy. Follow the money!

LEGEND:

-  Area of analysis
-  Question to guide the analysis
-  Relevance for engagement/advocacy



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