



*Disaster  
Law*

# Report

## *Practitioner survey on the role of law in crisis recovery*

Carried out in cooperation with the World Bank,  
United Nations Development Programme, and  
University College Cork

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## Executive Summary

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Whereas disasters and crises grip attention in their immediate aftermath, long-term recovery efforts tend to fall off the radar. Recovery is complex, cross-sectoral and challenging to manage and track. Yet, despite repeated international advice urging states to make themselves “prepared for recovery”, few have developed detailed legal and institutional mechanisms for disaster and crisis recovery, tending instead to opt for ad hoc approaches. Similarly, recovery is not often expressly mentioned in international law related to disasters and crisis.

In the aftermath of a shared global crisis in the form of the COVID-19 pandemic, the commissioning agencies (International Federation of Red Cross and Red Crescent Societies (IFRC), United Nations Development Programme (UNDP), World Bank (WB) and University College Cork (UCC)) saw an opportunity to learn from international and national recovery practitioners about their views on the relevance of law for effective recovery and how their experiences about gap areas might inform legal reforms. The results could be useful in prompting lawmakers to act and to focus their reforms.

This survey was sent to recovery practitioners around the world in the third quarter of 2023, employing a “snowball” distribution technique through field staff of IFRC, WB and UNDP to also reach practitioners in government and civil society. It resulted in 72 usable responses representing a wide range of practitioners with a collective crisis recovery experience representing multiple types of disaster and crisis in over 80 countries.

A substantial majority of respondents viewed law as “extremely” or “very” important to various aspects of recovery, including its appropriateness completeness, fairness, support for the participation of affected populations and, especially, its speed. Results were particularly strong with regard to domestic legislation, but also robust for the role of international law.

Almost 100% had encountered all of the gaps in institutional clarity and regulatory issues identified from global guidance documents and academic literature at least once, and substantial majorities had encountered all of them “frequently” or “always”. Since all therefore seem relevant for lawmakers to consider, they are all listed here (with those issues drawing the strongest majorities in orange and bold):

Gaps in institutional clarity:

- **Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases)**
- **Lack of coordination between ministries or departments**
- **Lack of clarity about the role of civil society and/or the private sector**
- Lack of clarity as to how to approve, allocate and/or disburse funds
- Lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding

Regulatory issues:

- **Failure to develop medium or long-term recovery plans**
- **Failure to ensure that recovery efforts build resilience or reduce the risk of future crises**
- **Failure to ensure that recovery efforts are environmentally safe and/or sustainable**
- **Failure to ensure affected populations in decision-making on recovery support**
- Failure to prevent corruption or fraud with regard to recovery funds or assistance
- Excessive delay in recovery due to official permitting (e.g., for reconstruction) or other oversight procedures
- Failure to address barriers or inequity in recovery support due to gaps in registration or recognition of housing, land or property rights
- Failure to ensure access to justice for the victims of negligent or intentional harm related to the crisis

With regard to potentially vulnerable groups, a majority of respondents reported frequently or always encountering discrimination against:

- Persons with disabilities,
- Persons with mental health needs
- Sexual or gender minorities (for example, gay, transgender, etc.)

A majority of respondents also reported frequently or always encountering failures to meet the special needs of each of the identified category of persons. Those with the most frequently cited gaps are in bold in this list:

- **Persons with disabilities**
- **Persons with mental health needs**
- **Children (in general)**
- Women and/or girls
- Older persons
- Migrants, refugees and/or IDPs
- Indigenous persons and/or racial, ethnic or religious minorities
- Sexual or gender minorities (for example, gay, transgender, etc.)
- Persons living in informal settlements

It is hoped that these findings will support law and policy makers to consider updating their legal frameworks to be better prepared for the recovery from future crises.

## Definitions

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Some key topics used in this report are defined in different ways by different actors, including some minor variations among the commissioning organizations. The following definitions have been adopted for purposes of clarity in this project (only).

“Disaster” is a serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.

“Crisis” is similar to the term disaster, but is intended to evoke the very widest range of drivers of calamity, including armed conflicts, pandemics and economic crises.

“Recovery” refers to restoring or improving of livelihoods and health, as well as economic, physical, social, cultural and environmental assets, systems and activities of a disaster or crisis-affected community or society, aligning with the principles of sustainable development and ‘build back better’, to avoid or reduce future risk.

## Acknowledgements

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# 1. Introduction

This report sets out the findings of a survey of international and domestic disaster and crisis management practitioners about the role of law in recovery. It was designed and disseminated jointly by the International Federation of Red Cross and Red Crescent Societies (IFRC), United Nations Development Programme (UNDP), World Bank (WB) and University College Cork (UCC).

## 1.1. Background

The extraordinary experience of responding to the COVID-19 pandemic in countries around the world has evolved to the equally extraordinary experience of a simultaneous global recovery process from the same crisis. While posing many challenges, this is also a window of opportunity to strengthen legal frameworks for crisis recovery.

Despite existing advice about preparedness for recovery from the IFRC,<sup>1</sup> World Bank<sup>2</sup> and UNDP,<sup>3</sup> relatively few states have developed detailed legal and institutional mechanisms for disaster and crisis recovery, tending instead to opt for ad hoc approaches. Among the 100+ countries indexed in the IFRC's World Disaster Law Database,<sup>4</sup> only 16% have included detailed provisions related to recovery in their main national disaster managements acts and 27% have included no reference at all. This absence is equally apparent in existing global and regional treaties related to disasters, pandemics and conflicts, which focus mainly, if not exclusively, on regulating activities related to prevention or immediate response.

A substantial academic literature exists concerning best practice and common gap areas in crisis recovery (though often somewhat siloed between different types of crises), with some reference to the role of law.<sup>5</sup> Nevertheless, the current situation of very modest existing legal preparedness for recovery means that the question of what laws can be expected to accomplish when it comes to recovery remains fairly open.

The experiences, views and expectations of practitioners can provide a valuable input to supplement existing institutional advice noted above, as law makers around the world consider how to implement lessons from the COVID experience and other crises into their crisis management laws and systems.

## 1.2. Objectives

The objectives of this survey were to gather views and experiences of international and domestic crisis recovery practitioners from around the world on:

- Institutional and regulatory gaps they have seen in prior crisis recovery efforts
- The roles of domestic and international law and policy when it comes to various aspects of crisis recovery
- Priorities to be included in future legal reforms

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<sup>1</sup> IFRC, [Laws, Policies and Plans for Disaster Recovery: Multi-Country Synthesis Report](#) (2023).

<sup>2</sup> World Bank Global Facility for Disaster Risk and Recovery, [Disaster Recovery Framework Guide](#) (2020), at 13.

<sup>3</sup> UNDP, [Disaster Recovery: Challenges and Lessons](#) (2019), at 21.

<sup>4</sup> IFRC, [World Disaster Laws Database](#), accessed 1 December 2023.

<sup>5</sup> See, e.g., Jeroen Wolbers, Sanneke Kuipers and Arjen Boin, 'A Systematic Review of 20 Years of Crisis and Disaster Research: Trends and Progress' (2021) 12 Risk, Hazards & Crisis in Public Policy 374; IFRC, [Literature Review of Law and Disaster Recovery](#) (2020); Namkyung Oh and Junghyae Lee, 'Changing Landscape of Emergency Management Research: A Systematic Review with Bibliometric Analysis' (2020) 49 International Journal of Disaster Risk Reduction 101658.



### 1.3. Methodology

Through an initial literature review (including, amongst others, studies and guidance documents by the commissioning agencies, prior literature reviews and bibliometric surveys related to disaster and crisis recovery, and outcome documents from international fora such as the International Recovery Platform), potential practitioner priority and gap areas related to law and crisis recovery were identified. These were reviewed and supplemented by a technical team from the commissioning agencies based on their experience in order to develop the survey questions. The survey form is attached as Annex 1.

It would not be feasible to precisely determine, quantify or locate the global pool of practitioners in crisis recovery. Recovery involves many different issues and many different parts of government as well as of the civil society and private sector. Accordingly, in addition to targeting the commissioning agencies own field staff,<sup>6</sup> it was determined to use a “snowball” sampling approach to survey dissemination. An online survey form (made available in English, French, Spanish, Arabic and Russian) was developed and “tested” with selected commissioning agency staff from different regions to determine the clarity and relevance of the questions. After finalization, the survey was sent by email to field staff of the commissioning agencies (at the chief of party level) with a request both to fill it in themselves and also to forward on to governmental, civil society and private sector persons that they believed had been involved in crisis recovery.

In order to promote geographic diversity, staff based in states of every region were invited to participate in the survey, with states particularly targeted on the basis of recent crisis experience (in addition to the global experience of the COVID crisis) but limited to where one or more of the commissioning bodies maintain an office. The survey was sent in September 2023 with the reporting period ending in November 2023 (after reminder emails to recipients).

To promote a frank response and reduce any data privacy concerns, the surveys were anonymous, with personal information limited to the countries in which participants had experience with crisis recovery, the type of crisis encountered and employer type.<sup>7</sup> Qualifying questions as to consent to participate and whether the respondent had any experience with crisis recovery were also included. Other than these threshold issues, participants retained the possibility not to respond to individual questions.

## 2. Results

### 2.1. Information about the respondents

Eighty-five responses to the survey were received. Of these, 3 respondents indicated that they did not consent to participate and 10 indicated that they had no experience in crisis recovery. These responses were excluded from the following analysis, which is therefore limited to 72 responses.

As show in Figure 1 below, just under half of these respondents worked for international organizations (most likely, for the contacting agencies: UNDP, IFRC and WFP). Approximately 20% worked for a governmental agency (at the national, provincial or local level) and 16%

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<sup>6</sup> This does not include UCC.

<sup>7</sup> Participants were also given the option to provide their mail to receive a copy of this report.

represented National Red Cross or Red Crescent Societies. Only a small proportion represented NGOs or the private sector.<sup>8</sup>

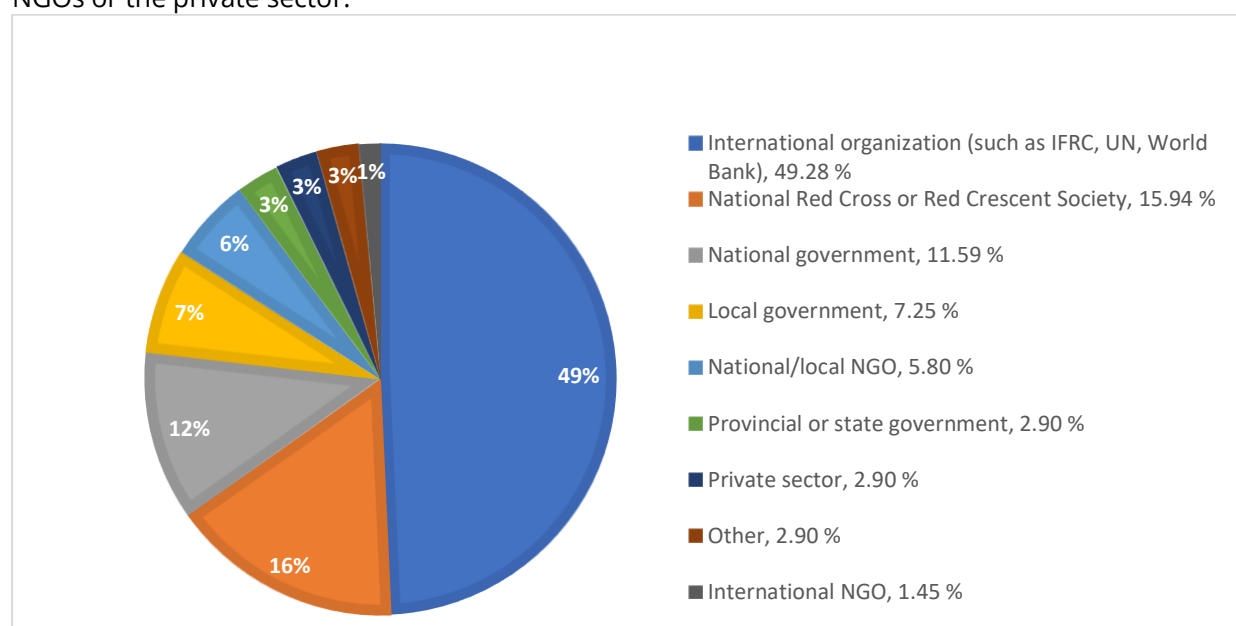


Figure 1: Respondents' employer type

A large majority, 61%, of the respondents indicated that they had experience with crisis recovery in their own country and 28% indicated that they had experience in other countries. Altogether, respondents' experience with crisis response extended to 82 countries (see Annex 2).<sup>9</sup> These represented each global region, but with Africa and Asia-Pacific predominating (Figure 2). The majority of countries covered by respondents' experience were low income (LI) or lower middle-income countries (LMI) (Figure 3).

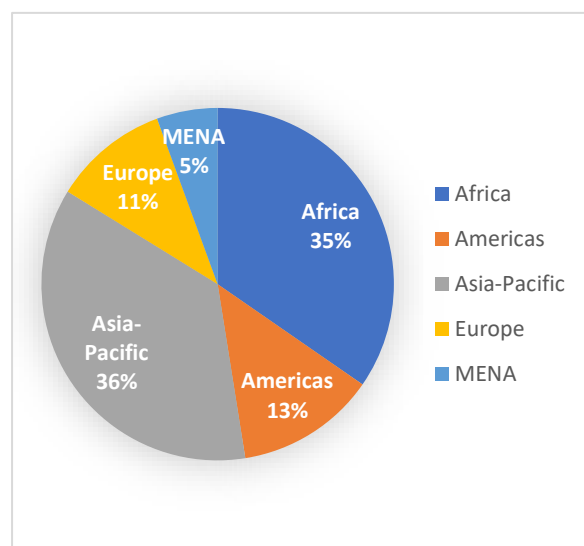


Figure 2: Regions covered by respondents

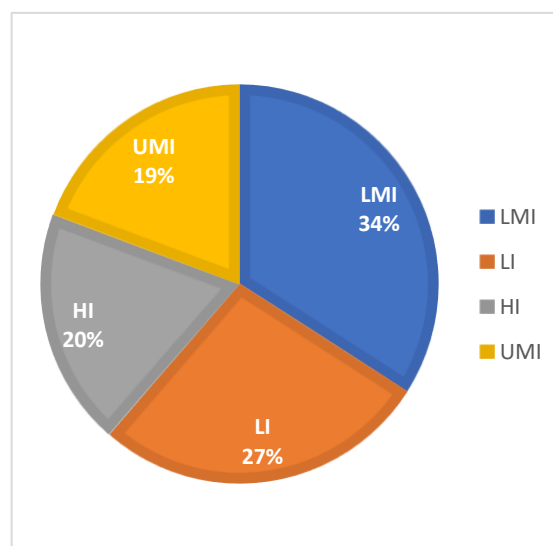


Figure 3: Income levels of countries covered

<sup>8</sup> Respondents choosing "other" referred to "freelance" or consultancy work.

<sup>9</sup> In many cases, participants listed experience in multiple countries, spanning multiple regions. As a result, comparisons are not drawn here in response trends between region or country income level because the same individuals "represent" multiple settings.

The top 5 countries cited by respondents accounted for just under a quarter of those covered by the survey, with Australia, Ethiopia and Nepal emerging as the most represented individual countries in the total response (Figure 4).

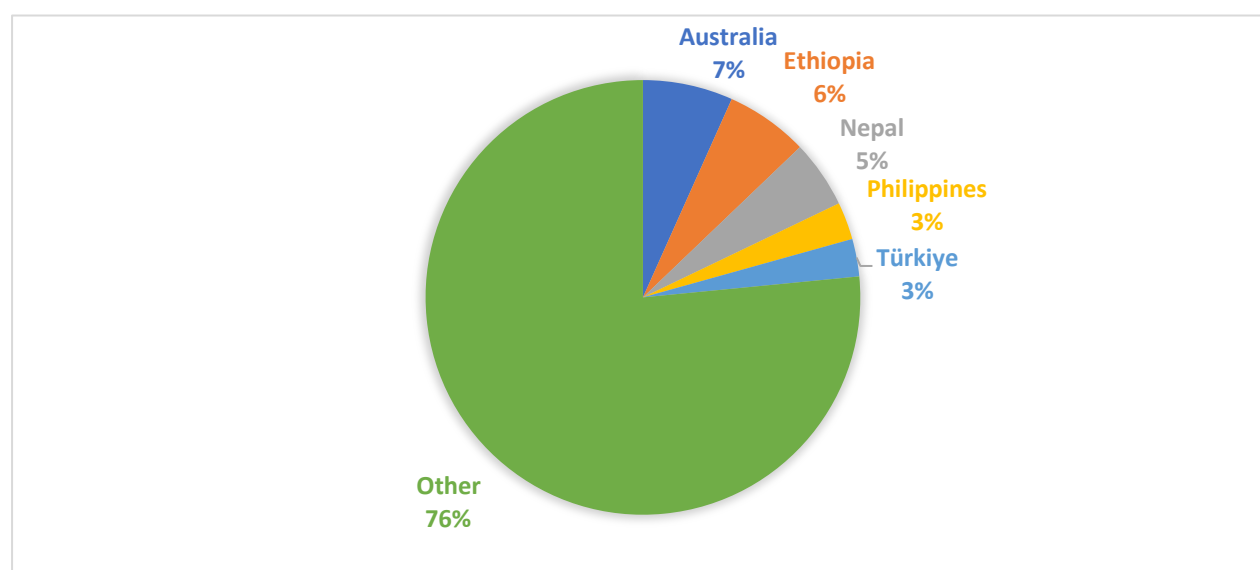


Figure 4: Top 5 countries covered by respondents

Respondents reported having experience in a variety of different types of crises (Figure 5), and many had experience with more than one. More reported experience with natural hazards than any other category. It is noteworthy that less than half of the respondents reported that they were engaged in recovery from the COVID pandemic.<sup>10</sup>

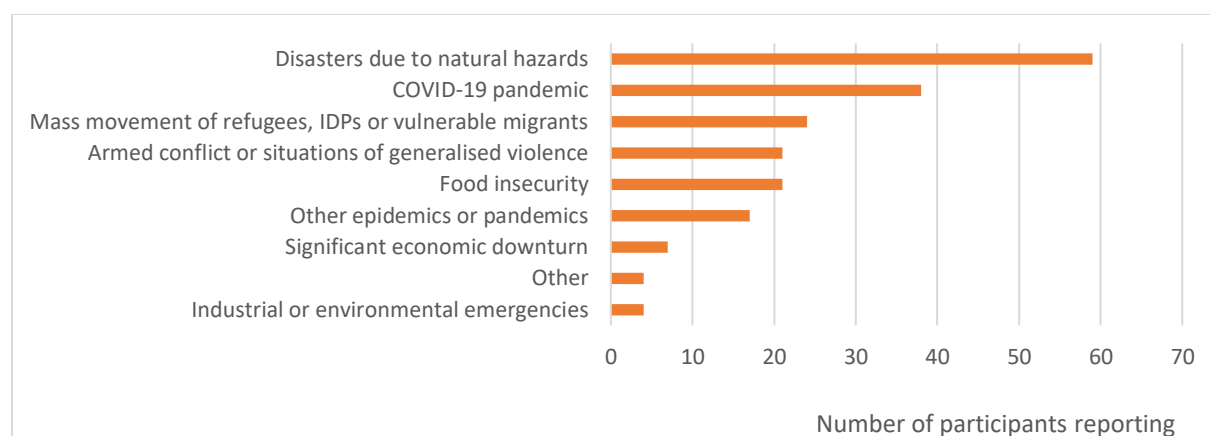


Figure 5: Types of crisis in which respondents have been involved in recovery

## 2.2. Respondents' views on the importance of law for crisis recovery

Respondents were asked to rate the importance of domestic and international law to various aspects of crisis recovery. On a five-point scale from "not at all important" to "extremely important", respondents were asked to rate the importance of law to the speed,

<sup>10</sup> Those identifying "other" categories referred to "mass trauma events" such as shootings and conflict management.

appropriateness, fairness and completeness of recovery support, as well as for the participation of affected populations.<sup>11</sup>

As shown in Figure 6, domestic law was seen as particularly important, with at least 50% of respondents seeing it as “extremely important” in every category (with the highest majority (67%) on the speed of recovery and lowest (50%) on participation of affected populations). Combined with the rating of “very important”, majorities reached over 80% for every aspect except participation (73%). In the “other” category, respondents signalled “ground specific provisions”, “the rule of law” “collaboration between government and local communities,” “animal inclusion,” “reducing conflict and duplication” and “resilience and DRR” as very or extremely important.

Ratings of the importance of international law were lower overall (and one respondent in a response to the “other” category stated that it is “low on the list of impacting factors”). However, a substantial majority of participants still rated it as either “very important” or “extremely important” in each category. As the color-coding of Figure 6 illustrates (red for lowest percentages, green for highest) there was not otherwise a major distinction in trends between domestic and international law between the various aspects of recovery.<sup>12</sup>

| Importance of law                                 | Not at all important |           | Slightly important |           | Moderately important |           | Very important |           | Extremely important |           | Don't know |           |
|---|----------------------|-----------|--------------------|-----------|----------------------|-----------|----------------|-----------|---------------------|-----------|------------|-----------|
|   | Dom Law              | Int'l Law | Dom Law            | Int'l Law | Dom Law              | Int'l Law | Dom Law        | Int'l Law | Dom Law             | Int'l Law | Dom Law    | Int'l Law |
| Speed of recovery support                         | 2%                   | 3%        | 3%                 | 12%       | 7%                   | 12%       | 20%            | 29%       | 67%                 | 39%       | 2%         | 5%        |
| Appropriateness of recovery support               | 0%                   | 5%        | 3%                 | 7%        | 13%                  | 14%       | 23%            | 32%       | 58%                 | 37%       | 2%         | 5%        |
| Fairness of recovery support                      | 0%                   | 7%        | 5%                 | 10%       | 15%                  | 14%       | 23%            | 25%       | 57%                 | 39%       | 0%         | 5%        |
| Completeness of recovery support                  | 0%                   | 7%        | 5%                 | 10%       | 12%                  | 12%       | 29%            | 33%       | 54%                 | 33%       | 0%         | 5%        |
| Participation of affected populations in recovery | 2%                   | 5%        | 8%                 | 10%       | 15%                  | 19%       | 23%            | 24%       | 50%                 | 37%       | 2%         | 5%        |
| Other   | 0%                   | 11%       | 0%                 | 11%       | 33%                  | 0%        | 17%            | 33%       | 50%                 | 33%       | 0%         | 11%       |

Figure 6: Respondents' ratings of the importance of law

While more respondents chose “not at all important” or “don’t know” with regard to international law than domestic law, overall, the numbers choosing these for both types of law were very low.

There were some variations in response depending on respondents' employer type. Governmental and local civil society respondents were somewhat more likely than international respondents to rate domestic law (Figure 12, Annex 3) as “extremely important” for the appropriateness, completeness and fairness of recovery support.

Governmental respondents were much less likely than others to see domestic law as “extremely important” for the participation of the affected population (though the majority of all respondents still saw it as either “very” or “extremely” important).

<sup>11</sup> Since these questions sought opinions rather than observations, it was considered unrealistic to try to differentiate the views further by crisis type.

<sup>12</sup> Note that this chart compares answers to separate questions on domestic and international law and therefore each row totals to 200% (100% for each question).

International respondents were much more likely than others to rate international law (Figure 13, Annex 3) as “extremely important” to the speed of recovery. Governmental responders were much less likely than others to rate international law as “extremely important” to the completeness of relief support or participation of affected communities.

## 2.3. Respondents’ experiences of gaps in institutional clarity

Whereas the above category of questions sought respondent’s opinions, this and the following questions asked them to report on their observations, differentiated by type of crisis. With regard to the COVID pandemic (which was a single global experience), respondents were asked if they had encountered any of several identified types of gaps in institutional clarity. With regard to natural hazards and “other kinds of crisis”, they were asked to cite the frequency with which they had encountered these types of gaps.

As illustrated by Figure 7 below, the overall trends in respondents’ answers were similar across the crisis types, but with an overwhelming majority (nearing 100%) of respondents having reported each of these types of gaps at least once prior to the COVID experience. While still very large, the majorities having encountered a lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding were lower than for the other categories of gap (more pronounced in the case of COVID).

| Experiences of gaps in institutional clarity in recovery  | No/never |         |       | Yes/at least once |         |       |
|---|----------|---------|-------|-------------------|---------|-------|
|   | COVID    | Natural | Other | COVID             | Natural | Other |
| Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases) | 26%      | 2%      | 2%    | 74%               | 98%     | 98%   |
| Lack of coordination between ministries or departments  | 24%      | 2%      | 2%    | 76%               | 98%     | 98%   |
| Lack of clarity as to how to approve, allocate and/or disburse funds  | 25%      | 10%     | 5%    | 75%               | 90%     | 95%   |
| Lack of clarity about the role of civil society and/or the private sector   | 21%      | 10%     | 8%    | 79%               | 90%     | 93%   |
| Lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding   | 38%      | 18%     | 13%   | 62%               | 82%     | 87%   |

Figure 7: Respondents’ experiences of gaps in institutional clarity in recovery

With regard to frequency in crises other than COVID, Figure 8 shows that very large majorities of respondents had experienced each of these categories of gap either “frequently” or “always”. Large minorities of respondents had “always” encountered a lack of coordination between ministries or departments and a lack of clarity about the role of civil society and/or the private sector.<sup>13</sup>

<sup>13</sup> While an “other” category was provided in these question (both for COVID and for natural hazards and other crises), no respondents selected it.

| Institutional clarity gaps in recovery  | Never   |       | Infrequently |       | Frequently |       | Always  |       |
|---|---------|-------|--------------|-------|------------|-------|---------|-------|
|   | Natural | Other | Natural      | Other | Natural    | Other | Natural | Other |
| Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases) | 2%      | 2%    | 20%          | 25%   | 67%        | 64%   | 11%     | 9%    |
| Lack of coordination between ministries or departments  | 2%      | 2%    | 16%          | 14%   | 60%        | 65%   | 21%     | 19%   |
| Lack of clarity as to how to approve, allocate and/or disburse funds  | 10%     | 5%    | 24%          | 27%   | 56%        | 61%   | 10%     | 7%    |
| Lack of clarity about the role of civil society and/or the private sector   | 10%     | 8%    | 20%          | 25%   | 50%        | 48%   | 20%     | 20%   |
| Lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding   | 18%     | 13%   | 26%          | 26%   | 47%        | 50%   | 8%      | 11%   |

Figure 8: Frequency of experience of institutional gaps

There was significant variation in responses to this question by employer type. A strong majority of governmental respondents had not seen a lack of clear mechanisms for receiving and/or reporting on international funding in COVID recovery, but an equally strong majority of both civil society and international respondents indicated that they had (Figure 14, Annex 3). Governmental respondents were much less likely than international or civil society to see clarity gaps in responsible ministries or in the role of civil society in COVID recovery.

Governmental respondents were less likely to have reported a lack of clarity between responsible ministries and departments or in the role of civil society / private sector than others in the recovery from disasters due to natural hazards (Figure 15, Annex 3). National civil society respondents were the most likely to report these two issues among the different employer types.

National civil society respondents were much more likely than others to see a lack of clarity on disbursement of funds and on the role of civil society and/or the private sector in the recovery from other types of crises (Figure 16, Annex 3). International respondents were the most likely to identify a lack of coordination between ministries or departments.

## 2.4. Respondents' experiences of regulatory issues in recovery

As in the case of institutional clarity, respondents were asked to report whether they had observed several types of regulatory issues identified as significant in the literature on COVID recovery, and the frequency with which they had seen them in the recovery from natural hazards and other types of crises.

Also like the questions above, the overall trends were broadly consistent between COVID, natural hazards and other types of crises. Overall, a large (usually overwhelming) majority of respondents had experienced each of these types of regulatory issue (Figure 9). The three issues with the highest majorities were failure to ensure that recovery efforts build resilience or reduce the risk of future crisis, failure to ensure that recovery efforts are environmentally safe and/or sustainable and failure to ensure the role of affected populations in decision making on recovery support.

| Regulatory issues in recovery  | No/Never |         |       | Yes/at least once |         |       |
|--|----------|---------|-------|-------------------|---------|-------|
|  | COVID    | Natural | Other | COVID             | Natural | Other |
| Failure to develop medium or long-term recovery plans  | 21%      | 5%      | 5%    | 79%               | 95%     | 95%   |
| Failure to ensure that recovery efforts build resilience or reduce the risk of future crises   | 23%      | 2%      | 3%    | 77%               | 98%     | 97%   |
| Failure to ensure that recovery efforts are environmentally safe and/or sustainable  | 17%      | 2%      | 3%    | 83%               | 98%     | 97%   |
| Failure to prevent corruption or fraud with regard to recovery funds or assistance   | 43%      | 12%     | 13%   | 57%               | 88%     | 87%   |
| Excessive delay in recovery due to official permitting (e.g., for reconstruction) or other oversight procedures                            | 26%      | 5%      | 8%    | 74%               | 95%     | 92%   |
| Failure to address barriers or inequity in recovery support due to gaps in registration or recognition of housing, land or property rights | 28%      | 7%      | 5%    | 72%               | 93%     | 95%   |
| Failure to ensure affected populations in decision-making on recovery support  | 23%      | 2%      | 3%    | 77%               | 98%     | 97%   |
| Failure to ensure access to justice for the victims of negligent or intentional harm related to the crisis                                 | 38%      | 13%     | 16%   | 62%               | 88%     | 84%   |

Figure 9: Respondents' experience of regulatory issues in recovery

With regard to the frequency that respondents had encountered these issues in natural hazards and other crises, a majority had seen each of them “frequently”, with the exception of the failure to prevent corruption and fraud (Figure 10).<sup>14</sup> Over a fifth of respondents “always” observed a failure to develop medium or long-term recovery plans for other types of crisis. This issue, and the failure to ensure that recovery efforts are environmentally safe and/or sustainable, were the most often seen “frequently” or “always”.

| Frequency of regulatory issues in recovery   | Never   |       | Infrequently |       | Frequently |       | Always  |       |
|--|---------|-------|--------------|-------|------------|-------|---------|-------|
|  | Natural | Other | Natural      | Other | Natural    | Other | Natural | Other |
| Failure to develop medium or long-term recovery plans  | 5%      | 5%    | 14%          | 10%   | 69%        | 64%   | 12%     | 21%   |
| Failure to ensure that recovery efforts build resilience or reduce the risk of future crises   | 2%      | 3%    | 26%          | 18%   | 55%        | 66%   | 17%     | 13%   |
| Failure to ensure that recovery efforts are environmentally safe and/or sustainable  | 2%      | 3%    | 19%          | 18%   | 71%        | 69%   | 7%      | 10%   |
| Failure to prevent corruption or fraud with regard to recovery funds or assistance   | 12%     | 13%   | 41%          | 42%   | 41%        | 39%   | 5%      | 5%    |
| Excessive delay in recovery due to official permitting (e.g., for reconstruction) or other oversight procedures                            | 5%      | 8%    | 26%          | 23%   | 52%        | 59%   | 17%     | 10%   |
| Failure to address barriers or inequity in recovery support due to gaps in registration or recognition of housing, land or property rights | 7%      | 5%    | 31%          | 31%   | 52%        | 59%   | 10%     | 5%    |
| Failure to ensure affected populations in decision-making on recovery support  | 2%      | 3%    | 24%          | 23%   | 56%        | 59%   | 17%     | 15%   |

<sup>14</sup> In response to the “other” category, one respondent reported “frequently” encountering “implementation of policies” as an issue.

|  |     |     |     |     |     |     |    |     |
|--|-----|-----|-----|-----|-----|-----|----|-----|
| Failure to ensure access to justice for the victims of negligent or intentional harm related to the crisis | 13% | 16% | 30% | 24% | 50% | 50% | 8% | 11% |
|--|-----|-----|-----|-----|-----|-----|----|-----|

Figure 10: Respondents' experiences of the frequency of identified regulatory issues in natural hazards and other crises

With regard to employer types, governmental respondents were fairly evenly split in identifying many of these regulatory issues in COVID (Figure 17, Annex 3). National civil society respondents were the most likely to have observed the failure to develop medium or long-term recovery plans, the failure to ensure that recovery efforts build resilience or reduce the risk of future crises, and the failure to ensure that recovery efforts are environmentally safe and/or sustainable. International respondents were the most likely to report having observed failures to prevent corruption or fraud.

International respondents were also the most likely to report observing frequent failures to develop a medium or long-term recovery plan in the cases of natural hazards, while governmental actors were the most likely to identify frequent failure to prevent corruption or fraud (Figure 18, Annex 3).

With regard to other types of crises, governmental responders were the most likely to cite frequent failures to prevent corruption or fraud and delays due to official permitting (Figure 19, Annex 3). Local civil society respondents were the most likely to cite many of the other categories, with the exception of access to justice.

## 2.5. Respondents' observations of discrimination and the failure to meet special needs

Respondents were asked to report the frequency with which they had encountered discrimination against, or the failure to meet the special needs of, an identified list of potentially vulnerable groups.<sup>15</sup> In order not to add to the complexity of an already two-pronged query, this question did not distinguish between different types of crises.

A majority of respondents reported "never" or "infrequently" encountering discrimination against most of these categories of potentially vulnerable persons (Figure 11). The exceptions were persons with disabilities, persons with mental health needs, and sexual or gender minorities.

However, with regard to failures to meet special needs, the balance swung the other way. A majority of respondents observed such failures "frequently" or "always" with regard to all of these categories of persons in crisis response. The categories of persons with disabilities and persons with mental health needs received the highest majorities (over 70%) reporting "frequently" or "always". Notably, one fifth of respondents had "always" observed failures to meet the special needs of persons with mental health needs.

<sup>15</sup> An "other" category was provided, but no respondents selected it.



| Discrimination and failure to meet special needs                  | Never   |               | Infrequently |               | Frequently |               | Always  |               |
|---|---------|---------------|--------------|---------------|------------|---------------|---------|---------------|
|   | Discrim | Special needs | Discrim      | Special needs | Discrim    | Special needs | Discrim | Special needs |
| Women and/or girls  | 11%     | 10%           | 52%          | 36%           | 34%        | 50%           | 2%      | 5%            |
| Children (in general)   | 18%     | 10%           | 41%          | 31%           | 34%        | 55%           | 7%      | 5%            |
| Older persons   | 16%     | 10%           | 45%          | 38%           | 34%        | 43%           | 5%      | 10%           |
| Migrants, refugees and/or IDPs                                    | 20%     | 13%           | 34%          | 33%           | 41%        | 50%           | 5%      | 5%            |
| Indigenous persons and/or racial, ethnic or religious minorities  | 16%     | 15%           | 35%          | 27%           | 42%        | 51%           | 7%      | 7%            |
| Persons with disabilities   | 14%     | 5%            | 27%          | 21%           | 48%        | 57%           | 11%     | 17%           |
| Persons with mental health needs                                  | 12%     | 5%            | 26%          | 17%           | 47%        | 59%           | 16%     | 20%           |
| Sexual or gender minorities (for example, gay, transgender, etc.) | 21%     | 18%           | 29%          | 28%           | 36%        | 40%           | 14%     | 15%           |
| Persons living in informal settlements                            | 14%     | 12%           | 37%          | 32%           | 40%        | 46%           | 9%      | 10%           |

Figure 11: Frequency of respondents' observations of discrimination and failure to meet special needs

Local civil society and international respondents were the most likely to have encountered discrimination against persons with disabilities and mental health needs (Figure 20, Annex 3). International respondents were also the most likely to report discrimination against sexual minorities and persons living in informal settlements. For their part, governmental respondents were the least likely to report discrimination against migrants but most likely to report discrimination against older persons.

Local civil society actors were the most likely to have frequently encountered the failure to meet special needs across nearly all the categories of potentially vulnerable persons, though international responders were more likely to have encountered this for sexual minorities (Figure 21, Annex 3).

## 2.6. Other issues

In response to an open-ended question about any other legal gaps not captured in the previous questions, respondents noted:

- A lack of understanding of legal provisions already in place
- A tendency to use non-binding policy and guidelines rather than law
- A lack of integration of disaster law with other areas of law, including coherence between laws governing insurance, planning, building and tenancy.
- A lack of respect for the rights of persons by response organizations
- While discrimination is clearly forbidden by law, in practice, implementation is sometimes poor
- Gaps in transparency and accountability in the delivery of recovery assistance

### 3. Analysis and conclusions

Given the challenges of precisely defining and accessing a global target population of “recovery practitioners”, these results cannot be seen as definitive. However, the survey did manage to obtain a fairly wide range of experience by geographic region. While international actors were overrepresented, there were substantial minorities of governmental and civil society respondents (most from National Red Cross or Red Crescent Societies) as well.

More respondents reported having experience with recovery from disasters related to natural hazards than other types of crises, so it is possible that results skew to the circumstances of those kinds of disaster. It is intriguing that less than half of the practitioners claimed experience in recovery from COVID, though this crisis has touched nearly every country, and certainly exacted major social, health and economic impacts. This may point to a siloed approach among respondents’ employers in terms of who is assigned to recovery in crises of various kinds – or potentially the view that recovery had not yet begun.

Law and policy-making has sometimes been derided in the emergency management sector as mainly concerned with politics – an exercise in “saying the right things” with only a distant relationship to impact on the ground. However, the majority of respondents to this survey did not feel this way. Bearing in mind the significant possibility of self-selection bias among those choosing to fill in the survey, the emphatic majorities finding domestic law “extremely” or “very” important are striking. While the numbers were lower, it is even more striking that international law was viewed as so significant by a majority of respondents, though it was perhaps not so surprising that international respondents were more likely than others to rate it as “extremely important”.

A majority saw law as important to each of the aspects of recovery response identified here, from appropriateness, to completeness, fairness and participation of affected populations, with a particular emphasis on its role in the speed of recovery support. This would seem to affirm the value of updating legal frameworks to ensure that they expressly strive to promote speedy assistance, along with attention to the other issues noted above.

With regard to both gaps in institutional clarity and regulatory issues, the results suggest that all of the areas of potential concern proposed by the questions are valid for practitioners as well. Almost 100% had encountered all of the identified gaps in institutional clarity and regulatory issues at least once, and substantial majorities had encountered all of them “frequently” or “always”.

Overall, the top three gaps in institutional clarity (for both natural hazards and other types of crises) identified in this survey were:

- Lack of coordination between ministries or departments<sup>16</sup>
- Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases<sup>17</sup>
- Lack of clarity about the role of civil society and/or the private sector<sup>18</sup>

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<sup>16</sup> 81% reported them frequently or always in natural hazards, and 84% in other crises.

<sup>17</sup> 78% reported them frequently or always in natural hazards, and 73% in other crises.

<sup>18</sup> 70% reported them frequently or always in natural hazards, and 68% in other crises.

It is unsurprising that issues related to coordination, a perennial complaint in the sector, rise to the top here. They are also areas for which clear legislative language would seem an obvious solution and therefore an opportunity for lawmakers. Some 75% percent of the countries tracked in the IFRC's World Disaster Laws Database (which extends mainly to laws designed primarily for natural hazards), include detailed legislative provisions about institutional roles and responsibilities about disasters in general, but only 16% include detailed provisions about recovery.<sup>19</sup> Similarly few provide detailed provisions about the role of the National Red Cross and Red Crescent Societies (14%), NGOs (17%) or the private sector (14%).

The top two regulatory issues for both natural hazards and other types of crises were:

- Failure to develop medium or long-term recovery plans<sup>20</sup>
- Failure to ensure that recovery efforts are environmentally safe and/or sustainable<sup>21</sup>

For “third place” there was a distinction between types of crises:

- Natural hazards: Failure to ensure the role of affected populations in decision making on recovery support<sup>22</sup>
- Other crises: Failure to ensure that recovery efforts build resilience or reduce the risk of future crisis<sup>23</sup>

Most of these issues relate to the “building back better” agenda and are elements not often included in existing domestic legislation on crisis recovery (for instance, the IFRC World Disaster Law Database reports records only 13% of laws have detailed provisions about the role of communities and individuals in disaster management).<sup>24</sup> Following the COVID pandemic, there was significant international discussion about the desirability of a green recovery (in particular with regard to choices of market sectors to boost with economic stimulus). However, according to the OECD, “funding for environmentally positive measures, while impressive, [was] nonetheless almost matched by funding allocated to negative and mixed measures.”<sup>25</sup>

With regard to vulnerable groups, the results point to a modest experience of discrimination against most of the groups identified here. The results related to gender related discrimination are particularly surprising, in light of the substantial literature about this issue in the crisis management field. It is, of course, possible that respondents were unaware of actual discrimination experienced by beneficiaries, as not directly part of their daily work.

At a minimum, however, it would be advisable for policy makers to reflect on preparedness to prevent discrimination against those groups who were identified by a majority of respondents as “frequently” or “always” encountered: persons with disabilities, persons with mental health needs, and sexual or gender minorities. In some countries, these may also be categories of persons not expressly protected by general anti-discrimination legislation, often aimed at racial and gender issues.

<sup>19</sup> IFRC, World Disaster Laws Database, <https://disasterlaw.ifrc.org/world-disaster-laws-search>, accessed 1 March 2024.

<sup>20</sup> 82% reported them frequently or always in natural hazards, and 85% in other crises.

<sup>21</sup> 79% reported them frequently or always in both natural hazards and other crises.

<sup>22</sup> 73% reported them frequently or always in natural hazards, and 74% in other crises.

<sup>23</sup> 71% reported them frequently or always in natural hazards, and 79% in other crises.

<sup>24</sup> See supra note 19.

<sup>25</sup> OECD, Green Recovery Database, <https://www.oecd.org/coronavirus/policy-responses/the-oecd-green-recovery-database-47ae0f0d/#section-d1e324>, accessed 1 March 2024.

On the other hand, it is striking that a majority of practitioners reported frequently or always encountering failures to meet the special needs of each of the identified category of persons. Ensuring attention to such needs ought to be a basic building block of a well-planned and managed recovery process. The most frequently cited gaps were for the special needs of:

- Persons with mental health issues<sup>26</sup>
- Persons with disabilities<sup>27</sup>
- Children<sup>28</sup>

As in the case of discrimination, the situation of persons with disabilities and mental health needs emerges as top concerns (with 20% and 17% of respondents, respectively, reporting them “always”). Mandating special efforts in these areas would seem particularly well suited to disaster or crisis-specific law and policy.

Governmental respondents to this survey were slightly less convinced than others of the importance of international law to recovery and also somewhat less likely in general to report frequent experience with the gaps of institutional clarity and regulatory issues. However, on the top issues identified above, a majority of them also signalled frequent experience.

Unsurprisingly, civil society actors were the mostly likely to report gaps in regulatory clarity as to their own roles. They were also more likely than others to report frequent experience in the delay of disbursement of recovery funds, failures to involve affected communities in decision-making, and the environmental sustainability of recovery. They were also most likely to report frequent experience of failures to meet special needs of persons with mental health issue and persons with disabilities.

Given the strong focus among international donors around accountability for recovery support, it is noteworthy that international respondents were not those most commonly reporting experiences of fraud or corruption. Perhaps less surprising, many reported experiencing the lack of recovery planning. They were also most likely to report observations of both discrimination and failures to meet the special needs of sexual minorities. In general, the trends in the results point to a fairly common experience of gaps and problem areas across the different employer types.

Overall, this survey suggests that respondents would agree that updating laws to promote recovery, in particular its speed, and to address the kinds of gaps in institutional clarity, regulatory issues and special needs as suggested in the literature would be worthwhile. Experiences of discrimination are lower, but still significant for some categories of vulnerable person. As suggested in the introduction, the post-COVID period may be a good opportunity to build momentum for this given the world-wide experience of this crisis.

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<sup>26</sup> 78% reported them frequently or always.

<sup>27</sup> 74% reported them frequently or always.

<sup>28</sup> 60% reported them frequently or always.

# Annex 1: Survey form

## Introduction

Thank you very much for considering our survey. Based on our testing, we estimate that your response will require 15 minutes to complete. You may save your progress and return to the survey before submitting (but not that this depends on accepting a cookie from this site).

This survey is being disseminated as a cooperative project of the **International Federation of Red Cross and Red Crescent Societies**, the **United Nations Development Programme**, the **World Bank** and **University College Cork**. It is intended to gather practitioner views and experiences on the role of law in **disaster** and **crisis recovery**.\*

## Rationale

With countries all around the world working on recovery from the COVID-19 pandemic, there is a **window of opportunity for lawmakers** to consolidate and integrate lessons from this and other experiences to prepare for future pandemics as well as other disasters and crises. It is being sent to local and national officials as well as representatives of civil society, the private sector, and humanitarian and development organizations with experience in supporting the recovery from COVID and/or other disasters or crises. We would be grateful for your insight about the experience of COVID-19 and any other crises in which you have contributed to recovery. Should you choose to participate, you will be asked to fill in this brief online questionnaire.

## Your own views

You are invited to reply on the **basis of your own individual opinions and experiences**, as a professional. Your responses will not be imputed to your employer. In addition to your views, we will be asking you for some limited background information (type of employer, crisis recovery experience, country of residence) for purposes of our analysis, but no personally identifiable information.

## Definitions

For purposes of this survey, a **“disaster”** is considered “a serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.”

While the scope of this term is already very broad, we have also added the term **“crisis”**, in order to evoke the very widest range of drivers of calamity, including armed conflicts, pandemics and economic crises.

By **“recovery”** this survey refers to “restoring or improving of livelihoods and health, as well as economic, physical, social, cultural and environmental assets, systems and activities of a disaster or crisis-affected community or society, aligning with the principles of sustainable development

and ‘build back better’, to avoid or reduce future risk.”

## Consent

**Your participation in this survey is entirely voluntary.** You may choose to refuse to answer specific questions or withdraw entirely from the study prior to completing the survey. All information you provide will be confidential and your anonymity will be protected throughout the study (noting, however, that you will have the option to provide us your email address in order to receive a copy of the final report). You may withdraw from the study at any stage up to the point of survey submission. At that point, your data will be collated with that of other participations and no longer be retracted. That collated data will be summarized in a public report and may also contribute to other research publications and/or conference presentations.

The anonymous data will be stored on a University College Cork supported cloud storage platform for a minimum of ten years. This study has obtained ethical approval from the UCC Social Research Ethics Committee. If you have any queries about this research, you may contact david.fisher@ifrc.org.

Please indicate your consent to participate on these terms by clicking the button below.

- ☐ I consent to participate in this survey
- ☐ I do not consent to participate in this survey

Your employer type:

- ☐ National government
- ☐ Provincial or state government
- ☐ Local government
- ☐ International organization (such as IFRC, UN, World Bank)
- ☐ International NGO
- ☐ National Red Cross or Red Crescent Society
- ☐ National/local NGO
- ☐ Private sector
- ☐ Other - please specify: \_\_\_\_\_

What is your experience in supporting recovery from disasters or other crises?

- ☐ I have been involved in supporting recovery in **my own** country
- ☐ I have been involved in supporting recovery in **another country**
- ☐ I have **not** been involved in supporting recovery in any country

Country (or countries) in which you have been engaged in disaster or crisis recovery (Select all that apply)  
(drop down list omitted)

If you have been involved in supporting recovery, what were the types of disaster or crises involved? (Select all that apply)

- ☐ COVID-19 pandemic
- ☐ Other epidemics or pandemics
- ☐ Disasters due to natural hazards (such as floods, droughts, earthquakes, etc.)
- ☐ Industrial or environmental emergencies
- ☐ Food insecurity
- ☐ Armed conflict or situations of generalised violence
- ☐ Mass movement of refugees, IDPs or vulnerable migrants
- ☐ Significant economic downturn
- ☐ Other: Please specify \_\_\_\_\_

Q1- In your view, how important is **domestic legislation** (whether at the national, provincial and/or local level) for success in these aspects of disaster or crisis recovery support?

|   | Not at all important  | Slightly important    | Moderately important  | Very important        | Extremely important   | Don't know            |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Speed of recovery support                         | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Appropriateness of recovery support               | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Fairness of recovery support                      | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Completeness of recovery support                  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Participation of affected populations in recovery | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other (specify)                                   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Q2 - In your view, how important is **international law** for success in these aspects of disaster or crisis recovery support?

|   | Not at all important  | Slightly important    | Moderately important  | Very important        | Extremely important   | Don't know            |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Speed of recovery support                         | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Appropriateness of recovery support               | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Fairness of recovery support                      | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Completeness of recovery support                  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Participation of affected populations in recovery | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other (specify)                                   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Q3 - Have you observed any of the following types of gaps in **institutional clarity** in relation to COVID recovery? How frequently have you observed them in the recovery from other disasters or other crises?

|   | Have you observed this in COVID recovery? |                       | How frequently have you observed this in disasters related to natural hazards? |                       |                       |                       | How frequently have you observed this in other kinds of crisis? |                       |                       |                       |
|---|---|-----------------------|--|-----------------------|-----------------------|-----------------------|---|-----------------------|-----------------------|-----------------------|
|   | Yes                                       | No                    | Never  | Infrequently          | Frequently            | Always                | Never   | Infrequently          | Frequently            | Always                |
| Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases) | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lack of coordination between ministries or departments  | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lack of clarity as to how to approve, allocate and/or disburse funds  | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lack of clarity about the role of civil society and/or the private sector   | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |



|   |                       |                       |                       |                       |                       |                       |                       |                       |                       |                       |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other (specify)   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Q4 - Have you encountered these **regulatory issues** in the COVID recovery? How frequently have you encountered them in **other disasters or crises**?

|  | Have you observed this in COVID recovery? |                       | How frequently have you observed this in disasters related to natural hazards? |                       |                       |                       | How frequently have you observed this in other kinds of crisis? |                       |                       |                       |
|--|---|-----------------------|--|-----------------------|-----------------------|-----------------------|---|-----------------------|-----------------------|-----------------------|
|  | Yes                                       | No                    | Never  | Infrequently          | Frequently            | Always                | Never   | Infrequently          | Frequently            | Always                |
| Failure to develop medium or long-term recovery plans  | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Failure to ensure that recovery efforts build resilience or reduce the risk of future crises   | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Failure to ensure that recovery efforts are environmentally safe and/or sustainable  | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Failure to prevent corruption or fraud with regard to recovery funds or assistance   | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Excessive delay in recovery due to official permitting (e.g., for reconstruction) or other oversight procedures                            | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Failure to address barriers or inequity in recovery support due to gaps in registration or recognition of housing, land or property rights | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Failure to ensure affected populations in decision-making on recovery support  | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Failure to ensure access to justice for the victims of negligent or intentional harm related to the crisis                                 | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other (specify)  | <input type="radio"/>                     | <input type="radio"/> | <input type="radio"/>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Q5 - How frequently have you observed either **discrimination** against, or **failure to meet special needs** of, the following categories of persons in disaster or crisis recovery?

|   | How frequently have you observed discrimination? |                       |                       |                       | How frequently have you observed a failure to meet special needs? |                       |                       |                       |
|---|--|-----------------------|-----------------------|-----------------------|---|-----------------------|-----------------------|-----------------------|
|   | Never  | Infrequently          | Frequently            | Always                | Never   | Infrequently          | Frequently            | Always                |
| Women and/or girls  | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Children (in general)   | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Older persons   | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Migrants, refugees and/or IDPs                                    | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Indigenous persons and/or racial, ethnic or religious minorities  | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Persons with disabilities   | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Persons with mental health needs                                  | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Sexual or gender minorities (for example, gay, transgender, etc.) | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Persons living in informal settlements                            | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other (specify):  | <input type="radio"/>                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Q6 - If not captured in the questions above, what legal gap areas have you encountered in disaster or crisis recovery support?

Q7 (OPTIONAL) If you would like to receive a copy of the report of this survey, please provide your email address. (Note that if you provide this, we will keep your email on file with your submission).

Thank you for your time filling in this survey.

Your response has been recorded.

## Annex 2: States covered by respondents' experience<sup>29</sup>

| #  | State                                  | # of participants |
|----|--|-------------------|
| 1  | Australia                              | 12                |
| 2  | Ethiopia                               | 11                |
| 3  | Nepal                                  | 9                 |
| 4  | Philippines (the)                      | 5                 |
| 5  | Türkiye                                | 5                 |
| 6  | Bangladesh                             | 4                 |
| 7  | Sierra Leone                           | 4                 |
| 8  | Tonga                                  | 4                 |
| 9  | Albania                                | 3                 |
| 10 | Bolivia (Plurinational State of)       | 3                 |
| 11 | Fiji                                   | 3                 |
| 12 | Haiti                                  | 3                 |
| 13 | India                                  | 3                 |
| 14 | Malawi                                 | 3                 |
| 15 | Mozambique                             | 3                 |
| 16 | Myanmar                                | 3                 |
| 17 | New Zealand                            | 3                 |
| 18 | Niger (the)                            | 3                 |
| 19 | Vanuatu                                | 3                 |
| 20 | Zambia                                 | 3                 |
| 21 | Armenia                                | 2                 |
| 22 | Chad                                   | 2                 |
| 23 | Côte d'Ivoire                          | 2                 |
| 24 | Democratic Republic of the Congo (the) | 2                 |
| 25 | Greece                                 | 2                 |
| 26 | Iran (Islamic Republic of)             | 2                 |
| 27 | Iraq                                   | 2                 |
| 28 | Jordan                                 | 2                 |
| 29 | Kenya                                  | 2                 |
| 30 | Liberia                                | 2                 |
| 31 | Madagascar                             | 2                 |
| 32 | Mali                                   | 2                 |
| 33 | Mauritania                             | 2                 |
| 34 | Pakistan                               | 2                 |
| 35 | Papua New Guinea                       | 2                 |
| 36 | Peru                                   | 2                 |
| 37 | Samoa                                  | 2                 |

<sup>29</sup> Inclusion on this list is not intended to imply any view of the commissioning agencies as to the status of a state or territory.

|    |                                  |   |
|----|----------------------------------|---|
| 38 | Solomon Islands                  | 2 |
| 39 | South Sudan                      | 2 |
| 40 | Sudan (the)                      | 2 |
| 41 | Timor-Leste                      | 2 |
| 42 | Ukraine                          | 2 |
| 43 | Viet Nam                         | 2 |
| 44 | Zimbabwe                         | 2 |
| 45 | Palestine                        | 2 |
| 46 | Andorra                          | 1 |
| 47 | Argentina                        | 1 |
| 48 | Belarus                          | 1 |
| 49 | Belize                           | 1 |
| 50 | Benin                            | 1 |
| 51 | Botswana                         | 1 |
| 52 | Burkina Faso                     | 1 |
| 53 | Burundi                          | 1 |
| 54 | Cameroon                         | 1 |
| 55 | Canada                           | 1 |
| 56 | Central African Republic (the)   | 1 |
| 57 | Colombia                         | 1 |
| 58 | Comoros (the)                    | 1 |
| 59 | Congo (the)                      | 1 |
| 60 | Cuba                             | 1 |
| 61 | Dominica                         | 1 |
| 62 | Ecuador                          | 1 |
| 63 | Eswatini                         | 1 |
| 64 | Germany                          | 1 |
| 65 | Grenada                          | 1 |
| 66 | Guinea                           | 1 |
| 67 | Indonesia                        | 1 |
| 68 | Jamaica                          | 1 |
| 69 | Lebanon                          | 1 |
| 70 | Lesotho                          | 1 |
| 71 | Marshall Islands (the)           | 1 |
| 72 | Micronesia (Federated States of) | 1 |
| 73 | Namibia                          | 1 |
| 74 | Palau                            | 1 |
| 75 | Panama                           | 1 |
| 76 | Paraguay                         | 1 |
| 77 | Saint Lucia                      | 1 |
| 78 | Saint Vincent and the Grenadines | 1 |
| 79 | Serbia                           | 1 |
| 80 | South Africa                     | 1 |

|    |                                    |   |
|----|------------------------------------|---|
| 81 | Togo                               | 1 |
| 82 | Uganda                             | 1 |
| 83 | Venezuela (Bolivarian Republic of) | 1 |
| 84 | Yemen                              | 1 |

## Annex 3: Variations in response by employer type

|  |                      | Employer type |            |                        |               |
|--|----------------------|---------------|------------|------------------------|---------------|
| Ratings of the importance of domestic law by employer type |                      | All           | Government | National civil society | International |
| Speed of recovery support                                  | Not at all important | 2%            | 0%         | 6%                     | 0%            |
|  | Slightly important   | 3%            | 7%         | 0%                     | 3%            |
|  | Moderately important | 7%            | 7%         | 6%                     | 7%            |
|  | Very important       | 20%           | 20%        | 13%                    | 24%           |
|  | Extremely important  | 67%           | 67%        | 69%                    | 66%           |
|  | Don't know           | 2%            | 0%         | 6%                     | 0%            |
| Appropriateness of recovery support                        | Not at all important | 0%            | 0%         | 0%                     | 0%            |
|  | Slightly important   | 3%            | 0%         | 6%                     | 3%            |
|  | Moderately important | 13%           | 20%        | 13%                    | 10%           |
|  | Very important       | 23%           | 13%        | 19%                    | 31%           |
|  | Extremely important  | 58%           | 60%        | 63%                    | 55%           |
|  | Don't know           | 2%            | 7%         | 0%                     | 0%            |
| Fairness of recovery support                               | Not at all important | 0%            | 0%         | 0%                     | 0%            |
|  | Slightly important   | 5%            | 0%         | 6%                     | 7%            |
|  | Moderately important | 15%           | 13%        | 13%                    | 17%           |
|  | Very important       | 23%           | 27%        | 13%                    | 28%           |
|  | Extremely important  | 57%           | 60%        | 69%                    | 48%           |
|  | Don't know           | 0%            | 0%         | 0%                     | 0%            |
| Completeness of recovery support                           | Not at all important | 0%            | 0%         | 0%                     | 0%            |
|  | Slightly important   | 5%            | 7%         | 0%                     | 7%            |
|  | Moderately important | 12%           | 13%        | 13%                    | 10%           |
|  | Very important       | 29%           | 33%        | 20%                    | 31%           |
|  | Extremely important  | 54%           | 47%        | 67%                    | 52%           |
|  | Don't know           | 0%            | 0%         | 0%                     | 0%            |
| Participation of affected populations in recovery          | Not at all important | 2%            | 0%         | 0%                     | 3%            |
|  | Slightly important   | 8%            | 7%         | 6%                     | 10%           |
|  | Moderately important | 15%           | 47%        | 6%                     | 3%            |
|  | Very important       | 23%           | 27%        | 31%                    | 17%           |
|  | Extremely important  | 50%           | 13%        | 56%                    | 66%           |
|  | Don't know           | 2%            | 7%         | 0%                     | 0%            |

Figure 12: Ratings of the importance of domestic law by employer type

| Ratings of the importance of international law by employer type |                      | Employer type |            |                        |               |
|---|----------------------|---------------|------------|------------------------|---------------|
|   |                      | All           | Government | National civil society | International |
| Speed of recovery support                                       | Not at all important | 3%            | 7%         | 0%                     | 4%            |
|   | Slightly important   | 12%           | 13%        | 13%                    | 11%           |
|   | Moderately important | 12%           | 0%         | 19%                    | 14%           |
|   | Very important       | 29%           | 33%        | 38%                    | 21%           |
|   | Extremely important  | 39%           | 27%        | 31%                    | 50%           |
|   | Don't know           | 5%            | 20%        | 0%                     | 0%            |
| Appropriateness of recovery support                             | Not at all important | 5%            | 7%         | 6%                     | 4%            |
|   | Slightly important   | 7%            | 13%        | 0%                     | 7%            |
|   | Moderately important | 14%           | 0%         | 19%                    | 18%           |
|   | Very important       | 32%           | 40%        | 19%                    | 36%           |
|   | Extremely important  | 37%           | 20%        | 56%                    | 36%           |
|   | Don't know           | 5%            | 20%        | 0%                     | 0%            |
| Fairness of recovery support                                    | Not at all important | 7%            | 7%         | 13%                    | 4%            |
|   | Slightly important   | 10%           | 7%         | 0%                     | 18%           |
|   | Moderately important | 14%           | 13%        | 19%                    | 11%           |
|   | Very important       | 25%           | 27%        | 19%                    | 29%           |
|   | Extremely important  | 39%           | 27%        | 50%                    | 39%           |
|   | Don't know           | 5%            | 20%        | 0%                     | 0%            |
| Completeness of recovery support                                | Not at all important | 7%            | 7%         | 13%                    | 4%            |
|   | Slightly important   | 10%           | 13%        | 0%                     | 14%           |
|   | Moderately important | 12%           | 13%        | 13%                    | 11%           |
|   | Very important       | 33%           | 27%        | 33%                    | 36%           |
|   | Extremely important  | 33%           | 20%        | 40%                    | 36%           |
|   | Don't know           | 5%            | 20%        | 0%                     | 0%            |
| Participation of affected populations in recovery               | Not at all important | 5%            | 7%         | 6%                     | 4%            |
|   | Slightly important   | 10%           | 20%        | 0%                     | 11%           |
|   | Moderately important | 19%           | 13%        | 19%                    | 21%           |
|   | Very important       | 24%           | 27%        | 19%                    | 25%           |
|   | Extremely important  | 37%           | 13%        | 56%                    | 39%           |
|   | Don't know           | 5%            | 20%        | 0%                     | 0%            |

Figure 13: Ratings of the importance of international law by employer type

| Institutional clarity gaps in COVID recovery  |     | Employer type |            |                        |               |
|---|-----|---------------|------------|------------------------|---------------|
|   |     | All           | Government | National civil society | International |
| Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases) | Yes | 74%           | 56%        | 80%                    | 78%           |
|   | No  | 26%           | 44%        | 20%                    | 22%           |
| Lack of coordination between ministries or departments  | Yes | 76%           | 70%        | 90%                    | 73%           |
|   | No  | 24%           | 30%        | 10%                    | 27%           |
| Lack of clarity as to how to approve, allocate and/or disburse funds  | Yes | 75%           | 67%        | 100%                   | 68%           |
|   | No  | 25%           | 33%        | 0%                     | 32%           |
| Lack of clarity about the role of civil society and/or the private sector   | Yes | 79%           | 56%        | 78%                    | 88%           |
|   | No  | 21%           | 44%        | 22%                    | 12%           |
| Lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding   | Yes | 62%           | 29%        | 71%                    | 68%           |
|   | No  | 38%           | 71%        | 29%                    | 32%           |

Figure 14: Respondents' experience of gaps in institutional clarity in COVID recovery by employer type



| Institutional clarity gaps in natural hazards recovery  |              | Employer type |            |                        |               |
|---|--------------|---------------|------------|------------------------|---------------|
|   |              | All           | Government | National civil society | International |
| Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases) | Never        | 2%            | 11%        | 0%                     | 0%            |
|   | Infrequently | 20%           | 22%        | 11%                    | 22%           |
|   | Frequently   | 67%           | 44%        | 78%                    | 70%           |
|   | Always       | 11%           | 22%        | 11%                    | 7%            |
|   |              |               |            |                        |               |
| Lack of coordination between ministries or departments  | Never        | 2%            | 0%         | 0%                     | 4%            |
|   | Infrequently | 16%           | 25%        | 22%                    | 12%           |
|   | Frequently   | 60%           | 50%        | 67%                    | 62%           |
|   | Always       | 21%           | 25%        | 11%                    | 23%           |
|   |              |               |            |                        |               |
| Lack of clarity as to how to approve, allocate and/or disburse funds  | Never        | 10%           | 14%        | 0%                     | 12%           |
|   | Infrequently | 24%           | 14%        | 33%                    | 24%           |
|   | Frequently   | 56%           | 71%        | 44%                    | 56%           |
|   | Always       | 10%           | 0%         | 22%                    | 8%            |
|   |              |               |            |                        |               |
| Lack of clarity about the role of civil society and/or the private sector   | Never        | 10%           | 29%        | 0%                     | 8%            |
|   | Infrequently | 20%           | 29%        | 25%                    | 16%           |
|   | Frequently   | 50%           | 0%         | 75%                    | 56%           |
|   | Always       | 20%           | 43%        | 0%                     | 20%           |
|   |              |               |            |                        |               |
| Lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding   | Never        | 18%           | 50%        | 14%                    | 12%           |
|   | Infrequently | 26%           | 17%        | 14%                    | 32%           |
|   | Frequently   | 47%           | 33%        | 57%                    | 48%           |
|   | Always       | 8%            | 0%         | 14%                    | 8%            |

Figure 15: Respondents' experience of institutional clarity gaps in natural hazards recovery by employer type

| Institutional clarity gaps in recovery from other types of crisis   |              | Employer type |            |                        |               |
|---|--------------|---------------|------------|------------------------|---------------|
|   |              | All           | Government | National civil society | International |
| Lack of clarity about which ministry, department or level of government is responsible for key activities (including in the transition between early and long-term recovery phases) | Never        | 2%            | 10%        | 0%                     | 0%            |
|   | Infrequently | 25%           | 30%        | 0%                     | 32%           |
|   | Frequently   | 64%           | 50%        | 78%                    | 64%           |
|   | Always       | 9%            | 10%        | 22%                    | 4%            |
| Lack of coordination between ministries or departments  | Never        | 2%            | 0%         | 0%                     | 4%            |
|   | Infrequently | 14%           | 22%        | 22%                    | 8%            |
|   | Frequently   | 65%           | 56%        | 56%                    | 72%           |
|   | Always       | 19%           | 22%        | 22%                    | 16%           |
| Lack of clarity as to how to approve, allocate and/or disburse funds  | Never        | 5%            | 0%         | 0%                     | 8%            |
|   | Infrequently | 27%           | 50%        | 11%                    | 25%           |
|   | Frequently   | 61%           | 38%        | 78%                    | 63%           |
|   | Always       | 7%            | 13%        | 11%                    | 4%            |
| Lack of clarity about the role of civil society and/or the private sector   | Never        | 8%            | 13%        | 0%                     | 8%            |
|   | Infrequently | 25%           | 38%        | 38%                    | 17%           |
|   | Frequently   | 48%           | 25%        | 63%                    | 50%           |
|   | Always       | 20%           | 25%        | 0%                     | 25%           |
| Lack of clear institutional mechanisms for receiving and/or reporting on international recovery funding   | Never        | 13%           | 14%        | 14%                    | 13%           |
|   | Infrequently | 26%           | 43%        | 14%                    | 25%           |
|   | Frequently   | 50%           | 43%        | 57%                    | 50%           |
|   | Always       | 11%           | 0%         | 14%                    | 13%           |

Figure 16: Respondents' experiences of institutional clarity gaps in recovery from other types of crisis by employer type

| Regulatory issues in COVID by employer type  |     | Employer type |            |                        |               |
|--|-----|---------------|------------|------------------------|---------------|
|  |     | All           | Government | National civil society | International |
| Failure to develop medium or long-term recovery plans  | Yes | 79%           | 50%        | 90%                    | 84%           |
|  | No  | 21%           | 50%        | 10%                    | 16%           |
|  |     |               |            |                        |               |
| Failure to ensure that recovery efforts build resilience or reduce the risk of future crises   | Yes | 77%           | 63%        | 90%                    | 76%           |
|  | No  | 23%           | 38%        | 10%                    | 24%           |
|  |     |               |            |                        |               |
| Failure to ensure that recovery efforts are environmentally safe and/or sustainable  | Yes | 83%           | 63%        | 100%                   | 83%           |
|  | No  | 17%           | 38%        | 0%                     | 17%           |
|  |     |               |            |                        |               |
| Failure to prevent corruption or fraud with regard to recovery funds or assistance   | Yes | 57%           | 50%        | 44%                    | 64%           |
|  | No  | 43%           | 50%        | 56%                    | 36%           |
|  |     |               |            |                        |               |
| Excessive delay in recovery due to official permitting (e.g., for reconstruction) or other oversight procedures                            | Yes | 74%           | 50%        | 80%                    | 79%           |
|  | No  | 26%           | 50%        | 20%                    | 21%           |
|  |     |               |            |                        |               |
| Failure to address barriers or inequity in recovery support due to gaps in registration or recognition of housing, land or property rights | Yes | 72%           | 50%        | 80%                    | 76%           |
|  | No  | 28%           | 50%        | 20%                    | 24%           |
|  |     |               |            |                        |               |
| Failure to ensure affected populations in decision-making on recovery support  | Yes | 77%           | 63%        | 80%                    | 80%           |
|  | No  | 23%           | 38%        | 20%                    | 20%           |
|  |     |               |            |                        |               |
| Failure to ensure access to justice for the victims of negligent or intentional harm related to the crisis                                 | Yes | 62%           | 50%        | 67%                    | 64%           |
|  | No  | 38%           | 50%        | 33%                    | 36%           |

Figure 17: Respondents' experiences of regulatory issues in COVID recovery by employer type

| Regulatory issues in natural hazards recovery by employer type   |              | Employer type |            |                     |               |
|--|--------------|---------------|------------|---------------------|---------------|
|  |              | All           | Government | Local Civil Society | International |
| Failure to develop medium or long-term recovery plans  | Never        | 5%            | 13%        | 0%                  | 4%            |
|  | Infrequently | 14%           | 13%        | 22%                 | 12%           |
|  | Frequently   | 69%           | 63%        | 44%                 | 80%           |
|  | Always       | 12%           | 13%        | 33%                 | 4%            |
| Failure to ensure that recovery efforts build resilience or reduce the risk of future crises   | Never        | 2%            | 0%         | 0%                  | 4%            |
|  | Infrequently | 26%           | 25%        | 33%                 | 24%           |
|  | Frequently   | 55%           | 50%        | 56%                 | 56%           |
|  | Always       | 17%           | 25%        | 11%                 | 16%           |
| Failure to ensure that recovery efforts are environmentally safe and/or sustainable  | Never        | 2%            | 0%         | 0%                  | 4%            |
|  | Infrequently | 19%           | 38%        | 11%                 | 16%           |
|  | Frequently   | 71%           | 63%        | 78%                 | 72%           |
|  | Always       | 7%            | 0%         | 11%                 | 8%            |
| Failure to prevent corruption or fraud with regard to recovery funds or assistance   | Never        | 12%           | 13%        | 13%                 | 12%           |
|  | Infrequently | 41%           | 25%        | 63%                 | 40%           |
|  | Frequently   | 41%           | 63%        | 25%                 | 40%           |
|  | Always       | 5%            | 0%         | 0%                  | 8%            |
| Excessive delay in recovery due to official permitting (e.g., for reconstruction) or other oversight procedures                            | Never        | 5%            | 0%         | 0%                  | 8%            |
|  | Infrequently | 26%           | 13%        | 22%                 | 32%           |
|  | Frequently   | 52%           | 63%        | 56%                 | 48%           |
|  | Always       | 17%           | 25%        | 22%                 | 12%           |
| Failure to address barriers or inequity in recovery support due to gaps in registration or recognition of housing, land or property rights | Never        | 7%            | 13%        | 0%                  | 8%            |
|  | Infrequently | 31%           | 38%        | 22%                 | 32%           |
|  | Frequently   | 52%           | 38%        | 56%                 | 56%           |
|  | Always       | 10%           | 13%        | 22%                 | 4%            |
| Failure to ensure affected populations in decision-making on recovery support  | Never        | 2%            | 0%         | 0%                  | 4%            |
|  | Infrequently | 24%           | 50%        | 11%                 | 21%           |
|  | Frequently   | 56%           | 38%        | 67%                 | 58%           |
|  | Always       | 17%           | 13%        | 22%                 | 17%           |
| Failure to ensure access to justice for the victims of negligent or intentional harm related to the crisis                                 | Never        | 13%           | 13%        | 0%                  | 17%           |
|  | Infrequently | 30%           | 25%        | 63%                 | 21%           |
|  | Frequently   | 50%           | 63%        | 25%                 | 54%           |
|  | Always       | 8%            | 0%         | 13%                 | 8%            |

Figure 18: Respondents' experience of regulatory issues in natural hazards by employer type

| Frequency of regulatory issues in other crises by employer type  |              | Employer type |            |                     |               |
|--|--------------|---------------|------------|---------------------|---------------|
|  |              | All           | Government | Local Civil Society | International |
| Failure to develop medium or long-term recovery plans  | Never        | 5%            | 17%        | 0%                  | 4%            |
|  | Infrequently | 10%           | 17%        | 0%                  | 13%           |
|  | Frequently   | 64%           | 50%        | 78%                 | 63%           |
|  | Always       | 21%           | 17%        | 22%                 | 21%           |
| Failure to ensure that recovery efforts build resilience or reduce the risk of future crises   | Never        | 3%            | 0%         | 0%                  | 4%            |
|  | Infrequently | 18%           | 33%        | 11%                 | 17%           |
|  | Frequently   | 66%           | 50%        | 78%                 | 65%           |
|  | Always       | 13%           | 17%        | 11%                 | 13%           |
| Failure to ensure that recovery efforts are environmentally safe and/or sustainable  | Never        | 3%            | 0%         | 0%                  | 4%            |
|  | Infrequently | 18%           | 33%        | 11%                 | 17%           |
|  | Frequently   | 69%           | 67%        | 78%                 | 67%           |
|  | Always       | 10%           | 0%         | 11%                 | 13%           |
| Failure to prevent corruption or fraud with regard to recovery funds or assistance   | Never        | 13%           | 0%         | 25%                 | 13%           |
|  | Infrequently | 42%           | 33%        | 50%                 | 42%           |
|  | Frequently   | 39%           | 67%        | 25%                 | 38%           |
|  | Always       | 5%            | 0%         | 0%                  | 8%            |
| Excessive delay in recovery due to official permitting (e.g., for reconstruction) or other oversight procedures                            | Never        | 8%            | 0%         | 11%                 | 8%            |
|  | Infrequently | 23%           | 17%        | 22%                 | 25%           |
|  | Frequently   | 59%           | 67%        | 56%                 | 58%           |
|  | Always       | 10%           | 17%        | 11%                 | 8%            |
| Failure to address barriers or inequity in recovery support due to gaps in registration or recognition of housing, land or property rights | Never        | 5%            | 0%         | 11%                 | 4%            |
|  | Infrequently | 31%           | 50%        | 22%                 | 29%           |
|  | Frequently   | 59%           | 50%        | 56%                 | 63%           |
|  | Always       | 5%            | 0%         | 11%                 | 4%            |
| Failure to ensure affected populations in decision-making on recovery support  | Never        | 3%            | 0%         | 0%                  | 4%            |
|  | Infrequently | 23%           | 50%        | 11%                 | 21%           |
|  | Frequently   | 59%           | 33%        | 78%                 | 58%           |
|  | Always       | 15%           | 17%        | 11%                 | 17%           |
| Failure to ensure access to justice for the victims of negligent or intentional harm related to the crisis                                 | Never        | 16%           | 17%        | 13%                 | 17%           |
|  | Infrequently | 24%           | 17%        | 50%                 | 17%           |
|  | Frequently   | 50%           | 67%        | 25%                 | 54%           |
|  | Always       | 11%           | 0%         | 13%                 | 13%           |

Figure 19: Frequency of regulatory issues in other crises by employer type

| Observations of discrimination by employer type                   |              | Employer type |            |                     |               |
|---|--------------|---------------|------------|---------------------|---------------|
|   |              | All           | Government | Local Civil Society | International |
| Women and/or girls  | Never        | 11%           | 11%        | 10%                 | 12%           |
|   | Infrequently | 52%           | 56%        | 50%                 | 52%           |
|   | Frequently   | 34%           | 22%        | 40%                 | 36%           |
|   | Always       | 2%            | 11%        | 0%                  | 0%            |
| Children (in general)   | Never        | 18%           | 33%        | 20%                 | 12%           |
|   | Infrequently | 41%           | 11%        | 50%                 | 48%           |
|   | Frequently   | 34%           | 44%        | 20%                 | 36%           |
|   | Always       | 7%            | 11%        | 10%                 | 4%            |
| Older persons   | Never        | 16%           | 11%        | 20%                 | 16%           |
|   | Infrequently | 45%           | 44%        | 50%                 | 44%           |
|   | Frequently   | 34%           | 44%        | 30%                 | 32%           |
|   | Always       | 5%            | 0%         | 0%                  | 8%            |
| Migrants, refugees and/or IDPs                                    | Never        | 20%           | 25%        | 20%                 | 17%           |
|   | Infrequently | 34%           | 50%        | 30%                 | 30%           |
|   | Frequently   | 41%           | 25%        | 40%                 | 48%           |
|   | Always       | 5%            | 0%         | 10%                 | 4%            |
| Indigenous persons and/or racial, ethnic or religious minorities  | Never        | 16%           | 11%        | 10%                 | 21%           |
|   | Infrequently | 35%           | 33%        | 50%                 | 29%           |
|   | Frequently   | 42%           | 44%        | 30%                 | 46%           |
|   | Always       | 7%            | 11%        | 10%                 | 4%            |
| Persons with disabilities   | Never        | 14%           | 22%        | 10%                 | 12%           |
|   | Infrequently | 27%           | 22%        | 20%                 | 32%           |
|   | Frequently   | 48%           | 56%        | 70%                 | 36%           |
|   | Always       | 11%           | 0%         | 0%                  | 20%           |
| Persons with mental health needs                                  | Never        | 12%           | 33%        | 10%                 | 4%            |
|   | Infrequently | 26%           | 22%        | 30%                 | 25%           |
|   | Frequently   | 47%           | 44%        | 50%                 | 46%           |
|   | Always       | 16%           | 0%         | 10%                 | 25%           |
| Sexual or gender minorities (for example, gay, transgender, etc.) | Never        | 21%           | 33%        | 22%                 | 17%           |
|   | Infrequently | 29%           | 56%        | 33%                 | 17%           |
|   | Frequently   | 36%           | 11%        | 44%                 | 42%           |
|   | Always       | 14%           | 0%         | 0%                  | 25%           |

|  |              |     |     |     |     |
|--|--------------|-----|-----|-----|-----|
| Persons living in informal settlements | Never        | 14% | 44% | 11% | 4%  |
|  | Infrequently | 37% | 33% | 33% | 40% |
|  | Frequently   | 40% | 22% | 33% | 48% |
|  | Always       | 9%  | 0%  | 22% | 8%  |

Figure 20: Observations of discrimination by employer type

| Observations of failure to meet special needs by employer type    |              | Employer type |            |                     |               |
|---|--------------|---------------|------------|---------------------|---------------|
|   |              | All           | Government | Local Civil Society | International |
| Older persons   | Never        | 10%           | 0%         | 0%                  | 16%           |
|   | Infrequently | 38%           | 50%        | 44%                 | 32%           |
|   | Frequently   | 43%           | 50%        | 44%                 | 40%           |
|   | Always       | 10%           | 0%         | 11%                 | 12%           |
| Migrants, refugees and/or IDPs                                    | Never        | 13%           | 13%        | 0%                  | 17%           |
|   | Infrequently | 33%           | 50%        | 22%                 | 30%           |
|   | Frequently   | 50%           | 38%        | 67%                 | 48%           |
|   | Always       | 5%            | 0%         | 11%                 | 4%            |
| Indigenous persons and/or racial, ethnic or religious minorities  | Never        | 15%           | 0%         | 0%                  | 25%           |
|   | Infrequently | 27%           | 38%        | 44%                 | 17%           |
|   | Frequently   | 51%           | 50%        | 44%                 | 54%           |
|   | Always       | 7%            | 13%        | 11%                 | 4%            |
| Persons with disabilities   | Never        | 5%            | 0%         | 0%                  | 8%            |
|   | Infrequently | 21%           | 25%        | 11%                 | 24%           |
|   | Frequently   | 57%           | 75%        | 89%                 | 40%           |
|   | Always       | 17%           | 0%         | 0%                  | 28%           |
| Persons with mental health needs                                  | Never        | 5%            | 13%        | 0%                  | 4%            |
|   | Infrequently | 17%           | 38%        | 0%                  | 17%           |
|   | Frequently   | 59%           | 50%        | 89%                 | 50%           |
|   | Always       | 20%           | 0%         | 11%                 | 29%           |
| Sexual or gender minorities (for example, gay, transgender, etc.) | Never        | 18%           | 25%        | 25%                 | 13%           |
|   | Infrequently | 28%           | 63%        | 13%                 | 21%           |
|   | Frequently   | 40%           | 13%        | 63%                 | 42%           |
|   | Always       | 15%           | 0%         | 0%                  | 25%           |
| Persons living in informal settlements                            | Never        | 12%           | 38%        | 13%                 | 4%            |
|   | Infrequently | 32%           | 38%        | 13%                 | 36%           |
|   | Frequently   | 46%           | 25%        | 50%                 | 52%           |
|   | Always       | 10%           | 0%         | 25%                 | 8%            |

Figure 21: Observations of failure to meet special needs by employer type