



REPUBLIC OF KENYA

NATIONAL DISASTER RISK MANAGEMENT POLICY

2017

FOREWORD

Kenya faces a wide range of natural and human-induced hazards, such as, drought, floods, landslides, human and animal disease, pests, earthquakes, and urban and forest fires, that impacts on and reduces the full realization of the benefits of vision 2030, The hazards are associated with the country's diverse geo-climatic and socio-economic conditions and as much as the Government of Kenya has tried to contend with these hazards, especially drought and floods which are the most common in the country, their magnitude, frequency, and impacts have become more severe. This is aggravated by climate change and human-induced factors that has resulted in more areas being affected.

National response to disaster risks in Kenya has been reactive and short- term due to deficiencies in Policies, legal and institutional arrangements, inadequate investments in Disaster Risk Reduction (DRR), and climate change-related research. Institutional shortcomings are worsened by lack of strategies for addressing disaster risks in a comprehensive manner. To respond to this challenge, the Government of Kenya, with the support of development and Humanitarian partners, has developed this Disaster Risk Management (DR) Policy.

This DRM Policy outlines the need for the establishment, streamlining, and strengthening of DRM institutions, co-ordination frameworks, partnerships, and regulations in Kenya. DRM, as articulated in this Policy, encompasses a full continuum from prevention, preparedness, relief and rehabilitation, back to mitigation and prevention. This will increase and sustain resilience of vulnerable communities to hazards. This therefore entails a radical shift from short-term relief responses to sustainable development and continual risk reduction and preparedness. This Policy will go a long way in preserving life and minimizing suffering by providing sufficient and timely early warning information on potential hazards that may result in disasters. It will also aim to alleviating suffering by providing timely and appropriate response mechanisms for disaster victims.

The process of drafting this Policy has benefited from invaluable contribution from experts in various Ministries, organizations and members of the Kenya National Platform for Disaster Risk Reduction. Our development partners, notably the World Bank, UNDP, and World Vision also brought on board international disaster management experts who informed the final version of this DRM policy. I take this opportunity to thank all individuals from various Ministries and Organizations for their contributions towards the development of this Policy on DRM for Kenya. Its full Implementation will contribute to the building of a safe scale and disaster-resilient Nation.



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ACKNOWLEDGEMENT

The Government of Kenya acknowledges that its development gains are under threat from natural and human-induced hazards that are increasingly developing into disasters. An estimated 3 to 4 million Kenyans are affected annually by disasters that disrupt livelihoods and draw back gains achieved in human development. A good example of this is that, while the cost of floods is estimated at 5.5 per cent of GDP every seven years, droughts cost an estimated 8.0 per cent of GDP loss every five years. It is therefore important that we establish a strong legal and institutional framework for Disaster Risk Management (DRM) at the National and County levels.

The National DRM Policy has been developed through a consultative process involving a cross-section of DRM stakeholders at all levels. Inputs, feedback and comments received from experts from various organizations and our partners have seen this DRM Policy aligned to the 2010 Constitution of Kenya.

In acknowledging the fact that DRM is everybody's business, and a responsibility of a wide and diverse range of stakeholders and practitioners, this Policy emphasizes the need for uniformity and co-ordination in approach, and the application of doctrines and principles as laid out in it. In this regard, the Policy calls for an integrated and coordinated approach for the two levels of governance, with emphasis on risk reduction as opposed to response to disasters. This Policy further emphasizes on the engagement of communities and public participation in its execution. Further to this, training, identification and selection of volunteers and awareness-raising on existing and emerging risks and hazards to the general public will be critical.

In pursuing the national objective on the implementation of Schedule 4 of the 2010 Constitution of Kenya on shared functions, it is expected that all the 47 County Governments shall develop their respective, and unique, DRM Policies and that this National Policy for DRM will be useful for reference and guidance.

I wish to appreciate the involvement, technical in-puts and guidance provided at every step of the development and review of this document by our partners. Their contribution formed a solid foundation for the National DRM Policy which will provide a basis for building the much-needed institutional capacity for reducing disaster risks and thereby minimizing disaster losses in human, economic, environmental and social assets in Kenya.



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EXECUTIVE SUMMARY

Kenya is one of the most disaster-prone countries in the Greater Horn of Africa. Kenya's development gains are under threat from increasing natural disasters. More than 70 per cent of natural disasters in Kenya result from extreme climatic events such as floods and droughts. An estimated 3 to 4 million Kenyans are affected annually by natural and human-made disasters that disrupt livelihoods and draw gains achieved in national development. The economic cost of floods and droughts is estimated to create a long-term fiscal liability equivalent to about 2.0 per cent to 2.4 per cent of GDP each year, or approximately US\$500 million per year.

The major hazards experienced in the country in the recent past include drought, floods, landslides, Road accidents, structural collapse, terrorism and Fires. Their magnitude, frequency, and impacts have become more severe in recent years. This is aggravated by climate change and human-induced factors. Droughts cost an estimated 8.0 per cent of GDP every five years. The cost of floods is estimated at 5.5 per cent of GDP every seven years. The number of landslides is reported to be increasing as forested lands are converted to agriculture, resulting in looser soils and fewer trees to slow the flow of water down slopes. Forest fires are an additional hazard influenced by climatic conditions.

National response to disaster risks has been reactive due to lack of an all-encompassing legal framework for DRM.

The aim of the DRM Policy is to “Build a safe and disaster-resilient nation through establishment of a robust Disaster Risk Management system that contributes to and protects the achievements of Kenya's national development”. The overall objective of the policy is to substantially reduce natural and human-induced disaster risk and associated losses in social, economic and environmental assets at National and County levels through the establishment of an integrated multi-hazard DRM approach.

To respond to this challenge, the Government of Kenya, with the support of development and Humanitarian partners and other stakeholders, has developed this Disaster Risk Management Policy.

To be effective this Policy is intended to achieve a participatory, impartial, transparent and useful DRM framework by providing for enactment of an enabling comprehensive legislative framework, which lays down the legal foundation for collaborative partnership in institutional participatory management of disasters, including mobilization of the essential wide range of resources necessary for management of all disasters. The Policy also recognizes the urgency to provide for effective management of the increasing disasters and risks in the Country by taking into account National, Regional and International frameworks and allows for the integration and mainstreaming of disaster risk management in all Sectoral planning and Development.

This Policy further proposes the establishment of a Disaster Risk Management Cadre to bring about professionalism and attract well-trained personnel in the field of DRM, and calls for continuous monitoring, evaluation, analysis, research, storage and application of an effective database for management of disasters in the Country.

This Policy is a seven-chapter document. Chapter 1 deals with the background and the rationale of the Policy, History of disasters in Kenya, the existing regional and global frameworks for DRR, types of risks and vulnerabilities, History of the Policy development process, purpose and DRM Policy objectives, the DRM Doctrine, the guiding principles and linkages with stakeholders. Chapter 2 discusses the situational analysis of disasters in the country, natural and man-made hazards that may develop into disasters, and challenges in addressing disasters in the country. Chapter 3 highlights Policy objectives and the strategies. Chapter 4 addresses institutional framework and existing Disaster Risk Management initiatives. Chapter 5 outlines decision making, co-ordination and funding mechanisms for DRM and levels of declaration of disasters. Chapter 6 is about other provisions in the Policy including non-discrimination, indemnity, international and national standards, accreditation, monitoring and transition, and Policy implementation and operationalization. Lastly, Chapter 7 highlights monitoring and evaluation of the DRM Policy implementation.

This Policy recognizes the need for periodic Policy reviews to ensure it remains relevant to changing needs.

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DEFINITIONS

DEFINITIONS OF KEY TERMINOLOGIES AS APPLIED IN THIS POLICY

“Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) event”: A term that refers to effects of unsafe storage or accidents involving CBRNE materials, or an attack or the threat of an attack posed by use of CBRNE materials by State and non-State actors (i.e. terrorists, radicalized individuals, extremists, and criminals).

“Climate Change”: A change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time period.

“Climate Change Adaptation”: Refers to adjustments in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts. It refers to changes in processes, practices, and structures to moderate potential damages or to benefit from opportunities associated with climate change.

“Contingency Planning”: A management process that analyses specific potential events or emerging situations that might threaten society or environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events and situations.

“Contingency fund”: Is a fund to meet some urgent or unforeseen expenditure of the government.

“DRM Platform”: A generic term for national mechanisms for coordination and policy guidance on disaster risk reduction that are multi-sectoral and inter-disciplinary in nature, with public, private and civil society participation involving all concerned entities within a country.

“Disaster”: A serious disruption of the functioning of a community or society causing widespread human, material, economic or environmental losses which exceed the ability of the affected community to cope using its own resources.

“Disaster Risk”: The potential disaster losses in lives, health status, livelihoods, assets and services that may occur to a community or society over a specified future time period.

“Disaster risk reduction (DRR)”: The concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and environment and improved preparedness for adverse events.

“Disaster Risk Management (DRM)”: Systematic process of using administrative directives organizations and operational skills and capacities to implement strategies, policies and improved coping capacities to lessen the adverse impacts of hazards and the possibility of disasters.

“Disaster Risk Management System”: A system of organizational structures, mechanisms and process, strategies, policies, procedures, programs, and other measures designed to prevent,

mitigate, prepare for, and respond to a disaster and to provide recovery and rehabilitation support.

“Early Warning”: The set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce possibility of harm or loss.

“Hazard”: A damaging physical event, phenomenon or human activity likely to cause the loss of life or injury or other impact, property damage, loss of livelihoods and services, social and economic disruption or environmental damage.

“Incident Command System (ICS)”: This is a standardized approach to the command, control, and coordination of emergency response providing a common hierarchy within which responders from multiple agencies can be effective.

“Mainstreaming”: Integrating and institutionalizing disaster risk management in the process of the development of policies and strategies, and in the planning and implementation stages of regular programs across all sectors and at all levels.

“Mitigation”: Structural and non-Structural measures undertaken to limit the adverse impact of natural hazards, environmental degradation and technological hazards. Examples of structural measures are engineering and hazard resistance-construction, while non-structural measures include awareness-raising, knowledge development, policies on land use and resource management, and facilities operating practices.

“Preparedness”: Pre-disaster activities that are undertaken within the context of disaster risk management and are based on sound risk analysis. This includes the development/enhancement of an overall preparedness strategy, policy, institutional structure, warning and structural capabilities and plans that define measures geared to helping at-risk communities safeguard their lives and assets by being alert to hazards and taking appropriate action in the face of an imminent threat or an actual disaster.

“Prevention”: Activities to provide outright avoidance of the adverse impacts of hazards and means to minimize related environmental, technological and biological disasters. Depending on social and technological feasibility and cost benefit considerations, investing in preventive measures is justified in areas frequently affected by disasters. In the context of public awareness and education related to disaster risk reduction, changing attitudes and behavior contribute to promoting a culture of prevention.

“Protection”: Measures that address threats to or the vulnerabilities of someone or something and preclude damage or injury that would cause disruption or interference with normal practices.

“Reconstruction”: Longer-term activities required to restore physical infrastructure and services damaged by a disaster.

“Recovery”: Restoration and improvement where appropriate of facilities livelihoods and living conditions of disaster affected communities including efforts’ to reduce disaster risk factors.

“Response”: The provision of emergency services and public assistance during or immediately after a disaster in order to save lives reduce health impacts, ensure public safety and meet the basic subsistence needs of the affected people.

“Rehabilitation”: The measures applied after a disaster which are necessary to restore normal activities and build resilience to future shocks in affected areas, communities, and economic sectors.

“Relief”: The provision of assistance or intervention during or immediately after a disaster to meet the life preservation and basic substance needs of those people affected. It can be of immediate, short term or protracted duration.

“Risk”: The combination of the probability of an event and its negative consequences.

“Risk Assessment”: The methodology used to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of vulnerability which may potentially harm exposed people, property, services, livelihoods and the environment.

“Sustainable development”: development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains two key concepts: the concept of "needs", in particular the essential needs of the world's poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs.

“Vulnerability”: Characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effect of a hazard.

ACRONYMS

AFRSDRR	-African Regional Strategy for Disaster Risk Reduction
ALRMP	-Arid Lands Resource Management Project
ASAL	-Arid and Semi-Arid Lands
CAK	-Communications Authority of Kenya.
CBDRM	-Community Based Disaster Risk Management
CBRNE	-Chemical, Biological, Radiological, Nuclear, and Explosive
CDF	-Constituency Development Fund
CIDPs	-County Integrated Development Fund
CSOs	-Civil Society Organizations
DRM	-Disaster Risk Management
DRR	-Disaster Risk Reduction
EMS	-Emergency Medical Services
GDP	-Gross Domestic Product
GoK	-Government of Kenya
HAZMAT	-Hazardous Material
HFA	-Hyogo Framework for Action
HIV/AIDS	-Human Immune-Deficiency Virus/Acquired Immune Deficiency Syndrome
IDPs	-Internally Displaced Persons
KFSM	-Kenya Food Security Meeting
KFSSG	-Kenya Food Security Steering Group
MDAs	-Ministries, Departments and Agencies
M&E	-Monitoring and Evaluation
MoSSP	-Ministry of State for Special Programs
NDOC	-National Disaster Operations Centre
NGOs	-Non-Governmental Organizations
UNDP	-United Nations Development Program
NDMA	-National Drought Management Authority
NDMU	-National Disaster Management Unit
NPDRM	-National Platform for Disaster Risk Management
NSAC	-National Security Advisory Committee
PDNA	-Post Disaster Needs Assessment
SAGAs	-Semi Autonomous Government Agencies
SOPs	-Standard Operating Procedures
SDGs	-Sustainable Development Goals
US	-United States
USD	-United States Dollars

CHAPTER ONE

1.0 INTRODUCTION

1.1 BACKGROUND AND RATIONALE

As an increasing number of people are being affected by natural hazards, there is growing recognition by governments and organizations that building resilient communities and reducing disaster risk is a core initiative. Over the decades, Disaster Risk Management has moved from a narrowly perceived technical discipline to a broad-based global movement focused on sustainable development.

According to the World Disasters Report 2016, the total number of disasters from 2006 to 2015 (10 years) was 6,090, out of which 3,754 were natural disasters and 2,336 were man-made disasters. Over the same period, there was minimal fluctuation, year-on-year, in the number of disasters that developed from both natural and man-made hazards. Further to the foregoing, the total number of deaths worldwide over the same period was 771,911 people, out of which 698,077 deaths arose from natural disasters and 73,834 deaths arose from man-made disasters. In Kenya, the total number of deaths that were attributed to both natural and man-made disasters from 2006 to 2015 was 1,726.

Disaster Risk Management includes the whole array of activities ranging from raising public awareness to relief work, rehabilitation, reconstruction and planning, and preparing for future disasters. It involves policy formulation, legislation, team formation and establishing institutional and logistical framework. Since disasters inflict all-dimensional damages, personnel from diverse professional backgrounds are required for their effective management. Disaster risk management should, therefore, be included in national development plans rather than divert resources earmarked for development when disasters occur.

Kenya has in the past applied global, regional and national instruments and conventions for Disaster Risk Management e.g. the Hyogo Framework for Action (HFA), the Sendai Framework for Disaster Risk Reduction and the African Regional Strategy for Disaster Risk Reduction (AFRSDRR).

1.2 TYPES OF HAZARDS IN KENYA

Kenya has over the years experienced both Natural and Man-made hazards. The mitigation of these hazards requires that coordinated and deliberate measures are put in place to address these events should they occur. These hazards include:

a. Geotectonic and Geomorphic hazards

These hazards are driven by the earth's internal energy including Earthquakes, Volcanoes and Tsunamis. Earthquakes and tremors in Kenya arise from movement along the geological faults in the East African Rift System.

b. Meteorological (Climate-related) hazards

These result from extreme climatic events including floods, landslides, lightning strikes and resulting fires, droughts, thunderstorms, hailstorms, sandstorms and frost.

c. Biological hazards

These include epidemic and epizootic diseases, proliferation of pests and parasites and invasion of areas by insects. Climatic factors and available food sources influence spread of biological hazards.

d. Technological hazards

These are risks originating from technological and industrial sites, accidents, infrastructure failures and improper waste management.

e. Environmental hazards

The major environmental hazards in Kenya include the following:

(1) Floods

These are naturally occurring flash, river and coastal inundation from intense rainfall associated with seasonal weather patterns. Floods are also induced by human activities interfering with wetlands, watersheds, drainage basins and floodplains. Flooding is a major hazard affecting many parts of Kenya and occurs cyclically. Floods occur as a result of deforestation, poor land use practices and lack of efficient water harvesting mechanisms within the catchment areas. In addition, the country experiences flash floods which normally occur following torrential rains, mainly in urban areas and, to some extent, in arid and semi-arid areas (ASAL). These floods are occasioned by sudden accumulation of water as a result of clogging of drainage systems or lack of proper drainage systems.

(2) Landslides

This is the down-slope transport of soil and rock resulting from naturally occurring vibrations, changes in direct water content, removal of lateral support, loading with weight, and weathering, or human manipulation of water courses and slope composition. The situation is worsened by human activities such as clearing natural vegetation, quarrying, mining and construction. In the affected areas, damage caused includes loss of life, destruction of crops, human settlements and other infrastructure. Landslides in Kenya are common in Central, and Rift Valley regions.

(3) Lightning

This is a natural hazard caused by the discharge of static electricity generated in storm clouds. The adverse effects include loss of life, destruction of buildings, telecommunications, power installations and electronic systems among others. In Kenya, lightning is prevalent in Kisii highlands, Nandi Hills, Kitale and Kakamega.

(4) Earthquakes

This is the sudden and violent shaking of the ground, sometimes causing great destruction, as a result of movements within the earth's crust or volcanic action. The Rift Valley, which is one of the most earthquake-prone areas of the world, runs through Kenya. In particular, the areas around Lodwar, Nakuru, Naivasha and Kilimanjaro are prone to volcanic activity and earthquakes. The likely damage includes loss of life, adverse impact on environment, and destruction of infrastructure.

(5) Droughts

These are harsh climatic conditions due to rainfall deficit as a result of human-induced changes in land use, higher sea surface temperatures, increase of atmospheric carbon dioxide and greenhouse gases. In Kenya, droughts have led to high mortality rate of livestock and wildlife thereby negatively impacting the economy, power rationing, water deficiency and, more significantly, the livelihoods of pastoral and agricultural communities. Droughts have also exacerbated resource-based conflicts between communities.

(6) Pest Infestation

Pest infestation refers to an increase in pest numbers due to a combination of ecological factors. These include; temperature, crop monoculture, introduction of plants to new locations, introduction of pest species, overcoming of genetic resistance in hosts, overcoming pesticide effects, conducive weather patterns, and migration. In Kenya, incidents of pest infestation have included locusts, army worms, and quails, which cause great destruction to crops and vegetation.

(7) Chemical and Industrial Accidents

These hazards have taken many forms such as: (a) explosions and accidental discharges in plants or storage facilities handling toxic and flammable substances; (b) accidents during transportation of hazardous and toxic chemicals; (c) contamination of food or the environment by misuse of chemicals; (d) improper waste management of toxic chemicals; (e) technological system failures; (f) failures of plant safety designs; (g) natural hazards such as fire; (h) earthquakes or landslides, and; (i) arson or sabotage incidents affecting human installations.

The promotion of public safety within the realms of building and construction, transport, industries, public sector, educational institutions and other key sectors should be given priority to reduce the adverse effects and impacts of these accidents.

(8) Epidemics

This results from the exposure to a toxin resulting in a pronounced rise in number of cases of parasitic or infectious origin. Epidemics spread due to poor sanitary conditions, crowding, poverty, ecological changes that favour breeding of vectors, non-immune persons migrating to endemic disease areas, decline in nutritional status and contamination of water or food supply. The disease outbreaks associated with epidemics have led to illness and death, social and political disruption, economic loss and increased trauma in emergency settlements.

f. Radiological, Nuclear and Explosives

Radiological hazards relate to contamination by radiological isotopes and usually result from unsafe storage of the radiological isotopes or nuclear accidents. Industries, medical and Research Institutions, Military weaponry, as well as food supplies are frequently the sources of contamination. Radiological hazards are usually fatal to those exposed to them.

g. Civil disorder/unrest

Civil disorders/unrest is becoming common in all sectors due to the current politico-socio-economic challenges e.g. political grievances, economic disputes and social discord.

1.3 HISTORY

Historically, Disaster Risk Management in Kenya was not viewed as an integral part of development planning, implying that disasters were responded to in an ad hoc manner when they occurred. It was only after the November/December 1997 El Niño floods in Kenya, and the 1998 US Embassy bombing events that the National Disaster Operations Centre (NDOC) was set up to monitor, co-ordinate, mobilize resources and respond to emergencies and disasters.

The severe droughts in Kenya in 1999-2001 gave rise to various initiatives such as the Kenya Food Security Meeting, Kenya Food Security Steering Group and the Arid Lands Resource Management Project (ALRMP). The Ministry of Interior and Coordination of National Government together with the State Department for Special Programmes have been responsible for administering and coordinating disaster risk management activities in Kenya, including operating an Early Warning System. Further to the foregoing, other line Ministries have pursued a wide range of strategies and programs to prevent and respond to disasters under their institutional mandates. The Government of Kenya has developed specific policies touching on the perennial disasters facing the country and drawn strategies and plans of action to tackle them.

Kenya's preparedness and response to disasters has been challenged by capacity and has been reactive rather than pro-active. There are various institutions dealing with disaster-related activities, but they do not work within a co-ordinated framework. These include various line Ministries, Departments and Agencies (MDAs), specialized Semi-Autonomous Government Agencies (SAGAs) and County Governments. Some of the agencies created include the National Disaster Operations Centre, the National Drought Management Authority, and the State Department of Special Programmes.

The development of this Disaster Risk Management Policy recognizes the importance of effective co-ordination and communication at all levels and among all participating institutions. It emphasizes the need to build capacity to respond to disasters and establish the institutional framework that enhances co-ordination.

1.4 POLICY DEVELOPMENT PROCESS

In 1997/1998, the El Niño rains phenomenon and the "Bomb Blast" incident at the USA Embassy in Nairobi on 7th August 1998 triggered the Policy drafting process. The Government in consultation with civil societies, academia, and UN and development partners agreed on the content of the draft Policy in early 1999.

In 2000, the first draft of the Policy was submitted to the Departmental Committee on Labour and Social Welfare which directed that the issues of climate change be included. The playing field changed in 2002 because of the impending General Elections which were seen as a priority and as such the policy development process was put on hold.

In 2003, after the General Elections the first draft of the Policy which included the chapter on climate change was re-submitted to the Cabinet Sub-Committee. It was the Committee's position that issues on social protection were missing and therefore required to be included. In 2004, issues on social protection were captured and this revised draft was re-submitted before the same Cabinet Sub-Committee. It was however not possible to have the same forwarded to the full Cabinet Committee since the momentum for the 2005 National Referendum on the Constitution had picked up.

After the Referendum in 2005, the Cabinet Sub-Committee on Humanitarian Affairs directed the concerned line Ministry to submit the DRM draft policy. However, due to the impending 2007 General Elections, this draft was not deliberated on.

In 2008 after the General Elections, the Government's priority shifted to addressing issues arising from the Post 2007/2008 election violence which included reconciliation and resettlement of IDPs. Some Members of Parliament also wanted to table the document as a Private Member's Bill, but they were prevailed upon by the then Minister not to do so with the promise that the Government would table the Bill in Parliament. Once again, this was not to be.

Subsequently, stakeholders were consulted on new and emerging issues in Disaster Risk Management. Oxfam G.B. stepped up and funded countrywide consultations on improving the draft Policy. Following these consultations, it was recommended that a National Disaster Management Authority be created to coordinate Disaster Risk Management in the country.

However, the Government advised against creating an Authority and advocated for the Ministry of State for Special Programmes (MOSSP) to undertake the functions of the proposed Authority through its Directorates. This culminated in the draft being returned for review once more.

In 2010, Kenya promulgated the new Constitution which provided that all existing and new policies were to be drafted within the parameters of the new Constitution taking into cognizance issues around the Bill of Rights and devolved system of governance. Indeed, the draft Policy was realigned to the Constitution in February 2011.

In March 2011, the draft Policy was re-submitted to the Departmental Committee on Labour and Social Welfare and the same was approved for submission to the Cabinet. However, the Calendars of the Cabinet and Parliament were not opportune owing to timelines on passing of Bills for implementation of the Constitution before the 2013 General Elections.

In June 2013, it became necessary to have the draft Policy revised after certain line Ministries were merged under the new political dispensation.

In 2016, there was need to update the draft Policy and align it with the draft Disaster Risk Management Legislative Proposal. Stakeholders got together and aligned the Policy document with the draft Legislative Proposal.

1.5 PURPOSE AND SCOPE OF THE POLICY

This Policy is informed by the need for a strategic approach to develop sustained, committed and concerted efforts with regard to Disaster Risk Management. This policy will provide national guidance in Disaster Risk Management in the country and a paradigm shift from response to risk management.

This Policy therefore aims to create an integrated and co-ordinated Disaster Risk Management system that focuses on preventing or reducing the risk of disasters, mitigating the severity of disasters, enhancing preparedness, rapid and effective response to disasters, and post- disaster recovery.

This Policy applies to all State and non-State actors.

1.6 OBJECTIVES OF THE POLICY

The key objectives of this Policy are:

- a. Establish and strengthen institutional mechanisms and capacities for Disaster Risk Management.
- b. Reduce disaster risks and vulnerabilities at County and National levels.

- c. Mainstream Disaster Risk Management (DRM) into sustainable development policies, strategies and plans at all levels and within and across all sectors.
- d. Enhance resilience at the County and National levels to the impacts of disaster risks and climate change.
- e. Enhance effective and coordinated disaster preparedness, prevention, response, mitigation, and recovery.

1.7 DRM DOCTRINE

This Policy is based on widely accepted best practices of the international community for effective disaster risk management. The following critical elements make up the foundational doctrine of the Policy:

1.7.1 Comprehensive Disaster Risk Management

Comprehensive and integrated disaster risk management promotes a holistic approach which gives appropriate attention and resources to all phases of a continuum which includes prevention, preparedness, response and recovery. While disaster prevention is the paramount objective, this policy accepts that, for the foreseeable future, disasters will continue to impact Kenyan society and therefore all possible measures should be taken to prepare the people of Kenya and improve readiness for effective and fast response, and plan for rapid recovery.

All mechanisms including plans and institutional, human and financial resources should be developed while ensuring the preservation of maximum flexibility, adaptability and scalability, thereby increasing capacity to meet difficult-to-predict needs. From within the significant network of Kenyan government, civil society, private sector and international partners, the skills and resources required to prevent, prepare for, respond to and recover from disasters can be mobilized to effectively meet these challenges.

1.7.2 All Hazards Approach

This over-arching National Disaster Risk Management Policy takes an “all hazards” approach, which means that the institutions, coordination mechanisms, processes and principles provided for hereunder strive to be relevant for any type of hazard or disaster scenario that may affect the Kenyan people. An “all-hazards” approach focuses on establishing lasting institutions and mechanisms that can be flexibly applied to any current or developing emergency.

While this Policy does not focus on hazard-specific scenarios and risks, it does appreciate the importance of hazard and scenario specific Policy development and contingency planning. Such specific contingency planning and preparedness activities are valuable both in assuring readiness and in identifying particular Incident Command and coordination networks. These Policies should be developed by the over-arching institutions and networks provided for in the Policy as part of its implementation.

1.7.3 Subsidiarity and Tiered Response System

The basic principle of “Subsidiarity” requires that functions and actions should be undertaken at the lowest or least centralized competent level possible. The concept of “Tiered Response” suggests that disaster response is by default always handled first by the directly impacted community and families, then the local governments and organizations. When response-needs exceed local capacity, then the next highest level assumes responsibility for response up to the level of international support. Coupled with a system for declaring a disaster and categorizing it based on the level of assessed needs and damages, these principles suggest that in the context of Kenya Disaster Risk Management, the system should seek to delegate authority to the least centralized level that has the capacity to respond to needs. These principles are further incorporated into the institutional framework and risk reduction/response functions/sections of this Policy and should be further detailed in terms of Incident Command within the national disaster response plan and detailed contingency plans.

1.8 GUIDING PRINCIPLES

The implementation of this Policy will be guided by the following principles:

- a. This Policy will be guided by the Constitution of Kenya, 2010.
- b. This Policy will also be guided by Humanitarian principles and Bill of Rights.
- c. Multi-disciplinary and multi-sectoral approach. Disasters cut across disciplines and sectors, therefore the government will promote adoption of an inclusive multi-disciplinary and multi-sectoral approach.
- d. Disaster Risk Management is a sustainable development issue which requires a coordinated and collaborative approach in addressing social, economic, and environmental goals, and fundamentally involves supporting communities in understanding and managing the hazards and disasters affecting them.
- e. Effective Disaster Risk Management requires a strong governance framework with clear policies and legislation, accountability, institutional and organizational arrangements and connections across and within levels of government, sectors and communities.
- f. Disaster Risk Management addresses all hazards and comprises disaster risk reduction, which includes prevention, mitigation and adaptation, and disaster management.
- g. Integrating Disaster Risk Management and capacity development into national planning and budgetary processes, County plans and community development plans, is essential in enhancing sustainable national development.

- h. The need to conduct risk assessment for specific hazards to inform on decisions relating to prevention, mitigation, response and recovery, and adoption of regulatory and incentive-based disaster risk management instruments.
- i. Promoting and creating, public, private and community partnerships for Disaster Risk Management.
- j. Empowering communities to address their risks, building capacities, knowledge (traditional and scientific) and implementing disaster risk management strategies.
- k. Gender-mainstreaming as a core factor in Disaster Risk Management.

1.9 KEY POLICY CHANGES

The 2010 Constitution of Kenya provides the role of the National Government and that of Counties in Disaster Management. It is the responsibility of the National Assembly to legislate and to provide institutional framework to actualize the Constitutional requirement in Schedule 4 of the Constitution of Kenya.

1.10 LINKAGE WITH STAKEHOLDERS

The Government shall continue to play the lead role in formulating strategic plans in Disaster Risk Management, building partnerships among stakeholders and ensuring availability of resources. In addition, Government must play a key role in the participatory partnership with development partners, international agencies, CSOs and other bodies in equivalent efforts of DRM. The contribution of these Stakeholders has been invaluable, and the Government will continue to encourage this collaboration and partnerships for the purposes of realizing synergies, providing linkages, promoting trust, goodwill and ownership of the Disaster Management System among all stakeholders.

CHAPTER TWO

2.0 SITUATION ANALYSIS

2.1 INTRODUCTION

Kenya, like any other country in the world, is exposed and prone to disasters. Kenya's development gains have been under threat from increasing numbers of disasters. An estimated 3 to 4 million Kenyans are affected annually by disasters that disrupt livelihoods. Funds that are initially set aside for development are diverted to address the disaster impacts. Over the years, disasters in Kenya have resulted in human suffering due to minimal or lack of preventive and mitigating measures in place to minimize their effects. Additionally, this has had a far-reaching impact on the country's GDP and achievements towards Kenya Vision 2030, Sustainable Development Goals (SDGs), and AU Agenda 2063.

2.2 NATURAL AND MAN-MADE HAZARDS

Some of the natural and human-induced hazards that the country experiences include, but are not limited to, drought, floods, landslides, human and animal diseases, pests, earthquakes, and urban and forest fires. Human induced disasters such as terrorism, transportation accidents, structural collapse, urban fires, conflicts, civil unrest, and industrial accidents are also frequent. These hazards are associated with the country's diverse geo-climatic and socio-economic conditions. As much as Kenya tries to contend with them, especially drought and floods which are the most common in the country, their magnitudes, frequencies, and impacts have become more severe.

2.2.1 NATURAL HAZARDS

a. Drought and Floods

According to the World Disaster Report 2016, a total of 228,865 people were affected by drought in Africa from 2006 to 2015. In Kenya, major droughts occur cyclically approximately every 10 years, while moderate droughts occur every three to four years. Droughts cost an estimated 8.0 per cent of Kenya's GDP every five years.

In 2011, three quarters of the country was affected by drought. Approximately 4 million Kenyans in the then North Eastern, Rift Valley, Eastern and Coastal Provinces were affected with at least 2.2 million of them requiring food assistance. According to the Post Disaster Needs Assessment (PDNA) report prepared by the Kenya Government with technical and financial support from the World Bank, UNDP and European Commission, the overall cost of the 2008-2011 drought in Kenya was estimated at USD 12.1 billion, which includes USD 805.6 million for destruction of physical and durable assets, and USD 11.3 billion for losses in the economy across all sectors. The net effects translate to 2.8% loss of Kenya's GDP.

On 10 February 2017, a National Drought Emergency was declared in Kenya. The number of food insecure people in the country stood at 2.7m. As at end of May 2017, 1.2m children were in need of education assistance and 2.9m people required life-saving medical interventions.

This Policy takes cognizance of the efforts to tackle drought and especially “Ending Drought Emergencies” in Kenya being undertaken by other agencies and arms of Government and encourages the development of sector Policies to address specific hazards.

Major floods in Kenya occurred in 1961, 1997–1998, 2006 (which affected an estimated 723,000 people), and 2013 (El Niño). Specifically, between 1997 and 2017, Kenya recorded 563 deaths as a result of floods. The cost of floods is estimated at 5.5 per cent of Kenya’s GDP every seven years. The floods of 1997-1998 affected approximately 1.0 million people and resulted in an economic loss of approximately US \$0.8 billion to US \$1.2 billion due to damage to infrastructure, public health impacts and crop losses. Only about one-eighth (or US \$100 million) of the infrastructure damaged by this event was replaced, suggesting a long-term negative impact on Kenya’s development. Floods seasonally affect parts of Nyanza and Western regions, especially around the Lake Victoria Basin, as well as the Tana River drainage basin and coastal settlements. The ASALs also periodically experience flash floods.

Collectively, the economic cost of floods and droughts is estimated to create a long-term fiscal liability equivalent to about 2.0 per cent to 2.4 per cent of Kenya’s GDP each year, or approximately US\$ 500 million per year.

b. Landslides

Landslides occur mostly during the rainy season and are associated with floods. This is particularly a concern in regions of the country with steep slopes and annual rainfall of over 1,200 millimeters such as Central, parts of the Coast, Western, Nyanza and the North Rift Valley. The number of landslides is reported to be increasing as forested lands are converted to agriculture, resulting in looser soils and fewer trees to slow the flow of water down slopes. Forest fires are an additional hazard influenced by climatic conditions. Since about 1990, Kenya has lost an average of more than 5,700 hectares of forested land per year to forest fires.

c. Disease outbreaks and epidemics

Kenya is also at risk to disease outbreaks. In addition to periodic or seasonal outbreaks of endemic disease such as Cholera, Malaria, Meningitis and Typhoid, HIV/AIDS has remained at national crisis levels since being declared a national disaster in 1999. With regional and global transportation hubs in both Mombasa and Nairobi, the vibrant tourism, international business and humanitarian organizations headquartered here, Kenya is particularly vulnerable to growing global threats caused by other pandemics including Avian Flu and H1N1 virus.

d. Earthquakes

Earthquakes and tremors arise from movement along the geological faults in the East African Rift Valley System. Kenya lies along the Great Rift Valley which makes it vulnerable to earthquakes and tremors. Kenya has potential epicenters such as Mt. Kenya, Mt. Elgon, Mt. Longonot and Mt. Menengai.

2.2.2 MAN-MADE HAZARDS

Human-induced disasters are the consequence of technological hazards. Examples include fires, transport accidents, industrial accidents, oil spills and nuclear explosions/radiation. War and deliberate attacks may also be put in this category. Terrorism is classified as a man-made hazard that may apply use of technology for mass casualties. Detailed human-induced disasters are as tabulated below:

a. Fires

Kenya experiences numerous fire incidents which have occasioned great loss of resources and human suffering. Fire disasters arise mainly from natural causes, negligence, civil disorder, accidents and enemy action. The incidences continue to be reported daily in major urban areas. The Nairobi City Fire and Rescue Department, for example, receives about 300 distress calls per month, which translate to 10 reported fire incidents a day. Statistics available indicate that the City of Nairobi has experienced the worst effects of domestic fire outbreaks. Fire incidences, especially in urban centers, call for budgetary allocations to modernize the fire equipment and operations in the Country. This Policy advocates for well-equipped fire departments with qualified and trained personnel.

Forest fires also continue to be reported in most parts of the country. Their occurrence, for example in the dry spell of 2010/2011, resulted in the damage of 5,403.5 hectares of indigenous forests plantation, grass and shrubs. The impact of forest fires is amplified by drought.

b. Poor Agricultural and Environmental Practices

Poorly managed agricultural and environmental practices including overgrazing, deforestation, irrigation and mining of natural resources have left fragile eco-systems even more vulnerable.

c. Technological accidents

(1) Road Traffic Accidents

Approximately 3000 Kenyans lose their lives in road traffic crashes every year. The majority of these people are vulnerable road users, pedestrians, motorcyclists, and cyclists. In addition, nearly one-third of deaths are among passengers – many of whom are killed in unsafe forms of public transportation. Kenya has identified five key road safety risk factors: speeding, drunk-driving, non-use of helmets,

non-use of seat-belts and the absence of child restraints. The most successful ways of reducing the number of road traffic deaths is by improving legislation, enforcement, and making roads and vehicles safer for all.

There is generally an increase in incidents of morbidity and mortality rates of road traffic accidents, especially during festive seasons in the country. The majority of mortalities and morbidities occur in our major towns and along the highways. Road traffic accidents lead to death and disability as well as financial cost to both society and the individuals involved. The causes of road traffic accidents are not just human error, or driver negligence, but are multi-factorial. These factors can be divided broadly into driver-factors, vehicle-factors, roadway-factors, or a combination of these factors.

Driver-factors in road traffic accidents are all factors related to drivers and other road users. These may include driver behavior, visual and auditory acuity, decision-making ability and reaction speed. Drug and alcohol use while driving is an obvious predictor of road traffic accidents, road traffic injury, and death.

Road traffic accidents in the country have not received the attention warranted. There is need to review this issue, which calls for urgent attention with an aim to reduce fatalities, health, social and economic impacts. This Policy calls for a review of the traffic rules and regulations.

(2) Maritime Accidents

Marine accidents occur in the water surface areas when being used for transport of goods and services. The oceanic area is very vast and therefore the variations in accidents are also numerous. The effects of the occurrences of marine accidents affect human beings, marine creatures, and the marine environment and ecosystem. The occurrences of marine accidents include oil spills and oil rig accidents, cruise vessel mishaps, fishing vessels accidents and accidents on crude oil tankers and cargo ships among others.

(3) Hazardous Materials Incidents

Hazardous Materials (HAZMAT) are defined as substances that have the potential to harm a person or the environment upon contact. These can be gases, liquids, or solids and include radioactive and chemical materials. Hazardous materials incidents (e.g. CBRNE events) in various forms can cause death, serious injury, long-lasting health effects and damage to buildings, homes and other property. Many products containing hazardous chemicals are used and stored in homes routinely. These products are also shipped daily on our roads, railways, sea and pipelines.

Chemical manufacturers are one source of hazardous materials, but there are many others, including service stations, hospitals and hazardous materials waste sites. Hazardous materials come in the form of explosives, flammable and combustible substances, poisons and radioactive materials. These substances are

most often released as a result of transportation accidents or because of chemical accidents in plants.

Most hospitals in the country lack plans or facilities for attending to patients exposed to hazardous materials. This Policy calls for hospitals to participate in the planning and care for persons exposed to hazardous materials and to train and provide protection for employees who may be exposed while providing medical care.

(4) Structural Collapse

Structural collapse occurs when developers and individuals fail to adhere to the laid-out building codes, rules and regulations set out for the built-environment. Structural collapse is mainly found in the large urban centers and towns. The cases of poor workmanship, wrong mixture and ratio of materials, building in riparian areas, corruption, failure to observe cure period for slabs, all lead to structural collapse which claims many lives and damage and loss of property. The need for supervising the professional bodies concerned with the built-environment to enforce observance of rules and regulations in this industry is paramount.

(5) Air Accidents

Flight safety is important to avoid aircraft accidents that result in death to human beings, and loss and damage to equipment. Aircraft accidents can be reduced by strictly observing safety regulations and good maintenance of aircraft as well as obtaining proper professional training of crew operators and proper knowledge of emergency procedures

(6) Terrorism

Terrorism has emerged as one of the biggest causes of loss of lives among the man-made hazards that develop into disasters. Terrorist attacks have been witnessed in the major towns involving shopping malls, learning institutions, passenger buses and residential areas. These threats to internal security have caused enormous damages and re-allocation of developmental resources. This Policy is aimed at providing strategic guidelines and legal frameworks for addressing radicalization, religious extremism, and negative ethnicity to reduce terrorism cases.

(7) Piracy

Piracy has been one of the most common maritime threats experienced over the past decade and it's resurgence can not be ruled out. This Policy calls for frequent regional consultations among the East African Maritime States and partnerships with the international community in arriving at and implementing appropriate counter-piracy mitigation measures based on existing local and international Maritime laws.

2.3 CHALLENGES

a. Lack of institutional mechanism and capacities for DRM emerged as the leading threat

There are diverse agencies that exist at National Level to address DRM and these are: The National Disaster Operations Centre; The National Disaster Management Unit; The National Drought Management Authority and the State Department of Special Programmes. There is also an informal initiative known as the National Platform for Disaster Risk Management (NPDRM). However, these agencies and initiatives have different mandates, roles and responsibilities which are uncoordinated. In the event of a disaster, these agencies and initiatives respond as per their mandates and this poses a challenge in accountability for actions and resources. There is also lack of a unified communication channel amongst these agencies in managing disasters. There is no policy and legislative framework that imposes a duty on both the public and private sectors to promote Disaster Risk Management initiatives. There is no standardized DRM curriculum for the general public.

b. Increased disaster risk and vulnerabilities at local, County and National Level

Kenya lacks adequate and efficient disaster preparedness and response systems. There is a gap with regards to disaster contingency plans at all levels and appropriate activation mechanism. Kenya has not embraced adequate technology to generate early warnings. The country does not undertake periodic and research-driven hazard mapping. Political interference in high disaster risk prone areas has also impacted negatively on disaster preparedness and mitigation initiatives.

c. Unconventional approaches in dealing with DRM at all levels and within and across all sectors

Government, civil society and private sector actors need to improve their readiness for prevention, mitigation and response to disasters in support of creating a disaster resilient society. Institutional preparedness has not in the past been given adequate attention. There are no acceptable cross-cutting standard operating procedures in regard to Disaster Risk Management. This Policy advocates for community participation in Disaster Risk Management.

d. Low resilience at local, county and national level to the impacts of disaster risk and climate change

There is low investment in building resilient communities to cope with shocks of disasters, thereby resulting in slow recovery and reconstruction rates.

e. Ineffective and uncoordinated disaster preparedness, prevention, response, mitigation and recovery

The country lacks multi-sectoral systems, tools and mechanisms to facilitate timely and appropriate response. There is no structured mechanism in place to mobilize, store and distribute resources such as medical supplies, blood banks, food items, non-food items etc. There is no resource register in place. In addition, the country lacks a single data base listing technical and specialized human resource as well as trained volunteers.

f. Inadequate capacity in the existing institutions

(1) Human

To address inadequacy in the field of disaster risk management, this policy proposes the establishment of a Disaster Risk Management cadre to bring about professionalism and attract well-trained personnel in the field of DRM. This Policy further advocates for voluntarism in Disaster Risk Management.

(2) Equipment

There is need for the Government to heavily invest in equipment and machinery to reduce the workload, operational time and labour requirement in Disaster Risk Management. This Policy advocates for collaboration with the military and utilization of military support in DRM as may be necessary.

(3) Finance

Due to the nature of the DRM programs and activities, and the dynamic situations arising out of socio-economic, cultural and political challenges, there is need for the Government to provide finances through the normal budgetary allocations in addition to seeking financial support from donors and development partners to address the financial challenges.

CHAPTER THREE

3.0 POLICY OBJECTIVES AND STRATEGIES

3.1 INTRODUCTION

This Policy has identified diverse challenges which will be addressed through the effective application of the Policy strategies. The strategies identified in this chapter are drawn from international best practices that are domesticated to fit the Kenyan situation.

3.1.1 Policy Objective 1: Establish and strengthen institutional mechanisms and capacities for Disaster Risk Management.

Institutional building will seek to improve effectiveness and capacity of the DRM Framework in the Country. This will also ensure coordination of resources, human resource and all activities in the entire sphere of DRM.

a. Strategies:

- (1) Establish and strengthen institutional arrangements that will enable the operationalization and implementation of the DRM policy through legislation, integrated information management and communication for joint governments' DRM operations;
- (2) Establish/strengthen existing national disaster management centres to promote an integrated and coordinated system of Disaster Risk Management by establishing joint standards of practice between the different levels of government as well as between governments and relevant DRM stakeholders at all levels;
- (3) Conduct and review of comprehensive surveys on multi-hazard disaster risks and development of national disaster risk assessments and maps, including climate change scenarios;
- (4) Establish relevant systems for reporting, evaluating and disseminating early warnings to ensure that communities at risk are able to respond appropriately and take risk-avoidance measures when a disaster occurs or is threatening to occur in their areas;
- (5) Initiate, facilitate, promote and coordinate disaster risk management capacity building, education, training and research, with placing particular emphasis on the development of community awareness programs and promoting the establishment of mechanisms for creating public awareness to inculcate a culture of risk avoidance;

(6) Enhance the scientific and technical work on disaster risk management and its resource mobilization through the coordination of existing networks and scientific research institutions at all levels;

(7) Implement measures to develop progressive risk profiles to inform the IDP processes of municipalities for the purposes of disaster risk reduction and to determine the effectiveness of specific disaster risk reduction programs and projects undertaken;

(8) Facilitate the development, implementation and maintenance of disaster risk reduction strategies that will result in resilient areas, communities, households and individuals;

(9) Monitor the integration of disaster risk reduction initiatives with development plans. Strengthen existing dialogue and cooperation among scientific and technological communities, other relevant stakeholders and policymakers in order to facilitate a science- policy interface for effective decision-making in disaster risk management;

(10) Promote the use of traditional, indigenous and local knowledge and practices, as appropriate; to complement scientific knowledge in disaster risk management to apply relevant methodologies and models to assess disaster risks, vulnerabilities and exposure to all hazards;

(11) Enhance the development and dissemination of science-based methodologies and tools to record and share disaster losses and relevant disaggregated data and statistics, as well as to strengthen disaster risk modeling, assessment, mapping, monitoring and multi-hazard early warning systems;

(12) Promote common efforts in partnership with the scientific and technological community, academia, communities and the private sector to establish, disseminate and share good practices internationally;

3.1.2 Policy Objective 2: Reduce disaster risk and vulnerabilities at local, county and national level.

Reduction of disaster risks and vulnerabilities should be based on understanding all dimensions of disaster risk and building capacities of all actors and institutions. This will ensure creation, development and implementation of appropriate preparedness and effective response to disasters.

a. Strategies:

(1) Build knowledge and technical capacities of government officials at all levels and local actors to identify and assess disaster risks, vulnerabilities and exposure to all hazards;

- (2) Establish/strengthen baselines and periodically assess disaster risks, vulnerability, capacity, hazard characteristics and their possible effects/impacts;
- (3) Develop, periodically update and disseminate disaster risk information including risk maps to decision makers, the general public and communities at risk of exposure to disaster in an appropriate format;
- (4) Support the development and regularly review/update guidelines and tools for risk analysis and for assessing disaster impacts;
- (5) Develop systems of indicators of disaster risk and vulnerability at national and sub-national scales that will enable decision-makers to assess the impact of disasters on social, economic and environmental conditions and disseminate the results to decision makers, the public and populations at risk;
- (6) Develop, maintain and strengthen people centered multi-hazard, multi-sectoral forecasting and early warning system;
- (g) Establish, periodically review, and maintain information systems as part of early warning systems with a view to ensuring that rapid and coordinated action is taken in cases of alert/emergency;

3.1.3 Policy Objective 3: Mainstream Disaster Risk Management (DRM) into sustainable development policies, strategies and plans at all levels and within and across all sectors.

Mainstreaming disaster risk reduction is a process of integrating risk reduction considerations into development and humanitarian action including Policy-making, in planning & designing interventions, budgeting, implementation, monitoring and reporting process at all levels. Mainstreaming will achieve two key objectives, first to ensure that necessary measures are in place to protect development from disaster risk and secondly to guard and ensure that development programmes do not inadvertently create new vulnerabilities.

a. Strategies:

- (1) Development of DRM mainstreaming guidelines and sector specific checklist to support in the main-streaming process;
- (2) Support in the integration of disaster risk management measures in Kenya's development plans and budgets including medium term development strategies and County Integrated Development Plans (CIDPs). This may include, but is not limited to integration of vulnerability and risk assessment into the country's development planning process, capacity development of planners, County government and relevant stakeholders as well as development of hazard maps;
- (3) Support in the establishment or strengthening of DRM focal points in different Ministries, sectors and at County levels, their roles and responsibilities;

- (4) Develop a DRM capacity strengthening programs for Ministries, Counties and non-state actors through the formulation of standardized training manuals and SOPs;
- (5) Promote the participation of communities in DRM measures including strengthening of CBDRM and community representation at decision making levels as well as resilience building measures;
- (6) Support to Counties to develop DRM policies and strategies and integrate them into their CIDPs;

3.1.4 Policy Objective 4: Enhance resilience at the Local, County, and National level to the impacts of disaster risk and climate change.

This Policy objective stresses on the need for communities to take initiatives as early as possible in addressing and mitigating on the risks and vulnerabilities that exist in their localities thereby making a paradigm shift from response to risk reduction so as to create resilience.

a. Strategies:

- (1) To allocate the necessary resources at all levels of administration for the development and implementation of disaster risk reduction strategies, policies, plans laws and regulations in all relevant sectors;
- (2) To promote mechanisms for disaster risk transfer and insurance, risk-sharing and retention and financial protection, for both public and private investment in order to reduce the financial impact of disasters on Governments and societies, in urban and rural areas;
- (3) To promote the main-streaming of disaster risk assessments into land-use Policy development and implementation;
- (4) To promote disaster risk resilience of work-places through structural and non-structural measures;
- (5) To strengthen disaster-resilient public and private investments, particularly through structural, non-structural and functional disaster risk prevention and reduction measures in critical facilities.
- (6) To strengthen the protection of livelihoods and productive assets, including livestock, working animals, tools and seeds;
- (7) To ensure the dissemination of climate change information;
- (8) To protect or support the protection of cultural and collecting institutions and other sites of historical, cultural heritage and religious interest;

- (9) To enhance the resilience of national health systems, including by integrating disaster risk management into primary, secondary and tertiary health care, especially at the local level;
- (10) To strengthen the design and implementation of inclusive policies and social safety-net mechanisms;
- (11) To promote the main-streaming of disaster risk assessment, mapping and management into rural development planning;
- (12) To strengthen the sustainable use and management of ecosystems and implement integrated environmental and natural resource management approaches that incorporate disaster risk reduction;
- (13) To encourage the revision of existing or the development of new building codes and standards and rehabilitation and reconstruction practices at the national or local levels with the aim of making them more applicable within the local context;
- (14) To encourage the adoption of policies and programs addressing disaster-induced human mobility to strengthen the resilience of affected people and that of host communities, in accordance with national laws and circumstances;
- (15) To promote and integrate Disaster Risk Management approaches throughout the tourism industry, given the often heavy reliance on tourism as a key economic driver;
- (16) To increase business resilience and protection of livelihoods and productive assets throughout the supply chains, ensure continuity of services and integrate disaster risk management into business models and practices;
- (17) To ensure that people with life-threatening and chronic disease, due to their particular needs, are included in the design of policies and plans to manage their risks before, during and after disasters, including having access to life-saving services;
- (18) To promote the integration of disaster risk reduction considerations and measures in financial and fiscal instruments;

3.1.5 Policy Objective 5: Enhance effective and coordinated disaster preparedness, prevention, response, mitigation, and recovery

The ever increasing disaster risks, translates to increased exposure to communities people and assets. Integrating disaster risk reduction at all levels from local to national and across all sectors will enhance preparedness and consequently response following any disaster.

a. Strategies:

- (1) To prepare or review and periodically update disaster preparedness and contingency Policies, plans and programs with the involvement of the relevant institutions;
- (2) To invest in, develop, maintain and strengthen people-centered multi-hazard, multi-sectoral forecasting and early warning systems, disaster risk and emergency communications mechanisms, social technologies and hazard-monitoring telecommunications systems;
- (3) To promote the resilience of new and existing critical infrastructure, including water, transportation and telecommunications infrastructure, educational facilities, hospitals and other health facilities, to ensure that they remain safe, effective and operational during and after disasters in order to provide live-saving and essential services;
- (4) To establish community centres for the promotion of public awareness and the stockpiling of necessary materials to implement rescue and relief activities;
- (5) To establish or strengthen coordination and funding mechanisms and procedures for relief assistance and plan and prepare for post-disaster recovery and reconstruction;
- (6) To train the existing workforce and voluntary workers in disaster response and strengthen technical and logistical capacities to ensure better response in emergencies;
- (7) To ensure the continuity of operations and planning, including social and economic recovery, and the provision of basic services in the post-disaster phase;
- (8) To promote regular disaster preparedness, response and recovery exercises, including evacuation drills, training and the establishment of area-based support systems, with a view to ensuring rapid and effective response to disasters and related displacement;
- (9) To promote the cooperation of diverse institutions, multiple authorities and related stakeholders at all levels, including affected communities and business, in view of the complex and costly nature of post-disaster reconstruction, under the coordination of national authorities;
- (10) To develop guidance for preparedness for disaster reconstruction, such as on land-use planning and structural standards improvement, including by learning from the recovery and reconstruction programs over time;
- (11) To strengthen the capacity of local authorities to evacuate persons living in disaster-prone areas;

(12) To establish a mechanism of case registry and a database of mortality caused by disaster in order to improve the prevention of morbidity and mortality;

(13) To enhance recovery schemes to provide psychosocial support and mental health services for all people in need;

(14) To review and strengthen, as appropriate, national laws and procedures on international co-operation;

CHAPTER FOUR

4.0 INSTITUTIONAL FRAMEWORK

4.1 INTRODUCTION

This Policy has reiterated the establishment and strengthening of institutional mechanisms and capacities as a key policy objective. Indeed, the Policy recognizes that Disaster Risk Management is a shared function between the National and County governments as enshrined within the Fourth Schedule of the Constitution of Kenya.

Currently, the legislative and institutional framework on Disaster Risk Management is fragmented, uncoordinated and many of the institutional mandates overlap. Aside from the National Disaster Response Plan, there is no single or series of laws or regulations pertaining specifically to Disaster Risk Management, but rather a series of sectoral Acts, Regulations and Rules that support Disaster Risk Management.

4.1.1 EXISTING DISASTER RISK MANAGEMENT INITIATIVES

The following initiatives exist at National level:

- a. The National Disaster Operations Centre (NDOC), which was established in 1998 as a Department within the Ministry of State for Provincial Administration and Internal Security, Office of the President. This was after the El Nino rains and in the wake of the US Embassy bomb blast in Nairobi. The NDOC monitors emergencies, hazards, and disasters, mobilizes resources to respond to disasters, co-ordinates response to emergencies and disasters, and carries out Disaster Risk Reduction.
- b. The National Disaster Management Unit (NDMU), which is an inter-agency Unit that plays a lead role in the management of emergencies and disasters in Kenya.
- c. The National Drought Management Authority (NDMA), which is a public body established by the National Drought Management Authority Act, 2016. It previously operated under the State Corporations Act (Cap 446) of the Laws of Kenya, by Legal Notice Number 171 of November 24, 2011.
- d. The National Platform for Disaster Risk Management (NPDRM), which is an informal team that brings together both State Actors and non-State Actors who have interests in disaster risk management. It has provided and continues to provide an opportunity for State, non-governmental, private and international institutions to participate in decision-making and consultation processes geared towards Disaster Risk Management.

e. In realizing one of the key objectives of this Policy, it is anticipated that this Policy will culminate in legislation which will institutionalize/create a body/institution that will coordinate the issues of DRM. This body will work with already existing institutions like the National Disaster Operations Centre, the National Drought Management Authority, and the National Disaster Management Unit. Since the County Governments have gone ahead and enacted legislation to handle Disaster Risk Management, they will be required to review and audit their existing legislation on Disaster Risk Management and re-develop legislation and Policies in line with this Policy and their mandate under the Constitution of Kenya.

CHAPTER FIVE

5.0 DECISION-MAKING, COORDINATION AND FUNDING MECHANISM

5.1 INTRODUCTION

This chapter of the Policy focuses on disaster declaration framework, Disaster Risk Management co-ordination in the Country, funding mechanisms and provisions, regional, International co-operation and agreements in Disaster Risk Management.

5.2 DECISION-MAKING

Disaster risk management requires a range of decision-making mechanisms and approaches to successfully prevent and minimize the effects of emergencies. Planning requires a participatory and consultative approach to build a high degree of confidence from all the stakeholders.

The planning and consultations should articulate clear decision-making outcome. Response operations require clear command and control decision-making systems based on pre-established standard operating procedures as well as the flexibility to rapidly adjust to changing events and circumstances. Recovery operations require a participatory decision-making process that ensures those affected by disasters regain ownership and influence over their recovery.

The Kenya Disaster Risk Reduction Strategy and National Disaster Response Plan 2009 and Standard Operating Procedures contain more detailed references on these.

5.2.1 LEVELS AND DECLARATION OF DISASTERS

Kenya's tiered disaster response system is based on the principle of Subsidiarity as articulated in Chapter 1 of this Policy. Figure 1 below shows the levels of disasters based on the impact, needs, capacities and requirements of different scales of disaster.

When a disaster is assessed to be at levels 3 or 4, the Principal Secretary responsible for Disaster Risk Management will advise and provide all the relevant information to the Cabinet Secretary, Ministry responsible for Disaster Risk Management. The Cabinet Secretary will upon certifying the situation at levels 3 or 4, through the National Security Advisory Committee (NSAC), advice and request His Excellency the President to declare a National Disaster.

Level 1	Localized emergency events dealt within the regular operating mode of the protective, emergency and health services in Villages, Wards and Sub-County
Level 2	Emergency events that overwhelm the capacity of the resources in Sub-County, but which do not overwhelm the capacity of the County resources to respond and recover
Level 3	Emergency events that overwhelm a County and require mobilizing national resources to respond and recover
Level 4	Emergency events that overwhelms the existing National response capacity, thus prompting the President to seek Regional/International assistance to support the country in response and recovery

Figure 1: Levels and Declaration of Disasters

5.2.2 CO-ORDINATION

Co-ordination, combined with good communication, is essential for successful disaster risk management and response operations. In the context of disaster risk management, co-ordination may be defined as bringing together the different elements of a complex activity or organization into a harmonious and efficient relationship that negotiates with others in order to work together effectively for the benefit of those affected by the hazard. Co-ordination should be participatory, impartial and transparent.

The basis for coordination will be to promote a culture of well-structured DRM systems and tools, supported and managed by carefully selected and trained human resources provided with appropriate, well sourced material and equipment. Coordination will promote transparent inter-Ministry responsibility and inter-agency dialogue and utilize the good will, skills and resources of all stakeholders. It encourages information sharing and positive communication that remains mutually respectful of each participant’s mandated roles, responsibilities, skills and expertise. This will result in a well-informed, well-planned and effectively delivered service to the people of Kenya, its regional and international counterparts.

5.2.3 INFORMATION DISSEMINATION

The Media should be part of information disseminating system that supports effective and efficient communication on disaster risk management in Kenya. Communication Authority of Kenya to be mandated and shall be integrated in the system to provide appropriate communication infrastructure and support.

5.2.4 FUNDING

This Policy intends to steer the country to a structured statutory approach with regard to the regulation of funding from both the exchequer and non-State actors. There is often a strong relationship between a structured funding mechanism and effective emergency response, long-term recovery from a disaster and the prevention and mitigation of future disasters.

This Policy proposes the establishment of a Disaster Risk Management Fund which will provide sufficient resources to address all phases of disasters i.e. mitigation, preparedness response, recovery (rehabilitation and reconstruction).

Contributions to the Disaster Risk Management Fund will be sourced from the exchequer and Non-state actors in line with the Public Finance Management (PFM) Act. The DRM Fund will also include already-existing sources for funding for Disaster Risk Management in the country including: funds from the Budgetary and Financial Allocation Committee, The Commission for Revenue Allocation, financial provisions in Devolution Policy, Inter-Governmental Act, National Government Co-ordination Act, Contingency Fund in National Drought Management Authority Act, National Government Constituency Development Fund (NGCDF Act 2016), and the Public Finance Management Act 2015. These funds should be harmonized for effective management and use in disasters. Respective County governments will make relevant budgetary allocations for Disaster Risk Management.

Ministries should allocate resources for their action plans in respect to DRM in their respective Budget proposals to Treasury. The legislative framework that will culminate from this policy will give the Cabinet Secretary responsible for Finance the power to make regulations for the better administration of any funds and donations received.

The National Treasury shall give guidance on how much funds to be set aside by line Ministries to deal with Disaster Risk Management. The National Treasury shall also give instructions to line Ministries to factor in Disaster Risk Management in their development budgets. It shall be the mandate of the National Treasury to give guidelines on the operationalization of the Disaster fund.

CHAPTER SIX

6.0. OTHER PROVISIONS

6.1 INTRODUCTION

This chapter of the Policy explains the need for the Government to bring order and professionalism in the field of Disaster Risk Management by practicing universally agreeable Standards and observing certain Codes of Ethics. The Government will ensure that any issues that would be of benefit to disaster risk management in the country are promoted.

6.2 NON-DISCRIMINATION

While providing compensation and relief to the victims of disaster, there shall be no discrimination on the basis of tribe, community, descent, gender, religion or political party affiliation. The selection of partner organizations shall also be free from discrimination on the basis of the organizations perceived or real affiliation based on the above characteristics. Such non-discrimination shall equally extend to the selection, training and deployment of human resources including disaster management staff and volunteers.

6.3 INDEMNITY (FOR GOVERNMENT, NON-GOVERNMENTAL ORGANIZATIONS AND “GOOD SAMARITANS”)

Employees of the DRM institutions, volunteers and employees of civil society organizations, the private sector and international organizations and individuals shall be immune from any legal process or suit with respect to any activity such as communications related to disaster early warning undertaken professionally and genuinely in respect to their delegated responsibilities under this policy or subsequent plans developed under this Policy.

‘Good Samaritans’ who use their resources during emergencies to support national and County Government bodies in disaster operations may be indemnified (the bare minimum cost incurred) from the disaster contingency funds or any other disaster funding mechanism available.

6.4 INTERNATIONAL AND NATIONAL STANDARDS

The guiding principle for emergency relief assistance is to save the lives and livelihoods of people threatened or affected by a disaster by providing appropriate, and sufficient basic needs without potential negative effects to their dignity, security and environment.

The Government recognizes the role of individuals, Civil Society Organizations (CSOs), private sector and other development partners and will seek to ensure compliance of stakeholders to the internationally acceptable standards of relief assistance e.g. SPHERE Guidelines and Standards, the Geneva Conventions and other appropriate standards and conventions.

This Policy articulates requirements for the adherence to international standards including the Code of Conduct for the Emergency Medical Services and NGOs in Disaster Relief.

6.5 ACCREDITATION OF NATIONAL PARTNERS (CSOS, PRIVATE SECTOR)

To ensure accountability and effectiveness, the Ministry responsible for DRM may establish a system for accreditation of national partners from among CSOs and the private sector for the purposes of verifying the capacities, expertise and good governance of entities which may be delegated responsibilities under this policy and subsequent plans. The inclusion of approved international aid agencies may be included in this accreditation process.

Organizations with established legal mandates through Acts of Parliament for particular disaster management responsibilities will be exempt from such accreditation processes.

6.6 TRANSITION AND POLICY IMPLEMENTATION

Existing agencies and initiatives will remain in force and guidelines will be issued by implementing institutions as and when need arises to operationalize this Policy. Such guidelines shall take into consideration the principles of this Policy.

6.7 POLICY IMPLEMENTATION AND OPERATIONALIZATION

Following adoption of this Policy, a Bill which establishes the core components of this Policy into the appropriate Act shall be drafted and adopted by the National Assembly. This Policy shall be operationalized through legislation, guidelines, regulations, rules and Executive Orders.

The National Disaster Risk Management Policy shall be reviewed as need arises and its implementation monitored systematically due to the dynamism of disaster events and unpredictable climate-change scenarios.

A detailed strategic plan and budget, which identifies priority capacity building activities, deliverables and milestones, should be developed. This will hasten the implementation of this Policy.

CHAPTER 7

7.0 MONITORING AND EVALUATION OF POLICY IMPLEMENTATION

7.1 INTRODUCTION

This will encompass Monitoring and Evaluation (M & E) activities at all levels to measure progress towards planned objectives and implementation of strategies and to allow for adjustments and additions to plans as well as production of expected outputs within a given time frame.

7.2 MONITORING AND EVALUATION SYSTEM

The monitoring and evaluation system adopted for Disaster Risk Management Policy will be designed to provide feedback to stakeholders to ensure accountability, transparency, facilitate appropriate decisions on future implementation and review of the DRM Policy to ensure that the input delivery, work schedules and target outputs are progressing according to the plan. Further to the foregoing, M & E assist in measuring the results and impacts of Disaster Management activities as well as in determining the lessons learned from implementation efforts, in order to foster best practices.

The Government shall periodically carry out Monitoring and Evaluation activities at the various phases of DRM.

This Policy makes provisions for establishment of effective monitoring, evaluation, research and application to all hazards (natural and man-made) and disasters. This Policy stresses effective monitoring and evaluation to ensure sustainability, transparency, accountability and professionalism at all levels. The monitoring and evaluation will also include:

- a. Regular review and update of Early Warning Systems for preparedness.
- b. Regular review and assessment of the goals and strategic interventions for DRM at all levels in the country.
- c. Assessing of the efficiency, effectiveness and overall outcomes of DRM interventions with respect to the vulnerable groups and their lives and livelihoods, socio-economic systems, and the environment.

This Policy shall be an instrument to feed into the National Integrated Monitoring and Evaluation system (NIMES).