



Learning from Nepal NRA to inform the National Disaster Risk Reduction and Management Authority

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Executive Summary

Nepal is in the process of setting up the National Disaster Risk Reduction and Management Authority (NDRRMA). Under the federal context, it is critical to restructure and devolve disaster risk reduction and management functions to the provincial and local governments. Nepal is also in the phase of post-earthquake reconstruction and is rebuilding infrastructures and supporting livelihoods through the National Reconstruction Authority (NRA). The NRA has come through the context of political transitions as well. This study was carried out to inform the Ministry of Home Affairs (MoHA) and wider stakeholders about the issues that need to be considered whilst setting up and operationalising the NDRRMA learnings from the NRA experience. Information was collected and analysed from both documented sources and individual consultations. This policy brief presents the summary of these findings and makes some potential recommendations.

Mandate

A majority of stakeholders interviewed argued for an independent and well-resourced NDRRMA with an adequate level of authority and a clearly defined mandate. The authority must work with the federal, provincial and local governments, private sectors, civil societies and international agencies. This may require some amendments in the Disaster Risk Reduction and Management (DRRM) Act (2017).

The Authority should have a clear institutional positioning. The role of the NDRRMA needs to be clarified in terms of leadership and how it will coordinate with other agencies to operationalize risk reduction, preparedness, response and reconstruction as mandated by the DRRM Act.

Many stakeholders felt that parallel provisions on disaster management in federal ministries and various concurrent structures and functions at the provincial and local governments may lead to confusion and duplication. It is critical that relevant government ministries and disaster management committees at provinces, districts and local level have clear mandates to support the NDRRMA with clearly defined coordination relationships and engagement principles.

After the 2005 Kashmir earthquake, Pakistan's experience indicates that setting up of the Earthquake Reconstruction and Rehabilitation Authority (ERRA) and National Disaster Management Authority (NDMA) led to overlap of the roles and mandates. It is critical that the NDRRMA considers learnings from other countries specially in terms of structures and mandates within the existing governance systems to ensure efficiency and effectiveness avoiding ambiguities in roles and responsibilities.

The NDRRMA should have the authority to manage funds complemented with a strong public financial management system to operationalize activities, and to hold authorities in respective government entities responsible and accountable. Learning from India after the 2001 Gujarat earthquake indicated that both the reconstruction authority and the government were accountable towards spending the disaster risk reduction funds for reconstruction. For Nepal, there should be strong mechanisms in place to ensure the timely transfer of funds from the Ministry of Finance to the NDRRMA to avoid delays in the reconstruction process in case of a major disaster.

Structure

The NDRRMA should have a permanent core structure that comprises of risk reduction, preparedness, response and reconstruction with necessary units for planning, monitoring, procurement, and research and development. This core structure should be able to expand (with adequate staffing) following a major disaster to effectively respond to emergencies.

The NRA came up with timely policies, regulations and guidelines on retrofitting, resettlement, recovery and grant distribution. For the NDRRMA, there should be pre-agreed provisions in place with respect to legal instruments (Regulations, Guidelines and Standard Operating Procedures), budget management, human resources, contingency plans and physical infrastructures and appropriate directives to governments that can be swiftly activated in case of major emergencies.

The NDRRMA should have a sufficiently resourced internal audit system to ensure transparency and accountability which incorporates due diligence regarding all aspects of financial and contract management to fulfill the required duty of care for the assets and liabilities of the NDRRMA and concerned stakeholders.

Functions

As part of disaster preparedness and resilience building activities, the NDRRMA needs to develop technology options, designs, specifications and standards suitable for different social, cultural, geographic and environmental context for reconstruction such as retrofitting of houses and community infrastructures. Significant learning of the NRA from the 2015 Nepal earthquake reconstruction efforts in the 32 affected districts needs to be reflected for broader planning of risk reduction activities at the local level.

It would be crucial for the NDRRMA to have an institutional understanding of how vulnerability is defined by the social and economic dynamics of exclusion which should be contextualized at the local level. This would ensure that priority is accorded to relief and recovery for the most marginalized groups in society. Experiences from the NRA's specific recovery functions such as those provided through its geo-hazard and resettlement unit needs to be embedded into the function of the NDRRMA. In this context, Leave No One Behind (LNOB) principles set out in the global commitments should be considered and incorporated into the NDRRMA policies and actions.

Communication with communities and broader accountability to affected populations should be integrated to NDRRMA operations to inform information products and services. Experiences and learnings from the Community Feedback Project (CFP) in Nepal is relevant to understanding beneficiary perceptions after the 2015 Gorkha earthquake and 2017 floods in Nepal and similar initiatives can provide evidence to inform planning and implementation at the local level.

A Monitoring, Evaluation, Accountability and Learning (MEAL) system should be embedded in the NDRRMA's structure and operations, grounded in a functioning Management Information System (MIS) capable of interfacing with the federal, provincial and local governments. A seamless MIS system should be developed at the outset that enables high quality data management, mapping and real-time updates from local, provincial and federal governments. Experience from Sri Lanka after the 2004 Tsunami (induced by the Sumatra earthquake) indicated that the lack of reliable data affected reconstruction plans.

Operational efficiency of the NDRRMA would be crucial to respond to emergencies swiftly. Complicated bureaucratic processes may impede effective decision making and timely implementation. The NDRRMA should have specific provisions for rapid decision making, financial allocations and contract management that establishes pre-selection or standby contractual mechanisms for the procurement of goods and services according to clearly defined set criteria.

Staffing

One of the prerequisites for an effective NDRRMA is to have a strong Human Resource (HR) strategy and plan in place with provisions of career progression and promotion. Lessons from the NRA can be taken to ensure adequate staffing and retention which can be prioritized with clear terms of reference and deliverables.

The NDRRMA should create and maintain a roster of trained staffs and experts from related government ministries and non-government agencies (with adequate technical and managerial capacity) ready to be deployed or seconded in case of a major disaster or emergencies, to assist in tasks ranging from immediate response, relief, recovery to reconstruction. However, for specific tasks like reconstruction monitoring there should be advance outsourcing agreements with pre-qualified service providers that can provide specialist technical assistance.

The NDRRMA leadership should have the right expertise and skills to credibly win political trust and navigate the bureaucracy smoothly. The NDRRMA CEO should have the support of a capable managerial and technical team to take care of operational issues while they focus on the championing disaster risk reduction and management within the wider government, private sector, civil society and public to build momentum for a disaster resilient Nepal.

Interface and coordination with development partners

From the NRA's experience, there needs to be a robust mechanism in the NDRRMA for regular and systematic coordination and collaboration with development partners and other stakeholders. The government needs to set up standards to ensure funds are utilized appropriately for the intended purposes.

The NDRRMA needs to have clear mechanisms in terms of engagement with the development partners to create an enabling environment for them to operate in and avoid duplication and delay of activities.

The NDRRMA would also benefit from having an inbuilt communications unit that has robust information management system supported that can provide authentic information on evolving disaster risks and vulnerabilities.

The NDRRMA could utilize the existing structures for coordination such as the National Platform for Disaster Risk Reduction (NPDRR) and learnings from the interface of Housing Recovery and Reconstruction Platform (HRRP) with the NRA and wider development partners on post-earthquake reconstruction.

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List of abbreviations

CDO	Chief District Officer
CEO	Chief Executive Officer
CFP	Common Feedback Project
CFP	Community Feedback Project
CLPIU	Central Level Project Implementation Unit
DACFC	Development Assistance Coordination and Facilitation Committee
DDC	District Coordination Committee
DFID	Department for International Development
DLPIU	District Level Project Implementation Unit
DMB	Disaster Management Bureau
DRR	Directorate of Relief and Rehabilitation
DRRM	Disaster Risk Reduction and Management
DUDBC	Department of Urban Disaster Building Construction
ERRA	Earthquake Reconstruction and Rehabilitation Authority
GMALI	Grants Management and Local Infrastructure
GoN	Government of Nepal
HR	Human Resource
HRRP	Housing Recovery and Reconstruction Platform
INGO	International Non-Governmental Organisation
LNOB	Leave No One Behind
M&E	Monitoring and Evaluation
MEAL	Monitoring, Evaluation, Accountability and Learning
MIS	Management Information System
MoF	Ministry of Finance
MoFAGA	Ministry of Federal Affairs and General Administration
MoHA	Ministry of Home Affairs
NCDRRM	National Council for Disaster Risk Reduction and Management
NDMA	National Disaster Management Authority

NDRRMA	National Disaster Risk Reduction and Management Authority
NGO	Non-Governmental Organisation
NPDRR	National Platform for Disaster Risk Reduction
NRA	National Reconstruction Authority
O&M	Operations and Maintenance
OPM	Oxford Policy Management
PDNA	Post Disaster Needs Assessment
PIF	Policy Institution Facility
PIU	Project Implementation Unit
SAARC	South Asian Association for Regional Cooperation
UN	United Nations

1 Background

Nepal is transforming into a fully-fledged federal structure. This change has increased the need to revisit policies and structures that help to mitigate risk, be prepared for and cope with disasters in the context of changing climate in Nepal.

Within these federal changes, the Disaster Risk Reduction and Management Act (2017) has mandated the country to set-up and manage a National Disaster Risk Reduction and Management Authority (NDRRMA). The Ministry of Home Affairs (MoHA) has recently carried out an Organisation and Management Survey for the setting up of the NDRRMA. Following this MoHA has also sent the draft of the Disaster Risk Reduction and Management Regulations to cabinet. The regulations will pave the way to form the Authority. These documents would be critical to move forward to put the structure of the Authority in place before the 2019 monsoon.

Following earthquakes of April and May in 2015, the Government of Nepal (GoN) formed the National Reconstruction Authority (NRA) which has its own legal foundations. A lot of lessons have been learnt as the NRA has completed three years of its five-year mandate. It is notable that the NRA was formed before the federal structures were in place.

Provincial and local governments are developing structures and functions for disaster risk reduction and management. The NDRRMA will have to guide, collaborate and coordinate with these province and local government entities.

While the NRA will continue for the next two years, discussions are surfacing about whether and/or how the NRA roles and responsibilities will be transferred to the NDRRMA, or whether the NRA should be extended for another year. It should be assumed that elements of reconstruction will carry on beyond the mandate of NRA with consequent implications on, coordination, information management and a focus on the most vulnerable. In this changing context, lessons and experiences of the NRA structures and functions are crucial to inform and feed in to the NDRRMA formation process. During the process of O and M survey of the NDRRMA, policy makers and actors requested this review and the Policy Institution Facility (PIF) - DFID funded programme carried out by Oxford Policy Management (OPM) have led in carrying out this study via through literature review and individual consultations with stakeholders.

2 Objectives and rationale

The overall objective of this light touch review is to document lessons from the processes and actions of the NRA in post-earthquake reconstruction in Nepal to inform future disaster resilience initiatives in Nepal that covers risk reduction, preparedness, response and recovery as per Sendai Framework at the federal, provincial and local levels.

Specifically, this study aims to document the experiences and lessons on the structure and functions of the NRA to inform the NDRRMA set up processes. The specific tasks are to:

- Document the strengths and weaknesses of National Reconstruction Authority (including structure, mandate, functions, staffing)
- Review the interface between development partners, National Reconstruction Authority and the rest of GoN, and recommend relevance for NDRRMA
- Review key events, policy decisions that (might) have had wide ranging impacts on reconstruction initiatives of NRA
- Prepare brief report with an executive summary to feed in NDRRMA O&M and setting up process

The NDRRMA (in principle) will have the mandate to set up a mechanism for reconstruction and implementation of post-disaster resettlement programmes should a major disaster occur. On the one hand, a large NDRRMA might not be affordable initially, a basic setup is required such that it can effectively carry out its core mandated functions as outlined by the DRRM Act. Therefore, it is appropriate to share learnings of the NRA to the NDRRMA and support it in the readiness to set up as a structure that can be functional and prepare for future disasters, while maintaining key functions such as relocation, retrofitting, geo-hazard assessment and resettlement planning. The experiences and lessons from the NRA to inform the NDRRMA are relevant in this respect and are rationalised this study.

3 Methodology

The study team discussed with the Chief Executive Officer of the NRA, DFID and other key informants about the key research questions. Following methods of information collection were identified and used in this study:

- Conducting a literature review, which includes review of structure, function, mandate, staffing, policies, and plans of NRA in depth from their operational perspectives.
- Carrying out consultations with key NRA officials and stakeholders that worked and are familiar with NRA work at federal, provincial and local spheres to identify areas of learning, and issues to draw lessons, recommendations
- Consulting with relevant donor funded projects, I/NGOs and programme/project implementers in different thematic sectors.
- Review of relevant South Asian country examples and experiences on reconstruction following large disasters. And drawing on the lessons comparing disaster management agencies in other countries where appropriate by reviewing relevant events such as the 2001 Gujarat earthquake, 2004 Indian Tsunami, 2005 Kashmir earthquake, 2010 India floods and cyclones in Bangladesh in South Asia.

4 Findings

4.1 Structure

The current structure of the NRA is provided in Annex II. The Earthquake Affected Infrastructures Reconstruction Act of 2015 (2072) set up the NRA. The Act set up the Council and the Executive Committee as well as the management structures and legislative systems to operationalise the NRA. The key mandates to the NRA authorised by the Act are:

- Assessment of losses and damages by the earthquake, set priority for reconstruction; approve and implement reconstruction projects; mobilise government, non-government, private sector in reconstruction (Clause 4)
- Management of reconstruction fund in guidance of Executive Committee (Clause 15)
- There is provision of National Reconstruction Advisory Council (clause 5), Directing Committee (clause 6), Executive Committee (clause 9), District Coordination Committee (clause 25) to support its operationalisation.

The GoN endorsed regulations to elaborate provisions of the Act. Building on the provisions of the Act and regulations, the NRA prepared and implemented procedural guidelines and operating procedures (NRA, nd).

In the current NRA organogram, there are three types of structures; 3 Central Level Project Implementation Units, 5 General Divisions, and implementation units at the districts. It is notable that the NRA was formed before federal structure was in place.

There are 3 Central Level Project Implementation Units (CLPIUs):

- The Central Level Project Implementation Unit – Buildings;
- The Central Level Project Management Unit – Grant Management and Local Infrastructure;
- The Central Level Grant Management Unit – Education.

The NRA General Divisions are:

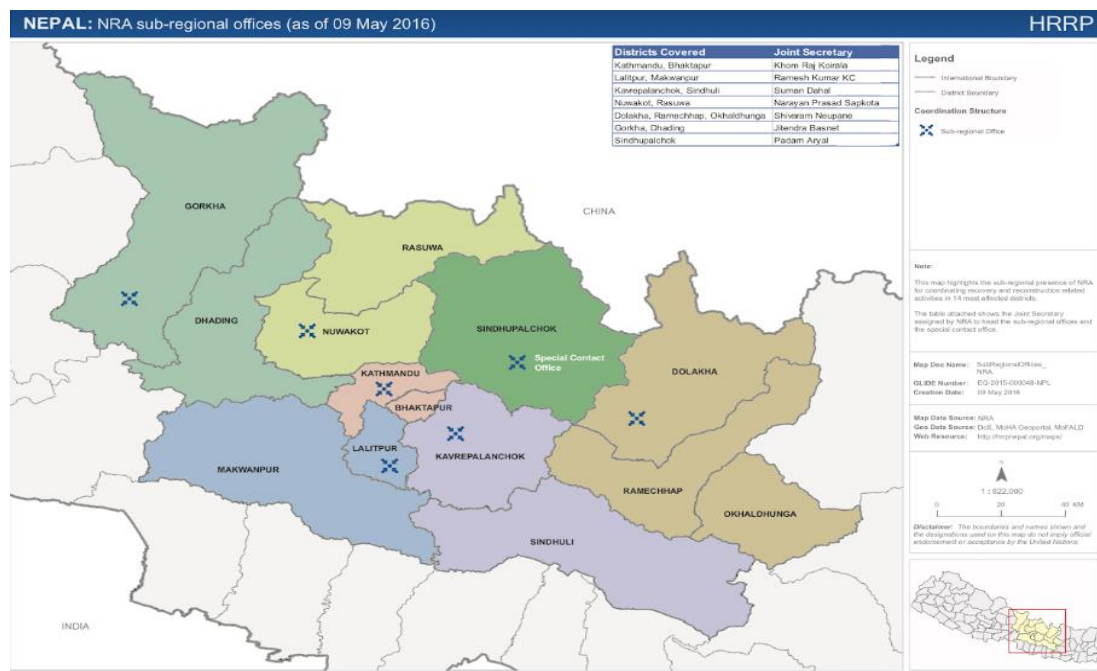
1. Housing
2. Settlement Development and Local Infrastructure
3. Heritage Protection
4. Public Buildings and Infrastructure;
5. Policy, Monitoring, Coordination and Social Development;
6. Human Resource Management; and Planning and Budget Management.

In the working districts, there are District Level Project Implementation Units (DLPIUs). The DLPIUs are in 32 districts and each have their own structures. In the beginning,

they worked most effectively; there are District Coordination Committees (DCCs) chaired by the Chief District Officer (CDO) and participated by local politicians (Source: NRA, 2018).

This map highlights the sub-regional presence of the NRA for coordinating recovery and reconstruction related activities in the 14 most affected districts.

Figure 1: Sub-regional presence of the NRA (as of May 2016) (source: HRRP website)



In the beginning, the project implementation units were under their respective ministries. From 2018 they became part of the NRA. These changes have affected the functionality of the NRA. Respondents reported that before, line ministries were active and now they have stopped being involved, mainly due to the structure that the PIUs are now within NRA and not under the respective ministries. One respondent said that the reason why staff in these units agreed to come under the NRA was to avoid ongoing restructuring of civil servants and to retain their positions in the line ministries at the federal level.

According to NRA sources, the structure has evolved within the framework of the Earthquake Affected Infrastructures Reconstruction Act (known as NRA Act) 2015 and its current size is bigger than it was anticipated in the beginning (from about 80 to over a 100 members of staff). The NRA is set up for reconstruction and recovery. However, it has little autonomy, 'it is doing the job of National Planning Commission' one respondent commented. The NRA staff and some stakeholders originally envisaged a strong NRA to execute fast-track procurement. Others thought it should have been a facilitating body with precise implementation responsibilities given to the line ministries. However, some respondents believe the NRA remained in the middle: without power, with responsibilities but with no capacity in practice and largely dependent on line ministries with no permanent staffing.

In summary, the shared feedback is for the NDRRMA to have a clear institutional positioning and a clear mandate from the beginning.

NRA has worked with ministries, departments and agencies in the district and local governments for many activities such as the assessment of loss and damage, and the identification and prioritisation of beneficiaries. District Level Project Implementing Units (DLPIU) and three¹ of the five units² of the main government implementing agencies are now under the NRA.

The proposed structure of the NDRRMA by the O&M Survey is smaller than the existing NRA's central level organisation. However, the NDRRMA structure will have to expand when reconstruction is necessary. It can also be envisioned that province and municipalities will have DRRM structures within the federal system. When provincial and municipal level reconstruction units are in place, the future reconstruction organisation set-up might be much larger than the current NRA.

Review of other country practices and discussions with key informants including the NRA officials have provided a uniform message that flexible instruments (mandated by legal provisions) are important to enable the NDRRMA to expand its structure, budget, human resources and other capacities to face the dynamic and unforeseen challenges in the aftermath of a major disaster. It is not economically viable to create too many structures in advance.

Therefore, it is appropriate for the NDRRMA to have the minimum required structure during normal times but be ready to quickly expand its structure (departments, field offices and so on) and staffing levels after a major disaster. In this case the identification of different job requirements, the development and repositioning of TORs and a roster of people available in need to be set-up as swiftly as possible.

Although the NDRRMA will be a permanent institution, it may be necessary to set-up NRA-like structures for specific missions for the duration of the reconstruction period. In a future large-scale disaster, the existing structure of the Authority would be insufficient. The new structure could be set up based on the experience from the NRA. It took a lot of time and effort for the NRA to set up its structure, fill staff positions and prepare necessary guidelines and procedures.

Therefore, it is recommended that the NDRRMA should be prepared with required legal bases and other prerequisites such as emergency procurement guidelines early on to quickly and seamlessly 'activate' the required structures (units, offices), functions and staff for reconstruction and recovery in case of a major disaster.

The structures of disaster management authorities in other countries were reviewed during the O&M Survey (OPM, 2018). Many federal countries have set up structures to support local governments to mitigate and cope with disasters. In the function of the NDRRMA provisions there are mechanisms of local, sub-national or national bodies to operate that depend upon the scale of disaster. For example, the NDRRMA could have a coordinating function to deal with a small-scale disaster handled by several local governments linking with provincial governments.

South Asian countries has various types of mechanisms on disaster management that might inform the NDRRMA. While many countries set up reconstruction authorities

¹ Education, MoFAGA and MoUD

² DCC Secretariat, DLPIU of MoFAGA, MoUD, MoE, District Offices of other related ministries

after a large-scale disaster, Bangladesh decided to carry out reconstruction through specific programmes to recover after the 1998 flooding, such as the flood damage rehabilitation project (ADB, 2006). These programmes were steered by the Disaster Management Bureau (DMB) and the Directorate of Relief and Rehabilitation (DRR) which are under the Ministry of Flood and Disaster Management.

The Ministry is the focal point for all activities relating to relief and recovery. The Ministry is expected to supply information to the National Disaster Management Council, the apex government organisation headed by the Prime Minister, and to the Inter-Ministerial Disaster Coordination Committee, which coordinates the implementation of disaster management decisions of the government and assists them in taking decisions. During the recovery phase the Ministry was expected to coordinate activities, and arrange house building grants and food for work programs (The World Bank, 2005).

The DMB was established in 1993 in the aftermath of the 1991 cyclone to enhance disaster preparedness and management. However, the major gap in the institutional framework continues to be a lack of functioning partnerships amongst stakeholders. The massive flood of July 2004 showed that there were no partnerships functioning and there was little coordination between DMB, DRR and other entities. The Local Consultative Group concluded that massive shortcomings existed in the forecasting, preparedness and coordinated response to the crisis. The case of the bureau and the directorate are worth understanding in the context of the NDRRMA possibly being under the MoHA and the necessity to work with various government and non-government authorities.

Cases of setting up of structures in the aftermath of large disasters and their transformation into permanent structures are found in other countries like Sri Lanka and Pakistan (ERRA, nd; Harsha et al, 2007; Lodi et al, 2016). The Earthquake Reconstruction and Rehabilitation Authority (ERRA) was established in 2005 in Pakistan to take up reconstruction tasks in the earthquake affected regions. The ERRA included housing, livelihoods, social protection, health, education, water and sanitation, governance, power and telecom, transportation and tourism in reconstruction and rehabilitation. It also covers rescue and relief, and early recovery. It has 4 major wings: Executive Wing, Finance Wing, Project Wing and Administration and Procurement Wing. The Project Wing includes Reconstruction, Rehabilitation, Monitoring and Quality, and Technical Division.

It has evolved through various changes over time. In 2011, the Pakistan government decided to merge the ERRA into the National Disaster Management Authority (NDMA) allowing the ERRA to continue its on-going project until 2019. The NDMA was established in 2007 through the provisions in constitution (NDMA,017). Later in 2010, the NDMA Act (2010) was promulgated. Currently the NDMA has three wings – (1) Administration and Finance, (2) DRR and (3) Operations. Both ERRA and NDMA have continued despite the overlap and confusion over their roles. In 2017, the Pakistan government decided to constitute a single body to look after the disaster management related issues. In 2018, the National Disaster Management Act, 2010 was amended by the Senate of Pakistan to mandate the government for a single agency.

According to Ghumman (2015), the reconstruction effort in Pakistan took longer than anticipated and had to go through complex policy, bureaucratic and financial management processes, resulting in slow progress. One of the hurdles was the confusion and overlap generated by the creation of the NDMA. The setting-up of multiple agencies or structures with unclear, similar roles is likely to create issues. This

is particularly important in the context of Nepal, that should learn from the experience of other countries and the frictions between ERRA vs NDMA or DMB vs DRR.

In summary, it is recommended that the NDRRMA can learn from other countries especially in terms of structure and roles within the larger government structure to ensure efficiency and effectiveness.

4.2 Staffing

In the NRA all positions are temporary, as the staff is deputed from line ministries. Staff retention is a challenge as the people are permanent government employees but their contract with the NRA is temporary. This is an issue to consider in the NDRRMA.

Despite a heterogeneous mix of staff, staffing is in siloes, lacks coherence and complementarity in skills. There are also hierarchical issues in relation to job level in the parent ministries and in the NRA. For example, someone who was number two in their previous organisation was is now at number 6 in the NRA in terms of hierarchy (that led to a feeling of being demoted, and thereby being excluded them from the decision-making processes). This in turn, considerably diminished their willingness to work professionally. Some respondents outlined that little regards paid to gender equity and the inclusion and promotion of female staff, across all sections of the NRA. The NDRRMA O&M Survey has included gender and social inclusion issues across the structures and function. Therefore, gender and social inclusion is an important topic to review and address in the establishment of NDRRMA.

Several respondents outlined the importance of the complementing roles of CEO and Secretary. Confusion and misunderstandings surrounding both roles and personality clashes can have a negative impact on operations. The Chief Executive of the NDRRMA may be a political role but can lack power and may be challenged by bureaucrats. The relationship and scope of work of both CEO and Secretary must be clearly defined, if the NDRRMA will have a Secretary position leading and overseeing bureaucratic functions. The relationship between the CEO and the Secretary must be cordial to enable effective operational delivery.

The possibility of rewarding career paths is necessary to attract passionate and loyal staff, with expertise in DRRM. **Therefore, one of the prerequisites learned from the NRA for the NDRRMA is to have a strong, gender sensitive human resource strategy and plan in place at the outset.**

Many believe that there were hierarchical issues affecting staff deployment and functions, with for example some senior staff refusing to work under what they perceived as 'junior' staff, or on the opposite hand staff being perceived as 'junior' but in senior positions not commanding authority. This issue affected the CEO as well. Adding to this, there were personality clashes between the CEO, senior bureaucrats in the NRA, and staff in the ministries/departments who were expected to work for NRA. In the bureaucracy, the prevalent hierarchy can transcend tasks and mandates even at higher level.

In summary, the NDRRMA should be mindful when recruiting for the position of the CEO and recruit a person who is has the right technical and managerial expertise and would be respected by the bureaucracy.

Many people feel that there is high political interest in the NRA because of the political nomination of its Chief Executive Officer (CEO). They also perceive that political interests may be at play in staff deputation, retention and assigning of roles.

Many I/NGOs had to continue to work with both the Social Welfare Council and the NRA to get project approval. Where this was the case, staff complained of excessive layers of bureaucracies to manage. Some I/NGOs struggled to coordinate with numerous agencies and individuals from local to national level. Consideration should be given to how non-state actors and donors can work on approved projects, in a more streamlined, efficient and effective manner.

The NRA relied on development partners for staff deployment and secondment, consultancies, specific assignments and services. For example, under the EU support to reconstruction³, the EU contracted out to a German consulting group to establish a reconstruction facility providing technical assistance, advisory services and capacity development for the NRA. Similarly, UN agencies, DFID and other donors have deployed specialist staff to support the NRA. Many of the workforce involved in reconstruction on donor funded projects are employed directly by commercial contractors. The NRA facilitates and oversees the process of implementation but does not have project management responsibilities. Many projects are implemented by a number of I/NGOs working on a diversity of issues and funding mechanisms and therefore they have been difficult for the NRA to control and monitor. It would be good for the NDRRMA to forge good links with donor projects to have a full picture of what is happening on the ground.

The NDRRMA should establish what staff skills and expertise are needed for reconstruction efforts. This is particularly important to consider if the NDRRMA were to do all reconstruction by itself in the future. Although it is unlikely, many government bureaucrats, INGOs and donor-managed projects staff anticipated that the NDRRMA would have that capacity. There is also an issue linked with the ease of access of the NRA to reconstruction funds and its management. It is important for the NDRRMA to discuss this issue with donors and people with experience of reconstruction programmes in other countries.

However, there is another school of thought that the NDRRMA should work directly with relevant line ministries and departments to prepare for major disasters and operate with a minimum number of staffs to run its usual business. This will have the benefit of institutionalising disaster risk reduction. In this modality, each sector ministry/department at federal, provincial and local government would develop appropriate staffing and resources to mobilise in reconstruction.

Bringing their knowledge and working experiences in Nepal and some other countries on DRRM, all respondents in this study share the opinion that the NDRRMA should have a roster of government and non-government employees and professionals. The roster should be established as early as possible. The Authority should work together with respective agencies to develop human resources and technical capacities early on. Although the DRRM Act has outlined both implementation and coordinating roles for the Authority, the suggested key question is how that will be operationalised in practice.

³ i.e. Nepal EU Action for Recovery and Reconstruction (NEARR)

In summary, there is still no clarity if the NDRRMA will function as a coordinating or an implementation agency. The Act has assigned both roles, but these need to be specified by the government. There needs to be specific mandates on the roles, responsibilities and accountabilities of the NDRRMA and the other government agencies - federal, province and local.

Reconstruction needs to consider the careful restoration of livelihood assets, vulnerabilities, exclusion and systems to develop community resilience. Simply replacing assets may perpetuate or even increase existing inequities (Cosgrave, 2014). Local, environmental contexts are decisive in a recovery that includes multiple factors such as access to markets, technologies, skills, institutions, cultural identities, social-economic marginalisation and so forth. Therefore, the restoring of livelihoods along with the reconstruction of physical infrastructures should be done with careful attention to the local context. Even small-scale disasters can cause huge losses in livelihoods.

The 2012 Bangladesh flood disaster response shows that owner-controlled shelter reconstruction is a more effective reconstruction strategy (Cosgrave, 2014). Similarly, owner-driven reconstruction is preferable to simply replacing housing lost to disasters. Top down relocation plans and construction of contractor driven-mass housing without social consultation can result in abandoned houses, as was seen extensively in Bhuj, Gujarat (India) after the 2001 earthquake. An owner-driven reconstruction process could avoid complaints and grievances from the locals. According to NRA sources, over a million complaints and grievances were lodged by locals. Many of them were sorted out on-site and some 237085 have been registered. Of the registered, 205,584 grievances have been a sorted out after lengthy investigations and the rest are still being investigated. In particular, disputes on the reconstruction of cultural sites were a huge challenge.

Disasters do not destroy all homes and public buildings – many are partially damaged and can be repaired and retrofitted at a far lower cost compared to complete reconstruction. **Therefore, retrofitting technologies, capacity and awareness should be taken on board by the NDRRMA during early discussions of its set up.**

4.3 Strengths and weaknesses of the structure

The NRA is a separate institution which despite various challenges has managed to secure public and political attention. It has a strong legal mandate. It also has frequent and direct access to the Prime Minister and the Council, which is useful for high-level decision support. This has enabled the NRA to change its structure quickly when in need. The NRA has also helped to keep focus on reconstruction of earthquake damaged infrastructures and to some extent, livelihoods. It is an accessible organisation with a media presence and different points of contacts. Some respondents regard it as a successful structure in the context of Nepal's political transition and transformation, because it carried on with its role through the process of federalisation.

The NRA was mandated to manage funds for the reconstruction effort. But donors were not convinced to channel all their funds through the NRA, and the NRA needs to access funds through the Ministry of Finance. It was also reported that some donor committed funds are yet to be disbursed or committed. The original NRA funding mechanism is not completely working and is not as efficient as it could have been.

It was also said that there has been a lack of staff at the required level and that institutional memory is lost because of the high staff turnover. These are linked to lack of incentives and motivation factors. Some respondents offered that bonuses would enhance performance. However, staff at the NRA found that bonuses were motivating initially but once everybody started receiving them, they weren't motivating anymore.

Therefore, performance-based pay could be a solution if bonuses are only attributed to the best performing staff. This is a desirable alternative to the practice of providing pre-deployment inducements to join NRA. It requires the exercise of decisive leadership, the establishment of clear, time-bound goals, delegation of authority, adequate feedback mechanisms and accountability for fulfilling targets. However, by nature, the NDRRMA is a bureaucratic set up and performance-based pay could be challenging to implement.

4.4 Functions and mandates

Functions and mandates of the NRA are mentioned in the Act and regulations. They are further specified and clarified through council and directive committee meetings (sporadically chaired by the prime minister) once every six months or more when necessary. There are similar provisions for the meeting of National Council for Disaster Risk Reduction and Management (NCDRRM) (clause 4) and Executive Committee in the DRRM Act, 2074 for the NDRRMA.

The NDRRMA is mandated for a range of activities in the different components of disaster risk reduction and throughout the cycle of disaster management. However, its mandate is in question because of its position in overall government organogram, as it is specified that the Authority should contact other ministries including the Ministry of Finance, cabinet and other key agencies through the Ministry of Home Affairs.

Some respondents expressed deep concern that this provision will limit the NDRRMA mandate and affect its effective and efficient operation. This was a concern expressed by the NRA who struggled to mobilise government staff from different ministries and hire and mobilise temporary staff. Citing the India experience to respond to 2001 earthquake in Gujarat, radical plans and their uninterrupted implementation are required for effective reconstruction, economic recovery and resilience.

There needs to be mandate and clarity about how the NDRRMA will work at local and provincial levels. The Ministry of Federal Affairs and General Administration (MoFAGA) has been supporting local governments by providing guidelines and orientation to the bureaucrats deployed in the municipalities. The MoHA has been continuing to work through Chief District Officers for disaster preparedness and response. The province governments are also trying to set up structures and functions for DRRM. Many respondents felt that parallel actions in federal agencies and siloed structures and functions in local, province and federal agencies will create confusion and duplication. Local governments are looking forward to full power and access to the NDRRMA in terms of partnerships and collaboration.

The NDRRMA should be aware that the regional nature of disasters requires a regional approach to the solution. During the Koshi floods in India (2008), the response was poorly coordinated due to the absence of a trans-boundary disaster management framework. This example shows that disaster risk management may need to be coordinated with all levels of governments where necessary.

In summary, local governments should be empowered to take as much responsibility as they can on risk reduction, preparedness, response and reconstruction /recovery roles and mandated to access support from province and federal agencies. The NDRRMA and the federal ministries have an important role in taking leadership in the devolution and decentralisation of the DRRM, through the creation of appropriate structures and mechanisms for partnerships, collaboration and cooperation with the different levels of governments.

4.5 Monitoring, documentation and quality assurance

Most respondents including from the NRA highlighted the lack of a strong monitoring, evaluation and feedback mechanism in the structure and the need for a more important M&E function. For example, there was no progress tracking system set-up in the Post Disaster Needs Assessment (PDNA), and the set of indicators were poor because the PDNA lacked to identify need of M&E adequately. Furthermore, many respondents have expressed their confusion over PDNA findings. For example, respondents questioned how losses and damages to environment and forestry were calculated at 34,021 million NPR - the second highest after losses and damages to houses and settlements (NPC, 2015). **The NDRRMA should give immediate and high priority to develop capacity to evaluate losses and damages by disasters and post-disaster needs assessments.**

Activity tracking is done by 3 different bodies - the Housing Recovery and Reconstruction Platform (HRRP) through data management and mapping (<http://www.hrrpnepal.org/>); the MoFAGA through in tranche distribution; and the Department of Urban Disaster Building Construction (DUDBC) through the inspection of construction quality and standards. However, they are part of project delivery, not overall performance tracking system. The NRA is developing an integrated information portal, which includes M&E as part of many other functions (NRA bulletin: NRA-EU tie up for better management). If useful, these practices and facilities could be adopted by the NDRRMA.

In summary, a M&E unit is proposed by the O&M survey; indeed, a strong M&E unit could be a key part of the NDRRMA.

Coherence is an important factor to be considered by the NDRRMA. In Nepal, the DRRM concept is yet to be understood full by stakeholders. Many actors consider response and relief as disaster management, which is guided by a traditional relief approach. Similarly, MoHA staff generally look at it with a security mind-set, focusing on emergencies needing to be 'dealt with' from a security point of view. The NDRRMA must be able to coordinate Chief District Officers who have that mind-set but can mobilise the police and the army for disasters and local governments who have the budgets to act.

However, gradually the MoHA and the MoFAGA have started understanding the cycle of risk reduction, response, recovery and resilience. The NDRRMA will have to enhance the understanding and confidence of bureaucrats in the allocation of specialised roles for different actors and sectors. Furthermore, this needs to penetrate the development agenda to make interventions sustainable and disaster resilient. **The recommendation here is to ensure the broader understanding of the cycle is understood and ingrained into political and bureaucratic systems.**

4.6 Fund Management

The NRA's mandate was to manage the funds for reconstruction under the guidance of the Directing Committee. However, the funding is now controlled by the Ministry of Finance (MoF). The high-level management meetings of the NRA have been overseen by the Prime Minister which has eased the process of fund flow, but there are still a lot of hurdles and complexities in the fund management. Donors did also pledge support but hesitated to put all funds in the Prime Minister Disaster Fund, maybe, due to fiscal concerns.

After the post-disaster need assessment (PDNA) and reports (NPC, 2015), an international donor conference was held, and necessary policies were passed. Pledges were made by different donors. Currently, 22 development partners (donors) are working bi-laterally. The Development Assistance Coordination and Facilitation Committee (DACFC) is a formal structure whose role is to coordinate between the government and the donors to oversee the international contribution in the reconstruction. A Multi Donor Trust Fund was created where about US\$ 30 million has been pledged by US, Canadian, Swiss and UK Governments (MDTF, nd). The fund and other parallel contributions by donors including the World Bank (International Development Association), Governments of Japan, China and India, UN agencies, and INGOs are a crucial support to the NRA to drive reconstruction programme.

Some respondents suggested that there could be more frequent communication between the NRA and donors in addition to DACFC meetings. Critiques said the meetings keep to a formal agenda and do not lead to productive discussions.

Some respondents highlighted the lack of coordination between the MoF and the NRA. For example, it was noted that the MoF never attended the donor coordination meetings organised by the NRA. Although the Prime Minister is chairing the NRA, nobody seems to be holding the MoF accountable. Respondents says that the MOF should attend the donor coordination meetings and provide money directly to the NRA. The lack of proper support and coordination mechanism with the MoF is an issue for the operation of the NRA. **In summary, political leadership needs to enforce participation of the MoF. This issue is an important lesson for the NDRRMA's operational effectiveness under the umbrella of the MoHA.**

There were comments that the NRA is mostly working bi-laterally in an uncoordinated fashion. However, NRA officials have a lot to say on their efforts in this regard, by highlighting the donors' role in helping the NRA coordinate their 22 different voices. Donor coordination is not an easy task, there should be a robust mechanism in place prior to disasters to ensure the institutionalisation of the coordination. Development cooperation has played a vital role in Nepal's overall development efforts; however, enhancement of development cooperation remains a work in progress.

Very few partners are providing direct budget support to the NRA because the institutional set up is to provide money through the MoF. Mostly there is mixed- funding through government and donor-managed implementation. There are different modalities in donor funding. The World Bank-funded projects, as an example, were working in 3 districts and later extended to 11 new districts. The bank is also working in parallel with other donors to support the GoN on private housing in 11 districts, and some outreach technical support to 14 severely affected districts (including these 11 districts in focus). Many projects are fragmented and implemented by several I/NGOs working on a diversity of issues and funding mechanisms and therefore they have been

very difficult for the NRA to control and monitor. Over 4 billion dollars were committed but almost all of it came through the MoF. The other issues included very strict compliance provisions for donor funds that are different to the NRA provisions. Donors have strict reporting provisions and different reporting periods that is difficult for the NRA to meet. However, it was also strongly argued that donors should have strict reporting and due diligence to justify tax payers' funds, monitored by donor country national audit facilities. The NRA and the GoN need to meet similar standards to be able to be the recipients of bilateral aid via effective public financial management systems..

The government should assure all donors – from individuals to development partners – that funds will be utilised properly and transparently and reach the affected communities and areas through the most efficient means. It also must be strong enough to say no to side-line budget flows and off-track funding. There could be a ratio for bilateral funding flow through the NDRRMA and direct funding which could only for technical support from experts and the purchase of machineries that are not available in Nepal.

In summary, the Government needs to set the standards so that donors are comfortable to give funding through its mechanisms and put in place effective coordination mechanisms. The NDRRMA should have proper policies in place to reassure donors their funds will be used responsibly and transparently, on agreed expenditure areas. Donors will only invest in local disaster management agencies when they are confident of their capacity (fiduciary and operational, transparency and MIS).

Experiences from most countries (Pakistan, Haiti, Sri Lanka) reveal that reconstruction is a slow and lengthy process. In Sri Lanka for example, the lack of a reconstruction framework in institution and legislation, policy and reliable data affecting housing targets and reconstruction plans had led to systemic confusion, and ultimately led to delays.

In India, during the Gujarat earthquake (2001) reconstruction both government and the reconstruction authorities were made accountable, which was a positive step even if the government came under attack for other things (notably its lack of disaster management policy and its failure to implement proper construction laws). The government needed to send the committed budget into the reconstruction treasury within the agreed timeframe or be liable to pay interest and other penalties. Similarly, the reconstruction authorities were responsible for using the funds within agreed timeframes following pre-set norms, processes and standards to achieve targets. This set-up where both government and reconstruction authorities are made accountable is a useful lesson for the NDRRMA. On the contrary in Haiti, the fund management process lacked accountability which resulted in corruption (Elliot and Sullivan, 2015).

Therefore, the NDRRMA will need to consider funding mechanisms not only for the reconstruction but also for its risk reduction initiatives, preparedness and response functions.

Funding is necessary to its usual operations and the implementation of its annual plans. There are different fund flow mechanisms in SAARC countries the NDRRMA could learn from. In Afghanistan, the Authority's role is to mobilise resources, design policies, guidelines, procedures and regulations and do partnerships with all relevant stakeholders (ANDMA, nd). It can get funds directly from donors and spend as specified in coordination with the ministry of finance. In many other countries such as in

India, the Ministry of Home Affairs can be reached through the Ministry of Finance. In Sri Lanka and Bangladesh, there is a separate ministry for disaster management that works with the finance ministry, and funds are disbursed to the projects according to approved mechanisms.

Some stakeholders have suggested for a mixed mechanism: some specific funds could be managed directly by the NDRRMA and some funds could go to related ministries/departments to carry out specified tasks for disaster risk reduction and management. **Most importantly, there should be a strong mechanism to ensure the timely transfer of funds from the national treasury and their proper utilisation.**

4.7 Internal decision processes

The organisation structure of the NRA has gone through changes over time, such as the Central Level Project Implementation Units moving from within their respective ministries to being under the umbrella of the NRA. However, this has not impacted on efficiency, as lengthy processes have remained the same. Some respondents commented the NRA was like a ministry, and CLPIUs were like ministerial departments. The processes remained the usual bureaucratic practices, and staff did not feel any different being in the NRA in terms of the decision-making process. In CLPIUs, project directors raise formal memos to make decisions. The NRA staff and the people familiar with the internal decision making pointed out that it is too process-oriented. When a project director gets a memo raised, it is not sure whether it will reach up to the Secretary for implementation or whether it will go down to a section officer to go through more internal processes.

A way to overcome this would be for the NDRRMA to decentralise its decision-making process through delegation of authority and accountability. It should also sporadically review its decision-making process to check its ability to efficiently deliver and achieve objectives.

Donors who have observed changes closely were not clear on what the objective of changing the structure was as it did not bring any changes to decision-making. The NRA should have perhaps mapped out the bottlenecks and then worked towards overcoming them. It hasn't been as efficient an agency as it could have been, mainly due to a lack of adequate staff, who follow traditional business as usual processes. Moreover, the lack of specified roles, responsibilities and accountabilities is also a factor hampering efficiency.

The shape of the final internal decision making of the NDRRMA is hard to predict as it will be affected by other, independent structures and mechanisms in provinces and municipalities.

In general, the NDRRMA needs to establish working links with many structures such as Province Disaster Management Committees, District Disaster Management Committees and Local Disaster Management Committees. The mandates of both the NDRRMA and the committees (including their member agencies) need to be clearly defined on how they will work together.

4.8 Interface with other GoN entities, partners and actors

Communication

The mechanism for internal and external communication is important for the management of reconstruction. The NRA had to deal with various issues and overcome several challenges as a new agency while setting-up and operationalising communication. The issues varied from the lack of capacity to using advanced technologies such as using mobile apps, GPS, managing databases to knowing how to deal with a diversity of audiences.

Beneficiaries were differentially affected by the earthquakes and had different expectations and grievances. For example, some had lost family members and got their houses fully damaged while others lost livelihoods. They have different coping capacity. The situation required the capacity to deal with different localised contextual issues, technical challenges, and political influences, which staff didn't have the skills to deal with. In the NDRRMA, communication staff need some knowledge of the reconstruction work context.

The NRA has now put communication as its top priority, resulting in some improvements. There is donor support for communication activities such as the building of a database and a website. The NRA has set-up a communication mechanism, assigned a spokesperson and has a maintained database. However, specific roles still need to be established, with different contact points for different types of information.

The NDRRMA should build its communication staff capacity to adopt a dynamic approach to deal with different audiences and use specialised communication supported by advanced technologies such as social media, web-based communication systems, radios, audio-visuals, graphics, toll free telephones and so forth. The key to effective communications is also solid database system and a MEAL system. The MEAL feedback mechanism should be a mandatory function of the communication team.

In summary, a national framework of emergency communication is essential. The NDRRMA should have a flexible organogram/budget and a strong legal mandate to establish emergency communication activities. It needs to forge partnerships with other agencies and DRRM actors for the timely exchange of information. For example, the Department of Hydrology and Meteorology generates weather and flood forecasts. The National Emergency Operations Centre needs quick access to this information and the ability to share it with a range of audiences through different media.

Some key entities should have an efficient communication mechanism with the NDRRMA: security forces, Nepal Telecommunication Authority, Nepal Telecom, NCell, television channels, radios, the Department of Hydrology and Meteorology, the Department of Mine and Geology, and the Department of Health. The NDRRMA needs to set-up strong mechanisms for the exchange of information and communication with relevant government and non-government agencies including corporate and private sectors through formal agreements as part of its disaster preparedness and response role.

Communication messages and supports should be evaluated regularly to understand which ones have more impact. Systematic surveys such as the ones conducted by the Common Feedback Project (CFP) will build evidence on impact which should, in turn,

inform all communications. The objective of the CFP is to ensure that the voices of affected people systematically feed into humanitarian response and recovery, to contribute to a more effective and responsive recovery effort. The CFP was useful in determining how communities perceive they are receiving information and services from the NRA. For example, in the CFP 2018 survey, communities requested that information be shared through door to door visits so they can address questions on the spot.⁴

Communication with communities and broader 'Accountability to Affected Populations' principles should be integrated to the NDRRMA operations and inform communication products and services. Learning from the Common Feedback Project in Nepal might be relevant in this regard.

Information management

Most informants referred to the problematic situation of databases. At the National Emergency Operation Centre (NEOC), there are different databases supported by different agencies, and the data does not match. Government agencies such as the NEOC and MoFAGA are trying to work with non-government agencies like the Nepal Red Cross to collect and document data on earthquake-related loss and damages, but its accuracy remain in question.

Unreliable databases coupled with a lack of skilled staff could ultimately lead to failures of the system as decisions are made based on erroneous data. The potential risks associated with using unreliable data are high, and databases should be a priority issue for the NDRRMA to look at during its earliest stages.

Following the 2015 earthquake, it was difficult to keep track of help recipients, and in particular of fake, ineligible and frustrated beneficiaries due to the lack of a proper database. It was also hard to estimate losses and damages.

A national disaster risk database is necessary, and municipalities, province governments and federal agencies should have respective responsibilities to establish, maintain, update the database and disseminate its information. It should offer the possibility for municipalities to enter exposure and vulnerability information (such as information on persons with disabilities, elderly etc), respective specialised agencies to enter hazard information (such as the Department of Mines and Geology for seismic hazard and Department of Irrigation for flood hazards) and other identified external organisations to provide appropriate information to the information management system.

Links with other government and non-government entities/actors (Partnerships, collaboration, coordination and mobilisation)

Government's key actors in the NRA coordinated functions include: the Prime Minister's Office; National Planning Commission; Ministry of Finance (MOF); Ministry of Law and Justice; Ministry of Urban Development; Ministry of Education; Ministry of Federal Affairs and General Administration (MoFAGA); Ministry of Culture, Tourism and Civil Aviation, and the Ministry of Health.

⁴ Community Perception Report, May 2018, Inter-Agency Common Feedback Project, Nepal

At this level, each implementing agency (except the MoH) has a Central Level Project Implementation Unit (CLPIU). The major implementing partners are DUDBC and the Department of Local Infrastructure Development and Agricultural Roads, however, these departments are undergoing restructuring. There will be a different operating environment for the NDRRMA; while the NRA went through the PM's office, the NDRMA will go through MoHA to set up links with the council of ministers, access funding and other major interventions. There may be challenges as well as opportunities for the NDRRMA to build on these links through MoHA, but currently there are uncertainties in its overall governance structure. Being under one of the ministries might make cross-departmental collaboration more challenging. **In summary, it would be worth the NDRRMA carrying out a stakeholder analysis to clarify operational links.**

For the NRA, key funding development partners are the European Union; the World Bank; the Asian Development Bank; the UK Government's Department for International Development (DFID); The United States Agency for International Development (USAID); the United Nations Development Programme (UNDP) and other UN Agencies including the United Nations Office for Project Services (UNOPS); the Japanese International Cooperation Agency (JICA), and several other entities, including some affiliated to and/or funded by these larger development partners. The NRA had listed 18 development partners (<http://nra.gov.np/en/agencyprofile/donor>). The DACFC coordination meetings are attended by about 25 donors such as the 8th meeting held in September 2018.

At local level, major government actors are the Chief District Officer (CDO); the NRA coordination body - the Development Coordination Committee (DCC); the Local Government Office, District-level Project Implementing Units (DLPIU of three of the five main government implementing agencies), and municipal structures in rural and urban areas.

The NRA was formed before the set-up of provinces. Currently, there is no structure and mechanism in the NRA to collaborate with respective provincial governments. Some respondents said it is not worth trying to engage with provincial governments as the NRA has only 2 years left to deliver, and provincial governments are already struggling to manage their own budgets and functions effectively. Furthermore, there is an existing coordination structure between the NRA and the districts which is slowly moving towards the local governments.

The NRA is working at municipality level. Since local governments are new and their governance structures evolving, it is too early to draw definitive conclusions. However, respondents felt that when local governments develop the capacity and ability to take ownership, they should take a bigger reconstruction role.

The Authority could sign a memorandum of understanding with municipalities on collaboration. The NRA is doing this in the Kavrepalanchok district and a few others. The District Level Project Implementation Unit (Grants Management and Local Infrastructure- GMALI), on behalf of the NRA and some of the local governments have signed agreements to speed-up post reconstruction and ensure its timely completion. Under these agreements, the NRA will transfer the stipulated budget for local infrastructure projects and deploy engineers whilst the municipalities will prepare and execute local reconstruction plans. Learning from this initiative will be good for the NDRRMA in terms of letting local governments take ownership of local delivery.

For the NDRRMA it is important to set up structures and mechanisms to collaborate and coordinate with province and local government entities in planning, implementation and monitoring, evaluation of risk reduction, preparedness, response and recovery actions Building on the provisions of the DRRM Act, this could take the form of NDRRMA field offices in a few strategic locations, who would be each be responsible for linking with a few provinces and their respective local governments. All parties should also be made fully cognisant of and comply with clearly-defined relationships and terms of engagement between the NDRRMA and subnational entities.

Partnerships, coordination/communication with development partners

Donor communities want clarity in the roles, open and transparent processes and interactive discussions. Some of them feel that there is a limited space for policy dialogue and advocacy. However, these issues could be minimised in the NDRRMA as there are different mechanisms for policy dialogue.

Donor communities reported gaps and complications in coordination, collaboration and communication within NRA units and with other government entities. This may not always be true but is an important issue for the NRA and more importantly to the NDRRMA to consider.

Unlike the NRA, the NDRRMA has an opportunity to give a clear message that their organisation has a long-term mandate to address long-term needs. It needs field offices with responsibility for provinces and local governments and strong mechanisms for cooperation and collaboration on mitigation measures and preparedness. Most respondents have highlighted the importance to give the NDRRMA a stronger mandate. Its efficiency depends on how independent it will be in making decisions and forging partnerships with other government and non-government agencies.

4.9 Policy, planning and coordination

The NRA was established by the Act and its regulations. It has developed about 16 procedural guidelines and similar legal instruments, most of them available online (<http://nra.gov.np/np/#>). There are also some key decisions including those made by the Council and Directive Committee. These include policy, regulations, procedures and standards. It took significant time and efforts for the NRA to formulate and endorse these instruments. **In summary, this experience shows that the NDRRMA should better form such policy instruments in advance so that they can be activated and utilised when needed.**

The major regulations, guidelines and frameworks that apply for the NRA (and also useful reference for future reconstruction) are:

- Policy on National Reconstruction and Rehabilitation, 2015
- Regulations on Reconstruction, 2015
- Guidelines on grant distribution to private houses, 2015
- Guidelines on environmental impact assessment, 2015
- Guidelines for obtaining land, 2015

- Guidelines for land registration, 2015
- Guidelines for mobilising NGOs, 2015
- Guidelines for mobilising volunteers, 2016
- Post disaster recovery framework, 2016
- Policy for communication and outreach (2074 BS - 2077 BS)
- Guidelines for Training Conduction (2073 BS)
- Operational guidelines for integrated settlement development (2016, amendment 2018)

The NRA has managed its web pages and all policy and guidelines related documents are publicly available online (<http://nra.gov.np/np>)

The experiences from other countries (Haiti, Pakistan, India) also show similar implications of lack of policies and guidelines in advance limiting the effective operation of reconstruction, delaying actions and going through complicated processes. The Haiti case reveals that legal measures are essential in advance of any disastrous event with provision to automatically activate structures and functions. In Haiti, after the 2012 earthquake, the parliament approved the creation of an Interim Haiti Recovery Commission. Even before the earthquake, Haiti had a reputation for high levels of government corruption. Donors had called for guarantees of oversight and accountability in the rebuilding process, which were not thought out enough in the Commission. The reconstruction financing was administered through a multi-donor trust fund, supervised by the World Bank. In 2014, millions of dollars from USAID were gone, leaving behind low quality, poorly thought out development experiments and half-finished projects⁵.

In summary, the NDRRMA should help ministries prepare their advance policies and plans for emergency preparedness, response and reconstruction. These policies should not only be in the NDRRMA but also into related sector ministries. As highlighted by NRA officials this provision needs to be enshrined in the mandates of relevant sector ministries and departments to effectively implemented. In addition, the NRA has mechanisms to collaborate and coordinate with other actors. However, the NDRRMA will need a bigger coalition to fulfil its responsibilities.

4.10 Reconstruction Considerations

Risk reduction perspective

There are standards and technical guidelines set forth by the NRA in collaboration with the MoUD and DUDBC. They are technically driven, to ensure buildings are seismic resistant but are not linked to local standards and cultural practices as well as material availability. The choice of size, shape and structures of houses are different in rural and urban settings and are influenced by availability of construction materials, family size, culture and traditions, climate, livelihood strategies of the family and so on. Thus,

⁵ *The Wall Street Journal*, May 18th 2014, Bill, Hilary and the Haiti debacle, by Mary Anastasia O'Grady

it is neither possible to strictly standardise everything, nor would it be appropriate. The NDRRMA will have relatively much more time to consider these issues and work on various designs and ways of reconstruction and be prepared with a few acceptable options for reconstruction.

One of the other reconstruction challenges is that the deployed engineers were recent graduates and in turn their advice to beneficiaries was not very useful. There was also very little support provided to these engineers. The construction workforce, in general, lacked practical knowledge of earthquake-resistant technology. It was predicted that the reconstruction effort would require some 10,000 skilled manpower that included engineers, foremen, masons, and carpenters. Developing manpower on this scale is a huge task. The PDNA estimated that only 20% of the needs of human resources could be met within Nepal's existing resources.

The government instituted a reconstruction programme that identifies beneficiaries and entitles them to three tranches of compensation. The payments are dependent on progress and building code compliance. In December 2018, the NRA had signed the government private housing grant agreement with 742,135 beneficiaries, out of which 337,319 have completed building their houses while 233,343 are currently under construction. Those who do not own land are not enrolled for the reconstruction support. By the time guidance was finally available on building compliance, many beneficiaries had spent the first instalment on other pressing livelihood priorities. There is also an issue with people not taking the second instalment because it is loaded with too many technical and administrative conditions, which may indicate the need to relax the implementation guidelines to suit local contexts. Additionally, due to the remoteness of many areas, the NRA has been unable to provide enough technical experts to check for compliance.

Therefore, the NDRRMA will need to consider what mechanisms and expert staff need to be put in place to ensure compliance is checked expediently, to enable affected population to get on with the reconstruction of their homes.

Existing social problems such as poverty, inequality, and unemployment before the earthquake have increased the vulnerability of people and hindered people's interest to accelerate the reconstruction, especially to build a seismic resistant residential building. Of the more than 600,000 buildings that were fully damaged by the earthquake, most predated building codes and were built from stone and mud. In Nepal, 80% of human settlement is often referred to as "informal". These are households that are not in compliance with building norms and planning regulations. This can be a measure of the marginalisation and vulnerability of these populations.

The retrofitting program is essential for economic, political and social reasons. Many existing structures including residential buildings located in the devastated area survived the 2015 earthquake but are inadequate based on current seismic design codes. The demolition and replacement of these vulnerable buildings are neither affordable nor feasible due to historical, cultural, social, and economic constraints. Retrofitting is a relevant technique to restore as well as strengthen the existing undamaged buildings. Though there is both financial and technical support for new construction but there is no support or guidance for retrofit of a large number of partially damaged houses. It is also important to build confidence among the local community in the effectiveness of earthquake-resistant technology, with a focus on retrofitting at minimum additional cost.

Relocation and resettlement

There is an issue around the fact that people do not want to resettle to areas they are unfamiliar with. Currently, if they are more than 99 people to resettle, they need to come to NRA. If resettlement was delegated to local municipalities, it could be a smoother process.

Therefore, the NDRRMA should delegate basic resettlement matters to respective municipalities. To support local governments, the NDRRMA could form task groups of technical experts such as on geology, infrastructure and livelihoods sectors according to its mandate provided by the DRRM Act, 2074 (Clause 11).

The more complex resettlement issues need to be looked at jointly by different stakeholders. There should be a strong mechanism for coordination, collaboration and to exercise authority for land acquisition, distribution and utilisation for specific purposes. The suggestions on how to do this were mixed. Some suggested the formation of a task-group of deployed staff from different ministries to steer the process and get things done into their respective parent organisation. Others suggested land acquisition could be taken up by the respective local governments, which they thought would be more in line with the federalisation process.

The resettlement and geo-hazard mapping/analysis has been one of the most successful elements of the NRA. It has developed guidelines for geo-hazard assessments, and categorisation of risk based for households. The NRA has developed a policy for resettlement for families that are from high geo-hazard risk communities, providing procedure for land purchase and new house construction.

In summary, specific recovery functions managed by the NRA, such as those provided by the geo-hazard and resettlement unit will need advance planning for seamless transition to the new authority.

5 Challenges

One of the most important challenge the NRA has faced was to manage the expectations of the beneficiaries within a short time and with limited funds available. The funds flow was slow, whereas needs were urgent and large. The other challenge was the lack of an appropriate coordination mechanism with district level agencies which often worsened problems.

The NRA was unable to fulfil staffing needs and retain staff. Building the confidence and the support from the bureaucracy could be the greatest challenge of the NDRRMA, if the NRA experience is replicated. The challenge would lie in guaranteeing staff technical capacity, skills, commitment and professional integrity.

Changes in the government leadership resulted in CEO changes and uncertainty. Respondents also commented on the unnecessary political interference of the CEOs over their commitment to reconstruction. This supports the idea that the NDRRMA should be under the MoHA and within bureaucratic management, however this option is unlikely as working under the umbrella of MoHA bureaucracy would present other challenges.

Managing expectations, views and priorities of donors, UN Agencies and other actors was also challenge. Donors tend to influence governments and direct the course of DRRM through their understanding and interests. The Nepal Risk Reduction Consortium (NRRC) review shared similar findings (UNRCO, unpublished). This might be a factor to consider in the set-up of the NDRRMA and its operationalisation.

6 Conclusion

Being under MoHA or Office of the Prime Minister and Council of Ministers has implication on the functionality of the NDRRMA. Importantly, it has implications on the Authority's ability to: access funds efficiently, get approval of plans and programmes, attract staff and experts, and build links with other government and non-government agencies. However, the NDRRM Act has already outlined where the NDRRMA sits and the Act would need to be amended should the position change.

Ownership of respective tasks by line ministries is a challenge for the NRA. When the NRA first started, ministries were active because the project implementation units were located within the ministries themselves. Now that the project implementation units are directly under the NRA, the respective ministries are inactive. The role of the 'parent' ministry should stay the same, irrespective of where the project implementation units are located. Disaster preparedness and response is a joint responsibility and all ministries must take ownership.

One of the options for the Authority is to have a small and flexible core structure that could expand quickly when in need. Everybody agreed the Authority should have a coordinating and facilitating role, where risk reduction, preparedness, and recovery are led by relevant ministries and entities at federal, province and local level. The NDRRMA keeps its day to day the responsibility for training, assessments and the early warning systems for preparedness. Teams should be trained in line ministries that can be called upon to deliver the response and recovery to the next disaster. Its model should be lightly staffed with the possibility to bring people in when there is an emergency. Small scale disaster response can be attended to by local governments or province governments.

All the discussions indicated that the disaster risk reduction and management operate within the broader governance framework and we cannot anticipate ideal circumstances for specific structures. The concerns of the bureaucracy must be addressed, such as the need for career progression or there is a risk that it will impede the functioning of the NDRRMA.

The NDRRMA must understand, identify and help to address needs for support and development on DRRM and resilience within federal ministries, departments, provincial or municipal governments at the operational level. Its technical assistance offer must address locally important priorities in a cost-effective manner.

To assist the needs for support and development on DRRM, the NDRRMA should create and maintain a roster of government staff, external consultants and organizations who are pre-qualified to perform specialist technical assistance tasks for federal, provincial and local governments, such as for example on risk-sensitive planning. These services may be procured by any level of government or provided by the NDRRMA as an in-kind contribution to other government institutions at any level.

Existing social problems such as poverty have hindered people's interest to accelerate the reconstruction, especially to build a seismic resistant residential building. In 2017, the NRA CEO has acknowledged that its predominant focus on housing overshadowed broader community needs, for example livelihoods and employment regeneration. Of the more than 600,000 buildings that were fully damaged by the earthquake, many were built from stone and mud. The NDRRMA must be accountable to affected

populations especially the most vulnerable and marginalized who have been excluded, and develop strategies to listen and respond to these needs.

The NDRRMA should learn from reconstruction experiences of other countries. A lack of clear mandates of overlapping institutions can slow down the reconstruction efforts (Pakistan and Bangladesh). The lack of a disaster management policy and a lack of functioning partnership amongst stakeholders was problematic in Bangladesh. There are also some positive lessons to learn from, such as the owner-driven reconstruction in Pakistan, and the Indian government and its NDMA accountability on how the disaster risk reduction funds are spent.

The major issue the NRA faced was operational difficulties in disaster risk reduction fund management. This is a crucial issue for the NDRRMA as well. The NDRRMA should have authority to manage disaster risk reduction funds with strong mechanisms to hold authorities responsible and accountable. To avoid operational hurdles, the NDRRMA should investigate what necessary legal instruments should be in place to guarantee a smooth fund flow, where enough funds are allocated holding the respective authorities accountable for service delivery.

Building on the lessons of the NRA it is worth considering contracting-out certain functions for efficiency. For example, instead of hiring many engineers, the construction supervision could be contracted-out to consulting companies who are responsible for monitoring and advising on the construction of owner-built private houses.

As part of its disaster risk reduction and preparedness activities, the NDRRMA should develop technology options, designs, specifications and standards suitable for different social, cultural, geographic/topographic and environmental context for reconstruction and or retrofitting of houses. It is also important to build confidence among the local community in the effectiveness of earthquake-resistant technology, with a focus on retrofitting at minimum additional cost. The NDRRMA will need to consider what mechanisms and expert staff need to be put in place to ensure compliance is checked expediently and professionally, to enable affected population to get on with the reconstruction of their homes without delay.

The NRA lacks specific M&E for reconstruction. There is also a lack of disaster resilience lens in M&E processes and outputs including related data. The NDRRMA needs specialised M&E supported with technology. A strong feedback loop should ensure improvements are made following M&E recommendations.

The NRA has suffered from a lengthy and process-oriented procurement process. Quoting difficulties faced after the 2015 earthquake, bureaucrats highlighted the impracticalities of the procedures, guidelines and other legal provisions that tripped them up. It was strongly suggested that the NDRRMA should have specific and specialised procurement services for the efficient delivery of goods and services. This should also extend to related ministries, departments, provincial and local governments and other non-government agencies.

7 Summary of recommendations

The following provides a summary of the recommendations for the design and set-up of the NDRRMA based on the review of the NRA's experience

- Most of the respondents recommended an independent, well-resourced entity with the highest level of authority. The Authority should have a clear institutional positioning.
- The NDRRMA should have the authority to manage funds. There should be timely transfers of funds from the Ministry of Finance to avoid delays in the reconstruction process.
- The NDRRMA could have a permanent core structure that comprises of risk reduction, preparedness, response and reconstruction. This core structure should be able to expand following a disaster to respond to the crisis. The readiness provisions should be inscribed in terms of legal instruments, physical infrastructure, budget provisions, human resources contingencies, and instructions to other government departments.
- The NDRRMA should also have an internal audit unit to ensure transparency and due diligence.
- A Monitoring, Evaluation, Accountability and Learning system should be embedded in the NDRRMA's structure and operations, grounded in a Monitoring and Information System capable of interfacing with federal, provincial and local governments.
- The NDRRMA should, at least initially, utilise the coordination structures that already exist for different tasks within the disaster risk reduction and management components.
- The leadership of the NDRRMA should have the right expertise and have the right political weight.
- The NDRRMA should train contingency staff ready to be deployed/seconded in case of disasters or emergencies, to assist in tasks ranging from immediate relief, response to reconstruction.
- Career paths with a proper promotion trajectory would help staff retention at the NDRRMA.
- There needs to be mandate and clarity about how the NDRRMA will work at local and provincial levels. Many respondents felt that parallel actions in federal agencies and siloed structures and functions in local, province and federal agencies will create confusion and duplication.
- The NDRRMA must understand, identify and help to address needs for support and development on DRRM and resilience within federal ministries, departments, provincial or municipal governments at the operational level.
- 'Leave No-One Behind' principles should be incorporated into NDRRMA policies.

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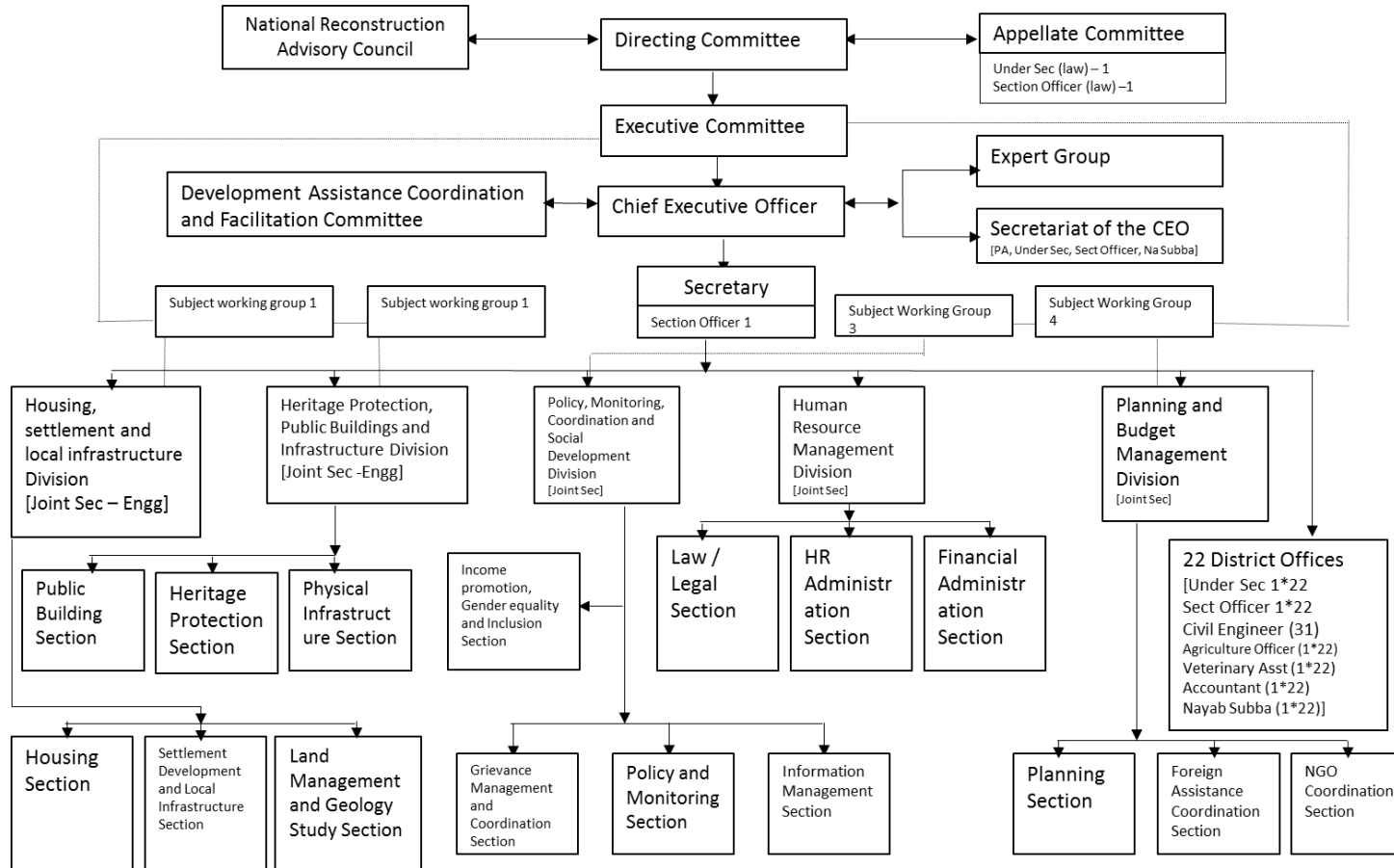
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Annex I: NRA Central Organisation Structure



Adopted from: NRA website http://nra.gov.np/np/pages/view/zzGvcH29pMjzDkliueRocliOhpfSfQHQ7nKgkl_rwnk
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