

Roles and Responsibilities of Government Stakeholder Agencies in Managing Disasters – Reviewing Sri Lankan Experience

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ABSTRACT

Sri Lanka is experiencing an increasing trend of disasters for few decades like many other countries in the world. Number of affected people and properties damaged by disasters like tsunami, floods, landslides and droughts within past few decades are significant. Sri Lanka Disaster Management Act which is the basic law of disaster management mechanism in the country is not strong enough to manage increasing disaster risk through the government stakeholder agencies because of no specified and mandated roles and responsibilities for stakeholder agencies by the act or any other rules and regulations. Although the National Council for Disaster Management (NCDM) and the Disaster Management Centre (DMC) has taken some initiatives for disaster management through various stakeholder agencies at national, district, divisional and local level, still it remains to identify the level of disaster risk in the country at community level based on scientific method. All the mitigation and preparedness projects should be identified and implemented based on the level of risk according to the priority. Disaster management is a multidisciplinary approach and all the stakeholders should be assigned their duties by rules and regulations. The objective of the study was to identify the gaps of government mechanism of Sri Lanka in managing disasters and to find better initiatives of some other countries. Primary and secondary data were used for the study and descriptive analysis was done to find the results.

KEYWORDS: Disaster management, Stakeholders, Roles and responsibilities, Government mechanism, Rules and regulations.

INTRODUCTION

“A disaster is a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources” (UNISDR, 2009).

Over the 10 year period of Hyogo Framework for Action, 2005 – 2015, disasters have continued and as a result, the well-being and safety of persons, communities and countries as a whole have been affected. Over 700 thousand people have lost their lives, over 1.4 million have been injured and approximately 23 million have been made homeless as a result of disasters. Overall, more than 1.5 billion people have been affected by disasters in various ways, with women, children and people in vulnerable situations disproportionately affected. The total economic loss was more than \$1.3 trillion (UN, 2015). Evidence indicates that exposure of persons and assets in all countries has increased faster than vulnerability has decreased, thus generating new risks and a steady rise in disaster related losses, with a significant economic, social, health, cultural and environmental impact in the short, medium and long term, especially at the local and community levels (UN, 2015).

Disasters have been increasingly reported within past few decades in most parts of the world as well, in Sri Lanka, disrupting to the development having destroyed human lives and properties. A landmark of the history of disaster events in Sri Lanka and also in the world, was the Tsunami in 24th December 2004. With the Tsunami a new disaster management mechanism came in to practice in the country with the enactment of the Disaster Management Act of Sri Lanka. The Disaster Management Act was passed by the parliament on 13th May 2005. Having this act being the master policy document in the field of disaster management, it established two administrative bodies named National Council for Disaster Management (NCDM) and Disaster Management Centre (DMC) (Sri Lanka, 2005). While the NCDM is the body of policy making, the DMC has been established as the main agency to help the NCDM to prepare policies, guidelines and work programmes. The DMC is responsible to conduct and coordinate the disaster management activities over the country through stakeholder agencies (Sri Lanka, 2005). Subsequently in November 2005 a separate Ministry for Disaster Management (MDM) was established incorporating the DMC within its purview.

The Disaster Management Act has given only a general guideline for the disaster management mechanism in Sri Lanka and it has not specifically mentioned the roles and responsibilities of the stakeholder organizations. The Act has not mentioned about the provincial, district, divisional, local and village level government agencies and their roles and responsibilities in managing disasters.

The Indian Disaster Management Act of 2005 and Japanese Disaster Countermeasures Basic Act of 1961 have specifically mentioned in detail the roles and responsibilities of stakeholder agencies.

The present practice of disaster management by the government, semi-government or community-based organizations in Sri Lanka are not strong enough to reduce disaster risk or to respond to victims in disasters. Presently, in critical situations of response and relief, the District Secretaries and the officers of District Disaster Management Coordinating Units (DDMCU) are playing a difficult role to coordinate relevant stakeholders at district level to give maximum service to the victims. And the same time, Divisional Secretaries and the Disaster Relief Service Officers are facing the same problem at divisional level. The activities in these stages should have to be done by coordinating the Police, Army, Navy, Air force, Local Authorities and other governmental and non-governmental organizations. Owing to no mandated roles and responsibilities by any rule or regulation for the stakeholder agencies, this task is extremely difficult and the victims are always blaming the governments that they have not received reliefs, and other services promptly.

With the increasing trend of disaster events in previous decades, it has been a salient national task for Sri Lanka to develop and strengthen advance disaster management system for the sake of people.

In such an environment, the author aims to review the roles and responsibilities of the Government Agencies that are working in disaster management and to review the provisions of the Disaster Management Act, Policy and other work plans which are presently in operation. The author attempt to identify this scenario comparing the government disaster management mechanisms of India and Japan.

LITERATURE REVIEW

According to the world disaster records, the Asia is the most vulnerable region in the world (EMDAT, 2016). When reviewing the disaster management mechanisms in the world to learn the good practices for our country, it is more convenient to study the systems of neighboring country India and the Japan where well established disaster management system is in operation.

India

By the Indian Disaster Management Act of 2005 (India, 2005), the government of India has established a system with several governmental organizations for each level from national level to sub national levels for managing disasters. The principle government agencies of disaster management in India are mentioned below.

- National Disaster Management Authority
- State Disaster Management Authorities
- District Disaster Management Authorities
- Local Authorities
- National Institute of Disaster Management
- National Disaster Response Force

National Disaster Management Authority (NDMA) is headed by the Prime Minister of India and the State Disaster Management Authorities (SDMAs) are headed by the respective Chief Ministers. The District Disaster Management Authorities (DDMAs) are headed by the District Collectors, Deputy Commissioners or District Magistrates as the case may be, with the elected representative of the local authority as the Co-Chairperson.

The Act lays down institutional, legal, financial and coordination mechanisms at the National, State, District and Local levels. This institutional framework is expected to do a paradigm shift in DM from relief-centric approach to a proactive regime that lays greater emphasis on preparedness, prevention and mitigation (India, 2009).

The NDMA, as the apex body for disaster management in India, has the responsibility for laying down policies, plans and guidelines for DM and coordinating their enforcement and implementation for ensuring timely and effective response to disasters. The guidelines will assist the Central Ministries, Departments and States to formulate their respective DM plans. The NDMA approve the National Disaster Management Plans and DM plans of the Central Ministries/Departments. Central Ministries/Departments and State Governments will extend necessary cooperation and assistance to NDMA for carrying out its mandate (India, 2009).

The SDMA lay down policies and plans for DM in the State. It approve the State Plan in accordance with the guidelines laid down by the NDMA, coordinate the implementation of the State Plan, recommend provision of funds for mitigation and preparedness measures and review the developmental plans of the different Departments of the State to ensure the integration of prevention, preparedness and mitigation measures (India, 2009).

The District Disaster Management Authorities act as the planning, coordinating and implementing bodies for DM at the District level and take all necessary measures for the purposes of Disaster Management in accordance with the guidelines laid down by the NDMA and SDMA. It prepare the District DM plan for the District and monitor the implementation of the National Policy, the State Policy, the National Plan, the State Plan and the District Plan. The DDMA also ensure that the guidelines for prevention, mitigation, preparedness and response measures laid down by the NDMA and the SDMA are followed by all the Departments of the State Government at the District level and the local authorities in the district (India, 2009).

Local Authorities include Panchayati Raj Institutions (PRI), Municipalities, District and Cantonment Boards, and Town Planning Authorities which control and manage civic services. These bodies need to ensure capacity building of their officers and employees for managing disasters, carry out relief, rehabilitation and reconstruction activities in the affected areas and will prepare DM Plans in consonance with the guidelines of the NDMA, SDMA and DDMA. Specific institutional framework for dealing with disaster management issues in mega cities are put in place (India, 2009).

The National Disaster Management Plan (NDMP) provides a framework and direction to the government agencies to make their plans for all phases of disaster management cycle (NDMA, 2016). The NDMP is in accordance with the provisions of the Disaster Management Act, 2005 of India, and the guidance given in the National Policy on Disaster Management.

By the Act the roles and responsibilities of government agencies have been laid down and it has been notified that all the ministries and departments should be engaged in disaster management activities. The Act has specifically prescribed the offences and penalties for the agencies who are not engaging in responsible disaster management activities.

According to the Act and the Policy, National Disaster Management Plan, State Disaster Management Plans, District Disaster Management Plans should be prepared by the respective agencies in accordance with the National Disaster Management Plan. The Act has constituted two types of funds as response and mitigation, which have been set up at the national, state and district levels. Thus, for disaster response, the Act envisaged a National Disaster Response Fund, a State Disaster Response Fund in each State and, within the States, a District Disaster Response Fund in each district. Similarly, the Act envisaged a National Disaster Mitigation Fund, State Disaster Mitigation Funds and District Disaster Mitigation Funds for disaster mitigation requirements (NDMA, 2016).

Indian National Policy on Disaster Management (NPDM) of 2009 (India, 2009) has pointed out the government institutional setup. As the Institutional Framework, National Disaster Management Authority (NDMA), National Executive Committee (NEC), State Disaster Management Authority (SDMA), District Disaster Management Authorities (DDMA), Local Authorities, National Institute of Disaster Management (NIDM) and National Disaster Response Force (NDRF) have been identified. NPDM further has noted about the other important institutions in disaster management as Armed Forces, Central Paramilitary Forces, State Police Forces and Fire Services, Civil Defense and Home Guards, State Disaster Response Force (SDRF), Role of National Cadet Corps (NCC), National Service Scheme (NSS) and Nehru Yuva Kendra Sangathan (NYKS). Accordingly it can be identified that the Indian government has initiated a massive systematic mechanism for disaster management.

Japan

Disaster Countermeasures Basic Act, 1961 (Japan, 1961) was set out as the basis for measures to reduce disaster risk in Japan. Under the Disaster Countermeasures Basic Act (DCBA), an integrated national system has been established in the way that the Act clearly prescribes the roles and responsibilities of the national and local governments, the relevant stakeholders of the public and private sectors in implementing various disaster countermeasures. Also, there are prefectural and municipal ordinances for disaster management in Japan. Under the Disaster Countermeasures Basic Act, the Central Disaster Management Council (CDMC) has been constituted as the apex body in disaster management in the country. Additionally, there is a Minister of State for Disaster Management. The

Cabinet Office is the secretariat for the Central Disaster Management Council. Responsibilities of the State Ministers are to handle planning and central coordination with regard to matters relating to basic policy on disaster risk reduction, and matters concerning disaster countermeasures in the event of a large-scale disaster. The Minister is also responsible for the integrated handling of information-gathering and other emergency measures, working closely with the Cabinet Secretariat, in the event of a disaster. By this act disaster management countermeasures have been allocated among many ministries and the prefectures as well as local level. At the same time, there are Central Disaster Management Council, State Disaster Management Councils and Local Disaster Management Councils operating under the purview of the act. Also, the Act has clearly mentioned the responsibility of States, Prefectures, Cities, Towns or Villages (Japan, 1961).

Articles four to eight under the General Rules of Chapter One of the Disaster Countermeasures Basic Act of Japan has been quoted below to understand that the Act specifically mentioned the roles and responsibilities of every agencies in disaster management.

“Responsibilities of a prefecture”

Article 4. In the interest of protecting the area of a prefecture, the life and limb of its residents and their property from disaster, the prefecture shall have the responsibility to formulate and implement, with the cooperation of agencies concerned and other local governments, a disaster prevention plan relating to its area, as prescribed by law, and at the same time, shall assist in the performance of business or operations related to disaster prevention of a city, town or village, and designated local administrative organs within the area, and shall exercise responsibility for overall coordination of such business or operations.

2. Agencies of a prefecture shall, in performing their business or operations, act in concert in order that responsibilities of the prefecture as provided under the preceding paragraph may be fulfilled.

Responsibilities of a city, town or village

Article 5. In the interest of protecting the area of a city, town or village, the life and limb of its residents and their property from disaster, the city, town or village as a local government at the base shall have the responsibility to formulate, with the cooperation of related agencies and other local governments a disaster prevention plan pertaining to the area of said city, town or village, and to implement said plan as provided by law.

2. The mayor of the city or town or the head of the village shall, in order to fulfil responsibilities under the preceding paragraph, endeavor to employ to the highest degree all capacities of the city, town or village, by keeping the organization of firefighting agencies, flood prevention units etc. in good condition, and by consolidating organizations related to disaster prevention of public groups within the

area of the city, town or village and voluntary disaster prevention groups among the residents in a community.

3. Firefighting agencies, flood prevention units and other agencies of the city, town or village shall, in performing their respective business, act in concert in order that the responsibilities of the city, town or village as prescribed under the preceding paragraph may be fulfilled.

Responsibilities of designated national and local public corporations

Article 6. Designated national and local public corporations shall have the responsibility to formulate a disaster prevention plan pertaining to their respective business and to implement it as prescribed by law, and at the same time, to render cooperation in their respective activities to the prefecture, city, town or village in order that the state, prefecture, city town or village may effectively formulate and implement their disaster prevention plans as provided by this Act.

2. Designated national and local public corporations are obligated to contribute through their respective businesses toward the cause of disaster prevention, in view of the fact that their business is for the public good.

Responsibilities of residents and others

Article 7. Public organizations, administrators of establishments important in terms of disaster prevention, and other parties having responsibility under the Act for disaster prevention, are obligated, by law or under an appropriate area disaster prevention plan, to fulfil their responsibilities in good faith.

2. In addition to what is provided for in the preceding paragraph, residents of the area under local government are obligated to contribute toward the cause of disaster prevention by taking their own measures to prepare for disaster and by participating in voluntary disaster prevention groups etc.

Exercising of care in the interest of disaster prevention in enforcing appropriate measures

Article 8. Both the State and the local government should exercise care so that all measures which they will carry out will contribute to preventing disaster which harms the land, the life and limb of the citizens and their property, be they specifically addressed to disaster or not.

2. In the interest of preventing a disaster from occurring and of blocking the spread of a disaster that has occurred, the local government as well as the State shall particularly endeavor to carry out matters listed below:

- (1) Scientific research on disaster and its prevention and putting its findings into practice.
- (2) Forest conservation, flood prevention and other matters concerning conservation of the land.

(3) Fireproofing of buildings and to the improvement of structures for prevention of disaster in the cities.

(4) Disaster prevention measures for traffic, information communications, and functions concentrated in urban areas.

(5) Efficient operation of establishments and organizations concerned with activities necessary for disaster prevention such as weather observation and flood and earthquake prediction, forecasting, information gathering and other activities, and establishments and organizations concerned with communication.

(6) Improvement of forecasts and alarms.

(7) Improvement of methods for publicizing earthquake forecasting information.

(8) International cooperation with respect to consolidation of a network of weather observation.

(9) International cooperation with respect to human control of typhoons, and other necessary research on disaster prevention, observation and exchange of information.

(10) Measures for long-term disasters from volcanic phenomena etc.

(11) Maintenance of efficient operation of establishments and organizations for flood prevention, firefighting, rescue and relief, and other disaster emergency measures.

(12) Conclusion of mutual aid agreements among local governments.

(13) Encouragement of the people to engage in voluntary disaster prevention activities by fostering voluntary disaster prevention groups and enhancing the environment for disaster prevention activities by volunteers.

(14) Necessary disaster prevention measures for the elderly, the handicapped, infants and others requiring special care.

(15) Acceptance of disaster prevention assistance from other countries.

(16) Provision of accurate information to disaster victims.

(17) Education and drills necessary for disaster prevention.

(18) Dissemination of ideas about the importance of disaster prevention.

3. The State and the local government shall endeavor, in time of a disaster, to effect rehabilitation of establishments, and rescue and relief for victims toward an early recovery from the disaster” (Japan, 1961) .

Considering the above measures under article 8 of the Act which is the national disaster management law of Japan, it has mentioned the roles and responsibilities of every agencies relating to disaster prevention, mitigation, preparedness and response (Japan, 1961) etc.

According to the Disaster Countermeasures Basic Act, the Basic Disaster Management Plan is prepared by the Central Disaster Management Council, the Disaster Management Operation Plan is prepared by each designated government organization and designated public corporation, and the Local

Disaster Management Plan is prepared by each prefectural and municipal disaster council. These plans together establish a comprehensive disaster management system in Japan which deals with all the phases of disaster management.

At the national level, the above-mentioned Central Disaster Management Council is established in the Cabinet Office. The Council (comprised of the Prime Minister as the chair, Minister of State for Disaster Management, all other ministers, heads of major public institutions and experts on disaster-related issues) deliberates significant issues on disaster management in accordance with requests from the Prime Minister or Minister of State for Disaster Management, and promotes comprehensive measures for disaster management.

At the prefectural level, under the Prefectural Disaster Management Plan which is prepared by a Prefectural Disaster Management Council, Governor, prefectural government, designated local government organizations, designated local public corporations and other concerned parties carry out measures for disaster management. At the municipal level, under a Local Disaster Management Plan which is prepared by the a Municipal Disaster Management Council, the head of city/town/village and municipal government implement the measures in cooperation with the police, fire departments, community groups, schools and other concerned parties.

Details of measures for different types of disaster, as well as competence and duties of institutions/stakeholders in dealing with disasters, are prescribed by each specialized laws (e.g. Flood Control Act, Landslide Prevention Act, Act on Special Measures for Active Volcanoes, and Act on Special Measures for Disaster Prevention in Typhoon-prone Areas) whereas the general countermeasures as well as general competence and duties are provided by the Disaster Countermeasures Basic Act.

MATERIALS AND METHODS

The research design in nature was qualitative. The researcher looked at the research problem associating with his work experience of ten years in the Disaster Management Centre as an Assistant Director. A comprehensive literature review was conducted to establish the knowledge of the associated concepts and their relationships pertaining to the study, prior moving to primary data collection. The following sub-sections describe the methods and rationale of method selection for primary data collection and data analysis. Conversation is a superlative mode of getting to know about other people's experiences, feelings and expectations of the world in which they live. Thus, interview conversations facilitated the researcher in asking what other people think about the focus of the research problem. Accordingly, semi-structured interviews were conducted as the primary data collection method for this study.

In that way, the primary data, regarding the disaster management activities undertaken by the government agencies were collected through the officers of District Disaster Management Coordinating Units, Disaster Relief Service Officers working in Divisional Secretariats, District Secretaries, Divisional Secretaries and other Government Officers engaging in ground level disaster management activities by semi-structured interviews.

This paper has mostly used secondary data to understand the roles and responsibilities of government agencies in managing disasters. As secondary data sources, the author has used policy documents like Acts, National Policies, National Plans and Guidelines of disaster management. The study, being a policy review, all the data were processed and analyzed with the help of descriptive analysis. Indian government mechanism and Japanese government mechanism in disaster management were reviewed to have a comparative knowledge to study the Sri Lankan government mechanism.

RESULTS AND DISCUSSIONS

According to the Disaster Management Act of Sri Lanka, the National Council for Disaster Management is the highest body to make policy decisions to perform disaster management activities in the country (Sri Lanka, 2005). The council consists of the His Excellency the President (the chairman of the council), the Prime Minister (the vice-chairman), the Leader of the Opposition, the Ministers in charge of the 20 subjects (Social Welfare, Rehabilitation and Reconstruction, Environment, Home Affairs, Health, Science and Technology, Housing, Coast Conservation, Irrigation, Power, Defense, Police, Finance, Land, Fisheries and Aquatic Resources, Foreign Affairs, Water Supply, Highways, Urban Development and Education), the Chief Ministers of all the Provincial Councils and five Opposition Party Members of Parliament. Disaster Management Centre (DMC) has been established by the act to help the council and to implement and coordinate activities relating disaster management over the country. Ministry of Disaster Management has been established and the Disaster Management Centre, National Building Research Organization (NBRO), Department of Meteorology (DoM) and the National Disaster Relief Service Centre (NDRSC) are operating under the ministry.

The roles and responsibilities of government and semi-government sector organizations in each stage of disaster management cycle have been mentioned in the Act. Under the section 10 of the Act (Sri Lanka, 2005), the responsibilities of government and semi-government organizations, in each stage of disaster management cycle, has been mentioned as follows.

10. (1) It shall be the duty of every Ministry, Government Department and Public Corporation to prepare a Disaster Management Plan with respect to such Ministry, Government Department, or Public Corporation, to counter any disaster or impending disaster, based on the National Disaster Management Plan and in accordance with such guidelines as may be specified by the Council.

10. (2) The Disaster Management Centre shall, if requested by a Ministry, Government Department or Public Corporation referred to in subsection (1), extend all necessary assistance to such Ministry, Department or Corporation, as the case may be, in the preparation of its Disaster Management Plan.

10. (3) Every Ministry, Government Department and Public Corporation shall on or before such date as shall be determined by the Council by order published in the Gazette, submit to the Centre, a detailed Disaster Management Plan relating to the disaster counter-measures proposed to be taken by such Ministry, Government Department, Public Corporation, as the case may be, to counter any disaster or impending disaster.

10. (4) The Centre shall submit every Disaster Management Plan received by such agency under subsection (3), to the Council for its approval (Sri Lanka, 2005).

According to the respondent's view, although the section 10 of the Act has mentioned to prepare the disaster management plans by every Ministry, Government Department and Public Corporation that has not been occurred so-far. It has been mentioned in sub section 10 (3) that the Council can determine a date by order publishing in the Gazette to have the disaster management plans by every Ministry, Government Department and Public Corporation, such steps have not been taken by the council so-far.

Compared to the Indian and Japan disaster management acts and national and sub national level disaster management plans and government mechanisms of those countries as mentioned in the literature review of this paper, the Sri Lankan system is not strong enough. It can be understood that the Disaster Management Act of Sri Lanka has mentioned in general the roles of only the national level ministries and departments, it has not illustrated a mechanism to provincial, district, divisional and local level.

The mechanisms in India and Japan are stronger with powerful acts, policies and guidelines. The governments of those countries have empowered provincial, district and local level agencies by rules and regulations to work.

District Disaster Management Coordinating Units (DDMCU) are working as the district level layer of the DMC. But the DMC officers have not been vested the legal power by the act, any rule or regulation to take legal actions against the persons who create hazards. But the disaster management Act of India has mentioned the mechanism from national to divisional level. The State DMA and District DMA have the power to take actions against those who don't do the mandated activities for disaster management.

According to the Disaster Management Act of Sri Lanka, the two major plans which have been identified to be prepared by the National Council for Disaster Management are the National Disaster Management Plan (NDMP) and National Emergency Operation Plan (NEOP). These two plans are

presently under preparation and to be produced to the Council for approval. Other Ministries, Government Departments and Public Corporations should prepare their disaster management plans following the NDMP and the NEOP.

As the respondents perceive, the DMC has already prepared District Disaster Preparedness Plans for all the districts, Divisional Disaster Preparedness Plans for many Divisional Secretary Divisions and Grama Niladari Divisional Disaster Preparedness Plans for few Grama Niladari Divisions in the country. It was observed by the discussions that these plans are not useful because of the plans are not technically sound and at the same time these plans have no any legal power. The stakeholders of these plans (that means the committee members) have no any liability to implement these plans. The members of the District Disaster Management Committees, Divisional Disaster Management Committees and Grama Niladari Division Disaster Management Committees are not given mandated roles and responsibilities by any rule or regulation so far. Therefor these committees are not functioning properly and the plans prepared are not up to standard to be used in disaster situations.

According to the respondent's point of view, with the development activities, especially in road sector development projects and building construction projects, some disasters like floods/flash floods and slope failures/cut failures have been created. Although an Environmental Impact Assessment (EIA) or Initial Environmental Examination (IEE) (Lanka, 1988) was conducted in prescribed projects to identify the environmental impacts and to propose mitigatory measures, no mechanism is in place to identify the flood or slope failure vulnerabilities in small scale projects, mostly in community level.

With the provisions of Cost Conservation Act the Coastal Conservation Department (CCD) can take judiciary actions against the persons who do any illegal construction within the coastal zone (CCD, 1981). Likewise, Wildlife Conservation Department, Forest Department and Central Environmental Authority (CEA, 1980) can take legal actions against persons who violate the rules and regulations of their Acts. In case of disasters, (though most of natural disasters, for example, Tsunami, Cyclone, Earthquake and Tornados are impossible to prevent, some local level floods, landslides and other disasters may be prevented or mitigated through prior actions) DMC has no power to produce violators to the court. The researcher identified, by discussions with the officers of DDMCUs, that, at times, some people come to their offices to complain against the peoples who create risks to the nearby houses by making land preparations for constructions, but, in such occasions, the DDMCU officers have to do only to advise them to go the Police or to the Court to take actions against the violators. The DDMCU officers believe that they are responsible to prevent disasters and they should have authority to prevent such hazards through judiciary process. If not they propose that, some other relevant government organizations like Department of Irrigation, Department of Agrarian Development, Local Authorities or any relevant organizations should be mandated with authority to prevent such hazards.

The adaptation of the International Strategy for Disaster Reduction (ISDR) in 2000 as a global initiative came into operation. After that, the Hyogo Framework of Action (HFA) 2005-2015 aiming at Building the Resilience of Nations and Communities to Disasters came into power shortly after the Asian Tsunami in 2004, and over 168 governments pledged to implement the Hyogo Framework of Action with three strategic goals. With passing the 10 year period of time of HFA, to continue the progress archived by the HFA, the Sendai Framework for Disaster Risk Reduction 2015-2030 was adopted at the Third United Nations World Conference on Disaster Risk Reduction, held in March 2015 in Sendai, Miyagi, Japan (UN, 2015). One of the principle aims of these conventions was to establish and strengthen institutions and mechanisms through enactment of policies, laws and regulations in countries.

The Post Disaster Need Assessment Report prepared by the Ministry of Disaster Management after the floods and landslides in 2016, says that, the Government of Sri Lanka did not have a clear policy for resettlement of people displaced due to both, natural and human-induced hazards. It could also be able to identify in previous practices that the decisions on assisting disaster affected people have been taken case-by-case considering various aspects including the severity of the disaster. However, there is no policy or guideline has been prepared for disaster related displacement in Sri Lanka (Ministry, 2016).

CONCLUSION AND RECOMMENDATIONS

With the increase of disaster events over the world, especially by the causes of climate change, the impacts of disasters are badly affecting the communities and the economies of countries. International community's commitment to disaster risk reductions with the leadership of United Nations, is doing a remarkable job. Hyogo Framework for Action 2005-2015 and Sendai Framework for Disaster Risk Reduction 2015-2030 are forward actions taken in this context. While firm policies, institutional and operational mechanisms are practicing in some countries, infirm policies, institutional and operational mechanisms can be identified some other countries. The disaster management mechanism in Sri Lanka so far is not in a satisfactory level as discussed in results section, but it is in a process of development.

National Disaster Management Plan (NDMP) and the National Emergency Operation Plan (NEOP) should be prepared by the National Council for Disaster Management (NCDM) with no delay and the ministerial, departmental, cooperation's, provincial, district, divisional and village level disaster management plans should be prepared according to the NDMP and NEOP.

Presently in Sri Lanka, the subject of disaster management is functioning under the Ministry of Disaster Management of central government, but this subject is not functioning as a ministerial subject under the provincial councils. It is important to include this subject as a ministerial subject to the provincial councils. Also the subject should be in cooperated in to the local authorities as a mandatory subject. The roles and responsibilities of every organizations in each level of disaster management

mechanism, should be specified and mandated by rules and regulations. Also the roles and responsibilities of other stakeholders in village, divisional, district, provincial and national level should be specified and mandated by rules and regulations. Local authorities have lot of physical resources such as Backhoes, JCBs, Bulldozers, Water bowsers, Tractors, etc. which are very important in disaster response stages.

There are some recommendations made by the Sri Lanka Comprehensive Disaster Management Programme 2014-2018 (SLCDMP), to strengthen the legal framework and mechanism of disaster management in Sri Lanka. It proposes that the Local Governments should be mandated in disaster management activities (MDM, 2014). The Local Governments (Municipal Councils, Urban Councils and Pradeshiya Sabhas) should be engaged in disaster mitigation, preparedness, response and recovery activities based on the provisions of NDMP and NEOP which are to be prepared by the National Council for Disaster Management. The SLCDMP recommends to make institutional and legal setting to establish community based disaster management system in Sri Lanka, under which Grama Niladari (GN) level and village level Disaster Management Committees should be established and disaster management plans for each level should be prepared. Legal provisions, regulations and guidelines should be prepared by the government to consider risk factor in development projects.

Legal provisions and procedures are available in the National Environmental Act (CEA, 1988) to carry out Environment Impact Assessments (EIAs) as part of the development project approval process and the Central Environment Authority is mandated to monitor the implementation of EIA recommendations during and after the project period. However, it has been observed that the disaster impacts are not sufficiently addressed in this process and disaster situations have been created by some of the development projects.

As the National Policy on Disaster Management has mentioned the government sector agencies should involve further in each stage of disaster management cycle. Hazard profiles, vulnerability and risk assessments for multiple hazards should be regularly updated and the areas prone to hazards should be identified to prevent and mitigate impacts (NCDM, 2010).

Disaster management authorities should be able to take legal actions against institutions or individuals that conduct activities leading to disasters. For most of the proposed activities above in disaster management sector in Sri Lanka, Disaster Management Act should be amended giving legal power to the relevant agencies and specifying roles and responsibilities of the stakeholders.

REFERENCES

Authority, N. D. M., 2016. *National Disaster Management Plan*, New Delhi, India: National Disaster Management Authority.

Coast Conservation Department, 1981. *Coast Conservation Act No 57 of 1981*, Colombo: Government of Sri Lanka.

Central Eenvironmental Authority, 1988. *National Environmental Ammendment ACt No. 56 . 1988*, Colombo: Government of Sri Lanka.

Central Environmental Authority, 1980. *National Environmental Act No.47 of 1980*, Colombo: Government of Sri Lanka.

EMDAT, 2016. *2015 Disasters in Numbers*, Belgium: Université catholique de Louvain.

India, G. o., 2005. *Disaster Management Act, 2005*, New Delhi: Government of India.

India, G. o., 2009. *National Policy on Disaster Management*, New Delhi: Government of India.

Japan, G. o., 1961. *Disaster Countermeasures Basic Act*, Tokio: National Land Agency, Government of Japan.

Ministry of Disaster Management, 2014. *Sri Lanka Comprehensive Disaster Management Programme*, Colombo: Ministry of Disaster Management.

Ministry of Disaster Management, 2016. *Sri Lanka post disaster need assessment*, Colombo, Sri Lanka: Ministry of Disaster Management.

National Council for Disaster Management, 2010. *National Policy on Disaster Management*, Colombo: Government of Sri Lanka.

NDMA, 2016. *National Disaster Management Plan*, New Delhi, India: National Disaster Management Authority.

Sri Lanka, G. o., 2005. *Sri Lanka Disaster Management Act*, Colombo: Government of Sri Lanka.

UN, 2015. *Sendai Framework for Disaster Risk Reduction, 2015-2030*, Geneva, Switzerland: United Nations.

UNISDR, 2009. *UNISDR Terminology on Disaster Risk Reduuction*, Geneva, Switzerland: United Nations International Strategy for Disaster Risk Reduction.