

JUST RECOVERY: WHAT HAVE WE LEARNED? WHAT DO WE WANT?



Before the emergency

- Develop, publish and implement appropriate, participatory and effective emergency plans.
- Establish government centers for emergency management, at the state and regional level.
- Evaluate the areas of risk and vulnerability in the communities.
- Train emergency and response personnel to offer sensitive and appropriate responses to people from vulnerable populations, such as women, differently-abled persons, immigrants, LGBTTIQ+ people, elderly people, among others.

Immediate response

- Guarantee the right of the affected communities and families to decide whether they will remain or return.
- Provide transportation to those who wish to evacuate before or after an emergency, but are unable to do so without assistance.
- Make available decent, safe, and accessible collective shelters to affected individuals and families.
- Establish protocols to protect children, prevent sexual violence, and guarantee the rights of those with functional diversity.
- Additionally, establish health protocols for disease prevention and guarantee access to safe hygiene management.
- Provide appropriate alternatives to individuals who cannot safely be housed inside a collective shelter.
- Provide human rights monitors access to shelters in order to evaluate conditions inside.
- Make available decent, safe, and accessible temporary housing within the archipelago of Puerto Rico. No person should have to leave the island because it is the only option available.
- Impose an immediate moratorium on forced evictions to be publicized throughout the affected community, including among law enforcement.

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Equitable access to recovery

- Immediately request – from municipal, local and federal entities – all assistance to people affected by disasters to which they are entitled. This includes assistance programs for temporary housing, permanent homes, food, unemployment assistance, healthcare, and more.
- Establish regional centers, available beyond working hours and on weekends, for affected people to submit their applications for assistance.
- Prohibit armed government officials from being placed at the entrances of these centers, an action that prevents the legitimate exercise of seeking disaster assistance from the government.
- Make available easily accessible and uniform assistance requests.
- Ensure that no person will be discriminated against because of class, gender or gender identity, race, functional diversity, immigration status, or other personal characteristics.
- Ensure that homeowners can receive assistance to repair their homes whether or not they have formal titles. This is achieved by adopting the uniform self-declaration prepared by Ayuda Legal Puerto Rico and endorsed by local organizations, such as the Foundation of the Access to Justice Fund, in 2017. FEMA has already recognized that this self-declaration may be sufficient to prove that the applicants were owners. FEMA must make applicants aware that such a declaration exists, make it widely available, and easily accessible at all assistance centers and electronically.
- Ensure that recovery programs provide long-term housing and other solutions to meet the needs of renters and people who are homeless.
- Perform adequate and timely damage inspections by prepared, properly identified persons who speak Spanish. These people must be comprehensively trained.
- Evaluate applications fairly, quickly and equitably.
- Provide clear determinations in a timely manner, in writing and in Spanish, regarding requests for assistance.

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Equitable access to recovery (cont.)

- Quickly disburse funds of the approved individual assistance.
- Prioritize repair and reconstruction. Establish an indefinite moratorium on relocations – beyond emergency instances – recognizing that participatory mitigation and planning should always be the first alternatives.
- Adopt a displacement minimization policy and a relocation plan with a human rights framework.
- Guarantee the right to return of those who had to leave their community, municipality and even Puerto Rico.
- The local and federal government must maintain the maximum degree of transparency and access to information throughout the recovery process. In turn, ensure citizen participation at all stages and decision making in the emergency response and recovery process.
- Local and federal agencies must work in close and constant collaboration between them and the population to ensure the effective use of public funds.

Real, effective and sustained participation in the processes

- Amend the requirements of the Federal Department of Housing (HUD) to require the local government – including the Department of Housing – clear and broad participation parameters, before and during the creation of plans as well as through the recovery process.
- Create regional Community Councils to evaluate the operation of recovery plans and decisions made by agency officials.