

Climate Change and Children in Facilities



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The effects of climate change and destruction is one of the most common discussion topics for leaders everywhere in the world, but rarely is there a discussion about how the warming of the planet will negatively affect children – specifically the impact of climate change in the administration of justice for children. In 2023, the United National Committee on the Rights of the Child identified that problem and aimed to address it by completing General comment No. 26 on children's rights and the environment with a special focus on climate change. The General Comment recognized that it is past time to start to think about the effect of a changing planet on children because we have already seen enough emergencies caused by climate changes that directly hurt children. The General Comment mandated that nations understanding that justice systems, especially those facilities which hold and house children, should have protocols in place for emergencies. To help nations understand the status of their meeting the newest expectations in General Comment 26, volunteers will identify emergency protocols that exist to address instances of natural disasters. Volunteers will explore all existing provisions at the national (federal) level, by region or city, or even by facility including administrative rules, regulations, policies, declarations and laws. We will focus on natural disaster such as floods or heat waves, as well as other, sometimes related, disasters such as health crises or human-made disasters such as violence or war. Facilities may include hospitals, residential facilities, and other places where children are cared for, including jails and prisons.

In this regard, this compendium aims to provide a comprehensive overview of the current state of emergency protocols in place for children in detention facilities in different countries. By examining the existing measures, we hope to identify gaps and areas for improvement to ensure that children are adequately protected during emergencies. The ultimate goal is to advocate for the implementation of robust and effective protocols that prioritize the safety and well-being of children in the face of climate-related and other emergencies. Through this effort, we seek to contribute to a more just and resilient system that upholds the rights of children and safeguards their future in an increasingly unpredictable world.

Climate change exacerbates existing vulnerabilities and creates new challenges that require immediate and sustained attention. Meeting the Paris Agreement targets is the world's response to reducing the risks and impacts of climate change. It entails a transition to a decarbonized and green economy which is also an opportunity for growth and prosperity. Engaging children and youth in this transition is essential, contributing to building the foundations for a fair transition and ensuring their participation in the opportunities of the green economy. Children in detention are among the most vulnerable populations, and their safety during emergencies is paramount. By focusing on the specific needs of children in detention, we can develop targeted strategies that address their unique circumstances and ensure their protection.

This report will serve as a valuable resource for governments, policymakers, practitioners, and advocates working to improve the conditions of children in detention, as well as for social entities and public entities working on children's care. It will provide insights into the best practices and innovative approaches to emergency preparedness and response. By sharing knowledge and experiences from different regions and facilities, we can foster a collaborative approach to addressing the impacts of climate change on children in detention.

This compendium is a critical step towards ensuring that the rights and well-being of these children are protected. It is a call to action for all stakeholders to prioritize the safety of children in the face of an increasingly volatile climate. Together, we can build a more resilient and just system that leaves no child behind.

Alaska, United States

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

The Alaska Administrative Code sets forth in title 7, § 52.355 that it is a requirement for the Superintendent of each Juvenile Justice Facility to "prepare, with the approval of the director, plans in cases of fires, escape, facility-wide emergency, natural disaster, and community evacuation." Additionally, "the superintendent shall ensure that all facility staff members are instructed in their duties in order to implement the plans."

In accordance with Code title 7, § 50.520 of the Alaska Administrative Code, Juvenile Justice Facilities are required to meet "the applicable environmental health and safety standards set out in 7 AAC 10.1000 - 7 AAC 10.1095," which apply to residential care centers or similar facilities. Those requirements include:

- "A disaster preparedness and emergency evacuation plan that (1) includes evacuation procedures that will ensure the complete evacuation of (A) children in care, including children with limited mobility, within 150 seconds" and
- "(3) includes procedures for other emergency situations or natural disasters that may affect the entity, including, as appropriate, tsunami, flooding, and earthquake emergencies." Alaska Admin. Code tit. 7, § 10.1010

However, the State of Alaska's Emergency Operations Plan ([2024 State of Alaska EOP.pdf](#)) doesn't have any particular provisions for justice system facilities generally.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

The national child justice policies in Alaska do include Disaster Risk Reduction (DRR) plans, and these plans explicitly include provisions for the safety and well-being of children, including those deprived of liberty during natural disasters.

Alaska Disaster Act: The Alaska division of homeland security and emergency management is responsible for preparing and maintaining a state emergency plan that includes provisions for the prevention and minimization of injury and damage caused by disasters, prompt and effective response to disasters, and emergency relief. The plan also includes recommendations for safety measures and coordination of federal, state, and local disaster activities (AS § 26.23.040)[1].

[Alaska Statutes § 26.23.040 \(2023\) - Homeland security duties of the Alaska division of homeland security and emergency management. :: 2023 Alaska Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#)

In Alaska, Disaster Response and Recovery ("DRR") plans do not explicitly include provisions for the safety and well-being of incarcerated children during natural disasters. The relevant statutes and regulations focus on general emergency preparedness and response measures but do not specifically address the needs of incarcerated children.

The Alaska division of homeland security and emergency management is responsible for preparing and maintaining a state emergency plan, which may include various provisions for disaster prevention, response, and relief (AS § 26.23.040)[1]. However, there is no specific mention of incarcerated children in these provisions.

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

There is more general disaster planning information in 2023 State of Alaska Hazard Mitigation Plan ("SHMP") [DHS&EM | State Hazard Mitigation Plan \(SHMP\)](#). "The SHMP assesses the risk posed by natural hazards on the people and infrastructure throughout the state, and identifies strategies to protect them from future disasters." Chapter 8 of that plan covers review and evaluation of the plan. [2023 SHMP Chapter 08 Review Evaluation Implementation.pdf](#) Section 8.1 states: "The State Hazard Mitigation Officer ("SHMO") is responsible for monitoring, evaluating, and updating the State Hazard Mitigation Plan in accordance with 44 CFR 201.4(c)(5)(i). The SHMO will monitor the plan continually, evaluate the plan annually and update the plan every 5-years, or within 90 days of a presidential declared disaster (if required), or as necessary to reflect changes in state or federal law. The SHMO determines when significant changes warrant an update prior to the scheduled date."

The Alaska SHMP Annual Review Tracker will be used as the main review tool to keep the plan current."

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

The rules generally require that "The superintendent shall strive to provide housing space sufficient to accommodate, without crowding, the number of residents likely to require care at any one time." Alaska Admin. Code tit. 7, § 52.090. It does not, however, prescribe any particular spacing requirements.

With respect to additional confinement, the rules state that "(a) When a juvenile's behavior necessitates placement in secure confinement for the safety of the juvenile or others, or to ensure the security of the facility, the juvenile may be so confined for a period of up to 24 hours. Secure confinement for periods of more than 24 hours must be reviewed every 24 hours by the superintendent or the superintendent's designee who was not involved in the incident necessitating that confinement. Secure confinement may be extended for additional periods if necessary for the safety of juveniles or others, or to ensure the safety of the facility. Secure confinement may not exceed five 24-hour periods." Alaska Admin. Code tit. 7, § 52.450

The rules also state that "the superintendent shall strive to maintain a high ratio of trained professional staff to residents. The ratio must be no less than one staff member for every 20 residents during sleeping hours, and one staff member for every 10 residents during active hours, exclusive of administrative personnel." Alaska Admin. Code title 7, § 52.130

5. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

Research revealed no information available to determine one way or the other.

6. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Alaska has a general Emergency Operating Plan dated 2024 ([2024 State of Alaska EOP.pdf](#)) which indicates that each agency (including the Department of Corrections) maintains its own plan with specifics for the facility. It is possible that such plans exist but are not publicly posted for security reasons. There is also an evacuation planning guide ([2018-StateOfAlaskaEvacuationPlanning-Guidebook.docx](#)) that is similarly general and provides guidance for different groups and organizations to create their own evacuation plans. There is also regulation requiring plans, including 22 Alaska Admin Code section 05.050 which addresses plans for emergencies and evacuation of "prisoners" ([Section 22 AAC 05.050 - Plans for emergencies and the evacuation of prisoners, 22 Alaska Admin. Code § 05.050 | Casetext Search + Citor](#).)

7. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

Alaska Statutes and Regulations:

The Alaska Division of Homeland Security and Emergency Management is responsible for preparing and maintaining a state emergency plan, which includes provisions for assisting local officials in designing local emergency action plans and coordinating federal, state, and local disaster activities (AS § 26.23.040). This plan involves seeking advice and assistance from local government, business, labor, industry, civic and volunteer organizations, and community leaders (AS § 26.23.040). [Alaska Statutes § 26.23.040 \(2023\) - Homeland security duties of the Alaska division of homeland security and emergency management. :: 2023 Alaska Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#)

Coordination and Compliance:

Local emergency planning committees are supported through grants to develop and maintain emergency plans, ensuring compliance with federal requirements and coordination with state and federal agencies (AS § 26.23.040)[1]. These committees are encouraged to seek advice from various stakeholders to ensure comprehensive and effective emergency plans (AS § 26.23.040)[1]. [Alaska Statutes § 26.23.040 \(2023\) - Homeland security duties of the Alaska division of homeland security and emergency management. :: 2023 Alaska Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#)

Specific Provisions for Children with Disabilities:

Emergency plans must include detailed procedures for evacuating children with limited mobility and those who may need additional assistance due to mental, visual, or hearing impairments (7 AAC 10.1010)[2]. This ensures that the unique vulnerabilities of children with disabilities are addressed in emergency planning. [Section 7 AAC 10.1010 - Life and fire safety, 7 Alaska Admin. Code § 10.1010 | Casetext Search + Citor](#)

8. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

In Alaska, risk assessments within detention facilities are conducted to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention. The process involves several steps to ensure comprehensive evaluation and preparedness:

1. **Hazard Identification and Risk Assessment:** The Alaska Division of Homeland Security and Emergency

Management (DHS&EM) conducts thorough hazard identification and risk assessments. This includes evaluating various threats and hazards facing a community, such as cryosphere and permafrost degradation, earthquakes, floods, erosion, ground failure, tsunamis, volcanoes, severe weather, and wildland fires. [2023 SHMP Chapter 06 Mitigation Strategy.pdf](#)

2. **Community Vulnerability Assessment:** The assessment considers the vulnerability of the community or facility to these hazards, taking into account factors such as time, season, location, and specific community characteristics. [Alaska Assessment](#)

Mitigation Strategy: The mitigation strategy includes goals to reduce long-term vulnerabilities from identified hazards. It prioritizes actions based on the current risk assessment to reduce the vulnerability of jurisdictions within the state, including state assets. [Alaska Assessment](#)

Emergency Preparedness: The strategy also involves enhancing disaster preparedness for effective response. This includes ensuring that detention facilities have plans in place to protect children during natural disasters, with specific provisions for their safety and well-being. [2023 SHMP Chapter 03 Planning Process.pdf](#)

These steps ensure that detention facilities in Alaska are prepared to handle climate-related hazards and protect children in detention during natural disasters.

9. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

The Emergency Planning for Juvenile Justice Residential Facilities guide, developed by the Office of Juvenile Justice and Delinquency Prevention ("OJJDP"), provides comprehensive planning guidelines to address the specific needs of children, youth, and families involved in the justice system during an emergency. This guide emphasizes the importance of developing comprehensive emergency plans that include evacuation procedures tailored to the unique vulnerabilities of children in detention.

The protocols include several key components:

Hazard Identification and Risk Assessment: This involves identifying potential climate-related hazards and assessing the risks they pose to detention facilities.

Evacuation Planning: Detailed evacuation plans are developed, outlining the steps to be taken in the event of an emergency. These plans include provisions for the safe and orderly evacuation of children, taking into account their specific needs, such as those with disabilities or mental health concerns.

Communication and Coordination: Effective communication and coordination with relevant stakeholders, including local governments, community-based organizations, and emergency management teams, are crucial for the successful implementation of evacuation plans. This ensures that all parties are aware of their roles and responsibilities during an emergency.

Training and Drills: Regular training and drills are conducted to ensure that detention facility staff are well-prepared to respond

to emergencies. This includes training on evacuation procedures and the use of emergency equipment.

These protocols are communicated to all relevant parties through training sessions, workshops, and regular updates to ensure that everyone is aware of the procedures and can respond effectively in the event of an emergency.

[Emergency Planning for Juvenile Justice Residential Facilities](#)

The Greater Ketchikan Area Multi-Jurisdictional Emergency Operations Plan ("MJEOP") follows the A.S. 26.23.060, mandating that each political subdivision must prepare, maintain, and distribute a local or interjurisdictional disaster emergency plan.

a) Plan Components:

- The MJEOP includes a Base Plan providing an overall framework for emergency operations and response.
- Functional Annexes focus on critical operational functions and responsibilities.
- Hazard-Specific Annexes contain unique response details for specific threats or hazards.

There is no specific reference included in the OJJDP to any protocol or specific actions designed to protect children in detention.

[Emergency Management | Ketchikan Gateway Borough, AK - Official Website](#)

10. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

Alaska Administrative Code 7 AAC 52.415 outlines the responsibilities of juvenile detention facilities to provide for the safekeeping, housing, care, and subsistence of juveniles, including the requirement to address any immediate medical needs upon admission. This regulation emphasizes the importance of ensuring the health and safety of juveniles from the moment they enter the facility. [Alaska Administrative Code, Article 4, 7 AAC 41.415 - Determination of incorrect payment of program benefits | Alaska Administrative Code | Justia](#)

The Alaska Division of Homeland Security and Emergency Management ("DHS&EM") provides technical assistance, tools, training, and funding to help communities, including detention facilities, become more resilient to natural hazards. This includes training on risk mapping, assessment, and planning to assist in identifying and mitigating potential climate-related hazards. <https://www.commerce.alaska.gov/web/dhra/CommunityResilienceandClimateAdaptationPrograms.aspx>

11. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

Community Involvement: The Alaska Division of Homeland Security and Emergency Management is required to seek advice and assistance from local government, business, labor, industry, agriculture, civic and volunteer organizations, and community leaders when preparing and maintaining the state emergency plan (AS § 26.23.040)[1]. This indicates a broad inclusion of community-based organizations in the emergency planning process. [Alaska Statutes § 26.23.040 \(2023\) - Homeland security duties of the Alaska division of homeland security and emergency management. :: 2023 Alaska Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#)

Children's Involvement: While there is no specific mention of children in detention being directly involved in the development of emergency plans, there are instances where youth groups are invited to participate in climate-related discussions. For example, in the case of *Sagoonick v. State*, the Department encouraged the Alaska Youth for Environmental Action to send a representative to a meeting to discuss climate change solutions (*Sagoonick v. State*, 503 P.3d 777 (2022))[2]. This shows that youth involvement is considered in broader climate-related planning and discussions.

Local Emergency Planning Committees (LEPCs): The Alaska State Emergency Response Commission, which includes members from various state departments and public appointees, facilitates the preparation and implementation of emergency plans. The commission supervises and coordinates the activities of local emergency planning committees, which are established for each emergency planning district (AS § 26.23.071)[3]. These committees are likely to include community-based organizations and can influence local emergency planning, including for children in detention. [Alaska Statutes § 26.23.071 \(2023\) - Alaska State Emergency Response Commission. :: 2023 Alaska Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#)

Belize

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Although the state's laws of Belize do contemplate the development of appropriate policies, several reports cite a lack of sufficient resources to build disaster-resistant facilities and infrastructure. Belize has integrated disaster risk reduction into its national policies and frameworks, particularly in vulnerable sectors, such as child justice. The country has established guidelines and standards for construction and maintenance of facilities that can withstand natural disasters. Belize prioritizes allocating resources to ensure that these infrastructures are resilient, thereby safeguarding the welfare of children within the justice system during emergencies. [Index of Governance and Public Policy in Disaster Risk Management \(iGOPP\): National Report Belize](#)

[Exposicion-de-pais-BELIZE.pdf](#)

[Index of Governance and Public Policy in Disaster Risk Management \(iGOPP\): National Report Belize](#)

Inter-American Development Bank

Index of Governance and Public Policy in Disaster Risk Management (iGOPP): National Report Belize October 2020

The results of the application of Index of Governance and Public Policy in Disaster Risk Management ("iGOPP") in Belize (2017) show an overall level of advancement of 11.82%, which places the country within the "low" range according to the classification system used for this Index. The analysis of the results by components of public policy reform shows that the highest level of progress corresponds to "General Framework" with 26% compliance, which places it in the "incipient" range. The other components of public policy reform to improve Disaster Risk Maintenance ("DRM") show a "low" level of progress with "risk identification" at 6%, "risk reduction" at 11%, "disaster preparedness" at 13%, "recovery planning" at 7%, and "financial protection" at 8%. When considering the different DRM processes in the public policy phases, it shows "incipient" progress for the "central policy coordination and articulation" (28%). However, progress in the other processes is in the "low" range, with different compliance levels as follows: "definition of sectoral responsibilities" (7%), "definition of territorial responsibilities" (0%), "policy implementation" (18%), and "policy evaluation" (8%).).

[NDPBA Belize Final Report English.pdf](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

The national child justice policies in Belize are not centralized on DRR plans, given the fact that the main focus of these policies is related to the welfare, protection and rehabilitation of children within the justice system. Though there is a program of cooperation of the country for the period 2022-2026 that involves gender equality, climate change, and disaster risk reduction; it seems to be very general, and at this moment it does not include specific issues on matters on children deprived of liberty during natural disasters.

[Belize Country Programme Document](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

A risk mitigation protocol was collaboratively developed by UNICEF and Belize. The protocol focuses on four key areas:

1. Strengthened institutional arrangements for Comprehensive Disaster Management (CDM).
2. Increased and sustained knowledge management and learning for CDM.
3. Improved integration of CDM at sectoral levels.
4. Strengthened and sustained community resilience (CDEMA, 2014: 21).

The protocol, which covers various aspects, can be found here:

[Reg CP protocol.pdf](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

According to the public information available, the government efforts focus on critical points of Belize's coastline and protection of businesses and agriculture.

There is only one detention facility in Belize, run by a non-profit organization catholic organization, the Kolbe Foundation, which supports and promotes the rehabilitation on inmates. Since 2022, it has been reported that the conditions of the prison have improved dramatically. Before, it lacked running water and a sewer system, and inmates slept on the floor or battled for the existing 300 beds.

<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/belize/>

The government retained oversight and monitoring responsibility and provided funding. Relatives of inmates complained to NGOs of overcrowding in certain sections of the prison and dirty water for showering.

Due to substantial delays and a backlog of cases in the justice system, the courts did not bring some minors to trial until they reached age 18. In such cases, the defendants were tried as minors.

Measures to reduce prison overcrowding.

"In its report to the federal Parliament, the Court of Audit examines seven measures that are meant to help reducing prison overcrowding. Up to now, the impact of these measures has not been sufficient. Overcrowded prisons remain an ongoing problem that will not be solved entirely by the Masterplan on prison infrastructure. The Court points to the difficulties related to these measures. Its recommendations aim at an integrated and systematic approach of prison overcrowding, a better foundation and evaluation of the policy, the legislation's implementation and the creation of the necessary conditions to this end as well as a better harmonization with other public services and the judicial power. However, these recommendations can only be successful within the context of a broader review of criminal law and criminal procedure."

Belize Prison Offers Softer Touch than Latin American Counterparts

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Regarding disasters, the coordination is held by NEMO. This organization coordinate the responses to natural disasters: <https://site.nemo.org.bz/about-us/>

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

In Belize, several measures have been implemented to ensure the safety of children in shelter facilities, such as orphanages and detention centers, in the event of natural disasters. Here are some of the main initiatives:

1. **Smart Health Facilities Project:** This project, implemented by the Ministry of Health with technical cooperation from PAHO/WHO, seeks to transform hospitals and health centers to be safer and more resilient to natural disasters. Although it focuses on health facilities, the principles and practices can be applied to other types of shelter facilities.
2. **Emergency Plans and Drills:** Childcare institutions in Belize are required to have emergency plans and conduct regular drills to prepare staff and children in case of disasters such as hurricanes or fires.
3. **Vulnerability assessment:** Periodic assessments of facility vulnerabilities are conducted to identify and mitigate specific risks related to natural disasters.
4. **Staff Training:** Staff at these facilities receive ongoing training in emergency management and first aid to ensure a quick and effective response in the event of an emergency.

These measures are part of a broader effort to protect the most vulnerable populations in Belize, including children in shelter facilities.

Source: [Belize's hospitals and health centers will be safer, 'greener' and more resilient to natural disasters - PAHO/WHO | Pan American Health Organization.](#)

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Preparedness and Response Act outlines the responsibilities and procedures for disaster preparedness, response, and recovery across various sectors, including public facilities. There's no specific detention facilities section but it includes public facilities.
<https://www.oas.org/dsd/EnvironmentLaw/CaribbeanLegislationProject/Disaster%26StateEmergency/Belize/Disaster%20Preparedness%20and%20Response%20Act%20-%20Subsidiary%20Legislation.pdf>

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The government of Belize is working with multiple National Government Agencies and NGO's on the climate crisis protection of the population but there is a lack of opportunities on the vulnerability of children with disabilities.

Belize central prison is administrated and managed by the Kolbe Foundation since 2002. ([Belize | World Prison Brief](#))

According to the Regional Protocol for the Integrated Protection of Children and Adolescents in Emergency and Disaster Provisions of UNICEF "*Children and adults with disabilities are often excluded from needs assessments and response activities during emergency planning. Supplies, distribution sites and shelters are inaccessible for children and adults with disabilities and response staff is not trained on inclusive response.*

A key consideration is that information (including life-saving information) is inaccessible for children and adults with disabilities in general and that gap widens during emergencies and disaster situations. In addition, children with disabilities may lose their assistive devices." (page24, [Reg CP protocol.pdf](#))

In July 2018 the government counterparts from the National Emergency Management Organization (NEMO) committees at national and sub-national levels, all UN agencies, and civil society organizations (CSOs) in Belize were brought together for, to focus exclusively on specific challenges affecting the response. UN agencies presented the global policies and conceptual frameworks defining their mandate and showed how they can support the inclusion of children, women, elderly, and persons with disability across the humanitarian programming cycle. (page 3, [Good-Practice-Emergency-Preparedness-Belize-Preparedness-with-Government.pdf](#))

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

As per our analysis, there is no public information addressing this question.

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

Belize has established protocols for the evacuation of children in detention during climate-related emergencies. These protocols are part of broader disaster preparedness and response strategies developed in collaboration with organizations like UNICEF and NEMO.

[Reg CP protocol.pdf](#)

However, there are no specific guidelines for evacuation in detention facilities.

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

The Regional Protocol for the Integrated Protection of Children and Adolescents in Emergency and Disaster Provisions of UNICEF provides as follows:

5.1.e. Staffing and Human Resources

Knowledge, competence and dedication of DRR actors will determine the quality of service they provide. Persons who respond in times of emergencies and disasters must possess a unique set of skills and competencies. They must have strong backgrounds in child protection, education, WASH, health, nutrition, gender and disability respectively, as well as humanitarian aid work. Well-trained staff who know what to do once emergency starts are key to a successful response. In the first few hours of the emergency, they must conduct rapid assessments and determine an appropriate course of action.

While the Coordinating Body has the responsibility for the integrated approach for the protection of children and adolescents in emergencies and disasters, it is the role and responsibility of each member organization or department to make sure they have access to multi-sectoral experts and have trained staff available and ready to respond in times of crisis. Conducting frequent staff trainings is essential and should cover important protection issues such as the detection of child rights violations, the use of referral systems, assisting special groups like unaccompanied minors and specialized training on the different types of violations. Staff must have updated knowledge and information in these areas, be familiar with best practices, and learn how to apply their knowledge and expertise within an

emergency context. Staff training can take many forms. Workshops, seminars, and other types of trainings are educate staff and prepare them through participatory methods to motivate them. Once an emergency starts, it is too late to select and train staff. All member organizations and departments must be cautious of untrained staff as they can do more harm than good.

5.1.f. Staff Wellbeing in Emergencies

Staff members and volunteers working on child protection during emergencies, are exposed to many stressful events that can affect their mental health and wellbeing. They work under extreme pressure for long hours in very emotionally demanding situations. It is very important that staff are equipped with the necessary knowledge and skills to perform in such an environment and to prevent them from being psychologically affected. Some of the mental health conditions that could affect them include depression, general anxiety disorder, and post-traumatic stress disorder. It is important for managers to know the symptoms of these conditions and to recognize them. Once a staff member exhibits some signs it is essential to provide them with immediate counselling to prevent burn out.

Employers and managers are responsible for their staff's safety and wellbeing in emergencies and 31 must facilitate access to mental health support to their staff when necessary. More information on staff well-being during emergencies can be found at Disaster Mental Health for Responders: Key

[Reg CP protocol.pdf](#)

[About Children in Disasters | Caring for Children | CDC](#)

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

There are organizations like Catholic Relief Services working with the US Agency for International Development regarding Guatemala, but not Belize.

Brazil

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

According to article 94 of The Children and Adolescent Statute ("ECA") facilities housing adolescents deprived from freedom must comply with their individual rights and guarantees, including the ones involving the offering of safe, clean and adequate facilities. There is no specific reference to climate change disasters.

[L8069 \(planalto.gov.br\)](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

The Civil Protection, in coordination with other sectors, such as the Armed Forces, the Fire Brigade and others, will set up command posts; it will coordinate, together with the Social Welfare, the organization of a register with information on each missing child or adolescent not accompanied by family members or guardians; it will designate places as meeting points for missing children and adolescents and disseminate information so that they and adults know what to do and where to go in the event of accidental separation, etc.

Site: [NATIONAL DESASTRES_final PROTOCOL \(www.gov.br\)](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

There is no specific law or regulation in Brazil involving administration of justice for children in disaster reduction.

Despite this fact, the National Policy on Civil Defense (Federal Law No. 12.608/2012) provides that it is the responsibility of the Union, the States and the Municipalities:

- I. To develop a national culture of disaster prevention, aimed at developing national awareness of disaster risks in the country;

- II. To stimulate preventive behaviour capable of avoiding or minimizing the occurrence of disasters;
- III. To stimulate the reorganization of the productive sector and the economic restructuring of areas affected by disasters;
- IV. To establish preventive disaster safety measures in schools and hospitals located in risk areas;
- V. To provide human resources training for civil protection and defense actions;
- VI. To provide data and information for the national disaster information and monitoring system.
- VII. To provide priority and ongoing physical and mental health assistance to people affected by disasters.

[L12608 \(planalto.gov.br\)](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

In 2012, Brazil approved Law No. 12.594, creating the National Socio-Educational Care System (SINASE), which is a model of care for children and adolescents in conflict with the law, based on the protection and defense of their rights. It was created with the aim of replacing the old system of socio-educational measures, seeking a more humanized and re-socializing approach for children and adolescents in situations of vulnerability. The Law is regulated by the National Council of Justice (CNJ) and the National Council for the Rights of Children and Adolescents (CONANDA). The fundamental principles of SINASE are to prevent, protect and guarantee the rights of children and adolescents. It also provides for the use of socio-educational measures appropriate to the age group and the personal and social characteristics of young people in conflict with the law, avoiding institutionalization and seeking more integrative and re-socializing solutions. The system's effectiveness is based on monitoring by the children's and adolescents' rights councils, thus guaranteeing transparency and accountability in the care of this vulnerable population. [O que é SINASE? - Ministério Público do Estado do Amapá \(mpap.mp.br\)](#)

Data released by the Ministry of Human Rights and Citizenship (MDHC) in December 2023 (the Annual Survey of the National Socio-Educational Care System (Sinase)) provides an overview of adolescents serving socio-educational measures (detention) in all states. The survey shows a total of 11,664 adolescents in the socio-educational system in the forms of restriction and deprivation of liberty, of which 9,656 follow socio-educational measures of semi-liberty and internment, 222 in sanction internment and 1,786 in provisional internment. [Brazil has 11.6 thousand adolescents complying with socio-educational measures | Agência Brasil \(ebc.com.br\)](#)

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

According to the National Civil Protection and Defense Policy, it is obligation of the Federal Union, the States, the Federal District and the Municipalities to adopt the necessary measures to reduce the risks of accidents or disasters. The measures may be adopted with the collaboration of public or private entities and society in general.

It is also the duty of the public or private entrepreneur, in accordance with the risk of an accident or disaster and the potential damage associated with the project, as defined by the public authorities, to adopt preventive measures against accidents or disasters, by: (...) incorporating risk analysis prior to the implementation of their businesses and activities, as well as in any changes and extensions to the project and during the operation of the undertaking or activity.

https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/lei/l12608.htm

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

According to the National Justice Counsel [Prison mortality: a question of justice and public health](#) the lack of structure and access to basic health services in prisons leaves those who are there vulnerable. The situation is aggravated by conditions such as lack of food, water rationing and exposure to heat and cold. The risk of death from extreme weakness is 1,350% higher for prisoners than for the general population.

In October 2023, the Federal Supreme Court unanimously ruled that the federal government must implement, within six months, a plan to improve conditions in the prison system, which must address three main points:

- insufficient and poor-quality places in the prison system;
- high incarceration rate;
- serving more time than the sentence.

The plan will have to be approved by the Supreme Federal Court and, once approved, implemented within three years. States and the Federal District will also have to draw up their own plans, following the document produced at federal level.

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Public-private partnerships ("PPP") is under discussion in São Paulo, Brazil. The Secretary of Investment Partnerships, within the Executive Branch, issued the Resolution SPI No. 028/2023, including the CASA Foundation (i.e., Socio-Educational Support Center for Adolescents).

However, the project does not encompass the preparation of detention facilities for disaster risks and better able to withstand adverse weather, floods and heatwaves.

According to the information issued by the Government of the State of São Paulo, the project aims to: (i) increase the efficiency of public spending, with the possibility of reducing the CASA Foundation's costs; (ii) provide economies of scope and scale; (iii) centralize the management of support services, which are currently outsourced and spread across various contracts in the Regional Offices, etc.

Although the main focus of the PPP is not related to risk disasters, there is a general provision seeking to improve infrastructure conditions:

[Comitê qualifica projeto para estudar parceria public-privada para a Fundação Casa | Governo do Estado de São Paulo \(saopaulo.sp.gov.br\)](#)

[Digital Platform for Partnerships | Governo do Estado de São Paulo \(parcerias.sp.gov.br\)](#)

According to the National Policy on Civil Defense, it is the duty of the public or private entrepreneur, in accordance with the risk of an accident or disaster and the potential damage associated with the project, as defined by the public authorities, to adopt preventive measures against accidents or disasters, by:

- I. incorporating risk analysis prior to the implementation of their undertakings and activities, as well as in any changes and extensions to the project and during the operation of the undertaking or activity;
- II. drawing up and implementing a contingency plan or related document in the case of activities and undertakings with a risk of accident or disaster; and
- III. continuing monitoring of the factors related to their undertakings and activities that entail risks.

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

According to the National Policy on Civil Defense, it is the obligation of the public or private entrepreneur, in case of a potential risk of an accident or disaster and the potential damage associated with the project, as defined by the public authorities, to adopt preventive measures against accidents or disasters, by, among others, incorporating risk analysis prior to the implementation of their business and activities, as well as in any changes and extensions to the project and during the operation of the undertaking or activity; drawing up and implementing a contingency plan or related document in the case of activities and undertakings with a risk of accident or disaster.

In particular, CASA Foundation and the University of Campinas (UNICAMP) signed an agreement in December 2018 for medicine students, supervised by professors, to reinforce the Brazilian National Health System care for inmates at an specific Unit.

[L12608 \(planalto.gov.br\)](#)

[Após ação do MP, Fundação Casa e Unicamp signam convênio para atendimento médico de internos | Campinas and Região | G1 \(globo.com\)](#)

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

There is no public information about any specific law or regulation in Brazil on the risk assessment involving children in detention. Despite this, the National Policy on Civil Defense (Federal Law No. 12.608/2012) provides an obligation on the public or private entrepreneurs to adopt preventive measures against accidents or disasters, by means of:

- (i) continuous integration with Civil Defense System bodies and society in general, informing them of the risk of an accident or disaster related to their undertaking or activity, as well as the procedures to be adopted in the event of such an event, through public documents and open information systems;
- (ii) holding regular and periodic drills with the potentially affected population, in accordance with the contingency plan or related document and with the participation of the Civil Defense System bodies; and
- (iii) immediately notifying the Civil Defense System bodies of any change in the safety conditions of their enterprise or activity that could imply the threat of an accident or disaster.

[L12608 \(planalto.gov.br\)](#)

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

There is no public information on specific protocols for the evacuation of children and adolescents in detention, but there is a protocol that generally applies to children and adolescents.

The protocol establishes a school safety plan, including alert and evacuation procedures, among others, with procedures that are friendly to the different age groups; develop educational programs, in partnership with Civil Protection and Defense, for the development of life skills (health, nutrition, environmental sustainability, among others) and self-protection against accidents and disasters, as part of the programmatic matrix; promote the formation of community civil defense in the school network, train municipal leaders and councillors, as well as school administrators, to act in situations of risk and disaster, etc.

Site: [NATIONAL DESASTRES final PROTOCOL \(www.gov.br\)](#)

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

There is no public information related to specific programs in relation to training and equipment destined to respond climate emergencies. Employees are subject to fire brigade training within the headquarters and other sectors of the CASA Foundation in São Paulo - which is indirectly under the scope of climate-related emergencies.

[Funcionários da capital fazem treinamento da brigada de incêndio - CASAPlay \(fundacaocasa.sp.gov.br\)](#)

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

Article 225 of the Brazilian Federal Constitution provides that "Everyone has the right to an ecologically balanced environment, an asset of common use to the people and essential to a healthy quality of life, imposing on the public authorities and the community the duty to defend and preserve it for present and future generations".

Based on the Brazilian legal system, NGOs representing children could file lawsuits against the Public Power questioning measures to address climate change in public facilities or allege the lack of emergency plans for children in detention. It is also possible to communicate this negligence to authorities such as the District Attorney's Office.

In reaction to the recent climate disaster in the state of Rio Grande de Sul, the federal government has submitted for public discussion, the national plan for protection and civil defense [Plano Nacional da Defesa Civil \(pndc.com.br\)](http://pndc.com.br).

Additional resources:

- [CNPCP — National Secretariat for Penais Policies \(www.gov.br\)](http://www.gov.br)

Canary Islands, Spain

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

There is no public information related to an specific standard that regulates responses focused on the construction of facilities. Instead, it is understood that the state's constructions and buildings must comply with all the safety and quality standards required by the standard.

In the Canary Islands, the quality of construction and operation of juvenile detention centres is regulated by various regulations and standards. Some examples of the applicable regulations on urban planning are the following:

- [The Building Regulation Law \(LOE\)](#) establishes the basic quality and safety requirements in the construction of buildings in Spain.
- Juvenile detention centres must comply with [Organic Law 5/2000](#), which regulates minor's criminal responsibility and establishes the operational conditions and the minor's rights in these centres.
- Occupational health and safety regulations, such as [the Occupational Risk Prevention Law](#), are also applied to guarantee safety and health at work.
- There are also urban planning provisions that must be respected at [the regional](#) and [local level](#).

These regulations ensure that juvenile detention centers in the Canary Islands meet the necessary standards for their proper functioning.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Decree 186/2006, of 19 December (BOC no. 17, of 23.1.07), approved the Specific Civil Protection and Emergency Response Plan of the Autonomous Community of the Canary Islands for risks of adverse weather phenomena (PEFMA).

The purpose of this Plan was to develop the provisions of the Territorial Emergency and Civil Protection Plan of the Autonomous Community of the Canary Islands (PLATECA) with regard to the risks associated with adverse weather phenomena, taking into account the geographical, orographic and meteorological peculiarities of the Canary Islands and the

increasingly frequent incidence of meteorological phenomena of hitherto unknown virulence.

The Plan includes all the Public Administrations of the Canary Islands in the face of emergency situations caused by adverse weather phenomena. However, there does not seem to be a specific plan for juvenile detention centres.

The recent update of the Municipal Emergency Plan of Las Palmas de Gran Canaria, approved in 1985, has made it possible to adjust it to the requirements of the Territorial Emergency Plan of Civil Protection of the Canary Islands (PLATECA) as the Master Plan of the Autonomous Community. Under the name of #PEMULPA, a planning document is constituted whose primary objective is the protection and relief of people, property and the environment of Las Palmas de Gran Canaria.

In the event of an emergency, #PEMULPA guarantees the response to serious risk situations, catastrophe or public calamity and minimises the negative consequences that may be generated. It is applied both before and during the development of a risk situation, in accordance with the execution of the established action procedures as well as mobilizing necessary resources.

[BOC - 2014/070. Wednesday, April 9, 2014 - Announcement 1488](#)

[DECRETO-18-2014-de-20-de-marzo-fenómenos-met.-adversos.pdf](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The III Africa Plan is subject to external evaluation every three years in terms of compliance with its objectives and indicators, by the Institute for the Evaluation of Public Policies of the Ministry of Finance and Public Function.

[2019_PLAN AFRICA.pdf](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

The Government of the Canary Islands has agreed in the Governing Council, to authorize an expenditure of 3,293,961.87 euros for a cooperation agreement between the Ministry of Social Welfare, Equality, Youth, Children and Families and the

Option 3 Association for the execution of non-custodial judicial measures of a non-residential nature imposed on minors. In accordance with Organic Law 5/2000, of 12 January, regulating the Criminal Responsibility of Minors.

The agreement involves collaboration between the Ministry of Social Welfare, through the General Directorate for the Protection of Children and Families, and the entity Option 3 in the execution of the non-custodial criminal judicial measures provided for in article 7 of Organic Law 5/2000. These measures include probation, weekend stay at home, benefits for the benefit of the community, performance of socio-educational tasks, attendance at a day center and outpatient treatment of a psychological, psychiatric and toxic habituation nature.

Through this agreement, socio-educational intervention is carried out with minors who comply with a judicial measure of this type. In this way, a formula adjusted to individual needs is committed, in order to intervene to overcome the factors associated with the commission of the sentenced offence and thus reduce the risk of criminal recidivism. The program includes individual work with the minor in an open regime, as well as engagement with their family environment and group work. [Canary Islands Government News Portal](#)

Royal Decree 1253/2024, of 10 December, which regulates the direct granting of a subsidy to the Autonomous Community of the Canary Islands for the protection of unaccompanied migrant minors, has also been approved.

[BOE-A-2024-25797 Royal Decree 1253/2024, of 10 December, regulating the direct granting of a subsidy to the Autonomous Community of the Canary Islands for the protection of unaccompanied migrant minors.](#)

In addition, the following have been approved:

Family Foster Care Programs: The Government has launched the Canary Islands Family Foster Care Program, which seeks to ensure that minors under the guardianship of the Autonomous Community are taken in by other families. This program aims to provide children with a family environment that offers them the warmth, attention and care necessary for their development.

[Foster Care](#)

Amparo measures: The Directorate-General for the Protection of Children and the Family has implemented amparo measures to protect minors whose basic need are unmet or who are victims of abuse. These measures include voluntary guardianship and the declaration of abandonment, which allow for the family or residential foster care of minors.

[Guardianship and guardianship](#)

Action Protocols: Protocols have been established to standardise the processes of reception and protection of minors, thus improving the quality of the care provided.

[BOC - 2024/180. Thursday, September 12, 2024 - 2918](#)

These measures seek to reduce the deprivation of liberty of minors in reception centres and provide them with a safer and more appropriate environment for their development.

On the other hand, Decree 40/2000, of 15 March, which approves the Regulations on the organisation and operation of centres for the care of minors in the Canary Islands, establishes that the maximum number of minors that can be accommodated in these centres will be 20.

Likewise, Law 1/1997, of 7 February, on Comprehensive Care for Minors, of the Autonomous Community of the Canary Islands, creates the Commission for the Care of Minors, which proposes measures of protection in cases of emergency.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

The main lines of action in emergency situations are approved by the State in the so-called Basic Civil Protection Standard ([BOE-A-2023-14679 Royal Decree 524/2023, of 20 June, approving the Basic Civil Protection Standard.](#)), but each Autonomous Community develops its own plans according to its specific characteristics.

In this sense, each Administration (local, island and Regional) complies with the essential guidelines of the Basic Regulations to prepare Territorial Plans and Special Plans by sectors, types of emergency or specific activities. In the case of the Canary Islands, the Territorial Civil Protection Plan of the Autonomous Community of the Canary Islands (PLATECA) (Plateca-2015-104-2610.pdf<https://www.gobiernodecanarias.org/cmsgob1/export/sites/emergencias/descargas/planes/Plateca-2015-104-2610.pdf>) ([Announcement 3139 of the BOC 2022/207](#)) is in force, but as for the Special Plans, as per put analysis, there is no specific information on mechanisms for cooperation and coordination in emergency situations within detention centres in the Canary Islands.

6. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

According to the Canary Islands Climate Change Adaptation Plan, it is recommended to carry out regulatory development and ordinances in relation to construction requirements to adapt to climatic conditions and their associated extreme events. [Canary Islands Adaptation Plan to Climate Change](#)

7. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The 2017 SENDAI Framework in its guiding principles, stipulates in its article 19 the following:

- Disaster risk reduction requires the engagement and collaboration of the entire society. It also requires empowerment and inclusive, accessible and non-discriminatory participation, with special attention to those disproportionately affected by disasters, particularly the poorest. Gender, age, disability and culture perspectives should be integrated into all policies and practices, and the leadership of women and youth should be promoted. In this context, particular attention should be given to improving the organised voluntary work of citizens;
- Disaster risk reduction requires a multi-hazard-based approach and inclusive decision-making based on risk assessment and the open exchange and dissemination of disaggregated data, including by sex, age and disability, as well as easily accessible, up-to-date, understandable risk information, scientifically based and non-confidential, complemented by traditional knowledge;
- And Article 36 states that "Persons with disabilities and their organizations are essential for assessing disaster risk and for designing and implementing plans adapted to specific requirements, taking into consideration, among other things, the principles of universal design;"

[Sendai Framework for Disaster Risk Reduction 2015-2030](#)

8. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

Juvenile centers undergo inspections from the authorities, including reviewing evacuation protocols and staff training. However, some sectors consider that they are not enough either in number or in detail, that the staff lacks adequate training or resources.

[X-ray of the inspection of migrant children's centres: only 28 controls in five years and visits with prior notice](#)

[Overcrowding, complaints of abuse and nothing to do: the lives of migrant minors in the Canary Islands](#)

[Amnesty International warns of the "failure" of the system for the protection of migrant minors in the Canary Islands](#)

9. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

The Government of the Canary Islands has evacuation protocols for schools in case of emergencies.

[Emergency Plan Management | Private subsidised schools | Ministry of Education, Vocational Training, Physical Activity and Sports | Government of the Canary Islands](#)

Specifically, there are protocols for the evacuation of educational centers in cases of adverse weather phenomena.

[PROTOCOL OF ACTION AGAINST ADVERSE WEATHER PHENOMENA \(FMA\) IN THE EDUCATIONAL FIELD OF THE CANARY ISLANDS COMMUNITY](#)

There is no public information related to specific evacuation protocols for juvenile centers in the Canary Islands.

10. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

Staff must be aware of the action protocols for each centre, which provide for the action measures, the assignment of responsibilities and the allocation of material and human resources to respond to the various risks that may arise in the detention centres. These protocols must comply with the self-protection program, which should have been registered with the corresponding authorities, and include the necessary training so that its personnel can comply with the provisions of the program. If it is not done, may result in infractions and sanctions against the civil association or regional/local authorities.

[Juriscan - Tab](#)

[Juriscan - Tab](#)

11. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

Among the organizations involved in the development of measures in juvenile centers, it is worth highlighting:

- [Adsis Foundation](#)
- [Ideo Foundation](#)
- [White Cross Foundation](#)

- [Samu Foundation](#)
- [Save The Children](#)

Additional resources:

- Results Report: Social Assessment of the Reception Procedure for Migrants [Valoracion-social-del-procedimiento-de-aogida-a-personas-migrantes.pdf](#)
- Civil Protection Code: [BOE.es - Civil Protection Code](#)
- CANARY ISLANDS: MIGRANT CHILDREN ON ONE OF THE MOST DANGEROUS ROUTES IN THE WORLD - UNICEF REPORT [Layout 1](#)
- Human Rights Violations in the Canary Islands 2024 – Infancia-migrante-y-criminalizacion_v1.pdf report https://iridia.cat/wp-content/uploads/2024/12/Infancia-migrante-y-criminalizacion_v1.pdf

Chile

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

There is a National Policy for Disaster Risk Reduction ("DRR"). One of the guiding principles of this policy is equity: all measures associated with DRR must reach all members of society, especially those groups most vulnerable to situations of risk, such as: women, children and adolescents, the elderly, people with disabilities or dependency in some area, migrants, refugees, among others, and also those who live in more exposed territories.

It is a plan with specific actions at the national level and indicators to measure compliance with the actions. The Policy revolves around 5 fundamental axes where initiatives for the implementation of structural and non-structural measures are contemplated, which allocation/prioritize/mobilize resources and capacities (human, financial, technological, among others). Among the actions, there are some with public and private scope, training, communication, construction of resilient infrastructures, etc. For example: Design and/or update and implement mechanisms that strengthen DRR competencies for decision-makers and other officials, both public and private.

As per our analysis, there is no specific mention of minors in detention or special care with natural disaster response measures in centers where minors are held. However, it seems to be standardized for all centers.

[PoliticaNacional_2020\(main\).pdf \(senapred.gob.cl\)](#)

The agency in charge of managing natural disasters is Senpred. Information on the natural disaster management policy can be found on its website.

[About SENAPRED | SENAPRED](#)

In addition, the regulations governing the operation of this body are attached.

[Library of the National Congress of Chile - BCN](#)

However, as per our analysis, there is no public information regarding the protection of minors deprived of their liberty in the event of natural disasters.

In this regard, SENAME, which is the National Service for Minors of Chile, is a State agency under the Ministry of Justice. Its purpose is to contribute to the protection and promotion of the rights of children and adolescents and to the reintegration into society of adolescents who have breached the law.

On its website there are published protocols for action in different juvenile detention centers in crisis situations, but these protocols do not contemplate natural disasters.

[Documents and technical guidance - National Service for Minors \(sename.cl\)](#)

Therefore, as per our analysis, there do seem to be natural disaster management policies in general in Chile and also for prisons in general, but there does not seem to be anything specific for juvenile detention centers.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

The National Policy for Children and Adolescents and the 2024-2032 Plan of Action establish a roadmap to improve the conditions for the effective exercise of children's rights, including social protection programmes. However, it does not appear to include a disaster risk reduction plan.

The National Service for Disaster Prevention and Response attributes to the Ministry of Justice and Human Rights of Chile, specifically the National Service for Minors / National Service for Social Reintegration, as a collaborating body in charge of protecting adolescents or young people accused of crimes and those who are serving sanctions in accordance with Law No. 20.084 on Adolescent Criminal Responsibility in situations of threat of extreme heat. In centers of direct administration, in the most expeditious way possible and with the greatest security that the situation allows: [Res N°1680 Annex Plan Calor extremo.pdf \(senapred.gob.cl\)](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The 2022 Annual Report of the Children's Ombudsman's Office, includes a scheme with figures on the criminal responsibility of children in Chile and necessary actions for the effective implementation of the Law of Guarantees:

[IA2022_03-Notas_tematicas_web-8-24.pdf \(defensorianinez.cl\)](#)

In addition, 2021 Annual Report, includes a section in relation to the "IMPACT ON RIGHTS AS A RESULT OF A STATE IN CRISIS" (focused on children and adolescents):

[Informe-Anual-2021-Capítulo-2-Derechos-de-NNA-bajo-el-cuidado-de-un-Estado-en-crisis.pdf \(defensorianinez.cl\)](#)

4. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

As per our analysis, there are institutional coordination mechanisms for the pre-protection of the prison population, but there does not seem to be anything specific for minors deprived of liberty.

In this regard, there is an agreement between SENAPRED (EX ONEMI) - Gendarmerie, and CONAF - Gendarmerie agreement.

The collaborative work between the Gendarmerie of Chile and the National Disaster Prevention Service has made it possible to have timely information for decision-making regarding emergencies and alerts that are activated throughout the country and that may affect institutional dependencies and, therefore, the prison population. This inter-institutional communication linked to the emergency monitoring and warning system at the national and regional levels allows direct communication between the Early Warning Centre and the Command-and-Control Centre of the respective services.

The collaboration agreement between the Gendarmerie of Chile and CONAF has facilitated the improvement of monitoring processes, through access to the SIDCO system that enables access to updated information on emergencies. It includes the collection of information regarding units located in threat areas, security reports and preparation of inmates of Education and Work Centers, to carry out preventive work in prisons. This in turn allows monitoring, preventing, and responding to threats linked to Forest Fires that affect the country.

https://html.gendarmeria.gob.cl/doc/CuentaPublica_InformeE_2023.pdf

5. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

The Chilean State, through the Office of the Ombudsman for Children, has a "Mechanism for Monitoring the Rights of Children and Adolescents in the Care of the State". The objective of this mechanism is to observe and monitor the living conditions and care of children and adolescents in the care of the Chilean State, and to implement the relevant practices to guarantee their comprehensive protection and the realization of their human rights, in accordance with national and international norms and standards in this area.

As part of this mechanism, visits to prisons are organized to check that the conditions of these centres in which children and adolescents are held comply with all national and international standards. In this regard, The Havana Rules state in Article 32,

with respect to the physical environment and accommodation in a detention center, *"the design and structure of detention centers for minors must be such as to minimize the risk of fire and guarantee a safe evacuation of the premises..."* In this way, the situation observed in the Center around the use of keys in the dormitories does not adjust with national and international regulations due to the danger that this can mean for the lives of adolescents and young people. Therefore, despite the fact that not all the requirements established in the regulations are met, it can be determined that the Chilean State through these visits is carrying out measures to implement these requirements and improve the conditions of the centers through recommendations.

Sources:

- [Mechanism for Monitoring the Rights of Children and Adolescents in State Care - Office of the Ombudsman for Children \(defensorianinez.cl\)](#)
- [INFORME-FINAL-DE-VISITA-CIP-CRC-San-Bernardo.pdf \(defensorianinez.cl\)](#)

6. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Chile is working internationally with other countries, such as Japan, to formulate a DRR plan to be implemented by sharing experiences in certain disasters.

The Inter-Institutional Commission for the Supervision of Detention Centers (CISC RPA) was created in 2018, which aims to advise on the due protection of the rights of adolescents, their living conditions, both within the Detention Centers administered by the National Service for Minors, and in the Youth Sections of the Gendarmerie establishments. This body also makes annual visits to prisons.

The National Disaster Prevention and Response Service approved the Annex to the National Emergency Plan, Extreme Heat Threat in which the population living in prisons is recognized as a vulnerable population to heat waves produced by climate change and in which it is established that this population must have access to health services as needed.

Sources:

- [Hand in Hand with Latin America - Case 1: Chile: A platform for a Disaster Risk Reduction \(DRR\) Network | News & Media - JICA](#)
- [Inter-institutional Commission for the Supervision of Detention Centres/Ministry of Justice - Centre for Justice and Society Studies - UC](#)
- [Res-N1680-Anexo-Plan-Calor-extremo.pdf \(minsal.cl\)](#)

7. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

According to the official information available, it is established that in juvenile prisons professional care will be provided aimed at intervention with young people and all the necessary assistance: social, educational, professional, psychological, medical and physical. However, no material has been found to support that these measures have been carried out and that these services are available to the minor.

Notwithstanding the above, according to academic publications, it seems that support in mental health issues for young people is not personalized but is done in groups with deficiencies in professionals in the field.

Sources:

- https://html.gendarmeria.gob.cl/doc/ddhh/Archivos_Adicionales/MANUAL_DDHH_GENCHI_FINAL.pdf
- [Mental Health Behind Bars: Art as a Therapeutic Tool for Young Offenders in Chile \(scielo.cl\)](#)

8. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

The Ministry of Education of Chile includes a set of booklets with information regarding crisis, emergency and disaster situations, along with guidelines for its management in educational communities, but it does not mention when the child or adolescent is under arrest or in a situation of deprivation of liberty:

1. Booklet I: Crisis, Emergency and Disaster Situations in Educational Communities
2. Booklet II: Consequences of Crises, Emergencies and Disasters on Students
3. Booklet III: Risk Management Strategies and Psychosocial Intervention in Crisis, Emergency and Disaster Situations in Educational Communities
4. Booklet IV: Preparedness of educational communities for crisis, emergency and disaster situations
5. Booklet V: Response to Crisis, Emergencies and Disasters: Psychological First Aid for Children and Adolescents
6. Booklet VI: The recovery of the educational community after crises, emergencies and disasters

7. Booklet VII: The Self-Care of the Psychosocial Team in Crises, Emergencies and Disasters in Educational Communities

8. Booklet VIII: For the educational community

Source: Ministry of Education of Chile

Link: [Crisis Toolbox \(mineduc.cl\)](#)

9. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

The document "*Guidelines for accompanying children in contexts of emergencies and disasters*" is a proposal that focuses on providing suggestions and recommendations, in order to guide adults in addressing emergency situations with children in Chile.

Source: Ministry of Education of Chile

Link: [orientaciones emergencias-2.pdf \(mineduc.cl\)](#)

In addition, there seems to be training for staff working in prisons, but not specifically for juvenile detention centres.

Thus, during 2022, greater relevance was given to the gender approach, conducting four courses for female brigade members, training 79 female officials, at the country level. Training with external entities, training instructors in control of prison emergencies with the presence of fire, fire investigators and NFPA (National Fire Protection Association) standards, which enhances knowledge in matters of inspection, testing and maintenance of emergency systems in prison facilities.

https://html.gendarmeria.gob.cl/doc/CuentaPublica_InformeE_2023.pdf

Additional resources:

- [Mechanism for Monitoring the Rights of Children and Adolescents in State Care - Office of the Ombudsman for Children \(defensorianinez.cl\)](#)

Link to the 2022 Annual Report of the The Office of the Ombudsman for Children includes a diagram with figures on the criminal responsibility of minors in Chile and the actions necessary for the effective implementation of the Law on Guarantees:

[IA2022_03-Notas tematicas web-8-24.pdf \(defensorianinez.cl\)](#)

And link to the 2021 Annual Report, which includes a section in relation to the "IMPACT ON RIGHTS AS A RESULT OF A STATE IN CRISIS" (focused on children and adolescents):

[Informe-Anual-2021-Capítulo-2-Derechos-de-NNA-bajo-el-cuidado-de-un-Estado-en-crisis.pdf \(defensorianinez.cl\)](#)

Teen Accountability System

- The Ministry of Social Development and Family has several social programs (e.g., health check-ups, medical services) but does not appear to have any programs related to justice policies or Disaster Risk Reduction

[Ministry of Social Development and Family - Government of Chile - Children](#)

- Most common disasters in Chile:
 - Earthquakes
 - Fire
 - Heat waves
 - Premature mortality due to heat changes
 - Frost
 - Loss of drinking water

Source:

https://arclim.mma.gob.cl/atlas/sector_index/salud_humano/

- Manual in relation to the rights of minors in prisons in Chile (pp. 40, 41 and 42):
 - https://html.gendarmeria.gob.cl/doc/ddhh/Archivos_Adicionales/MANUAL_DDHH_GENCHI_FINAL.pdf
 - Age of criminal responsibility: 14 years old
 - They are in adult prisons but with special conditions.
- Manual on Human Rights of the Penitentiary Function: https://html.gendarmeria.gob.cl/doc/ddhh/Archivos_Adicionales/MANUAL_DDHH_GENCHI_FINAL.pdf- S.23.1: (2) Where mothers in detention are permitted to keep their child, provision shall be made for the organization of a childcare center, with qualified personnel, where the children shall be kept when they are not pregnant.
- are cared for by their mothers
- Ministry of Education. National Policy for Disaster Risk Management: [politicanacional.pdf \(mineduc.cl\)](#)
 1. Monitoring and early warning systems
 2. Culture of prevention and self-care
 3. Visor Chile Prepared Program
- National Policy for Disaster Risk Reduction: [PoliticaNacional_2020\(main\).pdf \(senapred.gob.cl\)](#)
- Number of children living in prisons due to their mothers' sentence serving (2018 data): 115 (possibly higher): [Estudio-de-las-condiciones-carcelarias-en-Chile-2018-INDH-Versión-final.pdf](#)

- Lobby National Service for the Specialized Protection of Children and Adolescents: [Chileaaten: Request a hearing or meeting with the National Service for the Specialized Protection of Children and Adolescents \(Lobby Law\)](#)

- [Disaster Risk Reduction | World Vision Chile](#)

- Centro de Intermadiar Provisoria and Centro de Régión Cerraco (CIP-CRO La Serera CIP CRC Corone [National Service for Minors - National Service for Minors \(sename.cl\)](#)

- [orientaciones emergencias-2.pdf \(mineduc.cl\)](#) [protocolo-de-menores_002-op.pdf \(conicyt.cl\)](#)

Training courses for prison officials for human rights and minors: https://www.gendarmeria.gob.cl/ddhh_cursos.html

Report of penitentiary units in Chile with external evacuation protocol: [Microsoft Word - CCP Los Andes 2016.docx \(indh.cl\)](#)

Risk prevention and emergency plans implemented by the Gerdanmeria: https://html.gendarmeria.gob.cl/doc/resumen_cp22.pdf

Costa Rica

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Yes - Art. 63 of Law ["Execution of Juvenile Criminal Sanctions"](#) indicates: *"Physical structure of specialized detention centers. Any specialized detention center where a custodial sentence is served must have its capacity or maximum number of places determined to house young people in adequate conditions and without overcrowding. The determination shall be set by the competent bodies of the Directorate-General for Social Adaptation, taking into account the pre-established capacity and the opinion of experts in the field. In addition, the design of detention centres must respond to their purpose, i.e. the rehabilitation of young people, taking due account of their need for privacy, sensory stimuli, possibilities of association with their peers and participation in sports activities, physical exercises and recreation. **The design and structure of detention centres should be such as to minimise the risk in cases of natural disasters and ensure safe evacuation of facilities.**"* Thus, there is a general provision which indicates that facilities should be built and structured so that risks are minimized in case of natural disasters.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Yes - The ["Program for the Protection and Care of Children and Adolescents"](#) of the "Patronato Nacional de la Infancia" ("PANI") includes a contingency plan for the attention of emergencies applicable to natural disasters. The PANI does not include an express provision particularly for deprived children but applies in general terms. Also, the ["National Commission for Risk Prevention and Emergency Response"](#) has approved the ["National Risk Management Plan"](#) (applicable during 2021-2025).

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

As per the public information available, the Patronato Nacional de la Infancia has no resources prepared for the execution of evaluation processes on institutional programs.

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Yes. Art. 63 of the [Law](#) "Execution of Juvenile Criminal Sanctions" indicates that facilities should determine their capacity and without overcrowding. Thus, there is a general provision which sets up this principle.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Yes. The Patronato Nacional de la Infancia ([PANI](#)) includes a provision for planning projects that takes into account the generation of intra- and inter-institutional coordination mechanisms (strengthening participation in the Emergency Committees) for the integral attention of the population.

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

Yes. As explained in question n° 1, art. 63 of the Law Execution of Juvenile Criminal Sanctions No 8460 establishes a general principle re. construction and structure of facilities.

Costa Rica has a comprehensive framework in place to ensure the continuation of services and uphold human and children's rights within detention facilities. This framework includes various legislations, programs, and specific mitigation measures designed to address potential emergencies and natural disasters.

Construction of Natural Disaster-Resistant Buildings. Applicable Legislation and Programs. See: https://disasterlaw.ifrc.org/dmi/dmi_country/47 and <https://www.gfdrr.org/sites/default/files/publication/country-program-update-2014-costa-rica.pdf>

- National Emergency and Risk Prevention Law: This law mandates that all public buildings, including detention facilities, must be constructed to withstand natural disasters.
- Code of Childhood and Adolescence: Ensures that facilities housing children meet safety and structural standards.
- Implementation: Facilities are regularly inspected and upgraded to ensure they are resilient against earthquakes, hurricanes, and other natural disasters. The construction of new buildings incorporates disaster-resistant designs and materials.
- Conducting Regular Evacuation Drills. Applicable Legislation and Programs:
- Program for the Protection and Care of Children and Adolescents: Includes specific guidelines for emergency preparedness and regular drills.
- National Commission for Risk Prevention and Emergency Response (CNE): Coordinates nationwide emergency drills and ensures that detention facilities are included.
- Implementation: Regular evacuation drills are conducted in all detention facilities, ensuring that staff and children are familiar with evacuation routes and procedures. These drills are coordinated with local emergency services.

Maintaining Emergency Supplies. Applicable Legislation and Programs:

- Law on the Protection of Victims, Witnesses and Other Subjects Involved in Criminal Proceedings: Ensures that facilities have the necessary resources to protect and care for children during emergencies.
- Programme for the Protection and Care of Children and Adolescents: Specifies the need for adequate emergency supplies in all facilities.
- Implementation: Facilities are required to maintain stocks of essential supplies, including food, water, medical supplies, and hygiene products. These supplies are regularly inventoried and replenished to ensure readiness for emergencies.

Contingency Planning and Risk Management. Applicable Legislation and Programs:

- National Emergency and Risk Prevention Law: Requires comprehensive contingency plans for all public institutions.
- National System of Integral Protection (SNPI): Involves inter-institutional coordination to address emergencies affecting children.
- Implementation: Each detention facility has a detailed contingency plan that includes protocols for various emergency scenarios. These plans are regularly updated and tested through simulations and drills.

Integration with Community and Health Services. Applicable Legislation and Programs:

- Organic Law of the National Children's Trust: Mandates PANI to coordinate with other institutions for the protection of children.
- National Programme for the Eradication of Child Labour: Involves collaboration with health and social services.
- Implementation: Facilities work closely with local health services, educational institutions, and community organizations to ensure comprehensive care for children. This includes regular health check-ups, psychological support, and continuity of education during emergencies.

Budget Allocation for Emergency Preparedness. Applicable Legislation and Programs:

- FODESAF (Social Development and Family Allowances Fund): Provides funding for emergency preparedness and response activities.
- Implementation: Specific budget allocations are made for emergency supplies, infrastructure improvements, and staff training. This ensures that facilities are financially prepared to handle emergencies effectively.

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

The Patronato Nacional de la Infancia ([PANI](#)) includes an evaluation process.

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

Local governments in Costa Rica collaborate with various stakeholders to develop emergency plans that address the unique vulnerabilities of children, including those in detention facilities. This collaborative approach ensures that the needs of all children, including those with disabilities, are comprehensively met during extreme weather events. Here's how this collaboration is structured and implemented:

Framework for Collaboration.

- Applicable Legislation and Programs.
- National Emergency and Risk Prevention Law: Establishes the legal framework for emergency preparedness and response, mandating local governments to work with relevant stakeholders.
- Sistema Nacional de Protección Integral (SNPI): A national system that coordinates the protection of children's rights through an inter-institutional network involving local governments, public institutions, and private organizations.
- Program for the Protection and Care of Children and Adolescents: Provides specific guidelines for child protection, including emergency preparedness.
- Implementation: Local governments are required to integrate their emergency plans with the national framework, ensuring consistency and comprehensive coverage.

Identification of Vulnerabilities.

- Applicable Legislation and Programs.
- Childhood and Adolescence Code: Mandates the identification of specific needs and vulnerabilities of children, including those with disabilities.
- Law on Equal Opportunities for Persons with Disabilities: Ensures that the rights and needs of children with disabilities are considered in all planning processes.
- Implementation: Local governments, in collaboration with PANI and other relevant agencies, conduct assessments to identify the specific vulnerabilities of children in detention facilities. This includes physical and mental health needs, accessibility requirements, and specific risks associated with extreme weather events.

Development of Tailored Emergency Plans.

- Applicable Legislation and Programs.
- National Commission for Risk Prevention and Emergency Response (CNE): Provides technical guidance and support for developing emergency plans.
- PANI Guidelines and Programs: Offer detailed protocols for emergency preparedness in facilities housing children.
- Implementation: Emergency plans are tailored to address the unique needs of children, particularly those with disabilities. This includes ensuring accessible evacuation routes, providing specialized medical supplies, and training staff to handle the specific needs of children with physical and mental health conditions during emergencies.

Stakeholder Engagement and Coordination.

- Applicable Legislation and Programs.

- Organic Law of the National Children's Trust: Mandates PANI to coordinate with other institutions for comprehensive child protection.
- National Network for Child Care and Development: Involves various stakeholders, including health services, educational institutions, and NGOs.
- Implementation: Local governments engage with a broad range of stakeholders, including:
 - Health Services: Ensure that medical needs, including mental health support, are integrated into emergency plans.
 - Educational Institutions: Provide continuity of education and psychological support during and after emergencies.
 - NGOs and Community Organizations: Offer additional resources and support, particularly for vulnerable populations such as children with disabilities.
 - Emergency Services: Collaborate on evacuation drills and emergency response training.

Training and Capacity Building.

- Applicable Legislation and Programs.
- National Training Programs by CNE: Regular training programs for local government officials and staff in emergency preparedness and response.
- PANI Training Initiatives: Specific training for staff working with children in detention facilities.
- Implementation: Continuous training programs are conducted to build the capacity of local government officials, detention facility staff, and other stakeholders. This ensures that they are equipped to implement emergency plans effectively, with a particular focus on the needs of children with disabilities.

Community Involvement and Awareness.

- Applicable Legislation and Programs:
- National Program for the Eradication of Child Labor: Emphasizes community involvement in child protection.
- Local Emergency Committees: Include community representatives to ensure local needs and vulnerabilities are addressed.
- Implementation: Local governments actively involve communities in the planning and implementation of emergency measures. This includes awareness campaigns, community drills, and feedback mechanisms to continually improve emergency plans.

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

Conducting Risk Assessments within Detention Facilities to Identify Climate-Related Hazards and Inform Emergency Preparedness Strategies for Children in Detention in Costa Rica.

Risk assessments within detention facilities in Costa Rica are a critical component of ensuring the safety and well-being of children, especially in the context of climate-related hazards. These assessments are conducted systematically, involving various stakeholders and using a range of methodologies to identify potential risks and inform emergency preparedness strategies. Here's how these risk assessments are conducted and utilized:

Legal and Institutional Framework.

- Applicable Legislation and Programs.
- National Emergency and Risk Prevention Law: Mandates risk assessments for all public facilities, including detention centers.
- Code of Childhood and Adolescence: Ensures comprehensive protection for children, including the identification of environmental risks.
- Programme for the Protection and Care of Children and Adolescents: Provides specific guidelines for risk assessments in facilities housing children.
- Implementation: Risk assessments are conducted in compliance with these laws, ensuring a standardized approach across all facilities.

Stakeholder Involvement.

- Applicable Legislation and Programs.
- National System of Integral Protection (SNPI): Involves multiple stakeholders in the protection of children's rights.
- National Commission for Risk Prevention and Emergency Response (CNE): Coordinates national efforts for risk assessment and emergency preparedness.
- Implementation: Risk assessments involve collaboration between local governments, PANI, emergency services, health departments, and community organizations to ensure comprehensive evaluations.

Risk Assessment Methodologies.

- Applicable Legislation and Programs.
- CNE Guidelines: Provide methodologies for conducting risk assessments, including hazard identification, vulnerability analysis, and impact assessment.
- Implementation: Facilities use a combination of qualitative and quantitative methods to assess risks.

- Hazard Identification: Identifying potential climate-related hazards such as floods, hurricanes, landslides, and extreme temperatures.
- Vulnerability Analysis: Assessing the specific vulnerabilities of children in detention, including those with disabilities, chronic health conditions, and psychological needs.
- Impact Assessment: Evaluating the potential impacts of identified hazards on the safety, health, and well-being of children.

Data Collection and Analysis.

- Applicable Legislation and Programs.
- National Emergency Database: Maintained by CNE, this database includes historical data on climate events and their impacts.
- PANI's Information Systems: Collect data on the conditions within detention facilities and the specific needs of the children housed there.
- Implementation: Data collection involves:
 - Site Inspections: Regular inspections of facilities to identify structural vulnerabilities and preparedness gaps.
 - Historical Data Review: Analyzing past climate events and their impacts on the region and specific facilities.
 - Community and Staff Input: Gathering information from facility staff, children, and community members to identify potential risks and areas for improvement.

Developing Emergency Preparedness Strategies.

- Applicable Legislation and Programs.
- National Emergency and Risk Prevention Law: Requires the development of emergency plans based on risk assessments.
- Program for the Protection and Care of Children and Adolescents: Ensures that emergency preparedness strategies are tailored to the needs of children.
- Implementation: Using the data from risk assessments, facilities develop comprehensive emergency preparedness strategies, including:
 - Evacuation Plans: Detailed plans for safe evacuation during different types of climate events, ensuring accessibility for children with disabilities.
 - Resource Allocation: Identifying and allocating resources needed for emergency response, including medical supplies, food, water, and temporary shelters.
 - Training and Drills: Regular training for staff and children on emergency procedures, and conducting drills to practice and refine these plans.

Continuous Monitoring and Improvement.

- Applicable Legislation and Programs.
- Continuous Improvement Policies: Mandated by PANI and CNE, ensuring that risk assessments and preparedness plans are regularly updated.
- Implementation: Facilities engage in continuous monitoring and evaluation of their emergency preparedness strategies:
- Regular Reviews: Scheduled reviews of risk assessments and emergency plans to incorporate new data, feedback, and lessons learned from drills and actual events.
- Feedback Mechanisms: Establishing channels for staff and children to provide feedback on preparedness measures and suggest improvements.
- Adapting to New Risks: Adjusting plans and strategies in response to emerging climate risks and changing conditions.

Additional resources:

- Accompaniment Program at the Zurquí Juvenile Penal Center (Prison)
[Juvenile Prison | ASCRIGERE | Love on the Street Ministry](#)

Dominican Republic

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

There are laws that contemplate the development of measures for prevention and response to natural disasters. Similarly, there is a National Plan for Integrated Disaster Risk Management, which develops this law with a series of programmatic lines of action that contemplate ways of acting in natural disasters. In Article 20 purpose 1B of Law 147-02 on risk management, refers to mitigating vital infrastructure vulnerable to disasters, specifically mentioning schools, shelters, hospitals, roads, highways, energy, transportation and communication. However, there is no reference to detention centers, prisons, or specific infrastructure for these facilities of years.

Please see below a mapping of responsibilities and public entities in charge of responding to the disaster that emanate from Law 147-02 (page 32: [CWP-DR-web-spread.pdf](#))

Sources (Law 147-02): [Microsoft Word - Law 147-02, on Risk Management](#)

National Disaster Management Plan: [dom146528.pdf](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Law (136-03) creates the Code for the Protection System and the Fundamental Rights of Children and Adolescents in the Dominican Republic that includes the general principles of protection that the State must guarantee to this group of people. Although it does not explicitly mention natural disasters, the code emphasizes absolute priority and protection in all circumstances, which can be interpreted as an obligation of the State to protect children in emergency situations. In addition, the right to life and health, as well as the obligation of the State to guarantee dignified conditions for their existence, are principles that can be applied in disaster contexts. However, as per our analysis, there is no public information regarding any law applicable for detention centers or natural disasters.

Source (Child Protection Act): [ley-que-crea-el-codigo-para-la-proteccion-de-ninos-ninas-y-adolescentes-no-136-03-go-no-10234-del-07-de-ago-del-2003.pdf](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

Code for the Protection System and the Fundamental Rights of Children and Adolescents in the Dominican Republic includes provisions that may relate to effectiveness evaluation, recovery process development, and accountability in the context of disaster preparedness and response.

Evaluation and Improvement of Effectiveness

The law establishes the obligation of the State to guarantee the comprehensive protection of children, which implies the continuous evaluation of the policies and programs implemented.

Development of Recovery Processes

The code includes provisions on the care and recovery of children affected by emergency or disaster situations. This includes the provision of psychosocial support, school reintegration and the rehabilitation of infrastructure essential for children's well-being.

Accountability

The law also provides for accountability mechanisms, ensuring that institutions responsible for child protection are transparent in their actions and decisions. This includes the obligation to report and justify the measures taken, as well as the possibility of independent audits and reviews.

Source: [Law 135-06](#).

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Yes. The Dominican Republic has implemented several measures to address deprivation of liberty and overcrowding in detention facilities, which also contributes to improving the effectiveness of disaster risk reduction measures. Some of these measures include:

Judicial Reforms:

- **Use of Alternatives to Deprivation of Liberty:** Promotion of measures such as probation, house arrest, and

community rehabilitation programs to reduce the number of people in detention centers.

- **Streamlining Judicial Processes:** Implementing reforms to speed up judicial processes and reduce the time people spend in pretrial detention.

Infrastructure Improvements:

- **Construction and Expansion of Detention Centers:** Construction of new centers and expansion of existing ones to reduce overcrowding.
- **Improvements in the Conditions of the Centers:** Renovation and maintenance of the facilities to ensure dignified and safe living conditions.

Rehabilitation and Reintegration Programs:

- **Educational and Training Programs:** Offer educational and job training programs for detainees, facilitating their reintegration into society.
- **Psychosocial Support:** Provision of psychosocial support services to help detainees overcome trauma and prepare for life outside of detention centers.

Decongestion Policies:

- **Pardons and Amnesties:** Implementation of pardon and amnesty policies for certain groups of detainees, especially those who have committed minor crimes.
- **Sentence Review:** Review of sentences to identify cases that may benefit from alternative measures to deprivation of liberty.

These measures not only help reduce overcrowding and improve conditions in detention facilities, but also contribute to better disaster risk management, by ensuring that facilities are not overcrowded and that detainees can be evacuated safely and efficiently if necessary.

Regulations:

Code of Criminal Procedure (Law No. 76-02):

Source: [Microsoft Word - Law No. 76-02 establishing the Code of Criminal Procedure of the Republic Dominicana.doc](#)

- This law establishes the basis for the use of alternative measures to deprivation of liberty, such as conditional release and house arrest.
- It also regulates the procedures for the streamlining of judicial processes.

Law No. 224-84 on the Prison System:

Source: [Law No. 224-84 on the Prison System - Legislation - VLEX 735820169](#)

- It regulates the administration and organization of prisons, including conditions of detention and rehabilitation and reintegration programs.

- It establishes rules for the construction and maintenance of prison infrastructures.

Law No. 136-03, Code for the Protection System and the Fundamental Rights of Children and Adolescents:

Source: [ley-que-crea-el-codigo-para-la-proteccion-de-ninos-ninas-y-adolescentes-no-136-03-go-no-10234-del-07-de-ago-del-2003.pdf](#)

- It includes specific provisions for the protection of children in conflict with the law, promoting alternatives to detention and rehabilitation programmes.

Law No. 155-17 against Money Laundering and the Financing of Terrorism:

Source: [Law No. 155-17 on Money Laundering and the Financing of Terrorism](#)

- Although its main focus is different, this law also includes provisions that can influence the reduction of overcrowding by streamlining judicial processes related to financial crimes.

Presidential Decrees of Pardon and Amnesty:

- Presidential decrees can grant pardons and amnesties to certain groups of detainees, contributing to the decongestion of prisons.

Internal Regulations of the Penitentiary System:

- These regulations detail specific policies and procedures for the management of detention facilities, including measures to improve living conditions and reduce overcrowding.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Yes. There is regulation in the Dominican Republic. It is regulated in Chapter II of Law No. 147-02 on Risk Management.

[Microsoft Word - Law 147-02, on Risk Management](#)

This chapter deals with the organization, coordination and functions of the National System for Disaster Prevention, Mitigation and Response (SN-PMR). This system is made up of guidelines, standards, activities, resources, programs and institutions that facilitate risk management. The components of the system include public and private entities, community and non-governmental organizations, the media, economic sources, and legal and regulatory principles.

The main objectives of the SN-PMR are risk reduction, disaster prevention and the socialization of prevention.

The Dominican Republic's document, specifically Law No. 147-02 on Risk Management, does not mention specific regulations on issues associated with children and minors. See https://climate-laws.org/document/law-no-147-on-risk-management_3942.

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

In the Dominican Republic, juvenile detention centers face significant challenges in terms of their infrastructure and preparedness for natural disasters.

Although the state administration is making efforts to improve conditions, several news reports highlight the concerning situation and the lack of adequate infrastructure to guarantee the protection of minors in the face of natural disasters.

Sources:

[National Office of Public Defence - "Juvenile Correctional Facilities are No Man's Land".](#)

[In the face of natural phenomena in the Dominican Republic, it is estimated that 40% of the displaced would be children, according to UNICEF](#)

The Ministry of Economy, Planning and Development (MEPyD) of the Dominican Republic has been working on improving infrastructure and services in juvenile detention centers through its General Directorate of Public Investment (DGIP). In recent years, efforts have been made to include infrastructure projects in the National Multi-Year Public Investment Plan, which runs from 2023 to 20262. These projects seek to improve the resilience of the centers to natural disasters and ensure that the facilities are safe and adequate for children.

<https://mepyd.gob.do/>

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

1. Law No. 147-02 on Risk Management, which includes the general framework for risk management in the country, including the construction of disaster-resistant infrastructure and the conduct of evacuation drills.

Source: [Microsoft Word - Law 147-02, On Risk Management](#)

2. Law No. 224-84 on the Penitentiary Regime: includes security measures, emergency protocols and the maintenance of emergency supplies.

Source: [Act No. 224-84 on the Prison System - Legislation - VLEX 735820169](#)

3. Law No. 136-03, Code for the Protection System and the Fundamental Rights of Children and Adolescents: includes specific provisions for the protection of minors in conflict with the law, promoting emergency measures and response protocols in juvenile detention centers.

Source: [ley-que-crea-el-codigo-para-la-proteccion-de-ninos-ninas-y-adolescentes-no-136-03-go-no-10234-del-07-de-ago-del-2003.pdf](#)

4. Building Code of the Dominican Republic: Establishes the technical standards for the construction of buildings resistant to natural disasters.

Regulations of the Ministry of Public Works and Communications (MOPC): Detail the requirements for the construction and maintenance of safe infrastructures.

5. National Risk Management Plan: Includes specific guidelines for disaster preparedness and response in all facilities across the country, including detention centers.
6. Protocols of the National Emergency Commission: includes specific protocols for coordination and response in disaster situations, which include the participation of detention centers and communication with personnel.

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The National Plan for Integrated Management of the Risk of Natural Disasters includes various public entities responsible for coordinating the prevention and response of natural disasters. Some of the public bodies include the National Emergency Commission (CNE) and the National Technical Committee (CTN).

Local governments in the Dominican Republic are working with various stakeholders to develop emergency plans that address vulnerabilities during extreme weather events. These efforts are part of broader strategies to improve disaster resilience and ensure the safety and well-being of all vulnerable populations. Some examples include:

- The Organization of American States, which has created an INTER-AMERICAN COMMITTEE FOR NATURAL DISASTER REDUCTION (CIDNR), which serves as the main forum of the inter-American system for the analysis of issues related to natural disasters and other disasters, including the prevention and mitigation of their effects, in coordination with the governments of the member states, relevant national, regional and international organizations, as well as non-governmental organizations.

- Spanish Cooperation (EC) has been present in the country since 1987 through the Spanish Cooperation Office (OCE) and the Cultural Center of Spain (CCE) in Santo Domingo, entities that focus their work on strategies and actions aimed at promoting sustainable human, social and economic development and the eradication of poverty.

Source:

<https://www.gfdr.org/sites/default/files/publication/drm-country-note-2010-dominican-republic.pdf>

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

In the Dominican Republic, juvenile detention centers must follow specific contingency plans for hurricanes and other natural disasters; however, **they are not published or easily accessible**. The Ministry of Foreign Affairs has an Emergency and Evacuation Plan that details some common measures but does not include any reference to juvenile detention centers:

sismap.gob.do/GestionPublica/uploads/evidencias/638272566048719373-PLAN-DE-EMERGENCIA-Y-EVACUACION-MIREX-2023.pdf

Here are some common measures that are implemented:

- Contingency Plans: Centers have hurricane contingency plans that include detailed procedures for evacuation and protection of minors.
- Drills and Training: Regular drills are conducted, and personnel are trained to handle emergency situations, ensuring that everyone knows how to act in the event of a hurricane.
- Infrastructure: Although not all centers are fully equipped, efforts are being made to improve the infrastructure and make it more resilient to natural disasters.
- Coordination with the COE: The centers work in coordination with the Emergency Operations Center (COE) to receive early warnings and logistical support during emergencies.

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

The Dominican Republic has a central Emergency Preparedness and Response Manual, which, as per our analysis, does not include specific measures for children, nor for people in detention.

Source: 636608747144679256-Plan-de-Emergencias--Direccion-General-de-Programas-Especiales.pdf

In the Dominican Republic, juvenile detention centers must follow specific contingency plans for hurricanes and other natural disasters; however, they are not published or are not publicly accessible.

The United Nations' International Organization for Migration (IOM) has developed a Reference Checklist that provides technical guidance for the operationalization of the MICIC Initiative Guidelines, including Guideline 13, which focuses on the relocation and evacuation of migrants when necessary. This checklist includes special measures for the evacuation of migrant children, taking into account their specific protection needs before, during, and after evacuations. These protocols are designed to be integrated into overall evacuation plans and do not create a separate process for children. They communicate through training and organizing community networks for disaster preparedness, mitigation, and response.

Source: [MICIC Guidelines 2016.pdf](#)

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

While it is true that in the Dominican Republic training courses are offered for professionals working in jobs where security (including emergency response) is the priority, there is no public evidence that this type of training is available to workers in juvenile detention centers or that it is a necessary requirement to obtain a job in a detention center. minors in the Dominican Republic.

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

In the National District, the PMR Committee currently through its municipal police and fire department, coordinates local preparedness and response efforts with active members of Civil Defense, National Meteorological Office, Red Cross, and other government agencies (e.g., water, health, energy, infrastructure, assistance for vulnerable groups). There is evidence that non-governmental organizations focused on the protection of minors are actively involved in responding to climate emergencies. A clear example is in 2017 with the arrival of Hurricane Irma, where [Save The Children](#), together with emergency teams, worked in a coordinated manner to evacuate the civilian population from 17 municipalities in the north of the country, primarily serving children and families. Spokespeople for this organization believe that it should invest in reducing the risk of natural disasters and strengthening the resilience of key communities in the disaster cycle.

The National Plan for the Management of Natural Risks mentions the great value of the contributions made by other agencies and by the various humanitarian and risk management NGOs that work in the country. However, as per our analysis, there is no specific mention of whether children participate in international plans.

Sources:

[Columbia Report \(Page 32\): CWP-DR-web-spread.pdf](#)

National Plan for Integrated Disaster Risk Management (Page 6): [dom146528.pdf](#)

Save the Children: [Hurricane Irma: Millions of children in the Dominican Republic and Haiti at risk as one of the most dangerous storms in the last decade arrives | Save the Children](#)

Additional resources:

- <https://siteal.iiep.unesco.org/bdnp/533/ley-1362003-codigo-proteccion-derechos-ninos-ninas-adolescentes>
- <https://disasterlaw.ifrc.org/node/433>
- Dominican Republic Constitution
<https://www.cijc.org/es/NuestrasConstituciones/REP%C3%9ABLICA-DOMINICANA-Constitucion.pdf>
- [Microsoft Word - Law 147-02, on Risk Management](#)
- [dom146528.pdf](#)
- [ley-que-crea-el-codigo-para-la-proteccion-de-ninos-ninas-y-adolescentes-no-136-03-go-no-10234-del-07-de-ago-del-2003.pdf](#)
- [CWP-DR-web-spread.pdf](#)
- [Dominican Republic - aecid.es](#)

Ecuador

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

[mesicic4_ecu_const.pdf \(oas.org\)](#)

[Manual-del-COE.pdf \(gestionderiesgos.gob.ec\)](#)

Article 46 of the Constitution of Ecuador states: "**The State shall adopt, inter alia, the following measures to ensure that children and adolescents are safeguarded:**

(...) 6. **Priority attention in case of disasters**, armed conflicts and all types of emergencies..."

Likewise, in Article 35:

Article 35.- Older persons, **children and adolescents**, pregnant women, persons with disabilities, **persons deprived of liberty** and those who suffer from catastrophic or highly complex diseases, **shall receive priority and specialized attention in the public and private spheres**. The same priority attention will be given to people at risk, victims of domestic and sexual violence, child abuse, natural or man-made disasters. The State shall provide special protection to persons in a condition of double vulnerability.

Article 203.4. In places of deprivation of liberty, affirmative action measures shall be taken to protect the rights of persons belonging to priority groups.

The Government of Ecuador has a team made up of the Secretariat of Risk Management, SGR, the Ministry of Urban Development and Housing, MIDUVI and the Japan Cooperation Agency (JICA), which work on the Project for the Improvement of Earthquake and Tsunami Monitoring Capacity and the Community Capacity Building Program for Tsunami Disaster Risk Prevention and Reduction for the construction of safe and sustainable cities. resilient against earthquake and tsunami disasters

Safe and Resilient Cities is the project promoted by International Cooperation and the Ecuadorian Government – National Secretariat for Risk Management (gestionderiesgos.gob.ec). The roadmap includes the following actions:

- Tsunami Evacuation Plan
- Organizational Strengthening 1 – Risk Reduction Plan
- Organizational Strengthening 2 Risk Reduction Plan
- Threat Assessment
- Vulnerability Assessment – Gender Issues
- Operation of construction systems

- Quality Management in Construction
- Citizen education for seismic resistant housing

Training management (Tsunami Evacuation Drills, among others)

These documents are not publicly available on the so we do not know if they cover the regulation on juvenile detention centres.

[18_02.-Politica-Publica-de-Rehabilitacion-Social_vF-.pdf \(derechoshumanos.gob.ec\)](#)

There is a Public Policy on Social Rehabilitation 2022 – 2025, available at the following link: [Public Policy on Social Rehabilitation 2022 - 2025 - SNAI \(atencionintegral.gob.ec\)](#). In this policy, it is stated that the Government is aware that prisons are in poor conditions from the constructive point of view, including actions to improve them, while another section regulates the rights of adolescents in conflict with the law, such as health and education, providing for specific measures to make these rights possible (such as, for example, the presence of doctors in the centers).

In addition, in point 8.1.1. "Review of the Health Model in Detention Centers" of the Public Policy for Social Rehabilitation 2022 - 2025 establishes: Prepare, train and execute Emergency Plans for CPL, in cases of natural or man-made disasters.

[18_02.-Politica-Publica-de-Rehabilitacion-Social_vF-.pdf \(derechoshumanos.gob.ec\)](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

[Plan-Nacional-de-Respuesta-SGR-RespondeEC.pdf \(gestionderiesgos.gob.ec\)](#)

[plan2030_ninez_version_consulta_compressed.pdf \(igualdad.gob.ec\)](#)

As per our analysis, the Government of the Republic of Ecuador has various plans of action for natural disasters but does not specify any specific plan for children deprived of liberty due to natural disasters.

There is also a Public Policy for Social Rehabilitation 2022 – 2025, available at the following link, but it does not specifically regulate the situation of buildings and action plans because of natural disasters:

[Public Policy for Social Rehabilitation 2022 - 2025 - SNAI \(atencionintegral.gob.ec\)](#). In this policy, it is stated that the Government is aware that prisons are in poor conditions from the constructive point of view, including actions to improve them, and

another section regulates the rights of adolescents in conflict with the law, such as health and education, providing for specific measures to make these rights possible (such as, for example, the presence of doctors in the centers).

The most notable points of this Policy are the following:

Point 8.1.1. "Review of the Health Model in Detention Centers" of the Public Policy for Social Rehabilitation 2022 - 2025 establishes: Prepare, train and execute Emergency Plans for CPL, in cases of natural or man-made disasters.

[18_02.-Politica-Publica-de-Rehabilitacion-Social_vF-.pdf \(derechoshumanos.gob.ec\)](#)

Point 7.11. Diagnosis for adolescents in conflict with the Criminal Law

Item 8.12. Adolescents in conflict with the law

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The Government has a programme of "Mechanism for the Prevention of Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment", under which the Office of the Ombudsman inspects juvenile detention centres.

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Report on deprivation of liberty in Ecuador:

[Microsoft Word - Informe-PPL-Ecuador.docx \(oas.org\)](#)

Specific measures are approved for the reduction of the prison population. Judicial, legislative (two executive decrees in the above-mentioned report) and administrative measures.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

The Community Civil Protection Mechanism supports and facilitates the mobilisation of emergency services to respond to the immediate needs of countries affected by or at risk of disaster. [EUR-Lex \(europa.eu\)](#)

THE ARMED FORCES IN SUPPORT OF NATURAL DISASTERS.

[THE ARMED FORCES IN SUPPORT OF NATURAL DISASTERS | Journal of the Ecuadorian Army War Academy \(espe.edu.ec\)](#)

Operations Committee Manual of Emergency. Document for coordination of actions in emergency situations: Attached Link: <https://www.gestionderiesgos.gob.ec/wp-content/uploads/downloads/2018/08/Plan-Nacional-de-Respuesta-SGR-RespondeEC.pdf>

Integrated Security Service. Attached link:

[ECU 911 Integrated Security Service – ECU 911 Integrated Security Service](#)

Operation of the Emergency Operations Committee: Attached link:

[COE INFOGRAPHIC \(grupofaro.org\)](#)

6. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

According to ENAI 2015, the percentage of children and adolescents between the ages of 8 and 17 in school who say they have been instructed on what to do in the event of natural disasters rose from 42% in 2010 to 74% in 2015. However, in this last year the percentage for indigenous children was only 50%. Likewise, the survey indicates that 65% of children and adolescents in this age group claim to have had at least one drill in their educational center during the last school year.

Source: Social Protection of Children in Ecuador (ECLAC and UNICEF)

Additional resources:

- 8.9. Infrastructure Axis.
8.9.2. Need for refurbishments.
213: Have intervention and evacuation plans depending on the geographical location of the centers: for example, the CPL and CAI near volcano in eruption requires this

type of evaluation.

[18_02.-Politica-Publica-de-Rehabilitacion-Social_vF-.pdf \(derechoshumanos.gob.ec\)](#)

- CHILDREN AND ADOLESCENTS CODE - [CHILDREN AND ADOLESCENTS CODE \(registrocivil.gob.ec\)](#)
Article 321.- Exceptionality of deprivation of liberty. The deprivation of liberty of the adolescent shall be ordered only as a last resort, by written order of the competent judge in the cases, for the time and with the formalities prescribed by law. Pre-trial detention may be revoked at any stage of the proceedings, ex officio or at the request of a party.
- The Central Regulations of the Prison Security and Surveillance Corps regulate the functions and responsibilities of the Prison Security and Surveillance Corps in its article 10, which establishes in paragraph 19: *"Apply the previously established procedures in cases of emergency, adverse events or risk"*.

Article 45, on Crises, Emergencies or Adverse Events, provides: "When there are disasters of natural or man-made origin, crises, emergencies of any kind or disturbances of internal order in places of deprivation of liberty, the servants of the Prison Security and Surveillance Corps on duty shall remain at the assigned guard posts; and, those who are in a period of rest, will be summoned by the hierarchical superior until the emergency is resolved."

[Reglamento-del-Cuerpo-de-Seguridad-y-Vigilancia-Penitenciaria.pdf \(atencionintegral.gob.ec\)](#)

- Regulation-of-the-Social-Rehabilitation-System-SNAI-2020
Article 132.- Circumstances of transfers. - *In cases of natural or man-made disasters that put the lives of persons deprived of liberty at risk and/or cause serious damage to the infrastructure of the centres of deprivation of liberty, the entity in charge of the National System of Social Rehabilitation, in coordination with the competent entities and institutions, shall analyse the conditions of the centre for the deprivation of liberty and, if applicable, will immediately carry out the transfers of persons deprived of liberty.*
[Regulations of the Social Rehabilitation System -SNAI 2020 \(atencionintegral.gob.ec\)](#)
- National Service for Comprehensive Care for Adults Deprived of Liberty and Adolescent Offenders
[INSTITUTIONAL STRATEGIC PLAN 2022 - 2025 - SNAI \(atencionintegral.gob.ec\)](#)

Childhood and Adolescence Code:
[CODE OF CHILDHOOD AND ADOLESCENCE \(registrocivil.gob.ec\)](#)

CENTRAL REGULATIONS OF THE PENITENTIARY SECURITY AND SURVEILLANCE CORPS
[Reglamento-del-Cuerpo-de-Seguridad-y-Vigilancia-Penitenciaria.pdf \(atencionintegral.gob.ec\)](#)

For question 4: Public Policy for Social Rehabilitation (2022-2025)
[18_02.-Politica-Publica-de-Rehabilitacion-Social_vF-.pdf \(derechoshumanos.gob.ec\)](#)

Risk Management Units (UGR) of the Decentralized Autonomous Governments (GAD)
[CONFORMACIÓN-ORGANIZACIONAL-DE-LAS-UGR-DEL-LOS-GAD-CANTONALES.pdf \(gestionderiesgos.gob.ec\)](#)

- [Microsoft Word - PROTOCOL FOR PRISON SECURITY AND SURVEILLANCE IN PRIVACION.docx CENTRES \(zonalegal.net\)](#)

SECURITY AND SURVEILLANCE PROTOCOL

PENITENTIARY CENTERS DEPRIVATION

Art. 80.- Adverse events.- Adverse events are considered to be those situations of natural or anthropic origin, such as: fires, earthquakes, floods, among others of the same kind and type; the same ones that exceed the operational capacity of prison security and require the assistance of all the competent agencies in risk management

Article 81.- Procedure in the event of adverse events. - In the event of adverse events, the highest authority of the detention centre, or whoever performs its functions, shall proceed as follows:

3. Establish the security perimeter to prevent access by people to the affected area;
4. Reinforce the security of the perimeter to prevent possible leaks;

- AT THE CAI OF RIOBAMBA, RISK MANAGEMENT PLANS WERE SOCIALIZED
[AT THE CAI OF RIOBAMBA, RISK MANAGEMENT PLANS WERE SOCIALIZED | Up to Date Online \(aldiaonline.net\)](#)

On Sunday, January 10, at the Center for Adolescent Offenders (CAI) of Riobamba, the socialization of family emergency plans was coordinated with parents and young people who comply with their socio-educational measures.

These emergency plans are included in risk management manuals, so that people know what they should do and how they should act in the event of a disaster. The training was scheduled for Sunday in order to take advantage of the attendance of parents and reach a higher numerical number than planned with the message of risk prevention.

The central axis was based on how to prevent incidents in the event of natural phenomena. Around 25 parents attended this socialization and thanked the authorities for their interest in making the community aware of the basic rules of protection.

The EXECUTIVE REPORT OF THE CENTER FOR ADOLESCENT OFFENDERS OF RIOBAMBA, says that: - It has a strategic plan for the entire center, coexistence code, security code, disaster emergency plan, all the documents updated until 2019, and that were verified by the MNPT team
<https://www.gestionderiesgos.gob.ec/wp-content/uploads/downloads/2018/08/Plan-Nacional-de-Respuesta-SGR-RespondeEC.pdf>

- Juvenile Offender Centers (CAI)
Male Guayaquil
CAI Cuenca, CAI Loja
CAI Esmeraldas
CAI Male Pinchincha
- Prisons:
Santo Domingo de los Tsáchilas
Manabí
Los Ríos
Bolívar
Gold
Guayas
Carchi

Guatemala

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Guatemalan law provides for the construction of disaster-resistant infrastructure in the child justice system.+ **Structural Safety Standards (NSE)**: Establish guidelines for constructing safe and disaster-resistant buildings.+ **Ministerial Agreement 1686-2007**: Adopts updated technical standards for design and construction.

- **Construction Regulatory Plan**: Regulates construction activities to ensure disaster resilience.
CONRED: Coordinates actions and policies to improve infrastructure resilience.
- **Sendai Framework**: Guatemala is committed to this global framework to reduce disaster risks and improve resilience.

These measures ensure that the infrastructures of the child justice system are safe and resilient to disasters.

As per our analysis, the applicable laws and policies are the following:

- **Public Policy for the Comprehensive Protection of Children and Adolescents**:
https://www.segeplan.gob.gt/downloads/clearinghouse/politicas_publicas/Grupos%20Vulnerables/Pol%C3%ADtica%20Ni%C3%B1ez%20y%20Adolescencia.pdf
- **Office of the Procurator for Children and Adolescents**: This entity has the responsibility of representing children and adolescents who lack legal representation and guaranteeing the restitution of their rights. It also promotes protection proceedings before the competent courts and files complaints with the Public Prosecutor's Office when there are possible criminal acts against them.
<https://pgn.gob.gt/pna/>
- **Law on the Comprehensive Protection of Children and Adolescents**: This law establishes the national legal framework for the protection of the human rights of children and adolescents. It includes special protection measures for those whose rights have been threatened or violated and guarantees minimum procedural guarantees in judicial or administrative proceedings. [Guatemala Comprehensive Protection Law](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Guatemala is configured as a country in which "the high level of disaster risk in Guatemala" has been identified as a public problem, which has led to the development of a National Policy for Disaster Risk Reduction of Guatemala (PNRRD) 2024-2034. This policy detected a deficient management of information on threats and vulnerabilities, as well as the non-disaggregation of information by groups in a condition of disintegration, which prevents the protection of children and adolescents in a specific way.

There are, therefore, no disaster risk reduction plans included in children's justice policies.

There are generic disaster risk reduction plans [Guatemala's National Policy for Disaster Risk Reduction \(PNRRD\) 2024-2034 - Guatemala | ReliefWeb](#), but they do not foresee concrete actions aimed at children and adolescents.

Although this provision does not exist, there are mentions in the following policies:

- **Public Policy for the Comprehensive Protection of Children and Adolescents**:
https://www.segeplan.gob.gt/downloads/clearinghouse/politicas_publicas/Grupos%20Vulnerables/Pol%C3%ADtica%20Ni%C3%B1ez%20y%20Adolescencia.pdf
- **Article 4.1**: "All children and adolescents from 0 to 18 years of age have the right to be protected from disasters and armed conflicts."
- **Law on the Comprehensive Protection of Children and Adolescents**: This law establishes the national legal framework for the protection of the human rights of children and adolescents. It includes special protection measures for those whose rights have been threatened or violated, and guarantees minimum procedural guarantees in judicial or administrative proceedings:
- https://www.oas.org/dil/esp/ley_de_proteccion_integral_de_la_ninez_y_adolescencia_guatemala.pdf

Article 6: "The State must ensure that children and adolescents receive protection and special relief in the event of disasters."

<https://constitutionnet.org/sites/default/files/Guatemala%20Constitution.pdf>

Provisions for safety and well-being of children:

- National child justice policies in Guatemala include Disaster Risk Reduction (DRR) plans.

- National Policy for Disaster Risk Reduction (PNRRD): Includes measures to protect critical infrastructure and ensure the safety of children.
- Specific Provisions: Evacuation protocols and staff training to ensure the well-being of children, especially those deprived of liberty during disasters.
- Coordination with CONRED: Implementation of DRR policies at all levels of the child justice system.
- These measures ensure the safety and well-being of children in situations of natural disasters.

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

In Guatemala, the administration of justice for children in the context of DRR is handled as follows:

- Evaluation and Improvement of Effectiveness:
- Regular evaluations and drills to measure the effectiveness of DRR plans.
- Use of performance indicators to identify areas for improvement.

Development of Recovery Processes:

- Specific plans for post-disaster recovery-, including infrastructure rehabilitation and psychosocial support with the Collaboration between government agencies and NGOs.

Assurance of Liability:

- Audits and reviews to identify faults and take corrective action.
- Accountability mechanisms, including sanctions and policy review.
- These measures ensure that Guatemala continuously evaluates and improves its DRR efforts, develops adequate recovery processes, and maintains accountability in the administration of justice for children during disasters.
- [Engaging Children and Youth in Disaster Risk Reduction and Resilience Building | UNDRR](#)
- [Disaster Risk Reduction — Major Group for Children and Youth](#)
- [Mechanism-for-involving-children_Disaster-Risk-Reduction-2-1-1.pdf](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

There is a [National Prison Reform Policy](#) that aims to combat, among other issues, overcrowding and overcrowding in Guatemalan prisons. This Policy applies to jails and prisons in general, so it would not be applicable only to children. In any case, the local press reports consulted reveal that overcrowding and violence in Guatemalan prisons continues to be a serious problem for society and the health of those incarcerated. The state policies issued to prevent overcrowding have not been effective and/or implemented correctly.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Guatemala has established mechanisms for cooperation and coordination in emergency situations within detention facilities:

- Coordination with CONRED: The [National Coordinator for Disaster Reduction \(CONRED\)](#) coordinates emergency actions and works with different services to ensure an effective response.
- Emergency Contact System: Emergency contact systems are in place for detention facility staff, ensuring they can communicate quickly in the event of a disaster.

Inclusive Communication Strategies: Inclusive communication strategies are implemented to inform all stakeholders about disaster risks and appropriate responses. This includes training staff and disseminating information to detainees.

These measures ensure a coordinated and effective response in emergency situations, protecting the safety and well-being of everyone in detention facilities.

[1.4 UN-led humanitarian coordination mechanisms - CARE Toolkit](#)

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

The National Coordinator for the Reduction of Natural Disasters (CONRED) or Provoked has published the National Policy for Risk Reduction 2024 - 2034, which includes an axis relating, specifically, to investment in vulnerability reduction with a GIRRD approach.

This axis focuses on the need to create and update mechanisms for the safe construction and protection of both public and private infrastructure, to guarantee the continuity of functions in emergency situations. To this end, tools such as the Risk Management Analysis in Public Investment, the Disaster Reduction Standard (NRD) of CONRED and the Structural Safety Standards of the Guatemal Association of Structural and Seismic Engineering are relevant.

The goal is that, by 2028, 25% of public institutions will have incorporated mitigation measures.

However, the Policy does not include a specific reference to detention centers, nor to juvenile detention centers.

[National Policy for Disaster Risk Reduction » CONRED](#)

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Applicable to LatAm (not so much specifically to Guatemala): The **Operational Manual for the Comprehensive Protection of Children and Adolescents in Emergency or Disaster Situations** includes several key aspects for the protection of children in prisons during natural disasters:

1. **Rapid and Ongoing Assessment:** Rapid assessments are conducted to identify the specific needs of children and adolescents during an emergency.
2. **Training and Drills:** Training and drills are conducted for prison staff and children, preparing them to respond appropriately to a disaster.
3. **Inter-institutional coordination:** Coordination is established between different institutions to ensure an efficient and timely response.

4. **Medical and Psychological Care:** Medical care and psychological support are provided to children affected by natural disasters.
5. **Evacuation Plans:** Prison-specific evacuation plans are developed and updated, ensuring that children are evacuated safely and quickly in the event of an emergency.

These points seek to ensure that the rights and safety of children are always protected, even in emergency situations.

Full link to the Manual: [Operational Manual for the Comprehensive Protection of Children and Adolescents in Emergency Situations or Desastre.pdf](#)

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

[guia_didactica.pdf](#) This is a guide for psychosocial services for children. It is a teaching guide that implements measures to improve mental health, risk factors, self-esteem, community values, stress, and grief during any of the three stages of a disaster (before, during, and after), depending on the circumstances and environment of the incident.

Manos Unidas is one of the main NGOs that collaborate with local authorities in Guatemala to implement social projects that help improve the health, nutrition and living conditions of children. Mainly, this NGO acts when natural disasters occur (e.g. earthquake in 2015): [Improving maternal and child health and nutrition | Manos Unidas](#)

[Babies in prison. Condemned from birth](#)

The CADi oversee the Secretariat of Social Works of the President's Wife (SOSEP), an entity that, through social programs, is at the service of the population living in poverty and extreme poverty. According to Corina Ardón, director of Social Communication of SOSEP, there are currently 580 CADi throughout the country and serve 12,000 children in Guatemala. Only two prisons have a CADi: Santa Teresa and the COF, which is where Susy goes.

So far, the only proposal to transform prison conditions is an agreement signed with the U.S. government for the donation of six million dollars in order to renovate prisons, improve the quality of life and guarantee other rights to inmates. However, due to the bureaucratic implementation processes and the election year in Guatemala, it will not be possible to carry it out this year, says the official.

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

There is no specific regulation on the protocol to be followed in the risk assessment in these cases to identify climate-related hazards. However, Guatemala's Law on the Comprehensive Protection of Children and Adolescents (PINA Law) [establishes](#) this obligation to protect children in all circumstances, article 6: "protection and special relief in the event of disasters". In addition, the National Policy for Disaster Risk Reduction (PNRRD) 2024-2034 also foresees the need to include protective measures for children in disaster situations. See <https://www.refworld.org/policy/strategy/natlegbod/2023/es/148915>

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

There are no specific protocols governing the evacuation of children in prison in the event of a disaster, nor are there any protocols for the prison population in general.

However, there is a body in charge of establishing these measures: the [National Coordinator for Disaster Reduction \(CONRED\)](#).

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

There are annual training processes for prison staff in case of emergency, as indicated in the following news:

- 2022: [They receive training to deal with any type of emergency | General Directorate of the Penitentiary System](#)
- 2023: [They receive training to be able to act in an emergency | General Directorate of the Penitentiary System](#)

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

[National Youth Council - CONJUVE | Who are we?](#)

CONJUVE - It is the institution that establishes systematic processes that facilitate consensus among organized sectors of young people, which allow the construction of legal frameworks and public policies that respond to the multiple demands of the youth of Guatemala.

[Microsoft Word - Conjuve Evacuation Plan September 2014 UPDATED](#)

The General Directorate of the Penitentiary System collaborates with CONJUVE to develop evacuation plans. But we have not found any emergency plan focused on children in correctional centers due to natural disasters.

Additional resources:

- [Guatemala Comprehensive Protection Law](#)
- [Guatemala launches Early Warnings for All Initiative | UNDRR](#)
- [GUIA APOYO PSICOSOCIAL.pdf](#)
- [Emergency Response Plan](#)
- [PFR-MACHOTE.pdf](#)
- [Child and Adolescent Protection Environment | UNICEF – UNICEF | Guatemala](#)
- Public Policy for the Comprehensive Protection of Children and Adolescents:

https://www.segeplan.gob.gt/downloads/clearinghouse/politicas_publicas/Grupos%20Vulnerables/Pol%C3%ADtica%20Ni%C3%B1ez%20y%20Adolescencia.pdf

Article 4.1: All children and adolescents from 0 to 18 years of age have the right to be protected from disasters and armed conflicts.

Office of the Procurator for Children and Adolescents: This entity is responsible for representing children and adolescents who lack legal representation and ensuring the restitution of their rights. It also promotes protection proceedings before the competent courts and files complaints with the Public Prosecutor's Office when there are possible criminal acts against them. <https://pgn.gob.gt/pna/>

Law on the Comprehensive Protection of Children and Adolescents: This law establishes the national legal framework for the protection of the human rights of children and adolescents. It includes special protection measures for those whose rights have been threatened or violated, and guarantees minimum procedural guarantees in judicial or administrative proceedings.

[Guatemala Comprehensive Protection Law](#)

Article 6: "The State must ensure that children and adolescents receive protection and special relief in the event of disasters."

- Public Policy on Children and Adolescents:
- https://www.segeplan.gob.gt/downloads/clearinghouse/politicas_publicas/Grupos%20Vulnerables/Pol%C3%ADtica%20Ni%C3%B1ez%20y%20Adolescencia.pdf

- Disaster Risk Reduction for All.

Inclusive Preparedness in Guatemala and El Salvador.

[Guatemala | AWO International e.V.](#)

- [Disaster Risk Management in Guatemala](#)
- CONRED - Operational Manual for the Comprehensive Protection of Children and Adolescents in Emergency or Disaster Situations.

[Operational Manual for the Comprehensive Protection of Children and Adolescents in Emergency Situations or Desastre.pdf](#)

- [CONRED](#)
Minimum safety standards in buildings for public use.

Hawaii, United States

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Hawaii's laws include policies concerning development of plans and resources to support the development of disaster-resistant facilities. These policies likely can be applied to child justice systems within the state, but do not appear to address direction child justice systems.

The Hawaii State Planning Act, [HRS § 226-14](#), requires that the state identify and mitigate vulnerabilities to natural hazards, including sea level rise and flooding impacts, for its state facilities and infrastructure. Section 226-14(5) of HRS mandates that the state identify existing and planned state facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards. In turn, Section 226-14(6) directs that the state assesses a range of options to mitigate the impacts of sea level rise to existing and planned state facilities. The facilities to which these requirements are applicable should include state-owned child detention facilities and other facilities that may fall within the scope of "child justice systems."

[HRS Chapter 127A](#) establishes the state's emergency management functions, which includes disaster preparedness and response. HRS § 127A-1 sets out the policy and purpose of Hawaii's emergency management functions, which includes creation of local organizations for emergency management in the counties of the State. It also confers upon the governor and upon the mayors of the counties of the State the emergency powers necessary to prepare for and respond to emergencies or disasters.

Additionally, a 2008 decision from the Hawaii Supreme Court in [Kaho'ohanohano v. Department of Human Services](#), highlights the state's legislative responsibility to protect children from harm and ensure their safety through appropriate services and permanent plans.

Collectively, these provisions indicate that Hawaii's laws support the development of policies and allocation of resources to build disaster-resistant facilities and infrastructure, including within the child justice system.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

As per our analysis, the United States does not have a national Disaster Risk Reduction or a federal child justice policy. FEMA has issued a [National Disaster Recovery Framework](#), which may be instructive. Pursuant to [42 U.S.C.A. § 5121](#), states are

required to have disaster relief mitigation plans but these do not address DRR specifically or child welfare.

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The state of Hawaii has a [Statewide Child Care Emergency Preparedness, Response and Recovery](#)

[Plan](#), but it does not appear to cover child/youth detention centers. It covers:

- A. Mitigation – Preventing future emergencies or minimizing their effects. This phase includes activities that prevent an emergency, reduce the likelihood of occurrence, or reduce the damaging effects of all hazard types of incidents before they occur.
- B. Preparedness – Preparing to handle an emergency. This phase includes developing plans, organizing, training, exercising, evaluating and taking corrective action to ensure effective coordination during incident responses.
- C. Response – Responding safely to an emergency. This phase is the actual provisions of emergency services during a crisis. These activities may help to reduce casualties and damage and speed up recovery.
- D. Recovery – Recovering from an emergency. Actions taken to return to normal or near normal conditions.

Our research points to DHS as having the responsibility for the care of minors, but accountability for disaster risk reduction for juvenile correction facilities or youth detention center was not found. Here are some other guiding sources:

- The Hawaii Revised Statutes HRS § 571-32 [Hawaii Revised Statutes § 571-32 \(2024\) - Detention; shelter; release; notice. :: 2024 Hawaii Revised Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#) details the procedures for the detention and care of minors, including the requirement for prompt inquiry and notification to the court when a minor is taken to a detention or shelter facility.
- The Department of Human Services (DHS) has a duty to provide competent, prompt, and ample protection from harm, maintain required information in records, and conduct appropriate and professionally competent investigations following reports of harm or threatened harm to children (*Polm v. Department of Human Services*, 134 Hawai'i 305 (2014)) [*Polm v. Dep't of Human Servs.*, 134 Haw. 305 | [Casetext Search + Citor](#)].

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

The Hawaii Supreme Court has acknowledged problems with overcrowding in the state's correctional facilities and has taken steps to alleviate those issues by releasing incarcerated individuals who do not pose a significant risk to public safety during the COVID-19 pandemic. See [State v. Vaden, 153 Hawai'i 95 \(2023\)](#).

Also related to COVID-19, a Special Master was appointed to facilitate the resolution of issues raised by the pandemic and instituting procedures for expedited consideration of individual release motions. Office of Public Defender v. Connors, Not Reported in Pac. Rptr. (2020) The court also emphasized the need to protect incarcerated persons from cruel and unusual punishment due to overcrowding and the spread of COVID-19 (Matter of Individuals in Custody of State, Not Reported in Pac. Rptr. (2021)).

The Hawaii Administrative Rules require facilities to have written policies and procedures for emergencies, including natural disasters, fires, medical emergencies, and public health emergencies. These policies must include provisions for rapid primary care assistance, transportation arrangements, and maintaining an emergency preparedness kit. Additionally, facilities must develop and maintain a disaster preparedness plan that includes evacuation procedures and transfer agreements with other facilities ([Haw. Admin. Rules \(HAR\) § 11-94.2-58](#)).

The Hawaii Legislature established the Hawaii Correctional Systems Oversight Commission to set maximum inmate population limits and formulate policies to prevent overcrowding (Matter of Custody of State, Not Reported in Pac. Rptr. (2021)).

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

The Hawaii Legislature has established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses.

Coordination and Liaison: The Hawaii Emergency Management Agency (HEMA) is responsible for coordinating activities with all county emergency management agencies, other state agencies, other states, federal agencies, and public or private organizations involved in emergency management activities ([HRS § 127A-3](#)). This coordination ensures that emergency management functions are integrated and consistent across different levels of government and organizations.

Comprehensive Emergency Management Plan: HEMA is tasked with preparing a state comprehensive emergency management plan that integrates and coordinates with federal emergency management plans. This plan includes provisions to ensure the state prepares for, mitigates against, responds to, and recovers from emergencies and disasters ([HRS § 127A-3](#)). The plan also assigns lead and support responsibilities to state agencies and personnel for emergency management functions and other support activities ([HRS § 127A-3](#)).

Public Awareness and Training Programs: HEMA implements statewide public awareness programs, including intensive public educational campaigns on emergency preparedness issues. These programs emphasize the personal responsibility of individual citizens to be self-sufficient for up to fourteen days following a disaster ([HRS § 127A-3](#)). HEMA conducts continuous training programs for state and local emergency management personnel to improve their ability to prepare and implement emergency management plans and programs ([HRS § 127A-3](#)).

Emergency Medical Services System: The Hawaii Department of Health administers the state comprehensive emergency medical services system, which includes a communications system for accepting calls for emergency medical services, dispatching and coordinating emergency medical personnel and vehicles, and conducting medical communications ([Haw. Admin. Rules \(HAR\) § 11-72-2](#)). This system ensures that emergency medical services are accessible to all individuals, regardless of their ability to pay or lack of prepaid health care coverage ([Haw. Admin. Rules \(HAR\) § 11-72-8](#)).

Correctional Facilities Oversight: The Hawaii Correctional Oversight Commission is tasked with establishing maximum inmate population limits for each correctional facility and formulating policies and procedures to prevent the inmate population from exceeding capacity. The Commission also issued an "Infectious Disease Emergency Capacities" report for Hawaii Correctional Facilities, which addresses the conditions of confinement during emergencies such as the COVID-19 pandemic (Matter of Individuals in Custody of State, Not Reported in Pac. Rptr. (2021)).

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

There are several relevant passages that address mitigation measures to ensure the continuation of services and uphold human and children's rights within detention facilities.

HRS § 127A-3 outlines the responsibilities of the Hawaii Emergency Management Agency, which includes preparing a state comprehensive emergency management plan. This plan must ensure the state prepares for, mitigates against, responds to, and recovers from emergencies and disasters. The agency is also responsible for coordinating federal, state, and local emergency management activities and implementing training programs to improve emergency management personnel's ability to prepare and implement emergency management plans and programs ([HRS § 127A-3](#)). [Hawaii Revised Statutes § 127A-3 \(2024\) - Hawaii emergency management agency. :: 2024 Hawaii Revised Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#)

Haw. Admin. Rules (HAR) § 11-200.1-24 requires that an Environmental Impact Statement (EIS) include proposed mitigation measures to avoid, minimize, rectify, or reduce impacts. This includes provisions for compensation for losses of cultural, community, historical, archaeological, and fish and wildlife resources. The EIS must also discuss the timing of each step in the mitigation process and ensure that the measures will be taken if the action is implemented (Haw. Admin. Rules (HAR) § 11-200.1-24). [Section 11-200.1-24 - Content requirements; draft environmental impact statement, Haw. Code R. § 11-200.1-24 | Casetext Search + Citor](#)

Matter of Individuals in Custody of State emphasizes the constitutional duty to provide conditions of reasonable health and safety to people held in custody. This includes ensuring a sanitary and safe detention environment, particularly in the context of the COVID-19 pandemic (Matter of Custody of State, Not Reported in Pac. Rptr. (2020)).

Gordon v. Maesaka-Hirata highlights the importance of maintaining order and security at detention facilities and preventing contraband from reaching detainees. It also discusses the due process clause of the Fourteenth Amendment, which prohibits excessive punishment in relation to alternative purposes ([Gordon v. Maesaka-Hirata, 143 Hawai'i 335\(2018\)](#)).

Figueroa v. State establishes that juvenile detention homes must exercise care for a juvenile's safety as a reasonably prudent person would under similar circumstances. This includes taking measures against dangers that are reasonably foreseeable ([Figueroa v. State, 61 Haw. 369 \(1979\)](#)).

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

[COR.10.D.07-Emergency-Services-and-Response-Plan.pdf](#)

The Hawaii Department of Corrections publishes an Emergency Services and Response Plan.

Further, [HRS § 127A-1](#) outlines the state's policy to provide for emergency management by authorizing the creation of local organizations for emergency management in the counties. It confers emergency powers upon the governor and mayors to prepare for and respond to emergencies or disasters. The statute emphasizes coordination with federal, state, local, private-sector, and nonprofit organizations to ensure effective preparation and use of resources for dealing with emergencies or disasters.

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The Hawaii Dept of Human Services has in place a "Statewide Child Care Emergency Preparedness, Response and Recovery Plan" which requires that all caretakers of children subsidized by DHS must have emergency and natural disaster plans in place that will be updated on a yearly basis. [Draft-Statewide-Child-Care-EPRR-Plan.pdf](#)

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

Risk assessments within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention are not directly addressed in the provided search results. However, some relevant principles and analogous procedures can be inferred from the documents.

General Risk Assessment Procedures: Risk assessments in child-occupied facilities, such as those for lead-based paint hazards, involve visual inspections and the collection of samples to identify and evaluate potential hazards ([Haw. Admin. Rules \(HAR\) § 11-41-6](#)). These procedures are conducted by certified risk assessors and result in detailed reports that describe the location, type, and severity of identified hazards ([Haw. Admin. Rules \(HAR\) § 11-41-6](#)).

Emergency Preparedness and Coordination: The Hawaii Revised Statutes emphasize the importance of coordinated emergency management functions across state, federal, and local agencies, as well as private-sector and nonprofit organizations, to ensure effective preparation and response to emergencies or disasters (For [Our Rights v. Ige, 151 Hawai'i 1 \(2022\)](#)). This coordination is crucial for comprehensive emergency preparedness strategies.

Climate Change Mitigation and Adaptation: The Hawaii Climate Change Mitigation and Adaptation Commission is tasked with establishing strategies and goals to guide planning and implementation statewide. This includes using scientific analysis and risk assessment to monitor and forecast climate change-related impacts, identifying vulnerable populations, and making recommendations for planning and management to minimize future risks ([HRS § 225P-3](#)).

Specific Climate-Related Considerations: The Environmental Impact Statement (EIS) process for projects affecting natural resources, such as coral reefs, includes evaluating the potential effects of climate change, such as ocean warming, acidification, and extreme storms. This process involves discussing mitigation strategies to address these impacts ([Kaupiko v. Board of Land and Natural Resources, 154 Hawai'i 456 \(2024\)](#)).

Based on these principles, risk assessments within detention facilities for climate-related hazards would likely involve:

- Conducting visual inspections and collecting relevant data to identify potential climate-related hazards.
- Utilizing certified professionals to perform these assessments and prepare detailed reports.
- Coordinating with various agencies and organizations to ensure comprehensive emergency preparedness and response strategies.
- Incorporating scientific analysis and risk assessment to monitor and forecast climate-related impacts and developing strategies to mitigate these risks.

These procedures would help ensure that detention facilities are prepared to protect children from climate-related hazards and respond effectively in emergencies.

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

As per our analysis, there are no separate protocols for climate related emergencies. The only evacuation plan is the standard plan.

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

[COR.10.D.07-Emergency-Services-and-Response-Plan.pdf](#)

Staff are trained in accordance with the Department of Corrections' Emergency Response and Response Plan

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

Community-based organizations and children themselves are involved in the development and implementation of emergency plans for children in detention in response to climate change to a certain extent, as set forth below:

Community Involvement in Climate Change Planning:

- [HRS § 226-109](#) encourages community stewardship groups and local stakeholders to participate in planning and implementation of climate change policies (HRS § 226-109). This statute highlights the importance of involving community-based organizations in the broader context of climate change planning, which can be extended to emergency plans for children in detention.

- Coordination with Nonprofit Organizations: [HRS Chapter 127A](#) emphasizes the coordination of emergency management functions with private-sector and nonprofit organizations to ensure effective preparation and use of resources for dealing with emergencies or disasters (For Our Rights v. Ige, 151 Hawai'i 1 (2022)). This suggests that community-based organizations, including nonprofits, are integral to emergency planning.
- Emergency Planning Requirements: [Haw. Admin. Rules \(HAR\) § 11-453-17](#) requires facility owners or operators to work with local committees to implement emergency planning, which includes providing necessary information for the development or implementation of emergency response plans ([Haw. Admin. Rules \(HAR\) § 11-453-17](#)). This regulation implies that community-based organizations may be involved in the planning process through their participation in local committees.

Children's Involvement in Service Planning:

- In *re Doe* indicates that under Chapter 587 of the Hawai'i Revised Statutes, the family court may order children, their families, and relevant state agencies to participate in service planning necessary to prevent further harm to children ([In re Doe, 96 Hawai'i 272 \(2001\)](#)). This involvement can be interpreted to include emergency planning for children in detention.

Honduras

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

There is no specific legal provision regarding the development of appropriate policies to build resistant facilities in the child justice system, but the [Honduras Crisis Response Plan 2023 - 2025 by IOM](#) (International Organization for Migration) outlines several key points that were placed for crisis management.

The plan emphasizes the importance of strengthening institutional and community capacities on preparedness and response for crises in Honduras, including disaster-related emergencies. This includes efforts to reduce the risks and vulnerabilities of affected populations, such as internally displaced persons, returnees, migrants, and host communities (no particular mention was made to incarcerated children). IOM, in partnership with key strategic actors, seeks to provide direct support to vulnerable populations. This includes enhancing the resilience of infrastructure to withstand extreme natural disasters. The plan aims to support sustainable recovery, preparedness, and reintegration at both national and local levels involving the construction of disaster-resistant facilities and infrastructure to ensure the safety and protection of vulnerable groups, including minors in the juvenile justice system.

[Honduras Crisis Response Plan 2023 - 2025 | Global Crisis Response Platform](#)

There is a specific project "Proyecto Unidos por la Justicia", driven by USAID Honduras, which focuses on strengthening the management of justice services for vulnerable children. One of the work lines includes improving infrastructure to make it more disaster-resistant.

[Access to Justice Services | United for Justice](#)

As per our analysis, all sources are generic and provides for generic protection, but the legal framework of Honduras for children includes: The **Constitution of Honduras**: Article 122, paragraph 2, stipulates that "No juvenile under the age of 18 shall be confined in a jail or prison", the **Child and Adolescent Code**: This code includes specific provisions for the protection and treatment of minors, and the **Juvenile Jurisdiction Law**: Article 21 of this law outlines the procedures and protections for minors within the juvenile justice system.

[Minors in Detention v. Honduras | MANE](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Honduras has integrated Disaster Risk Reduction (DRR) into its national policies, including those related to child justice. The Honduras Crisis Response Plan 2023-2025 outlines various initiatives aimed at strengthening institutional and community capacities for disaster preparedness and response. This plan includes provisions for the protection and well-being of vulnerable populations, including children, during natural disasters.

However, specific details about the inclusion of **children deprived of liberty during natural disasters** are not explicitly mentioned. The focus is generally on broader child protection measures and ensuring the safety and well-being of all children during emergencies.

Sources:

- [2024 Honduras Crisis Response Plan 2023 - 2025.pdf](#)
- [honduras-css_policy_2017-en.pdf](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

In fact, it is possible to identify specific mechanisms used to assess and improve the effectiveness of its disaster risk reduction efforts, develop recovery processes, and ensure accountability arising from the plan structure.

On the matter of **evaluation** and **improvement**, the Honduras Crisis Response Plan 2023-2025 outlines efforts to strengthen institutional and community capacities for disaster preparedness and response. This includes regular assessments and updates of the DRR framework in place, which allows the development of periodical reports on the results arising from the plan initiatives, as recommended by the World Bank's Disaster Risk Management Project.

Regarding recovery processes, the Honduras Crisis Response Plan focuses on sustainable recovery, preparedness, and reintegration at both national and local levels. This includes community-based and migrant-inclusive DRR initiatives to support climate adaptation and rural development.

The Integrating Inclusive Disaster Risk Management Approaches project, supported by the World Bank, helps ensuring resilient and inclusive recovery, particularly for vulnerable populations affected by disasters.

As for the necessary accountability, we may highlight that the International Organization for Migration (IOM) Accountability to Affected Populations (AAP) Framework is implemented to prevent misconduct and ensure accountability during disaster response efforts. This framework includes mechanisms to guarantee transparency and accountability to the affected populations. These efforts collectively aim to create a robust system for managing disaster risks, ensuring that the needs of all children, including those in the justice system, are met during and after disasters.

Sources:

- [2024 Honduras Crisis Response Plan 2023 - 2025.pdf](#)
- [Integrating Inclusive Disaster Risk Management Approaches to Project Design for Resilient Recovery in Honduras | GFDRR](#)
- [World Bank Document](#)
- [Honduras Crisis Response Plan 2023 - 2025 | Global Crisis Response Platform](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

There are no specific measures in place in Honduras to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction measures. Quite the contrary, several international institutions, such as the UN Office of the High Commissioner for Human Rights (OHCHR), has called on Honduras to strengthen mechanisms for oversight and improvement of conditions in places of deprivation of liberty (Honduras: Militarisation of prisons and detention conditions raise concerns, UN torture prevention body says | OHCHR). Honduras has put in place a crisis response plan for 2023-2025, including crisis triggering displacements due to weather conditions (Honduras Crisis Response Plan 2023 - 2025 | Global Crisis Response Platform), but there is no specific plan for children in detention.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Honduras has a Crisis Response Plan for 2023-2025, which includes efforts to strengthen institutional and community

capacities for preparedness and response to crises, including disaster-related emergencies ([Honduras Crisis Response Plan 2023 - 2025 | Global Crisis Response Platform](#)). This plan involves training authorities to improve their coordination and delivery of humanitarian assistance, which could be relevant to detention facilities. However, specific details about an emergency contact system for staff and inclusive communication strategies about disaster risks and responses within detention facilities were not found.

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

The Honduras Crisis Response Plan 2023-2025 outlines efforts to strengthen institutional and community capacities for preparedness and response to crises, including disaster-related emergencies ([Honduras Crisis Response Plan 2023 - 2025 | Global Crisis Response Platform](#)). This plan includes training authorities to improve their coordination and delivery of humanitarian assistance, which could be relevant to detention facilities. There is no specific policy for detention facilities.

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Regarding the preparation of facilities, efforts are often supported by public-private partnerships to incorporate advanced innovations in disaster resilience. Hence, there is no specific program provided solely by the state to ensure disaster resilience. As highlighted in other answers to this survey, the "United for Justice Project" driven by USAID Honduras, focuses on strengthening the management of justice services for vulnerable children. One of the key areas of work includes improving infrastructure to make it more disaster-resistant.

[Strengthening Climate and Disaster Resilience in Honduras](#)

Various organizations have demanded urgent measures from the state to address the crisis in the juvenile justice system in Honduras. This includes the need to develop safer and more disaster-resistant facilities to protect minors.

[Honduras - United States Department of State](#)

The Honduras Crisis Response Plan 2023 - 2025 outlines several key points in their plan, including strengthening institutional and community capacities on preparedness and response for crises in Honduras. This involves efforts to reduce the risks and vulnerabilities of affected populations, such as internally displaced persons, returnees, migrants, and host

communities. The plan also emphasizes building disaster-resistant facilities and infrastructure to ensure the safety and protection of vulnerable groups, including minors in the juvenile justice system.

[Honduras - United States Department of State](#)

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

In Honduras, local governments collaborate with stakeholders to develop emergency plans during extreme weather events. This collaboration involves partnerships with international organizations such as Organization for Migration (IOM), which supports the government in enhancing disaster preparedness and response capacities, and UNICEF, which focuses on ensuring children's rights during emergencies, including establishing child-friendly spaces in shelters and training local governments on child protection during disasters. Furthermore, the Honduras Crisis Response Plan 2023-2025 outlines efforts to strengthen institutional and community capacities to reduce risks and vulnerabilities of affected populations, including children. However, specific protocols outlined for children in detention during extreme weather events are not detailed.

[Emergency preparedness | International Organization for Migration](#)

[Honduras Crisis Response Plan 2023 - 2025 | Global Crisis Response Platform](#)

[UNICEF Honduras | UNICEF](#)

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

While it was not possible to identify specific ways in which risk assessments are conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention, our research identified several recommendations from related organizations to help identify potential climate-related hazards within detention facilities.

The Honduras Crisis Response Plan 2023-2025 emphasizes the necessity of strengthening institutional capacities by conducting regular risk assessments to identify vulnerabilities and hazards within detention facilities, which include training staff in detention facilities on emergency response protocols and conducting regular drills to ensure preparedness.

For this purpose, the Climate Risk Profile for Honduras provides detailed information on the country's vulnerability to climate-related hazards such as hurricanes, floods, and landslides. These profiles help inform the development of emergency

preparedness strategies tailored to the specific risks faced by detention facilities.

Some of IOM's emergency preparedness initiatives in Honduras include hiring technical experts to support guidance and referrals for protection cases, as well as distributing food and non-food items during emergencies. These strategies are designed to ensure the safety and well-being of all individuals, including children in detention, during natural disasters.

Sources:

- [Honduras Crisis Response Plan 2023 - 2025 | Global Crisis Response Platform](#)
- [2024 Honduras Crisis Response Plan 2023 - 2025.pdf](#)
- [U.S. Agency for International Development](#)

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

In Honduras, while there are established protocols for mass evacuations during climate-related emergencies, specific procedures addressing the evacuation of children in detention facilities are not explicitly detailed. The Honduras Crisis Response Plan 2023-2025 | [Global Crisis Response Platform](#), developed with the support of the International Organization for Migration (IOM), aims to enhance disaster preparedness by conducting hazard and risks assessments in municipalities and developing mass evacuation plan for communities at risk of displacement. However, the implementation and communication of evacuation plans specifically tailored for children in detention during climate-related emergencies are not clearly outlined in the public information. This indicates a potential gap in the emergency preparedness framework concerning this vulnerable group.

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

According to the U.S. Department of State, the government operates juvenile detention centers in Tamara, El Carmen, and El Hatillo, which are located in or near Tegucigalpa or San Pedro Sula.

[Honduras](#)

However, according to the same source, there have been issues with the lack of juvenile detention facilities, leading to minors being detained infrequently in adult prisons. This practice has resulted in extensive violations of children's rights to liberty, humane treatment, a fair trial, and judicial protection under the American Convention on Human Rights.

[Honduras](#)

[Minors in Detention v. Honduras | MANE](#)

[Minors in Detention v. Honduras – CRIN Legal](#)

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

As outlined in previous answers, the project "Proyecto Unidos por la Justicia and the Honduras Crisis Response Plan 2023 - 2025" appears to be the most relevant projects in the jurisdiction and outlines several key points for the response to climate change and the maintenance of prison facilities for minor infractors in Honduras. While there is no specific indication that community-based organization and the children are directly involved, several other organizations focus on the welfare of all children in Honduras, including those who are incarcerated. Among others:

Confident Girls. This initiative underscores the importance of protecting children, especially girls, during emergencies caused by natural disasters such as storms, floods, fires, and earthquakes. The campaign emphasizes the need for safe and resilient infrastructure to protect vulnerable children during such crises.

[Confident Girls | Plan International Honduras](#)

UNICEF Honduras - Municipal Emergency Preparedness and Response Plan: UNICEF collaborates with national institutions to integrate the needs of children, one of the most vulnerable groups during emergencies, into municipal emergency preparedness and response plans. This includes ensuring that infrastructure is resilient and capable of withstanding natural disasters.

[Municipal Emergency Preparedness and Response Plan | UNICEF](#)

Materials for the Municipal Emergency Preparedness and Response Plan: This document provides guidelines for integrating a child-focused approach into municipal emergency preparedness and response plans. It outlines the activities and basic products needed to deliver timely, effective, and efficient responses to emergencies.

[Materials for the City-Level Emergency Preparedness and Response Plan | UNICEF](#)

Indonesia

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Indonesia has enacted laws and policies to promote the development of disaster-resistant facilities and infrastructure, including within the child justice system. For example, Law No. 24 of 2007 on Disaster Management ([N722EN.pdf](#)) outlines the responsibilities of the government at various levels to develop and implement disaster management plans, which include the construction of disaster-resistant infrastructure. The law emphasizes the importance of preparedness, mitigation, and response to disasters. Specifically, Articles 6(a) and 8(c) of this Law regulate the integration of disaster risk reduction into development programmes, particularly considering planning and constructing facilities which are resilient to disasters. Article 35 further outlines the need for disaster management planning, which includes disaster risk reduction, prevention, and integration into development planning. This ensures that new facilities, including those in the child justice system, are built to withstand potential disasters.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

In Indonesia, Children are specifically considered and provided for in DRR plans, rather than in specific child justice policies. Protections are also embedded in various laws.

Relevant laws and policies which focus specifically on the safety of children deprived of liberty during natural disasters are as follows:

- Law No. 24/2007 on Disaster Management: This law sets out the importance of protecting vulnerable populations, including children, during disasters. It requires local governments to ensure the safety and well-being of children in all disaster management activities.
- Child Protection Law No. 35/2014: This law includes provisions for the protection of children in all circumstances, including during natural disasters. It obliges that all institutions responsible for children, including detention facilities, have disaster preparedness plans in place. This is a particularly important law.
- National Disaster Management Plan (RPB): This plan includes specific provisions for the protection of vulnerable groups, including children in detention. It requires the development of evacuation plans and the provision of safe shelters for children during emergencies.

Source links:

[Indonesia: Law of the Republic of Indonesia No. 24/2007 concerning disaster management | PreventionWeb](#)

[National Practice - Law Number 35 of 2014 on the Amendment of the Law Number 23 of 2002 on Child Protection](#)

[NDPBA IDN Final Report English.pdf](#)

[Sekretariat Kabinet Republik Indonesia | President Jokowi Signs Regulation on 2020-2044 Disaster Management Master Plan](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The Directorate General of Corrections (DGC) adopted new Guidelines and Standard Operating Procedures (SOPs) on Critical Incident Management in Correctional Facilities on 30 September 2022.

This revised guideline is an essential form of policy and intervention amid the recurrent threats of disasters in Indonesia. Although the guidelines and SOP have been adopted, incidents still occur, a particular emphasis has been made on preparedness and mitigation effort. It was highlighted that there needs to be more preparedness and incident mitigation readiness in several prisons in Indonesia. [Indonesia updates its standards to manage critical incidents in prisons amid recurrent threats](#) This commentary applies to all correctional facilities and so would include juvenile facilities.

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Indonesia has adopted a law ([Law 11/2012](#)...particularly Article 33(4) and 33(5) of Law 11/2012) on Juvenile Criminal Justice System states that children can only be detained in Temporary Child Placement Institutions (LPAS) or in Social Welfare Organizing Institution (LPKS). There is a maximum detention period for children for 47 days, which can be extended to 63 days. [Strategies-to-Reduce-Overcrowding-in-Indonesia.pdf](#)

To reduce overcrowding, children are guaranteed to be 'processed' within 7 days.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Yes. Information on such mechanisms is difficult to come by. The National Disaster Management Agency are responsible for coordination with the various other governmental agencies ([Badan Nasional Penanggulangan Bencana](#)). Law No 24 of 2007 on Disaster Management outlines the need for preparedness and effective communication during emergencies ([file](#)) [Indonesia: Law of the Republic of Indonesia No. 242007 concerning disaster management \(100015\)](#)).

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

There are no measures in relation continuation of services and uphold human and children's rights within detention facilities specifically focusing on the protection of children.

However, the Directorate General of Corrections (DGC) adopted new Guidelines and Standard Operating Procedures (SOPs) on Critical Incident Management in Correctional Facilities on 30 September 2022. The SOPs are not available in English, but the United Nations Office on Drugs and Crime (UNODG) have summarized the measures as follows:

The revised guideline is an essential policy and intervention amid the recurrent threats of disasters in Indonesia, whether natural or man-made disasters. In 2018, Indonesia had a devastating earthquake, tsunami, and land liquefaction. In response to those incidents, UNODC and DGC created the first Guidelines and SOPs in 2019. The UNODC and the DGC have also piloted Critical Incident Training to over one hundred (100) officers, including executive levels, headquarters (HQ), and provincial offices, between 2019 and 2021.

However, many changes, new circumstances, and threats must still be addressed.

With all those developments, the DGC has now adopted the new Guidelines and SOP as its official policy through a Director General's Regulation binding all correctional facilities in Indonesia to implement them. As a result, the guidelines and SOP were enhanced and updated. The updated guidelines and SOP now contain practical guidance and an enhanced disaster and incident risk assessment matrix.

Source link: [Indonesia updates its standards to manage critical incidents in prisons amid recurrent threats](#)

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Indonesia has implemented strategic investments and capacity-building initiatives through projects like the Indonesia Disaster Resilience Initiatives Project (IDRIP). This project focuses on multi-hazard early warning systems and regional emergency management systems to increase preparedness for future disaster events. ([Indonesia Disaster Resilience Initiatives Project](#))

Additionally, Indonesia's approach to disaster risk management includes adopting cutting-edge technologies and prioritizing resilient infrastructure. ([On the Road to Resilience: Indonesia's Disaster Risk Management Journey | GFDRR](#))

These efforts include collaboration with WorldBank and other institutions ([On the Road to Resilience: Indonesia's Disaster Risk Management Journey | GFDRR](#))

These policies apply to infrastructure generally, which would include detention centres, but there does not appear to be a particular prioritisation for detention centres. However, The Directorate General of Corrections (DGC) adopted new Guidelines and Standard Operating Procedures (SOPs) on Critical Incident Management in Correctional Facilities on 30 September 2022. As per analysis, although a translated version is not available, it is understood that guidelines are to be made binding on all correctional facilities in Indonesia with a requirement to implement them. This has been enhanced and updated through Focus Group Discussions (FGDs), followed by an on-site workshop and simulation of the incident risk assessment process in Mataram, West Nusa Tenggara. The updated guidelines and SOP now contain practical guidance and an enhanced disaster and incident risk assessment matrix. ([Indonesia updates its standards to manage critical incidents in prisons amid recurrent threats](#))

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

Local Indonesian governments are collaborating with various stakeholders to develop emergency plans that address the unique vulnerabilities of children in detention during extreme weather events. This collaboration involves several key initiatives and frameworks:

1. Disaster Resilience Efforts: The Government of Indonesia is working on a new regulatory framework to incorporate disaster risk reduction into spatial plans. This initiative emphasizes the importance of risk-informed planning to

enhance urban disaster resilience (paragraph 1.3 of [World Bank Document](#))

2. Legal and Policy Frameworks: The national government, along with affected regional governments, is responsible for disaster rehabilitation and reconstruction. They are required to develop rehabilitation plans that include specific policies and strategies for housing, infrastructure, and economic, social, cultural, and psychological recovery. The Indonesian government has also adopted various laws to regulate the protection of children during emergencies (e.g. Government Regulation No. 21/2008 on Disaster Prevention Implementation) (see [IFG2_EN_Online](#))
3. Psychological Support: Strategies are developed to address the psychological needs of children during emergencies. Child Protection Staff numbers working in disaster-response institutions will also increase (see [IFG2_EN_Online](#))
9. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

Whilst there are guidelines for Child-Centred Contingency Planning including emergency preparedness relating specifically to children, it has not been possible to identify reliable sources in English with information on the evacuation of children in detention specifically.

Source link: [Child-Centred Contingency Planning Guidelines | UNICEF Indonesia](#)

10. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

There are various community-based organizations to help children in the event of emergency plans and detention:

1. Organisations train volunteers; conduct hazard, vulnerability and capacity assessments; and create and implement community risk reduction plans. Children are also often involved in the decision making (see [pages.qxd](#))
2. UNICEF has a child-responsive DRR approach prioritises children and young people in the entire disaster management cycle, ensuring their individual and collective needs are part of policies, plans and systems (see [UNICEF child-responsive DRR - 7 country examples.pdf](#))

Louisiana, United States

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

<https://gohsep.la.gov/ABOUT/AUTHORITIES/Louisiana-Disaster-Act#:~:text=The%20Louisiana%20Homeland%20Security%20and,from%20natural%20and%20manmade%20disasters.>

LA Admin Code Title 67, Section 7521 - Requires facilities to have a written policy and procedure which ensures the smooth operation, evacuation, if necessary, and steps to be taken during a security threat or disaster, which could impact the operations of the facility or the safety of youth, staff and/or visitors, including natural disasters.

A "Treated Like Trash: Juvenile Detention in New Orleans Before, During, and After Hurricane Katrina" This is a report done by the Juvenile Justice Project of Louisiana and includes recommended reforms.

Source: [National Juvenile Justice Network | NJJN: treated like trash.pdf \(njjn.org\)](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

An Office of Juvenile Justice and Delinquency Prevention Report on Emergency Planning for Juvenile Justice Residential Facilities (October 2011) states "all juvenile justice residential facilities need plans to prepare for, respond to and recover from ... emergencies..."; "The emergency management cycle encompasses four interdependent phases: prevention/mitigation, preparedness, response and recovery."; "Mitigation" refers to "activities that are designed to reduce the loss of life and property as a result of serious emergencies by lessening the impact of the disaster and creating a safer environment". See page 1. The report can be found at www.ojjdp.ojp.gov/library/publications.

As per our analysis, some related sources are (not directly responsive to the question posed):

- "Emergency Planning for Juvenile Justice Residential Facilities" by the U.S. Department of Justice (offers guidance on how juvenile justice residential facilities can prepare, respond, and recover emergencies). [Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](#).

- "Developing National Disaster Risk Reduction Strategies" (provides guidance on how to develop national strategies around disasters). [Developing National Disaster Risk Reduction Strategies | UNDRR](#).

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

As per our analysis, through the following measures:

- Act 315 of the Regular 2023 Session, which was passed on June 13, 2023, "establishes a chief resilience officer and provides for interagency coordination of resilience planning".
 - <https://ojjdp.ojp.gov/user/login?destination=/programs/emergency-planning-juvenile-facilities>
 - "2023 Louisiana Statewide Resilience Annual Report" by the Office of the Governor (prepared in accordance with Act 315 of the Regular 2023 Session and provides a status report as to the processes aimed at building resiliency in the State). [2023 Louisiana Statewide Resilience Annual Report](#).
 - State's Preparedness Overview is outlined here:
 - <https://gohsep.la.gov/divisions/emergency-management/preparedness-overview/>
4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?
- Without considering the additional impact of natural disasters, youth detention facilities in Louisiana already encounter overcrowding issues. See "Louisiana ponders policy changes with juvenile facilities at full capacity" Dec. 20, 2023, [Louisiana Illuminator \(lailuminator.com\)](#) (reporting on urge to from juvenile justice system administrators to evaluate youth detention policies, in part due to the crowding issues).

Additional resources:

- <https://gohsep.la.gov/about/authorities/louisiana-disaster-act/>

- Juvenile Code: [Major Legislation - Juvenile Justice in Louisiana - LibGuides at Law Library of Louisiana](#)
- OJJ Policies:
<https://public.powerdms.com/LAJJ/tree/documents/1655657>
- The Louisiana Children's Code (La. Ch.C) does not address disaster planning.

Mexico

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

This question is focused on children: Migrants and children accompanying mothers deprived of their liberty:

- Mexico has a Comprehensive Disaster Risk Management program, promoting the professionalization of civil protection
- Mexico has frameworks in place to develop disaster-resilient facilities and infrastructure within its justice system, which indirectly benefits child justice systems. The country aligns with international standards such as the Sendai Framework for Disaster Risk Reduction and the Sustainable Development Goals (SDGs).
- General framework: [General Law on Civil Protection, Article 4](#). Public policies in the field of civil protection will be limited to the National Development Plan and the National Civil Protection Programme, identifying the following priorities: knowledge and adaptation to climate change, and in general to the consequences and effects of global warming caused by human beings and the application of technologies.
- [Official Mexican Standard NOM-009-SEGOB-2015](#), Measures for the prevention, prevention and mitigation of risks in public, private and mixed childcare centers.
- Specifically, Mexico has adopted measures to improve the resilience of its infrastructures through its participation in international initiatives such as the [Coalition for Disaster Resilient Infrastructure \(CDRI\)](#). This coalition works on integrating resilience into infrastructure systems, ensuring that they can withstand natural disasters.
- Protocol of action to ensure respect for the principles and rights of children and adolescents in administrative proceedings.
- Children with their mother in prison - Articles 10, 36 and 144 of the LNEP: In Mexico, there has been no consensus on the maximum age at which invisible children are allowed to accompany their mothers, ranging from 0 to 6 years of age, and it was not until the publication of the National Enforcement Law that the age limit for this was set; Currently, this law establishes that the daughters and sons of women deprived of liberty can remain inside the Penitentiary Center during the postnatal and breastfeeding stages, or until the child has reached three years of age.

In this regard, it should be noted that according to the 2019 National Diagnosis of Penitentiary Supervision, there were 362 children in Mexico who accompanied their mothers in prison, however, since not all the country's prisons were studied, it is estimated that there are more than 400 children in this situation.

The Prison Authority must ensure that there are adequate spaces in women's prisons for the comprehensive development of the children of women deprived of their liberty, or, failing that, for the child's recreation during visits to his or her mother. If the authorities decide to transfer a pregnant woman or whose children live in the prison with her, the best interests of the child shall be always guaranteed. The applicable provisions will provide for a specific visitation regime for minors who do not exceed ten years of age and do not live with the mother in the prison. These visits will be carried out without restrictions of any kind in terms of frequency and privacy, and their duration and schedule will be adjusted to the internal organization of the Centers.

[General Law of Civil Protection \(diputados.gob.mx\)](#)

[FOG - Official Gazette of the Federation](#)

[Implementing the Sendai Framework in Mexico: Lessons Learned and Challenges for Disaster Risk Reduction \(www.gob.mx\)](#)

[General Law on Climate Change \(diputados.gob.mx\)](#) [National Law on Penal Enforcement \(diputados.gob.mx\)](#)

[Annex 2 4 A.1 Special Report - Women in Reclusión.pdf \(cndh.org.mx\)](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Basic Guide to Perimeter Security in Penitentiary Centers - Systematic Operation Protocols (PSO) Another of the fundamental elements to guarantee the effectiveness of security personnel in a penitentiary center are the systematic operating protocols. These include the actions that need to be taken in response to certain events, such as earthquakes.

[Gu a de Seguridad Perimetral.pdf \(www.gob.mx\)](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

In terms of the General Civil Protection Law (LGPC) and the Manual "Implementing the SENDAI Framework in Mexico: Lessons Learned and Challenges for Disaster Risk Reduction (September 2022)", processes are generally established to evaluate and improve the efficiency of responses to disasters

(including those caused by climate change). Both regulations contain processes and guidelines for funding and recovery in the event of natural disasters.

In terms of the Constitution of the United Mexican States (Art. 1), all persons shall enjoy the human rights recognized in the Constitution and in the international treaties of which the Mexican State is a party, as well as the guarantees for their protection. Its exercise may only be restricted or suspended in exceptional cases. The integrity, life, safety and health of persons are rights protected by the Constitution and international treaties ratified by Mexico and correlative to these human rights and treaties, the LGPC establishes that it is the obligation of the State and in particular of the civil protection authorities to act with priority in the protection of life, the health and integrity of people. In the event that the civil protection authorities fail to take due preventive actions or act with the necessary priority in the event of a disaster, it is possible to file an amparo lawsuit against the Civil Protection Secretariat for the omission in its action and request, in accordance with the provisions of Article 1 of the Amparo Law, which indicates that this means of defense proceeds against "omissions of authority that violate the human rights recognized and the guarantees granted for their protection by the Political Constitution of the United Mexican States, as well as by the international treaties to which the Mexican State is a party." In the application for amparo, the immediate suspension of the omission in the fulfillment of the obligation by the authorities can be requested. In terms of the Amparo Law, these issues must be provisionally resolved within 72 hours from the time of admission of the application.

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

As per our analysis, Mexico has implemented specific measures aimed at reducing deprivation of liberty and the growth of detention centers, which also improve the effectiveness of Disaster Risk Reduction (DRR) measures.

With the aim of developing a set of training activities in the field of comprehensive risk management and civil protection for persons deprived of liberty and prison workers, the Undersecretariat of the Penitentiary System of the Secretariat of Citizen Security (SSC) of Mexico City and the Secretariat of Integral Risk Management and Civil Protection (SGIRPC), signed a collaboration agreement.

[Anexo B Sistema Penitenciario 4254.pdf \(www.gob.mx\)](#)

[Initial training programs for the Penitentiary System. | Executive Secretariat of the National Public Security System | Government | gob.mx \(www.gob.mx\)](#)

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Regardless of whether the Initial Training Program for the Penitentiary System establishes that each center should have its own protocol, the staff of these centers will always be able to contact the center of the corresponding Civil Protection Secretariat in the event of a natural disaster or other emergency.

General Law of Civil Protection. [General Law of Civil Protection \(diputados.gob.mx\)](#)

Initial training programmes for the Penitentiary System: [Initial training programmes for the Penitentiary System. | Executive Secretariat of the National Public Security System | Government | gob.mx \(www.gob.mx\)](#)

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

The Ministry of the Interior issued the Basic Guide to Perimeter Security in Penitentiary Centers (the "Guide"), which seeks to defend, among other things, the human rights of inmates and staff in such centers.

Chapter VI of the Guide is called "Risk Mitigation Program", outlines the planning and execution of the security program, policies and procedures, surveillance measures, action protocols, general recommendations for the construction of systematic operating protocols and procedures, order of operations and guidelines for the care and maintenance of the infrastructure of the centers.

[Gu a de Seguridad Perimetral.pdf \(www.gob.mx\)](#)

7. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

In Mexico, Juvenile Detention Centers must have an Internal Civil Protection Program in accordance with Article 40 of the General Law of Civil Protection and Article 1 of the Regulations of said Law. Each state in its legislation regulates the obligation to have these programs, however there are no particularities related to children.

[General Law of Civil Protection \(diputados.gob.mx\)](#)

[64dbba56371f2539499266.pdf \(cdmx.gob.mx\)](#) Suprema Corte de Justicia de la Nación

[665fa11f4415c906610846.pdf](#)

8. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

The Regulations of the General Civil Protection Law establish that in each of the Internal Civil Protection Programs, the Training Program for Brigade Members must be established.

[General Law of Civil Protection \(diputados.gob.mx\)](#)

[64dbba56371f2539499266.pdf \(cdmx.gob.mx\)](#)

Additional resources:

- [General Law of Civil Protection \(diputados.gob.mx\)](#)
[FOG - Official Gazette of the Federation](#)
[Implementing the Sendai Framework in Mexico: Lessons Learned and Challenges for Disaster Risk Reduction \(www.gob.mx\)](#)
[General Law on Climate Change \(diputados.gob.mx\)](#)

[National Law on Penal Enforcement \(diputados.gob.mx\)](#)
[FOG - Official Gazette of the Federation](#)
[Annex 2 4 A.1 Special Report - Women in Reclusión.pdf \(cndh.org.mx\)](#)
- [4254.pdf \(www.gob.mx\)](#)
[Initial training programs for the Penitentiary System. | Executive Secretariat of the National Public Security System | Government | gob.mx \(www.gob.mx\)](#)
- [Gu a de Seguridad Perimetral.pdf \(www.gob.mx\)](#)
[Microsoft Word - Design Doc - Immigration Detention in Mexico - 2021.docx \(globaldetentionproject.org\)](#)

Northern Ireland, United Kingdom

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

It is important to note that unlike other parts of the world, Northern Ireland do not typically deal with natural disasters as it is generally less prone to severe weather. Most common extreme weather is high wind and heavy rainfall, snow and ice, however, this is not generally to the extent that would compromise the structural integrity of buildings. Following this, Northern Ireland do not have a specific law or policy to ensure facilities are disaster resilient.

Custody for young people in Northern Ireland is provided at the Woodlands Juvenile Justice Centre in Bangor, County Down. Woodlands can house 48 boys and girls between the ages of 10 and 17. Efforts (albeit not laws) are made to ensure the facility is protected from flooding and storms. This includes using robust construction materials and implementing effective drainage systems. [More than 1,000 children convicted of crimes in five years](#)

Northern Ireland's broader climate policies and disaster management strategies are integrated into the planning and operation of juvenile justice facilities. This ensures that these facilities are prepared for and can respond effectively to climate-related challenges [174770 NIAO Managing children who offend_Summary.pdf](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

There are no specific policies in place within Northern Ireland which detail the process for evacuation of child detainees in the event of a natural disaster. See [CCRA-Evidence-Report-Northern-Ireland-Summary-Final.pdf](#)

The Prison and Young Offenders Centre Rules (Northern Ireland) 1995 contains general rules around safety and welfare of young offenders, including requirements for accommodation to be "lighted, warmed, ventilated and fitted", and there is provision (at Section 7) confirming that in the event of an emergency which affects the safe and secure operation of a prison, the Department of Justice may declare an emergency and direct that those rules will be applied to the extent consistent with the action taken with regard to that emergency.

[Microsoft Word - The Prison and Young Offenders Centre Rules NI 1995 - fully amended to include CJO2008 SR2009 No 429 and ~ W](#)

[epr-ni-civil-contingencies-framework.pdf](#)

[Regional Policy Main Inserts 2](#)

[Emergency planning and response | Department of Health](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The Climate Change Risk Assessment 3 (CCRA3) (see link at the bottom) is the third statutory report on the operation of the UK and its services under the mounting pressure of climate change. The report offers simple and conclusive insight in the preparedness of the UK for increased climate hazards. A specialised report on NI, the Evidence Report Northern Ireland has outlines several considerations from wind power generation to rail travel. Within this, Education, Health, and Prison services are considered in the relevant infrastructure's suitability for increased risk from climate change events. These three areas are adequate adjacents to the core reasons children may be detained, criminal justice and health facilities. However, while we can glean insights into the surrounding areas, the report does not specifically cover facilities and infrastructure for detained children.

It is believed these three areas still provide insight into the likely situation of climate preparedness in child detention facilities, as the identified problems are consistent.

The following quotes all suggest that despite initial assumptions, the largest threat to these facilities is not storm or rainfall events, rather it is overheating.

- "There are currently no systems in place for reporting instances of overheating in health and social care settings in Northern Ireland"
- "A report included concerns from inmates during inspections which included difficulty of breathing, continuous heating, high ambient temperatures in cells and limited oxygen from poor ventilation. Currently, there is no systematic evidence monitoring the indoor temperatures inside prisons in the UK. Overheating is expected to be more of an issue in future... There is no current evidence within the CCRA3 Technical Report on adaptation action for prison and justice services and the impact of climate hazards on buildings, inmate and staff health in Northern Ireland."
- "Modern schools often have more problems with increased risk of overheating than older schools due to their lightweight construction and large glazed areas. Older schools may also have problems after retrofitting as do schools with poor ventilation. Retrofits that addressed space heating in winter (with increased insulation) have not taken sufficient consideration of overheating during summer. Temperatures across the UK are expected to

rise and schools are likely to fail against overheating criteria and standards."

It considers children's education facilities, prisons, and health treatment centres separately, but it does not consider the intersection of all three in Juvenile detention centres, health institutions, etc.

The CCRA3 has a comprehensive technical report which develops upon the findings. The considerations within are extensive. The outcome is denoted by one of the following statements

- More Action Needed
- Further Investigation
- Sustain Current Action
- Watching brief

All three of the identified areas were denoted with 'more action needed'. While the requirement to produce this report is statutory under the Climate Change 2008 Act, and there is a requirement for the Secretary of State to lay it before the relevant parliament, there is no duty of the parliament or any decision maker to consider the report in a decision-making capacity.

The technical report suggests there is significant considerations as to sinkholes from old mineshafts and considering degrading soil and landmass suitability for supporting structures, but neither I, nor the report, have the capacity to fully consider the implications this could have on a facility-by-facility basis.

The Northern Ireland Climate Change Action Plan (NICCAP), another report published every 5 years, did not consider prison or detention centres at all, and only made a passing reference to hospitals and social care facilities.

Unlike some cases in England and Wales, NI's only Immigration Removal Centre, Lorne House, does not detain children. Therefore, no concern can be raised on its reporting.

A UK wide report on Youth Custody in the UK made no reference of climate hazards to detained youths.

In conclusion, there are no direct references or reports to climate hazard effects on NI children detention centres. What little conclusions can be drawn from other climate reports and risk assessments on similar matters are effective, and outline the areas for improvement and concern, there is no accountability, justice, or guarantee of action in the current system.

Sources:

- CCRA3 - [CCRA-Evidence-Report-Northern-Ireland-Summary-Final.pdf](#)
- Climate Change Act 2008, Part 4 <https://www.legislation.gov.uk/ukpga/2008/27/section/4>
- NICCAP - [Northern-Ireland-Climate-Change-Adaptation-Programme-2019-2024-Final-Laid.pdf](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

In terms of reducing deprivation of liberty and overcrowding in child detention facilities, the Ministers from the Departments of Justice, Health and Education have launched an action plan to address Child Criminal Exploitation (CCE) in Northern Ireland. CCE is where an individual or group of individuals take advantage of a power imbalance and coerce, control, manipulate or deceive a child into committing crime. The aim of this action plan is to tackle CCE and improve the Government's response to this. The idea is that these children will be viewed as victims instead of criminals. Evidence has shown that CCE can actually cause children to become perpetrators of harm. It could be thought then that in tackling CCE, this will in turn reduce the deprivation of liberty and overcrowding within child detention facilities as children who are victims of CCE will hopefully no longer be criminalised and placed in such facilities (<https://www.health-ni.gov.uk/news/ministers-launch-child-criminal-exploitation-action-plan-0>).

There is no specific evidence on Disaster Risk Reduction measures in child detention facilities in Northern Ireland. Sources searched include:

- [Children's Services Co-operation Act \(Northern Ireland\) 2015](#)
- [Child protection system for Northern Ireland | NSPCC Learning](#)
- [Co-operating to Safeguard Children and Young People in Northern Ireland.DOCX](#)
- [MCA Deprivation of Liberty | Department of Health](#)
- [Mental Capacity Act FAQs | Department of Health](#)

5. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

Northern Ireland has implemented several mitigation measures to ensure the continuation of services and uphold human and children's rights within detention facilities.

Facilities like the Woodlands Juvenile Justice Centre are designed to be resilient to various challenges, including climate-related events.

The Youth Justice Agency ensures that all juvenile detention facilities comply with international human rights standards.

The Northern Ireland Executive and various community organizations work together to provide additional support during crises.

Facilities like the Hydebank Wood Young Offenders Centre have detailed emergency preparedness plans. These plans include protocols for responding to various climate-related events such as floods and storms, ensuring that staff and young offenders know how to act in emergencies. [PBNI Report](#)

Juvenile detention centers are designed or retrofitted to withstand climate-related events. This includes using flood-resistant materials, installing robust drainage systems, and ensuring that buildings can handle extreme weather conditions.

6. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

[Emergency preparedness, resilience and response concept of operations - GOV.UK](#)

The UK Government has an Emergency, Preparedness, Resilience and Response Framework, which details guidance for responding to various emergencies including pandemics, and extreme weather events. No specific reference is made to prison facilities or detention centres, and reference is made back to the Northern Ireland Prison Service, which does not contain specific details of how these plans are implemented in prison facilities. It is recommended that individual prisons within Northern Ireland are contacted for advice on their response plans, as no general guidance is available.

7. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The two locations where young offenders can be held in NI is Woodlands Juvenile Justice Centre, and Hydebank Wood Young Offenders Centre and Prison. The former is in the council area of Bangor, the latter is within Belfast. Neither local city council has reported any broader action with NGO's or barely engaged with the operation and efficiency with the centres. One report by the Bangor City Council specifically refers to its operation being dealt with the NI Department of Education.

The Iveagh Centre in Belfast is a centre for children requiring inpatient care for mental health difficulties. There is no evidence of communication between council and this facility.

In conclusion, there is no published evidence of communication between local councils and the operation of these centres.

8. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

There is no specific evidence on this. Sources searched include:

- [Human Rights Guidance for the Youth Justice Agency Conditions of Detention](#)
- [CCRA-Evidence-Report-Northern-Ireland-Summary-Final.pdf](#)

9. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

Specific details about the training programs for prison staff are not readily available online. We anticipate individual prisons would need to be contacted for such information.

Sources checked are:

[Prison Service Staff Training and Development - BIS Report.](#)

Paraguay

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

The children and adolescents Act of Paraguay (Código de la Niñez y la Adolescencia N° 1680) set forth the basic regulatory framework in terms of children and teenage under deprivation of liberty.

[Law No. 1680 / CODE OF CHILDREN AND ADOLESCENTS](#)

The Ministry of Justice of the Presidency of the Republic of Paraguay approves the Ministry of Justice's fire emergency protocol that applies to prisons and educational centers, and establishes a strategy for fires in prisons.

[Resolution No. 446 of the Ministry of Justice - Presidency of the Republic of Paraguay](#)

In addition, the Code on Children and Adolescents (Act No. 1680/01) created the National System for the Promotion and Comprehensive Protection of Children and Adolescents, establishing the Municipal Departments for the Rights of Children and Adolescents (Codeni) as part of it. Codeni is a permanent and free service for the protection, promotion and defence of the rights of children and adolescents, of a non-jurisdictional nature that is created in each municipality. Codeni is both part of the National System for the Promotion and Comprehensive Protection of Children and Adolescents and of the municipality in which it is located.

[manualcodeni.pdf](#)

International Disaster Response Laws In Paraguay: .

The institutional framework on Disaster Risk Management in the country assigns a clear role to the National Emergency Secretariat (S.E.N.). According to Article 4, Subsection g, of Law No. 2615, which creates the SEN, it is an agency that is in the orbit of the Presidency of the Republic to "stimulate the creation and organization of structures for risk reduction and attention to emergencies and disasters in the departments, cities and towns of the country in order to allow the strengthening of civil protection and coordinate their activities in response to emergency or disaster situations". " [Response Laws to Disasters in Paraguay - IDRL Country Sheet 2022](#).

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

According to a UNICEF report (see link below) Paraguay has been impacted by climatic adversities that have become emergencies: floods, droughts, fires, which have led to the strengthening of government actions for disaster prevention.

In 1993, Parliament passed Law No. 153, which added to the International Decade for Natural Disaster Reduction (IDNDR), promoted by the UN, and ratified the National Emergency Committee (CEN), which had already been operating since 1990. In 1997, Law No. 153 was regulated.

In 2005, the National Emergency Secretariat (SEN) was established by Law No. 2615/2005.

In 2014, the National Policy for Risk Management and Reduction (PNGRR) was formulated, which has as its cross-cutting axes the gender perspective and the perspective of children and adolescents.

In 2015, Paraguay adopted the Sendai Framework for Disaster Risk Reduction 2015-2030, approved at the United Nations Conference, which also promotes that, in preparing for emergency and disaster situations, States must incorporate age, disability and culture standards in all policies, as well as the promotion and recognition of the leadership of women and young people.

In addition, the PNGRR was framed in the Sustainable Development Goals and the Montevideo Consensus. The SEN is currently preparing the National Emergency and Risk Reduction Plan, which incorporates the Strategy

of Prevention of Sexual Violence in shelters in emergency context. [Analysis of the situation of children and adolescents in Paraguay 2018.pdf](#)

However, from the documentation reviewed so far, it is not possible to confirm that there is a Disaster Risk Reduction (DRR) properly speaking, framed within the scope of children and natural disasters.

A link to the Guide for the elaboration of municipal risk management and reduction plans is included: States must incorporate age, disability and culture standards in all policies, as well as the promotion and recognition of the leadership of women and young people.

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The National Emergency Secretariat has a National Policy for Disaster Risk Management and Reduction developed by Law No. 2615/05, regulated by Decree No. 11632/13, which focuses on the Presidency of the Republic of Paraguay, whose role and mission are focused on disaster risk management and reduction.

[National Policy for Disaster Risk Management and Reduction.](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Article 206 of Act No. 1680 / CODE ON CHILDREN AND ADOLESCENTS establishes limitations on the carrying out of custodial measures consisting of the placement of adolescents in a special establishment, intended to promote education and adaptation to a life without committing crimes.

[Law No. 1680 / CODE OF CHILDREN AND ADOLESCENTS](#)

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

There is an emergency plan approved by Decree No. 842/23, on the Exceptional Penitentiary Security Plan, which establishes procedures for cooperation with other services in emergency situations. This Decree was approved developing Law 7238.

In exceptional cases, where the security and surveillance of prison centers cannot be guaranteed by prison staff alone, recourse may be had to the assistance of the public police. Although, this plan seems not to be currently in force.

The cooperation of detention facilities with Public Authorities is also established in article 226 Paraguay Criminal Code but limited to exceptional situations. There is also a draft bill in place to extend the period of validity of Law 7238.

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

Although there is a National Policy on Disaster Risk Reduction and Management addressing all public institutions, there does not appear to be any specific regulation establishing mitigation measures to be implemented in detention facilities in case of climate emergency.

[National Policy for Disaster Risk Management and Reduction.](#)

There is also a National Climate Change Mitigation Plan, which does not make any specific mention of mitigation measures in detention facilities.

[National Climate Change Mitigation Plan and Action Programs.](#)

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

There is a [National Policy on Risk and Disaster Management and Reduction](#) that seems to apply to prisons, which addresses all aspects related to disaster preparedness, response and early recovery. In terms of fires, there is a [Penitentiary Fire Emergency Protocol of the Ministry of Justice](#) that aims to combat and prevent fires within the enclosures.

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The Convention on the Rights of the Child, developed in collaboration with the National Secretariat for Children and Adolescents (SNNA) and the Ministry of Foreign Affairs, stresses the importance of cooperation between the public and private sectors to ensure the protection and well-being of children. See <https://cidh.oas.org/countryrep/Paraguay01eng/chap7.htm> The Paraguayan State has implemented various actions through its competent institutions to consolidate its responsibilities in the area of children and adolescents through policies, plans, programmes and projects that improve the living conditions of

children. As an example, the [Guide for the inclusion of the disability perspective in plans of development cooperation in Paraguay](#).

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

There is no publicly available information about the conduction of risk assessments within detention facilities to identify and manage climate related hazards. In general, there is very little about emergency preparedness strategies for children in detention.

We have identified, however, that Paraguay created the Servicio Nacional de Atención al Adolescente Infra (*National Service for the Care of Adolescent Offenders* - SENAAl) which is in charge of enforcing the rules concerning the execution of child detention measures. Although we have not seen any specific policies in this regard.

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

As an example, it is possible to highlight the following:

- [Institutions are working on a new protocol for the admission of minors to penitentiary centres.](#)
- [Action Plan for the Adolescent Policy for Adolescents in Conflict with Criminal Law \(PONACOL\) 2019-2024.](#)

These initiatives address multidisciplinary, inter-institutional, timely and comprehensive care for adolescents affected by situations of risk or environmental or other emergencies.

Moreover, in December 2024, the Ministry of the Interior of Paraguay published the White Paper on Penitentiary Reform to support its reform with safer, more equitable, and sustainable measures, without expressly mentioning the existence of protocols for the protection of children in the event of climate emergencies.

[White Paper on Penitentiary Reform \(2024\).pdf.](#)

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

We have seen that in Paraguay there is the Higher Technical Prison Institute (Instituto Técnico Superior Penitenciario Paraguay) which is the public body in charge of educating and training human talent in Paraguay's penitentiary system.

However, we have not seen specific policies published by this administrative body. The training of detention centre staff in Paraguay to respond effectively to climatic emergencies and to safeguard the welfare of children is not expressly provided for but may be included in the general provisions on training of detention centre staff or in the recommendations on Restorative Juvenile Justice. Law No. 1680, approving the Children And Adolescents Code, refers to the training of prison staff in social, pedagogical and legal aspects:

[Law No. 1680 / CODE OF CHILDREN AND ADOLESCENTS](#)

Adolescents should not be admitted to detention centres without a prior written order from the competent authority, and there should be the necessary separations within them with respect to age, sex and between convicted and remand prisoners. (art. 246). The detention centres for adolescents must operate in adequate premises, with personnel trained in social, pedagogical and legal matters. (art. 247). Additional Information:

Restorative Juvenile Justice Program: Implemented in cities such as Lambaré, this program seeks the reintegration of adolescents in conflict with the law through restorative methods. It includes the training of personnel in mediation and conflict resolution techniques: [Restorative Juvenile Justice in Paraguay](#). It establishes as conclusions of the program that the level of awareness, commitment and training of the justice operators who work in the Program has favoured successful results. The change in attitude and from traditional practices to restorative practices, has humanized the adolescent criminal process. Professionals and officials who participate in the Restorative Juvenile Justice Program change their perspective with respect to them. Achieving quality of service also implies investing in training, incentives and remuneration. The ratification of the "Principles and Commitments on Restorative Juvenile Justice", which are part of the 2009 "Lima Declaration on Restorative Juvenile Justice", includes the recommendations set out in the text of the "Lima Declaration on Restorative Juvenile Justice".

Among them, no. 8 recognizes the obligation to develop and implement adequate and ongoing training aimed at all key actors in the administration of juvenile justice, paying special attention to changing the conventional legal approach and establishing and/or supporting the necessary services to implement restorative juvenile justice programs using existing networks to the extent possible. Such services should take an interdisciplinary approach, creating, for example, multidisciplinary teams, for the application of restorative juvenile justice, among others, to also address the emotional needs of both the victim and the juvenile aggressor. [Decision number 917 dated 07/10/2014](#)

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

A report on the Institutional Risk Management (PIGR) Plan in Schools, prepared by the Dequení Foundation, has been located:

- [Guía-PIGR-Plan-Institucional-de-Gestión-de-Riesgo—ISBN-2021.pdf](#)

There is no specific information available about emergency plans for children in detention in Paraguay in response to climate

change. However, there are broader initiatives and efforts related to climate change and youth in Paraguay.

For instance, UNICEF's Youth Leadership on Climate Change Initiative in Paraguay supports young advocates to influence policies related to climate change

This initiative focuses on strengthening the youth-led movement, raising awareness, advocacy, and policy negotiation. While this doesn't directly address children in detention, it shows a commitment to involving youth in climate action.

- <https://knowledge.unicef.org/CEED/resource/youth-leadership-climate-change-paraguay>

Additional resources:

- Interagency review of justice for children in a humanitarian context (CPMS 14)
- [National Disaster preparedness baseline assessment](#)
- https://www.sen.gov.py/application/files/9015/9862/5498/Atlas_de_Riesgos_de_Desastres_de_la_Republica_del_Paraguay_2018.pdf
- Paraguay's Law No. 7238 declares a state of emergency, for all prisons and educational centres in the territory of the Republic, including those housing adolescent offenders. This Act establishes the objectives of the Prison Security Plan with the assistance of the Public Forces and specifically mentions educational centers for adolescents.
- [Law No. 1680 / CODE OF CHILDREN AND ADOLESCENTS](#)
- <https://informacionpublica.paraguay.gov.py/public/131318-446pdf-446.pdf>

The Constitution of the Republic of Paraguay of 1992 incorporates the Convention of the Rights of the Child, (CRC), which was approved by the United Nations General Assembly in 1989, and ratified by the country in 1989. Paraguay in 1990 through Law No. 57/1990. This constitution emphasizes the "protection of the child", and the obligation of the State to guarantee the harmonious and integral development of children, of this population and the full exercise of their rights, including the principle of the best interest of the child.
- Exceptional Penitentiary Security Plan
- In 2023, the Exceptional Penitentiary Security Plan (<https://ministeriodejusticia.gov.py/wp-content/uploads/2024/04/DECRETO-842-23-PLAN-DE-SEGURIDAD-PENITENCIARIA-EXCEPCIONAL.pdf>) by virtue of the provisions of Law 7238 (although it seems it may no longer be applicable, it can give us an orientation on how they deal with emergency situations in penitentiary institutions).
- [UNICEFLaSituaciondeNNAenInstitucionesenLAC.pdf](#)
- To this end, the Ministry of Justice has already enabled communication channels, including an online application form and asuntosinternacionalesddhh@gmail.com email.

- <https://ministeriodejusticia.gov.py/el-gobierno-toma-medidas-para-asistir-a-victimas-y-familiares-de-los-incendios-en-el-ex-correccional-de-menores-panchito-lopez/>

- https://www.sen.gov.py/application/files/8015/9188/4586/Politica_Nacional_de_Gestion_y_Reduccion_de_Riesgos_2018.pdf

- **Article 246.- OF DETENTION CENTERS.**

Adolescents must not be admitted to the centres without a prior written order from the competent authority, and there must be the necessary separations within them with respect to age, sex and the number of suspects and convicted persons.

- **Article 247.- OPERATION.**

Detention centres for adolescents must operate in suitable premises, with personnel trained in the social, pedagogical and legal areas.

Schooling, vocational training and recreation should be compulsory in such centres, where special attention should also be paid to the adolescent's family group, in order to preserve and promote family ties and their reintegration into their family and society.

Philippines

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Yes

The **Disaster Risk Reduction and Management Act (2010)** is the governing legislation in this area. It provides for a national framework, a national plan and local plans regarding risk reduction and management.

The **National Disaster Risk Reduction and Management Framework (NDRRMF)** is the principal guide to disaster risk reduction and management efforts in the country.

The National DRRM Plan [Philippines NDRRM Plan 2011-2028.pdf](#) sets out goals and specific objectives for reducing disaster risks. This includes:

- identification of hazards, vulnerabilities and risks to be managed at the national level;
- DRRM approaches and strategies to be applied in managing said hazards and risks;
- agency roles, responsibilities and line of authority at all government levels; and,
- vertical and horizontal coordination of DRRM in the pre-disaster and post-disaster phases.

Local DRRM Plans guide DRRM implementation at the local level.

All of the above can be found at: [Disaster Risk Reduction and Management \(DRRM\) Act of 2010](#)

The above suggests that the infrastructure to support children in detention is well established in the Philippines. However, there is no explicit mention of existing or required measures for children in detention.

The Climate Accountability Act (CLIMA) Bill is the first Southeast Asian bill that sets a minimum due diligence standard for corporate actors with respect to climate change. ([Philippines Climate Accountability Bill: loss and damage in domestic legislation - Grantham Research Institute on climate change and the environment](#).) On the face of it this will create an obligation on companies involved in the planning and construction of detention centres (as well as other buildings) to plan for climate change and mitigate accordingly.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Yes. Child justice policies in the Philippines do include aspects of disaster risk reduction. See the [Republic Act No. 10821](#), also known as the "Children's Emergency Relief and Protection Act," specifically addresses the protection of children before, during, and after disasters. This law mandates the establishment of child-friendly spaces and the provision of psychosocial support, among other measures, to ensure the safety and well-being of children in disaster situations.

Additionally, various initiatives and frameworks, such as the [National Disaster Risk Reduction and Management Plan \(NDRRMP\)](#), incorporate child protection and participation in disaster risk management. These efforts aim to involve children and youth in disaster preparedness and response activities, recognizing their unique vulnerabilities and potential as agents of change.

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The National Disaster Risk Reduction and Management Plan appears to be updated every two years.

[National Disaster Risk Reduction and Management Plan \(2020-2030\)](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

The Philippines has implemented specific measures to address the deprivation of liberty and overcrowding within child detention facilities, which can indirectly support DRR efforts.

1. **Establishment of Bahay Pag-asa Centers:** These are youth care facilities designed to provide a more rehabilitative environment for children in conflict with the

law. They aim to reduce overcrowding in traditional detention centres by offering alternative care and rehabilitation (See [Statement of CHR spokesperson, Atty Jacqueline Ann de Guia, on improving the plight of persons deprived of liberty through the Interim National Preventive Mechanism – Commission on Human Rights, Philippines](#)).

2. **Implementation of the Juvenile Justice and Welfare Act:** This act emphasizes diversion programs and community-based interventions to prevent the detention children. It aims to keep children out of detention facilities and reduce the overall population. (See [Statement of the Commission on Human Rights on the high death rate among persons deprived of liberty – Commission on Human Rights, Philippines](#)).
3. **Interim National Preventive Mechanism (INPM):** The INPM, under the Commission on Human Rights, conducts preventative monitoring visits to detention facilities, including those for children. They recommend measures such as physical distancing, alternative visitation arrangements, and improved health management. (See [The Philippines addresses jails and prisons overcrowding](#)).

These measures help create safer and more humane conditions for children in detention, which should assist effective disaster response and risk reduction.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

In the Philippines, the Bureau of Jail Management and Penology (BJMP) is a government agency that manages jails in the Philippines.

The BJMP issued a circular to jails in 2020 entitled Mainstreaming Disaster Risk Reduction and Management in BJMP. The circular provides a national framework for jails (also referring to pre-trial detention facilities in the Philippines) for Disaster Risk Reduction and Management (which is the term used by all Philippine government agencies for DRR) and mandates the creation of DRR committees at the national headquarters, regional and jail levels. The document's aim is, among other measures, to provide a comprehensive system and integrated approach to DRR in jails and to identify the roles of different stakeholders

Source: [Penal Reform International. Natural Hazards and Prisons](#)

In the Philippines, as part of the standard operating procedure, every jail facility has its own operational plan known as 'Oplan' to be ready to respond to natural and human-made hazards. The plan is customised depending on the type of hazard and consists of a guide on the execution of the plan, including the specific tasks of the jail warden, personnel and detainees before, during and after disasters. Regular drills are conducted monthly to execute different scenarios. The roles of the rescuers, responders and media are also included. The Oplan is regularly

updated, especially when there is a change in personnel or a change in the jail's environment or circumstances.

[Penal Reform International. Natural Hazards and Prisons](#)

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

1. **Alert Status System:** The Bureau of Jail Management and Penology (BJMP) has an alert status system to enhance the security of jail facilities during normal and crisis situations. This system aims to build disaster-resilient jails, institutionalize measures to reduce incidents, and enhance preparedness and response capabilities - [STANDARD OPERATING PROCEDURE BJMP-DO-SOP-021 - BUREAU OF JAIL MANAGEMENT AND PENOLOGY ALERT STATUS - Supreme Court E-Library](#)
2. **Disaster Risk Reduction and Management (DRRM) Committees:** The BJMP has established DRRM Committees at the National Headquarters, Regional, and Jail levels. These committees are responsible for planning, organizing, and coordinating disaster risk reduction and management activities. (i) [Philippines_CR2018B.pdf The Philippine disaster risk reduction and management system \(Department of National Defense\)](#) ; (ii) [Reducing and Managing the Risk of Disaster in Philippine jails and prisons](#)
3. **Enhancing disaster preparedness through DRRM Committees:** The Disaster Risk Reduction and Management (DRRM) Committees in the Philippines play a crucial role in enhancing disaster preparedness and response capabilities. Here are some key aspects: [The Philippine disaster risk reduction and management system \(Department of National Defense\)](#)
 - a) **Structure and Levels:** DRRM Committees are established at various levels, including the National Headquarters, Regional, and Jail levels. These committees are responsible for planning, organizing, and coordinating disaster risk reduction and management activities.
 - b) **Functions and Responsibilities:** The committees are tasked with:
 - i Developing and implementing disaster risk reduction and management plans.
 - ii Conducting risk assessments and hazard mapping.
 - iii Organizing training and capacity-building activities for staff and inmates.
 - iv Ensuring the availability of emergency supplies and equipment.

- v Coordinating with local government units and other agencies for disaster response and recovery
- c) **Policy Framework:** The DRRM Committees operate under the framework of Republic Act 10121, also known as the Philippine Disaster Risk Reduction and Management Act of 2010. This act aims to strengthen the country's disaster risk reduction and management system by promoting a proactive approach to disaster management. [Disaster Risk Reduction and Management Act of 2010](#)

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

The Philippines ensure that detention facilities are prepared for disaster risks through several measures, often involving public-private partnerships to incorporate advanced innovations in disaster resilience.

[\[file\] Philippines: Prisoners of climate change \(103594\) ICRC](#) - This resource looks at the International Committee of the Red Cross (ICRC) Prisoners of Climate Change (PoCC) Program, which aims to enhance climate resilience in the Philippines' overcrowded jails. It achieves this through risk assessments, digital tools, training and capacity building, community engagement, and improvements.

https://www.dilg.gov.ph/PDF_File/reports_resources/DILG-Resources-2012116-420ac59e31.pdf

This resource looks at solving the issue of disaster risks in detention facilities by creating a partnership between the detention facilities and the detainees, and how they can work together in order to improve risk management.

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

This helpful resource on emergency relief for children and mothers during natural disasters, produced in partnership with the Philippine police and civil defence department, may also apply to children in detention - [Comprehensive-Emergency-Program-for-Children-CEPC.pdf](#)

This source focuses on child-centered early warning systems for disaster relief, though not specifically on detentions - [\[file\] Child](#)

[centered early warning systems: Examples and good practice \(95264\)](#)

There is a focus on weather crises affecting prison in the Philippines - "Endemic overcrowding further weakens these facilities. A prison of the City of Pasig in the Philippines, for example, was intended for 200 people but was holding 859 when it experienced heavy flooding in September 2009. Around 100 women had to crowd together in two cells, and over 250 men in four cells." - [Prisons in the eye of the storm](#).

This source discusses the enactment of the Children's Emergency Relief and Protection Act. "Save the Children, World Vision, UNICEF, and Plan International began a study in December 2013 investigating the self-identified needs of children affected by Typhoon Haiyan. The study assessed 286 children and completed 42 focus group sessions. The purpose of the study was to identify existing weaknesses in the system, with emphasis on those systemic weaknesses that affected children." It does not discuss children in detention specifically: [Protecting Children in Emergencies by Law in the Philippines](#)

DRR and CCA plans emphasize the need for DRR to be "gender responsive, sensitive to indigenous knowledge systems, and respectful of human rights" and for the country to have a "gender-sensitive, pro-children, and pro-poor perspective in all climate change and renewable energy efforts, plans, and programs" (Philippine National Disaster Risk Reduction and Management Act of 2010 and Philippine Climate Change Act of 2009). - [From Science to Action: Transforming the Local Governance Landscape in the Philippines | APMCDRR](#)

9. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

Yes. The Philippines has established protocols for the evacuation and protection of children during climate-related emergencies. These protocols are part of broader child protection measures outlined in the Children's Emergency Relief and Protection Act (Republic Act No. 10821). This act mandates the creation of child-friendly spaces and ensures the safety and well-being of children, including those in detention, during emergencies (See <https://www.dswd.gov.ph/dswd-ensures-child-friendly-spaces-in-evacuation-centers/>).

The Comprehensive Emergency Program for Children is the primary document guiding these efforts. It includes specific measures for the evacuation, protection and immediate recovery of children. The programme is implemented by the Department of Social Welfare and Development and other relevant agencies (See [Comprehensive Emergency Program for Children | DSWD - Disaster Response Management Bureau](#)).

Communication and implementation of these plans involve:

1. **Training and Drills:** Regular training and emergency drills for staff in detention centres to ensure they are prepared to evacuate children safely.
2. **Coordination with Local Authorities:** Collaboration with local government units and disaster response teams to facilitate timely evacuations.
3. **Public Awareness Campaigns:** Dissemination of information through various media channels to inform

communities about the protocols and how to respond during emergencies.

4. **Child Friendly Spaces:** Establishment of safe spaces in evacuation centres where children can receive psychological support and protection.

10. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

1. **Health Emergency Preparedness (developed as response to Covid19 pandemic):** The United Nations Office on Drugs and Crime (UNODC) has been working with Philippine jail and prison officials to enhance health emergency preparedness. This includes training on infection prevention and control strategies, which are crucial during climate-related emergencies that may lead to health crises. Measures considered for adaption to detention settings included strengthening mechanisms for screening and surveillance, referral and clinical management, and infection prevention and control. [UNODC gears Philippine jails and prisons on health emergency preparedness](#)
2. **DRRM101: Philippine Disaster Risk Reduction and Management System course:** This course is offered by the Office of Civil Defense in the Philippines and provides participants with specific examples and interactive activities as guidance on the key concepts of Philippine Disaster Risk Reduction and Management System. It's offered for free to participants, takes approximately 60 minutes and is accredited, so participants obtain a certificate upon completion. [Summary of DRRM101: Philippine Disaster Risk Reduction and Management System](#)

11. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

[Children and Disasters: Understanding Differentiated Impacts and Enabling Child-Centred Agency](#) – There is empirical data on engaging children as active citizens in Disaster Risk Reduction (DRR).

The paper uses the term "child-centred DRR" as an overarching framework that recognises children as both beneficiaries and as active citizens through a combination of:

- Child sensitive policy and programming which responds to the needs of children as recipients or beneficiaries. This may occur through school feeding programmes, social protection/cash transfer measures for families to reduce existing vulnerabilities, structural strengthening of school buildings, contingency plans for education and service provision etc.

- Participatory policy and programming where children are actively engaged in decision-making, planning and accountability processes for prevention, preparedness and response. This includes child-led DRR where children are supported to be active agents of change in their spheres of influence – household, school, community and beyond.

[Mayors and children lead fight against climate change in the Philippines | UNDRR](#) - there are other examples of children getting involved in climate change prevention initiatives.

[Climate Landscape Analysis for Children in the Philippines.pdf](#) - section 4 of this paper on Climate Landscape Analysis for Children in the Philippines covers child and youth voices and participation regarding climate, environment and energy projects.

[Child-Centred Community-Based Climate Change Adaptation in the Philippines: Guidance Document for Local-level indicators - weADAPT](#) - How do we know if a climate change program has helped children and their communities adapt to the impacts of climate change? What does successful adaptation look like from the perspective of children, youth and their communities? This guidance document provides details of a focus group discussion (FGD) process and tools, including additional interview questions and an analysis guide, to help practitioners answer these questions – specifically, to understand how children and their communities have been supported to adapt to climate change. The guidance document was developed through the Australian Aid-funded Child-Centred Community-Based Climate Change Adaptation (CC-CBA) Project in the Philippines.

Additional resources:

- A useful resource here: [\[file\] Children and youth \(101724\)](#)
- Another useful resource here which is a consolidated statement of youth voices: [World Vision Philippines | Consolidated Statements of Children and Youth on Disaster Risk Reduction and Management](#)
- The National Disaster Risk Reduction and Management Council (NDRRMC) uses comprehensive monitoring and evaluation frameworks to assess the progress and impact of DRR initiatives - [Disaster Risk Reduction in the Philippines. Status Report 2019](#)
- Independent audits and reviews by external organizations, such as the United Nations Office for Disaster Risk Reduction (UNDRR), are conducted to provide an objective assessment of the country's DRR efforts - [Disaster Risk Reduction in the Philippines. Status Report 2019](#)
- The BJMP conducts both scheduled and surprise inspections to monitor the conditions and operations of jails. These inspections aim to ensure compliance with standards and identify any issues that need immediate attention - <https://dilg.gov.ph/news/DILG-to-BJMP-Conduct-regular-unannounced-jail-inspections/NC-2016-1034>
- Comprehensive annual audits are conducted to evaluate the financial and operational aspects of the detention facilities. [Bureau of Jail Management and Penology Consolidated Annual Audit Report 2022 | Commission on Audit](#)
- Government agencies, such as the Bureau of Jail Management and Penology (BJMP), conduct regular

inspections and audits of detention facilities to ensure compliance with standards.

- General articles on Philippine disaster risk reduction

[Empowering Local Governments for Effective Disaster Management and Climate Resilience | Development Asia](#)

[The DRREALL TA Program in the Philippines | Agence Française de Développement in Southeast Asia posted on the topic | LinkedIn](#)

[Local Devolution and Disaster Risk Reduction Management Program | Cities Development Initiative For Asia](#)

[Philippines country profile. Global Facility for Disaster Reduction and Recovery \(GFDRR\)](#)

Portugal

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

We identify that Portugal edited a new regulation in (2023) with norms that work the country's prison systems to create quality infrastructure (such as *brinquedoteca*, access to health care, food and pedagogical activities) for children (0 to 3 years) that accompany the most detents. We still do not identify provisions of protective infrastructures for climate catastrophes.

In addition, the Council of Europe's Prison Rules of July 2020, applicable to Portugal) ([Recommendation Rec\(2006\) rev of the Committee of Ministers to member States on the European Prison Rules](#)) provides in the specific item on Affectation and accommodation (items 17 to 18) that, with regard to climatic conditions, the accommodation of adult prisoners, in Portugal's specific climatic conditions, must respect the area, volume of air, lighting, heating and ventilation, in every building where the inmates live, work or meet. Windows must be large enough to allow the inmates to have natural light, as well as to allow the entry of fresh air in cases where there is an inadequate air conditioning system; Artificial lighting must adhere to the recognized technical standards. The Prison Rules do not include any provision for infrastructure in the event of climatic emergencies, such as housing for young people, evacuation plans or common scenarios in Portugal, like floods, forest fires and drastic temperature changes among others.

Below, relevant stretches of the Constitution of the Portuguese Republic (Constitution of the Portuguese Republic Seventh Revision (2005)) and Law for the Protection of Children and Young People in Danger (https://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=545&tabela=leis)

Constitution of the Portuguese Republic

Article 1

Portuguese Republic

Portugal is a sovereign Republic, based on the dignity of the human person and a popular and committed commitment to the construction of a free, just and solidary society.

Article 2

State of democratic rights

The Portuguese Republic is a State of democratic rights, based on popular sovereignty, plural democratic expression and political organization, respect for and the guarantee of the effectiveness of fundamental rights and freedoms and the separation and interdependence of powers, with a view to achieving economic, social and cultural democracy and deepening participatory democracy.

Article 9

Fundamental tasks of the state

The fundamental tasks of the state are:

1. To guarantee national independence and to create the political, economic, social and cultural conditions that promote it;
2. To guarantee the fundamental rights and freedoms and respect for the principles of a democratic state.
3. To defend political democracy, to ensure and encourage democratic participation in the resolution of national problems;
4. To promote the people's well-being and quality of life and real equality among the Portuguese, as well as the effectiveness of economic, social, cultural and environmental rights, through the transformation and modernization of economic and social structures;
5. Protect and enhance the Portuguese people's cultural heritage, defend nature and the environment, preserve natural resources and ensure correct country planning.
6. To ensure that the Portuguese language is taught and constantly valued, defend its use and promote its international dissemination;
7. To promote the harmonious development of the whole of Portuguese territory, with regard to the ultraperipheral nature of the Azores and Madeira archipelagos
8. To promote equality between men and women.

Article 13

Principle of equality

1. All the citizens possess the same social dignity and are equal in the law.
2. No one may be privileged, benefited, prejudiced, deprived of any right or exempted from any duty for reasons of ancestry, sex, race, language, territory of origin, religion, political or ideological beliefs, education, economic situation, social condition or sexual orientation.

Article 24

Right to life

1. Human life is inviolable.
2. In no case shall there be the death penalty.

Article 25

Right to personal integrity

1. Every person's moral and physical integrity is inviolable.
2. No one can be subjected to torture, nor to cruel, degrading or inhuman treatment or punishment.

Article 26

Other personal rights

1. Everyone is accorded the rights to personal identity, to the development of personality, to civil capacity, to citizenship, to a good name and reputation, to their image, to speak out to protect the privacy of their personal and family life and to legal protection against any form of discrimination.
2. The law will establish effective guarantees against abusive obtaining and use, or against human dignity, of information relating to people and families.
3. The law will guarantee the personal dignity and genetic identity of the human being, not only in the creation, development and use of technologies and scientific experimentation.
4. Deprivation of citizenship and restrictions on civil capacity may only occur in the cases and under the terms that are provided for by law, and may not be based on political motives.

Article 27

Right to freedom and security

1. Everyone has the right to freedom and security.
2. No one may be wholly or partially deprived of their freedom, except as a consequence of a judicial conviction and sentence imposed for the practice of an act that is legally punishable by a prison term or the judicial imposition of security measures.
3. The following cases of deprivation of freedom for the period and under the conditions laid down by law are exceptions to this principle:
 - a) Detention in flagrante delicto;
 - b) Detention or remand in custody due to strong indications of the wilful commission of a crime that is punishable by imprisonment for a maximum term of more than three years
 - c) The imprisonment or detention of, or the imposition of any other coercive measure subject to judicial control on, a person who improperly entered or improperly remains in Portuguese territory, or who is currently the object of extradition or deportation proceeding
 - d) The disciplinary imprisonment of military personnel, subject to the guarantee of appeal to the competent court;
 - e) The subjection of a minor to measures intended to protect, assist or educate him in a suitable establishment, when ordered by the competent court of law;

- f) Detention by judicial decision for disobeying a court decision or to ensure appearance before a competent judicial authority;
 - g) Detention of suspects for identification purposes, in the cases that are and for the time that is strictly necessary;
 - h) Committal of a person suffering from a psychic anomaly to an appropriate therapeutic establishment, when ordered or confirmed by a competent judicial authority
4. Every person who is deprived of his freedom must immediately be informed in an understandable manner of the reasons for his arrest, imprisonment or detention and of his rights
 5. Deprivation of freedom contrary to the provisions of the Constitution or the law places the state under a duty to compensate the aggrieved person in accordance with the law.

Article 30

Limits on sentences and security measures

1. No sentence or security measure that deprives or restricts freedom may be perpetual in nature or have an unlimited or undefined duration
2. In cases of danger based on a serious psychic abnormality in which therapy in an open environment is impossible, security measures that deprive or restrict freedom may be successively extended for as long as the psychic state in question is maintained, but always by judicial decision
3. Criminal liability is not transferable
4. No sentence shall automatically involve the loss of any civil, professional or political right.
5. Convicted persons who are the object of a sentence or security measure that deprives them of their freedom retain their fundamental rights, save for the limitations that are inherent to the purpose of their convictions and to the specific requirements imposed by the execution of the respective sentences.

Article 66

Environment and quality of life

1. Everyone has the right to a healthy and ecologically balanced human living environment and the duty to defend it.
2. In order to ensure the right to the environment within an overall framework of sustainable development, the state, acting via appropriate bodies and with the involvement and participation of citizens, is charged with: Prevent and control the pollution and effects and the harmful forms of erosion;
 - a) Conducting and promoting town and country planning with a view to a correct location of activities, balanced social and economic

development and the enhancement of the landscape;

- b) To create and develop natural and recreational reserves and parks, as well as to classify and protect landscapes and sites, in order to guarantee the conservation of nature and the preservation of cultural values of historical or artistic interest;
- c) To promote the rational use of natural resources, while safeguarding their capacity for renewal and ecological stability, with respect for the principle of inter-generational solidarity.
- d) To promote, in collaboration with local authorities, the environmental quality of the towns and urban life, designated as the architectural plan and the protection of historic zones;
- e) Promote the integration of environmental objectives in various policies with a sectoral scope.
- f) Promote environmental education and respect for environmental values;
- g) Ensuring that the fiscal policy renders development compatible with the protection of the environment and the quality of life

Article 69

Childhood

- 1. With a view to their integral development, children have the right to protection by society and the state, especially from all forms of abandonment, discrimination and oppression and from the improper exercise of authority in the family or any other institution.
- 2. The State shall ensure special protection for orphaned children, abandoned or by any form deprived of a normal family environment.
- 3. Labour by minors of school age is prohibited, as laid down by law.

Article 271

Liability of public sector staff and agents

- 1. The staff and agents of the state and of other public entities are civilly and criminally liable and subject to disciplinary proceedings for their actions and omissions in the exercise of their functions, and for any such exercise that leads to a breach of those citizens' rights or interests that are protected by law, and no phase of any action or proceedings shall be dependent on authorisation by higher authority
- 2. Liability on the part of any public sector member of staff or agent who acts in compliance with orders or instructions issued by a legitimate hierarchical superior and in the performance of his duties is excluded, if he previously protested against those orders or instructions or required them to be transmitted or confirmed in writing. . The duty of obedience ceases whenever

compliance with orders or instructions would imply the commission of any crime

The law shall regulate the terms under which the state and other public entities have the right to indemnification by the officeholders of their entities and organs and their staff and agents .

Law for the Protection of Children and Young People in Danger

Article 72

Duties

- 1. The Public Prosecutor's Office intervenes in the promotion and defense of the rights of children and young people in danger, under the terms of this law, and may demand the necessary clarifications from their parents, legal representative or guardian.
- 2. The Public Prosecutor's Office monitors the activities of the protection committees, tending to appreciate the legality and the adaptation of decisions, the supervision of their procedural activity and the promotion of appropriate judicial procedures.
- 3. The Public Prosecutor's Office is also responsible for representing children and young people in danger, bringing actions, requesting civil guardianship measures and using any judicial means necessary to promote and defend their rights and protect them, including promoting naturalization procedures, under the terms of Article 6(3) of Law 37/81 of 3 October

Article 91

Urgent procedures in the absence of consent .

- 1. When there is a current or imminent danger to the life or serious impairment of the physical or mental integrity of the child or young person, and in the absence of the consent of those with parental responsibility or custody in fact, any of the entities referred to in Article 7 or the protection committees take the appropriate measures for their immediate protection and request the intervention of the court or the police
- 2. The entity that intervenes under the terms of the previous paragraph shall immediately inform the Public Prosecutor's Office of the situations referred to therein or, when this is not possible, as soon as the cause of the impossibility ceases.
- 3. As long as it is not possible for the court to intervene, the police authorities will remove the child or young person from the danger they are in and ensure their emergency protection in a foster home, on the premises of the bodies referred to Article 7 or in another suitable place.
- 4. The Public Prosecutor's Office, upon receipt of the communication made by any of the entities referred to in the preceding paragraphs, shall immediately request urgent legal proceedings from the competent court under the terms of the following article

Question No 1:

Recent changes in legislation relating to children accompanying their most in prison / there are no notifications of infrastructure changes for disaster prevention.

[Prison services have new regulations for children who accompany their mothers | Prisons | PUBLIC \(publico.pt\)"](#)

2. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

The National Preventive Mechanism (MNP) is an independent entity, not in the field of the Attorney General's Office which carries out visits without prior notice to detainees with the objective of preventing situations of torture, mistreatment or other abuses. MNP has been active since 2014. It is also possible to inspect the conditions of any person deprived of their liberty.

Almost half of all prisoners in Portugal are in overcrowded prisons. The data released this third annual report (relative to 2022) of the National Prevention Mechanism (MNP), which is linked to Provedora de Justiça, has 5422 inmates living in conditions of overcrowding, or which represents 44.5% of the total. The document warns of the state's failure to meet the minimum conditions for decent accommodation for prisoners and stresses the need to adopt measures to end this reality.

[Almost all of the prisoners in Portugal are in overcrowded prisons.](#)

Children between 16 and 18 years old in Portugal who commit crimes are inmates in common prisons.

3. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

The National Commission for the Promotion of the Rights and Protection of Children and Young People ([Home - National Commission for the Promotion of the Rights and Protection of Children and Young People](#)) - made by Decree-Law No. 159/2015 of 10 August 2015, amended by Decree-Law No. 139/2017 of 10 November - has a policy for the protection of children and has an institutional responsibility to promote and protect the rights of young children and young people, in particular by liaising with the competent national authorities.

Although any report of danger should be directed to the Commissions for the Protection of Children and Young People and the Courts, as well as to first-line entities (Security Forces, schools, health centers and social security services), the

National Commission, with the aim of contributing to redundancy in the ways of reporting danger to these entities, available a form of communication of perigo situations that is available on its Internet page ([Reporting a Dangerous Situation - National Commission for the Promotion of the Rights and Protection of Children and Young People \(cnpdpcj.gov.pt\)](#)), for reinforcement of access to a mechanism for reporting danger situations related to children or young people, aiming to speed up communication in cases of life on which institution to go to or to which CPCJ to travel to communicate a situation of danger. The communication made through the form is directly sent by the National Commission to the CPCJ with the corresponding local jurisdiction, or to the competent local court if a CPCJ has not yet been established, for analysis and decision on possible measure of promotion and protection to be applied in the following of the communication received and its treatment.

See Policy for the Safeguarding of the Promotion of Rights and Protection of Children and Young People

[SAFEGUARD POLICY. Promoting the Rights and Protection of Children and Young People](#)

Council of Europe Strategy on the Rights of the Child (2016-2021)

[Council of Europe Strategy on the Rights of the Child \(2016-2021\)](#)

[COUNCIL OF EUROPE STRATEGY FOR THE RIGHTS OF THE CHILD \(2022-2027\)](#)

See 2.6. Children's rights in crisis and emergency situations

4. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The new Strategy for the Rights of the Children of the Council of Europe for the years 2022-2027 was presented in February 2023. Or item 2.6. It is particularly relevant for "crianças em situações de crise e emergência", even though it is not specific for children in prison situations.

[New Strategy for Children's Rights \(justica.gov.pt\)](#)

Approved by the Committee of Ministers on 23 February, the Strategy assents on six strategic objectives for the protection and promotion of children's rights:

1. A life without violence for all children.
2. Equal opportunities and social inclusion for all children.
3. Access to technology and its safe use for all children.
4. Friendly justice for all children
5. Give each child a voice
6. Children's rights in crisis or emergency situations

The protection of the rights of the child has been part of the mission of the Council of Europe, and this international organization has been committed over the last two years to the promotion of the rights of the children of its member states through subsequent multi-year strategies, implemented through the establishment of standards, monitoring and support for implementation.

5. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

We do not identify any protocol for evacuation in the reason of climatic emergencies or in the main, more specifically, designed for evacuation of children in confinement.

However, we have identified the legislation that establishes the legal framework for fire safety in buildings, addressing, among other things, the requirements related to evacuation:

[Law no. 123/2019, of 18 October | DR \(diariodarepublica.pt\)](#)

We also identify the Climate Bases Law defines climate emergencies and provides guidelines for the climate security and national defense.

In 2022, the UN report notes that Portugal needs immediate action against climate emergency:

- [Portugal needs immediate action against climate emergency, says UN rapporteur | UN News](#)

6. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

Item 89 of the Penitentiary Regulations of the Council of Europe determines that adult penitentiaries must include, as much as possible, a number of specialists to guarantee the health of detainees (i.e., psychiatrists, psychologists, social workers, etc.).

[Microsoft PowerPoint - Penitentiary Rules \(justica.gov.pt\)](#)

7. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

We identified a number of NGOs working to protect the rights of children and detainees:

- [Helpo: Vision, Missão e Valores](#)
- [O Projeto – Aldeias Humanitar](#)

- [Ovar Prisões \(ovarprisoes.wixsite.com\)](#)

Additional resources:

- Policy for the Safeguarding of the Promotion of Rights and the Protection of Children and Young People [836C22FE-D976-480E-AA6B-591700BBC0BD \(cnpdpdj.gov.pt\)](#)

Estratégia do Conselho da Europa sobre os Direitos da Criança (2016-2021)
[Layout 1 \(cnpdpdj.gov.pt\)](#)

COUNCIL OF EUROPE STRATEGY FOR THE RIGHTS OF THE CHILD (2022-2027)
[1680a5ef27 \(coe.int\)](#)

See 2.6. Children's rights in crisis and emergency situations
- Children in Disaster Risk Reduction in Portugal: Policies, Education, and (Non) Participation
[Children in Disaster Risk Reduction in Portugal: Policies, Education, and \(Non\) Participation \(ul.pt\)](#)
- Statistics on the number of young people boarding schools in educational centers (Government of Portugal) 2022 - 119 young people boarded
[Direção-Geral de Reinserção e Serviços Prisionais | Justiça.gov.pt \(justica.gov.pt\)](#)
- Children in Portugal with 16 years old for the top are housed in adult prisons
[Portugal is exceptional to place children and young people in adult prisons | Human Rights | PUBLIC \(publico.pt\)](#)
- [Microsoft PowerPoint - Penitentiary Rules \(justica.gov.pt\)](#)

11.1 Minors under 18 years of age shall not be interned in a prison for adults but shall not be specially assigned to them.

11.2 If, for exceptional reasons, the minors referred to in the previous number of these summaries are interned in a prison for adults, there must be special rules that take into account their situation and their specific needs.
- Weather events in Portugal
[Portugal has suffered 20 extreme weather events that cost 800 million people to safety \(dn.pt\)](#)
- Relevant legislation

Constituição da República Portuguesa
[Constituição da República Portuguesa \(parlamento.pt\)](#)

Lei de protecção de crianças e jovens em perigo
https://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?n_id=545&tabela=leis

Scotland, United Kingdom

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Several general laws and regulations exist to protect these children and to build disaster-resistant facilities:

- Young offenders' institutions (secure units) for children with age 12 to 15 years
- Institutions to detain young immigrants

National Guidance for Child Protection in Scotland 2021 - updated 2023

[Part 2A: Roles and responsibilities for child protection - National Guidance for Child Protection in Scotland 2021 - updated 2023 - gov.scot \(www.gov.scot\)](#)

Protecting children and young people: Child Protection Committee and Chief Officer responsibilities

[Protecting children and young people: Child Protection Committee and Chief Officer responsibilities - gov.scot \(www.gov.scot\)](#)

[Quality framework for children and young people in need of care and protection NOV 2022.pdf \(careinspectorate.com\)](#)

[Youth justice - gov.scot \(www.gov.scot\)](#)

[Secure care - Youth justice - gov.scot \(www.gov.scot\)](#)

[Secure care: pathway and standards - gov.scot \(www.gov.scot\)](#)

[Home - Secure Care Pathway and Standards Scotland \(securecarestandards.com\)](#)

[Children \(Care and Justice\) Bill passed - gov.scot \(www.gov.scot\)](#)

These general laws and policies contribute to building disaster-resistant facilities in Scotland:

Scottish Government's Strategic Framework 2020-2023

Keeping Scotland Running 2020 to 2023

Guide 5: Building Resilience to Natural Hazards

[Guide 5: Building Resilience to Natural Hazards | Ready Scotland](#)

Preparing Scotland

[The national guidelines, Preparing Scotland \(ready.scot\)](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

While materials seem to focus on the participation of children in the development of government plans, no protocols seem to have been developed.

Scottish facilities (e.g. prisons, minor centers, etc.) have good conditions to decrease risks in event of a natural disaster.

Some useful links:

- [CONSULTING WITH CHILDREN \(childtochild.org.uk\)](#)

Refers to using the Child-to Child Approach to Increase Children's Participation in Disaster Risk Reduction Programmes. It is a plan of action but do not include any specific provisions.

- [Report-A-child-centred-disaster-management-framework-for-Europe.pdf \(lancaster.ac.uk\)](#)

"A CHILD-CENTRED DISASTER MANAGEMENT FRAMEWORK FOR EUROPE. Produced by the EU Horizon 2020 project"

It is a plan of action but do not include any specific provisions.

- [Climate In-Justice 2023 \(penalreform.org\)](#)

Refers to the question but do not offer any specific solution: *"This advocacy brief builds upon the activities of the Committee on the Rights of the Child (CRC) concerning the 2023 general comment No. 26 on children's rights and the environment with a special focus on climate change, providing a foundation to place children at the forefront of efforts to address climate change and further our collective commitment to ensuring a sustainable future for all Children. (...) Children in contact and in conflict with the law can be directly or indirectly victims of consequences linked to climate change situation and/or event. Most importantly, children who are deprived of their liberty through detention are among the most vulnerable to the negative effects of natural hazards, including extreme weather and climate change. For example, they are not as easily able to evacuate in the event of extreme weather conditions and their consequences (e.g. flooding, epidemics, etc.), and conditions of detention are also directly affected (e.g. extreme heat in facilities, no social distancing in case of disease, etc.)."*

- [Keeping-Children-Safe-in-Emergencies.pdf \(unicef.org.uk\)](#)

Refers to the question but do not offer any specific solution: *"v The UK should better align and coordinate its humanitarian operations with policies, programmes and investments in*

disaster risk reduction, climate change adaptation and sustainable development, including the development of robust child protection systems".

- [Dialogues with Children, mutual learning exercises and national policy debates](#)

Refers to using Children's Participation in Disaster Risk Reduction Programmes. It is a plan of action but do not include any specific provisions.

"As seen in the previous chapter, although the Sendai Framework for Disaster Risk Reduction 2015–2030 (UNDRR, 2015) underlines the need to include children and young people as active participants in disaster risk reduction (DRR), governments and practitioners are often reluctant to engage young people in matters that may cause them distress or be above their perceived level of competency".

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

HM Inspectorate of Prisons for Scotland (HMIPS) conduct regular inspections of prisons and court custody units (including youth detention centres (for ages 16-21) and undertake return visits where necessary.

HMIPS also conduct unannounced inspections as required.

HMIPS prison inspection teams comprise HMIPS staff, and subject experts from other organisations including inspectors from the Care Inspectorate, Education Scotland, Healthcare Improvement Scotland as well as staff from the Scottish Prison Service and the Children and Young People's Commissioner Scotland.

[Inspecting and Monitoring Standards for Inspecting and Monitoring Prisons in Scotland: Introduction \(prisonsinspectoratescotland.gov.uk\)](#)

HMIPS adopt a human rights approach during its inspections. The central components to a human rights-based approach have been distilled into five principles:

Participation, Accountability, Non-discrimination and equality, Empowerment and Legality.

Participation: Prisoners should be meaningfully involved in decisions that affect their lives.

Accountability: There should be monitoring of how prisoners' rights are being affected as well as remedies when things go wrong.

Non-discrimination and equality: All forms of discrimination must be prohibited, prevented and eliminated. The needs of prisoners who face the biggest barriers to realising their rights should be prioritised.

Empowerment: Everyone should understand their rights, and be fully supported to take part in developing policy and practices which affect their lives.

Legality: Approaches should be grounded in the legal rights that are set out in domestic and international laws.

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

The Care Inspectorate also published a secure care pathway review between July 2022 and July 2023 - [Secure care pathway review 2023.pdf \(careinspectorate.com\)](#).

In 2021-2022, there was an average of 41 young people from Scotland living in secure care and a further average of 33 young people from other parts of the UK. The 4 centres in Scotland provide 78 places for children and young people. This suggests during this period overcrowding was not an issue.

The Secure Care Pathways and Standards were published by the Scottish Government in October 2020 and those standards align with the UNCRC. They establish a coherent set of expectations for a child's journey before, during and after staying in secure care - [Secure Care Pathway and Standards Scotland \(careinspectorate.com\)](#)

Some of those standards are related to creating a secure and comfortable environment which suggests that overcrowding would go against achievement of those standards. For example, standard 21, which says: "I have access to the things, I need to safely help me, relax and rest in my personal space/bedroom, and it is comfortably furnished and decorated".

The Care Inspectorate have published a report into one of the secure units - Good Shepherd Centre Bishopston - [CareInspectionReport-secure-care-2022.pdf \(gsc.scot\)](#).

This report describes the facilities at this unit, which consists of three adjoining residential houses, which accommodates up to 6 young people. They were awarded a very good rating for the setting and the report describes the quality of facilities to be of a high standard.

Adult prison service

In relation to prison services for adults in Scotland, there is a reported current issue with overcrowding - [Scottish prisoners to be released early to ease overcrowding \(bbc.com\)](#)

Scotland currently has six prisons at red status – the highest level of risk – including HMP Barlinnie, the biggest jail in the country.

Chief prison inspector Ms Sinclair-Gieben has written to the justice secretary to say the prison service did not have either the buildings or the resources necessary to offer all prisoners a humane rehabilitation regime. The threshold has been met for emergency action to be taken and the Scottish Government are bringing into force s11 of the Bail and Release from Custody (Scotland) Act, which allows certain categories of prisoners to be released early.

[Bail and Release from Custody \(Scotland\) Act 2023 \(legislation.gov.uk\)](#)

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

There are no specific mechanisms for the cooperation and coordination of different services in emergency situations within detention facilities. The Care Inspectorate regulate secure care providers using the Health and Social Care Standards and the Public Services Reform (Scotland) Act 2010.

[Secure care \(careinspectorate.com\)](https://careinspectorate.com)

The Care Inspectorate have a framework for carrying out inspections of various facilities including detention facilities. [Inspections \(careinspectorate.com\)](https://careinspectorate.com)

In Scotland there are only 78 secure places available, provided by four independent charitable organisations:

- Good Shepherd Centre, Bishopton (18 beds)
- Kibble Safe Centre, Paisley (18 beds)
- Rossie Secure Accommodation Services, Montrose (18 beds)
- St Mary's Kenmure, Bishopbriggs (24 beds)

The Secure Care Pathway and Standards, Scotland set out what support children should expect from professionals when in the community or secure care. Implementation of the Standards will ensure that support is provided before, during and after a stay in secure care and that the rights of children and young people are respected.

Children and young people in care and with care experience were involved in developing the standards along with secure care staff, local government and the Children and Young People's Centre for Justice (CYCJ). The Secure Care Standards website gives information on why these Standards matter to children and young people and includes links to guidance and legislation.

[Secure care: pathway and standards - gov.scot \(www.gov.scot\)](https://www.gov.scot)

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

There are duties imposed on secure care service providers under general health and safety legislation to ensure the safety of users, as well as care sector / public sector specific legislation.

Secure care services are regulated by the Care Inspectorate. The Care Inspectorate, Local Authorities and the Health & Safety Executive (HSE) work together in accordance with a Liaison Agreement ([liaison-agreement-0617.pdf \(hse.gov.uk\)](https://www.hse.gov.uk)). This agreement is not legally binding but is intended to facilitate effective working relationships between the three bodies.

Health and safety legislation ([The Management of Health and Safety at Work Regulations 1999 \(legislation.gov.uk\)](https://www.legislation.gov.uk)) requires care providers to carry out a suitable and sufficient assessment of the risk to service users and to keep this assessment up to date. The risk assessment should identify risks in the event of emergencies and require control measures to be in place to manage the risk. Carrying out regular evacuation drills would be one example of a control measure to manage risk, as well as the maintenance of emergency supplies.

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Scottish local authorities are responsible for delivering social work and social care services (including children's secure units).

Scotland has introduced several pieces of legislation that place specific climate change duties on listed public sector bodies, including all of Scotland's 32 councils - Climate Change (Scotland) Act 2009 (including section 44 - that the body must act: in the way best calculated to help delivery Scotland's statutory climate change adaptation programme - [Climate Change \(Scotland\) Act 2009 \(legislation.gov.uk\)](https://www.legislation.gov.uk)). The climate change adaptation programme is set out here: [Climate Ready Scotland: climate change adaptation programme 2019-2024 - gov.scot \(www.gov.scot\)](https://www.gov.scot). A new 2024 - 2029 programme is being developed. The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 - over 180 listed public bodies are required to report annually on compliance with the public duties).

Going forward, the Scottish Government recognises that the introduction of the National Care Service will provide further opportunities to build climate change considerations into the way social care services are planned, commissioned and delivered (including secure accommodation for child offenders). [Annex B: Cross-cutting Policy Proposals - Climate change - national adaptation plan 2024 to 2029: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot)

Secure units are run by charitable organisations. However, these charities fall under the jurisdiction of a particular Scottish local authority area. The ability to make adaptations, such as those relating to building infrastructure and energy efficiency, may be limited as charitable organisations which run care institutes may lease spaces, rather than own buildings. This leaves decisions around adaptation in the hands of property owners in the private sector.

[Climate-change-draft-Scottish-National-Adaptation-Plan-3-ALLIANCE-Response.pdf \(alliance-scotland.org.uk\)](https://alliance-scotland.org.uk)

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

[Climate Ready Scotland: climate change adaptation programme 2019-2024 - gov.scot \(www.gov.scot\)](#)

The Government have a five-year plan in place to prepare Scotland for the challenges we will face as our climate continues to change, with a human rights-based approach to protect the most vulnerable. The plan references protecting children and those in care, which affects people's ability to adapt.

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

Risk assessments appear to be conducted in accordance with the Children's Rights and Wellbeing Impact Assessment

Children's Rights Wellbeing Impact Assessment (CRWIA) Title: Secure Care Pathway and Standards Scotland

[Secure care pathway and standards: children's rights and wellbeing impact assessment - gov.scot \(www.gov.scot\)](#)

The standards have been designed to answer the immediate calls to action voiced by children and young people in the Secure Care in Scotland: Young Peoples Voice paper published in 2017. The standards provide a 'future proofed' vision to drive forward the transformational change of secure care in Scotland and delivers on the Scottish Government's commitment to develop National Standards for secure care.

The assessment does not appear to specifically cover climate hazards or emergency preparedness. However, as noted in response to questions 5, The Care Inspectorate regulate secure care providers using the Health and Social Care Standards and the Public Services Reform (Scotland) Act 2010.

[Secure care \(careinspectorate.com\)](#)

The Care Inspectorate have a framework for carrying out inspections of various facilities including detention facilities. [Inspections \(careinspectorate.com\)](#)

In Scotland there are only 78 secure places available, and we therefore expect that each of these facilities would undertake their own risk assessments. However, it is not clear whether those risk assessments would cover climate related hazards, and it would be reasonable to expect that they will not do so. There may be a requirement for the risk assessment framework to be expanded to cover this.

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

While there is no protocol for the evacuation of children in detention during climate-related emergencies, either because they are not accessible or because they have been established.

Some international organisations have worked on some papers that could be of use. See below:

[01 en special measures for the evacuation of migrant children web.pdf \(iom.int\)](#)

This includes a reference checklist of special measure for the evacuation of migrant children

UK/Scottish governments refer to this topic:

- [Adapting to climate change - Progress in Scotland \(theccc.org.uk\)](#)

This report refers to the number of evacuations in Scotland and to the development of strategy plan: "NHS Scotland's climate emergency and sustainability strategy: 2022-2026 was published in August 2022. The strategy sets out plans to adapt to climate change, review progress annually (both at Health Board and wider NHS Scotland level) and includes several commitments which should help drive forward adaptation, including for all NHS Boards to conduct a risk assessment and prepare an adaptation plan".

- [Microsoft Word - Practical fire safety guidance evacuation of disabled persons from buildings 2 .doc \(www.gov.scot\)](#)

This report refers to the evacuation of disabled persons from buildings (some of its provisions could be adapted to children).

11. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

The children secure accommodation (for those under the age of 16) are operated by charity organisations with support and funding from the state. As a result, community-based organisations are at the centre of the process.

HMIPS (HM Inspectorate of Prisons for Scotland) also provide a framework for review of facilities. [Inspecting and Monitoring Standards for Inspecting and Monitoring Prisons in Scotland: Introduction \(prisonsinspectoratescotland.gov.uk\)](#). HMIPS adopt a human rights approach which clearly states that prisoners should be meaningfully involved in decisions which affect their lives. Whilst we suspect that doesn't necessarily mean that children are involved in the development of plans in response to climate change, we hope it allows them to provide some input.

Additional resources:

- Children (Care and Justice) Bill - [Children \(Care and Justice\) Bill passed - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/children-care-and-justice-bill)
- The Secure Care Pathway and Standards, Scotland set out what support children should expect from professionals when in the community or secure care. Implementation of the Standards will ensure that support is provided before, during and after a stay in secure care and that the rights of children and young people are respected.

[Secure care: pathway and standards - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/secure-care-pathway-and-standards)

- [Preparation for Sentencing Under Section 205\(2\) or Section 208 of the Criminal Procedure \(Scotland\) Act 1995 - Custody of convicted children and young people: practice guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/preparation-for-sentencing-under-section-205-2-or-section-208-of-the-criminal-procedure-scotland-act-1995-custody-of-convicted-children-and-young-people-practice-guidance)
- [CareInspectionReport-secure-care-2022.pdf \(gsc.scot\)](https://www.gsc.scot/CareInspectionReport-secure-care-2022.pdf)
- [National Guidance for Child Protection in Scotland 2021 \(careinspectorate.com\)](https://www.careinspectorate.com/national-guidance-for-child-protection-in-scotland-2021)
- Introduction:
 - Following the passage of the Children (Care and Justice) (Scotland) Bill - children under 18 who are convicted of an offence can only be detained in secure accommodation (run as part of the care service in Scotland, not the prison service)
 - There are 78 secure places available in Scotland, provided by four independent charitable organisations: 1. Good Shepherd Centre, Bishopton (18 beds) 2. Kibble Safe Centre, Paisley (18 beds), 3. Rossie Secure Accommodation Services, Montrose (18 beds), 4. St Mary's Kenmure, Bishopbriggs (24 beds) (source: [Secure care - Youth justice - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/secure-care-youth-justice).)
 - The Care Inspectorate regulate secure providers using Health and Social Care Standards and Public Service Reform. ([Welcome to the Care Inspectorate](https://www.careinspectorate.com/welcome-to-the-care-inspectorate)).
- The Care Inspectorate regulate secure care providers using the Health and Social Care Standards and the Public Services Reform (Scotland) Act 2010.

[Secure care \(careinspectorate.com\)](https://www.careinspectorate.com/secure-care)

- [Young people and the law - Citizens Advice](https://www.citizensadvice.org.uk/scotland/children-and-young-people/young-people-and-the-law/)
Courts can't impose a prison sentence on anyone under the age of 12.
Young offenders aged from 12 to 15 whose behaviour is causing concern either for themselves or for the safety of the public will usually be detained in secure accommodation. Offenders aged from 16 to 21 can be sentenced to detention in a young offenders' institution.
- [Climate Ready Scotland: climate change adaptation programme 2019-2024 - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/climate-ready-scotland-climate-change-adaptation-programme-2019-2024)
- Climate Change (Scotland) Act 2009 s.44 – [Climate Change \(Scotland\) Act 2009 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2009/12/schedule/1/part/1/schedule/1/section/44)

Scottish Government - adaptation strategy
[Climate Ready Scotland: climate change adaptation programme 2019-2024 - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/climate-ready-scotland-climate-change-adaptation-programme-2019-2024)

Consultation is being run on a strategy for 2024 – 2029
[Supporting documents - Climate change - national adaptation plan 2024 to 2029: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/supporting-documents-climate-change-national-adaptation-plan-2024-to-2029-consultation)

- [Public Services Reform \(Scotland\) Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2010/12)
Public Services Reform (Scotland) Act 2010

- Youth and adult justice legislation and policy is devolved to the Scottish Government.

- [Secure care - Youth justice - gov.scot \(www.gov.scot\)](https://www.gov.scot/legislation/secure-care-youth-justice).
Secure care provision

There are 78 secure places available in Scotland, provided by four independent charitable organisations:

Good Shepherd Centre, Bishopton (18 beds)
Kibble Safe Centre, Paisley (18 beds)
Rossie Secure Accommodation Services, Montrose (18 beds)
St Mary's Kenmure, Bishopbriggs (24 beds)

Spain

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

There is no specific law that refers to the construction of centres for the reception or detention of minors and their resistance to natural disasters. However, in Spain there are general regulations on the construction of buildings and their resistance to natural disasters, which would also apply to these centres:

Technical Building Code (CTE), approved by Royal Decree 314/2006, of 17 March. The CTE establishes the basic requirements of safety, habitability, health, accessibility and fire protection that buildings must meet. Specifically, the CTE includes the DB-SE Basic Document on Structural Safety, which establishes the basic structural safety requirements of construction works. The DB-SE aims to guarantee the resistance and stability of buildings against actions of various nature.

UNE Standards: The Spanish Association for Standardization (UNE) publishes technical standards on various aspects of construction, including the structural safety of buildings. Some of the most relevant UNE standards for the construction of buildings resistant to natural disasters are UNE-EN 1998-1:2009 (Eurocode 8: Design of structures for earthquakes) and UNE-EN 1991-1-4:2005 (Eurocode 1: Actions on structures - Part 1-4: General actions - Wind).

Urban planning regulations: The urban planning regulations of each municipality may establish additional requirements for the construction of buildings depending on their location and characteristics. For example, urban planning regulations may establish stricter requirements for the construction of buildings in areas with high seismic risk.

Royal Decree 393/2007, of 23 March, approves the Basic Standard for Self-Protection of Centres, Establishments and Dependencies Dedicated to Activities That May Give Rise to Emergency Situations: it is a generic standard, not specifically directed to minors, which obliges centres to have a plan to prevent and control risks to people and property in centres and to respond to emergency situations. The Plan must have a minimum content, and the Autonomous Communities and local entities can impose more restrictive criteria.

BOE-A-2007-6237 Royal Decree 393/2007, of 23 March, approving the Basic Self-Protection Standard for centres, establishments and dependencies dedicated to activities that may give rise to emergency situations.

Link to the regulation of Andalusia: Material requirements of the Detention Centres for Juvenile Offenders in Andalusia (inap.es)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

National juvenile justice policies in Spain partially address Disaster Risk Reduction (DRR) with regard to the safety and well-being of minors, including those deprived of liberty. Although there is no specific plan at the national level, there are general considerations and regional plans that contemplate this issue.

General framework:

Organic Law 8/2021, of 4 June, on the comprehensive protection of children and adolescents establishes the obligation of public administrations to adopt measures to guarantee the safety and well-being of minors in emergency situations.

The National Civil Protection Plan contemplates specific measures for the general protection of minors during emergencies but does not detail specific actions for detention or reception centers.

National Plan for Disaster Risk Reduction - Horizon 2035: Prioritizes prevention, investment in science and coordination, addresses climate change and its impact on security, strengthens the National Civil Protection System (SNPC), mentions the need to protect vulnerable groups, including minors.

Horizon 2035 : National Plan on Disaster Risk Reduction = Horizon 2035 : National Plan on Disaster Risk Reduction (interior.gob.es)

Provision 7730 of the BOE no. 164 of 2015

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The evaluation of the National Civil Protection System is regulated in Chapter VI, Evaluation and inspection, of the National Civil Protection Systema, of Law 17/2015, of 9 July, which provides for the submission of an annual report on the overall operation of the System to the Senate as the most significant measure.

To date, this provision has not been developed or any of these reports have been issued, which constitutes a deficiency in the

functioning of the System that must be addressed. In this regard, the Conference of Presidents of La Palma referred to the need to create a permanent political forum in the Upper House, whose working basis must be, precisely, the annual report.

The construction of a statistical information system specific to the SNPC cannot certainly be approached as a punctual and consumptive action, but must be conceived - due to its complexity, but also due to its natural evolution matter- in a continuous and adaptive process.

The Plan provides for a review at the end of each of its three cycles, so that, while maintaining its unity, it can be adapted to the needs detected for each of its four-year periods. In fact, the formulation of the System Strategies of the 2nd and 3rd cycles are based, precisely, on the previous evaluation of the previous cycle.

[Horizon 2035 : National Plan for Disaster Risk Reduction = Horizon 2035 : National Plan for Disaster Risk Reduction \(interior.gob.es\)](https://interior.gob.es)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

In Spain, there are some measures that could contribute to reducing deprivation of liberty and overcrowding in detention centres, which would indirectly improve the effectiveness of Disaster Risk Reduction (DRR) in these centres. However, there is no specific plan directly focused on this goal.

Regarding juvenile prisons, Spanish legislation provides for alternative measures to deprivation of liberty for young offenders, such as probation or the provision of community service. Greater use of these measures could reduce the number of young people in detention centres.

Depending on the supply and demand for occupancy in reception, internment and detention centres for minors, there may be specific situations (not structural) of overcrowding in the Autonomous Communities, which forces institutions to seek for other alternatives such as foster families, flats or hotels.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

At the state level, it seems that the National Civil Protection Plan includes measures for the protection of minors, defines the responsibilities of the different public administrations and entities involved in emergency management and establishes cooperation mechanisms between them. However, we have not yet found specific mechanisms or protocols to address the stated issue.

6. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

Spain has a solid regulatory framework for disaster prevention in buildings. The Law on Territorial Planning and Urban Development (Legislative Decree 1/2023, of 28 February) establishes the basic rules for construction and building, including specific requirements for structural safety, fire resistance and protection against other natural hazards.

Emergency plans:

It is mandatory for all buildings to have an Emergency Plan that establishes the procedures to be followed in the event of a disaster. This Plan should include aspects such as risk identification, staff training, evacuation routes and safe assembly points.

Technical measures:

There are several technical measures that can be implemented to improve the resilience of buildings to natural disasters. These measures include:

Structural reinforcement: Strengthening the structure of the building to withstand seismic loads or wind forces.

Seismic isolation: Implementation of systems that dissipate the energy of seismic waves and reduce the impact on the building.

Fire protection: Installation of fire detection and extinguishing systems, as well as fire-resistant materials.

Flood adaptation: Elevation of the building or implementation of barriers to protect it from water.

[Microsoft Word - 01 GUIDE COVER \(interior.gob.es\)](https://interior.gob.es)

[Provision 13681 of the BOE no. 190 of 2021](https://www.boe.es)

7. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? E.G., Children with Disabilities – Physical and Mental Health

The **Guiding Principles of the 2017 SENDAI Framework** address this issue, specifically **Article 19**, which states as follows:

- Disaster risk reduction requires the involvement and collaboration of the whole society. It also requires empowerment and inclusive, accessible and non-discriminatory participation, with special attention to those disproportionately affected by disasters, particularly the poorest. Gender, age, disability and culture perspectives should be integrated into all policies and practices, and the leadership of women and youth should be promoted. In this context, particular attention should be paid to improving the organised voluntary work of citizens;
- Disaster risk reduction requires a multi-hazard-based approach and inclusive decision-making based on risk assessment. This process requires the open exchange and dissemination of disaggregated data, broken down by factors such as sex, age and disability. Additionally, it is essential to provide easily accessible, up-to-date, understandable risk information, scientifically based and non-confidential, complemented by traditional knowledge;

Moreover, Article 36 states that persons with disabilities and their organizations are essential for assessing disaster risk and for designing and implementing plans adapted to specific requirements, taking into consideration, among other things, the principles of universal design;"

8. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

Spanish regulations do not regulate the issue of climate risk assessments within detention centers to inform emergency strategies for children.

Chapter I of Title II of the Organic Law on the Legal Protection of Minors (LOPDM) [Organic Law 1/1996, of 15 January] guarantees the safety and physical integrity of minors deprived of liberty and regulates actions in situations of lack of protection of minors and. In particular, Article 16, regarding the evaluation of the situation, states that the public entities competent in matters of the protection of minors shall be obliged to verify the situation denounced and to adopt the necessary measures to resolve it depending on the result of that action. It is nothing specific, but they could include climate threats.

9. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

In Spain, there has been progress in the field of protection of minors but there is still a need to consolidate specific protocols for the evacuation of children and adolescents in detention centers during climate emergencies.

General framework:

[Organic Law 8/2021](#), of 4 January, on the comprehensive protection of children and adolescents against violence, establishes the obligation of public administrations to guarantee the safety and well-being of minors in emergency situations but does not refer to climate disasters.

The National Civil Protection Plan contemplates general measures for the evacuation of the population in case of emergencies but does not detail specific actions for juvenile detention centers. Although there is no single national plan for the evacuation of the population in cases of climate emergency in Spain, several Autonomous Communities have developed specific plans and protocols to address this type of situation. (1.1. Description of the strategic frameworks for disaster risk reduction and adaptation to climate change in Spain).

[Organic Law 8/2021, of 4 June, on the comprehensive protection of children and adolescents against violence. \(boe.es\)](#)

[marcoeficazriesgosespana_tcm30-524627.pdf \(miteco.gob.es\)](#)

10. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

[National School of Civil Protection \(ENPC\) - DGPCyE \(proteccioncivil.es\)](#)

Leaving aside specialized training, each of the jobs must have basic studies in its field of action. Some of the qualifications required to be employed in juvenile centres are:

- Bachelor's Degree in Psychology
- Bachelor's Degree in Social Work
- University Degree in Occupational Therapy
- Higher Vocational Training Degree in Social Education
- Bachelor's Degree in Social Integration

Additional resources:

- CIMI "TIERRAS DE ORIA"
CIMI "BAY OF CADIZ"
CIMI "SIERRA MORENA"
[GUIDE TO JUVENILE JUSTICE CENTERS AND SERVICES \(juntadeandalucia.es\)](#)

CIMI "EL LAUREL"
CIMI "TERESA DE CALCUTA"
CIMI "EL LAVADERO"
[Juvenile Offenders: Agency for the Re-education and Reintegration of Juvenile Offenders | Community of Madrid](#)

Concepción Arenal Re-education Center in A Coruña
[Centro de Menores Concepción Arenal. Centro de Reeduación | Pangea](#)

Texas, United States

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

During the 2021 legislative session in Texas, lawmakers passed bills to make significant improvements to the child protection system. While these bills primarily focus on child protection, they indirectly contribute to disaster resilience within child justice systems. Here are some key points:

- **Qualified Residential Treatment Programs (QRTPs):** Senate Bill 1575 by Sen. Kolthorst and Rep. Tom Oliverson boosts judicial oversight to ensure that children with significant behavior challenges staying in foster care group facilities designated as QRTPs will be transferred to homes with families as soon as possible. QRTPs are facilities certified to meet best practices outlined in the federal Family First Prevention Services Act (FFPSA), including trauma-informed care, family engagement, and aftercare services. These practices help children transition successfully from institutional settings to stable family environment.
- **Community-Based Care:** The Legislature expressed hope in Community-Based Care which aims to improve outcomes for children in foster care by involving local communities and organizations. Properly funded, it can enhance disaster resilience by ensuring timely and effective responses during crises.
- **SB 1896:** This omnibus bill by Sen. Kolthorst and Rep. Frank aims to improve the safety and quality of the foster care system. Although it doesn't directly address disaster resilience, a well-functioning foster care system contributes to overall community resilience.

While Texas laws primarily focus on child protection, the improvements made during the 2021 legislative session indirectly contribute to building more resilient child justice systems. However, there's still work to be done to ensure adequate funding and comprehensive policies for disaster-resistant facilities and infrastructure within these systems.

Useful Links:

[2021 Legislative Recap](#)

[Disaster Manual: Section 13 - Family Law Issues | Texas Law Help](#)

[2020 Juvenile Justice Handbook: A Practical Reference Guide Including Updates from the 86th Legislative Session \(texasattorneygeneral.gov\)](#)

2. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Texas has limited policies in place to reduce deprivation of liberty and overcrowding within detention facilities, including the following:

- **Minimum Safety Standards:** The Texas Commission on Jail Standards enforces safety standards, including a minimum guard-to-prisoner ratio (one guard for every 48 prisoners).
- **Reimbursement for Delays:** Counties can seek reimbursement from the state if pickups take longer than 45 days (approximately \$77 per additional day).
- **The Texas Legislature authorized intermediate-sanction facilities to reduce prison overcrowding.** Offenders facing parole and probation revocations take classes and receive counselling at these jails that address the root causes of their crimes.

However, there are other measures that the state is considering taking, such as, building more prisons, diverting offenders into alternatives to incarceration, avoiding confinement whenever possible, decreasing the time spent in prison for those inmates sent there, and emergency measures to reduce the population.

Useful Links:

[Texas Looks to Fix Prison Overcrowding | Courthouse News Service](#)

[Legislative Options in Response to Crowding in Texas Prisons | Office of Justice Programs \(ojp.gov\)](#)

3. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

[At least 42 child migrant facilities to operate in Texas without licenses | The Texas Tribune](#)

More than 40 Texas facilities that house unaccompanied migrant children on behalf of the federal government will operate without state licenses next month, worrying advocates about the quality of care the minors will receive and putting President Joe Biden's administration in a position to possibly violate the law.

The situation is the result of a chain of events following a May 31 disaster declaration order by Gov. Greg Abbott. As part of the order, the governor told the state to revoke the childcare licenses of facilities housing migrant children. Abbott said in the order that the increase of recent immigrants has a negative impact on "state-licensed residential facilities, including those that serve Texas children in foster care."

But before the revocations went into effect, the Texas Health and Human Services Commission issued an emergency rule in July that allows the shelters to continue to operate. As it stands now, starting Sept. 1, at least 42 Texas facilities that contract with the Office of Refugee Resettlement, the federal office that helps unaccompanied migrant children, will continue to house the minors but without state oversight, said Christine Mann, a spokesperson for the commission.

The emergency rule can stay in effect for 120 days and be renewed for another 60 days, according to state code.

As of mid-July, there were 4,700 children being held in facilities licensed by Texas, according to the latest available state data. Those children are in federal custody, but as their immigration cases are pending, they are being housed in state-licensed facilities or until they can find a sponsor. Across the country, there were more than 14,000 migrant children in federal care, according to federal data published in July.

The facilities have become part of an ongoing legal battle between Abbott and the Biden administration. In recent months, Abbott has escalated his rhetoric on immigration, blaming recent immigrants for taking up state resources and causing the spread of COVID-19 in the Rio Grande Valley, where most Central American immigrants have entered the United States. He also accused the Biden administration of "commandeering" Texas into using state resources to deal with a "migrant detention crisis caused by" the federal government.

[Texas Network of youth services \(TNOYS\) Impact-Report FINAL.pdf](#)

Texas has declared more major disasters than any other state in the country.

The COVID-19 pandemic posed new challenges to emergency responders, social service providers, health professionals, and decision-makers across the world. Children and youth have unique needs and vulnerabilities during emergencies and natural disasters, but those needs may be overlooked in the urgency to address physical consequences of disasters, such as medical attention, shelter, and access to necessities. Texas' most vulnerable youth and families are at particular risk of experiencing long-term impacts of disasters and emergencies if they lack safety nets, social supports, or other resources needed to return to normalcy.

Since Hurricane Katrina in 2005, emergency response systems have taken great strides to improve child and youth safety during and after natural disasters, creating a complex and structured web of federal, state, and local resources and services prepared to meet the unique needs of children and youth. Texas Network of Youth Services (TNOYS) is a statewide research and advocacy organization working to strengthen services and support for Texas youth and families to help them overcome challenges and achieve healthy development. Through this report, TNOYS aims to better understand what gaps might still exist for young people in emergency response systems and how we can support our network of members to fill those gaps.

[Mapping Migrant Children in Detention \(supportkind.org\)](#)

When ORR's capacity in licensed facilities is full, ORR may use "influx" or "emergency" shelters. Influx shelters are distinct from ORR's other placements and are designed to hold as many children as possible during periods when the number of unaccompanied children arriving in the U.S. unexpectedly exceeds capacity in ORR's permanent shelters. Instead of a more dormitory-like experience, children may sleep in large rooms with military style, tightly packed bunk beds, with more limited access to services than is available in standard ORR shelters.

Influx shelters must comply with Flores and TVPRA protections but historically have been placed on federal land and have not been licensed by the states in which they are located. In 2014, in response to an unusual and unexpected increase in unaccompanied children arriving at the border, ORR made use of three Department of Defense sites, in Oklahoma, Texas, and California, as temporary influx facilities. In 2018, ORR operated three influx facilities, including a tent city in Tornillo, Texas, and facilities in Carrizo Springs, Texas, and Homestead, Florida.

Children with their families are sent to Dilley, TX; Karnes, TX; or Berks County, PA, where ICE maintains its family detention centers. While there, families are placed in expedited removal proceedings unless they express fear of return to their countries of origin and pass a credible fear interview. In that case, the family is entitled to a full asylum hearing before an immigration judge but may still be held in detention while their case is ongoing. While DHS has previously asserted that such detention is mandatory as part of the expedited removal process and to help ensure families attend court appearances, DHS has discretion to release families while their cases are pending, including through case management programs and alternatives to detention. Federal courts have underscored that the government must individually assess the release of accompanied children in expedited removal to comply with the Flores Settlement Agreement.

[Inside an ICE family detention facility in Texas | The Texas Tribune](#)

[Texas detention facility becomes staging ground for expulsions of migrant families with children - CBS News](#)

['No Place for a Child': Inside the Tent Camp Housing Thousands of Migrant Children - The New York Times \(nytimes.com\)](#)

[Over 4,000 migrants, many kids, crowded into Texas facility | AP News](#)

[Standards \(texas.gov\)](#)

[Texas youths are trapped in a juvenile prison system near collapse | The Texas Tribune](#)

[Misplaced fire extinguishers. No sprinkler system. A key missing in plain sight. How a Juárez migrant detention center fire turned into a death trap. | Texas Standard](#)

["Endless Nightmare": Torture and Inhuman Treatment in Solitary Confinement in U.S. Immigration Detention - PHR/](#)

[What are the silver blankets immigrant children use at border detention facility? \(wjla.com\)](#)

[Emergency Preparedness for Families with Children with Special Health Care Needs | Texas DSHS](#)

[Navigating Immigration Detention: A Guide for Family and Friends of Individuals in Detention | Texas Law Help](#)

[Detention of Immigrant Children | Pediatrics | American Academy of Pediatrics \(aap.org\)](#)

[A Guide to Children Arriving at the Border: Laws, Policies and Responses | American Immigration Council](#)

[Here's How You Can Help Migrant Children | Women's Refugee Commission \(womensrefugeecommission.org\)](#)

[Mitigating Disaster: Urgent and Just Responses to COVID-19 in the Texas Justice System | Texas CJE \(texascjc.org\)](#)

[U.S. reopens troubled facility for migrant children in Texas amid spike in border arrivals - CBS News](#)

[Facility Inspections | ICE](#)

U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) oversees the civil immigration detention of one of the most highly transient and diverse populations of any detention system in the world.

As part of its critical mission, ICE ERO ensures that each of its detention facilities adhere to the national detention standards that govern facility operations and protect the health, safety and well-being of all noncitizens in its custody.

Regardless of whether detention facilities are owned and operated by ICE, a state or local entity, or a contractor, each detention facility operates under one of several sets of ICE national detention standards which describe a facility's immigration detention responsibilities, explain what detainee services a facility must provide, and identify what a facility must do to ensure a safe and secure detention environment for staff and noncitizens in detention:

- National Detention Standards (NDS) 2000
- Performance-Based National Detention Standards (PBNDS) 2008
- PBNDS 2011
- NDS 2019
- ICE ERO Involv

The Office of Emergency Management (OEM) is the central oversight authority for the Texas Department of Criminal Justice (TDCJ) emergency management preparedness and response. The office coordinates with groups throughout the TDCJ to develop and update emergency response plans, continuity of operations plans, and the Homeland Security Strategic Plan.

The office represents the TDCJ on the Texas Division of Emergency Management State Emergency Council. These activities involve logistical coordination of resources or deployment of TDCJ law enforcement staff to assist during actual emergencies. The office serves a liaison role to the public emergency management sector. The Office of Incident Management works with most TDCJ operational divisions to provide a representative to disaster district committees throughout the state.

Further, the office oversees all mitigation reports and activities for the agency; works to identify potential hazards and threats to the agency; and develops mapping, modelling, and forecasting tools to lessen their effects. The office also trains agency staff on roles and expectations during emergencies and command center

activations. Working in conjunction with the Correctional Institutions Division, OEM provides all necessary training for security staff and unit personnel on the Incident Command System. The office also coordinates National Incident Management System training.

[Ensure Texas Prisons are Prepared for Emergencies and Natural Disasters | Texas CJE](#)

[Microsoft Word - Sullivan Technical Edit \(utexas.edu\)](#)

High temperatures in Texas Department of Criminal

Justice facilities have resulted in at least twenty-three heat-related deaths since 1998.¹¹ In 2020, Hurricane Laura cut off power and running water at a Louisiana immigration detention center, leaving detained people in sweltering heat with no air conditioning and overflowing toilets.¹² In the case of the Orleans Parish Prison response to Hurricane Katrina, incarcerated people were explicitly excluded from the mandatory evacuation order issued by the Mayor of Orleans Parish.

United Kingdom

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

There are no current specific policies in relation to the building of disaster-resistant facilities for children.

The building of prisons (not just specifically those within the child justice system) is subject to much of the same regulation as other buildings being developed. That includes the Environmental Impact Assessment Regulations. For new major infrastructure the 2017 update to EIA regulations in England, Scotland, Wales and Northern Ireland, includes a requirement to assess the infrastructure's vulnerability to climate change, however it is not clear how comprehensive these assessments are in practice. Flood risks are also considered at the planning stage – which is the key concern in the UK. There are fewer requirements for existing infrastructure to adapt to climate change.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

No. There does not appear to be any specific disaster recovery plans in English legislation or policy. The Children's Homes (England) Regulations 2015 provides limited guidance on the appropriateness of the premises for secure children's homes in England. Section 46 (1) provides that:

46.— (1) The registered person must review the appropriateness and suitability of the location of the premises used for the purposes of the children's home at least once in each calendar year taking into account the requirement in regulation 12(2)(c) (the protection of children standard).

(2) When conducting the review, the registered person must consult, and take into account the views of, each relevant person.

<https://www.legislation.gov.uk/ukxi/2015/541/contents>

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

The primary method is through annual, unannounced inspections of all children's custodial facilities in the UK. Young offenders' institutes in the UK are not required to produce nor maintain specific DRR plans. But these annual inspections involve an independent review of all facilities and their more generic procedures (including emergency response plans and H&S plans).

His Majesty's Inspectorate of Prisons ("HMIP") carries out unannounced inspections of all UK young offenders' institutes at least every 12 months – [Section 5A](#), [Section 43](#) and [Schedule A1](#) of the Prison Act 1952 together with the HMIP's Inspection Framework (March 2024). These inspections will include a review of all facilities, the risks, policies, procedures, and generic emergency response plans to identify areas of concern and make recommendations. HMIP will assess the facility based on four tests, one of which is the safety of the facility and its inmates.

HMIP will publish a report of its findings within 14 weeks of the inspection. The young offenders institute must then produce an action plan within 3 months to set out how the recommendations and concerns will be addressed. This action plan will be monitored by HMIP and then reviewed again at the next inspection.

If HMIP identifies significant concerns with a facility, then HMIP may make an urgent notification to the UK Secretary of State for Justice ("SoSfJ"). The SoSfJ will have 28 days to respond to explain how the facility must improve in both the immediate and long term.

Sources

- [HMIP's Inspection Framework \(March 2024\)](#)
- [The Prison Act 1952](#)

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Sources

[Overlapping Crises: Climate Disaster Susceptibility and Incarceration - PMC \(nih.gov\)](#)

[Prisons in Crises: Natural hazards and extreme weather - Penal Reform International](#)

[Younger prisoners facing health care crisis as access to key appointments and specialist care is denied | Nuffield Trust](#)

[Deprivation of Liberty Orders \(yjlc.uk\)](#)

[nfjo_report_summary DoL_evidence_review_final_20220203.pdf \(nuffieldfjo.org.uk\)](#)

The Annual Report of His Majesty's Chief Inspector of Education, Children's Services and Skills 2022/23 - GOV.UK ([www.gov.uk](#))

[Blank document \(publishing.service.gov.uk\)](#)

Short answer: No.

A. Specific measures

[Article 5 of the European Convention on Human Rights \(ECHR\)](#) which provides 'Deprivation of liberty' occurs when restrictions are placed on a child's liberty beyond what would normally be expected for a child of the same age.'

In England, deprivation of liberty can be deprived for reasons of criminal justice (punishment), welfare (risks to their safety) or mental health. In these circumstances, children can be detained in secure children's homes, the youth custodial estate or mental health settings, provided the statutory criteria are met.

Where we are considering deprivation of liberty in detention facilities in England, measures in place to overcome 'disasters' would not necessarily impact the deprivation of liberty already in place – as this is part of the punitive function of detention centres or it is part of the welfare mechanism to adequately protect that child.

As regards overcrowding, overcrowding has long been a problem in detention centres in England, as well as prisons. Specifically, people who are in detention facilities / prisons may be more vulnerable to climate hazards due to overcrowding in prisons and limited infrastructure, which leads to basic needs such as air conditioning and medication access being unmet.

However, the average population of children and young people held in Secure Training Centres and Young Offender Institutions was 434 in 2022–23, compared with 939 in 2015–16. (source: *Child prisons in England and Wales 'significantly more violent' than adult jails | Prisons and probation | The Guardian*). If populations are decreasing for young offenders, then this shows positive change. This shows the emphasis and pay-off of early intervention measures.

Despite this positive change, the likelihood of climate related 'disasters' being experienced, only increases as the effects of climate change become ever more transparent. When considering 'disasters', it is clear that prisons in England have not placed emphasis on this consideration. Although emergency evacuation measures may be in place for some prisons, when considering exposure to disease, floods, wind etc. then prisons have largely failed to have crisis response strategies specific to these disasters. Also, if a response strategy includes moving those in one detention facility to another, then the issue of overcrowding becomes exacerbated if an entire facility is forced to joined with another.

Part of the reason for not having specific disaster related guidance/measures may largely be due to the fact that England does not typically deal with extreme weather in the sense that

other countries do. For instance, England does not experience hurricanes, cyclones, earthquakes etc. This means, if England's detention facilities are faced with a disaster, we will largely be relying on pre-existing legislation / regulations to deal with any disaster faced. An example of this is The Annual Report of His Majesty's Chief Inspector of Education, Children's Services and Skills 2022/23. (source: *The Annual Report of His Majesty's Chief Inspector of Education, Children's Services and Skills 2022/23 - GOV.UK (www.gov.uk)*). This report, amongst other things, considers regulated social care and registration of children's homes – this includes criteria to assess children's home to ensure they are of adequate standard. However, there is no provisions for specific 'disaster' measures and no provisions for youth detention facilities contained in this Report.

(source: [Deprivation of Liberty Orders \(yjlc.uk\)](#))

(source: [Overlapping Crises: Climate Disaster Susceptibility and Incarceration - PMC \(nih.gov\)](#))

B. Wider reaching measures

The purpose of the youth justice system is to prevent offending by children and young people between 10-17 years old, while safeguarding their welfare. If an emphasis can be placed on children not entering detention facilities or the youth justice system, then specific measures concerning deprivation of liberty and overcrowding will not need to be a principal consideration. The Legal Aid, Sentencing and Punishment of Offenders Act 2012, created a new youth remand and sentencing structure, giving more flexibility to courts to decide on appropriate disposals which aids in addressing the problem of children needing to be sent to youth detention facilities, if there are other alternatives available. The Children and Families Bill, being considered by Parliament, includes provisions that require local authorities and youth offending teams to work together when assessing the needs of young offenders with special educational needs.

(source: <https://www.gov.uk/government/publications/2010-to-2015-government-policy-young-offenders/2010-to-2015-government-policy-young-offenders>)

However, the density of individuals being detained and climate disaster susceptibility are overlapping threats that must be addressed concurrently through (1) reduction in sentences to youth detention facilities, (2) developing standardised guidance on evacuated detained individuals during disasters, and (3) more deeply understanding how the health of everyone in these countries is jeopardised when prisons suffer from climate disasters.

What needs to change?

England need to undertake an assessment of what climate related disasters could reasonably impact detention facilities. Whilst England can acknowledge it may not be susceptible to climate disasters of the same impact or magnitude as countries who experience hurricanes, earthquakes, tsunamis for example, there are still disasters which could reasonably be experienced.

COVID-19 is an example of a healthcare disaster that detention facilities were not prepared for, directly impacting youths detained in these facilities.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities?

Emergency planning and response for education, childcare, and children's social care settings

There is guidance England's Department for Education, on emergency planning and response for education, childcare, and children's social care settings (which includes secure children's homes). The guidance sets out how to develop a plan on how to respond to emergencies, including coordination and planning with relevant bodies. It also sets out that part of effective emergency planning includes establishing and maintaining relationships locally which may be needed in an emergency situation, which might include nearby education and childcare settings, the police, the local authority or the local resilience forums (LRFs are multi-agency partnerships made up of representatives from local public services, including the emergency services, local authorities, the National Health Service, the Environment Agency and others). Establishing these links, gathering intelligence and understanding others' plans can inform the development of a plan that reflects local and national arrangements.

There is also a link to the [school and college security guidance](#) which provides practical advice, which other settings, such as secure children's homes may find useful to help manage their security effectively so they can meet their obligations. The guidance is on:

- emergency planning
- risk assessment
- business continuity planning
- evacuation
- bomb alert or threat
- lockdown
- post-incident support
- debrief and lessons learnt

Within the above guidance, there is a link to an emergency plan template. The template provides for emergency contact details to be included in the plan, i.e. the local authority, the police, the fire and rescue service, the ambulance service, the National Health Service etc.

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

Inspections, monitoring and reviewing children's homes - HMCI (Ofsted) is the registration authority for children's homes and as registration authority regulates and inspects children's homes. Inspection focuses on the outcomes that children are being supported to achieve. It tests compliance with the relevant regulations. Ofsted are required to inspect each children's home at least twice per year. At least one of these inspections will be a full inspection. Following a full inspection, inspectors will make a number of judgements, including a judgement on the overall progress and experiences of children living in the home. The other inspection will usually be an interim inspection. From April 2015 if inspectors identify a failure to meet a regulation, Ofsted will set requirements that the registered person must meet. Any failure to meet regulations may lead to consideration of enforcement action. Inspectors will also make recommendations for improvement.

Fire precautions - The [Children's Homes \(England\) Regulations 2015, regulation 25](#) requires children's homes take adequate precautions against the risk of fire, including the provision of suitable fire equipment in the children's home, provide adequate means of escape from the home in the event of fire, ensure by means of fire drills and practices at suitable intervals, that persons working at the home and, so far as reasonably practicable, children are aware of the procedure to be followed in case of fire.

Location and design – Under [regulation 46](#), the registered person should review the appropriateness and suitability of the location and premises of the home at least once a year. The review should include the identification of any risks and opportunities presented by the home's location and strategies for managing these. The home should be located in an area that supports children's safety, well-being and personal development. Location assessments will need to address two issues: Safeguarding concerns and Accessibility of local services. For example, assessments could include whether there are environmental factors that would represent a hazard to children, such as locations near level crossings or busy roads.

Registration of Children's homes - Any person carrying on or managing a children's home that provides care and accommodation must register with Ofsted in respect of that individual children's home. Failure to do so is an offence [under section 11 of the CSA 2000](#). As part of the assessment processes, Ofsted visit the premises and carry out interviews. Schedule 4 of the Care Standards Act 2000 (Registration)(England) Regulations 2010, requires the fire precautions and emergency procedures to be submitted as part application for registration in respect of a children's home.

Sources:

[The Children's Homes \(England\) Regulations 2015](#)

[QS Stat Guidance \(Consultation version - Formatted for Pub\)](#)

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

In December 2023, the UK Government has published a Resilience Framework Policy Paper:

- [The UK Government Resilience Framework \(HTML\) - GOV.UK](#)

This sets out its desire to strengthen its plans to deal with all risks and it specifically refers to its Climate Change Risk Assessment 2022: ([UK Climate Change Risk Assessment 2022 \(publishing.service.gov.uk\)](#))

It does not, however, contain any specific plans to deal with adverse weather events.

In addition, there is a recent UK House of Commons report "Government Resilience – Extreme Weather" (Apr 24) which sets out a number of conclusions and recommendations:

- Government resilience: extreme weather - Committee of Public Accounts ([parliament.uk](#))

There was also a question raised in the Houses of Parliament about overheating in prisons in 2022, and the response to this is worthy of note:

- Written questions and answers - Written questions, answers and statements - UK Parliament

With regard to "advanced innovations in disaster resilience", there is certainly interest in this in the UK but not been able to identify anything specifically relating to detention facilities:

- Major tech investment will transform UK's resilience to floods and droughts | UK Centre for Ecology & Hydrology ([ceh.ac.uk](#)) [UK Centre for Ecology & Hydrology](#)

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? e.g., children with disabilities – physical and mental health

There are limited emergency plans tailored to the unique vulnerabilities of Children in detention and within the prison service more generally.

Prison business continuity plans may address e.g. flood risk, but the documents are drawn up with business continuity in mind (no

matter the underlying event). [HMPPS business continuity policy framework \(publishing.service.gov.uk\)](#)

[Youth Custody Service – Prison and Probation Jobs.](#)

The youth secure estate comprises three public Young Offender Institutions (YOIs) and one secure training centre.

There is also one privately run YOI and eight secure children's homes run by local authorities.

Anyone under 18 who is sentenced to custody is sent to a secure centre for children, not to an adult prison. Children aged under 15 would typically be held in a secure children's home, while those aged 15 to 18 would be held in a YOI or secure training centre.

[Adverse Weather Health Plan \(publishing.service.gov.uk\)](#)

UK Health Security Agency (UKHSA) – Adverse Weather and Health Plan.

The UKHSA Adverse Weather and Health Plan (AWHP) was published in April 2023 and aims to protect everyone from the health effects of adverse weather, and to build community resilience.

The first edition of the Adverse Weather and Health Plan (AWHP) in April 2023 delivered UK Government's commitment under the National Adaptation Programme to develop a single plan, bringing together and improving current guidance on weather and health. The Plan brought together and built on the Heatwave Plan for England, first published in 2004, and the Cold Weather Plan for England, first published in 2011. The UK Health Security Agency has now issued a second edition of the AWHP.

The Ministry of Justice (MoJ) is responsible for prisons and justice and must put in place plans to protect prisoners and staff in jails in the event of adverse weather (it is understood that this would extend to those institutions under the auspices of the Youth Custody Service above). These plans will need to be developed to balance the considerations of prisoner and staff wellbeing as well as ensuring the continuity of safety, security and order in these settings.

[Adverse weather and health plan equity review and impact assessment 2024 - GOV.UK \(www.gov.uk\)](#)

Responsibility for the health needs of those in contact with the justice system lies with the Ministry of Justice and HM Prison and Probation Service (HMPPS). While UKHSA do not provide dedicated guidance for adverse weather conditions in these settings we have provided input to HMPPS guidance on cold and heat for custodial settings.

[Youth Justice Board Annual Report and Accounts 2022/23 \(publishing.service.gov.uk\)](#)

The MOJ's Climate Change and Sustainability Unit manages and reviews buildings and sites including the buildings that are occupied by Children in Detention (those in Young Offenders Institutions and Secure Training Centres). This highlights premises susceptible to the effects of climate change, such as temperature, flooding, and other adverse climatic conditions with a view to addressing the problem in future.

[Climate Change Adaptation Strategy 2024 \(publishing.service.gov.uk\)](#)

The Ministry of Justice has a Climate Change Adaption Strategy pursuant to increase its resilience to the impacts of a changing climate.

The Ministry of Justice were the first central government department to publish a Climate Change Adaptation Strategy back in 2020. It was updated with a new strategy in 2024. <https://www.gov.uk/government/publications/climate-change-and-sustainability-strategy-moj/climate-change-and-sustainability-strategy>

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

The Ministry of Justice (MoJ) has a climate change and sustainability strategy though, which contains some helpful information - [Climate change and sustainability strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/climate-change-and-sustainability-strategy-moj/climate-change-and-sustainability-strategy). Key parts highlighted here:

- "As climate change accelerates, we expect drier summers, heatwaves, water scarcity, warmer winters and more extreme rainfall leading to flooding. This creates risks to our operational resilience, but there is growing evidence that early investment in measures for climate mitigation and adaptation provides greater value for money." - recognition of climate risk
- - Part of the strategy is to use sustainability as a strategic enabler of justice outcomes, including building safe, secure and sustainable prisons that "prepare for current and future climate impacts". But no mention of young offender institutions or similar, nor what that actually looks like.
- The strategy establishes *Building Research Establishments Environmental Assessment Method* to drive higher environmental outcomes. Policy is here - [Microsoft Word - BREEAM Policy v3.0.docx \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/123456/Microsoft_Word_-_BREEAM_Policy_v3.0.docx)
- The strategy recognises that climate change increases risk to MoJ's assets, operations, supply chains, and health, safety and welfare of employees, prisoners and service users. Recognition that prison population is vulnerable to impacts of climate change and human health consequences due to having more health needs generally (e.g. overheating). States that they will strengthen the resilience of their estate by making efforts more systemic and integrate adaption principles to ensure decisions consider current and future climate risks, and support MoJ agencies in embedding climate change risks into their plans
- The strategy states a priority is adapting to climate change, working with specialists to increase understanding of climate risks, adapt services accordingly, etc.

The strategy notes a challenge in improving water efficiency in prisons, and looks to improve risk and opportunities management.

Overall, there are some indications of climate risks being identified by the MoJ and recognition of a requirement to adapt to those, but there is nothing there specific to children in detention.

MoJ also has a Climate Change Adaption Plan setting out how it plans to adapt to risks such as flooding and heatwaves but again there is nothing that specifically relates to young people or detention facilities for young people. - [Climate change adaptation strategy 2024: MOJ - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/climate-change-adaptation-strategy-2024)

The government's Prison Strategy white paper also has mention of climate resilience but not with respect of young offender institutions or secure home facilities - [Prisons Strategy White Paper \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/123457/Prison-Strategy-White-Paper)

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

There are no uniform or centralised protocols for the evacuation of children in detention during climate-related emergencies.

The UK government has published guidelines for Emergency planning and response for education, childcare, and children's social care settings (including secure children's homes). The government recommendation is that all facilities should have emergency care plans, but that emergency plans should be generic enough to cover a range of potential incidents, including (most relevant for climate-related emergencies) severe weather (for example, extreme heat, flooding, storms or snow) and fire. It does not include specific guidance on, or requirements for, evacuation protocols.

[Emergency planning and response for education, childcare, and children's social care settings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/emergency-planning-and-response-for-education-childcare-and-childrens-social-care-settings)

Evacuation plans should ordinarily comply with applicable fire safety regulations (in the case of fire), which extends to custodial premises (including for young offenders), and includes requirements for the number, adequacy and signage of exit routes, the conduct of drills and preparation, and the training of staff to competently implement procedures for evacuation.

[The Regulatory Reform \(Fire Safety\) Order 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2005/1717/contents/part-1)

[Fire safety in prisons: PSI 11/2015 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/fire-safety-in-prisons)

According to UK non-statutory guidance, prisons and other secure facilities would normally move inmates within the secure perimeter of the site, rather than evacuate the entire site. But it is mandatory for prison governors to have plans for total evacuation, should that ever be needed. Prison Service guidance advises prison governors who are considering evacuation to consult emergency planners. The [National Offender Management Service \(NOMS\)](https://www.noms.gov.uk/) will assist with the coordination of a prison evacuation, should that be necessary. Immigration detention and removal centres follow a similar approach: a mutual aid protocol is in place between the Prison Service and Home Office Immigration Enforcement, which allows the Prison Service crisis-management structures to support senior Immigration Enforcement staff in dealing with an incident at a detention and removal centre. Each centre is required, under Immigration Enforcement guidance, to have contingency plans for total evacuation.

Local authorities and other local organisations, including schools, prisons, NHS bodies and the police, have duties arising from the Education Act 2002 and the Children Act 2004 to safeguard and promote the welfare of children, in particular under section 11 of the Children Act 2004, which obliges many

authorities, including the Secretary of State, the youth offending team for an area of England, the governor of a prison or secure training centre in England (or, in the case of a contracted out prison or secure training centre, its director) or the principal of a secure college in England to make arrangements and ensure that (a) their functions are discharged having regard to the need to safeguard and promote the welfare of children; and (b) any services provided by another person pursuant to arrangements made by the person or body in the discharge of their functions are provided having regard to that need.

[Children Act 2004 \(legislation.gov.uk\)](https://legislation.gov.uk)

Local organisations have a considerable amount of flexibility in implementing the duties. In the context of an evacuation, plans should ensure that children are safeguarded, and their welfare promoted.

[Evacuation and shelter guidance | Non-statutory guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

This includes in the context of mass evacuation plans, for instance in Lincolnshire, where the Lincolnshire's Resilience Forum mass evacuation plan in the event of east coast flooding allocates responsibility for secure children's homes to the Local Authority, whilst HM Prison Service will evacuate prisoners to other prisons.

[Evacuation and Shelter Plan \(e-lindsey.gov.uk\)](https://e-lindsey.gov.uk)

Federal Government of the United States

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

Yes. In 1974 the US passed the [Juvenile Justice and Delinquency Prevention Act \(JJDP\)](#) which provides formula grants to states that follow a series of federal protections on the care and treatment of youth in the juvenile justice and criminal justice systems. (42 U.S.C. § 5601 et seq.) Among other things, the JJDP created the US Department of Justice's [Office of Juvenile Justice and Delinquency Prevention \(OJJDP\)](#).

In 2011 the OJJDP published a document entitled "Emergency Planning for Juvenile Residential Facilities" that discusses the need for developing policies and procedures for building disaster-resistant facilities. It can be located here: [Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](#). That document provides key principles and recommendations for such facilities in developing plans to deal with natural disasters or similar issues.

Regarding financial resources, the document itself does not address financial resources apart from providing that juvenile justice entities should budget properly for potential disaster scenarios.

However, there do appear to have been several grants provided in subsequent years to certain states to improve disaster planning at such facilities:

- [FY 2013 Title II Formula Grants Program | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)
- [Multnomah County Juvenile Custody Services Emergency Planning | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)
- [Emergency Planning for Juvenile Residential Facilities \(IN FOCUS fact sheet\) \(ojp.gov\)](#)
- [OJJDP FY 2023 Juvenile Justice Emergency Planning Demonstration Program for Juvenile Justice Residential Facilities \(ojp.gov\)](#)
- [Protecting Youth in Juvenile Justice Systems from Disaster-related Injury and Trauma | American Institutes for Research \(air.org\)](#)

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

The [Juvenile Justice and Delinquency Prevention Act of 1974](#) is a U.S. federal law providing for grants to states that follow a series of federal protections on the care and treatment of youth in the juvenile justice and criminal justice systems. The Act created the Office of Juvenile Justice and Delinquency Prevention (OJJDP) within the United States Department of Justice as the "lead agency for juvenile justice" to supervise the implementation of the Act.

In 2009, the National Commission on Children and Disasters recommended that the OJJDP assess emergency preparedness among state, county, and local juvenile justice system. In response the OJJDP conducted an assessment and found that plans were designed to provide basic continuity of care and were not comprehensive plans to respond to natural disasters and emergency planning, response, and recovery. The OJJDP then established the Justice Working Group on Children and Disasters. In 2011 the Working Group published a Guidance Document titled Emergency Planning for Juvenile Justice Residential Facilities. [Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](#)

The Guidance Document sets forth key principles and recommendations for state and local juvenile justice facilities to consider in designing their plans. The Guidance Document specifically addresses provisions for the safety and well-being of children deprived of liberty during natural disasters.

The extent to which DRR plans have been designed based on the Guidance Document's suggestions is unclear.

With respect to the detention of children who are immigrants, the U.S. Department of Homeland Security - Immigration and Customs Enforcement has developed Family Residential Standards. The standards were developed with input from medical, psychological, and educational subject matter experts and various organizations such as the Department of Homeland Security (DHS) Office of Civil Rights and Civil Liberties (CRCL) and many non-governmental organizations (NGOs). The standards address issues specifically related to housing these vulnerable populations, ensuring best practices for educational and recreational access, as well as stringent standards which take into consideration the specific developmental and behavioural nature of children. [Family Residential Standards 2020 | ICE](#) The Family Residential Standards includes Emergency Plans for, among other issues, natural disasters and extreme weather events. Those Plans, however, do not appear to be specific to the safety and well-being of children.

[2020 Family Residential Standards: Emergency Plans \(ice.gov\)](#)

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

[Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](https://ojp.gov)

Department of Justice - Emergency Planning for Juvenile Justice Residential Facilities

This program from the U.S. Department of Justice focuses on emergency preparedness for juveniles living in residential facilities.

Section 1 discusses the benefit of forming a Planning Team that includes staff from a wide range of departments. Studies found that after Hurricane Katrina, "...juvenile justice systems that responded most effectively to the storms were active participants in a broad-based planning team with a history of collaboration."

To improve effectiveness in responding, facilities should have an Emergency Operation Plan ("EOP") in place that is reviewed by a high-ranking official from a state, or local official, who is involved in an emergency management agency. For example, collaboration with local law enforcement and schools to assist with evacuation plans and transporting children to a safe location in emergency situations.

These facilities should conduct vulnerability assessments to determine which types of emergencies they are at a greater risk of experiencing.

As part of the recovery process, the facilities should evaluate their EOP after every event to determine which components worked well and which ones need to be revised. Efforts should be made to expand support or resources where needed.

Access to medical care and mental health services is also important for the children in these facilities. Section 7 focuses on this topic. Having contracts and collaboration with local medical professionals is encouraged.

[National Disaster Recovery Framework, Second Edition \(fema.gov\)](https://fema.gov)

FEMA - National Disaster Recovery Framework also highlights the importance of having a plan in place that anticipates potential emergencies, involves a team of individuals to participate in the response, evaluation of the plan post emergency, and how to measure recovery progress.

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

[Overlapping Crises: Climate Disaster Susceptibility and Incarceration \(nih.gov\)](https://nih.gov)

This Brief Report in the International Journal of Research and Public Health points out "people who are incarcerated may be more vulnerable to climate hazards due to overcrowding in prisons and limited infrastructure, which leads to basic needs such as air conditioning and medication access being unmet". This article sheds light on the negative impact climate and natural disasters poses on those in detention facilities and highlights that there is not much federal or state protection of those individuals at this time.

[Overlapping Crises: Climate Disaster Susceptibility and Incarceration - PMC \(nih.gov\)](https://nih.gov) (Did not provide answers to the question)

https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_Full_Report.pdf (Did not provide answers to the question)

[PRI Natural hazards and prisons WEB.pdf \(penalreform.org\)](https://penalreform.org)

This article is more focused on adults in prison. It highlights that almost 30% of the global prison population lives in the 12 countries that are most likely to have natural hazards. The article does express that the vulnerability of individuals in the detention centers is heightened when there is overcrowding, but does not go into detail of how to reduce the overcrowding or discuss children

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

The federal government has a National Response Framework ([National Response Framework \(fema.gov\)](https://fema.gov)) that lays out how different organizations shall work together in emergencies. That framework does not, however, speak in any great detail about detention facilities apart from the need to secure facilities and resources (see, p. 41).

Similarly, FEMA has published Emergency Support Function Annexes to the NRF ([EMERGENCY SUPPORT FUNCTION ANNEXES: INTRODUCTION \(fema.gov\)](https://fema.gov)) that speak generally to the functions expected from various entities in responding to a natural disaster. Among these, the annexes discuss what is expected from the Department of Justice, which includes "offering services critical to State, tribal, and local efforts in maintaining the rule of law and the continuity of operations of local justice systems." and "sustaining the custody of Federal prisoners." (see ESF-13)

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

Mitigation refers to activities that are designed to reduce the loss of life and property because of serious emergencies by lessening the impact of the disaster and creating a safer environment.

Mitigation measures within US federal law aim to reduce risks and enhance resilience in various contexts, including detention facilities. While these measures don't directly address detention facilities' natural disaster resilience, they contribute to overall risk reduction and preparedness. Specific facility-related regulations may exist at state or local levels.

Here are some examples of general mitigation measures taken by the federal government:

- **National Mitigation Framework:** The Federal Emergency Management Agency (FEMA) provides guidance through the National Mitigation Framework. This framework emphasizes a culture of preparedness, focusing on risk and resilience. It encourages continuous learning, adaptation, risk management, and progress evaluation.
- **Pre-Disaster Mitigation (PDM) Program:** Established in 1997, the PDM program invests in risk reduction before disasters occur. While it doesn't specifically address detention facilities, its principles can apply broadly. Communities receive funding to enhance infrastructure, build resilient structures, and develop hazard mitigation plans.
- **Human Rights Considerations:** Although not specific to detention facilities, human rights principles apply. For example, during the COVID-19 pandemic, governments should ensure children's right to education by providing internet access and mitigating hardships for marginalized populations.

Helpful Links:

[National Mitigation Framework, Second Edition \(fema.gov\)](https://www.fema.gov/national-mitigation-framework)

[Guidance Manual for Monitoring Facilities Under the Juvenile Justice and Delinquency Prevention Act of 2002 \(October 2010 revision\) | Office of Justice Programs \(ojp.gov\)](https://www.ojp.gov/justice-and-delinquency-prevention-act)

<https://crsreports.congress.gov/product/pdf/RL/RL34537>

7. How does the state ensure that detention facilities are prepared for disaster risks and better able to withstand adverse weather, floods and heatwaves, potentially through public-private partnerships to incorporate advanced innovations in disaster resilience? What provisions in state plans address this?

The Bureau of Prisons (BOP), within the Department of Justice, takes steps to prepare for disasters in detention facilities. Here The Bureau of Prisons (BOP), within the Department of Justice, takes steps to prepare for disasters in detention facilities. Here are some relevant aspects:

- **Contingency Plans and Training:** BOP requires institutions to develop contingency plans outlining steps for disaster preparation and response. Staff undergo training that includes understanding what constitutes a disaster.
- **Data Systems and Analysis:** BOP tracks maintenance and repair projects, including those related to disasters. However, BOP hasn't clearly defined "disaster" for tracking purposes.
- **Disaster Response and Impact Management:** BOP uses a standardized Incident Command Structure for disaster response. Impacts on inmates and staff are documented and addressed. For instance, during a hurricane, BOP converted spaces into staff living quarters and provided essentials.
- **Lessons Learned and Vulnerability Assessment:** BOP identifies and shares disaster-related lessons through after-action reports. However, these reports are not mandatory, and content varies.

Useful Links:

[Department of Justice | Federal Bureau of Prisons | United States Department of Justice](https://www.doj.gov/federal-bureau-of-prisons)

[Bureau of Prisons: Enhanced Data Capabilities, Analysis, Sharing, and Risk Assessments Needed for Disaster Preparedness | U.S. GAO](https://www.gao.gov/products/bureau-of-prisons-enhanced-data-capabilities-analysis-sharing-and-risk-assessments-needed-for-disaster-preparedness)

[REP LIEU INTRODUCES BILL TO IMPROVE DISASTER PREPAREDNESS IN FEDERAL PRISONS | Congressman Ted Lieu \(house.gov\)](https://www.house.gov/rep-lieu-introduces-bill-to-improve-disaster-preparedness-in-federal-prisons)

Great report on how juvenile is treated in LA prisons, including important reference of LA regulations.

<https://miro.com/app/board/uXjVKHZgeuk/?moveToWidget=3458764589722268215&cot=10>

8. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? e.g., children with disabilities – physical and mental health

1. Emergency Planning for Juvenile Justice Residential Facilities Guide: [Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](#)

In October 2011, OJJDP developed the guide Emergency Planning for Juvenile Justice Residential Facilities in collaboration with NCCD; multiple federal agencies, including the Federal Emergency Management Agency and the U.S. Departments of Health and Human Services and Education; and State and local juvenile justice and emergency management practitioners. The guide provides specific examples of the types of collaboration between local governments and relevant stakeholders:

"An example of collaboration between stakeholders might be an agreement with law enforcement agencies during the planning phase to assist in transporting adjudicated youth across multiple county lines during an evacuation. A police escort has the added benefit of ensuring the efficient and safe movement of youth through cities and evacuation routes immediately preceding or following a disaster. Another example might be the signing of memorandums of understanding (MOUs) with potential host centers in neighbouring states to move youth across county or state lines in the event that an evacuation becomes necessary. Issues such as staffing, reimbursement, housing for youth and staff, and the provision of services are among the issues that might be addressed in the MOUs."

2. The National Institute of Corrections (NIC) is the only federal agency with a legislative mandate (Public Law 93-41.5) to provide specialized services to corrections from a national perspective. NIC is recognized by other federal agencies for its unique role and quality services. Its leadership is evidenced by the numerous partnerships and interagency agreements targeted to provide correctional services and training. NIC publishes: Desktop Guide to Quality Practice for Working with Youth in Confinement, Act #028418. In it there is a section on "Emergency Preparedness", which includes the following discussion of the creation of an emergency preparedness plan:

"Facility administrators must ensure that there is, at a minimum, a written emergency preparedness plan for the facility that has been approved by the local emergency management agency, the fire service, and law enforcement. Without these plans, chaos, confusion, and an unforgiving media will likely confront the unprepared administrator."

An emergency preparedness plan cannot be created in a vacuum; it requires collaboration and partnerships. James Keck, Homeland Security Instructor at the Virginia Commonwealth University, L. Douglas Wilder School of Government and Public Affairs, said, "The time to exchange business cards is not in the middle of a crisis." Reaching out to key stakeholders, including but not limited to, the emergency management director, first responders (e.g., police, fire, EMS), the local American Red Cross, hospital administrators, elected officials, the prosecuting attorney, judges, the chief juvenile probation officer, the social service agency director, school administrators, the facility health

care administrator, and public utility companies is essential. If employees are part of a collective bargaining unit, a representative from the union should also be invited to participate in the planning process, as some decisions could impact collective bargaining agreements, such as labour contracts."...

There are specific recommendations that consider the unique needs of children, e.g.,

- "Where the youth are taken in an evacuation is one of the most critical decisions to make in the very early stages of developing the facility emergency preparedness plan. In many states, jails, prisons, and youth confinement facilities have created mutual aid agreements that enable facilities to move youth to other confinement facilities in the event of an emergency evacuation. It is very unlikely that one host facility will be able to meet all the residential needs of another facility being evacuated. Therefore, written agreements should be established with several comparable confinement facilities within a 90-to-100-mile radius. Some states use a database that identifies available beds by location that can facilitate an immediate evacuation. Risk assessment instruments help administrators to facilitate the appropriate placement of youth in host facilities.
- Risk assessment helps to identify youth who require continued secure care and those who may be released to other less secure placements...
- When an extended evacuation is ordered, some records will need to follow the youth and the employees. The facility emergency preparedness plan should specify which records need to be transported with the youth and which can follow later. Medical records, for example, will be of critical importance to the nurse at the host facility and should be sent with the youth, if possible. Face sheet data that describe the youth's family contact information, current suicide risk level, and special diet should also accompany the youth...
- The juvenile probation or parole department can play a very valuable role by agreeing to notify the families of youth that an evacuation is in process and keeping the families informed of what is being done to ensure the safety of the youth. This arrangement with the juvenile probation or parole department should be developed at the time the plan is written.
- Emergencies and evacuations can have a significant impact on the youth of the evacuated facility. Youth in the facility may need reassurances that their families have been contacted and are informed about their child's location and safety status.
- During an emergency and evacuation, youth may also experience anxiety, fear, and other powerful emotions. Even an orderly evacuation could destabilize certain youth and trigger behaviours that were under control in the routine setting and circumstances. Some youth may try to exploit the uncertainty in the situation and even try to escape. Extra personnel may be required to help calm youth emotions and stabilize their behaviour and to maintain an orderly transition to the alternate setting...

9. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

Conducting a Vulnerability Assessment

Before an EOP is written, a vulnerability assessment should be conducted to determine which emergencies a facility is at greatest risk of experiencing. This research will help determine the threats that merit special attention in planning. Planners should gather information about the potential hazards, available resources, and geographic or topological characteristics that could affect emergency operations. The results of the vulnerability assessment will serve as an indispensable guide in the shaping of the emergency plan.

Planners should consider working with state, county, and local emergency management and law enforcement to assess the hazards faced by their facility and NOAA News Photo to determine how these threats might influence planning efforts. Vulnerability assessments should have already been completed by the emergency management agencies, and these agencies may be able to provide valuable information and to help prevent duplication of effort. Reviewing the emergency plans and policies of other juvenile justice residential facilities also can serve as a helpful starting point in writing a plan.

Identifying Essential Functions

Once the vulnerability assessment has been conducted, planners should identify all functions of the facility and then determine the ones that must be continued under all circumstances. These essential functions should be prioritized, and the staffing and resources required to keep them in operation should be specified. In addition, planners should identify supporting activities that ensure that essential functions continue to be carried out during and following an emergency.

If a written document already exists, planners should consult with the facility's key staff to gain feedback on the problems they encountered the last time the EOP was implemented, either through a drill or a response to an actual emergency. This task will help planners to identify gaps in the plan and make appropriate adjustments. In addition, the facility's policies should be assessed to determine whether they are consistent with an all-hazards approach.

Determining Goals and Objectives

Once a planning team has been formed and the vulnerability assessment has been completed, the process of developing goals and objectives can begin. Planners should allow the results and findings of these preliminary activities to help shape the facility's goals and objectives.

Goals are general statements that provide an overview of what emergency operations are designed to accomplish. Objectives outline the major elements of a plan that will enable the facility to realize the goals it has set. The EOP lays out how the objectives will be realized through specific activities and procedures. In the days and weeks following an emergency, the objectives will provide an important measure of the effectiveness of the facility's response and recovery efforts.

Developing and Analyzing Courses of Action, Identifying Resources

During this step, planners develop and compare possible solutions for achieving the goals and objectives identified in the previous step. This planning should include a sequenced structure for responding to and recovering from an emergency and for facilitating long-term operations during a major emergency. The planning team might consider working through this process by using charts or timelines that help members visualize response flow.

Writing the Plan

The written plan constitutes a blueprint for action in responding to an emergency. Following is an overview of a possible structure for an EOP. The overview is based on one of the most widely used formats for EOPs, commonly known as the traditional functional format. It consists of three sections: the basic plan, functional annexes, and hazard-specific annexes. The basic plan provides a general overview of information relevant to the EOP, whereas the annexes focus on specific responsibilities, tasks, and actions required to successfully implement the EOP. It should be noted that the following summary is for general guidance purposes only. The structure of the EOP should be adjusted as necessary to meet the individual needs and requirements of each juvenile justice residential facility.

[Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](https://www.ojp.gov)

Mitigation Planning is Risk-Informed Decision Making

Mitigation works best when it is based on a long-term plan that is developed before a disaster. By assessing risk and vulnerability to hazards, mitigation planning identifies long-term local policies and actions that communities can take to increase resilience. Effective planning also weighs input from a wide range of stakeholders and the public.

Mitigation planning:

- Encourages community leaders to choose actions to reduce risk that stakeholders and the public will support.
- Focuses resources on the greatest risks and vulnerabilities, including where they are needed the most, i.e. areas and populations disproportionately affected by disasters.
- Builds partnerships with diverse stakeholders. This deepens the pool of data and resources, which can help reduce workloads and achieve shared community objectives.
- Boosts awareness of threats and hazards, including their risks and the community's vulnerability to those risks.
- Aligns risk reduction with other community goals and programs like capital improvements.
- Supports socially vulnerable populations and underserved communities in achieving resilience.

Legislative and Strategic Basis for Mitigation Planning

The legislative authority that provides the legal authority for mitigation is derived from the Stafford Act, as amended by the Disaster Mitigation Act of 2000. Section 322 of the Stafford Act specifically addresses mitigation planning. This establishes the requirement that state and local governments prepare hazard mitigation plans as a precondition for receiving FEMA mitigation project grants. FEMA's 2022-26 Strategic Plan identifies empowering risk-informed decision making as a key objective for building a climate resilient nation. The mitigation planning process involves all the critical components of understanding current and future risks, forming partnerships and identifying the most appropriate actions to build climate resilience.

[Local Mitigation Planning Handbook \(fema.gov\)](#)

Climate Monitoring

Staff alertness to changes in facility "climate," promptly reported, can be of critical importance in defusing a potentially explosive situation. Detention management experience indicates that certain circumstances may predictably contribute to increased tensions in a detained population. Often such issues can be controlled or lessened before erupting into an incident or disturbance. Staff shall be trained to watch for signs of mounting tension among the detainee population, such as a spike in the number of detainee requests and incident reports; sullen, restless and short-tempered behavior; or detainees avoiding contact with staff (including eye contact). Factors known to exacerbate tensions that may lead to group disturbances include, but are not limited to: a. racism; b. heightened complaints about food; c. dissatisfaction with the performance or attitude of a post officer; d. increasing complaints about recreation, medical care, visits, mail, etc.; e. gang activity; f. prohibited sexual activity; and g. inaccurate or incomplete information about detainee cases or facility policies.

Staff Actions

Staff may improve their chances of resolving and deflecting detainee unrest by:

- a) discussing plans, programs and procedures among themselves;
- b) engaging in open dialogue between staff and detainees to address concerns;
- c) continuing to treat detainees fairly and impartially;
- d) reducing misunderstandings among detainees (for example, by enforcing and explaining rules that prevent any individual or group from imposing its will on other detainees);
- e) resolving misunderstandings and conflicts as they arise;
- f) encouraging participation in work and recreational programs;
- g) routinely reporting to the facility administrator on facility climate and detainee attitudes; and
- h) alerting supervisors at the first sign(s) of trouble, gang activity, group hostilities, etc.

Quick, decisive staff action can prevent the start or spread of a disturbance.

The facility administrator shall develop written procedures for staff to follow when reporting an emergency and should notify facility staff in a timely manner when changes are made to the emergency plan.

Pre-incident Considerations

When all attempts to defuse a volatile situation have failed, the facility administrator shall determine how to proceed, based on considerations of the safety, welfare and protection of detainees, personnel, the general public and property.

Contingency Plan Development

Every facility shall designate the individual(s) responsible for developing and implementing emergency contingency plans. All plans shall comply with the ICE/ERO detention standards for confidentiality, accountability, review and revision included in this section.

- a) Each plan shall include procedures for rendering emergency assistance (e.g., supplies, transportation and temporary housing for detainees, personnel and/or TDY staff) to another ICE/ERO facility.
- b) The Chief of Security or facility administrator designee is the individual responsible for developing each contingency plan and implementing the plan when an emergency situation occurs. In the development process, he or she shall rely upon the expertise of all department heads and ensure all departments have understood and are fully prepared to execute their responsibilities under the plan.
- c) Each facility shall maintain an accurate inventory of identified equipment and shall review that inventory every six months, at a minimum, to ensure its accuracy.

[Performance-Based National Detention Standards \(PBNDS\) 2011, Rev. 2016 \(ice.gov\)](#)

10. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the US Department of Justice has a program called "Juvenile Justice Emergency Planning Demonstration Program". Funding through this program helps juvenile justice facilities implement the principles outlined in OJJDP's Emergency Planning for Juvenile Justice Residential Facilities. The comprehensive planning guide covers a range of topics including information sharing across agencies, evacuation procedures, alternate locations for housing youth, emergency staffing, internal and external communication procedures, and budgeting for emergency planning and response.

For more information:

[Emergency Planning for Juvenile Residential Facilities | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

There is a guide published by OJJDP entitled "Emergency Planning for Juvenile Justice Residential Facilities", for juvenile justice residential facilities in preparing for, responding to, and recovering from emergencies. The guide can be found in the following link:

[Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](https://www.ojp.gov)

UNACCOMPANIED IMMIGRANT CHILDREN:

Unaccompanied children apprehended by the Department of Homeland Security (DHS) immigration officials are transferred to the care and custody of the Office of Refugee Resettlement (ORR). ORR promptly places an unaccompanied child in the least restrictive setting that is in the best interests of the child, taking into consideration danger to self, danger to the community, and risk of flight. ORR takes into consideration the unique nature of each child's situation and incorporates child welfare principles when making placement, clinical, case management, and release decisions that are in the best interest of the child.

Care providers are responsible for safety planning for the facility as a whole and for developing in care individual safety plans for those children who have special security concerns. Care providers must develop a written safety plan that includes policies and procedures for all unaccompanied children in its care and program staff. The safety plan must address emergency situations covering the following areas: evacuations (for example due to a hurricane, fire, or other emergency), medical and mental health emergencies, disease outbreaks, and unaccompanied alien children leaving premises without permission. The program policy guide can be found in the following link:

[ORR Unaccompanied Children Program Policy Guide: Section 3 | The Administration for Children and Families \(hhs.gov\)](https://www.hhs.gov)

The US Immigrations and Customs Enforcement also has a guide for Emergency plans and procedures, which can be found here:

[Performance-Based National Detention Standards \(PBNDS\) 2011, Rev. 2016 \(ice.gov\)](https://www.ice.gov)

11. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

From U.S. Immigration and Customs Enforcement:

Expected Practices

Staff Training

Each facility shall include emergency preparedness as part of the initial orientation and training provided to all new employees, and all staff shall be trained annually, at a minimum, on the facility's emergency plans. Other training requirements, for example, climate monitoring, special response teams (SRTs), disturbance control teams (DCTs), hostage negotiation teams (HNTs), video equipment and the command post—are specified in other sections of this standard.

Preventive Action

1. Climate Monitoring

Staff alertness to changes in facility "climate," promptly reported, can be of critical importance in defusing a potentially explosive situation. Detention management experience indicates that certain circumstances may predictably contribute to increased tensions in a detained population. Often such issues can be controlled or lessened before erupting into an incident or disturbance. Staff shall be trained to watch for signs of mounting tension among the detainee population, such as a spike in the number of detainee requests and incident reports; sullen, restless and short-tempered behaviour; or detainees avoiding contact with staff (including eye contact). Factors known to exacerbate tensions that may lead to group disturbances include, but are not limited to: a. racism; b. heightened complaints about food; c. dissatisfaction with the performance or attitude of a post officer; d. increasing complaints about recreation, medical care, visits, mail, etc.; e. gang activity; f. prohibited sexual activity; and g. inaccurate or incomplete information about detainee cases or facility policies.

2. Staff Actions

Staff may improve their chances of resolving and deflecting detainee unrest by:

- a) discussing plans, programs and procedures among themselves;
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- c) continuing to treat detainees fairly and impartially;
- d) reducing misunderstandings among detainees (for example, by enforcing and explaining rules that prevent any individual or group from imposing its will on other detainees);
- e) resolving misunderstandings and conflicts as they arise;
- f) encouraging participation in work and recreational programs;
- g) routinely reporting to the facility administrator on facility climate and detainee attitudes; and
- h) alerting supervisors at the first sign(s) of trouble, gang activity, group hostilities, etc.

Quick, decisive staff action can prevent the start or spread of a disturbance.

The facility administrator shall develop written procedures for staff to follow when reporting an emergency and should notify facility staff in a timely manner when changes are made to the emergency plan.

3. Pre-incident Considerations

When all attempts to defuse a volatile situation have failed, the facility administrator shall determine how to proceed, based on considerations of the safety, welfare and protection of detainees, personnel, the general public and property.

4. Contingency Plan Development

Every facility shall designate the individual(s) responsible for developing and implementing emergency contingency plans. All plans shall comply with the ICE/ERO detention standards for confidentiality, accountability, review and revision included in this section.

- a) Each plan shall include procedures for rendering emergency assistance (e.g., supplies, transportation and temporary housing for detainees, personnel and/or TDY staff) to another ICE/ERO facility.
- b) The Chief of Security or facility administrator designee is the individual responsible for developing each contingency plan and implementing the plan when an emergency situation occurs. In the development process, he or she shall rely upon the expertise of all department heads and ensure all departments have understood and are fully prepared to execute their responsibilities under the plan.
- c) Each facility shall maintain an accurate inventory of identified equipment and shall review that inventory every six months, at a minimum, to ensure its accuracy.

Performance-Based National Detention Standards (PBNDs)
2011, Rev. 2016 (ice.gov)

The effectiveness of an emergency response depends to a great degree on ensuring that all staff are fully briefed on their roles. Responsibilities in the event of an emergency must be clearly assigned, both to staff and to other cooperating agencies and organizations. Coordination requirements with other agencies should also be described.

Those whose responsibilities might be specified include:

- The facility's director.
- Security personnel.
- Maintenance staff.
- Transportation providers.
- Law enforcement agencies.
- Firefighters.
- Emergency medical services personnel.
- Public works officials and/or agencies.

The Incident Command System (ICS), which specifies the organizational structure, decision-making authority, and procedures for managing emergencies, is the tool by which the facility will assign responsibilities to staff. It is the most effective method for ensuring successful continuity of operations in a facility when an emergency occurs. The ICS should be directly tied to the state, county, and local emergency command systems. A member of the facility's staff may also be a member of the emergency command system in the surrounding community. He or she may be the ideal individual to oversee coordination with outside agencies and to assist with revisions to the facility's emergency operations plan (EOP) in the weeks and months following an emergency. More information on creating an ICS is available at the Federal Emergency Management Agency's online ICS Resource Center, at [ICS Resource Center \(fema.gov\)](https://www.fema.gov/ics).

Juvenile justice residential facility administrators may consider appointing and training one incident commander and two or three staff members to serve as backup commanders. This measure will enable the facility to continue operations in the event that the designated commander is unexpectedly unable to report for duty. It also allows for a rotation system that ensures coverage 24 hours a day, 7 days a week. Incident commanders should be members of the team that writes, reviews, and assesses the facility's EOP. Throughout each phase of the preparedness cycle, the commanders should maintain regular communication with the facility's other lead official(s) to ensure that these authorities are kept up to date.

Emergency Planning for Juvenile Justice Residential Facilities (ojp.gov)

Youth in juvenile detention and correctional facilities and adult jails and prisons have a multitude of legal rights that staff must take great care to respect. The rights of youth residents—such as the right to education; medical and mental healthcare; due process; access to families, counsel, and the courts; and safe and humane treatment—stem from various sources including the U.S. Constitution, federal laws, state constitutions and laws, and case law determined by the courts. Facility personnel must protect these rights or otherwise be subject to costly litigation, judicial oversight, and financial and administrative sanctions imposed by entities such as the U.S. Department of Justice (DOJ).

Facility staff can best safeguard the rights of youth residents by 1) understanding and abiding by constitutional, federal, and state legal requirements and 2) acting with professional judgment and in accordance with accepted professional standards and best practices. Though not exhaustive, this chapter presents an overview of the key laws, regulations, and standards that establish the rights and responsibilities of youth, families, and staff.

Ch.5 Rights and Responsibilities of Youth, Families, and Staff | Desktop Guide (nicic.gov)

12. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

Federal Bureau of Prisons(BOP) . Custody and Care. Juveniles

"For housing, the Bureau contracts with government entities (e.g., tribal, state, and local governments) and private organizations to provide care, programming and recreational activity to juvenile persons. All facilities meet the standards required in accordance with Bureau policy, the First Step Act, and all other legislation outlining criteria for the care of juvenile individuals."

U.S. Detention of Child Migrants | Council on Foreign Relations (cfr.org)

"Under the Homeland Security Act of 2002, the Departments of Homeland Security (DHS) and Health and Human Services (HHS) share responsibility for unaccompanied children. These agencies must uphold the 1997 Flores Settlement, which was the result of a lawsuit against federal immigration authorities regarding the treatment of minors in detention. Flores outlines standards of care [PDF] for both accompanied and unaccompanied minors, including access to food and water,

emergency medical services, bathroom facilities, and ventilated, temperature-controlled surroundings. Under a 2015 court decision related to Flores and the 2008 William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA), which codified certain Flores protections, officials must aim to keep minors in detention for less than one month. Nonetheless, they can hold children longer than this during emergencies, including spikes in migrant arrivals."

[Child Migrants at the Border: The Flores Settlement Agreement and Other Legal Developments \(congress.gov\)](#)

[Youth and Emergency Planning | FEMA.gov](#)

Youth Preparedness Programs

Disasters happen everywhere, and every member of the family can prepare. Preparedness for the future starts today.

Whether you're a kid or teen yourself, a parent or loved one, or work with youth, Ready Kids has tools and information to help before, during and after disasters.

[Ready Kids | Ready.gov](#)

Social media toolkits are available for many weather and climate events such as extreme heat, floods, hurricanes, wildfires and much more. Find toolkits at www.ready.gov/toolkits

[Get Involved | Ready.gov](#)

[Youth Preparedness Council | FEMA.gov](#)

The Youth Preparedness Council (YPC) was created in 2012 to bring together youth leaders interested in supporting disaster preparedness and making a difference in their communities by completing disaster preparedness projects nationally and locally.

The council supports FEMA's commitment to involve America's youth in preparedness-related activities. It also provides young people an opportunity to present their perspectives, feedback, and opinions to FEMA staff. Members regularly meet with staff and attend the annual Youth Preparedness Council virtual summit.

[Advancing Local Action on Climate Change: Federal Funding Opportunities for Community Resilience - National League of Cities \(nlc.org\)](#)

[Emergency Response and Humanitarian Crises | Save the Children](#)

[Effects of Climate Change on Future Generations | Save the Children](#)

Right now, in the U.S. and around the world, children's lives are under threat due to climate change. Nearly 710 million children are currently living in countries at the highest risk of suffering the impact of the climate crisis. However, every child will inherit a planet with more frequent extreme weather events than ever before.

Extreme events, including wildfires, floods and hurricanes, have become a frightening new normal. Hotter temperatures, air pollution and violent storms are leading to immediate, life-threatening dangers for children, including difficulty breathing, malnutrition and higher risk of infectious diseases.

Save the Children is a global leader working in the U.S. and around the world to help children and their communities adapt to the impacts of the climate crisis. Your donation today supports this life-saving work. Make a one-time donation to the Children's Emergency Fund or join Team Tomorrow to connect with the causes you care about - like the climate crisis - through your monthly donation.

The climate crisis magnifies inequality, poverty, displacement and may increase the likelihood of conflict.

90% of diseases resulting from the climate crisis are likely to affect children under the age of five.

By 2050, a further 24 million children are projected to be undernourished as a result of the climate crisis.

By 2040, it is estimated that one in four children will be living in areas with extreme water shortages.

Almost 160 million children are exposed to increasingly severe and prolonged droughts.

The education of around 38 million children is disrupted each year by the climate crisis.

The climate crisis is forcing families to migrate. By 2050, there could be 143 million more migrants due to the climate crisis.

[Asylum Seeking Children and Families at the U.S. Mexico Border | Save the Children](#)

Save the Children has met with members of Congress and the Administration to end exclusionary policies that impact children and families seeking safety and protection in the U.S. They also worked with the Family Reunification Task Force, the Office of Refugee Resettlement, and the administration to ensure that unaccompanied children can be reunified in a timely manner and receive all the necessary protections and services they deserve.

[Hazardous heat exposure among incarcerated people in the United States | Nature Sustainability](#)

Climate change is predicted to increase the frequency of potentially hazardous heat conditions across the United States, putting the incarcerated population of 2 million at risk for heat-related health conditions. We evaluate the exposure to potentially hazardous heat for 4,078 continental US carceral facilities during 1982–2020. Results show that the number of hot days per year increased during 1982–2020 for 1,739 carceral facilities, primarily located in the southern United States. State-run carceral facilities in Texas and Florida accounted for 52% of total exposure, despite holding 12% of all incarcerated people. This highlights the urgency for enhanced infrastructure, health system interventions and treatment of incarcerated people, especially under climate change.

[Climate-Insecurity-and-CAAC-Discussion.pdf \(un.org\)](#)

[Climate Change and Children's Health Policy Roundup \(nih.gov\)](#)

[The Climate Crisis is Colliding with the Criminal Justice System \(capitalnews.org\)](#)

[Prisons and the climate crisis: more than 40 Member States gather on Nelson Mandela Day 2023 \(unodc.org\)](#)

[Children and Youth, Migration, Environment and Climate Change | Environmental Migration Portal \(iom.int\)](#)

[The Flores agreement has protected migrant children for nearly 3 decades. Changes may be coming - AP News](#)

[Explainer: Biden's Proposed Regulations on the Care of Unaccompanied Children in Federal Custody | National Immigrant Justice Center](#)

In October 2023, the Biden administration released a Notice of Proposed Rulemaking to adopt regulations relating to the care of unaccompanied children in the Department of Health and Human Services Office of Refugee Resettlement's (ORR) custody. When finalized, the regulation would have clarified and codified certain protections that are already in place, impacting children for decades to come. Crucially, final regulations would likely replace the part of the Flores Settlement Agreement that relates to HHS custody, which currently provides the only independent safety net to protect children in federal custody. The explainer below details the proposed regulation's interaction with Flores, the stakes at hand, and the response by dozens of experts in child welfare and the service and care of unaccompanied children.

[U.S. Citizen Children Impacted by Immigration Enforcement | American Immigration Council](#)

[Migrant children are being held in toxic U.S. detention centers | Grist](#)

[U.S. sponsors for unaccompanied migrant children not properly screened, federal watchdog says – Daily News](#)

[Unaccompanied Children | The Administration for Children and Families \(hhs.gov\)](#)

On March 1, 2003, the Homeland Security Act of 2002, Section 462, transferred responsibilities for the care and placement of unaccompanied children from the Commissioner of the Immigration and Naturalization Service to the Director of the Office of Refugee Resettlement (ORR).

Since then, ORR has cared for thousands of children, incorporating child welfare values as well as the principles and provisions established by the Flores Agreement in 1997, the Trafficking Victims Protection Act of 2000 and its reauthorization acts, the William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPPRA) of 2005 and 2008.

Unaccompanied children apprehended by the Department of Homeland Security (DHS) immigration officials are transferred to the care and custody of ORR. ORR promptly places an unaccompanied child in the least restrictive setting that is in the best interests of the child, taking into consideration danger to self, danger to the community, and risk of flight. ORR takes into consideration the unique nature of each child's situation and incorporates child welfare principles when making placement, clinical, case management, and release decisions that are in the best interest of the child

[Health and Safety | The Administration for Children and Families \(hhs.gov\)](#)

Safety

ORR is committed to protecting the unaccompanied children in its custody. Care providers are responsible for safety planning for the facility as a whole and for developing in care individual safety plans for those children who have special security concerns.

[Detention Management | ICE](#)

Family Detention

In the past, ICE housed family units — which contain adult noncitizen parents or legal guardians accompanied by their own juvenile noncitizen children — in its Family Residential Centers (FRCs). In March 2021, ICE converted the Family Residential Centers (FRCs) from an over-72-hour residential program to an under-72-hour residential/staging program called Family Staging Centers (FSCs).

In FY 2022, ICE opted to shift its resources again to increase efficiencies in Alternatives to Detention (ATD) enrolment for family units. ICE worked to co-locate with U.S. Customs and Border Protection (CBP) to assist with limiting any processing slowdowns.

Once the agency determined that the FSCs were at a lower-than-expected capacity, ICE took steps to increase the use of the bed space for single adults and eventually, ICE stopped housing families entirely by December 2021.

Custody and Care of Unaccompanied Children (UC)

ICE does not detain unaccompanied children — except in rare instances.

As part of the restructuring of the former Immigration and Naturalization Service, the Homeland Security Act of 2002 transferred the responsibilities related to the care and custody of unaccompanied undocumented children to the U.S. Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR).

In accordance with the Trafficking Victims Protection Reauthorization Act (TVPPRA) of 2008, ERO coordinates closely with inter-departmental partners to ensure the timely and safe transfer of unaccompanied noncitizen children from DHS to HHS ORR custody.

[Advocacy for Unaccompanied Migrant Children in US Detention - PubMed \(nih.gov\)](#)

[Resources - Children And Youth \(migrationyouthchildrenplatform.org\)](#)

[Migrant children in U.S. detention face harms | News | Harvard T.H. Chan School of Public Health](#)

The report analyzed the medical records of 165 children held in an ICE family immigration detention facility at Karnes County Family Residential Center in Karnes City, Texas, between June 2018 and October 2020. The investigators found that children were detained at the center for a median duration of 43 days, with 88% of them staying there for longer than 20 days, which is the maximum amount of detention time allowed. In addition, children had limited access to basic health care. There was inadequate staffing, supervision, and documentation of medical care; inappropriate screening and follow-up care for existing chronic medical conditions, malnutrition, and tuberculosis; and inappropriate mental health screening.

[As Biden Ramps Up Detention Capacity, Group Warns Contaminated Military Bases 'Are No Place' for Kids | Common Dreams](#)

[Climate Change and Children's Health and Well-Being in the United States \(epa.gov\)](#)

[Federal judge rules that migrant children in desert camps need to be in safe and clean facilities | CNN Politics](#)

[UN experts advocate for an end to migrant children detention | OHCHR](#)

Additional resources:

- [National Disaster Recovery Framework, Second Edition \(fema.gov\)](#)
- [Emergency Planning for Juvenile Justice Residential Facilities \(ojp.gov\)](#)
Department of Justice - Emergency Planning for Juvenile Justice Residential Facilities
- [Performance-Based National Detention Standards \(PBNDS\) 2011, Rev. 2016 \(ice.gov\)](#)
- [Emergency Planning for Juvenile Residential Facilities | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

Uruguay

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

The children and adolescents Act of Uruguay ([Código de la Niñez y la Adolescencia N° 17823](#)) set forth the basic regulatory framework for children and teenage under deprivation of liberty.

Article 1 foresees an initial protection for children under 13-year-old who cannot be convicted or deprived of liberty. Children can only be convicted in case of enforceable judgement and article 88 foresees that children shall be kept separated from adult prisons. The aforementioned law also includes provisions (such as article 90) which allow for flexibility in the imprisonment regime allowing for time out of the prison to visit their families (among others).

The [Instituto del Niño y Adolescente del Uruguay \(INAU\)](#) is an administrative body in Uruguay responsible for the promotion, protection and care of the country's children and teenagers and their families, which it must protect, promote and care for with all the means at its disposal and which shall necessarily include the periodic audit of the health and safety conditions of the children's prisons in Uruguay.

There is also the [Instituto Nacional de Inclusión Adolescente \(INISA\)](#) which is a public body in charge to guarantee, among others, compliance with the socio-educational measures ordered by the Uruguayan criminal justice system for adolescents, recognising them as subjects of law in strict observance of national and international regulations.

There appears to be no specific regulations, policies and/or protocols which particularly regulate disaster reduction plans that foresee the safety and well-being of children.

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

There are no specific DRRs in place within the context of national child justice policies that provide for measures relating to the safety and well-being of children deprived of liberty during natural disasters. There are other policies relating to healthcare, mental health, tortures and others, but neither of those policies tackle with the need to implement safety protocols in detention centers designed for children.

3. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

Although not specific to minor detention centers, but covering detention centers in general, a recent report (2022) from the [Comisionado Parlamentario Penitenciario](#) of Uruguay places Uruguay as one of the countries with more imprisoned individuals per capita in the world. Uruguay has 408 imprisoned individuals for each 100,000 residents, and the imprisoned population has tripled in the last 20 years. Based on 2022 data, penitentiary facilities are at 126% of their capacity.

Source:

- [Annual Report on Prison System and Alternative Measures \(parlamento.gub.uy\)](#)
- [Report \(amnesty.org\)](#)

Uruguay's Código del Niñez y el Adolescente recognizes that minor detention should be a last resort and should not be applied if there are other appropriate measures (Article 87). It recognizes that children retain rights. However, extrapolating the general data of the cited report, there appears to be overcrowding in minor detention facilities too.

We have not found any resources referencing measures to reduce deprivation of liberty and overcrowding to improve the effectiveness of disaster risk reduction measures (or even more generally to achieve such reduction for other reasons).

4. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

The [Law N° 19367 of creation of the INISA](#) (as defined in question 1), includes in Section IV the creation of a committee ([Consejo Honorario Nacional Consultivo](#)) composed of: a member of the Board of Directors of the National Institute for Adolescent Social Inclusion who will chair it; a representative of the National Association of Non-Governmental Organisations (ANONG); a representative of INAU; a representative of each of the following Ministries: Public Health, Social Development, Labour and Social Security, Education and Culture; a representative of the National Secretariat of Sport; a representative of the Secretariat of Human Rights of the Presidency of the Republic; a representative of the Association of Magistrates of Uruguay and a representative of the Association of Public Prosecutors of Uruguay.

Among the functions of such committee, it is included:

- The promotion the coordination, integration and comprehensiveness of sectorial policies for the care of adolescents in conflict with the law.
- Proposing initiatives, it deems appropriate and to cooperate in obtaining all improvements that contribute to the fulfilment of the aims of the service.
- Issuing non-binding advice, recommendations and evaluations, which will be forwarded to the Board of Directors of the organisation.

5. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

There are no protocols for the evacuation of children in detention facilities, at least none that are publicly available. The Instituto Nacional de Inclusión Social Adolescente - INISA, which oversees Uruguay's minor detention center has a section in its webpage with internal policies, rules and procedures. There are no evacuation or similar procedures listed. Additional internet searches, including in several reports from the Instituto Nacional de Derechos Humanos y Defensoría del Pueblo, confirm that no evacuation protocols are available.

Source: [NORMATIVA VIGENTE - INISA](#)

6. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

Uruguay has promoted a Justice Project which foresees drafting an Integral Plan for the promotion and prevention health promotion and prevention plan in prisons ([Plan Integral de promoción y prevención de salud en centros de privación de libertad](#)). Its purpose is to include the training of the prison officials in terms of health and safety in prisons.

Additional resources:

- [Order-Strategy for Comprehensive Care, Promotion, and Prevention \(inisa.gub.uy\)](#)



- [Código de la Niñez y la Adolescencia \(impo.com.uy\)](#)
- [National Institute of Social Inclusion for Adolescents. History and evolution](#)
- [file:///C:/Users/U347205/Downloads/140.%20Informe%20SPJ_CIAF_2024-01-26.pdf](#)
- [National Human Rights Institution and Ombudsman \(Inddhh\)](#)
- [National Human Rights Institution and Ombudsman \(Inddhh\) GUB.UY \(www.gub.uy\)](#)
- [National Institute for Children and Adolescents of Uruguay \(INAU\)](#)
- [Executive Power through the Ministry of Social Development \(MIDES\)](#)

Wales, United Kingdom

1. Do the state's laws contemplate the development of appropriate policies and sufficient resources to build disaster-resistant facilities and infrastructure within child justice systems? If so, how?

The UN Convention on the Rights of the Child provides for the right to safety and health (article 3 (3)), adequate standard of living (article 27), dignity (article 37(c), 40 (1)) and imprisonment as a measure of last resort (article 37(b)). These rights are listed in Part 1 of the Convention, which is enshrined in the national law of Wales in the [Rights of Children and Young Persons \(Wales\) Measure 2011](#) ("2011 Measure"). The Welsh Ministers must, when exercising any of their functions, have due regard to the requirements of Part I of the Convention.

The UK Ministry of Justice (justice remains a reserved matter with decisions taken by the UK government), has published a report on Climate change and sustainability strategy - [GOV.UK \(www.gov.uk\) \(dated 15 March 2024\)](#). This report acknowledges that the UK experienced its two hottest years on record in 2022 and 2023, with heat waves, droughts, wildfires and floods that affected thousands of people. Within the "Strategy" section of the report, the MoJ specifies that it is a priority to "build safe, secure and sustainable" prisons. The focus here does appear to be on the sustainability of the prisons, and training prisoners for the purpose of rehabilitation in green jobs, rather than the facilities being disaster resistant [Climate change and sustainability strategy - GOV.UK \(www.gov.uk\)](#).

2. Do the national child justice policies include Disaster Risk Reduction (DRR) plans? If so, do those plans explicitly include provisions for the safety and well-being of children, particularly those deprived of liberty during natural disasters? Please include specific plans.

Status of devolution of justice in Wales: "justice remains a reserved matter with decisions taken by the UK government, the Senedd Cymru has delegated responsibility for policy areas that directly shape the lives of children, including education and health, with Welsh Government providing funding to prevent offending by children in Wales". Noted p.6 [The Youth Justice Board strategy for delivering positive outcomes for children by reducing offending and creating safer communities 2024–2027 \(publishing.service.gov.uk\)](#)

It is difficult to identify Disaster Risk Reduction plans in the national child justice policies.

Resources reviewed:

The Welsh Government Youth Justice Blueprint ([youth-justice-blueprint_0.pdf \(gov.wales\)](#)) includes reference to creating "safe environments in which children are protected from harm and supported to thrive" but this is not specific to disaster risk reduction or the impacts of natural disasters.

The Youth Justice Board strategic plan 2024–2027 ([The Youth Justice Board strategy for delivering positive outcomes for children by reducing offending and creating safer communities 2024–2027 \(publishing.service.gov.uk\)](#)) recognises the findings of the Report Assessing the needs of sentenced children in the Youth Justice System 2019/2020 ([experimental-statistics-assessing-needs-sentenced-children-youth-justice-system-2019-20.pdf \(publishing.service.gov.uk\)](#)) that "in 2019/20, 90% of sentenced children were assessed to have safety and wellbeing needs" however this is not specific to climate change or natural disasters and does not consider the issue of deprivation of liberty during natural disasters.

The Ministry of Justice has published a Climate Change and Sustainability Strategy available here ([Climate change and sustainability strategy - GOV.UK \(www.gov.uk\)](#)) but this focuses on reducing the climate change impact of the prison service rather than disaster risk reduction for service users and is not specific to children.

The UK Climate Change Risk Assessment 2022 (available here [UK Climate Change Risk Assessment 2022 \(publishing.service.gov.uk\)](#)) identified public health and other social services (including prisons) as areas where more action was needed to understand the harmful impact cold weather spells, heatwaves and incidents of flooding can have on the user groups. This Assessment states that the Ministry of Justice is "committed to ensuring the effects of climate change are considered in key policies, programmes and projects including by:

- A Climate Change Risk Assessment of its estate and operations has been commissioned including detailing risks of over- and under-heating, drought and flooding
- Incorporating climate resilience into the design of MoJ's New Prisons construction programme
- Development of a detailed Climate Adaptation Action Plan which accounts for climate hazards" See page 45.

None of these are specific to children.

3. For the administration of justice for children in Disaster Risk Reduction (DRR) efforts, how does the state evaluate and improve effectiveness, develop recovery processes, and ensure accountability for any lapses in preparedness and response?

Various sources have recognised the inherent risk of climate change to children such as Chapter 4 of the UK Climate Risk Assessment report (CCRA3-Chapter-4-FINAL.pdf ([ukclimaterisk.org](#))) and Climate Change in Wales: Health Impact Assessment ([PHW-Climate-Change-HIA-Summary-Report-E-17_07-FINAL-1300.pdf \(phwww.hcc.co.uk\)](#)).

The administration of justice for Children in Disaster Risk Reduction ("DRR") efforts appears to be governed in principle by the Civil Contingencies Act 2004 ([Civil Contingencies Act 2004 \(legislation.gov.uk\)](#)). The Civil Contingencies Act 2004, and

accompanying non-legislative measures, provides a single framework for civil protection in Wales.

The 2004 Act and supporting regulations and statutory guidance establishes a clear suite of roles and responsibilities for those involved in (i) the emergency preparation and (ii) response at a local level in Wales. The Welsh Ministers (Transfer of Functions) Order 2018 transferred certain key responsibilities to the Welsh Government (The Welsh Ministers (Transfer of Functions) Order 2018 (legislation.gov.uk)).

Justice remains a matter reserved to the UK Government. Justice, and specifically the administration of justice for children in a Disaster Risk Reduction would therefore remain the responsibility of the UK government. However the day-to-day administration of such would fall to the [Senedd Cymru](#), the Welsh Parliament. Youth justice in Wales is administered via local, regional and national agencies working collaboratively and most services are devolved to the Welsh Government.

The administration of the preparation to for response to a DRR in Wales falls within the remit of the Wales Resilience Forum (WRF). The focus of the preparation function of WRF appears to centre on the communication and emergency planning to a DRR. The WRF is supported by a number of sub-groups such as The Wales Resilience Planning Team and the Joint Emergency Services Group ("JES"). The JES brings together all the relevant emergency services in Wales. This would include NHS Wales, the Welsh Government and armed forces to the most senior of levels. The JES considers the contribution to civil contingencies and counter-terrorism and address wider cross-service issues of interest. It is not clear whether the JES would specifically include the administration of justice for children in the event of a DRR (What we do: Wales Resilience Forum | GOV.WALES). The response to a DRR would fall to the sub committees of the WRF, and the various local authorities such as North Wales Local Resilience Forum ([\(North Wales preparing for emergencies \(llyw.cymru\)\)](#)) or the South Wales Resilience Forum ([Home | South Wales Local Resilience Forum \(southwaleslrf.co.uk\)](#)).

Whilst there appear to be detailed preparation plans for the response to a DRR within Wales, and measures appear to be in place for evaluating responses, it is not clear from the available literature what specific measures have been introduced or considered by the UK Government in tandem with the Welsh Government for the administration of justice for children.

4. Does the state have specific measures in place to reduce the deprivation of liberty and overcrowding within detention facilities to improve the effectiveness of Disaster Risk Reduction (DRR) measures?

While there are measures in place to reduce the deprivation of liberty and overcrowding within detention facilities and to tackle climate change, these measures do not appear to be linked to the improvement of effectiveness of Disaster Risk Reduction measures:

UK Ministry of Justice (MOJ) published a report on 22 April 2024 entitled "Climate change adaptation strategy 2024: MOJ" which sets out the MOJ's commitment to taking clear and decisive action to increase resilience to the impacts of a changing climate ([Climate change adaptation strategy 2024: MOJ - GOV.UK \(www.gov.uk\)](#)). On 16 October 2023, the Justice Secretary announced measures to try to ease the pressure on prison capacity in England and Wales ([What is the Government doing](#)

[to reduce pressure on prison capacity? \(parliament.uk\)](#)). These measures include early release on licence; suspending short sentences; removal of foreign offenders & purchase of new sites for prison building. In another MOJ document published on 15 March 2024 entitled 'Climate change and sustainability strategy' ([Climate change and sustainability strategy - GOV.UK \(www.gov.uk\)](#)), the MOJ states that we need a more modern, decent and efficient estate, improving the quality of buildings to withstand current and future climate impacts.

5. Are there established mechanisms for cooperation and coordination with different services in emergency situations within detention facilities, including an emergency contact system for staff and inclusive communication strategies about disaster risks and responses?

While there are measures in place and collaboration at government level between English and Welsh Ministers to implement an emergency resilience, this is not devolved power.

The Wales Civil Contingencies Committee (WCCC) is constituted and functions in a similar way to its counterparts in England. The Welsh Government provides support for the Wales Civil Contingencies Committee and The Emergency Co-ordination Centre (Wales) (ECC(W)) is a facility established by the Welsh Government to gather and disseminate information in Wales on developing emergencies. It supports the WCCC and Welsh Ministers in providing briefing and advice on emergencies

The Welsh Government Communications Division liaise between local media and community relations the UK Government News Co-ordination Centre and UK Government Department media teams where appropriate.

Response arrangements are at local authority level. Depending on the nature of the emergency the ECC(W) can be used as a means for coordinating a multi-agency response.

These measures are not related to emergency situations within detention facilities. Research undertaken has not identified any overarching policy, regulation or act which deals specifically with the implementation of emergency responses within detention facilities.

Research:

- [Civil Contingencies Act 2004 \(legislation.gov.uk\)](#)
- [Emergency Response and Recovery 5th edition October 2013.pdf \(publishing.service.gov.uk\)](#)
- [The Health Impact Assessment of Wales](#)
- [Rights of Children and Young Persons \(Wales\) Measure 2011 \(legislation.gov.uk\)](#)
- [Social Services and Well-being \(Wales\) Act 2014 \(legislation.gov.uk\)](#)

6. What mitigation measures are in place to ensure the continuation of services and uphold human and children's rights within detention facilities, such as constructing natural disaster-resistant buildings, conducting regular evacuation drills, and maintaining emergency supplies?

Status of devolution of Justice in Wales: justice remains a reserved matter with decisions taken by the UK government, the Senedd Cymru has delegated responsibility for policy areas that directly shape the lives of children, including education and health, with Welsh Government providing funding to prevent offending by children in Wales. ([The Youth Justice Board strategy for delivering positive outcomes for children by reducing offending and creating safer communities 2024–2027](#) pg. 6).

The Chief Medical Officer for Wales Annual Report, Restoring our Health, published June 2022 ([Restoring our Health \(gov.wales\)](#)) highlights that climate change is a pressing public health issue which will increasingly dominate our lives as it adversely affects the most basic health requirements: clean air, safe water, sufficient food, and adequate shelter.

The U.K. Government (in conjunction with their Welsh counterparts) have been releasing various reports relating to the risk assessment of climate change in the jurisdiction, including the 2022 UK Climate Risk Independent Assessment (CCRA3) ([CCRA3-Chapter-4-FINAL.pdf \(ukclimaterisk.org\)](#)). The CCRA3 Summary confirms that risks to prisons in the U.K. from climate change include overheating, flooding and building damage. Improved adaptation and emergency planning procedures will be required. ([CCRA-Evidence-Report-Wales-Summary-Final.pdf \(ukclimaterisk.org\)](#) pg. 104). Chapter 4 of the CCRA3 refers the physical assets that humans have constructed to support a modern, functioning society by providing protection from the elements, supplies of energy and water, and facilitating transportation. ([Climate change adaptation strategy 2024: MOJ - GOV.UK \(www.gov.uk\)](#)).

The Ministry of Justice for the United Kingdom (MOJ) have stated that in order to meet additional prison capacity requirements and deliver swift access to justice through our court and tribunal services, we need a more modern, decent and efficient estate, improving the quality of buildings to withstand current and future climate impacts ([Climate change and sustainability strategy - GOV.UK \(www.gov.uk\)](#)). They have committed in the Prisons Strategy White Paper ([Prisons Strategy White Paper \(publishing.service.gov.uk\)](#)) to upgrade the prison estate in order to "improve efficiency, prepare for current and future climate impacts, and promote nature recovery". ([Climate change and sustainability strategy - GOV.UK \(www.gov.uk\)](#)).

In particular, the MOJ have highlighted the need to manage water more sustainably across the prison, probation and court estates. This includes using data and technology to help identify water saving opportunities. They've indicated that the intention is to:

- install smart metering on all water supplies and target excessive consumption and leaks;
- prioritise investment at the worst performing sites and in water-stressed areas; and
- raise the technical standards for new builds, major refurbishments, and preplanned maintenance.

([Climate change and sustainability strategy - GOV.UK \(www.gov.uk\)](#))

There are extensive reports and plans for action to ensure that the U.K. prison service becomes resilient in order to ensure the continuation of services. However, there is a lack of detail when it comes to rights of children in such facilities specifically. There are five prisons in Wales: HMP Cardiff, HMP Parc, HMP Swansea, and HMPS Usk and Prescoed and HMP Berwyn in North Wales ([Prisons in Wales - Wikipedia](#)). Wales has one young offenders institute ([Parc Prison and Young Offender Institute - GOV.UK \(www.gov.uk\)](#)), and although this forms part of the MOJ estate, there are very few details as to the specific protections in place for children's rights in the event of a climate disaster.

7. How are local governments collaborating with relevant stakeholders to develop emergency plans tailored to the unique vulnerabilities of children in detention during extreme weather events? e.g., children with disabilities – physical and mental health

While local governments have been collaborating with relevant stakeholders to improve conditions for children and vulnerable people in care homes, prisons etc. during extreme weather events, emergency plans do not appear to have been developed.

For example, representatives from The Welsh Local Government Association formed part of the Strategic Advisory Group created by Public Health Wales to contribute to 'Climate Change in Wales:

Health Impact Assessment' in July 2023. ([PHW-Climate-Change-HIA-Summary-Report-E-17_07-FINAL-1300.pdf \(phwwhocc.co.uk\)](#)).

The report identified that: (i) more action is needed with regards to climate change and prison services; (ii) higher temperatures and extreme heat are identified as having a major negative impact on health and wellbeing, particularly for vulnerable groups such as older adults, people with disabilities and long-term health conditions and younger children; (iii) those in key settings such as care homes, hospitals, education settings and prisons and key occupational groups are also more exposed; and (iv) heat impacts go beyond mortality, and include possible impacts on injuries, mental health and social wellbeing.

Local authority partnerships have a statutory duty to submit a youth justice plan relating to the provision of youth justice services (YJSs). [Section 40 of the Crime and Disorder Act 1998](#) sets out the youth justice partnership's responsibilities in producing a plan. It is the duty of each local authority, in consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out how YJSs in their area are to be provided and funded, how they will operate, and what functions will be carried out [[Youth justice plans: guidance for youth justice services - GOV.UK \(www.gov.uk\)](#)]

The 2024 Youth Justice Strategy for England & Wales highlights a number of areas which require particular focus; however extreme weather events are not included as an area of focus:

[\[The Youth Justice Board strategy for delivering positive outcomes for children by reducing offending and creating safer communities 2024–2027 \(publishing.service.gov.uk\)\]](#)

8. How are risk assessments conducted within detention facilities to identify potential climate-related hazards and inform emergency preparedness strategies for children in detention?

It has not been possible to identify a specific risk assessment or risk assessment methodology which specifically considered potential climate-related hazards/emergency preparedness for children in detention.

Inspections of Young Offender Institutions are carried out by HM Inspectorate of Prisons in the UK. They inspect Young Offender Institutes on the following four 'healthy establishment' tests. In prisons and young offender institutions the tests are: 1) Safety, 2) Respect / Care, 3) Purposeful activity 4) Preparation for release / Resettlement. The definition of safety is not specified and so it does not include climate-related hazards, emergency preparedness or other results of climate change. See the methodology section of the Prison Inspectorate website for reference: [How we inspect – HM Inspectorate of Prisons \(justiceinspectorates.gov.uk\)](#)

At a national level, Public Health Wales in partnership with the World Health Organisation published a Report on Climate Change in Wales: Health Impact Assessment in July 2023 ([PHW-Climate-Change-HIA-Summary-Report-E-17_07-FINAL-1300.pdf \(phwwhocc.co.uk\)](#)) This recognised that more action was needed in relation to prison services. Higher temperatures and extreme heat were identified as having a major negative impact on health and wellbeing of vulnerable groups and those in key settings, such as prisons, are more exposed (See page 26). There is only one Young Offenders Institution in Wales, HMYOI Parc. There was a detailed Health and Social Care Needs Assessment of HMYOI Parc carried out, published in March 2021 ([HMYOI Parc health and social care needs assessment \(nhs.wales\)](#)) This report focuses on more traditional or routine medical needs of the HMYOI users. It does not refer to and does not consider climate emergency scenarios and needs of users in the HMYOI Parc.

9. Are there established protocols for the evacuation of children in detention during climate-related emergencies, and if so, how are these plans communicated and implemented?

[Evacuation and shelter guidance | Non-statutory guidance \(publishing.service.gov.uk\)](#)

[Evacuation and Shelter guidance. Non-statutory guidance to complement Emergency Preparedness and Emergency Response and Recovery.](#)

10. How are detention facility staff members trained and equipped to respond effectively to climate-related emergencies and safeguard the rights and well-being of children in their care?

HMP Parc is the Young Offenders Institution in Wales, run by G4S.

[Part 11 of the Social Services and Well-being \(Wales\) Act \(SSWB Act\)](#) sets out care and support' arrangements available to young people in the "Secure Estate". [Welsh Government presentation on Children and Young People in the Secure Estate.pdf \(socialcare.wales\)](#)

Section 186 SSWB Act provides that, the Welsh Home local authority must:

- meet the care and support needs of children whether they are detained in England or Wales, just as they would if they were living in the community.
- design its procedures and services to be able to meet the care and support needs of those children.
- adjust the delivery of care and support arrangements to meet the needs of the population and regime of the relevant secure estate.

There is little to no detail online in relation to the training of prison staff members for climate-related emergencies.

11. To what extent are community-based organizations and children themselves involved in the development and implementation of emergency plans for children in detention in response to climate change?

Climate Cymru is a community-based organisation in Wales aiming to lobby the government on climate-based issues ([Home - Climate Cymru - For the Wales you love](#)). Children are actively encouraged to take part in the work Climate Cymru undertake. Unfortunately, there appears to be a lack of evidence and information as to the impact this is having on the development and implementation of emergency plans for children in detention in response to climate change.

Egin ([Egin - unlocking the collective power of communities](#)) is an organization that supports community groups, charities, non-profits, non-governmental organisations, and social enterprises in Wales to take climate action and to live more sustainably. There is no reference to their involvement with detention in response to climate change.

There is a general understanding in Wales that climate change must be tackled at a local level - however according to Climate Emergency UK ([Council climate plan scorecards - Climate Emergency UK](#)), when scored on their written Climate Action Plans Welsh local authorities received an average score of 31%, below the national average of 50% ([Support communities to fight climate emergency, says Future Generations Commissioner as he launches call for all councils in Wales to be net zero – The Future Generations Commissioner for Wales](#)).

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