

MRC-AD/MIS/2025/063

Terms of Reference - Disaster Law Research Consultant

Type of Contract	Individual / Firm
Duration	5 Months
Estimated Starting Date	11 th May 2025

Background

The Maldivian Red Crescent (MRC) is an independent, voluntary, humanitarian organization established through the Maldivian Red Crescent Law (Law No. 7/2009). MRC's primary objective is to provide humanitarian aid and prevent and alleviate human suffering. MRC'S Strategic Plan 2019 - 2030 is centered around the concept of resilience for a shift in thinking and practice, recognizing the need for better coherence in the areas of disaster management, climate change, and development work. A key priority of the organisation is working towards reducing vulnerabilities and increasing capacity to address frequently occurring disasters associated with climate change and natural hazards. This approach aims to increase the effectiveness of MRC's humanitarian role and work in disaster risk management (DRM).

The disaster management function of the Maldives is governed under the Disaster Management (DM) Act (Law No. 28/2015). Guided by the DM Act, the National Disaster Management Authority (NDMA) follows an all-encompassing approach to disaster management, wherein the authority leads the disaster risk reduction (DRR), disaster preparedness, response and recovery efforts at a national scale. This includes the development of relevant regulations, policies, plans, guidelines and standard operating procedures in the Maldives.

The Early Warnings for All (EW4All) initiative aims to ensure universal protection from hazardous hydrometeorological, climatological and related environmental events through life-saving multi-hazard early warning systems, anticipatory action and resilience efforts by the end of 2027. Maldives became one of the first countries to develop a national strategy under the initiative, adopting and publishing the EW4All Roadmap in 2024. Through the implementation of this strategy, Maldives aims to scale up prior efforts and strengthen national early warning systems (EWS). With the support of the United Nations Office for Disaster Risk Reduction, this Roadmap was collaboratively crafted with inputs from the NDMA, Maldives Meteorological Service, Ministry of Homeland Security and Technology and MRC. The EW4All Roadmap 2023-2027 serves as a strategic guide to drive initiatives spanning from national to local levels, channeling investments toward enhancing EWS for more effective DRR, and facilitating the seamless integration of comprehensive early warning mechanisms. The primary objective of this Roadmap is to provide the national and local governments with a structured blueprint for fortifying a people-centric EWS in the Maldives through targeted actions and resource allocation. This Roadmap also presents a set of recommended actions designed to prioritize investments in EWS and DRR, in accordance with Target G of the Sendai Framework for Disaster Risk Reduction and the DM Act of the Maldives.

Disaster Law Research Consultant

MRC in partnership with the NDMA, with support from the International Federation of Red Cross Red Crescent Societies (IFRC) plans to commission an individual consultant/ consultancy firm to review the relevant legal frameworks and national and local systems, using the IFRC's new comprehensive Guidelines on Disaster Risk Governance. This effort will aim to complement the strategic objectives of the EW4All Roadmap and strengthen the disaster governance mechanisms in the Maldives.

MRC is seeking the services of an individual consultant/firm to identify the gaps in the legal frameworks relevant to early warning and disaster management in the Maldives. The final output of this assignment will work as a policy guidance document to strengthen the early warning and disaster governance systems in the Maldives, along with a draft revision of the DM Act based on the findings of the study.

The IFRC Disaster Law works with National Red Cross and Red Crescent Societies and governments to strengthen disaster governance, through the development and implementation of disaster and emergency related legislation, policies and procedures. This consultancy also aligns with IFRC Strategy 2030, particularly Transformation 5: Influencing humanitarian action, which includes the recognition that we must continue to invest in the promotion of disaster law, leveraging the unique auxiliary status of National Societies with governments, which promotes investment in the development of research to inform thought leadership on humanitarian and social issues that can influence opinion, policy and practice.

Scope of Assignment

In coordination with MRC, NDMA, IFRC and other relevant stakeholders, the consultant will be expected to conduct a mapping and study of the legal frameworks relevant to EWS and DRM in the Maldives based on IFRC's new comprehensive Guidelines on Disaster Risk Governance. The consultant will be expected to develop a final report identifying the gaps in the relevant legal frameworks, and providing recommendations to strengthen the legal frameworks. Additionally, the consultant will be required to submit a draft revision of the DM Act.

The consultant will be expected to support MRC, NDMA and the IFRC in the following: -

Support DRM legal framework/governance Mapping under the EW4All Initiative

The purpose of this study is to analyze and understand the legal framework arrangements for EWS and disaster governance in the Maldives, with the aim of better understanding the national disaster risk governance frameworks vis a vis effective early warning systems as envisioned under the EW4All initiative. It will provide an overview of the legal frameworks of Maldives relevant to EWS and disaster governance as per the template provided in Annex 1. The questionnaire template may be updated with additional questions to incorporate the insights of early warning initiatives and disaster management functions into the legal frameworks. The study is expected to support NDMA, MRC and EW4All partners in further engagement with public agencies in the development and implementation of domestic climate, disaster and emergency legal frameworks as well as understand the existing legal mechanisms, their limitations, and pathways for strengthening the current systems.. At regional and global levels, the mapping will assist partners, policymakers and humanitarian practitioners navigate and better understand the legal frameworks relevant to EWS and DRM in the Maldives, leading to enhanced support, preparation, and facilitation of regional collaboration and coordination.

The study must include a list of all key documents reviewed, summary of key findings of the mapping, along with detailed recommendations for strengthening the national laws, regulations, guidelines, policies and plans relevant to early warning systems and the disaster management functions in the Maldives. The final report should also include recommended next steps that can be taken by the NDMA, supported by MRC and EW4All partners in developing/reviewing and implementing legal frameworks that ensure efficient functioning EWS and DRM in the Maldives.

Content, Scope and Methodology for EWS and DRM Mapping

The mapping, study and final report will examine national arrangements and provide an analysis of strengths and gaps in the institutional architecture for the coordination and facilitation of DRM with a particular focus on national early warning systems, DRR, disaster preparedness and response. The mapping exercise should be conducted using the questions from existing IFRC Disaster Law tools, in particular the comprehensive Guidelines on Disaster Risk Governance to guide the assessment. Additional questions may be added based on the merit of the review and guidance from NDMA, MRC, IFRC and other stakeholders.

The mapping will be conducted by the consultant through desk research, involving the collection and analysis of relevant legislation, laws, regulations, guidelines, policies, plans, and other secondary resources. The consultant will also be expected to have follow-up interviews and meetings (key informant interviews) with key public agencies as well as other relevant stakeholders in the Maldives as guided by NDMA, MRC, IFRC and relevant stakeholders.

A research template to guide the research, with guiding questions and suggested resources has been developed (see Annex 1), to ensure consistency in research methodology.

Expected Deliverables

The consultant hired is expected to deliver the following within 05 months from the start of contract.

#	Expected Deliverables	Details
1	Development and submission of Inception Report	<ul style="list-style-type: none"> Review the criteria/questions to be used for the assessment process (Annex 1) and suggest any modifications required for the Maldivian context; Describe the research process for collecting primary and secondary data; Work with MRC, NDMA, IFRC and relevant partners to identify key national stakeholders and collect relevant legislation, policies, procedures, reports and studies relevant to the research; Propose a draft structure for the research and timeline for delivery of the consultancy.
2	Submission of Country Level Analysis Study	<ul style="list-style-type: none"> Analyze the legal and policy frameworks against the assessment questions and conduct the assessment (Annex 1); In coordination with NDMA, MRC, IFRC, and national partners, undertake key informant interviews to verify findings and document practice/ implementation.
3	Validation Process	<ul style="list-style-type: none"> Design and Conduct validation workshop / or validation of findings and recommendations with stakeholders through stakeholder, small group or one-on-one meetings; Obtain and incorporate feedback from validation workshop/meetings.
4	Finalization of Report	<ul style="list-style-type: none"> Finalize assessment based on feedback; Develop and present study and recommendations; Recommendations for revisions of legal documents; Development of the final report for publication in coordination with NDMA, MRC, IFRC and national partners. Support towards design of final report in coordination with MRC and NDMA
5	Submission of draft revision of the DM Act	<ul style="list-style-type: none"> Development of the revision of the DM Act (Law No. 28/2015) based on the recommendation of changes to the Law.

Expressions of Interest (EOI)

MRC invites eligible individuals/firms to send their expression of interest. The EOI must include 1 technical proposal and 1 financial proposal.

Technical proposal: The technical proposal must specify the work plan outlining the approach, the methodology proposed, and expected timeline the completion of outlined deliverables. The technical proposal must provide a list of deliverables and a timeline for delivery, that is within the 05 month delivery period.

The technical proposal must also specify information which demonstrates the individual/firm's qualification and capacity to perform the services (CV/Portfolio, technical expertise, description of any similar assignments undertaken, experience in similar conditions, appropriate skills among staff, value of those services, etc.). The technical proposal must include links to similar assignments/assessments.

Financial proposal: The financial proposal must be tied to the deliverables in the technical proposal and must specify the expected fees for each deliverable.

The consultant shall be selected based on the qualifications and experience, as well as based on the technical and financial proposal. Individual consultants may propose a co-lead, while firms may include more than one team members in their submission.

Reporting Line

The consultant will report to the Manager, Programmes & Services, and work in regular coordination with assigned focal points from MRC, NDMA and the IFRC.

Qualifications & Experience

We are seeking an individual consultant or a team of professionals (consulting firm) **with the following qualifications and expertise.**

- 1- Bachelor's/Masters in Law or related degree
- 2- Bachelor's/Master's in disaster management, sustainable development, environmental management will be an added advantage
- 3- 3-5 years of related experience in risk assessment, disaster management, law or similar work/projects
- 4- Familiarity with Maldives' legal frameworks, disaster management, sociopolitical, environmental factors
- 5- Familiarity with conducting legal mappings or similar work would be an added advantage.

Fees & Payments

The consultant will be paid based on the completion of the deliverables and payment scheduled mutually agreed with MRC. The consultant is required to detail out the deliverable timeline and fee schedule in the technical and financial proposal.

Evaluation Criteria

The consultant will be hired based on the following criteria

Details	Weight
Education	10%
Portfolio and Experience	35%
Technical Proposal	35%
Financial Proposal	20%
Total	100%

Code of Conduct

During the term of consultancy, the MRC Code of Conduct must be signed and thoroughly followed by the consultant.

Submission requirements

All interested should email their expression of interest to vacancies@redcrescent.org.mv before 2.00 pm on 29th April 2025, along with the following documentation:

- o Letter of expression of interest (EOI)
- o National ID / Passport (if individual)
- o Detailed curriculum vitae / Portfolio (if firm)
- o Technical proposal
- o Financial proposal
- o Copies of accredited certificates including transcripts
- o Letters of work experience
- o Portfolio/examples of similar assignments undertaken

Annex 1 –Mapping Template [Tentative]

<p>The below information seeks to map the DRM Legal Frameworks, including for Public Health Emergencies (PHEs) and international disaster assistance in Maldives as provided in law, policy and plans (with a legal standing), with a particular focus on Early Warning Early Action (EWEA). Selected consultant/firm will be provided additional guidance on the process for executing the mapping and collection of information as per the template and references towards relevant IFRC Disaster Law Checklists for further guidance on relevant laws and policies to consult.</p>	
Institutional Roles and Responsibilities	
DRM Specific Legislation	Check laws/ regulation: DRM/ Emergency Management/ Defence Law
<p>Is there an all-phases, (preparedness, early warning, early/anticipatory action, response, recovery) multi-hazard disaster law which provides the foundations for the DRM system?</p> <p>Is there a DRM policy (or, alternatively, a set of policies) which provides a vision for DRM by identifying guiding principles, objectives and approaches to disaster risk management as well as key domains and types of activities?</p> <p>Is there is a DRM plan (or, alternatively, a set of disaster risk management plans) which identify in detail the key activities that will be implemented and clarify roles, responsibilities and coordination mechanisms for these activities?</p> <p>Are there clear conflicts, inconsistencies or unnecessary duplication between the different disaster instruments (both in terms of their content and the practical arrangements they create)?</p> <p>Do the instruments address DRR, preparedness, response and recovery? And early/anticipatory action specifically?</p> <p>Are principles and priorities that guide the country's approach to preparedness and response; risk reduction and recovery set out?</p> <p>Is there national legal and institutional framework in place that provides a basis for implementation of early warning systems and ensures the execution of subsequent early and anticipatory action?</p>	
<p>What constitutes a “disaster” under the DRM Law/ Policy?</p> <p>How does the definition sit with international standards?</p>	
Roles and responsibilities	Check laws and regulations related to: DRM /emergency management/civil defence at the national, provincial and local levels (as applicable) / local government and

	decentralization / specific hazards (such as laws on storms and floods, earthquakes, fires, droughts)
Do laws or policies establish clear roles and responsibilities for all aspects of DRM from national to local level? Are roles and responsibilities provided for both Government and non-Government actors (e.g. National Society, community groups, the private sector, academia, technical/scientific actors, etc.)?	
Does the law create a national DRM agency which is responsible for disaster risk reduction, preparedness, response and recovery in relation to most (if not all) hazards?	
Is there a national inter-ministerial/multi-sectoral committee established of the different bodies of government with various responsibilities across DRM/EWEA including hydrometeorological agencies?	
Does the national committee include membership from key agencies outside government (National Red Cross and Red Crescent Society, humanitarian, development, private, scientific actors, etc.)?	
Apply the same questions above to subnational committees, including at local level (inter-ministerial and cross sectorial committees, including membership outside government).	
Are community representatives included in DRM committees and/or coordination mechanisms at local government level?	
How do committees established by the law coordinate with other committees/processes, both in terms of horizontal coordination (across different committees at the same level), and vertical coordination (across committees at different levels of government)?	
<p>The following questions can guide any additional information relating to the coordination of DRM in the law:</p> <p>Do laws, policies and plans establish a range of coordination mechanisms at different levels of government and for different phases and aspects of DRM including disaster risk reduction, preparedness, anticipatory action, response, recovery, and international assistance?</p> <p>Do laws, policies and plans clearly specify which actors will lead and participate in each coordination mechanism? Do they provide for appropriate non-government actors to participate in operational coordination mechanisms including:</p> <ul style="list-style-type: none"> the National Red Cross or Red Crescent Society; civil society organisations; the private sector; and community leaders (e.g., traditional, religious or elected leaders). <p>Do laws, policies and plans enable the government to include additional actors in coordination mechanisms on an ad hoc basis to respond to changing circumstances?</p>	

If any of the coordination mechanisms are used across different phases and aspects of DRM, laws, policies or plans clearly specify how (if at all) the leadership and participation changes for the different phases and aspects.	
Are there mechanisms or programs in place for national and provincial governments to provide additional funding and technical support to local governments that face high levels of disaster risk?	
Minimum standards	Check Laws/ Regulation on: DRM/emergency response/civil defence /
Do DRM laws, policies and/or plans establish minimum standards for pre-disaster and disaster assistance or, alternatively, adopt existing international minimum standards?	
Do the standards address all key aspects of disaster assistance including, at a minimum, the provision of food, shelter, healthcare, WASH, to at risk and or disaster-affected populations?	
Does the DRM law require all actors involved in providing disaster assistance (both government and non-government) to adhere to the minimum standards?	
Does the DRM law require disaster authorities to use the minimum standards as a benchmark for: (a) developing DRM plans; and (b) monitoring and evaluating their activities.	
Prevention of Fraud and Corruption	Check Laws/ Regulation on: DRM/emergency response/civil defence / the criminal code
Does the law require DRM actors to adopt measures to promote institutional resilience to corruption and fraud such as: <ul style="list-style-type: none"> developing a code of conduct; establishing a whistleblowing mechanism; investigating allegations of fraud or corruption and taking proportionate disciplinary action; and training for all new staff and volunteers? 	
Does the law require DRM actors to implement controls to prevent fraud and corruption in finance, human resources, procurement, asset management and transport?	
Does the law require or enable disaster authorities to develop fast-track, simplified procurement and hiring processes? Does the law restrict the use of those processes to the disaster response phase?	
Do disaster authorities have: <ul style="list-style-type: none"> a roster of screened and well-trained professionals that can be recruited and deployed at short notice during a disaster; and a list of pre-approved suppliers for procurement of goods during a disaster? 	
Monitoring and Evaluation	Check Laws/ Regulation on: DRM/emergency response/civil defence /
Does the DRM law require disaster authorities to develop a monitoring and evaluation framework that applies to all DRM actors (both government and non-government)?	
Does the law require disaster authorities and other DRM actors (both government and non-government) to conduct ongoing, internal monitoring and evaluation of their programs and activities?	

Does the law require external, system-wide evaluations to be conducted periodically (e.g., once every five years) and after a major disaster? Does this type of evaluation include an assessment of existing DRM laws, policies, and plans. Is there a legal requirement for the findings from these evaluations to be published?	
Is there a dedicated office or official with a mandate for overseeing the monitoring and evaluation of DRM activities?	
Liability and Accountability	Check the Constitution and laws and regulations on: DRM/emergency response/civil defence; criminal law; civil liability; tort law/negligence; administrative law; human rights
Are there public reporting or parliamentary oversight mechanisms for government agencies tasked with DRM (a) DRR; (ii) Response; (iii) Recovery established and is such information is made publicly available?	
Are there legal and/or administrative sanctions (as appropriate) established for public officials, individuals and businesses for a gross failure to fulfil their duties on (i)DRR (ii) preparedness and response and (iii) Recovery?	
Does the law provide liability protections to disaster rescue and relief personnel (including volunteers)?	
EARLY WARNING EARLY ACTION FINANCING	Check Laws/ Regulation on: DRM/emergency response/civil defence / local government / development planning / national budgetary policies and processes / insurance / taxation / investment / private sector
National and local budget allocations	
<p>a. Does the law mandate the allocation of funding from the annual budget for disaster situations, and if so, does it:</p> <ul style="list-style-type: none"> — allocate sufficient funding to meet, as a minimum, the ongoing costs of institutional arrangements and low level disaster risks; — identify separate funds for preparedness and response to warnings / anticipatory action including the allocation of resources for pre-positioning of supplies for anticipatory action; — allocate funding to local government (or require local governments to allocate funds); and — allocate funding for use by communities, including a wide range of community stakeholder groups? <p>b. Does the law establish special funds or reserves for disaster situations, such as emergency or contingency funds, and if so, does it:</p> <ul style="list-style-type: none"> — identify separate funds for risk reduction, preparedness, anticipatory action and response; — allow contributions from external sources; and — include provisions for replenishment? 	

<p>c. Does the law establish institutional arrangements with clear roles and responsibilities for the monitoring and management of DPR/DRM funds?</p> <p>d. Does the law provide clear and streamlined procedures for FbF or the rapid release of funding in the event of a disaster, including in the absence of a State of Emergency or State of Disaster?</p> <p>e. Does the law provide adequate transparency and safeguards against the misuse of funds?</p>	
<p>If there is a disaster fund, does the law enable funding to be released from the disaster fund when there is a forecast of a specified nature and scale? Does it:</p> <ul style="list-style-type: none"> clearly outline the criteria for releasing funding (i.e., nature and scale of the forecast event); identify the types of activities that can be funded; and establish a streamlined process for releasing funding? 	
<p>Are resources allocated to enable sub-national authorities and civil society/communities to fulfil their responsibilities?</p>	
<p>Financial response tools</p> <p>a. Does the law and/or policy provide for and facilitate the use of cash and vouchers programmes across all relevant sectors to assist affected people?</p> <p>b. Does the law and/or policy provide for and facilitate the use of anticipatory finance, including forecast-based triggers for the early release of response funding ahead of the impact of disasters?</p> <p>c. Does the law and/or policy provide for and facilitate the adaptation of social protection programmes and mechanisms to channel assistance before and after disaster events, in particular for meeting the needs of vulnerable groups?</p>	
<p>National disaster risk financing</p> <p>a. Does the law and/or policy establish and facilitate risk-informed disaster risk financing mechanisms which support the costs of DPR/DRM through a combination of public and private sector sources, such as disaster insurance or reinsurance schemes and risk mitigation incentive schemes (taxes, levies, exemptions, subsidies, grants)?</p> <p>b. Does the law and/or policy recognize the specific needs of vulnerable groups in disaster risk financing?</p>	
<p>International grants, loans and credit</p> <p>a. Does the law and/or policy establish criteria for receiving international funds through grants, loans and contingent credit to support DRM activities?</p> <p>b. Does the law facilitate receiving international funds by ensuring robust financial management, accountability, reporting and audit systems?</p>	
<p>International risk financing</p> <p>a. Does the law and/or policy provide for participation in international risk financing schemes, such as risk pooling or reinsurance schemes?</p> <p>b. Does the law and/or policy require a comprehensive disaster and financial risk analysis as a pre-requisite for participating in international risk financing schemes?</p>	

c. Does the law facilitate access to international risk financing schemes by ensuring robust DPR/DRM, institutional, financial, accountability, reporting and audit systems?	
Early Warning Systems (EWS)	Check laws and regulations on: DRM / DRR / emergency response/civil defence / disaster management and response plans / government contingency plans / climate change / telecommunications
Is there a multi-hazard early warning system? Are there national government policies in place that provide guidance for the development and implementation of early warning systems?	
Cross cutting elements	
a. Does the law clearly set out the roles and responsibilities of all actors that are responsible for hazard mapping, risk assessments, monitoring and forecasting hazards, and generating and issuing warnings, and responding to warnings / taking anticipatory action? b. Does the law establish coordination mechanisms for the above-mentioned EWS actors? c. Does the law establish standards for the systematic collection, sharing and assessment of risk information and data relating to hazards, exposures, vulnerabilities and capacities? d. Do people with impaired, limited mobility, women and older persons feature in data collection and are they actively participating in the planning and design of EWS? e. Does the law clearly set out the linkages between EWS at all levels, national to local, as well as those applicable to transboundary hazards? f. Does law and/or policy establish community early warning systems?	
Disaster Risk Knowledge (EW4All Pillar 1)	
Does the law mandate and allocate responsibility for the following tasks: <ul style="list-style-type: none"> • data collection and analysis for hazards, exposure, vulnerability and capacity; • conducting multi-hazard risk assessments; and • preparing multi-hazard maps. 	
Does the law require disaster risk assessments and hazard maps to be prepared and regularly updated using the best available information (ideally, scientific modelling) about how climate-related hazards are likely to evolve over time?	
Are at risk communities, civil society as well as private sector involved in the risk assessment process and informed of the outcomes?	
Do laws/regulations require sex and age disaggregated data (SADD) to be collected to inform risk and needs assessment?	

Is it mandatory to consider risk information in development and disaster risk management planning, budgetary allocation and construction?	
Does the law require hazard maps and risk assessments to be published?	
Does the law identify which government authority is responsible for coordinating and overseeing the development of disaster risk knowledge? Does it require this entity to develop a policy, plan and/or standard procedures for developing disaster risk knowledge?	
Monitoring and forecasting (EW4All Pillar 2)	
<p>a. Does the law mandate monitoring and forecasting for all hazards in all geographic areas?</p> <p>b. Does the law allocate sufficient funding to allow monitoring and forecasting agencies to obtain and maintain high quality equipment, facilities and competent personnel?</p> <p>c. Are agreements and interagency protocols established for data exchange of monitoring systems based on open-source data and platform and baseline data necessary to produce data products for all priority hazards? (CREWS custom indicator) from EW4All Checklist for Gap Analysis</p>	
Warning dissemination and communication (EW4All Pillar 3)	
<p>a. Does the law and/or policy require the agencies responsible for generating warnings to include impact information and clear practical guidance?</p> <p>b. Does the law and/or policy establish standard processes for generating and issuing warnings which are accessible to all, especially the most vulnerable?</p> <p>c. Does the law and/or policy require the agencies that are responsible for issuing warnings to:</p> <ul style="list-style-type: none"> — use a wide variety of communication channels to disseminate warnings; — implement feedback mechanisms to verify receipt; and — implement plans to reach the most at-risk and remote populations? <p>d. Does the law mandate private telecommunications companies to disseminate warnings upon request and at no charge?</p>	
How are local governments and communities involved in risk assessments, monitoring of hazards, early warning dissemination, and anticipatory action (incl. evacuation)?	
Which specific hazards have the established early warning system?	
Does the law clearly set out the linkages between EWS at all levels, national to local, as well as those applicable to transboundary hazards?	
Is there a system for cross-border exchange of warnings with neighbouring countries, through bilateral / multilateral agreements for all priority hazards? (CREWS custom indicator)	

Does EWS legislation provide for the protection of personal information collected through early warning systems?	
Preparedness to respond to warnings (EW4All Pillar 4)	
<ul style="list-style-type: none"> a. Does the law and/or policy mandate agencies to act ahead of a disaster based on a warning or trigger? If yes, is your mandate dependent on a declaration of a State of Emergency? If not, would current DRM legal framework enable early warning early action to be integrated or considered? b. Does the law and/or policy detail <u>what anticipatory actions will be taken</u> for which hazards c. Does the law and/or policy detail <u>when anticipatory action will be taken</u> (based on standardized triggers and thresholds for different hazards)? d. Does the law and/or policy mandate and allocate <u>roles and responsibilities for early/anticipatory action</u> and preparedness to respond to warnings? e. Do relevant selected sectoral legal and regulatory frameworks (such as agriculture, food security, health, WASH, social security, etc.) include clear provisions for anticipatory action and preparedness to respond to warnings (roles and responsibilities for all actors, coordination mechanisms, etc.)? f. Are existing prepositioned relief stocks able to be used for early/anticipatory action also? g. Does the country's legislation establish requirements and set standards for drills and simulations for people likely to be involved in responding to warnings to test the early warning system? h. To the extent that the law and/or policy mandates or facilitates early/anticipatory action, is it integrated into existing plans and planning processes? i. Does law and/or policy mandate governmental DPR actors to develop comprehensive early action plans using hazard maps and risk assessments? j. Does law and/or policy require early action plans to contain measures to ensure that people with disabilities and other vulnerable groups including pregnant women are assisted to evacuate? k. Does law and/or policy require governmental disaster preparedness and response actors to include domestic animals and livestock in early action plans? l. Does law and/or policy include the establishment of appropriate evacuation centres which include the protection of disaster displaced persons, the prevention of SGBV in evacuation centres and the support of durable solutions? 	
Contingency Planning	Check laws and regulations on: DRM /emergency response/civil defence / disaster management and response plans / government contingency plans and climate change

Does the country's legislation mandate and set out a process and framework for contingency planning, including setting out clear roles and responsibilities for their development?	
Does it require planning that addresses multiple hazards and prescribe clear roles and responsibilities, require periodic updates as well prescribe content such as: <ul style="list-style-type: none"> stockpiling and pre-positioning; evacuation; other anticipatory actions; actions to respond to the hazard; search and rescue; emergency healthcare for injured people; dead body management; and emergency shelter, food, and water? 	
Is there a range of contingency plans for different types and scales of disasters? Do they provide clear descriptions of the roles and responsibilities of all actors, outline which actors will lead and support each activity, and identify coordination and information-sharing mechanisms?	
Does the law require sectoral departments and agencies (e.g., health, education, housing, social services) to develop and periodically update disaster contingency plans and prescribe the minimum content of these plans?	
Does the country's legislation set out procedures and framework for evacuation?	
Does DM law require that disaster contingency plans set out comprehensive procedures for anticipatory action (including but not limited to evacuation), assigning roles and responsibilities and setting out appropriate anticipatory actions and triggers/thresholds for action for different hazards, and for these plans to be periodically updated?	
Does it require that all endangered people be assisted/evacuated without discrimination?	
Does it require that the rights and dignity of at-risk persons be respected in situations of compulsory evacuation?	
Does it provide for the evacuation of livestock or domestic animals?	
Shelter	
Does the law require disaster contingency plans to address emergency shelter assistance including: <ul style="list-style-type: none"> the location and design of shelters; which actors are responsible for establishing and operating shelters; and measures that will be implemented to mitigate the risk of sexual and gender-based violence? 	
Does the law establish guiding principles and considerations for shelter planning including: <ul style="list-style-type: none"> minimising exposure to hazards; minimising the use of schools as shelter; minimising the risk of sexual and gender-based violence; and ensuring accessibility for all regardless of age or disability; proximity to livelihoods and communities? 	

<p>Are there government programs to regularise undocumented or informal land tenure? If laws and policies establish tenure as a criterion for receiving assistance to repair or reconstruct housing, do they provide that:</p> <ul style="list-style-type: none"> • ‘secure enough’ or ‘reasonably secure’ tenure is sufficient; and • tenure can be established using a broad range of documents and methods, including community verification and community-based land mapping? 	
<p>Does the law permit government to temporarily requisition private property for emergency shelter in situations where insufficient public property is available? If so, does the law stipulates a maximum period for temporary requisitions and provide the temporary occupiers (i.e., those who have been displaced) with documentation to prove their right to reside there? Does the law specify the following details:</p> <ul style="list-style-type: none"> • the criteria for determining when the power may be exercised; • the types of property that may be requisitioned; • the process for notifying the property owner of the requisition; • the minimum notice period; • the property owner’s rights to challenge the requisition; • the grounds on which a property owner may challenge the requisition; • the amount of compensation to be paid to the property owner (if any) for the period of use; • the mechanism for enforcing the requisition (if necessary); • the process for returning the property to its owner; • the mechanism for enforcing the return of the property (if necessary); and • a duty for the government to return the property to the owner in its original state? 	
Legal Facilities (Preparedness, EWEA and Response)	
<p>Volunteering:</p> <p>Does the law provide for a clear definition of the term “volunteer”, including the scope of volunteering activities, restrictions regarding volunteering and a clear distinction from the status of employees?</p> <p>Is there specific DM legislation that applies to volunteers and voluntary organizations?</p>	
<p>Cash programming:</p> <p>Are there specific legal facilities in place to facilitate cash programming in disaster preparedness, anticipatory action and response operations?</p>	
<p>Drones in disasters response operations:</p> <p>Is there legislation in place regarding the use of drones in disaster preparedness, anticipatory action and response operations, including registration, flight operations certificates, use of airspace, and insurance?</p>	
<p>Are there laws on data privacy that would apply to the gathering, storing, and sharing of information (in relief distribution, restoring family links or cash programmes as examples)? If so, are exceptions provided, as appropriate, for tracing activities by RC National Societies in disaster settings?</p>	
<p>Are any legal facilities provided to domestic disaster relief actors to facilitate their work e.g., tax exemptions, access guarantees, legal rights to state funded medical care/insurance?</p>	

Are there any clear legal barriers in particular sectoral laws that may inhibit disaster rescue and relief personnel (including volunteers) in emergencies?	
Stakeholder Engagement [INCLUSION AND PARTICIPATION]	Check laws and regulations on: i. DRM/emergency response/civil defence ii. national Red Cross/Red Crescent Society iii. national Disaster Risk Reduction Platform iv. civil Society and NGOs v. local government vi. insurance vii. taxation viii. investment
Does the DRM law ensure the engagement of all relevant stakeholders including civil society, private sector, scientific institutions and communities in DRM decision making and activities?	
Is there representation (seat at table) of (a) Red Cross (b) civil society (c) private sector (d) communities (e) specialised agencies i.e., academic/ scientific etc in decision making institutions and processes required?	
Are specific roles and duties of (a) Red Cross (b) civil society (c) private sector (d) communities (e) specialised agencies academic/ scientific etc clearly assigned ?	
Is the special role of Red Cross as auxiliary to its authorities in the humanitarian field formally acknowledged in DRM Legislation? Does it set out expectations about NS's activities?	
Does the law provide for financial support and/or tax exemptions for Red Cross-National Society when acting in its auxiliary role to assist persons at risk of disaster (i.e. pre-impact) or affected by disaster?	
Does the law guarantee the RC National Society the ability to act independently of the government and to take any distance necessary from it to guarantee its independence and neutrality?	
Education/ Training and Awareness	
Does the country's legislation establish requirements and set standards for trainings, drills and simulations for people likely to be involved in responding to warnings and disasters (e.g., frequency, scope, testing means)?	
Do laws and policies identify which actors are responsible for providing public education on disaster preparedness and response and for organising emergency drills for the general public?	
Is DRM training mandatory in the school curriculum?	
Does the law require institutions which accommodate large numbers of people (e.g., schools, care homes, prisons, hospitals, workplaces) to conduct regular emergency drills.	
Protection, Dignity and Safety	
Does the DRM law explicitly forbid discrimination in preparation and relief efforts, both by government and other actors?	
Representation and participation: Do laws, policies and plans promote the representation and participation of marginalised and at-risk groups in DRM by: <ul style="list-style-type: none"> mandating representation in key coordination and decision-making bodies; promoting the recruitment of members of marginalised and at-risk groups to disaster authorities; mandating consultation in relation to the design and implementation of activities? 	

<p>Does the law mandate disaster authorities and relevant sectoral agencies (e.g., education, health, housing, social services) to prepare detailed disaster contingency plans that address the specific needs of marginalised and at-risk groups and identify modalities for ensuring continuity of essential services during disasters?</p>	
<p>Training: Does the law mandate all government actors involved in DRM — including sectoral departments/agencies, the military, and the police — to participate in training about the specific needs of, and risks faced by, different groups during disasters including SGBV and child protection risks?</p>	
<p>Child protection: Does the law require the government actors responsible for child protection to develop detailed disaster contingency plans? Does it require the plans to address:</p> <ul style="list-style-type: none"> • continuity of prevention, monitoring and response activities during disasters; • rapidly scaling up activities to meet spiking demand; • measures to address the specific child protection risks that arise in disaster contexts; and • the protection of unaccompanied and separated children? 	
<p>Sexual and Gender Based Violence Are there laws or policies that assign roles/ responsibilities to carry out (a) education, awareness-raising, (b) advocacy, and (c) prevention of gender discrimination and/or SGBV in disasters, and develop contingency plans for SGBV in disasters? Does the legal framework (DRM framework and laws applicable “in normal time” provide special measures to guard against and/or sanction sexual and gender violence and how does it apply in disaster circumstances?</p>	
<p>Displacement Are there laws and policies that explicitly address disaster and climate related internal displacement? If yes: Do laws and policies address:</p> <ul style="list-style-type: none"> • practical measures to reduce the risk of disaster and climate related displacement e.g., does the law require disaster risk assessments to analyse displacement risk and to identify geographical areas where displacement risk is highest; • preparing for unavoidable displacement and responding to displacement e.g., identifying which actor is responsible for coordinating assistance for those displaced, and requiring contingency planning for disasters; and • finding durable solutions? <p>Does the law set out alternatives to using schools as shelter in case of displacement due to disasters? Does the law provide for mechanisms for undertaking necessary relocations? Is there a legally defined procedure in case of loss of records or documentation? Are there preparedness arrangements to reduce legal issues regarding housing, land and property irregularities and disputes?</p>	
<p>Cross border displacement: Do laws and policies provide for the temporary entry and stay of cross-border disaster-displaced people? Do laws and policies provide for cross-border disaster-displaced people to enjoy full respect of their human rights and to receive assistance to meet their basic needs during the period of their stay?</p>	

Do laws and policies establish criteria for the return of cross-border disaster-displaced persons (such criteria being consistent with international law)?	
Mental Health and Psychosocial Support (MHPSS): Does the DRM law contain provisions addressing mental health and psychosocial support in disasters e.g., does the law require contingency plans to address MHPSS; and if so, has this been done (or has a policy on MHPSS in disasters been developed)??	
Public Health Emergencies	
Are public health emergencies governed by the same legal and institutional framework as other types of disasters (e.g., floods, storms)? That is, are they regulated by the same laws and managed by the same actors? If not: <ul style="list-style-type: none"> What are the main laws, policies and plans which govern preparedness and response to public health emergencies? Which government and non-government actors do laws, policies and plans identify as responsible for responding to public health emergencies? Please list each relevant actor and describe their roles and responsibilities? Is there a coordination mechanism for the actors that are involved in responding to public health emergencies? If so, which actors are included in the coordination mechanism? Who has overall command and control for the response? 	
If public health emergencies are governed by a separate, specialised legal and institutional framework, are there any linkages between that framework and the framework for other types of disasters?	
International Health Regulations (IHR): Do laws, policies and plans implement the provisions of the International Health Regulations (2005) (IHR) relating to the National IHR Focal Point? Do they: <ul style="list-style-type: none"> designate the National IHR Focal Point; outline the National IHR Focal Point's role, responsibilities, and powers; provide the National IHR Focal Point with sufficient authority and powers to perform its functions, including authority to collect and disclose information that may otherwise be subject to confidentiality or data protection laws; and require relevant actors to provide the National IHR Focal Point with the information the Focal Point needs to determine whether and when to notify the WHO of an event that may constitute a PHEIC? Do laws, policies and plans implement the IHR core capacities to: <ul style="list-style-type: none"> detect, assess, notify, and report the manifestation of disease or an occurrence that creates potential for disease; and respond promptly and effectively to public health risks and public health emergencies of international concern? 	
Does the law require contingency plans for public health emergencies to identify measures to protect those who may be especially susceptible to the relevant health hazard?	
Technological Disasters	

<p>If there is a legal definition of 'disaster', is the definition broad enough to encompass disasters caused by technological hazards?</p> <p>Does the DRM law contain any specific provisions relating to technological disasters?</p>	
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