

Background Report
Law and Regulation for the Reduction of Risk from Natural Disasters
in Vanuatu
A National Law Desk Survey
September 2012

Acknowledgements

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Law and Regulation for the Reduction of Risk from Natural Disasters in the Republic of Vanuatu: A Desk Survey

Executive Summary

The legislative and institutional framework regarding Disaster Risk Reduction in Vanuatu based on the National Disaster Act of 2000 (NDA), the main document establishing the legal structure concerning Disaster Risk Reduction and Disaster Management. The NDA is accompanied by regulations embodying Vanuatu's Disaster Risk Reduction (DRR) and Disaster Management (DM) policies, the Priorities and Action Agenda (2006-2015) Supplementary for Mainstreaming Disaster Risk Reduction and Disaster Management (PAA Supplementary), and the National Action Plan for Disaster Risk Reduction and Disaster Management 2006-2016 (NAP).

These laws and policies are implemented by several agencies, including the Meteorological Department, the Agriculture Department, the National Advisory Committee of Climate Change (NACCC), and the Ministry of Lands and Natural Resources. Disaster risk management is primarily under the control of the Ministry of Internal Affairs, which coordinates responses between provincial authorities and supports the National Task Force (NTF) for DRR and DM. The NTF comprises representatives of many departments and is co-chaired by the Director of the Vanuatu Meteorological Service and the National Disaster Management Office (NDMO). The National Disaster Committee (NDC), established by the National Disaster Act, is tasked with developing the country's disaster risk reduction policy and strategy. It is made up of representatives of relevant government agencies and NGO representatives. The NDMO implements the strategies and policies of the NDC and coordinates response and recovery activities including coordination with donors.

In 2012 the Vanuatu Government has improved its DRR and DM capacity through merging the NDMO, the NTF and the NACCC in the National Advisory Board (NAB), bringing together key agencies such as the NDMO, Department of Meteorology, Department of Geohazards, and the Climate Change Unit and allowing for more effective DRR and DM.

This paper consists of an analysis of the text of the laws, regulations, and policies of the Republic of Vanuatu relevant for DRR and DM against a given set of questions and does not include a study of their implementation or application in practice. Together with the bibliographic list of relevant laws and regulations, this paper provides a report on the state of the legislative measures for country-level DRR in place in Vanuatu. The legal instruments analyzed in this paper stipulate measures that must be taken by state authorities and communities in Vanuatu to cope with natural (not man-made) disasters.

Since the national legislation on disaster management is not very precise, prevention and response to disasters are in theory also dealt with through regional regulations or policies through Provincial Disaster Management Plans, however there are not many examples of such regional plans available. Within the legal and institutional frameworks concerning matters that regulate daily life, such as land laws, telecommunication laws, urban planning, constitutional and other legal rights and guarantees (right to property, life, livelihood), provisions that are also relevant for managing natural disasters can also be found amongst the different laws on these subjects. However, a majority of these laws do not provide detailed provisions for disaster preparedness and response.

Lastly, a review of the law and regulation also demonstrates that Vanuatu is committed to improving its institutional and legislative framework related to DRR and DM. There are recent bills proposing new legislation relevant for DRR and DM, such as the Bill for the meteorological, Geological Hazards and Climate Change Act. Such draft laws, if enacted, would represent further improvement in Vanuatu's DRR and DM policies.

This paper and the accompanying compilation of legal documents are part of a global synthesis report on law and regulation of DRR for natural disasters. It is hoped that the outcome of this study will serve as a useful guide to later researchers on the subject.

List of abbreviations

DM	Disaster Management
DRM	Disaster Risk Management
DRR	Disaster Risk Reduction
CCA	Climate Change Adaptation
CCG	Central Control Group
CRP	Comprehensive Reform Program
EIA	Environmental Impact Assessment
EMCA	Environment Management and Conservation Act
EWS	Emergency Warning System
FCA	Food Control Act
MGHCCA	Meteorological Geological Hazards and Climate Change Act
NAB	National Advisory Board
NACCC	National Advisory Committee on Climate Change
NAP	National Action Plan
NDA	National Disaster Act
NDC	National Disaster Committee

NDMO	National Disaster Management Office
NTF	National Task Force for Disaster Risk Reduction and Disaster Management
PAA	Priorities Action Agenda
PDC	Provincial Disaster Committee
PPDMP	Penama Provincial Disaster Management Plan
NAPA	National Adaptation Plan for Action
NDC	National Disaster Committee
NTF	National Task Force for DRR and DM
VRCS	Vanuatu Red Cross Society
VMS	Vanuatu Meteorological Service
WRMA	Water Resources Management Act

1) Introduction

Vanuatu's regulatory framework for Disaster Risk Reduction (DRR) and Disaster Management (DM) is primarily based on the National Disaster Act 2000 (NDA), the National Action Plan 2006-2016 (NAP) and the Priorities Action Agenda 2006-2015 (PAA) as modified by its Supplementary for Mainstreaming Disaster Risk Reduction and Disaster Management. The National Action Plan outlines a long-term DRR and DM plan in Vanuatu. The PAA Supplementary provides an overview of the standard operating procedures, channels of communication, and operational structure of disaster management.

The Minister of Internal Affairs is the umbrella government body that bears the primary responsibility for disaster management. The National Disaster Committee (NDC), chaired by the Director General of Internal Affairs, is the lead agency that coordinates disaster management and supports the National Disaster Management Office (NDMO) in implementing the National Disaster Act (NDA) and the regulations and policies associated with it.

The Minister of Internal Affairs is appointed with specific responsibilities for disaster management within the country and is responsible to the Cabinet of Ministers for ensuring that adequate disaster management measures exist before, during, and after a disaster. The NDC is responsible for assisting the NDMO in matters related to mitigation, prevention, and preparedness, response and recovery programs, and the provision of technical advice and support to the Central Control Group (CCG) during disaster response operations. The CCG, like the NDC, is chaired by the Director General of Internal Affairs. The NDMO is responsible to the NDC Chairman for the development, implementation, daily management and maintenance of disaster prevention and preparedness activities for disaster response and recovery procedures.

The Director General of the Ministry for Internal Affairs is the National Disaster Controller when disasters are beyond the capacity of provincial governments and national response is required. The provinces are the first line of response to disaster impact on the communities in their jurisdiction. The control and coordination of response by support organizations and agencies within the province is the responsibility of the provincial secretary general. Section 10 (1-5) Part 3 of the NDA provides for the development of provincial disaster plans, departmental disaster plans, municipal disaster plans, NGO disaster plans, and private agency disaster plans.

Provincial Disaster Committees (PDCs) must be formed by each of the six provinces of Vanuatu. The provinces' respective Secretary Generals, in consultation with the Director of Provincial Affairs, are responsible for the establishment of Provincial Disaster Committees, as provided in the NDA Part 3 Section 11 paragraph 1. These Secretary Generals become the Provincial Disaster Controllers and are assisted by the Provincial Police Commander or Officer in Charge in the role of Disaster Operation Officers.

Climate change is likely to have a huge impact on DRR and DM in Vanuatu. The Ni-Vanuatu's culture, social structure, and livelihood is tied to the environment and any disturbance in access to natural resources directly affects poverty levels in Vanuatu. Additionally, as modern life erodes the customs of the Ni-Vanuatu, traditional knowledge that once allowed people to cope with natural disaster is threatened. This, along with threats to food security and access to water could lead to deterioration of the social system and even law and order.

Climate Change Adaptation plays an important role in Vanuatu's DRR and DM policies.

Vanuatu's National Adaptation Plan for Action (NAPA) identifies four priority sector areas: agriculture and food security; sustainable tourism development; community based marine resource management; and sustainable forestry management. The EU announced mid 2008 that the Vanuatu NAPA qualified for funding under its Global Climate Change Alliance, with co-financing by the World Bank.

Climate change activities are coordinated by the National Advisory Council on Climate Change (NACCC), which is essentially the only body that is formally recognized by the Vanuatu Council of Ministers to implement a Multilateral Environmental Agreement for the Government. The NACCC is made up of department heads, including the NDMO Director, and chaired by the Director of the Meteorological Service. The Director of the Meteorological Services is co-chair of the National Task Force for Disaster Risk Reduction and Disaster Risk Management (NTF). The Climate Change Unit in the Vanuatu Department of Meteorological Services (VMS) functions as the Secretariat of the NACCC. There is a plan for the NACCC to establish a National Group of Experts to do research on environmental change issues affecting the country, particularly on climate change, and periodically report to the NACCC on its findings. Vanuatu is currently in the process of launching a National Land Use Planning and Zoning policy, which will include land use zoning maps and vulnerable area mapping, addressing both DRR and Climate Change Adaptation (CCA).

The lack of understanding of climate change and variability issues and DRR in the higher echelons of governance is still a major constraint leading to the lack of a coordinated approach to addressing climate-related risks. Financial and human constraints are a major concern to line departments, such as both Meteorology and Environment, which currently depend largely on donor assistance to fund on-going activities at the national and community level. In order to integrate CCA and DRM, Vanuatu has recently merged the NDMO, the NTF and the NACCC in the National Advisory Board (NAB), bringing together key agencies such as the NDMO, Department of Meteorology, Department of Geohazards, and the Climate Change Unit and allowing for more effective DRR and DM. Lack of resources to undertake CCA and DRM programs separately makes the combination of these functions economic and strategic. Vanuatu is located in the Pacific 'Ring of Fire' and is therefore vulnerable to both hydro-meteorological and geo-physical hazards. Climate change is likely to increase the frequency of these events and the vulnerability of communities to their impact.

2) Summary of Main Natural Hazards and Risks in Vanuatu

The Republic of Vanuatu, formerly New Hebrides, is made up of over 80 islands and is located in the Pacific Ring of Fire region as well as the Pacific Cyclone Belt and the subduction zone of two tectonic plates causing frequent earthquakes, which can cause tsunamis. Vanuatu is vulnerable to droughts, storm surge, coastal and river flooding, and landslides. It is also particularly vulnerable to earthquakes, tsunamis, volcanic eruptions, and cyclones. It is one of the most disaster prone nations in the Pacific region, and for this reason has UN Least Developed Country status even though its per capita GDP is above the normal threshold.

Vanuatu's geographic location combined with the isolation of the islands and the remoteness of vulnerable communities is a big challenge to DRR and DM. Education infrastructure development in Vanuatu is also difficult, and although there are schools located throughout the country they are sometimes built in high-risk areas.

Recent disasters in Vanuatu include the November 1999 Penama earthquake and ensuing tsunami and the 2002 Port Vila earthquake. Vanuatu is on a latitude in the path of tropical cyclones and therefore vulnerable to the cycles of El Nino and La Nina, increasing drought and flood risk. Threats of climate change and sea-level rise would increase the risks of tropical cyclones, coastal and river flooding, coastal erosion, heavy rainfall, and droughts.

3) Governmental & Law Making Structure

The Republic of Vanuatu became independent from condominium rule under France and the United Kingdom on 30 July 1980. It is a constitutional democracy headed by a president with mainly ceremonial powers. The president is elected to a five-year term by an electoral college made up of members of Parliament and the presidents of the six provincial governments. The prime minister is the head of government, and is elected by members of Parliament. The prime minister appoints the Council of Ministers. The prime minister and the Council of Ministers together constitute the executive branch of Vanuatu's national government. Parliament sits for a four-year term unless dissolved by a majority vote of a three-fourths quorum or a directive from the president on advice of the prime minister.

The Constitution of Vanuatu is the Supreme Law of the country. It was promulgated on 5 October 1979, prior to independence. Legislation is passed by a majority of the members of Parliament and becomes law after the president has signed a bill and it is published in the official gazette. The Vanuatu Constitution provides that Parliament may make laws by passing bills introduced either by members of Parliament or by the prime minister or another minister. When a bill is passed by Parliament it is then presented to the President of the Republic who assents to it within two weeks. If the President considers that a bill is inconsistent with a provision in the Constitution, he may refer the bill to the Supreme Court for its opinion. The bill shall not be promulgated if the Supreme Court considers it to be inconsistent with a provision of the Constitution. Acts of Parliament are accompanied by further documentation, such as plans indicating in more detail their practical implementation. Customary law (*Kostom*) is not legally binding, and deal mainly with matters relating to tradition and custom. *Kostam* is overseen by the National Council of Chiefs (*Malvatumauri*). Chapter 5 Section 30 of the Constitution deals with the structure and functions of the National Council of Chiefs. The *Malvatumauri* is competent to discuss all matters relating to custom and tradition and may make recommendations for the preservation and promotion of ni-Vanuatu culture and language. The *Malvatumauri* may also be consulted on any question in connection with a bill before Parliament.

Since 1994, Vanuatu has been divided into six provinces. The provinces are named after the islands within the province: Torba (Torres and Banks), Sanma (Santo and Malo), Penama (Pentecost, Ambae and Maewo), Malampa (Malekula, Ambrym and Paama), Shefa (Shepherds and Efate), and Tafea (Tanna, Aniwa, Futuna, Erromango and Aneityum). Each province is headed by a provincial government that delivers services to its inhabitants. The three urban cities of Port Vila, Luganville and Lankel have separate jurisdiction from the provincial governments and their own administration under their respective Municipal Councils. Municipal Councils operate under the Municipalities Act Cap 126, and consist of a lord mayor and a number of elected counselors, who ensure that by-laws and policies are approved and implemented.

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1. Background information

Using secondary and legal sources, identify and describe briefly in the table below the governmental structure of the subject country to assist readers understand how the different levels of law and regulation relate to each other.

1. BACKGROUND INFORMATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
Identify laws that indicate the structure of government, including the number of levels of government and the extent of decentralisation of governmental functions, such as: constitutional framework for different levels of government (e.g. national/provincial/local), and specific laws on decentralisation.			
1. How many levels of government are there, and what are they called? How many administrative areas are there (e.g. provinces, local government areas)?	Constitution of the Republic of Vanuatu, 30 July 1980 Decentralization and Local Government Regions Act of 1994 Municipalities Act of 2001	Articles 82 and 83	There are two levels of government in Vanuatu, the national level and the local provincial/municipal level. Vanuatu is divided into six provinces (Malampa, Penama, Sanma, Shefa, Tafea and Torba) and two municipalities (Port Vila, Luganville, and Lenakel). There is also the National Council of Chiefs, which advises the government on matters of ni-Vanuatu culture and language.
2. Is there a separate law on decentralisation of government functions? How does it decentralise? For example, does it establish new institutions or delegate powers to provincial/local government?	Decentralization and Local Government Regions Act No. 1 of 1994	Articles 20-22	Power to establish by-laws on enumerated list of subject matters delegated to local government councils.
3. Looking at the Constitution and/or decentralisation law, is there any mention of allocation of responsibility at the different levels for reducing risks related to natural disasters?			No, this is not specifically mentioned in the legislation.
4. Is this country a member of any regional organisation(s) that make(s)			Vanuatu is a member of:

1. BACKGROUND INFORMATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
regulations or agreements or issues guidelines for member states that could impact on disaster management or risk reduction? Is so, please name the organisation(s).			<ul style="list-style-type: none"> -The Pacific Islands Forum Secretariat -The Secretariat of the Pacific Community -The Pacific Regional Environment Programme -The Pacific Islands Applied Geoscience Commission -The Pacific Disaster Risk Management Partnership Network

2. Institutional frameworks, resourcing and community participation in DRR:

The aim is to identify laws that establish the governmental institutions and structures relevant to DRR, and which set out their mandates, and resource allocation mechanisms, including the extent of involvement of communities and civil society. These may include specialist disaster management institutions, bodies established to implement the Hyogo Framework for Action, or authorities charged with planning for adaptation to climate change, as well as government bodies responsible for planning and oversight, public administration at all levels, land use planning, building controls, environmental management, and telecommunications. However, to avoid repetition, the sectoral institutions are not included in this question but are part of the data requested in the section on reducing underlying risks.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
Part One. Disaster Management Law & Institutions			
The key question in relation to DM laws is whether they exist and, if so, the extent to which they incorporate longer term disaster risk reduction, as well as prevention. Issues for investigation include: progress in the development of comprehensive DM legislation (at national level, provincial and local levels), what, if any, elements of existing DM laws and regulations relate to risk reduction and prevention for natural disasters; and whether there is a specified DM role for communities, civil society and the National Red Cross or Red Crescent Society (especially in recognition of its auxiliary status in humanitarian response).			
A. Disaster Management Institutions			
5. Is there a national disaster management (DM) or civil protection	National Disaster Act, No. 31 of 2000 (NDA)		The National Disaster Act (NDA) establishes the National Disaster Committee, National Disaster Office, and delegates functions and

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
law or regulation? - or a group of regulations? Describe.	<p>DDR & DM National Action Plan (2006-2016) (NAP)</p> <p>Priorities and Actions Agenda Supplementary for Mainstreaming DRR & DM (2006-2015) (PAA Supplementary).</p>		<p>powers in the event of a national disaster. An amendment to the National Disaster Act was proposed in 2009, but has yet to be approved by the Council of Ministers or passed by Parliament. The National Action Plan (NAP) implements the NDA with the overall goal of promoting a safe, secure, and resilient Vanuatu by reducing the effects of disasters and fostering national development.</p> <p>The Priorities and Actions Agenda Supplementary (PAA Supplementary) Amends the Priorities and Actions Agenda to include considerations of DRR and DM.</p>
6. Is there also a national disaster management policy? Is this established by a law? Provide details.	<p>NAP</p> <p>PAA Supplementary</p>		<p>Developed at the same time the DRR and DM National Action Plan and the PAA Supplementary ensure that DRR is integrated into decision-making processes, policies, plans, and budgets throughout the development process and encourage increased enforcement of existing legal framework as well as the promulgation of additional regulations related to DRR and DM and involvement of the private sector. The PAA is endorsed by the Vanuatu Council of Ministers</p>
7. Is the DM law a national law applicable throughout the territory of the subject country? If so, does it establish an integrated national system with elements at provincial, local and/or z level?	National Disaster Act, Act. No. 31 of 2000	Article 11	<p>Yes, the NDA is applicable throughout the territory of Vanuatu. Article 11 of the NDA provides for Provincial Disaster Plans consistent with the national plan and support plan to be prepared by the Provincial or Municipal Council of each province and to be approved by the Director of the NDMO. These plans are to be reviewed annually.</p>
8. Are there separate provincial or local DM laws? Are these connected with the national DM law in any way? e.g., is there a hierarchy of laws between them, or a common institutional structure?	<p>NDA</p> <p>Penma Provincial Disaster Management Plan (2002-2003)</p>	Article 11	<p>Yes, the NDA provides for the drafting of Provincial Disaster Plans (see question 7), for example the Penma Provincial Disaster Management Plan.</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
9. Does the DM or other law establish one or more specialist DM institutions? What are they (i.e. what are their names and what type of body are they) and what are their mandates?	National Disaster Act of 2000	Articles 4 and 6	NDA Article 4(2) establishes the National Disaster Committee (NDC), which coordinates disaster management. NDA Article 6(2) establishes the National Disaster Management Office (NDMO) which implements the NDA and the associated national and provincial plans promulgated by the NDC.
10. Does the DM policy use the same or different implementing institutions from the DM law? Describe.	NAP PAA Supplementary		The DM policy refers to the NDC and NDMO. The Department of Meteorology and the Department of Geohazards and Climate Change also play a role under both the policy and the law.
11. Does the DM law or other law deal with: a. Disaster response ¹ ? b. Disaster preparedness ² ? c. Disaster mitigation ³ and prevention ⁴ ? d. Disaster risk reduction ⁵ (DRR)? e. If it includes DRR, how is it	National Disaster Act, Act No. 31 of 2000 PAA Supplementary	NDA Article 4 PAA Supplementary §1: Background	NDA Article 4(2) lists the functions of the NDC as: “(a) to develop strategies and policies for the prevention of, preparation for, response to and recovery from disasters; and (b) to ensure that such strategies and policies are implemented by the National Disaster Management Office, other government agencies and non-government agencies; and (c) to advise the Minister on the need for aid to counter the effects of a disaster and on any agreement proposed to be entered into by the Government in relation to such aid; and (d) to advise the Minister on the declaration of states of emergencies; and (e) subject to the approval of the Commission of

¹ “The provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected.”

² “The knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions.”

³ “The lessening or limitation of the adverse impacts of hazards and related disasters.”

⁴ “The outright avoidance of adverse impacts of hazards and related disasters.”

⁵ “The concept and practice of reducing disaster risks through systematic efforts to analyse and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.”

Note: These definitions are taken from the 2009 UNISDR Terminology on Disaster Risk Reduction, obtained here: <http://www.unisdr.org/we/inform/terminology>.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
defined? (include definition)			<p>Police, to determine the number of members of the Vanuatu Police Force to be deployed in the prevention of, preparation for, response to and recovery from a particular disaster; and (f) to ensure that government agencies comply with directions given by the Minister under section 16; and (g) to advise the Minister on all other matters relating to disasters.”</p> <p>The PAA Supplementary defines DRR as disaster “prevention, adaptation and mitigation,” as opposed to DM, which is defined as disaster “preparedness, response and recovery.”</p>
12. Does the DM law (or any other law) or policy allocate DRR responsibilities in one or more government ministries? If so, which ministries? Describe their allocated roles.	PAA Supplementary NAP	PAA § 9.1 NAP §5.3, Figures 1 and 2	<p>All ministries are responsible for the development of ministerial plans related to DRR.</p> <p>The Ministry for Land and Natural Resources, is responsible for developing a geographic data system and, through its Energy Unit, for extending electricity to smaller villages.</p> <p>The Ministry of Infrastructure and Public Utilities is tasked with infrastructure design and maintenance standards, as well as maintaining early warning and dissemination systems</p> <p>The Ministry of Internal Affairs is responsible for monitoring, reporting, and accountability for organizational, decision-making, legislative, and traditional DRR and DM and is tasked with maintaining an effective National Emergency Operation Center as well as a contingency stockpile of emergency relief items.</p> <p>The Ministry of Finance and Economic Development is responsible for integrating DRR into economic policy and fiscal management and project and monitor economic growth and allocating budgetary funds and developing sustainable national financing mechanisms as well as relevant indicators for monitoring and reporting effectiveness of DRR and DM programs.</p> <p>The Ministry of Education is responsible for integrating DRR and DM into school curriculum and courses offered by other training</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			institutions.
<p>13. Does the DM law or policy prescribe a role in DM institutions for civil society? If so, how defined and what is the role? At what levels?</p> <p>a. National?</p> <p>b. Provincial/state?</p> <p>c. Municipal/local?</p>	NAP		No, although the NAP does refer broadly to NGOs assisting or cooperating the government and supporting NAP implementation as well as supporting the incorporation of traditional knowledge in DRR and DM.
<p>14. Does the DM law or policy prescribe a role in DM institutions for the National Red Cross or Red Crescent Society? If so, how defined and what is the role? At what levels?</p> <p>a. National?</p> <p>b. Provincial/state?</p> <p>c. Municipal/local?</p>	Penama Provincial Disaster Management Plan (PPDMP)	Appendix 2	<p>a. At the national level the DM law and policy never explicitly mentions VRCS.</p> <p>b. The Penama Provincial Disaster Management Plan (PPDMP), in contrast, does define a specific role for the VRCS in the Volcano Disaster Support Plan outlined in Appendix 2 §2, which assigns the VRCS an important role in evacuation and provides that one representative in each area coordinator will be from the VRCS.</p>
<p>15. Is there any provision in the DM law or policy to ensure that women have a role and a voice in the DM institutions? If so, how is this regulated or encouraged by law? At what levels does the law provide for women's participation in DM institutions?</p> <p>a. National?</p> <p>b. Provincial/state?</p> <p>c. Municipal/local?</p>	<p>NDA</p> <p>PAA Supplementary</p> <p>NAP</p> <p>Penama Provincial Disaster Management Plan</p>	<p>NDA Article 5</p> <p>PPA §3.4</p> <p>NAP §5.3</p> <p>Appendix 2</p>	<p>a. According to NDA Art. 5(1)(d), the NDC includes three NGO representatives, one of which must be a woman. According to the PPA, engagement with women's groups is part of assessment of DRR and DM mechanisms. The Department of Culture has established Women Field Workers, who are part of its Women's Culture Program and act as a link to the Department of Culture, thereby communicating traditional knowledge which may be incorporated into policy or procedures under theme 6.4 of NAP §5.3.</p> <p>b. At the provincial level, the PPDMP provides for women's groups to be represented in village/community coordinators and for the</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			Women's Affairs department to be part of planning, specifically in reference to the Volcano Disaster Support Plan in Appendix 2 §2.
<p>16. Does the DM law or policy prescribe a role in DM institutions for communities? If so, how defined and what is the role? Does it specify any mechanisms to ensure a voice for all elements of the community in DRR, e.g.</p> <p>a. Women?</p> <p>b. Different cultural or ethnic groups?</p> <p>c. Vulnerable groups, including children, older persons, persons with disabilities?</p> <p>d. Socially isolated groups and the very poorest people?</p>	<p>NAP</p> <p>PPDMP</p>	<p>NAP §5.3</p> <p>PPMP Appendix 2</p>	<p>Not specifically at the national level, although the NAP refers broadly to community involvement, and §5.3 talks about encouraging compliance with regulations and encouraging partnership in financing solutions.</p> <p>a. At the provincial level, the PPDMP provides for women's groups to be represented in village/community coordinators and for the Women's Affairs department to be part of planning, specifically in reference to the Volcano Disaster Support Plan in Appendix 2 §2.</p> <p>b. The PPMP also provides that youth groups shall be represented in village/community coordinators</p> <p>c. No</p>
<p>17. Describe the main differences in the scope of the DM law and the DM policy concerning prevention and disaster risk reduction.</p>	<p>NDA</p>	<p>Articles 2, 3, 13</p>	<p>Both the DM law and the DM policy are national in scope.</p> <p>Law: NDA Art. 2 Defines "disaster" as "(a) an earthquake, tsunami, cyclone, storm, flood, volcanic eruption, drought, bush fire or other natural happening; (b) an explosion, fire, oil spill, chemical spill, air disaster, maritime disaster or accident of any other kind; (c) an infestation, plague or epidemic; being an occurrence that: (d) endangers, or threatens to endanger, the safety or health of people in Vanuatu; or (e) destroys or damages, or threatens to destroy or damage,</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	NAP PAA Supplementary	§4 §1	<p>property in Vanuatu.”</p> <p>NDA Art. 3 excludes military operations or preparation for such operations, industrial disputes, and riots or other forms of civil disturbance excepting those qualified as a state of emergency from the definition of disaster.</p> <p>NDA Art. 13 defines “state of emergency” as constituting “a significant and widespread danger to life or property in Vanuatu; and [exceeding] the affected community's capabilities to deal with that disaster.”</p> <p>Policy: NAP §4 “The overall goal of the National Action Plan for Disaster Risk Reduction and Disaster Management is to promote and ensure a safe, secure and resilient Vanuatu through the reduction of social, economic and environmental impacts of disasters on the people of Vanuatu and its economy, thereby facilitating the achievement of national development goals.”</p>
18. Does the DM law or policy, or other legislation, provide for oversight mechanisms on DRR implementation, including reporting and/ or parliamentary oversight?	NDA NAP PAA	Articles 4, 2 § 5.3, 1.5, Theme IV § 9.5	<p>The NDA establishes the NDC and NDMO. Article 4(2) lists the functions of the NDC, including ensuring implementation of and compliance with the NDA by the NDMO and other governmental and non-governmental agencies.</p> <p>The NDMO must report to Director General of the Ministry responsible for DRR, about the activities of the NDMO for that year and that report must be published in an annual report.</p> <p>The implementation strategy of the NAP includes an annual review of progress, but does not specify who would conduct such a review.</p> <p>The PAA lists performance indicators that could be used to</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			measure achievement of priorities, but without specifying how such measurement would take place.
B. Hyogo Framework for Action & Climate Change Institutions			
19. Does legislation establish any institutions (including committees), or allocate to an existing body, implementation of the Hyogo Framework for Action? What institutions? What are their designated roles in DRR?	The National Adaptation Plan for Action (NAPA) Bill for the Meteorological, Geological Hazards, and Climate Change Act (2012) (MGHCCA)	Paragraph 40	The NAPA assigns to oversee coordination and implementation of projects to the preexisting National Advisory Committee for Climate Change (NACCC) and sets priorities related to a variety of areas, from agriculture to sustainable tourism. Additionally, as of 2012, the National Advisory Board for Climate Change and Disaster Risk Reduction (NAB) merged the National Advisory Committee on Climate Change (NACCC) with the National Task Force for NAP Implementation (NTF) in one entity. The NAB is an advisory body designed to ensure DRR and climate change priorities are met. Although the bill regarding this change has not yet been enacted into law, it appears that the merger has already been implemented.
20. Does legislation establish any institutions (including committees), or allocate to an existing body, planning and implementation for adaptation to climate change? What institutions? What are their designated roles in DRR?	NAPA	Paragraph 40	The NAPA assigns to oversee coordination and implementation of projects to the preexisting National Advisory Committee for Climate Change (NACCC) and sets priorities related to a variety of areas, from agriculture to sustainable tourism.
21. Do the implementation mechanisms for the Hyogo Framework, climate change adaptation and DM institutions intersect? If so, how? Are	Bill for the Meteorological, Geological Hazards, and Climate Change Act (2012) (MGHCCA)	Article 3	Yes, the NAB was established due to overlapping mandates of the NDMO and the NACCC in order to conserve resources. The CCA and DRR & DM frameworks have now been merged and are managed under one institution. Article 3 of the MGHCCA gives the

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
their mandates complementary or do they overlap? Describe.			objectives of the bill.
C. DRR priority and resource allocation in government			
22. Does the budgetary process provide for any dedicated budget line items for DRR and/or minimum percentages for DRR expenditure by government institutions? If so, is there a budget allocated to DRR at national level? How is this prescribed?			No information available.
23. Is there a budget allocated to DRR at provincial/state level (if relevant)? How is this prescribed?			No information available.
24. Is there a budget allocated to DRR at municipal or local level? How is this prescribed?			No information available
Part Two. Responsibility, accountability and liability for natural disaster risk reduction			
The aim is to identify relevant constitutional or other guarantees that may underpin government responsibility, liability and affected persons' rights to compensation. These may include rights to: safety /life; not to be discriminated against; protection of livelihoods; health; compensation; and to information relevant to DRR. One specific issue on the question of liability, is whether governments are liable for failure to prevent natural disasters affecting the population, including for failure to warn, or for making an erroneous warning. A second, related, issue is whether private individuals are liable for damage caused to others from their property during natural disasters, or for faulty advice/warnings given. A third element is whether there is any system of compulsory insurance against the effects of natural disasters.			
A. Constitutional Rights & Guarantees for the Population			
25. Are there any guarantees in the constitution or another law relating	Constitution of the Republic of Vanuatu	Articles 5, 6	Article 5(1) of the Constitution lists the fundamental rights and freedoms. Article 6 provides that anyone who believes their

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>to individual or collective rights that may underpin government responsibility or liability, and affected persons' rights to compensation for damage from natural disasters? If so, do these relate to:</p> <ul style="list-style-type: none"> a. DRR in general? b. Safety /Life c. Right to Food? d. Right to adequate shelter or housing? e. Non-discrimination, (and other relevant civil and political rights)? f. Livelihoods, Health (and other economic, social and cultural rights)? g. Compensation for losses due to natural disasters? h. Information? 			<p>Constitutional rights are being infringed may apply to the Supreme Court to enforce that right.</p> <ul style="list-style-type: none"> a. Rights listed in article 5 could relate to DRR. For example the rights to life and security of person. b. The rights to life and security of person are enumerated in article 5(1)(a) and (c). c. There is no express right to food. d. Article 5(1)(j) provides protection from unjust deprivation of property. e. Non-discrimination is enshrined in article 5(1)(e), which provides for "equal treatment under the law or administrative action, except that no law shall be inconsistent with this subparagraph insofar as it makes provision for the special benefit, welfare, protection or advancement of females, children and young persons, members of under-privileged groups or inhabitants of less developed areas." f. Article 5(1)(e) provides for freedom from inhuman treatment

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			<p>and forced labor.</p> <p>g. There is no express right to compensation for losses due to natural disasters.</p> <p>h. There is no express right to information.</p>
<p>26. Do the above constitutional or other guarantees give residents any personal right of action against the state if the government breaches these rights? E.g. access to a constitutional court, or a claim in a human rights court or tribunal? If so, explain how the law enables this to occur, and who has the right to make such claims. E.g.</p> <p>a. Is it an individual or a collective right?</p> <p>b. Can claimants represent themselves?</p> <p>c. Are there costs that mean the poorest people cannot access the remedy?</p> <p>d. Are there financial limitations on any such claims (minimums or</p>	Constitution of Vanuatu	Article 6	<p>Yes, according to article 6: “(1) Anyone who considers that any of the rights guaranteed to him by the Constitution has been, is being or is likely to be infringed may, independently of any other possible legal remedy, apply to the Supreme Court to enforce that right. (2) The Supreme Court may make such orders, issue such writs and give such directions, including the payment of compensation, as it considers appropriate to enforce the right.”</p> <p>a. This appears to be an individual right under the wording of article 6.</p> <p>b. No information available.</p> <p>c. No information available.</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
maximums)?			d. No information available.
B. Liability & Insurance			
27. Does legislation (including case law, where applicable) make government agencies liable for failure to prevent natural disasters affecting the population?	National Disaster Act of 2000	Article 20	No. Government agencies have immunity as long as act or omission is done in good faith. Article 20 states: "A person ('the first mentioned person') may not bring legal proceedings against the State, a Minister or any other person or body for any damage, loss, death or injury sustained by the first mentioned person if it was sustained (a) during a state of emergency, and (b) because of anything done or omitted to be done in good faith under this Act by an emergency services officer, a volunteer, a police officer or any other person acting in accordance with this Act."
28. Are government agencies liable for failure to warn or for making an erroneous warning of natural disaster? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?	NDA	Article 20	No. Government agencies have immunity so long as acts or omissions were done in good faith. See question 28.
29. Do government agencies that fail to warn or make an erroneous warning have legal immunity? If governments have immunity from liability, how extensive is this and/or how and where in law is it defined? Does it	NDA	Article 20	Yes, government agencies have legal immunity so long as acts or omissions are done in good faith. Immunity appears to be total and applies to all levels of government and all persons acting under the NDA. See question 28.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
apply to all levels of government?			
30. Are private persons (individual or corporate) liable for faulty disaster-related advice or warnings given? Does this apply to volunteers? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?	NDA Bill for the Meteorological, Geological Hazards, and Climate Change Act (2012) (MGHCCA)	Article 20 Article 11	See question 28. However, it appears that weather-related warnings, whether or not they are faulty, may only be broadcast with the permission of the National Meteorological Service. According to article 11(3): “Any person who issues or broadcasts a warning or alert of gales, storms and other weather conditions likely to endanger life or property, including weather conditions likely to give rise to floods or storm surges, which has not been issued by the Department or which is issued without the approval of the Director, commits an offence against this Act.”
31. Are private persons (individual or corporate) liable for damage caused to others from their property during natural disasters? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?	NDA	Article 20	No, private persons are immune under the NDA so long as they acted in good faith. See question 28.
32. Is there any system of compulsory insurance against the effects of natural disasters? If so, how is this established by law and what are the main elements of the scheme?			No information available.

3. Early warning and reduction of underlying risk factors through regulation

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>Parts One and Two: Are there laws or regulations relating to preparedness, prevention and/ or risk reduction against the following specific natural hazards (if relevant)? Such regulations may include some specific laws on rapid-onset disasters – Part One – such as fire regulations and fire service, as well as building codes (e.g. earthquake, fire, hurricanes/cyclones), land zoning and land use planning regulations (e.g. flood plain exclusions, unstable land) , disaster management / civil protection laws, and environmental management laws concerning rivers and forests (flood mitigation, erosion prevention against landslides and floods). There may be similar or a different range of laws concerning slow-onset disasters such as drought and other food security issues – Part Two. There may therefore be some overlap with the subsequent sections, but the main aim of Parts One and Two of this section is to identify which risks have separate regulation in the subject country, and in which laws.</p>			
<p>Part One. Rapid-onset disasters, sectoral and specific regulation based on identified risks and community participation</p>			
<p>A. Cyclones, tornadoes, or storms?</p>			
<p>33. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?</p>	<p>Government Cyclone Support Plan Review, Nov. 2004</p> <p>Penama Provincial Disaster Management Plan</p>	<p>PPDMP Appendix 2 and 3</p>	<p>Yes, there are regulations both at the national level and the provincial/municipal level. Both regulations appear to be more about disaster response than risk management.</p>
<p>34. Does this law specify how management of this risk is financed? If so, describe.</p>	<p>Government Cyclone Support Plan Review, Nov. 2004</p> <p>PPDMP</p>	<p>Part 12</p>	<p>The national Cyclone Support Plan does not specify how it is to be financed.</p> <p>The PPDMP states that the NDMO would set up a disaster relief fund in the event of a disaster.</p>
<p>35. Does this law attribute liability for damage caused by:</p> <p>a. failure to warn, or false or faulty warnings of this risk?</p> <p>b. failure to take preventive action</p>	<p>Government Cyclone Support Plan Review, Nov. 2004</p> <p>PPDMP</p>		<p>No</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>including by reducing this risk?</p> <p>c. If so, who may be liable - or immune?</p> <p>d. Is it civil or criminal liability, or both?</p>			
<p>36. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>	<p>Government Cyclone Support Plan Review, Nov. 2004</p> <p>PPDMP</p>		No
<p>37. Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <p>a. Women?</p> <p>b. Different cultural or ethnic groups?</p> <p>c. Vulnerable groups, including children, older persons, persons with disabilities?</p> <p>d. Socially isolated groups and the very poorest people?</p>	<p>Government Cyclone Support Plan Review, Nov. 2004</p> <p>PPDMP</p>		No
<p>38. Does this law provide for Early</p>	<p>Government Cyclone</p>	<p>§6.0</p>	<p>The national Cyclone Support Plan does not require community</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?	Support Plan Review, Nov. 2004 PPDMP	Part 11	involvement in EWS. Under the PPDMP, warnings are passed through Community Coordinators, who make the public aware of the warnings via local radio.
39. If communities are involved in Early Warning Systems (EWS), does this law provide that they: a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)?	PPDMP	Part 11	a. No b. No c. Community Coordinators make the public aware of warnings via local radio d. Yes, via radio.
B. Earthquake/Tsunami?			
40. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?	Vanuatu National Tsunami Support Plan (2012)		Yes, at the national level there is the National Tsunami Support Plan, which is implemented by the NDMO.
41. Does this law specify how	Vanuatu National Tsunami Support Plan (2012)		No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
management of this risk is financed? If so, describe.			
42. Does this law attribute liability for damage caused by: a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both?	Vanuatu National Tsunami Support Plan (2012)		No
43. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?	Vanuatu National Tsunami Support Plan (2012)	§4.2	The Vanuatu Meteorological and Geo-hazards Department (VMGD) is charged with operating the National Seismic and Volcanic Monitoring Network in its Geo-hazards Section.
44. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: a. Women?	Vanuatu National Tsunami Support Plan (2012)		No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<ul style="list-style-type: none"> b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
45. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?	Vanuatu National Tsunami Support Plan (2012)	§4.1	The Vanuatu Tsunami Warning Center (VTWC) is jointly operated by the VMGD and the NDMO and has the authority to issue tsunami warnings, advisories, and general information. There does not appear to be any community involvement required.
46. If communities are involved in EWS, does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 	Vanuatu National Tsunami Support Plan (2012)		Not applicable
C. Fire?			
47. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any),			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
and institutional responsibility. At what level(s) of government is this regulated?			
48. Does this law specify how management of this risk is financed? If so, describe.			No
49. Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			No
50. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			No
51. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities?			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
52. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?			No
53. If communities are involved in EWS, does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			Not applicable
D. Floods?			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
54. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
55. Does this law specify how management of this risk is financed? If so, describe.			No
56. Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			No
57. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			No
58. Does this law provide for			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
59. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?			No
60. If communities are involved in EWS, does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, 			Not applicable

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
radio or internet access to meteorological or seismological data and analysis)?			
E. Heat/cold waves?			
61. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
62. Does this law specify how management of this risk is financed? If so, describe.			No
63. Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			No
64. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
relation to this risk? If so, what authority is responsible and what is their mandate?			
65. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			No
66. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?			No
67. If communities are involved in EWS, does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? 			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<ul style="list-style-type: none"> c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			
68. Describe form of regulation, and institutional responsibility.			No
F. Insect Infestations?			
69. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?	Public Health Act (Cap 234) Act 22 of 1994	Articles 31-41	The Public Health Act is a national legislation. The sections regarding Prevention and Destruction of Mosquitoes and Vermin and Filthy or Venomous Premises or Articles and Verminous Persons appear to encompass insect infestations.
70. Does this law specify how management of this risk is financed? If so, describe.	Public Health Act (Cap 234) Act 22 of 1994		No
71. Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or 	Public Health Act (Cap 234) Act 22 of 1994		No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
immune? d. Is it civil or criminal liability, or both?			
72. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?	Public Health Act (Cap 234) Act 22 of 1994		No
73. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people?	Public Health Act (Cap 234) Act 22 of 1994		No
74. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community	Public Health Act (Cap 234) Act 22 of 1994		No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
involvement in EWS?			
75. If communities are involved in EWS, does this law provide that they: a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)?	Public Health Act (Cap 234) Act 22 of 1994		Not applicable
G. Landslides and avalanches?			
76. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
77. Does this law specify how management of this risk is financed? If so, describe.			No
78. Does this law attribute liability for damage caused by:			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			
79. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			No
80. Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? 			No

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Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
d. Socially isolated groups and the very poorest people?			
81. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?			No
82. If communities are involved in Early Warning Systems (EWS), does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			Not applicable
H. Volcanoes?			
83. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?	PPDMP	Appendix 2	At the provincial/municipal level Appendix 2 of the PPDMP specifically addresses volcanoes, specifically how Penama province uses the VVAL in its volcano disaster response operations.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
84. Does this law specify how management of this risk is financed? If so, describe.	PPDMP	Part 12	The PPDMP states that the NDMO would set up a disaster relief fund in the event of a disaster.
85. Does this law attribute liability for damage caused by: a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both?	PPDMP	Appendix 2	No
86. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?	PPDMP	Appendix 2	The PPDMP uses information gathered by the NDMO and the Department of Geological, Mines and Water Resources (DGMWR) through the Vanuatu Volcano Alert Level system (VVAL).
87. Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:	PPDMP	Appendix 2	Not applicable

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
88. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?	PPDMP	Appendix 2	Yes, through the VVAL System. There does not appear to be any provision regarding community involvement.
89. If communities are involved in Early Warning Systems (EWS), does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			Not applicable.
Part Two. Slow-onset disasters, sectoral and specific regulation based on risks and community participation			
I. Drought and related famine?			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>90. Is there a specific law or institutional mandate for drought preparedness and risk reduction, especially for agriculture and related industries? In particular:</p> <p>a. Rain and river water storage, distribution and conservation measures?</p> <p>b. Development and maintenance of ground water extraction, storage and distribution?</p> <p>If so, describe the forms of regulation. At what level(s) of government is this regulated?</p>	<p>Water Resources Management Act, Act 9 of 2002 (WRMA)</p>	<p>Articles 7, 26(1)(d)</p>	<p>The Minister for Water Resources is tasked with dealing with any disaster that might affect the water supply.</p> <p>a. No information available</p> <p>b. The construction, maintenance, or operation of new works must be approved by the Minister for Water Resources. The WRMA is a regulation on the national level.</p>
<p>91. Is there a specific law or institutional mandate for early warning and response to drought, to mitigate the effects of drought and help prevent famine? In particular:</p> <p>a. Is an institution legally mandated to issue drought early warnings? If so, how is this regulated?</p> <p>b. Is an institution legally mandated to impose water use restrictions? If so, at what level(s) of government?</p> <p>c. Is there legal provision for diversion, piping or transporting water to drought-affected areas? If</p>	<p>WRMA</p> <p>Public Health Act</p>	<p>Articles, 8 26, 28</p> <p>Articles 42, 43</p>	<p>a. There is no specific mandate for an early warning system. Article 28 outlines a mandatory education program to raise public awareness of water protection zones, but this is not the early warning system itself.</p> <p>b. Article 26(1)(d) of the WRMA provides for the declaration of a water protection zone to deal with any emergency which may affect the water supply. Under Article 8(a) of the WRMA the right to use water may be limited in actual or anticipated water shortage.</p> <p>c. The Public Health Act provides for the provision of sufficient water to both urban houses and rural areas, but makes no specific mention of drought.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
so, at what level(s) of government?			
92. Do the above laws or mandates specify how management of drought and famine risk is financed? If so, describe.			No
93. Do the above laws or mandates regulate the collection and distribution of information on drought and related famine risks? If so, what authority is responsible and what is their mandate?	WRMA	Articles 14(e), 23(a), 25	WRMA Article 14(e) states that a National Water Resources Inventory is to be established by the Minister of Water Resources. According to Article 23(a) the National Water Resources Policy should contain information on water supply, which would necessarily relate to drought. Article 25 provides that the Minister for Water Resources must establish a National Water Resources Inventory and renew this Inventory every five years.
94. Do the above laws or mandates provide for consultation and/or participation about drought and famine risk, early warning or general DRR regarding drought and famine by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
J. Other food security risks?			
95. Is there a specific law or institutional mandate concerning threats to food security other than droughts? (e.g. predicted effects of climate change, such as inundation of agricultural land and/or mass migration). a. If so, describe the form of regulation to reduce the impact of these risks (if any), and institutional responsibility b. At what level(s) of government is this regulated?	Food Control Act, Act No. 21 of 1993 (FCA)	Articles 46-48	The FCA creates the Vanuatu National Nutritional Health and Food Safety Fund, which is to be used to improve nutrition and food safety.
96. Does the above law or mandate specify how management of food security is financed? If so, describe.	FCA	Articles 46-48	See Vanuatu National Nutritional Health and Food Safety Fund in question 96.
97. Does the above law or mandate regulate the collection and distribution of information on hazards and risks to food security, particularly those relating to agricultural production? If so, what authority is responsible and what is their mandate?	FCA		No
98. Does the above law or mandate provide for community consultation and/or participation about risk	FCA		No

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Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>reduction from threats to food security? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ol style="list-style-type: none"> Women? Different cultural or ethnic groups? Vulnerable groups, including children, older persons, persons with disabilities? Socially isolated groups and the very poorest people? 			
Part Three. Early Warning, Hazard Mapping and Risk Information			
A. Early Warning			
<p>99. In addition to the sectoral laws above, is there any general obligation to establish early warning systems (EWS) in the disaster management law?</p> <ol style="list-style-type: none"> If so, does this include institutional mandates on EWS? Which institution(s) are involved and what are their mandates on EWS? Is there legal provision for financing of EWS? 	<p>Vanuatu Meteorological Services Act (VMS), Act No. 4 of 1989</p>	<p>Article 6</p>	<p>According to VMS Article 6(1)(c)The Vanuatu Meteorological Service has “the exclusive responsibility for the issue of warnings of gales, storms and other weather conditions likely to endanger life or property, including weather conditions likely to give rise to floods or storm surges.”</p> <ol style="list-style-type: none"> EWS is operated by VMS. VMS coordinates with other organizations, but is tasked with EWS overall. No information available.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
100. Does EWS regulation include requirements for community consultation and participation in development of EWS? Describe.			No information available
101. Does EWS regulation provide for community-based early warning data collection? Describe.			No information available
102. Does EWS regulation provide for timely and reliable access for at-risk communities to EWS, meteorological or seismological data (as relevant)? Describe.			No information available
103. Does the law regulating telecommunications infrastructure and delivery include any DRR criteria in general, or any specific measures such as: <ul style="list-style-type: none"> a. geographical coverage of telecommunications to include remote and/or at-risk areas? b. priority access to communications technology for at-risk communities and responders to disaster? c. access for vulnerable groups such as the elderly and persons with disabilities? d. Support for early warning systems? 	<p>Republic of Vanuatu Telecommunications Act, Act No. 10 of 1989, amended by Act No. 31 of 2009</p> <p>Broadcasting and television Act, Act No. 3 of 1992</p>		No, the telecommunications laws do not address DRR.

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Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>104. Does the above law impose, or allow for the imposition, of any restrictions on use of certain types of telecommunications equipment</p> <p>a. Generally throughout the territory?</p> <p>b. In specified areas?</p> <p>c. Under specified circumstances?</p>	Telecommunications Act	Article 20	<p>a. Yes, the Minister responsible for telecommunications can set terms and conditions for the import of telecommunications equipment. This is a national legislation, so the Minister's power is applicable throughout the territory of Vanuatu. There is no information available on regulations restricting use of equipment</p> <p>b. No information available</p> <p>c. No information available</p>
B. Risk identification, assessment and monitoring			
<p>105. In addition to the sectoral laws above, does the disaster management law regulate the collection and distribution of information on hazards and risks (risk mapping)? If so, what authority is responsible and what is their mandate?</p>	NDA VMS	Article 8 Article 6	<p>The National Disaster Operations Center must collect and disseminate information through media outlets to keep the public informed for the purposes of DRR.</p> <p>The Vanuatu Meteorological Service collects and distributes information related to weather and meteorological information.</p>
<p>106. Does the disaster management law, or another law, regulate the collection and publication of seismological, meteorological and climatic data relevant to natural disasters? If so, what does it require and who is responsible for this, and under what law?</p>	Statistics Act, JR of 1974 VMS Act	Article 2, Schedule 1 Article 6	<p>The Department of Statistics is tasked with collecting data and advising the government on any matter related to statistics. According to schedule 1 this includes matters related to agriculture, mining, electric, gas and water, and food consumption and nutrition.</p> <p>The Vanuatu Meteorological Service takes and publicizes all meteorological observations, including seismological, meteorological, and climatic data.</p>
<p>107. Does the disaster management law, or another law, regulate the</p>	Census Act, Act No. 28 1988	Articles 1, 4	<p>The laws related to census provide for the collection and publication of population data, but there is no special focus on</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
collection and publication of baseline population data, especially in high risk areas? If so, what does it require and who is responsible for this, and under what law?	Statistics Act, JR of 1974	Article 8	high-risk areas. The Census Act regulates the collection of population data via census. Article 1 refers to the 'Minister responsible for census,' Article 4 refers to the Director of Statistics from the National Statistics Office. Article 8 of the Statistics Act provides for the taking of the census by the Principal Statistician of the National Statistics Office.
Part Four. Regulation of the Built Environment			
The aim is to outline the laws and regulations that set out building and construction standards, relevant approvals and enforcement processes, as well as planning and construction of roads & bridges, and land use planning and zoning, such as: urban and rural planning and zoning, including prohibitions on development of high risk sites, public open space for evacuation, access for rescue services such as fire and ambulance, and including regulation of informal settlements; regulation and responsibility for water storage, distribution and quality control for human consumption, flood mitigation construction and other water management against flooding; land tenure, including mapping and registration of tenure rights (especially participatory land mapping with communities) and any recognition of indigenous land rights and occupiers' rights; regulation of emergency and transitional shelter; and regulation or treatment of informal settlements.			
A. Building Codes			
Identify building and construction codes, including fire, flood and earthquake safety, as relevant to identified risks, including any differences in regulation, such as between large urban construction and small residences in rural villages; building regulations, including approvals, inspection and enforcement; and any regulation of emergency and transitional shelter, and informal settlements.			
108. Is there a national building and construction law? If so, what authority is responsible for its implementation?	Draft National Building Code Act, 1989 Interim Transitional Strategy and Future Plans to Implement the Resolutions of the National Land Summit 2006 Physical Planning Act of 1986	Sections 12, 13	There is no single national building and construction law. The Draft National Building Code Act has not been enacted into law by Parliament. There is, however, an 'Interim Transitional Strategy and Future Plans to Implement the Resolutions of the National Land Summit 2006', which has been endorsed by the Council of Ministers. Under this Interim Strategy, projects, proposals or development activities that are likely to cause "significant environmental, social and/or custom impacts" are subject to the EIA provisions, and in particular activities which "affect coastal dynamics" or "affect important custom resources," with certain

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Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			exemptions.
109. If there is not a national building and construction law, is this issue regulated at provincial/state or local level? If sub-national regulation only, can you find an example of such a law?	Physical Planning Act of 1986		According to the Physical Planning Act, zoning and physical planning is primarily regulated at the provincial level by local Councils. No further information available
110. Does the building and construction law include detailed building codes, regulations or rules? Are these codes mandatory and binding? What areas do they cover (e.g. fire, earthquake, general building design and construction, health requirements, water & sanitation etc.)? List these categories of regulation.			Although many buildings are built according to standards contained in the Australian or New Zealand building codes or with the never-enacted Draft National Building Code.
111. Does this law include mechanisms for individual building approvals? If so, which institution(s) have responsibility for this?			No information available
112. Does this law include mechanisms for building inspections? If so, which institution(s) have responsibility for this? Does it apply to: a. New buildings? b. Renovations / extensions of existing buildings? c. Existing buildings where there is no			No information available

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Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
building application, such as old buildings that may no longer be safe?			
113. Does this law include mechanisms for enforcement of codes, including sanctions? What type of sanctions (e.g. fines, whole or partial demolition orders)? If so, which institution(s) have responsibility for this?	Physical Planning Act of 1986	Article 10	Enforcement notices may be issued, there are penalties for failing to comply with enforcement notices.
114. Do the building regulations have special standards or requirements for: <ul style="list-style-type: none"> a. schools? b. hospitals? c. fire stations? d. other public buildings that may also be required as collective centres in case of disaster (e.g. ministries, sports complexes, churches, mosques etc.)? 			No information available.
115. Do the building regulations or land use planning laws (or other special laws) include regulation of large commercial buildings and developments (such as multi-storey shopping centres, office buildings			No information available.

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Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
and factories)? Identify & describe.			
116. Do the building laws/regulations include large, multi-storey apartment buildings? Identify & describe.			No information available.
117. Do the building laws/regulations include small self-built constructions? Identify & describe.			No information available.
118. Do the building laws/regulations differ as between urban and rural settings? If building laws/regulations are different in rural settings, what are the main differences compared with urban settings? E.g. a. the extent of regulation? b. the level of government at which it is regulated? c. other?			No information available.
119. Do the building/planning laws/regulations include emergency and transitional shelter? If so, what form of regulation and which institution(s) have responsibility for this?			No information available.
120. Do the building laws/regulations include: a. Inspections?			No information available.

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Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>b. programmes and/or incentives for making existing buildings safe (e.g. retro-fitting for earthquake resistance, addition of fire escapes, condemning unsafe buildings including demolition orders, tax or funding incentives for owners to fortify buildings)?</p> <p>If so, what form of regulation and which institution(s) have responsibility for this?</p>			
<p>121. What if any provision is there for planning, approval and construction of public roads, bridges and related public works? – describe the authority(s) & mandate(s).</p>			No information available.
<p>122. Are there other matters relevant to DRR that are regulated in the building and construction laws of the subject country?</p>			No information available.
B. Land Use Planning Laws			
<p>The aim is to identify whether there are national laws and statutory authorities with responsibility for land zoning and/or land use planning. If there is not a national law or authority, the issue may be regulated at provincial/state or local level and examples of these laws may not be available. However, although land use planning is frequently regulated at local government level, the underlying principles or institutional responsibilities may be included in national or provincial laws. Also, many major cities now have planning law overlays that cross local government boundaries, and may be determined under national or provincial/state laws. In other cases, special regimes have been established to manage the course of a major river that crosses many local boundaries (and these laws may also refer to bilateral treaties about cross-boundary water management - for DRR as well as water use – which may bring them under national law through the treaty powers).</p>			
<p>123. Are there national laws and</p>	Physical Planning Act of		The authorities responsible for land zoning and land use planning

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statutory authorities with responsibility for land zoning and/or land use planning?	1986, Act No. 22 of 1986		are the Municipal Council or local Government Council under the Ministry of Internal Affairs Department of Provincial Affairs.
124. Is this issue regulated at provincial/state or local level? If so, can you find an example of such a law at each level?	Physical Planning Act of 1986		No information available.
125. Does the land use planning and/or zoning law include processes for: a. Formal release of land for new developments? b. Approval of each new urban development? c. Approval of major commercial developments?	Physical Planning Act of 1986	Articles 4, 5	a. No information available b. There appears to be one regulatory system for both urban and commercial developments. According to Article 4 of the PPA "No person shall carry on development in a Physical Planning Area, except as specified in the declaration of that Physical Planning Area, without first having received permission in writing from the Council." Article 5 of the PPA provides that application procedures for development be established by the Council. c. See b.
126. Does the land use planning and/or zoning law include prohibitions on development of high risk sites (e.g. unstable land prone to subsidence, flood plains, and contaminated sites)?			No information available.
127. Does the planning / zoning law include public open space for evacuation?			No information available.
128. Does the planning / zoning law			No information available.

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allocate or require allocation of land for emergency or transitional shelter in preparation for potential disaster?			
129. Does the planning / zoning law include provisions for infrastructure installation (water and drainage, sewers, telecommunications, energy) in new developments?			No information available.
130. Does the planning / zoning law include street width regulations for future traffic flow and to ensure access for emergency services such as fire and ambulance?			No information available.
131. Does the planning / zoning law differ as between urban and rural settings? If different in rural settings, what are the main differences compared with urban settings? E.g. a. the extent of regulation? b. the level of government at which it is regulated? c. other?			No information available.
132. Does the planning / zoning law include any other matters relevant to disaster risk reduction?			No information available.
C. Land tenure			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>133. Is there a national system of land title registration established under law?</p> <p>a. If sub-national regulation, at what level of government does this occur, if at all? If sub-national, can you find an example of such a law?</p> <p>b. Does the legal mandate for this system require computerisation and/central record at national level? If not, how and where does it require records to be kept?</p>	Land Leases Act of 1983, last amended 2006	Article 26	<p>a. At the national level it is required to register leases for certain properties.</p> <p>b. At the national level land registration is under the domain of the Ministry of Lands and Natural Resources Department of Lands, Survey and Records (DOLSR). No information available on provincial level.</p>
<p>134. Are there institutions mandated to survey land and/or register title? Does this mandate:</p> <p>a. require or allow community participation in land mapping or surveying for the purpose of establishing titles and/or occupancy and/or usage rights?</p> <p>b. establish a timeframe for the conclusion of land mapping?</p> <p>c. allocate resources for land mapping?</p>	Land Leases Act	Articles 2, 4 and 10	<p>a. Article 2 establishes the Land Records Office, containing the Land Leases Register and the obligation to obtain certified copies of survey plans. Article 4 gives details of the Land Leases Register. Article 10 requires that the Land Records Office obtain land survey plans for all land subject to a lease.</p> <p>b. No information available</p> <p>c. No information available</p>
<p>135. Does the land title system allow anyone to purchase or own land, or does it exclude anyone? E.g. can the following own and inherit land under</p>	Constitution of Vanuatu	Article 73, 74, 19.	<p>a. No information available</p> <p>b. Only indigenous ni-Vanuatu are able to own land in freehold</p>

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<p>this system:</p> <p>a. Women?</p> <p>b. All ethnic or religious groups?</p> <p>c. Non-nationals?</p>			<p>c. No, only indigenous ni-Vanuatu may own land, non-nationals may not own land</p>
<p>136. If there is no standardised land title, is there another way to legally recognise land tenure rights (e.g. indigenous title based on ancestral lands, or established occupation or use, or other traditional rights to use resources such as gathering or hunting or water rights)? Describe.</p>	Constitution of Vanuatu	Article 74	Indigenous title is established through <i>kastom</i> , or traditional customary law.
<p>137. Is there any legal recognition of traditional or customary law and practice regarding land occupation or ownership, or community or collective management of land? If so, describe the relevant legislation or case law.</p>	Constitution of Vanuatu	Articles 74-76, Article 79	<i>Kastom</i> is legally recognized as the law applicable to indigenous landownership, and is administered by the National Council of Chiefs
<p>138. Is there legislation or case law that recognises land tenure as a result of occupation, such as:</p> <p>a. adverse possession (use and occupation of land over a certain period of years in the absence of the legal owner, resulting in a change of ownership)?</p>	UK Prescription Act 1832	Article 1	<p>a. Adverse possession is recognized under Vanuatu law through the UK Prescription Act, which is part of Vanuatu law according to Article 95 of the Vanuatu Constitution which adopted French and UK laws applicable in Vanuatu immediately before independence.</p> <p>b. No information available</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
b. 'squatters' rights' (including any rights to continue inhabiting land and/or vacant buildings or to be given notice of eviction if contested by the legal owner)?			
139. If there are parallel systems for recognition of land tenure, such as customary law vs. registered freehold title, does one type of legal claim take precedence over the other?	Constitution of Vanuatu	Articles 73, 74	Customary land ownership controls where indigenous landownership is involved.
140. Is there any law or legal mechanism that allows government authorities to compulsorily purchase or requisition land for public purposes? If so, do these purposes include: a. risk reduction from natural disasters? b. land to be kept for evacuation or emergency or transitional shelter?	Land Acquisition Act, Act 5 of 1992, Act 34 of 2000	Article 1	The Land Acquisition Act allows the government to acquire land for any public purpose. Article 1 of the act defines 'public purpose' as "the utilization of lands necessary or expedient in the public interest and includes a purpose which under any other written law is deemed to be a public purpose."
141. Is there a land tribunal or other dispute resolution mechanism that provides for resolution of land tenure disputes? If so, is this accessible to communities? – to individuals? a. Can people without financial means access this system? E.g. are	Constitution of Vanuatu Customary Land Tribunal Act, Act No. 7 of 2001	Article 78	The government is responsible for establishing appropriate tribunals for land dispute settlement. a. No information available. b. Claims involving customary land are heard by the Customary Land Tribunals, which are located in each village, with appeals to

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>there fees, or requirements to engage lawyers?</p> <p>b. Are such tribunals or mechanisms available throughout the territory, including in rural areas?</p>			<p>the sub-area land tribunal, then to the island land tribunal, and finally to the Supreme Court of Vanuatu. If the dispute is related to a lease then the Supreme Court is the appropriate forum to hear the claim.</p>
D. Informal and precarious settlements			
<p>Informal settlements (also called slums or shanty towns) are areas of housing constructed on land to which the occupants had no prior legal claim. The housing is generally constructed by the occupants from available materials and does not comply with building and planning laws. These unplanned settlements are not served with public infrastructure such as water, sewers/drainage, roads or telecommunications, or public services such as schools and medical facilities. They are especially vulnerable to the effects of natural disaster, as they are often built on high-risk land (precarious settlements), with poor construction materials and methods, and the residents are not protected from the effects of, for example, water contamination during flooding. Informal settlements sometimes arise from mass migrations to the outskirts of large cities following disaster (including slow-onset disasters such as drought and famine). However, many of these settlements exist for many years and become established townships. Approaches taken by governments tend to follow one of three paths: (1) ignore informal settlements for the purpose of regulation, (2) relocate residents either through forced evictions and demolition, or planned resettlement schemes, or (3) regularize them. The latter approach has been taken in Brazil under its Statute of the City administered by the Ministry of Cities, which seeks to progressively regularize and integrate under local government, existing informal and precarious settlements.</p>			
<p>142. Is there a law that mandates clearing of slums / informal or precarious settlements?</p> <p>a. If so, what is the policy reason given (if any) for such clearance?</p> <p>b. Does it require or empower government authorities to evict or resettle residents? Or to demolish such settlements?</p> <p>c. If residents are to be moved, does this law require the provision of alternative housing? If so, how is</p>			<p>No. Vanuatu joined UN Habitat's Participatory Slum Updating Program in 2012, but has not yet enacted legislation regarding the clearing of informal or precarious settlements.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>this financed?</p> <p>d. If mandated, is there a process for eviction? E.g. notice periods, dispute resolution through land tribunals?</p> <p>e. Are there any other protections for the human rights and livelihoods of residents who are evicted or relocated?</p>			
<p>143. Is there a law that mandates recognition and/ or regularization of slums / informal settlements?</p> <p>a. If so, describe the legal regime for regularization, including the responsible institutions.</p> <p>b. Does regularization include the introduction of building codes? Are these mandatory and binding?</p> <p>c. Does regularization include the construction of public infrastructure? If so, how is this financed?</p> <p>d. Does this law authorise or mandate the provision of social services to informal settlements?</p> <p>e. Does this law include any other regulatory measures to address the vulnerability of such</p>			No information available.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
settlements to risk from natural disasters?			
144. Does any law require that informal settlements are included in: a. Early Warning Systems? b. Community based DRR education and training?			No information available.
145. Does any law provide a mechanism for recognition of tenure for residents of informal settlements? a. If so, what types of tenure (e.g. full title, right to occupy or use, right to purchase, tenancy)? b. If so, and such settlements are on privately owned land, is there provision for compensation of those with prior legal tenure?	Constitution of Vanuatu	Articles 73, 74	No, only indigenous ni-Vanuatu can own land in fee simple under customary land ownership rules, all other persons are only legally able to possess land in leasehold.
E. Urban Water and Flood Management			
146. Is there one or more national laws regulating and allocating institutional responsibility for water storage, distribution and quality control for human consumption? Is urban water management principally a national, or provincial/state or local responsibility?	Public Health Act, Act No. 22 of 1994	Articles 42, 43, 45	Part 7 of the Public Health Act deals with the provision and protection of Vanuatu's water supply. Under Article 42, urban houses are to be provided with a proper water supply. Article 45 provides for sampling of the water supply by the environmental health officer, ensuring quality control. Water management is principally a local responsibility, with the municipal government implementing the water management policy in urban areas and the local government administering the policy in rural areas, under

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	Water Resources Management Act, Act No. 9 of 2002	Articles 12, 14, 19,	articles 42 and 43. According to the Water Resources Management Act the Minister for Water Resources is responsible for water policy at the national level. Under Article 14(2) the functions of the director include investigating and monitoring resources, as well as testing the water and providing the water supply, which ensures quality control and distribution. Under Article 19 landowners may also establish local water management committees, but the Water Resources Management Act primarily is designed to operate at the national level.
147. If there is a national water authority, does its mandate include risk reduction or preparedness for safeguarding the water supply in the face of natural disasters?	Water Resources Management Act, No. 9 of 2002	Articles 21-23	Not directly. The Water Resources Management Act provides for the establishment of a National Water Resources Management Policy, the purpose of which is to promote environmentally sound and safe water management, which most likely includes disaster management against urban flooding.
148. Does a national law allocate responsibility for flood mitigation construction and other water management against urban flooding (if relevant to the subject country)? If so, what authority is responsible?			No information available
149. If flood mitigation and water management against urban flooding is regulated at the sub-national level, at what level of government does this occur? Can you find an example of such a law?			No information available

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
Part Five. Regulation of the Natural & Rural Environment			
Outline the laws and regulations concerning environmental management from the perspective of human safety, preservation of livelihoods and food security, including the regulation of exploitation of natural resources, water management, and reducing risks from natural events such as floods, earthquake, drought, landslides, and wildfires, such as: forestry regulation concerning wildfires, deforestation and erosion relevant to prevention of landslides and floods; environmental impact assessments; river and water catchment management relevant to flood prevention and mitigation, and water storage and distribution for human and agricultural consumption; prevention measures relating to drought, especially protection of people, livestock and crops in the face of drought, including water reserves against the risk of drought; and other prevention and risk management mechanisms to maintain food security, including measures to prevent desertification.			
A. Human Risks in Environmental Change			
150. Is there legislation on environmental protection? If so, what institution has responsibility?	Environmental Management and Conservation Act, No. 12 of 2002	Articles 2 and 3	The Director of the Department of Environmental Management and Conservation under the Public Service Commission is responsible for environmental protection.
151. Does the above mandate include environmental management from the perspective of: a. human safety? b. preservation of livelihoods? c. food security, especially concerning protection of crops and livestock?	Environmental Management and Conservation Act, No. 12 of 2002	Article 9	a. Not directly, but Article 9(3)(b) provides that the National Policy must include “an evaluation of the social, human health, custom, economic and ecological considerations and issues in respect of that matter.” b. Not directly, see (a) above. c. Not directly, see (a) above.
152. Does this law provide for environmental impact assessments (EIAs) of any proposed new private and public industrial developments?	Environmental Management and Conservation Act, No. 12 of 2002	Article 12	Part three of the EMCA provides for the undertaking of environmental impact assessments. According to Article 12, these EIAs must be undertaken for all projects, proposals, or development activities that have a significant environmental impact.
153. If there are EIAs, do the criteria include:	Environmental Management and Conservation Act, No. 12	Part 3, Articles	No, although Article 13(d) does provide that an EIA need not be conducted where there is not enough time to follow EIA

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>a. human risk factors from changes to the environment, including life and health as well as livelihoods and food security?</p> <p>b. assessment in light of the known natural hazards affecting the relevant locality, or downstream communities (where relevant)?</p>	of 2002	11-28	requirements in emergency action to protect the lives of persons and property.
154. Is there a law that makes any authority responsible for the regulation of exploitation of natural resources from the perspective of human safety during natural disasters? For example, preventing cross-contamination from industrial sites during flooding, or control of extraction methods to manage flooding and/or erosion?			No information available.
B. Forests			
155. Is there legislation on forest management (if relevant to the subject country)? If so, what institution has responsibility?	Forestry Act, No. 26 of 2001 Forestry Rights Registration and Timber Harvest Guarantee Act, No. 28 of 2000		The Minister responsible for Forestry and Timber Resources is the responsible institution. Article 6 establishes the Forests Board of Vanuatu.
156. Does the above mandate include forest management from the perspective of natural disaster risk	Forestry Act, No. 26 of 2001	Articles 1, 4, 20, 43, 54,	Article 1 of the Forestry Act gives the scope of the act: "This Act applies to all forests and all forestry operations in Vanuatu." a. Article 55 allows the Director to restrict forestry in the event of

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>reduction, such as:</p> <ul style="list-style-type: none"> a. prevention of wildfires? b. deforestation and erosion relevant to prevention of landslides and floods? c. other hazards, (such as encroachment by wildlife into agricultural land or villages)? <p>Describe the scope.</p>		55 and 56	<p>hazardous fire conditions. Article 56 imposes the requirement of a burning permit in restricted areas.</p> <p>b. Part 7 of the Forestry Act provides for reforestation, in particular Article 57 establishes a Forestry Project Fund for the purpose of reforestation.</p> <p>c. Article 54 addresses other hazards, including restrictions around watercourses and protected rainfall catchments.</p>
157. Does the law recognize customary laws and practices as to the use and management of forests and their resources?	Forestry Act, No. 26 of 2001	Articles 4, 11, 20	One of the principles of Article 4 is that the rights of ni-Vanuatu custom owners must be recognized. Under Article 11(1)(e) the Director must consult the National Council of Chiefs, as well as the National Council of Women, in preparing the draft Forestry Sector Plan. According to Article 20(2)(c) and (d), indigenous groups' ownership, rights of way, and other access rights must be identified by the Forest Investigations Officer.
158. Does the law provide for use, conservation or management of forests and their resources by communities?	Forestry Act, No. 26 of 2001	Article 9	Under Article 9(2)(e) different levels must be involved in the preparation of the Forestry Sector Plan.
C. Rivers and watercourses			
159. Is there legislation on river and watercourse management (if relevant to the subject country)? If so, what institution has responsibility?	Water Resources Management Act, No. 9 of 2002	Articles 2, 3, 12, 15	The definition of "water" in Article 2 includes rivers and other natural watercourses. The Minister for Water Resources and National Water Resources Advisory Committee are the responsible bodies under the WRMA.
160. Does the above mandate include	Water Resources	Articles	a. No. Although Article 26(1)(d) allows for the declaration of a

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>river management from the perspective of natural disaster risk reduction, such as:</p> <p>a. Riverbed management relevant to flood prevention and mitigation?</p> <p>b. Water storage and distribution for human, agricultural and industrial consumption in rural areas?</p> <p>Describe the scope.</p>	Management Act, No. 9 of 2002	25, 26, 37	<p>water protection zone in light of any disaster which might affect water supply, there is no specific provision for riverbed management or flooding.</p> <p>b. The Minister may pas regulations regarding water storage and distribution under Art. 37(2)(i), and water collection and storage must be included in the inventory under Article 25(2).</p>
161. Does the law recognize customary laws and practices as to the use and management of rivers and their resources?	Constitution of Vanuatu, 1980	Articles 73, 74	Yes, <i>kastom</i> , of customary law, is used to determine land ownership under the Constitution.
162. Does the law provide for use, conservation or management of rivers and their resources by communities?	Water Resources Management Act, No. 9 of 2002	Article 19	Article 19 allows for Local Water Management Committees. “(1) A landowner or group of landowners can establish, and the Director can promote, a local water management committee for any water resource on or under land for the purpose of implementing: (a) water supply conservation measures; or (b) a management scheme.”
D. Drought and food security			
163. Is there any legislation providing for risk reduction and prevention measures relating to drought (if relevant)? If so, does this include any institutional mandate or responsibility to protect people, livestock or crops in the face of drought?	WRMA	Article 8	Article 8 of the WRMA allows for limitations on water use to be imposed under certain circumstances, saying: “(1) The Director may, by determination in writing, limit any existing right to use water for either or both of the following purposes: (a) in times of actual or anticipated shortage of water, to fix the amount of water which, and the purposes for which, any water can be used by any person; (b) to prohibit the use of water from any source where it is considered dangerous to health or detrimental to the public

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			interest.” Article 8 does not include a specific responsibility to protect people, livestock, or crops.
164. Does the above mandate include the construction and maintenance of water reserves, including against the risk of drought?	WRMA		No.
165. Is there any other legislation relevant to risk management to maintain food security in the face of natural disasters, including any special measures to prevent desertification (if relevant)?	Food (Control) Act, No. 21 of 1993	Article 46-49	Article 46 establishes a National Nutritional Health and Food Safety Fund. Under Article 48, “the money in the Fund shall be used for carrying out or supporting the programmes –(a) to prevent and reduce prevalence of undernutrition and malnutrition in Vanuatu with specific emphasis on improving nutritional status of those most at risk; (b) to provide necessary infrastructure for carrying out nutritional and food safety programmes; (c) to prevent nutritional disorder and food-borne diseases; (d) to improve nutritional status and food safety conditions in general in Vanuatu.” Although Vanuatu acceded to the UN Convention to Combat Desertification in 1998, it has yet to pass specific legislation addressing desertification.

4. Information management and exchange, community level DRR education & awareness

Most elements of information, education and awareness will normally be done through policy rather than law, but the legal framework may require public institutions to make DRR information available to the public and/or to carry out public and school education and awareness on reducing risk from natural disasters. For example, there could be a Ministerial directive under the Education Act requiring the inclusion of DRR in the school curriculum. [If this requires repetition of information given above, please note ‘see above’ and refer to the relevant question number.]

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
166. Is there a law that regulates the	Statistics Act, JR of 1974	Article 2	a. See question 107. The Statistics Act provides for the collecting

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>collection and publication of seismological, meteorological and climatic data relevant to natural disasters?</p> <p>a. If so, what does it require and who is responsible for this, and under what law?</p> <p>b. Does it provide for community level access to the data?</p>	VMS Act	<p>and Schedule 1</p> <p>VMS Article 6</p>	<p>of data and the advising of the government on any matter related to statistics, including subjects such as agriculture, mining, electric, gas, and water, among others. The VMS Act mandates that the Meteorological Service collect and publish all meteorological observations.</p> <p>b. Data is published under the VMS Act.</p>
<p>167. Is there a law that regulates the collection and publication of baseline population data, especially in high risk areas?</p> <p>a. If so, what does it require and who is responsible for this, and under what law?</p> <p>b. Does it provide for community level access to the data?</p>	Census Act, No. 28 of 1988	Articles 1 and 4	<p>See question 108. The laws related to census provide for the collection and publication of population data, but there is no special focus on high-risk areas.</p> <p>a. The Census Act regulates the collection of population data via census. Article 1 refers to the 'Minister responsible for census,' Article 4 refers to the Director of Statistics from the National Statistics Office.</p> <p>b. Data from the Census is published under the Act.</p> <p>Article 8 of the Statistics Act provides for the taking of the census by the Principal Statistician of the National Statistics Office.</p>
<p>168. Does the education law or regulations require inclusion of DRR awareness in the school curriculum? Does this law or another law such as the DM law also require community DRR education?</p>	National Disaster Act, 2000	Article 6	<p>There is no specific requirement to include DRR awareness in school curriculum, however Article 6(2)(e) of the NDA requires the NDMO to develop national education programs and disaster training for the community.</p>
<p>169. If there is a national disaster management policy, does this require any public authorities to</p>	NDA 2000	Article 6	<p>Neither the NAP nor the PAA and its supplementary mention public education and awareness. See question 169.</p> <p>a. Article 6(2)(e) of the NDA requires the NDMO to develop</p>

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>conduct public education and awareness on DRR?</p> <p>a. If so, which authorities and what are they required to do?</p> <p>b. In particular does it require DRR education in schools?</p>			<p>national education programs and disaster training for the community.</p> <p>b. The NDA doesn't specify whether education must take place in schools.</p>
<p>170. If the above law or the national disaster management policy requires public education, does this provide for community level DRR awareness? If so, does this make any provision for community participation in the development and delivery of public education and awareness campaigns?</p>	NDA 2000	Article 6	<p>See questions 169 and 170. Article 6(2)(e) of the NDA requires the NDMO to develop national education programs and disaster training for the community, but does not provide specific requirements for community participation.</p>
<p>171. Does legislation provide for any designated role for the Red Cross or Red Crescent National Society as an auxiliary to government in DRR education and awareness at community level?</p>			<p>No, the NDA and accompanying policies never explicitly mention VRCS. However, the NAP does vaguely talk about NGOs as assisting or cooperating the government and supporting NAP implementation as well as supporting the incorporation of traditional knowledge in DRR and DM.</p>
<p>172. Does legislation provide for any designated role for Civil Society in DRR education and awareness at community level?</p>	<p>NDA</p> <p>NAP</p> <p>PAA Supplementary</p>		<p>Although there are no express provisions related to the role of Civil Society in Vanuatu's DRR education and awareness, the NAP does vaguely talk about NGOs as assisting or cooperating the government and supporting NAP implementation as well as supporting the incorporation of traditional knowledge in DRR and DM.</p>
<p>173. Does any law provide for</p>			<p>No information available.</p>

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>community-level results in DRR, such as:</p> <ul style="list-style-type: none"> a. Natural disaster warnings that extend to community level? b. Implementation of incentives to carry out community based DRR, or disincentives to ignore or increase risks from natural disasters? c. Community involvement in land-use and urban planning? d. Community involvement in and education concerning building codes? 			

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