

The Republic of Mauritius: Mapping of Legal and Policy Arrangements for Disaster Risk Management, including Public Health Emergencies and International Disaster Assistance

The below information seeks to map the Disaster Risk Management (DRM) Legal and Policy Frameworks, including for Public Health Emergencies (PHEs) and international disaster assistance in Mauritius as provided in law, policy, and agreements.

The questions below comprise of a combination of the questions from the IFRC's:

- [Checklist on the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance;](#)
- [Checklist on Law and Disaster Risk Reduction;](#)
- [Checklist on Law and Disaster Preparedness and Response;](#)
- [Pilot Guidance on the role of Law in PHEs;](#) and
- ongoing research on the role of law in disaster recovery.

This document is the result of a desktop review of information either publicly available or shared by the Mauritius Red Cross Society (MRCS). This document was prepared by Reece da Costa, under the supervision of Jeanique Serradinho. The document was reviewed by Navin Mahadoo, Head of Programmes/ Disaster Management and Risk Reduction of the MRCS. The information is up to date as of June 2022.

IFRC Disaster Law wishes to express its gratitude to the persons who took the time to review and provide input to this country profile. Nevertheless, the challenges surrounding desktop legal research in the region means that errors may remain. IFRC Disaster Law would therefore welcome further feedback on the contents of this document.

Institutional Roles and Responsibilities

DRM Specific Legislation

Is the approach of the relevant DRM law well-tailored to your country's natural hazards risk profile and disaster risk governance capacity?

DRM in Mauritius is regulated by the National Disaster Risk Reduction and Management Act No. 2 of 2016 (NDRRM Act), which is complemented by a suite of policy documents.¹ The NDRRM Act establishes the Mauritius National Disaster Risk Reduction and Management Centre (NDRRM Centre) which is responsible for, amongst others, coordinating and monitoring the implementation of disaster risk reduction (DRR) and management activities within Mauritius.² The NDRRM Centre recognises that due to its geographical position and geology, Mauritius is vulnerable to the associated cyclones,

[NDRRMC website](#)

¹ *The National Disaster Risk Reduction and Management Act No. 2 of 2016 (NDRRM Act).*

² *NDRRM Act, section 9(2)(a).*

storm and tidal surges, torrential rains, floods and flash floods, landslides, tsunamis as well as man-induced disasters.³ It is worth noting that the NDRRM Centre is also responsible for collaborating with the Mauritius Meteorological Services in developing and improving warnings and advisory systems for all natural hazards affecting Mauritius.⁴ In addition, the NDRRM Centre is responsible for implementing a national multi-hazard emergency alert system to provide accurate and timely advice to the public and relevant stakeholders.⁵

Mauritius also developed the National Disaster Scheme of 2015 (NDS), which is a documented system encompassing the whole spectrum of the DRM cycle and is based on a comprehensive multi-hazard mapping for Mauritius.⁶ The NDS provides for the roles and responsibilities of different governmental departments, organisations, and agencies in responding to and preparing for a multi-hazard approach to DRM with a specific focus on DRR.⁷ The NDS provides detailed schemes for the following natural hazards:

- cyclones;⁸
- heavy rainfall, torrential rain, and flooding;⁹
- tsunami;¹⁰
- high waves;¹¹
- water crisis;¹²
- earthquake;¹³ and
- landslides.¹⁴

Other relevant DRM policy documents include the National Disaster Risk Reduction and Management Policy 2020 -2030 (NDRRM Policy), the National Disaster Risk Reduction and Management Strategic Framework 2020-2030 (NDRRM Strategic Framework), and the NDDRM Action Plan 2020-2030

[The National Disaster Risk Reduction and Management Act of 2016](#)

[National Disaster Scheme of 2015](#)

³ The NDRRMC website, home page. <https://ndrrmc.govmu.org/>

⁴ NDRRM Act, section 9(2)(e).

⁵ NDRRM Act, section 9(2)(f).

⁶ NDS, page 3.

⁷ NDS, page 3.

⁸ NDS, page 9.

⁹ NDS, page 45.

¹⁰ NDS, page 97.

¹¹ NDS, page 139.

¹² NDS, page 175.

¹³ NDS, page 191.

¹⁴ NDS, page 217.

(NDRRM Action Plan). Importantly, the NDRRM Action Plan and the NDRRRM Strategic Framework provide that a strategic objective is to focus on disaster risk governance by ensuring that risk governance systems are enabled to face current and future disasters.¹⁵ Furthermore, the NDRRM Strategic Framework is aimed at addressing the unique context of Mauritius and recognises the range of hazards that Mauritius faces.¹⁶

During the PIROI IDRL Workshop in 2021, the NDRRM Centre reported that the Government of Mauritius is in the process of reviewing the 2015 DRM framework (presumed to be a review of the National Disaster Scheme) which will then be followed by a review of the NDRRM Act. A consultant has also been recruited to work on a “DRR and DRM policy and strategic action plan”, with the intention of incorporating DRM and DRR measures into all government ministries. However, this mapping is based on the DRM framework in place in Mauritius as of April 2022.

Are principles and priorities that guide your country's approach to preparedness and response; risk reduction and recovery set out?

Guiding principles are weaved throughout the NDRRM Policy and the NDRRM Strategic Framework. As a starting point, the NDRRM Policy draws from the Constitution of Mauritius with regards to the protection of the right to life in the face of a disaster and emphasises the importance of disaster impacts being proactively reduced to the lowest possible levels through local and external resources.¹⁷ In addition, the NDRRM Policy views DRR as an integral component of development processes and states that disaster preparedness, multi hazard early warning and alerting are vital to reducing the impacts of disasters.¹⁸ Furthermore, it is noted that effective response and recovery reduces immediate damage and facilitates a rapid return to normality and reduces future risks.¹⁹ Lastly, the NDRRM Policy emphasises the shared engagements from individual within Mauritius and organisations outside of the country to reduce disaster risk and improve the management of disasters.²⁰

The NDRRM Strategic Framework sets out 19 core values on which it is based,²¹ namely: clarity with respect to priorities, commitment, coordination, dedication, education and awareness, integrity, innovation, partnership, quality, recognising uncertainty, resilience, responsiveness, service, shared responsibility, subsidiary, solidarity, synergy and cohesion, teamwork and timeliness. A brief description of each of these values is also set out. Five strategic pillars are also set out: understanding disaster risk, strengthening disaster risk governance, investing in DRR for resilience, enhancing disaster preparedness for effective recovery, rehabilitation and reconstruction, and strengthening long-term capacities, support the implementation of the

[NDRRM Policy 2020-2030](#)

[NDRRM Strategic Framework 2020-2030](#)

[NDRRM Action Plan 2020-2030](#)

[The National Disaster Risk Reduction and Management Act of 2016](#)

[NDRRM Policy 2020-2030](#)

¹⁵ NDRRM Action Plan, page 5. See also NDRRM Strategic Framework, page 41.

¹⁶ NDRRM Strategic Framework, page 6.

¹⁷ NDRRM Policy, page 9.

¹⁸ NDRRM Policy, page 9.

¹⁹ NDRRM Policy, page 9.

²⁰ NDRRM Policy, page 9.

²¹ NDRRM Strategic Framework, page 38.

<p>Africa Regional Strategy for Disaster Risk Reduction and the Sendai Framework and systematically contribute to building resilience to disasters, with a special focus on the most vulnerable groups.²²</p>	<p>NDRRM Strategic Framework 2020-2030</p>
<p>Are links to relevant sectoral legislation set out?</p> <p>The NDRRM Strategic Framework references various sectors and legislation relevant to DRM,²³ including but not limited to:</p> <ul style="list-style-type: none"> • the MRCS Act of 1973;²⁴ • the Civil Aviation Act of 1974;²⁵ • the Environment Protection Act of 2002;²⁶ • the Planning and Development Act of 2004;²⁷ • the Building Control Act, 2012; • the Mauritius Meteorological Services (MMS) Act of 2019; and • the Quarantine Act 2020.²⁸ 	<p>NDRRM Strategic Framework 2020-2030</p>
<p>Are links with relevant climate change law/policies and institutions established?</p> <p>Mauritius recently developed the Climate Change Act No. 11 of 2020 (CC Act). There are however no links to this document within the NDRRM Act, as it was developed 4 years after the promulgation of the NDRRM Act, and nor are there links to climate change more generally.</p> <p>However, the NDRRM Strategic Framework does stipulate that Climate Change Adaptation (CCA) must play an essential role in Disaster Risk Reduction and Management (DRRM) in Mauritius because climate change affects both factors that cause disasters: hazards and vulnerability.²⁹ In addition, it incorporates the Climate Change Adaptation Policy Framework of 2012 as a guiding framework for the DRM strategy.³⁰</p>	<p>Climate Change Act of 2020</p> <p>NDRRM Strategic Framework 2020-2030</p>

²² NDRRM Strategic Framework, page 39-40.

²³ NDRRM Strategic Framework, page 26.

²⁴ NDRRM Strategic Framework, page 28.

²⁵ NDRRM Strategic Framework, page 28.

²⁶ NDRRM Strategic Framework, page 28.

²⁷ NDRRM Strategic Framework, page 28.

²⁸ NDRRM Strategic Framework, page 28.

²⁹ NDRRM Strategic Framework, page 25.

³⁰ NDRRM Strategic Framework. Page 33.

	Climate Change Adaptation Policy Framework, of 2012
<p>What constitutes a “disaster” under the DRM Law?</p> <p>In terms of the NDRRM Act, a disaster is defined as a “serious disruption in the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources”.³¹</p> <p>How does the definition sit with international standards?</p> <p>The United Nations office for DRR (UNDRR) defines a disaster in the following way: “A serious disruption of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.”³²</p> <p>Accordingly, the definition included in the NDRRM Act appears to be largely aligned with international standards.</p> <p>Who is mandated on different types of hazards - tech/oil spills?</p> <p>As stated above, the NDRRM Centre acts as the main institution in Mauritius for coordinating and monitoring the implementation of disaster risk reduction and management activities. The NDRRM Centre is tasked with developing a national plan for DRRM which shall provide for the roles and responsibilities of every Ministry, Government department, local authorities, and other stakeholders in DRRM activities.³³</p> <p>The NDS provides for the roles and responsibilities of different governmental departments, organisations, and agencies in preparing for and responding to various natural disasters. With respect to man-made disasters, the Environment Protection Act No.19 of 2002 (EP Act) which is discussed in more detail below, permits the Minister responsible for the environment to initiate and coordinate actions required in a state of environmental emergency or any other situation that could pose a threat to the environment.³⁴ In addition, the Director of Environment may where he is of the opinion that an enterprise or activity involves a serious pollution or an imminent risk of serious pollution to the environment, serve a prohibition notice on the person owning, managing or in control of the enterprise or activity.³⁵ Similarly, the Director of Environment may in the event of a spill</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>United National Office for Disaster Risk Reduction: Terminology</p> <p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>Environment Protection Act of 2002</p> <p>National Disaster Scheme of 2015</p>

³¹ NDRRM Act, section 2 “disaster”.

³² UNDRR website, terminology defining a disaster.

³³ NDRRM Act, section 14(d).

³⁴ EP Act, section 7(g).

³⁵ EP Act, section 72(1).

direct the owner of the pollutant which is spilled, or any other person to take such action within a certain time period to prevent, eliminate, or reduce the adverse environmental effects of the spill.³⁶

Is there flexibility in the definition to allow to adapt changing circumstances / different hazards (ie technological/ oil spill)

The Mauritius definition of a disaster is broad enough to allow flexibility to adapt to different types of hazards and changing circumstances.³⁷

Roles and responsibilities

Do your laws establish clear roles and responsibilities for all aspects of DRM from national to local level?

The NDRRM Act establishes clear roles and responsibilities for DRM at national and local level by establishing the following bodies:

- the NDDRM Council,³⁸ which is tasked with promoting disaster resilience and strengthening scientific research and technical capacity, as well as promoting the implementation of disaster management treaties to which Mauritius is a party;³⁹
- the NDRRM Centre,⁴⁰ which is tasked with acting as the main institution for coordinating and monitoring the implementation of DRRM activities as per the NDRRM Strategic Framework and the NDRRM Plan;⁴¹
- the National Crisis Committee (NCC),⁴² which is tasked with ensuring that general preparedness plans are activated at all levels, and ensuring the safety of persons in danger by overseeing evacuation processes and providing relief assistance, whilst also being involved in response and recovery operations;⁴³
- the National Emergency Operations Command (NEOC),⁴⁴ which is activated in the event of a disaster and is tasked with coordinating and monitoring all response and recovery activities within Mauritius;⁴⁵

[The National Disaster Risk Reduction and Management Act of 2016](#)

³⁶ EP Act, section 30(2)(a).

³⁷ NDRRM Act, section 2 “disaster”.

³⁸ NDRRM Act, section 4(1).

³⁹ NDRRM Act, section 5(a)-(c).

⁴⁰ NDRRM Act, section 9(1).

⁴¹ NDRRM Act, section 9(2)(a).

⁴² NDRRM Act, section 15(1).

⁴³ NDRRM Act, section 16(1)(a)-(f).

⁴⁴ NDRRM Act, section 17(1).

⁴⁵ NDRRM Act, section 17(1).

- Local Disaster Risk Reduction and Management Committees (Local Committees),⁴⁶ which are tasked with amongst others, working with their local communities in disaster risk analysis and vulnerability assessments, and promoting and implementing DRRM education and public awareness programmes;⁴⁷
- Local Emergency Operations Commands (LEOC),⁴⁸ which are activated in the event of a disaster in a local authority, is tasked with leading disaster response operations for that local authority;⁴⁹
- Rodrigues DRRM Council (Rodrigues Council),⁵⁰ which is tasked amongst others, in coordinating with the NDRRM Council in DRRM Activities and to formulate and oversee the implementation of DRRM polices, plans and frameworks within Rodrigues;⁵¹
- Rodrigues Centre,⁵² which is tasked with acting as the main institution for coordinating and monitoring the implementation of DRRM activities as per the Rodrigues Strategic Framework and Plan;⁵³
- Rodrigues Crisis Committee (RCC),⁵⁴ which is tasked with ensuring that general preparedness plans are activated at all levels, and ensuring the safety of persons in danger by overseeing evacuation processes and providing relief assistance, whilst also being involved in response and recovery operations within Rodrigues;⁵⁵ and
- Rodrigues Emergency Operations Command (REOC),⁵⁶ which is activated in the event of a disaster, is tasked with coordinating, and monitoring all response and recovery activities within Rodrigues.⁵⁷ leading disaster response operations for that local authority

The NDRRM Act is tailored to take into account the insular nature of Mauritius, providing that the General Manager of the Outer Islands Development Corporation (OIDC) shall, after consultation with the NDRRM Council, appoint a Disaster Management Coordinator (DMC) for Agelèga and Cargados

⁴⁶ NDRRM Act, section, 19(1).

⁴⁷ NDRRM Act, section 20(a)-(f).

⁴⁸ NDRRM Act, section 22(1).

⁴⁹ NDRRM Act, section 22(1) and (4).

⁵⁰ NDRRM Act, section 23(1).

⁵¹ NDRRM Act, section 24(a)-(i).

⁵² NDRRM Act, section 26(1).

⁵³ NDRRM Act, section 26(2)(a).

⁵⁴ NDRRM Act, section 33.

⁵⁵ NDRRM Act, section 33(1)(a)-(f).

⁵⁶ NDRRM Act, section 34(1).

⁵⁷ NDRRM Act, 34(1) and (4).

<p>Carajos.⁵⁸ The appointed DMCs act under the supervision and administrative control of the General Manager of the OI DC and are tasked with overseeing and implementing DRRM activities and carrying out disaster risk analysis and vulnerability assessments within the islands under its jurisdiction.⁵⁹</p>	
<p>Is there a national inter-ministerial/multi-sectoral committee established and does it meet frequently enough to be effective?</p> <p>As stated above, the NDRRM Act establishes the NDRRM Council.⁶⁰ The NDRRM Council is multi-sectoral in nature,⁶¹ and in terms of section 8(1) of the NDRRM Act, must meet as often as its Chairperson may determine but at least once a month.⁶²</p> <p>The NDRRM Act also provides for the NCC to be established in the event of a disaster.⁶³ The NCC comprises of representatives from various governmental departments and agencies, with the Chairperson being granted the power to co-opt additional members.⁶⁴ Notably, the NCC shall in the event of a disaster, have all the functions and powers of the NDRRM Council.⁶⁵</p> <p>How does this committee function in preparedness, response, DRR and recovery?</p> <p>The relevant functions of the NDRRM Council relating to DRR, preparedness and response include, but are not limited to:</p> <ul style="list-style-type: none"> • formulating the NDRRM Policy and policies on relief assistance, and overseeing the implementation of the National Strategic Framework and National Plan; • ensuring that Ministries, departments and local authorities have adequate human resources, tools, materials and other resources, so as to better implement DRRM activities at all levels; 	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

⁵⁸ NDRRM Act, section 35(1).

⁵⁹ NDRRM Act, section 35(2) and (3).

⁶⁰ NDRRM Act, section 4(1).

⁶¹ NDRRM Act, section 4(2)(a)-(za).

⁶² NDRRM Act, section 8(1).

⁶³ NDRRM Act, section 15(1).

⁶⁴ NDRRM Act, section 15(1)(a)-(j).

⁶⁵ NDRRM Act, section 16.

<ul style="list-style-type: none"> • overseeing the implementation of post disaster recovery and reconstruction activities; • ensuring that DRR becomes an integral objective of policies and plans in various sectors; • promoting regional and international cooperation related to disaster risk reduction and management; and • reviewing the national warning system for multi-hazard.⁶⁶ <p>As stated above, in the event of a disaster, the NCC shall have all the functions and powers of the NDRRM Council.⁶⁷ In addition the NCC is responsible for the following functions related to DRR, preparedness, response and recovery:</p> <ul style="list-style-type: none"> • ensuring that general preparedness plans are activated at all levels; • supervising the organisation of disaster response operations; • providing relief assistance; and • taking appropriate measures during the initial recovery phase.⁶⁸ 	
<p>Does the national committee include membership from key agencies outside government (humanitarian, development, private, scientific etc)?</p> <p>The membership of the NDRRM Council includes the following key agencies outside of government, namely:</p> <ul style="list-style-type: none"> • a representative of the Business Mauritius;⁶⁹ • a representative of the MRCS;⁷⁰ and • a representative of the Mauritius Council of Social service.⁷¹ <p>Importantly, the NDRRM Council is permitted where necessary to co-opt any other person with relevant expertise to assist in any matter it faces.⁷²</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Does the law establish linkages between scientific, meteorological, and hydrological institutions and disaster management agencies and how does this link with local community early warning systems?</p>	

⁶⁶ NDRRM Act, section 6(a)-(k).

⁶⁷ NDRRM Act, section 16.

⁶⁸ NDRRM Act, section 16(1)(a), (c),(d) and (f).

⁶⁹ NDRRM Act, section 4(2)(y).

⁷⁰ NDRRM Act, section 4(2)(z).

⁷¹ NDRRM Act, section 4(2)(za).

⁷² NDRRM Act, section 4(3).

Importantly, an object of the NDRRM Council is to promote and strengthen scientific research and technical capacity in multi-hazard assessments.⁷³ In addition, the Director of the MMS is also a member of the NDRRM Council,⁷⁴ the NCC,⁷⁵ and the Rodrigues Council.⁷⁶

As stated above, the NDRRM Act establishes the NDRRM Centre, which is tasked with collaborating with the MMS to develop and improve warnings and advisory systems for all natural hazards which may affect Mauritius.⁷⁷ In addition, the NDRRM Centre is tasked with implementing a national multi-hazard emergency alert system to provide accurate and timely advice to the local community.⁷⁸ Similarly, the Rodrigues Council is also tasked with collaborating with the MMS to develop and improve warnings and advisory systems for all natural hazards affecting Rodrigues.⁷⁹

The NDS establishes links between scientific, meteorological, and hydrological institutions by stipulating their roles and responsibilities, each of which is described below.

The NDS provides roles and responsibilities for the MMS which includes issuing warnings appropriate to the current meteorological situation and outlook in the case of a cyclone.⁸⁰ Similarly, the MMS is responsible for issuing warnings to the public for the following disaster schemes:

- heavy rainfall, torrential rain, flash floods;⁸¹
- tsunami warning systems;⁸²
- high waves;⁸³
- earthquake;⁸⁴ and
- landslides.⁸⁵

The Ministry of Education and Human Resources, Tertiary Education and Scientific Research (Ministry of Education) is tasked with activities:

[The National Disaster Risk Reduction and Management Act of 2016](#)

[National Disaster Scheme of 2015](#)

⁷³ NDRRM Act, section 5(b).

⁷⁴ NDRRM Act, section 4(2)(w).

⁷⁵ NDRRM Act, section 15(1)(h).

⁷⁶ NDRRM Act, section 23(2)(h).

⁷⁷ NDRRM Act, section 9(2)(e).

⁷⁸ NDRRM Act, section 9(2)(f).

⁷⁹ NDRRM Act, section 26(2)(c).

⁸⁰ NDS, page 11.

⁸¹ NDS, page 47.

⁸² NDS, page 100 -104.

⁸³ NDS, page 143.

⁸⁴ NDS, 196.

⁸⁵ NDS, page 220-225.

<ul style="list-style-type: none"> • relating to general preparedness for cyclonic season, the rainy season, and high waves;⁸⁶ • during heavy rainfall, torrential rain, and flooding;⁸⁷ • during tsunami watch, tsunami warning, and the aftermath of a tsunami;⁸⁸ and • the general preparedness, and the aftermath of an earthquake.⁸⁹ <p>The activities of the Ministry of Education include but are not limited to; assisting in the implementation of appropriate DRR structural and non-structural measures in coordination with the NDRRM Centre, as well as including disaster preparedness programmes within the educational curriculum at different levels.⁹⁰</p> <p>The NDS also stipulates that the Central Water Authority (CWA) is a main response agency within Mauritius.⁹¹ The CWA is assigned tasks with respect of the following disaster schemes:</p> <ul style="list-style-type: none"> • tsunami;⁹² and • high waves.⁹³ <p>The tasks of CWA include but are not limited to; participating in simulation exercises organised by the Municipal and District Councils, and the sensitisation on risks of water contamination by flooding.⁹⁴</p> <p>Notably, the NDDRM Strategic Framework stipulates that one of its strategic objectives is to put in operation a multi-hazard, impact-based warning system and effective means of alert by 2030.⁹⁵</p>	<p>NDRRM Strategic Framework 2020-2030</p>
<p>Has a national focal point agency for DRM with sufficient institutional authority to exercise effective leadership been assigned?</p>	

⁸⁶ NDS, page 31, 81 and 165.

⁸⁷ NDS, page 53.

⁸⁸ NDS, page 128.

⁸⁹ NDS, page 207.

⁹⁰ NDS, page 31.

⁹¹ NDS, 244.

⁹² NDS, page 123.

⁹³ NDS, page 159.

⁹⁴ NDS, page 75.

⁹⁵ NDRRM Strategic Framework, page 41.

<p>The NDRRM Centre is authorised to act as the main institution in Mauritius for coordinating and monitoring the implementation of DRRM activities set out in the NDRRM Strategic Framework and Plan,⁹⁶ in addition, the NDRRM Centre is authorised to coordinate and monitor all DRRM activities within Mauritius.⁹⁷ Hence, the NDRRM Centre possesses the adequate institutional authority to exercise effective leadership in DRM in Mauritius.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Apply the same question above to subnational committees (inter-ministerial and cross sectorial committees, including membership outside government)</p> <p>The Local Committees established in terms of the NDRRM Act includes a Local Disaster Management Coordinator (LDMC) of the local authority.⁹⁸ The NDRRM act provides that a LDMC is to be appointed for every local authority and shall coordinate all DRRM activities within the jurisdiction of the local authority.⁹⁹ Furthermore, the LDMC is empowered to act as the liaison officer between the NDRRM Centre and the local authority.¹⁰⁰</p> <p>In addition, the NDS stipulates that the local committee must appoint a LDMC on a full-time basis who shall be the focal point of the NEOC for liaison with other respective committees.¹⁰¹</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>
<p>How do such committees coordinate with other committees/processes, both in terms of horizontal coordination (across different committees at the same level), and vertical coordination (across committees at different levels of government)?</p> <p>The NDRRM Strategic Framework canvasses coordination processes in both non-crisis and crisis conditions.¹⁰²</p> <p>In non-crisis conditions, the NDRRM Council is tasked with developing and implementing the NDRRM Policy, Strategic Framework and Plan.¹⁰³ The NDRRM Council is chaired by the Minister responsible for disaster management and reports to the Prime Minister of Mauritius. In Rodrigues, the Rodrigues Council performs the same functions as the NDRRM Council but within the jurisdiction of Rodrigues and reports to the Chief Commissioner of the Rodrigues Regional Assembly, who also reports to the Prime Minister. At the National Level, the NDRRM Council works through the NDRRM Centre, and the Rodrigues Centre supports the Rodrigues Council. At Local Level, the Local Committees act as the forefront of DRRM and directly</p>	<p>NDRRM Strategic Framework 2020-2030</p>

⁹⁶ NDRRM Act, section 9(2)(a).

⁹⁷ NDRRM Act, section (9)(2)(c).

⁹⁸ NDRRM Act, section (19)(2)(c).

⁹⁹ NDRRM Act, section 21(1).

¹⁰⁰ NDRRM Act, section 21(2).

¹⁰¹ NDS, page 259.

¹⁰² NDRRM Strategic Framework, page 29-31.

¹⁰³ NDRRM Strategic Framework, page 29.

<p>engage with at-risk populations through planning, drills, and other activities. As stated above, the DMCs` responsible for Agalèga and Cargados Carajos report to the Director General of the O IDC.¹⁰⁴</p> <p>In crisis conditions, the NCC as described above, is tasked with ensuring the implementation of preparedness plans and taking necessary measures to save lives and property, whilst also overseeing response and initial recovery.¹⁰⁵ The NCC is supported by the NEOC which is headed by the Commissioner of Police who coordinates and monitors all response and recovery operations, the NEOC is also tasked in coordinating with the Police Information and Operations Room, the Police Command and Control Centre as well as the Mauritius Fire and Rescue Service Control Room and the LEOC.¹⁰⁶ The LEOCs coordinate with the District Operation Coordination Rooms as well as local fire stations.¹⁰⁷ In Rodrigues, the NEOC works directly with the LEOC and the REOC for crises affecting Rodrigues, as well as the O IDC for crises affecting Agalèga and Cargados Carajos.¹⁰⁸ In addition, the MRCS engages with the NEOC and the LEOC where necessary.</p> <p>The NDRRM Centre as described above, is the main institution responsible for coordinating and monitoring all DRRM activities within Mauritius and is tasked with coordinating public education, training, research, and drills related to DRM.¹⁰⁹ The NDRRM Centre is also tasked with supporting the NEOC and ensuring its administrative and operational functioning.¹¹⁰</p>	
<p>Are national /subnational institutions consistently assigned clear responsibilities and authorities to carry out their mandate?</p> <p>As stated above, there are clear responsibilities for national DRRM institutions contained in the NDRRM Act as well as the NDS. The roles and responsibilities of institutions in Rodrigues and at local level are similarly assigned in the NDDRM Act and the NDS.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>
<p>Are roles and responsibilities between civilian and military actors for disaster response clearly articulated in law/ regulation/policy?</p> <p>Mauritius does not have a standing military or military law - all military and security activities are carried out by the National Police Force, Special Mobile Force, and the National Coast Guard.¹¹¹ The NDRRM Act references the National Police and provides that the staff of the NDRRM Centre includes the Commissioner of Police, who may designate any police officer to assist the NDRRM Centre.¹¹² In addition, the commissioner of Police is</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

¹⁰⁴ NDRRM Strategic Framework, page 29.

¹⁰⁵ NDRRM Strategic Framework, page 29.

¹⁰⁶ NDRRM Strategic Framework, page 29.

¹⁰⁷ NDRRM Strategic Framework, page 30.

¹⁰⁸ NDRRM Strategic Framework, page 29.

¹⁰⁹ NDRRM Strategic Framework, page 30.

¹¹⁰ NDRRM Strategic Framework, page 29.

¹¹¹ See www.defencweb.co.za/security/african-militaries/mauritius-military/. Last accessed online 15 March 2022.

¹¹² NDRRM Act, section 12(1)(b).

<p>tasked with heading the NEOC and taking the lead of disaster response operations, the Commissioner of Police may also delegate his powers to any other appropriate person.¹¹³ In the event of disaster, the Disaster Response Unit is composed of police officers who are trained to respond to any disaster.¹¹⁴ At local level, a representative of the Mauritius Police force is permitted to sit on the Local Committee.¹¹⁵ The LEOC also consists of a Police Division Commander of the Division under which a local authority falls, this Commander is tasked with assisting that local authority in leading response operations and by reporting to the NEOC.¹¹⁶</p> <p>The NDRRM Strategic Framework provides the roles and responsibilities of the Police Force and states that the NEOC is headed by the Commissioner of Police who coordinates all response and recovery operations.¹¹⁷ Lastly, the NDS includes the Mauritius Police Force as a main response agency with roles and responsibilities in various disaster schemes.¹¹⁸</p>	<p>NDRRM Strategic Framework 2020-2030</p> <p>National Disaster Scheme of 2015</p>
<p>Funding</p>	
<p>How does the law allocate funding distribution between risk reduction, preparedness, and response?</p> <p>Section 39 of the NDRRM Act provides that “every Ministry, Government department, local authority and every Commission in Rodrigues which is involved in DRRM activities shall allocate an adequate budgetary provision for that purpose within its annual budgetary estimates”.¹¹⁹</p> <p>The NDRRM Strategic Framework and the NDRRM Action Plan also make provision for funding and stipulates that funding to implement the NDRRM action Plan will be drawn from domestic and international public and private sources. In particular, the DRRM Ministry will create the enabling environment for budget provisions to be made at the level of each Ministry for implementation of the actions contained in the plan for each of the three rolling implementation periods.¹²⁰ Therefore funding requirements for 2024-2027 and 2028-20330 will be updated annually to reflect its progress.¹²¹</p> <p>Additionally, the NDRRM Strategic Framework notes that the private sector may also be involved in funding DRR in circumstances whereby there exists a requirement that developmental investments incorporate an assessment of risks and risk mitigation costs in their budgets.¹²²</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>NDRRM Strategic Framework 2020-2030</p> <p>NDRRM Action Plan 2020-2030</p>

¹¹³ NDRRM Act, section 17(3)(a) and (b).

¹¹⁴ NDRRM Act, section 18(2) and (3).

¹¹⁵ NDRRM Act, section 19(2)(i).

¹¹⁶ NDRRM Act, section 22(3)(a) and (c).

¹¹⁷ NDRRM Strategic Framework, page 29.

¹¹⁸ NDS, page 6.

¹¹⁹ NDRRM Act, section 39.

¹²⁰ NDRRM Strategic Framework, page 43, see also NDRRM Action Plan, page 7.

¹²¹ NDRRM Strategic Framework, page 43, see also NDRRM Action Plan, page 7.

¹²² NDRRM Strategic Framework, page 24.

<p>A DRM capacity diagnosis report on Mauritius published by Capacity for Disaster Reduction Initiative (CADRI) in 2020 (the CADRI report) also covers financing for DRM and provides that although section 39 of the NDRRM Act makes provision for a “budget” it remains unclear on responsibilities and resource allocation for post disaster recovery and contingency planning, and it lacks clarity on resource allocation for local government.¹²³ In addition, the CADRI report stipulates that although the NDRRM Act does not specify funding allocation to DRR, the Government set up the National Environment Fund (NEF) which is a yearly revolving fund that allocates funding to projects submitted by various sector ministries or local government in areas of climate change, DRM, and environment preservation.¹²⁴ The NEF, established in 2002, was revamped in 2018-2019 and initially 2 Billion rupees were allocated to DRR.¹²⁵ Furthermore, funding allocation mechanisms for response, preparedness and recovery activities are not clearly provided for and therefore it is difficult to track the expenditure made by ministries with respect to these activities.¹²⁶</p>	<p>CADRI Report of 2020</p>
<p>Does the legislation establish mechanisms to ensure that dedicated funding would be available in the event of a disaster?</p> <p>As stated above, the NDRRM Act makes provision for every Ministry, Government department, local authority and every Commission in Rodrigues which is involved in DRRM activities to allocate an adequate budgetary provision for that purpose within its annual budgetary estimates that is used for DRRM activities. However, further details as to how dedicated funding would be available in the event of a disaster is not provided.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Does the law set mechanisms for funding for early action based on forecasts (not impact)?</p> <p>The DRRM Act does not explicitly provide for the funding of early action initiatives based on forecasts – the only funding mechanisms provided in the act is the mechanism provided in section 39 which has been set out above.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Are adequate resources for DRR allocated, through mechanisms such as development plans earmarking percentages in annual budgets, dedicated budget lines?</p> <p>In its budget expenditure estimates for 2020-2021, the Mauritius Government allocated R38 000 000 towards national DRR,¹²⁷ with an expected budget of R23 000 000 being provided in 2022 and R23 000 000 expected in 2023.¹²⁸</p>	<p>Mauritius Ministry of Finance, Economic Planning and Development website</p> <p>Mauritius Budget Speech 2020-2021</p> <p>Mauritius Budget Speech Annex</p>

¹²³ CADRI, *The Republic of Mauritius Disaster Risk Management: Capacity Diagnosis (2020)*, page 61.

¹²⁴ CADRI report, page 61.

¹²⁵ CADRI report, page 61.

¹²⁶ CADRI report, page 141.

¹²⁷ *The Mauritius Summary of expenditure, vote 5-2 National Disaster Risk Reduction*. See also [NDRR.xlsx \(govmu.org\)](#)

¹²⁸ *The Mauritius summary of expenditure by votes, vote 5-2*. See also [Summary of Expenditure by Votes.pdf \(govmu.org\)](#).

<p>The Ministry of Finance, Economic Planning and Development makes provision for a Public Sector Investment Programme for the period 2020/21 – 2024/25 which includes in its budget activities related to DRR. The investment programme provides that as a project the government will invest in a National Multi-Hazard Emergency Alert System with a project value of R48 000 0000 over the 5-year period.¹²⁹</p>	<p>Estimates 2020-2021 and indicative estimates 2021-2022 and 2023-2024</p> <p>Public Sector Investment Programme 2020/21 – 2024/25</p>
<p>Are resources allocated to enable sub-national authorities and civil society/communities to fulfil their responsibilities?</p> <p>Notably, the NDRRM Act mandates the allocation of budgetary estimates by local authorities and every Commission in Rodrigues which is involved in DRRM.¹³⁰ Importantly, the CADRI report does state that although section 39 of the NDRRM Act makes provision for a “budget” it lacks clarity on resource allocation for local government.¹³¹ As a result, there do not appear to be provisions which specify the resources (or the amounts) which are allocated to enable sub-national authorities and communities to fulfil their responsibilities. However, it is noted that limited information could be located regarding this, and it may be done in practise.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>CADRI Report of 2020</p>
<p>Is disaster insurance and/or risk finance mechanisms available?</p> <p>Although limited information could be found in this regard, finance mechanisms available to Mauritius include contingency credits from the World Bank Group, as indicated in the toolkit produced by ACT Alliance Global Climate Change Project (2020), entitled “Climate Risk Insurance and Risk Financing in the Context of Climate Justice”.¹³² A contingency loan or a financial guarantee is initiated once a disaster-related trigger has been reached. The World Bank Group provides such contingent credit lines through its contingent financing programmes, allowing borrowers to rapidly meet financial requirements in case of a medium or large-scale disaster. Contingent credit lines are agreed ex ante.¹³³</p> <p>With respect to other types of insurance available to Mauritius, the Mauritius Sugar Insurance Fund (MSIF) provides protection to the island’s sugar farmers against losses from cyclones.¹³⁴ This fund has gradually developed to include other types of risks such as fire and excessive rain.</p>	<p>Climate Risk Insurance Manual of 2020</p> <p>CADRI Report of 2020</p>
<p>Are funding mechanisms for recovery mandated?</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

¹²⁹ *Public Sector Investment Programme 2020/21-2024/25, page 26.*

¹³⁰ *NDRRM Act, section 39.*

¹³¹ *CADRI report, page 61.*

¹³² *Climate Risk Insurance and Risk Financing in the Context of Climate Justice, a toolkit by ACT Alliance Global Climate Change Project (2020), page 55. See also [Climate-Risk-Insurance-Manual_English.pdf \(ccdbbd.org\)](#)*

¹³³ *Climate Risk Insurance and Risk Financing in the Context of Climate Justice, page 55.*

¹³⁴ *CADRI report, page 87.*

Section 39 of the NDRRM Act is relevant and has been referenced above.¹³⁵ Although section 39 does not reference specific activities, DRRM activities referred to throughout the NDRRM Act, include but are not limited to: the management of post-disaster recovery and rehabilitation,¹³⁶ overseeing the implementation of recovery and reconstruction activities,¹³⁷ assisting relevant stakeholders in developing risk transfer mechanisms for recovery and rehabilitation purposes,¹³⁸ and the taking of appropriate measures during the initial recovery phase of a disaster.¹³⁹ The mechanism provided in section 39 may therefore cover activities, but as stated above, this mechanism has been criticised.

Disaster Risk Reduction

Do your country's relevant sectoral laws include provisions to reduce existing risks and prevent the creation of new risks?

As a starting point the NDRRM Strategic Framework makes provision for DRR in land use planning and CCA. The NDRRM Strategic Framework recognises that natural hazards have severe impacts on land which are going to be more frequent and intense due to climate change¹⁴⁰ and therefore integrating DRR into land use planning formulation processes may require a cross-sectoral approach when assessing the vulnerability of all assets and services.¹⁴¹ Challenges for land use planning are also listed to include: protecting hazard-prone areas, reducing disaster risk in developments that have already encroached onto hazard-prone areas whilst factoring in future land use options, and lastly, using regulations and incentives to promote development areas not prone to hazards.¹⁴² In addition to land use planning, management of activities on land such as agriculture, water resources, water catchment levels, and coastal zones, may also reinforce natural capacities to provide nature based solutions to reduce risk and increase resilience.¹⁴³

The environment

Section 7 of the EP Act permits the Minister responsible for the environment to establish standards for the protection of air, land and water as may be necessary to safeguard human health and the environment.¹⁴⁴ Importantly, the Minister is also empowered to prepare environmental action plans

[NDRRM Strategic Framework 2020-2030](#)

[Environment Protection Act of 2002](#)

¹³⁵ NDRRM Act, section 39.

¹³⁶ NDRRM Act, section 2 "DRRM".

¹³⁷ NDRRM Act, section 6(d).

¹³⁸ NDRRM Act, section 9(2)(j).

¹³⁹ NDRRM Act, section 16(e).

¹⁴⁰ NDRRM Strategic Framework, page 27.

¹⁴¹ NDRRM Strategic Framework, page 27.

¹⁴² NDRRM Strategic Framework, page 27.

¹⁴³ NDRRM Strategic Framework, page 27.

¹⁴⁴ EP Act, section 7(d).

and issue reports on the state of the environment,¹⁴⁵ and to initiate and coordinate actions required in a state of environmental emergency or any other situation that could pose a threat to the environment.¹⁴⁶

With regards to reducing existing risks and the prevention of new risks, the Director of Environment may, where he is of the opinion that an enterprise or activity involves a serious pollution or an imminent risk of serious pollution to the environment, serve a prohibition notice on the person owning, managing or in control of the enterprise or activity.¹⁴⁷ Similarly, the Director of Environment may, in the event of a spill, direct the owner of the pollutant which is spilled, or any other person to take such action within a certain time period to prevent, eliminate, or reduce the adverse environmental effects of the spill.¹⁴⁸

The EP Act also establishes the National Network for Sustainable Development (NNSD),¹⁴⁹ to act as a forum for discussions and consultations. An object of the NNSD includes the development and implementation of an integrated approach to pollution prevention and control.¹⁵⁰ Importantly, part VI of the EP Act provides for the issuing of standards and guidelines for the protection and management of the environment in the areas of water;¹⁵¹ effluent limitations;¹⁵² air;¹⁵³ waste, in any form or nature;¹⁵⁴ and the built-up environment and landscape.¹⁵⁵

The Mauritius National Environmental Policy of 2007 (NEP) provides for the reduction of existing risks and the prevention of new risks. To this end, the NEP stipulates that the guiding principles used to develop strategies and plans in environmental management include both the precautionary principle as well as the preventative approach.¹⁵⁶ With respect to the precautionary principle, where there are threats of serious damage to key environmental resources, a lack of full scientific certainty is not a reason for postponing cost-effective measures to prevent environmental

[National Environmental Policy of 2007](#)

¹⁴⁵ EP Act, section 7(f).

¹⁴⁶ EP Act, section 7(g).

¹⁴⁷ EP Act, section 72(1).

¹⁴⁸ EP Act, section 30(2)(a).

¹⁴⁹ EP Act, section 10(1).

¹⁵⁰ EP Act, 11(d).

¹⁵¹ EP Act, section 8(1).

¹⁵² EP Act, section 39(a).

¹⁵³ EP Act, section 40(1).

¹⁵⁴ EP Act, section 42(3).

¹⁵⁵ EP Act, section 46.

¹⁵⁶ NEP, page 15.

degradation.¹⁵⁷ With respect to taking a preventative approach in responding an environmental pollution threat, it is important to consider an approach which includes avoidance of pollution generation, recycling of materials and resources, and treatment and disposal.¹⁵⁸

The NEP also provides for natural and man-made disaster management, and states the objective for enhancing preparedness of the country to address the impacts of extreme weather events, climate change and sea level rise as well as other environmental disasters.¹⁵⁹ To achieve this objective, the NEP sets out government and national targets which include, but are not limited to: improving land use and coastal zones to mitigate the impact of disasters, to reinforce and implement policies for the mitigation of disasters, and to promote capacity building in the field of disaster management.¹⁶⁰

Land use and planning

The Mauritius Planning and Development Act No. 32 of 2004 (PD Act), provides that, unless exempted, no development shall take place unless the owner of the land has obtained a development permit.¹⁶¹ In the determination of a development, the permit authority will not consider an application for a development permit until it has received an environmental impact assessment (EIA) licence or an approved preliminary environmental report, or license under the EP Act.¹⁶² In addition, the permit authority may also order the owner of, or such other person managing the premises to take measures to ensure that the premises does not constitute a significant fire hazard.¹⁶³ Lastly, if the permit authority is of the opinion that any development is having negative consequences on the natural or built environment, it may issue and serve a stop development notice on the owner of the premises or occupiers of the land on which the development is being carried out.¹⁶⁴

Importantly, the Mauritius Planning Policy Guidance of 2016 (PPG) provides information on sloping sites and landslide hazard areas within Mauritius. The PPG was prepared to guide development over sloping sites and is used as a precautionary measure when considering development applications on such sites.¹⁶⁵

[Planning and Development Act of 2004](#)

[Planning Policy Guidance of 2016](#)

[Building Control Act of 2012](#)

¹⁵⁷ NEP, page 15.

¹⁵⁸ NEP, page 15.

¹⁵⁹ NEP, page 29.

¹⁶⁰ NEP, page 29.

¹⁶¹ PD Act, section 22.

¹⁶² PD Act, section 30(3) and 30(5)(e).

¹⁶³ PD Act, section 48(1)(b).

¹⁶⁴ PD Act, section 50.

¹⁶⁵ PPG, page 1 and 2.

The Mauritius Building Control Act No. 9 of 2012 (BC Act) provides for the basic requirements of buildings and stipulates that every building shall be developed and maintained to guarantee functionality (accessibility ensuring people with disabilities, elderly persons and pregnant woman are able to access and use the building), peoples safety, and the protection of the environment.¹⁶⁶ In addition, the safety requirements described in the BC Act includes structural safety and safety in case of a fire to ensure that people may be evacuated and that the fire may be stopped from spreading.¹⁶⁷ The BC Act also establishes the Building Control Advisory Council (BCAC).¹⁶⁸ The BCAC is tasked with formulating polices for a more effective, safe, efficient and sustainable construction of buildings.¹⁶⁹ The BC Act also make provision for dangerous buildings to be surveyed and for the local authority to be authorised to serve notices on the owner of the premises, stipulating the building or part thereof to be secured, pulled down or removed within a reasonable time.¹⁷⁰

The Mauritius Local Government Act No. 36 of 2011 (LG Act) provides for the issuance of building and land use permits (BLUP)¹⁷¹ as a requirement for any person intending to carry out developments of land or construction of buildings. Importantly, the LG Act stipulates that a Municipal City Council, Municipal Town Council or District Council shall have the power to authorise the construction of drains in privately owned land where storm water accumulates and represents flooding risks.¹⁷²

The Mauritius Local Government (amendment) act No. 10 of 2018 (LG Amendment Act) makes provision for the prohibition of illegal constructions and development, and specifically provides that where development works are conducted without a permit of on any canal, river or drain without the necessary approval, the Chief Executive may serve on the person in charge a notice ordering the pulling down of the development.¹⁷³

The Land Drainage Authority Act No.1 of 2017 (LDA Act) is also of relevance. The LDA Act establishes the Land Drainage Authority who has the following tasks which are relevant to reducing existing risks and preventing new risks:

- to undertake inventory mapping of all existing natural and manmade drainage infrastructure;¹⁷⁴

[Local Government Act of 2011](#)

[Local Government \(amendment\) Act of 2018](#)

[Land Drainage Authority Act of 2017](#)

[Mauritius Meteorological services Act of 2019](#)

[Mauritius Climate Change Act of 2020](#)

¹⁶⁶ BC Act, section 3.

¹⁶⁷ BC Act, section 3(b).

¹⁶⁸ BC Act, section 5(1).

¹⁶⁹ BC Act, section 6(b).

¹⁷⁰ BC Act, section 22(1) - (3).

¹⁷¹ LG Act, section 117.

¹⁷² LG Act, section 61(3).

¹⁷³ LG Amendment Act, section 127C(1).

¹⁷⁴ LDA Act, section 5(a).

- to undertake studies based on hydro-meteorological and hydrographic surveys, and to produce and review a flood risk map and a National Land Drainage Plan;¹⁷⁵
- to identify in collaboration with other relevant stakeholders including the NDRRM Centre, flood risk areas;¹⁷⁶
- to carry out in collaboration with other relevant stakeholders, the upgrading and maintenance of the drainage infrastructure.¹⁷⁷

Climate change and meteorological services

The Mauritius Meteorological Services Act No. 22 of 2019 (MMS Act) establishes the MMS.¹⁷⁸ The MMS is tasked with being the official authority in Mauritius for monitoring the evolution of weather and climate, including extreme weather,¹⁷⁹ and providing weather forecasts, advisories and warnings for the welfare and safety of the public.¹⁸⁰

In 2020, Mauritius established its Climate Change Act No.11 of 2020 (CC Act). The CC Act makes provision for three important bodies: the Inter-Ministerial Council on Climate Change (IMCCC),¹⁸¹ the Department of Climate Change (DCC),¹⁸² and the Climate Change Committee (CCC).¹⁸³ The DCC is tasked with, amongst others, formulating and updating guidelines for the conduct of vulnerability and risk assessments relating to climate change.¹⁸⁴ Public and private institutions may also be required to conduct vulnerability and risk assessments and to implement measures for adaptation and mitigation as required by the Director of the DCC.¹⁸⁵ The CCC is tasked with coordinating and driving measures related to greenhouse gas inventories, greenhouse gas emission reduction and the assessment of risks linked to climate change.¹⁸⁶ In addition, the CCC may also recommend

[Climate Change Adaptation Policy Framework, of 2012](#)

[Mauritius signature of the Paris Agreement](#)

[Fire and Rescue Service Act of 2013.](#)

¹⁷⁵ LDA Act, section 5(b).

¹⁷⁶ LDA Act, section 5(d).

¹⁷⁷ LDA Act, section 5(f).

¹⁷⁸ MMS Act, section 3.

¹⁷⁹ MMS Act, section 4(a).

¹⁸⁰ MMS Act, section 4(d).

¹⁸¹ CC Act, section 4(1).

¹⁸² CC Act, section 8(1).

¹⁸³ CC Act, section 11(1).

¹⁸⁴ CC Act, section 8(2)(c).

¹⁸⁵ CC Act, section 16(1)(b)(i).

¹⁸⁶ CC Act, section 11(3)(b).

<p>approaches for vulnerability and risk assessments in various sectors and industries to achieve optimal resilience to the adverse effects of climate change.¹⁸⁷</p> <p>The Mauritius Climate Change Adaptation Policy Framework of 2012 (CCA Policy) is also of relevance as it includes an objective focusing on reducing the loss of life from climate change impacts and reducing impacts on settlements and infrastructure.¹⁸⁸ In addition, it covers DRR across several sectors and provides specific actions to address flooding¹⁸⁹ and coastal vulnerability by using structural and non-structural measures.¹⁹⁰</p> <p>With respect to international commitments, the DCC and relevant stakeholders are tasked with preparing a National Inventory Report to meet the obligations of Mauritius under the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol, the Paris agreement and any other instrument related to climate change.¹⁹¹</p> <p>Fire risks</p> <p>The Mauritius Fire and Rescue Service Act No. 13 of 2013 (FRS Act) establishes the Mauritius Fire and Rescue Service (fire service) which is responsible for taking all necessary steps in preventing and suppressing a fire in the event of an emergency to protect life, property, and the environment.¹⁹² Importantly and in fulfilling its responsibility, the fire service is tasked with advising the public on prevention and protection measures in the event of a fire or any other emergency.¹⁹³</p>	
<p>Are there provisions related to DRR in the DRM Law?</p> <p>DRR is defined in the NDRRM Act as: “a continuous and integrated multi-sectoral, multi-disciplinary process of planning, organising, coordinating and implementing measures aimed at preventing and reducing the risk of disasters.”¹⁹⁴</p> <p>The NDRRM Act is centred around DRR activities, and it provides DRR related tasks to committees established within the NDRRM Act at various levels. For instance, the NDRRM Council and the Rodrigues Council are both tasked with ensuring that DRR becomes an integral part of environment-related</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

¹⁸⁷ CC Act, section 11(3)(e).
¹⁸⁸ CCA Policy, page 3-6.
¹⁸⁹ CCA Policy, page 60.
¹⁹⁰ CCA Policy, page 68.
¹⁹¹ CC Act, section 8(2)(k) and 15(1)(a).
¹⁹² FRS Act, section 5(1).
¹⁹³ FRS Act, section 5(2)(c).
¹⁹⁴ NDRRM Act, section 2 “DRRM”.

<p>policies and plans, land use planning, natural resource management, educational plans, social development plans, economic policies, sectoral policies, as well as infrastructure through enforcement of building codes.¹⁹⁵</p> <p>In addition, the NDRRM Council and the Rodrigues Council is empowered to cause any Ministry, Government department, local authority, or any other body to provide their facilities and resources for the protection and preservation of life and property in DRRM.¹⁹⁶</p> <p>Furthermore, the NDRRM Centre and the Rodrigues Centre are also tasked with:</p> <ul style="list-style-type: none"> • coordinating and monitoring all DRRM activities;¹⁹⁷ • coordinating and monitoring the implementation of DRRM programmes through community participation and public awareness campaigns;¹⁹⁸ • supporting Ministries, Government departments, local authorities, and communities in building capacity for DRRM;¹⁹⁹ and • publishing and disseminating information concerning DRRM.²⁰⁰ <p>In addition, the Local Committees are tasked with promoting and implementing DRRM education and public awareness programmes,²⁰¹ and the Rodrigues Centre is responsible for fostering cooperation in DRRM issues, including best practices, and sharing of expertise.²⁰²</p> <p>The NDRRM Strategic Framework includes DRR as a strategic objective of the Framework and provides that the objective is to progressively reduce disaster risk during the decade to 2030.²⁰³</p>	<p>NDRRM Strategic Framework 2020-2030</p>
<p>Is there duplication or conflicting provisions between laws on DRR?</p> <p>From the research conducted, there do not appear to be conflicting provisions between the laws relating to DRR.</p>	
<p>Environment</p>	
<p>Are natural hazards and climate change risks addressed in laws related to the environment?</p> <p>Climate risks are not directly referenced in the EP Act. However, as stated above, section 7 more generally permits the Minister responsible for the environment to establish standards for the protection of air, land and water as may be necessary to safeguard human health and the environment.²⁰⁴</p>	<p>Environment Protection Act of 2002</p>

¹⁹⁵ NDRRM Act, section 6(f) and 24(g).

¹⁹⁶ NDRRM Act, section 7(b) and 25(b).

¹⁹⁷ NDRRM Act, section 9(2)(c).

¹⁹⁸ NDRRM Act, section 9(2)(d) and 26(2)(b).

¹⁹⁹ NDRRM Act, section 9(2)(g) and 26(2)(e).

²⁰⁰ NDRRM Act, section 9(2)(n).

²⁰¹ NDRRM Act, section 20(c).

²⁰² NDRRM Act, section 26(2)(j).

²⁰³ NDRRM Strategic Framework, page 41.

²⁰⁴ EP Act, section 7(d).

<p>As stated above, the EP Act also provides for the issuing of standards and guidelines for water, effluent limitations, air, and waste, in any form or nature.</p> <p>Importantly, the NEP stipulates that Mauritius is particularly vulnerable to natural disasters and the impacts of climate change.²⁰⁵ For instance, water resources are affected by the impact of climate change as rise in sea levels affect freshwater availability as well as increasing the vulnerability of coastal resources.²⁰⁶ Climate change impacts will also affect new construction and building standards.²⁰⁷</p>	<p>National Environmental Policy of 2007</p>
<p>Is DRR a criterion included in EIA for planned development?</p> <p>In terms of the PD Act, no development shall take place without first an application being made for a development permit, such an application must be accompanied by an application for an EIA licence or a preliminary environmental report.²⁰⁸ EIAs are regulated by the EP Act.²⁰⁹ When considering the EIA approval, the EP Act provides that the following shall be considered:</p> <ul style="list-style-type: none"> • the environmental factors considered in the EIA;²¹⁰ • the measures proposed to avoid or minimise adverse effects on the environment, people, or society;²¹¹ • the alternatives proposed in the EIA;²¹² and • such other matters that may be relevant in weighing the significance or insignificance of the potential environmental impact of the undertaking.²¹³ <p>Importantly, the CC Act also makes provision for the amendment of the EP Act, wherein the CC Act provides that information on ecosystem friendly practices to promote sustainable development, should be included in EIA reports which are regulated by section 18 of the EP Act.²¹⁴ In addition, the CC Act provides that EIA reports may include ecological assessments, vulnerability assessments, and proposed adaptation measures with respect to climate change.²¹⁵</p>	<p>Planning and Development Act of 2004</p> <p>Environment Protection Act of 2002</p> <p>Building Control Act of 2012</p> <p>Climate Change Act of 2020</p>

²⁰⁵ NEP, page 5.

²⁰⁶ NEP, page 9 and 11.

²⁰⁷ NEP, page 24.

²⁰⁸ PD Act, section 26(2)(f).

²⁰⁹ EP Act, Part IV.

²¹⁰ EP Act, section 24(1)(a).

²¹¹ EP Act, section 24(1)(b).

²¹² EP Act, section 24(1)(c).

²¹³ EP Act, section 24(1)(d).

²¹⁴ CC Act, section 30(2)(d)(i)(B).

²¹⁵ CC Act, section 30(2)(d)(ii)(3)(a) and (b).

<p>Although not related to EIAs, as part of the duties and responsibilities for development works, the BC Act provides that every principal agent shall supervise the development at all stages until completion and conduct a risk-based inspection of the building at every interval.²¹⁶</p>	
<p>Are eco- systems approaches to DRR adopted?</p> <p>The PD Act provides that the objects of the Act are to provide, in relation to land development, for ecologically sustainable development.²¹⁷</p> <p>The definition of “adverse effects on climate change” as defined in the CC Act includes all the changes in a physical environment because of climate change, as it has significant effects on the composition, resilience, or productivity of national and managed ecosystems.²¹⁸ Consequently, the CC Act makes provision for the development, coordination and implementation of policies, projects, strategies, and plans which address the adverse effects of climate change.²¹⁹</p> <p>As stated above, the CC Act provides that information on ecosystem friendly practices to promote sustainable development, should be included in EIA reports.²²⁰ In addition, the CC Act provides that EIA reports may include ecological assessments, vulnerability assessments, and proposed adaptation measures with respect to climate change.²²¹ Furthermore, the CC Act consequently also amends the PD Act by providing that section 13(1) of the PD Act should include ecologically sustainable development and climate change, as a formal consideration when the Minister responsible for planning and development issues a planning policy guidance.²²²</p> <p>This is complimented by the NEP, which includes as a guiding principle for environmental management, the maintenance of basic ecological integrity. The NEP explains this principle by stipulating that the diversity, health, and productivity of the Mauritius ecosystems are to be maintained and managed effectively.²²³ Furthermore, the NEP sets out national targets for the built environment, land use, water resource management, and coastal zone management, which includes the implementation of continuous tree-planting campaigns; the protection, management, and development of forest ecosystems; and the preservation of ecological integrity of aquatic and coastal zone ecosystems.²²⁴</p>	<p>Planning and Development Act No. 32 of 2004</p> <p>Climate Change Act of 2020</p> <p>National Environmental Policy of 2007</p> <p>Environment Protection Act of 2002</p> <p>Planning and Development Act of 2004</p> <p>National Environmental Policy of 2007</p>
<p>Natural Resource Management and Fire Control</p>	

²¹⁶ BC Act, section 20(3)(a)(aa).

²¹⁷ PD Act, section 3(a)(iv).

²¹⁸ CC Act, section 2, definition of “adverse effects of climate change”.

²¹⁹ CC Act, section 8(2)(b).

²²⁰ CC Act, section 30(2)(d)(i)(B).

²²¹ CC Act, section 30(2)(d)(ii)(3)(a) and (b).

²²² CC Act, section 30(5)(c).

²²³ NEP, page 15.

²²⁴ NEP, page 20, 22 and 23.

Are there provisions aimed at reducing the risk of water related hazards?

Provisions aimed at reducing the risk of water related hazards can be found in LDA Act. As stated above, the LDA is tasked with reducing existing risks by undertaking studies based on hydro-meteorological and hydrographic surveys, and to produce and review a flood risk map and a National Land Drainage Plan.²²⁵ Additionally the Land Drainage Authority is also tasked with identifying , in collaboration with other relevant stakeholders including the NDRRM Centre, flood risk areas;²²⁶ and to carry out in collaboration with other relevant stakeholders, the upgrading and maintenance of the drainage infrastructure.²²⁷ The EP Act also provides for the development of guidelines and standards for the management of water resources generally.²²⁸

The NDS also contains several provisions which regulate the management of water related disasters, such as flooding and water crises.²²⁹

Is forest or urban fire prevention and management linked with DRM laws and institutions?

As a starting point, the Fire Service is referenced in the NDRRM Act, and has a seat at the table of the NDRRM Council,²³⁰ the NCC,²³¹ the Local Committee,²³² the Rodrigues Council,²³³ and the RCC.²³⁴

The FRS Act stipulates that the duties of the fire service include taking all necessary steps in the prevention and suppression of fires for the protection of life, property, and the environment.²³⁵ Notably, the fire service is also tasked with performing humanitarian services which include the protection of life and property in the event of a natural disaster.²³⁶ Importantly, section 5(3) of the FRS Act stipulates that the fire service will “participate In the national schemes for the management, prevention, mitigation and reduction of disasters and assist the National Disaster and Operations Coordination centre in the execution of its duties.”²³⁷

[National Environmental Policy of 2007](#)

[Land Drainage Authority Act of 2017](#)

[National Disaster Scheme of 2015](#)

[The National Disaster Risk Reduction and Management Act of 2016](#)

[Fire and Rescue Service Act of 2013.](#)

²²⁵ LDA Act, section 5(b).

²²⁶ LDA Act, section 5(d).

²²⁷ LDA Act, section 5(f).

²²⁸ EP Act, sections 37(1)(a) and 38.

²²⁹ NDS, page 45, 97, 139, 175 and 217.

²³⁰ NDRRM Act, section 4(2)(v).

²³¹ NDRRM Act, section 15(1)(g).

²³² NDRRM Act, section 19(2)(j).

²³³ NDRRM Act, section 23(2)(i).

²³⁴ NDRRM Act, section 32(e).

²³⁵ FRS Act, section 5(1).

²³⁶ FRS Act, section 5(2)(i).

²³⁷ FRS Act, section 5(3).

Land Use Planning and Urban Development and Building	
<p>Is coordination with DRM institutions and mechanisms promoted?</p> <p>The NDRRM Act provides that a representative of the Ministry of housing and lands is included on the NDRRM Council.²³⁸ In addition, the NDRRM Centre and the Rodrigues Centre are tasked with collaborating with all relevant stakeholders so that DRRM becomes an integral objective of sound land use planning as well as infrastructure through enforcement of building codes.²³⁹ Further details are not provided.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Are building codes and land use planning regulations updated, and priority given to critical infrastructure such as schools, hospitals and other public buildings?</p> <p>With regards to development planning, the PD Act makes provision for the review and revision of development plans. The PD Act stipulates that planning authorities must keep an approved development plan under continuous review and necessary adjustments to the plan to ensure it continues to provide a sound basis for the development of the local planning area for which it was made.²⁴⁰ In addition, the PD Act provides that an approved development plan must at least every 5 years be revised by the planning authority.²⁴¹</p> <p>With respect to critical infrastructure and public buildings, the PD Act makes provision for state-significant developments and stipulates that every application for a development permit to undertake state-significant development must be made to the Minister responsible for planning and development of land.²⁴² When considering an application, this minister will refer the application to the Commission for its advice and will take the advice into account when determining the application.²⁴³ The Commission will submit its advice to the Minister responsible for planning and development of land within a 28 day period.²⁴⁴ Notably, state-significant developments, include hospitals and schools.²⁴⁵</p> <p>Notably, the research has also indicated that the Building Codes of Mauritius will soon be reviewed following a declaration of the Minister of Local Government, Disaster and Risk Management. Furthermore, Building Codes are enforced by Local Authorities which are ordinarily the planning departments of Municipalities and District Councils.</p>	<p>Planning and Development Act of 2004</p>
<p>Are incentives / legal sanctions established, where appropriate, in cases of non-compliance leading to unsafe buildings or developments?</p>	

²³⁸ NDRRM Act, section 4(2)(o).

²³⁹ NDRRM Act, section 9(2)(k) and 26(2)(i).

²⁴⁰ PD Act, section 20(1).

²⁴¹ PD Act, section 20(2).

²⁴² PD Act, section 24(2).

²⁴³ PD Act, section 24(4)(a).

²⁴⁴ PD Act, section 24(5).

²⁴⁵ PD Act, second schedule (4) and (28).

<p>The PD Act provides that any person who: develops any land without a valid permit, fails to comply with a “make safe” notice under section 33(6) of the Act, contravenes an order under section 48 or a notice under section 50, or who contravenes section 67,²⁴⁶ commits an offence and is liable to a fine not exceeding 2 million rupees or imprisonment for a term not exceeding 5 years or both.”²⁴⁷</p>	<p>Planning and Development Act of 2004</p>
<p>Climate Change</p>	
<p>Are links between NAPs and other climate related processes made with the DRM framework?</p> <p>The NDRRM Act and the NDS do not establish links with NAPs or other climate related processes. However, the NDRRM Strategic Framework does make provision for CCA and stipulates that cross sectoral collaboration on DRM is essential.²⁴⁸ In addition, it incorporates the CCA Policy as a guiding framework in the DRM strategy.²⁴⁹</p> <p>Several links between DRR and climate change are also made within the CCA Policy. For example, the CCA Policy provides for the integration of DRR activities in relation to the management of floods, environmentally sensitive areas, tourism, and coastal management.²⁵⁰ With respect to the CC Act, representatives from the Ministry of Local Government and DRM, and the NDRRM Centre are represented on the CCC.²⁵¹</p>	<p>NDRRM Strategic Framework 2020-2030</p> <p>Climate Change Act of 2020</p> <p>Climate Change Adaptation Policy Framework of 2012</p>
<p>Are DRM national laws including elements relating to climate change adaptation?</p> <p>Neither the NDRRM Act nor the NDS include elements relating to CCA. However, the NDRRM Strategic Framework does include elements relating to CCA as referred to above. In addition, the NDRRM Strategic Framework stipulates that it has been prepared based on best practice principles that address both CCA and DRR.²⁵²</p>	<p>NDRRM Strategic Framework 2020-2030</p>
<p>Are DRM national laws formally endowing high-level governmental authorities and/or territorial administrations with the duty to harmonise implementing activities and promote climate change adaptation-DRR coordination, policies and plans?</p> <p>The NDRRM Act and the NDS do not explicitly endow high level government authorities and/or territorial administrations with the duty to promote CCA-DRR coordination, policies, or plans.</p>	

²⁴⁶ PD Act, section 68(1)(a)-(f).

²⁴⁷ PD Act, section 68(1).

²⁴⁸ NDRRM Strategic Framework, page 25.

²⁴⁹ NDRRM Strategic Framework. Page 33.

²⁵⁰ CCA Policy, page 60, 66 and 68.

²⁵¹ CC Act, Second Schedule, 11 and 18.

²⁵² NDRRM Strategic Framework, page 26.

<p>On the other hand, the NDRRM Strategic Framework provides that CCA must play an essential role in DRRM within Mauritius because climate change affects both factors that cause disasters, namely, hazards and vulnerability.²⁵³ In addition, it endorses the Sendai Framework's definition of DRM wherein it provides that linkages to sustainable development and CCA plans should be made where possible.²⁵⁴ Furthermore, in advocating for CCA-DRR coherence as a key priority for Mauritius, the Framework acknowledges that there are significant cost saving implications of applying a DRRM approach to CCA.²⁵⁵ Lastly, the Framework provides for best practice examples developed by UNDRR when combining DRRM and CCA initiatives, the below initiatives have been utilised in the development of the NDRRM Strategic Framework:</p> <ul style="list-style-type: none"> • mapping the institutions, policies and mechanisms already in place for reducing disaster risk and dealing with CCA; • taking stock of the available information on hazards, exposure, vulnerabilities and risk assessments; • convening multi-stakeholder discussions to review information and identify opportunities to harmonise policy and address capacity gaps; • initiating capacity development activities to build or strengthen coherent approaches to CCA and DRR; • designing joint project initiatives that address both CCA and DRR; and • conducting adaptation planning with a multi-sectoral, development-based approach and centralised oversight responsibility. <p>In addition, the CC Act provides for the establishment of the CCC which acts as the national climate change coordination mechanism and functions to, amongst others:</p> <ul style="list-style-type: none"> • coordinate the implementation of measures related to greenhouse gas inventories, emissions and reductions; • coordinate strategic planning and national policies relating to CC; and • coordinate climate related activities.²⁵⁶ 	<p>NDRRM Strategic Framework 2020-2030</p> <p>Climate Change Act of 2020</p>
<p>Are DRM national laws favouring information-sharing between the two sectors and/or complementarity between financial instruments relating to any thematic issue with some relevance for DRM and climate adaptation?</p> <p>As stated above, neither the NDRRM Act nor the NDS include specific elements relating to CCA. However, the NDRRM Act does provide that the NDRRM Centre must collaborate with all relevant stakeholders so that DRRM becomes an integral objective of environment-related policies and plans.²⁵⁷ In addition, the NDRRM Act requires the allocation of budgetary provisions for DRR activities, but CCA is not mentioned.²⁵⁸</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

²⁵³ NDRRM Strategic Framework. Page 25.

²⁵⁴ NDRRM Strategic Framework. Page 25.

²⁵⁵ NDRRM Strategic Framework. Page 26.

²⁵⁶ CC Act, section 11(3)(b), (c) and (h).

²⁵⁷ NDRRM Act, section 9(2)(k).

²⁵⁸ NDRRM Act, section 39.

<p>As stated above, the CC Act also provides for the establishment of the IMCCC. Importantly, the IMCCC acts as the national climate change coordination mechanism and has the function of ensuring coordination and cooperation between Government departments.²⁵⁹ With regards to funding, the CC Act provides that as a National Implementing Entity (NIE) the Ministry of Climate Change must act as the NIE to access international funding mechanisms for climate change related projects, and comply with the fiduciary standard and other reporting requirements set by the Adaptation Fund Board, the Green Climate Fund or such other international climate-related funds.²⁶⁰ In addition, the CC Act amends the EP Act by expanding the mandate of the National Environment Fund to now be read as the National Environment and Climate Change Fund.²⁶¹ Importantly, the objects of this fund include, but are not limited to;</p> <ul style="list-style-type: none"> • carrying out programmes to prevent and reduce pollution; • promoting environmental education and research; • supporting non-governmental organisations engaged in environment protection; • publishing reports on the environment; • promoting, supporting, and encouraging activities relating to environment protection and management; and • compensating victims in situations of environmental emergencies and spills.²⁶² <p>Furthermore, the CCC as referred to above includes representatives from the DRM sector and is tasked with coordinating the use of resources and any assistance provided by donors and funding agencies for climate change projects.²⁶³</p>	<p>Climate Change Act of 2020</p> <p>Environment Protection Act of 2002</p>
<p>Are DRM national laws creating or tasking specific advisory bodies with climate change adaptation competence supporting the work of DRR national committees or authorities?</p> <p>Although the NDRRM Act empowers the NDRRM Council to set up any advisory or technical committee on matters related to DRRM,²⁶⁴ from the research conducted, these advisory and technical committees are composed when needed and are dissolved once a task has been completed.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>Climate Change Act of 2020</p>

²⁵⁹ CC Act, section 6(1)(c).

²⁶⁰ CC Act, section 24(1)(a) and (b).

²⁶¹ CC Act, section 30(2)(g) and (h).

²⁶² EP Act, sections 60(a)-(h).

²⁶³ CC Act, section 11(3)(g).

²⁶⁴ NDRRM Act, section 7(c).

<p>Similarly, the CC Act provides that the Minister responsible for the subject of climate change, may appoint such technical advisory committees, and such other committees as may be necessary to assist the IMCCC in the discharge of its functions.²⁶⁵This may allow for a body dealing with CCA-DRR to be set up.</p>	
<p>Are sectoral laws and policies with relevance for DRR/M favouring institutional and cross-sectoral coordination with institutions, agencies, and stakeholders responsible for climate change?</p> <p>As stated above, the MMS is involved in DRR activities and is also tasked with recording, processing, and archiving meteorological and other related observations for climatological, environmental, and other purposes.²⁶⁶ In addition, the MMS is responsible for keeping entities set up under the NDRRM Act informed of the evolution of weather and climate.²⁶⁷ Importantly, the CADRI report stipulates that as a recommendation, the NDRRM Centre should contribute to the development of the CCA Policy to harmonise provisions for DRR and CCA across sectors.²⁶⁸</p>	<p>Mauritius Meteorological Services Act of 2019</p> <p>CADRI Report of 2020</p>
<p>Are law and policies with relevance for DRR/M built on available science and practice on both present and future climate risk trends and patterns (i.e. climate-smart)?</p> <p>While this is difficult to assess from desktop research, a few relevant provisions may be noted.</p> <p>First, the MMS Act stipulates that the MMS is tasked with monitoring, assessing, and conducting research on climate change, on the science of climate change and sea level to provide baseline information for the sustainable development of Mauritius.²⁶⁹ In addition, the NEP stipulates that one of its guiding principles is the “precautionary principle”, which entails that a lack of full scientific certainty should not be used as an excuse for postponing cost-effective measures to prevent environmental degradation.²⁷⁰ Furthermore, the NEP also provides that the Government should promote the use of best science and data to be used by all stakeholders for effective decision making.²⁷¹</p>	<p>National Environmental Policy of 2007</p> <p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Are national DRR strategies and planning activities considering climate change adaptation perspectives, especially in terms of infrastructure and human settlements, and the development of a methodology to identify risks drivers which consider climate change patterns?</p>	

²⁶⁵ CC Act, section 7(1)(d).

²⁶⁶ MMS Act, section 5(f).

²⁶⁷ MMS Act, section 5(h).

²⁶⁸ CADRI report, page 55.

²⁶⁹ MMS Act, section 5(k).

²⁷⁰ NEP, page 15.

²⁷¹ NEP, page 16.

<ul style="list-style-type: none"> the Ministry of Public Infrastructure and Land Transport is tasked, in preparation for the rainy season, to carry out risk assessments to identify areas at risk and implement remedial measures and sensitisation campaigns on landslide prone areas, in collaboration with the NDRRM Centre and local authorities.²⁸⁰ 	
<p>Are regular hazard and vulnerability mapping and risk assessments required, including both disaster and climate risks and are these tasks clearly assigned to appropriate authorities?</p> <p>As aforementioned, the NDRRM Act and the NDS provide for the assigning of tasks to various Ministries and Governmental departments with respect to vulnerability and multi-hazard risk assessments. However, there is no indication as to how often these vulnerability and risk assessments should be conducted. While the NDRRM Act states that one of the objects of the NCC is to conduct “multi-hazard risk assessments”, it does not explicitly refer to climate risks.²⁸¹</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Are at risk communities, civil society as well as private sector involved in the risk assessment process and informed of the outcomes?</p> <p>Local Committees are tasked with working closely with their respective local community in disaster risk analysis and vulnerability assessments in terms of the NDRRM Act.²⁸² However, further details are not provided.</p> <p>With respect to being informed of the outcomes, the NDRRM Act provides that the NDRRM Centre is tasked with publishing and disseminating information concerning DRRM, but it is not clear whether this includes the outcome of risk assessments.²⁸³ Importantly, the CADRI report notes as a shortcoming of the DRM system that the NDRRM Act does not provide for a risk information sharing system.²⁸⁴ In addition the CADRI report notes that risk assessments and hazard mapping is mostly conducted by external consultancies, with limited involvement of local research institutions.²⁸⁵</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>CADRI Report of 2020</p>
<p>Do laws/regulations require sex and age disaggregated data (SADD) to be collected to inform risk and needs assessment?</p> <p>From the research conducted, there are no laws or regulations specifically requiring SADD to be collected to inform risk and needs assessments.</p>	
<p>Is it mandatory to consider risk information in development planning, budgetary allocation, and construction?</p> <p>From the information reviewed for the purposes of this research, there does not appear to be a mandatory obligation to consider risk information in development planning, budgetary allocation, and construction.</p>	
<p>Preparedness and Response</p>	

²⁸⁰ NDS, page 79.

²⁸¹ NDRRM Act, section 5(b).

²⁸² NDRRM Act, section 20(a).

²⁸³ NDRRM Act, section 9(2)(n).

²⁸⁴ CADRI report, page 36.

²⁸⁵ CADRI report, page 36.

Early Warning Systems (EWS)

Are responsibilities for all steps of the early warning process from assessing the hazard, to making decisions to issue warnings, to initiating early action, clearly assigned in law?

As a starting point, it is the responsibility for the NDRRM Centre and the Rodrigues Centre to work in close collaboration with the MMS to develop and improve warnings and advisory systems for all natural hazards affecting Mauritius.²⁸⁶ Notably, the NDRRM Policy recognises that multi-hazard early warnings and alerts are critical to reducing and avoiding impacts when disasters threaten.²⁸⁷ The NDRRM Centre is further tasked with implementing a national multi-hazard emergency alert system to provide accurate and timely advice to the public and key stakeholders.²⁸⁸

The MSS is tasked with, inter alia, conducting research related to climate change, climatology and meteorology; preparing and disseminating meteorological data, information, products and services; keeping DRM entities up to date and informed on the evolution of weather and climate, including extreme weather; providing weather forecasts and climate services as well as advisories and warnings for extreme weather events and tsunamis.²⁸⁹ As the National Tsunami Centre for Mauritius, the MMS is responsible to receive advisories from tsunami service providers, issue appropriate bulletins for Mauritius and participate in the Intergovernmental Coordination Group of the Indian Ocean Tsunami Warning and Mitigation Systems.²⁹⁰ The MMS is also tasked with continuously assessing the likelihood of significant rain to decide on the need to issue torrential rain and flooding/flash flood bulletins.²⁹¹

The NDS stipulates that the MMS is responsible for issuing warnings appropriate to the prevailing meteorological situation and outlook.²⁹² In addition the MMS is designated as the warning/alerting agency for Mauritius in the case of several natural disasters (cyclones;²⁹³ heavy rainfall, torrential rain/flash floods;²⁹⁴ tsunamis;²⁹⁵ high waves;²⁹⁶ and earthquakes.²⁹⁷

[The National Disaster Risk Reduction and Management Act of 2016](#)

[NDRRM Strategic Framework 2020-2030](#)

[NDRRM Policy 2020-2030](#)

[Mauritius Meteorological Services Act of 2019](#)

[National Disaster Scheme of 2015](#)

²⁸⁶ NDRRM Act, section 9(2)(e) and section 26(2)(c).

²⁸⁷ NDRRM Policy, page 9. See also NDRRM Strategic Framework, page 33.

²⁸⁸ NDRRM Act, section 9(2)(f).

²⁸⁹ MMS Act, section 5(b).

²⁹⁰ MMS Act, section 5(r).

²⁹¹ NDS, page 47.

²⁹² NDS, page 11.

²⁹³ NDS, page 14.

²⁹⁴ NDS, page 52.

²⁹⁵ NDS, page 104.

²⁹⁶ NDS, page 143.

²⁹⁷ NDS, page 196.

<p>Are roles for technical ministries as well as communities, local authorities, scientific institutions, private media companies and civil society organizations in early warning systems set out?</p> <p>Apart from what is stated directly above regarding the NDRRM Centre, Rodrigues Centre and the MMS, the roles for technical ministries, communities, local authorities, scientific institutions, private media companies and civil society organisations in early warning systems are not specifically set out in the NDRRM Act. However, the NDS does stipulate that the relevant ministry, members of the NEOC and the LEOC are tasked with ensuring that the MMS warnings are circulated to all divisions, branches, members within the organisation, and all relevant stakeholders.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Are EWS established for the most frequent and serious hazards?</p> <p>Yes. As stated above, the early warning system envisioned in the NDRRM Act is a multi-hazard system.</p>	
<p>Information Sharing</p>	
<p>Are there procedures in place to facilitate the expeditious sharing of information about disasters, including emerging hazards that are likely to cause disasters, with communities, relief actors and assisting humanitarian organizations as appropriate?</p> <p>Under the NDRRM Act, the NDRRM Centre is tasked with publishing and disseminating information concerning DRRM and for conducting public awareness campaigns, but further details are not provided.²⁹⁸</p> <p>Information sharing is also referenced in the NDS, whereby the NDS provides for the Government Information Service (GIS). The GIS is essentially a communication hub of the Mauritius Government, and is tasked with collecting, processing, and disseminating accurate information on government policies, programmes, and activities. With respect to cyclones, the GIS is tasked with preparing and issuing communiques to inform the population to complete all preparedness actions, in coordination with the NEOC.²⁹⁹ With regards to heavy rainfall, the NEOC is tasked to issue communiques jointly with the GIS, through television and private radios to alert the public on general public safety precautionary measures to be taken.³⁰⁰ The GIS is also tasked with producing and distributing posters and other sensitisation materials, reminding the population of potential threats in situations of heavy rainfall/torrential rain/flooding, tsunamis, high waves, earthquakes and landslides.³⁰¹</p> <p>Importantly, and despite the aforementioned provisions, the CADRI report provides that the establishment of an information sharing framework is a key requirement for improving DRR in Mauritius.³⁰² In addition, limited risk information sharing between sectors and an absence of a central risk information system were identified as key challenges for risk information management systems in Mauritius.³⁰³ The CADRI report stipulates that as</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>Government Information Service National Disaster Scheme of 2015</p> <p>CADRI Report of 2020</p>

²⁹⁸ NDRRM Act, sections 9(2)(d) and 9(2)(n).

²⁹⁹ NDS, page 22.

³⁰⁰ NDS, page 57.

³⁰¹ NDS, page 67, 115, 155, 210 and 218.

³⁰² CADRI report, page 15.

³⁰³ CADRI Report, page 43.

a recommendation the NDRRM Centre should work with the Ministry of Technology, Community and Innovation to develop risk information sharing protocols to facilitate information sharing between sector ministries and to identify confidential and public domain information.³⁰⁴

Contingency Planning

Does the country's legislation set out a process and framework for contingency planning, and does it require planning that addresses multiple hazards? If so, does it require periodic updates, call for inclusiveness of public authorities and other civil society actors in contingency planning and does it establish linkages between forecast information and climate services in contingency planning?

With regards to contingency planning, under the NDRRM Act the Director General of the NDRRM Centre and the Director of the Rodrigues Centre are empowered, in the interest of public safety, to ensure that contingency plans be prepared and submitted to the NDRRM Centre regarding any risk or hazard any public or private body is exposed to.³⁰⁵

With respect to preparedness, response, and recovery, the NDRRM Strategic Framework mentions that contingency plans have been developed for several locations across Mauritius which are subject to flooding.³⁰⁶

Importantly, the NDS provides that contingency plans should be developed, updated, and implemented within all Ministries, Departments, and organisations to address emergencies within their respective areas of jurisdictions. These contingency plans are also to be shared with the NDRRM Centre to enable it to coordinate and monitor actions between numerous stakeholders in the event of a disaster.³⁰⁷

The CADRI report states that contingency planning is well appropriated and implemented in Mauritius and that under the NDRRM Centre most sectors, depending on potential hazards, have developed their own contingency plans.³⁰⁸ Hazards covered under contingency plans include cyclones, flash floods, and tsunamis, to name a few.

Importantly, the CADRI report provides that at national level there are detailed emergency schemes established by the NDRRM Centre for different hazards. These contingency plans cover both national and local government actions and there seems to be good collaboration and synergy between these two levels of government.³⁰⁹ Notably, the CADRI report also exposes the capacity gaps which exist within the framework for contingency planning, which include:

[The National Disaster Risk Reduction and Management Act of 2016](#)

[NDRRM Strategic Framework 2020-2030](#)

[National Disaster Scheme of 2015](#)

[CADRI Report of 2020](#)

³⁰⁴ CADRI report, page 44.

³⁰⁵ NDRRM Act, section 11(b) and 28(b).

³⁰⁶ NDRRM Strategic Framework, page 25.

³⁰⁷ NDS, page 8.

³⁰⁸ CADRI report, page 143.

³⁰⁹ CADRI report, page 143.

<ul style="list-style-type: none"> • a noticeable absence of NGO participation is contingency planning or other disaster preparedness activities;³¹⁰ and • contingency plans do not systematically include all the key elements such as the potential scenario, triggers to activate the plan, the post-disaster assessment process the existing capacities and potential financial gaps. As a result, existing contingency plans are not budgeted and are not scenario-orientated, consequently relevant actors and Government are often not prepared financially and logistically for most disasters.³¹¹ 	
<p>Does the country's legislation set out procedures and a framework for evacuation, and does DM law require that disaster contingency plans set out comprehensive procedures for evacuation, assigning roles and responsibilities?</p> <p>Under the NDRRM Act, in the event of a disaster at national level, the NCC is tasked with taking decisive and timely actions through the NEOC which includes the evacuation of persons at risk.³¹² In addition, and after consultation with the Prime Minister, the NCC may issue an order declaring a localised area a disaster or potential disaster area and cause the evacuation and restrict access thereto.³¹³ The NEOC is empowered in the interest of public safety to cause the evacuation, either voluntarily or by using such force as may be necessary.³¹⁴</p> <p>In the event of a disaster in Rodrigues, the Rodrigues Crisis Committee (RCC) is tasked with taking decisive and timely actions through the REOC which includes the evacuation of persons at risk.³¹⁵ In addition, and after consultation with Chief Commissioner, the RCC may issue an order declaring a localised area a disaster or potential disaster area and cause the evacuation and restrict access thereto.³¹⁶</p> <p>With respect to a declaration of a state of disaster, the Prime Minister may issue directions concerning the evacuation of any person from the disaster affected area to temporary shelters.³¹⁷</p> <p>More detail regarding the evacuation of areas affected or at risk is provided for in the NDS, along with details regarding its purpose, scope of operation, and the applicable lead and support agencies.³¹⁸</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>

³¹⁰ CADRI report, page 143.

³¹¹ CADRI report, page 143.

³¹² NDRRM Act, section 16(1)(b).

³¹³ NDRRM Act, section 16(2)(f).

³¹⁴ NDRRM Act, section 17(4)(b).

³¹⁵ NDRRM Act, section 33(1)(b).

³¹⁶ NDRRM Act, section 33(2)(f).

³¹⁷ NDRRM Act, section 37(2)(c).

³¹⁸ NDS, page 23, 30, 39, 57, 60, 65, 69, 81, 90, 102, 105, 106, 109, 110, 111, 113, 117, 119, 128, 129, 131, 132, 145, 148, 149, 150, 151, and 165.

Does it require that all endangered people be evacuated without discrimination, and does it require that the rights and dignity of evacuated persons be respected in situations of compulsory evacuation?

The DRM framework does not explicitly require that all endangered people be evacuated without discrimination, and that the rights and dignity of evacuated persons be respected in situations of compulsory evacuation.

However, the NDRRM Strategic Framework does stipulate that when considering gender, age, health, and disability as part of DRM, one should identify who may be vulnerable and this should be followed with specific interventions to reduce this vulnerability, whether it be in making evacuation shelters wheelchair accessible or installing a concrete-slab roof on a building used by a female-headed household to reduce wind damage.³¹⁹ Importantly, the NDS stipulates that the NCC shall take decisive actions to safeguard the life of persons in danger, including evacuation of persons at risk owing to age or disability, women, children and persons detained in institutions.³²⁰

Does it provide for the evacuation of livestock or domestic animals?

The relevant DRM laws do not include livestock or animals under its plans for evacuation. However, the NDRRM Act does define “emergency services” as “specialised agencies that have specific responsibilities and objectives in serving and protecting people, animals and property in emergency situations”.³²¹

[NDRRM Strategic Framework 2020-2030](#)

[The National Disaster Risk Reduction and Management Act of 2016](#)

Does the country’s legislation establish requirements for trainings, drills and simulations for people likely to be involved in responding to disasters (e.g. frequency, scope, testing means), and does the law set clear standards and responsibilities for prior training for disaster rescue and relief personnel (including volunteers)?

With respect to trainings, drills, and simulation exercises, the NDRRM Centre is tasked with facilitating and coordinating the conduct of regular trainings, drills and simulation exercises to test the adequacy of disaster response plans.³²² In addition, the NDRRM Act includes that a function of the Local Committee is to conduct trainings, drills, and simulation exercise with respect to the area under its jurisdiction and under the supervision of the NDRRM Centre.³²³ Furthermore, the Rodrigues Centre is similarly tasked with facilitating and coordinating the conduct of regular trainings, drills and simulation exercises to test the adequacy of disaster response plans.³²⁴

[The National Disaster Risk Reduction and Management Act of 2016](#)

[National Disaster Scheme of 2015](#)

³¹⁹ NDRRM Strategic Framework, page 18.

³²⁰ NDS, page 6.

³²¹ NDRRM Act, section 2 “emergency services”.

³²² NDRRM Act, section 9(2)(h).

³²³ NDRRM Act, section 20(e).

³²⁴ NDRRM Act, section 26(2)(f).

The NDS also includes the regulation of training, drills, and simulation exercises by various Ministries, departments, and institutions, in several disaster schemes. For example, in preparation for a cyclone, the MRCS is tasked with the training of supervisors of emergency shelters in first aid,³²⁵ and in preparation for the rainy season the Ministry of Education is tasked with ensuring that contingency plans are developed and tested regularly through mock drills and simulations exercises involving teachers, staff, pupils and other stakeholders.³²⁶

Notably, the CADRI report stipulates that at least one simulation exercise is conducted every year by the NDRRM Centre³²⁷

[CADRI Report of 2020](#)

Legal Facilities (Preparedness and Response)

Treatment and care of the victims (including the dead):

Does the law give special attention to procedures for handling large numbers of casualties after a disaster? Does the law forbid or at least discourage mass burials in such circumstances?

The NDRRM Act does not give special attention to procedures for handling large numbers of casualties, nor does it provide for mass burials during or as a result of a disaster.

Notably, the NDS does provide that in the event of a landslide, the Ministry of Health and Quality of Life (HQL) is tasked with activating hospital contingency plans for mass casualties, and providing an adequate number of medical and para-medical personnel intended to receive casualties.³²⁸

The HQL is also tasked, in the event of a cyclone, to continue to provide medical care and assistance to casualties.³²⁹ In addition, in the event of a cyclone the relevant LEOC is tasked with reporting to the NEOC with prompt and accurate information regarding casualties.³³⁰ The Mauritius Police Force is also tasked, in the event of a cyclone, high waves, and a tsunami, to prepare a general assessment of the casualties through post disaster damage assessments performed by all Police Divisions/Branches/Units/Stations/Posts and helicopter surveys and to submit a copy to the NEOC.³³¹

With respect to dead bodies, the HQL is tasked with securing the remains in an appropriate place for medico-legal purposes and to thereafter be transported to the mortuary.³³²

[The National Disaster Risk Reduction and Management Act of 2016](#)

[National Disaster Scheme of 2015](#)

³²⁵ NDS, page 41.

³²⁶ NDS, page 81.

³²⁷ CADRI report, page 144.

³²⁸ NDS, page 222.

³²⁹ NDS, page 22.

³³⁰ NDS, page 19.

³³¹ NDS, page 20, 113 and 152.

³³² NDS, page 115 and 204.

<p>Does the law require authorities to make best efforts to identify the remains and notify next of kin?</p> <p>Apart from the information provided above, the law does not stipulate efforts to identify the remains and notify next of kin.</p> <p>Does the law require authorities to take into account cultural and religious rights with respect to the disposal of human remains?</p> <p>There are no provisions identified with respect to authorities considering cultural and religious rights regarding the disposal of human remains.</p>	
<p>Volunteering:</p> <p>Does the law provide for a clear definition of the term “volunteer”, including the scope of volunteering activities, restrictions regarding volunteering and a clear distinction from the status of employees? Is there specific DM legislation that applies to volunteers and voluntary organizations?</p> <p>The NDRRM Act does not provide a definition of the term “volunteer”.</p> <p>Notably, the NDS refers to volunteers with respect to actions being taken for high waves, in that it provides actions prior to and actions during the occurrence of high waves include the preparation and mobilisation of volunteers.³³³ In addition, the NDS provides that the Mauritius Fire and Rescue Service will, when engaging local communities in disaster preparedness and response, work to develop a volunteer fire and rescue service jointly with the local authorities.³³⁴</p> <p>Therefore, the law does not include detailed provisions on DRM volunteering.</p>	<p>National Disaster Scheme of 2015</p>
<p>Cash programming:</p> <p>Are there legal facilities in place to facilitate cash programming in disaster preparedness and response operations, including the opening of bank accounts, monetary transfers, identify verification “know your customer” and other exigencies of financial service providers; and is there a legally defined procedure in place for loss of records or documentation?</p> <p>From the research conducted, there do not appear to be any legal facilities in place to facilitate cash programming in disaster preparedness and response operations, nor is there a legally defined procedure in place for loss of records or documentation.</p>	
<p>Drones in disasters response operations:</p> <p>Is there legislation in place regarding the use of drones in disaster response operations, including registration, flight operations certificates, use of airspace, and insurance?</p>	<p>Civil Aviation Act of 1974</p> <p>Civil Aviation Act Regulations of 2016</p>

³³³ NDS, page 173.

³³⁴ NDS, page 7.

<p>The Mauritius Civil Aviation Act No. 15 of 1974 does not provide for the use of drones in disaster response operations. The Civil Aviation Act Regulations of 2016 (CAR) provide for the use of remotely piloted aircrafts (drones) in the country.³³⁵ However, the CAR does not provide for the use of drones in disaster response operations. In addition, the Department of Civil Aviation in Mauritius has issued guidance material and checklists for remote piloted aircrafts (drones) in November 2021 (the drone checklist). The drone checklist similarly does not provide for the use of drones in disaster response operations.</p>	<p>Civil Aviation Drone Guidance Material and Checklist of 2021</p>
<p>Are appropriate tax exemptions provided to relief providers (government and civil society)? Are tax exemptions available for preparedness actions (e.g. prepositioning of stock)?</p> <p>The only tax exemptions explicitly referenced in the NDRRM Act appear to relate to goods and equipment imported by international disaster relief providers.³³⁶ These provisions are set out in the section on international disaster assistance below.</p> <p>There do not appear to be provisions in the Income Tax Act of 1995 (IT Act) which explicitly exempts the income of relief organizations from taxation. However, the IT Act does include that approved charitable institutions and international organisations are exempt from income tax.³³⁷ The MRCS is discussed in more detail below, however it is important to mention here that the IT Act provides that the MRCS is expressly exempt from paying income tax.³³⁸ Similarly, the Mauritius Value Added Tax Act of 1998 (VA Act) makes provision for the MRCS to be exempt from payment of VAT with respect to goods or services directly related to their normal activities.³³⁹ This may include goods or services supplied under the auspices of preparedness actions. Notably, the VAT Act also provides that benevolent and charitable institutions shall be exempt from the payment of VAT in respect to goods or services directly related to their normal activities.³⁴⁰</p> <p>Notably, the NDS also provides for customs arrangements whereby it indicates that the Mauritius Revenue Authority (Customs Department) is tasked with taking necessary measures for the rapid release of relief consignments and any goods needed during a disaster.³⁴¹ However, this relates to times of disaster, and it is unclear if the same provision would apply outside of a crisis, for e.g., in prepositioning of stock.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>Income Tax Act (consolidated version) of 1995</p> <p>Value Added Tax Act of 1998</p> <p>National Disaster Scheme of 2015</p> <p>Customs Act of 1988</p>

³³⁵ CAR, section 4 (Regulation 91).

³³⁶ NDRRM Act, section 38(5).

³³⁷ IT Act, Second Schedule-Part 1.

³³⁸ IT Act, section 903.

³³⁹ VA Act, section 66(1).

³⁴⁰ VA Act, section 66(1).

³⁴¹ NDS, page 211 and 227.

<p>Finally, the Mauritius Customs Act No. 47 of 1988 (Customs Act) specifically states in section 30(3) that “the Director General of the Mauritius Revenue Authority (MRA) may, at any time, release, free of duty, excise duty and taxes, relief consignments or other goods imported as aid to those affected by a disaster in Mauritius in such a manner and under such conditions as he considers appropriate in the circumstances.”³⁴²</p>	
<p>Are there laws on data privacy that would apply to the gathering, storing and sharing of information (in relief distribution, restoring family links or cash programmes as examples)? If so, are exceptions provided, as appropriate, for tracing activities by RC National Societies in disaster settings?</p> <p>The NDRRM Act is silent on data privacy and the gathering, storing, and sharing of information.</p> <p>Notably, Mauritius has adopted a Data Protection Act No. 20 of 2017 (DP Act). Importantly, the DP Act regulates the processing of personal information of individuals within Mauritius.³⁴³ The DP Act provides for exceptions where it constitutes a necessary and proportionate measure in a democratic society for an objective of public interest, but does not refer to disaster scenarios specifically.³⁴⁴</p>	<p>Data Protection Act of 2017</p>
<p>Are there legal barriers in particular sectoral laws that may inhibit disaster rescue and relief personnel (including volunteers) in emergencies?</p> <p>Generally, sectoral laws in Mauritius do not appear to consider disaster scenarios – e.g. volunteering, tax exemptions, the use of specialised equipment such as the use of drones or simplified cash programming procedures. Importantly, to date there has not been any legal barriers encountered in disaster relief operations from a practical standpoint.</p>	
<p>Are there provisions in the law to ensure that State-operated offices and services essential to the relief being provided are open /operate outside of normal business hours?</p> <p>The NDRRM Act does not specifically ensure that State-operated offices and essential services operate outside of normal business hours, however it is important to mention that under a declaration of a State of Disaster, the Prime Minister may issue directions concerning the control and occupancy of premises in the disaster affected area,³⁴⁵ and is empowered to take any other measure that may be necessary to prevent the escalation of the disaster or to alleviate, contain and minimise the impact of the disaster.³⁴⁶</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>

³⁴² Customs Act, section 30(3).

³⁴³ DP Act, section 3(3).

³⁴⁴ DP Act, section 44(1)(c).

³⁴⁵ NDRRM Act, section 37(2)(f).

³⁴⁶ NDRRM Act, section 37(2)(i).

Notably, the NDS stipulates that a general responsibility for all organisations in preparation for any crisis, is to develop service and business continuity plans to address emergencies within their respective jurisdictions, and to ensure that organisations can operate during or resume full operations immediately after a disaster.³⁴⁷

Stakeholder Engagement

Do your country's laws ensure the engagement of all relevant stakeholders including civil society, private sector, scientific institutions and communities in DRM decision making and activities?

The NDRRM Act contains several provisions relevant to the engagement of stakeholders in DRM. For example, it provides that the NDRRM Centre and the Rodrigues Centre are responsible for:

- implementing a national multi-hazard emergency alert system to provide accurate and timely advice to the public and key stakeholders;³⁴⁸
- assisting relevant stakeholders to develop an appropriate risk transfer mechanism for post-disaster recovery and rehabilitation purposes; and³⁴⁹
- collaborating with all relevant stakeholders so that DRRM becomes an integral objective of various plans and policies.³⁵⁰

More generally, the NDRRM Act also stipulates that the National Strategic Framework developed by the NDRRM Centre must set out stakeholders' roles and responsibilities in national DRRM programmes.³⁵¹ Notably, the current NDRRM Strategic Framework does not specifically set out relevant stakeholder's roles and responsibilities within national DRRM programmes.

Importantly, the NDRRM Policy makes provision for policy engagement to take place at four levels, namely, individuals and families, private sector, civil society, and the government of Mauritius.³⁵² The NDRRM policy provides that everyone at risk from natural and technological hazards will engage, as permitted by their capacities, in DRRM activities based on the NDRRM Policy and Strategic Framework.³⁵³ Consequently, these engagements will focus on reducing the vulnerability of people and goods and by ensuring safer and resilient living in the future.³⁵⁴

[The National Disaster Risk Reduction and Management Act of 2016](#)

[NDRRM Strategic Framework 2020-2030](#)

[NDRRM Policy 2020-2030](#)

³⁴⁷ NDS, page 8.

³⁴⁸ NDRRM Act, section 9(2)(f) and 26(2)(d).

³⁴⁹ NDRRM Act, section 9(2)(j) and 26(2)(h).

³⁵⁰ NDRRM Act, section 9(2)(k) and 26(2)(i).

³⁵¹ NDRRM Act, section 13(f).

³⁵² NDRRM Policy, page 10.

³⁵³ NDRRM Policy, page 9.

³⁵⁴ NDRRM Policy, page 9.

<p>Is there representation (seat at table) of (a) Red Cross (b) civil society (c) private sector (d) communities (e) specialised agencies i.e. academic/ scientific etc in decision making institutions and processes required?</p> <p>The NDRRM Council and the Rodrigues Council includes representatives from the private sector, the MRCS; and the relevant council of social services.³⁵⁵ The Local Committees also include a representative of MRCS.³⁵⁶ Importantly, the NDRRM Council, Rodrigues Council and Local Committees are permitted to co-opt any other person with relevant expertise not already available to it, to assist in any matter before it.³⁵⁷</p> <p>With respect to emergency structures, the aforementioned members are not given a seat at the table of the NCC, although the Chairperson may co-opt additional members.³⁵⁸ The NEOC and the REOC are multi-agency structures, with members from the public and private sector (although specific entities are not named).³⁵⁹</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Are specific roles and duties of (a) Red Cross (b) civil society (c) private sector (d) communities (e) specialised agencies academic/ scientific etc clearly assigned?</p> <p>Aside from that has been included above, the NDRRM Act does not specify roles and responsibilities of the Red Cross, civil society, or the private sector. However, the NDS clearly stipulates roles and responsibilities across several disaster schemes for the: MRCS,³⁶⁰ the private sector,³⁶¹ local communities,³⁶² and specialised agencies.³⁶³</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>
<p>Is the special role of Red Cross as auxiliary to its authorities in the humanitarian field formally acknowledged in DRM Legislation? Does it set out expectations about NS's activities?</p> <p>As stated above, the NDRRM Act includes the MRCS as a representative on the NDRRM Council and the Local Committee, however it does not reference the auxiliary role.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>The Mauritius Red Cross Society Act of 1973</p>

³⁵⁵ NDRRM Act, section 4(2)(y)-(za) and 23(2)(l).

³⁵⁶ NDRRM Act, section 19(2)(n).

³⁵⁷ NDRRM Act, section 4(3), 20(3) and 19(3).

³⁵⁸ NDRRM Act, section 15.

³⁵⁹ NDRRM Act, section 17(2) and 34(2).

³⁶⁰ NDS, page 41, 95, 215, and 223.

³⁶¹ NDS, page 4, 189 and 249.

³⁶² NDS, page 59, 79, 110, 111, 147, 149, and 201.

³⁶³ NDS, page 31, 81, 128, 164, 207, 225 and 246.

<p>In terms of other laws, the MRCS was established in December 1973 through the Mauritius Red Cross Society Act no. 55 of 1973 (MRCS Act).³⁶⁴ The MRCS Act does not acknowledge the auxiliary role of the MRCS, nor does it acknowledge the role of the MRCS in DRM. More generally, the MRCS Act provides that one of its objectives is the mitigation of suffering throughout the world in time of peace and war.³⁶⁵</p> <p>The auxiliary role of the MRCS is, however, recognised in the NDRRM Strategic Framework, where it provides that the MRCS works as an auxiliary to the Government in DRRM.³⁶⁶ MRCS' roles and responsibilities in relation to specific disasters are also included in the NDS.</p>	<p>NDRRM Strategic Framework 2020-2030</p> <p>National Disaster Scheme of 2015</p>
<p>Does the law provide for financial support and/or tax exemptions for Red Cross-National Society when acting in its auxiliary role to assist persons affected by disaster?</p> <p>The MRCS Act provides that the MRCS shall be exempt from the payment of any duty, charge, fee, rate, or tax.³⁶⁷ As stated above, the IT Act provides that the MRCS is expressly exempt from paying income tax.³⁶⁸ In addition, the VA Act stipulates in section 66 that:</p> <ul style="list-style-type: none"> • the MRCS will be exempt from payment of VAT with respect to goods or services directly related to their normal activities, not intended for sale,³⁶⁹ and • where goods or services are supplied pursuant to the above, the registered body or person will not charge VAT on the goods or services supplied nor shall any element of VAT be added to the price of those goods or services.³⁷⁰ 	<p>The Mauritius Red Cross Society Act of 1973</p> <p>Income Tax Act (consolidated version) of 1995</p> <p>Value Added Tax Act of 1998</p>
<p>Does the law guarantee the RC National Society the ability to act independently of the government and to take any distance necessary from it to guarantee its independence and neutrality?</p>	

³⁶⁴ Mauritius Red Cross Society Act 13 of 1973 (MRCS Act).

³⁶⁵ MRCS Act, section 4(1).

³⁶⁶ NDRRM Strategic Framework, page 32.

³⁶⁷ MRCS Act, section 8.

³⁶⁸ IT Act, section 903.

³⁶⁹ VA Act, section 66(1).

³⁷⁰ VA Act, section 66(2).

<p>As stated above, the NDRRM Strategic Framework provides that the MRCS works as an auxiliary to the Government in DRRM.³⁷¹ However, there do not appear to be any laws which specifically guarantee the MRCS' ability to act independently of the government. Notably, the MRCS Act does provide that the MRCS must act without discrimination and in accordance with the spirit and principles of the Geneva Conventions.³⁷²</p>	
<p>Is meaningful engagement of (a) women, (b) minorities, (c) people with disabilities (d) displaced/migrant groups and (e) older persons (f) indigenous groups (g) youth ensured?</p> <p>The engagement of these vulnerable groups is not specifically ensured through DRM legislation. However, representation of certain relevant ministries on DRM bodies is included. For example, a representative of the ministry responsible for gender equality and the ministry responsible for education are included on the NDRRM Council.</p>	
<p>Is there minimum mandated proportional representation of (a) women, (b) minorities, (c) people with disabilities (d) displaced/migrant groups and (e) older persons ensured in DRM Decision Making (i.e. quotas) (f) indigenous groups?</p> <p>From the research conducted, there does not appear to be a mandated minimum proportional representation of vulnerable groups in DRM decision making.</p>	
<p>Education/ Training and Awareness</p>	
<p>Is DRM training mandatory in the school curriculum?</p> <p>As a starting point, the objects of the NDRRM Council includes promoting a culture of safety and resilience to disasters using knowledge, innovation, and education.³⁷³ In addition, the Local Committee is tasked with promoting and implementing DRRM education and public awareness programmes.³⁷⁴</p> <p>As stated above, the NDS does provides that the Ministry of Education is tasked with including programmes for disaster preparedness within the educational curriculum at different levels.</p> <p>Importantly, the CADRI report identifies that DRR is not integrated into the primary and secondary school curricula but notes that the Mauritius institute of education has been requested to include elements of DRR on a cross-curricular basis in school materials and teacher training.³⁷⁵ Notably,</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>Ministry of Education, Tertiary Education, Science and Technology website</p> <p>CADRI Report of 2020</p>

³⁷¹ NDRRMF, page 32.

³⁷² MRCS Act, section 4(2).

³⁷³ NDRRM Act, section 5(a).

³⁷⁴ NDRRM act, section 20(c).

³⁷⁵ CADRI report, page 129-130.

<p>specific subjects like “natural hazards” are taught within core modules such as history and geography from Grade 5. In addition, the MRCS has worked together with the Ministry of Education towards the development and implementation of a reference manual on DRR for the school curriculum.</p>	
<p>Is training for public officials and relevant professionals promoted for (i) DRR (iii) Response and Preparedness?</p> <p>As mentioned above, the NDRRM Centre is tasked with facilitating regular trainings.³⁷⁶ Additionally, a function of the Local Committee and the Rodrigues Centre is to conduct trainings, drills, and simulation exercise.³⁷⁷</p> <p>The NDS also includes the regulation of trainings, drills, and simulation exercises by various Ministries, departments, and institutions, in several disaster schemes. For example, in preparation for a cyclone, the MRCS is tasked with training of supervisors of emergency shelters in first aid,³⁷⁸ and in preparation for the rainy season the Ministry of Education and Human resources, Tertiary Education and Scientific Research is tasked with ensuring that contingency plans are developed and tested regularly through mock drills and simulations exercises involving teachers, staff, pupils and other stakeholders.³⁷⁹</p> <p>Notably, the CADRI report stipulates that at least one simulation exercise is conducted every year by the NDRRM Centre.³⁸⁰</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p> <p>CADRI Report of 2020</p>
<p>Are there specific provisions on promoting public awareness and understanding of rights, roles, and responsibilities in (i) DRR (ii) preparedness and response?</p> <p>With respect to public awareness and the understanding of rights, roles and responsibilities, the NDRRM Centre is tasked with coordinating and monitoring the implementation of the DRRM programmes through community participation and public awareness campaigns.³⁸¹ In addition, the NDRRM centre is tasked with implementing a national multi-hazard emergency alert system to provide accurate and timely advice to the public and key stakeholders.³⁸² At local level and in Rodrigues, the local committee and the Rodrigues Centre are tasked with promoting and implementing DRR education and public awareness programmes.³⁸³ More generally, the NDRRM Act also stipulates that the National Strategic Framework developed by the NDRRM Centre must set out stakeholder’s roles and responsibilities in national DRRM programmes.³⁸⁴ Notably, the current NDRRM Strategic Framework does not specifically set out relevant stakeholder’s roles and responsibilities within national DRRM programmes.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>NDRRM Strategic Framework 2020-2030</p>

³⁷⁶ NDRRM Act, section 9(2)(h).

³⁷⁷ NDRRM Act, section 20(e) and 26(2)(f).

³⁷⁸ NDS, page 41.

³⁷⁹ NDS, page 81.

³⁸⁰ CADRI report, page 144.

³⁸¹ NDRRM Act, section 9(2)(d).

³⁸² NDRRM Act, section 9(2)(f).

³⁸³ NDRRM Act, section 20(c) and 26(2)(b).

³⁸⁴ NDRRM Act, section 13(f).

Protection, Dignity and Safety

Does the law clearly provide a right to humanitarian assistance based on clear and specific needs?

The NDRRM Act provides that the NDRRM Council is tasked with formulating policies on relief assistance,³⁸⁵ and that the NCC and RCC are tasked with providing relief assistance.³⁸⁶ However, neither the NDRRM Act nor the NDS explicitly recognise the right to humanitarian assistance.

[The National Disaster Risk Reduction and Management Act of 2016](#)

Does the DRM law explicitly forbid discrimination in disaster preparedness and relief efforts, both by government and other actors?

From the research conducted, there do not appear to be explicit DRM laws which forbid discrimination in disaster preparedness and relief efforts. Notably, section 38(4) of the NDRRM Act which relates to international relief assistance does stipulate that international assisting agencies must ensure that assistance is provided in accordance with the NDRRM act and the principles of humanity, neutrality, and impartiality.³⁸⁷ As stated above, the MRCS Act does make provision for the MRCS to act without discrimination and in accordance with the spirit and principles of the Geneva Conventions.³⁸⁸

[The National Disaster Risk Reduction and Management Act of 2016](#)

Does the DRM law ensure that needs assessments and relief operations look for and address the potential for specific needs (a) women, (b) minorities, (c) people with disabilities (d) displaced/migrant groups and (e) older persons (f) indigenous groups (g) youth?

From the research conducted, the NDRRM Act does not specify that needs assessments and relief operations look for and address the potential for specific needs of vulnerable groups. However, the Local Committee is tasked with working closely with its local community in disaster risk analysis and vulnerability assessment.³⁸⁹ However, the NDS does provide that with respect to disabled persons, children, women, and the elderly that:

- the Ministry of Gender Equality, must pay specific attention to disabled persons and children in ensuring that administrative arrangements are in place for the provision of amenities when emergency shelters are opened,³⁹⁰ and to ensure that specialised institutions dealing with the

[The National Disaster Risk Reduction and Management Act of 2016](#)
[National Disaster Scheme of 2015](#)

³⁸⁵ NDRRM act, section 6(j).

³⁸⁶ NDRRM Act, section 16(1)(d) and 33(1)(d).

³⁸⁷ NDRRM Act, section 38(4).

³⁸⁸ MRCS Act, section 4(2).

³⁸⁹ NDRRM Act, section 20(a).

³⁹⁰ NDS, page 34 and 35.

<p>physically handicapped, disabled and elderly develop their contingency plans.³⁹¹ Furthermore, this Ministry must assist in arranging for medical assistance for people with special needs, elderly, and handicapped through the HQL;³⁹²</p> <ul style="list-style-type: none"> • the Ministry of Social Security, must pay specific attention to disabled persons and children in ensuring that administrative arrangements are in place for the provision of amenities when emergency shelters are opened,³⁹³ and to ensure that specialised institutions dealing with the physically handicapped, disabled and elderly develop their contingency plans.³⁹⁴ Furthermore this Ministry is tasked with monitoring the evacuation of the disabled and the elderly when required;³⁹⁵ and • the NCC is tasked with taking actions to safeguard and protect life through the evacuation of vulnerable people (elderly, disabled, women, children, and persons detained in an institution).³⁹⁶ 	
<p>Unaccompanied children:</p> <p>Are roles/responsibilities clear for ensuring the placement, shelter, and aftercare of unaccompanied children in disaster settings?</p> <p>Although not specific to children, the NEOC and the REOC are tasked with assigning public facilities such as emergency shelters, educations institutions, stadiums, or any other public place to be used for the purpose of sheltering displaced persons.³⁹⁷</p> <p>Notably, the NDS provides roles and responsibilities relating to the protection of children to certain institutions, some of which have been set out above. In addition, the NCC is responsible for safeguarding the life of children and should take decisive actions with respect to their evacuation should they be in danger;³⁹⁸ while the Ministry of Gender Equality, has the responsibility of keeping records of displaced children and to share the list with police,³⁹⁹ and is also responsible for assisting in arranging for shelters for children.⁴⁰⁰</p> <p>Apart from what is mentioned above, there are no clear roles and responsibilities that are stipulated for unaccompanied children.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>

³⁹¹ NDS, page 91.

³⁹² NDS, page 92.

³⁹³ NDS, page 36, 89, 131 and 168.

³⁹⁴ NDS, page 89.

³⁹⁵ NDS, page 90 and 247.

³⁹⁶ NDS, page 106 and 145.

³⁹⁷ NDRRM Act, section 4(c) and 34(4)(c).

³⁹⁸ NDS, page 6, 106, and 145.

³⁹⁹ NDS, page 35 and 36.

⁴⁰⁰ NDS, page 92.

Does the DRM law, policy or planning set out specific measures to combat heightened risks of trafficking and child exploitation in post-disaster settings?

From the research conducted, there do not appear to be provisions within DRM legislation which specify measures to combat heightened risks of trafficking and child exploitation,

Are special protections included in laws about adoptions (particularly international adoptions) in the aftermath of major disasters?

From the research conducted, the applicable law does not include special protections about adoptions in the aftermath of major disasters

• Sexual and Gender Based Violence

Are there laws or policies that assign roles/ responsibilities to carry out (a) education, awareness-raising, (b) advocacy, and (c) prevention of gender discrimination and/or SGBV?

The office of the Prime Minister in Mauritius has prepared a National Strategy and Action Plan on the Elimination of Gender Based Violence for 2020-2040 (GBV Plan). The GBV Plan finds its importance in the establishment of the High-Level Committee on the Elimination of Gender Based Violence (the HLC). The HLC is tasked with assessing the current situation regarding the elimination of violence against women in terms of the enforcement of legislative frameworks, policies, procedures and awareness campaigns in Mauritius.⁴⁰¹ Notably, The GBV Plan makes provision for the involvement of the Ministry of Education in various outcomes for its strategy to change societal norms and beliefs which are against the principles of gender equality and equity.⁴⁰² The Minister of Education is represented on the composition of the HLC.⁴⁰³

Other Ministries and Departments are also tasked with delivering awareness campaigns on GBV to increase reporting and trust, these include the Mauritius Police Force and the Ministry of Gender Equality.⁴⁰⁴

Does the legal framework (DRM framework and laws applicable “in normal time”) provide special measures to guard against and/or sanction sexual and gender violence and how does it apply in disaster circumstances?

Laws and policies do not appear to provide special measures to safeguard against SGBV in disasters specifically.

[The National Strategy and Action Plan to eliminate GBV, 2020-2024](#)

[The Criminal Code of 1838](#)

[Protection from Domestic Violence Act of 1997](#)

⁴⁰¹ GBV plan, page 3.

⁴⁰² GBV plan, page 30-40.

⁴⁰³ GBV plan, 97.

⁴⁰⁴ GBV plan, page 37.

Although not directly applicable to GBV in disaster settings, Mauritius does have a Criminal Code Act No. 6 of 1838 (Criminal Act), as well as a Protection from Domestic Violence Act No.6 of 1997 (PDV Act). The Criminal Act sanctions acts including sexual harassment,⁴⁰⁵ rape, attempt upon chastity, and illegal sexual intercourse.⁴⁰⁶

How do “normal time laws and systems related to GBV” work in times of disasters, are there coordination mechanisms established with DRM system?

No information could be found on how “normal time” laws and systems relating to GBV work in times of disasters. However, all coordination mechanisms are conducted through the NDRRM Centre.

• **Security**

Are mechanisms in place to assure the safety and security of relief personnel?

From the research conducted, there do not appear to be specific mechanisms in place to assure the safety of relief personnel. The NDRRM Act however does provide that it is an offence to assault, obstruct, threaten, intimidate, abuse, or insult any person who is performing a function or exercises power in terms of the Act.⁴⁰⁷

Does the legal framework provide special measures to guard against looting?

Although looting is not a term used in the NDRRM Act, it does stipulate that it is an offence to:

- divert relief goods, equipment, or other aid commodities to persons other than the rightful recipient or consignee;⁴⁰⁸ and
- prevent, obstruct, or deliberately hinder relief activities.⁴⁰⁹

The NDS does specially mention looting and stipulates that the Mauritius Police Force is tasked with the following:

- preventing looting and pilferage in the aftermath of heavy rains, torrential rain, and flooding;⁴¹⁰

[The National Disaster Risk Reduction and Management Act of 2016](#)

[National Disaster Scheme of 2015](#)

⁴⁰⁵ Criminal Act, section 254.

⁴⁰⁶ Criminal Act, section 249.

⁴⁰⁷ NDRRM Act, 42(1)(a).

⁴⁰⁸ NDRRM Act, section 42(1)(b).

⁴⁰⁹ NDRRM Act, section 42(1)(d).

⁴¹⁰ NDS, page 63.

<ul style="list-style-type: none"> maintaining patrol at abandoned residential or commercial areas to prevent theft and looting during tsunami warnings and in the aftermath of an earthquake;⁴¹¹ and initiating action for the prevention of looting and other criminal activities during a water crisis.⁴¹² 	
<p>Displacement</p> <p>Are human mobility dimensions taken into consideration as part of DRM planning and DRM decision making (including both internal and cross-border displacement)?</p> <p>There are no provisions within the NDRRM Act mandating DRM planning and decision making to take human mobility considerations into account. However, the NDS does contain several provisions on displacement as described below. This shows that displacement is considered within planning documents.</p> <p>Importantly, the CADRI report does find that there is a lack of legal and policy frameworks targeting internally displaced people.⁴¹³</p> <p>Does the law and/or policy mandate or facilitate practical measures to reduce the risk of disaster and climate related displacement?</p> <p>As stated above, the NDRRM Act makes provision for multi-hazard mapping and risk assessments for natural disasters. However, there is a lack of available information relating to the practical measures of reducing the risk of disaster and climate related displacement.</p> <p>Are there laws and policies that explicitly address disaster and climate related internal displacement? If yes, do those laws and policies address:</p> <ul style="list-style-type: none"> protecting communities against displacement; preparing for unavoidable displacement; responding to displacement; and finding durable solutions. <p>As stated above, there is a lack of legal and policy frameworks targeting internally displaced people. With respect to protecting communities against displacement there are provisions discussed above which relate to vulnerability and risk assessments for several hazards, as well as guidance against development works conducted on slopes and landslide prone areas.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>CADRI Report of 2020</p>

⁴¹¹ NDS, page 112 and 202.

⁴¹² NDS, page 184.

⁴¹³ CADRI report, page 139.

In preparation for unavoidable displacement, and as alluded to above, the DRM framework of Mauritius through the NDRRM Act and the NDS provides for the evacuation of persons in the event of a disaster.

With respect to responding to disasters, the NEOC and the REOC possess the power to cause public facilities to be used for the purpose of sheltering displaced persons.⁴¹⁴

The NDS contains several provisions which relate to roles and responsibilities in the context of displacement, including, for example, that:

- the Mauritius Police Force is tasked with identifying the number people displaced in the aftermath of a cyclone;⁴¹⁵ and with ensuring the safe return of displaced persons to their respective homes in the aftermath of a tsunami;⁴¹⁶ and
- the Ministry of Gender Equality is tasked, with the keeping of records of displaced families and share the list with the police in the event of a cyclone.⁴¹⁷

Apart from the provisions on climate-smart laws that have been addressed above, there do not appear to be any provisions related to the finding of durable solutions to climate related internal displacement.

Are there legal guarantees for the provision of shelter in case of displacement due to disasters?

As stated above, the NEOC and the REOC are tasked with causing public facilities to be used for the purpose of sheltering displaced persons.⁴¹⁸

The provision of shelter is also provided for in the NDS which stipulates various roles and responsibilities for several Ministries and institutions relating to the provision of shelter in a disaster context. For instance, the Ministry of Housing and Lands is responsible for, in preparation for a cyclone, arranging for temporary shelters to be available.⁴¹⁹ Additionally, in the aftermath of a cyclone it will assist in the provision of temporary shelters to accommodate victims who have lost their homes.⁴²⁰ As a further example, the Ministry of Social Integration and Economic Empowerment is tasked

[National Disaster Scheme of 2015](#)

[The National Disaster Risk Reduction and Management Act of 2016](#)

⁴¹⁴ NDRRM Act, section 17(4)(c) and 34(4)(c).

⁴¹⁵ NDS, page 20.

⁴¹⁶ NDS, page 113.

⁴¹⁷ NDS, page 34.

⁴¹⁸ NDRRM Act, section 4(c) and 34(4)(c).

⁴¹⁹ NDS, page 25.

⁴²⁰ NDS, page 25.

with assisting the Ministry of Housing and Lands in the putting up of shelters to accommodate persons who have suffered damage to their homes.⁴²¹ Importantly, Annex VI of the NDS contains a list of emergency shelters available throughout Mauritius in the event of a disaster.⁴²²

Does the law set out alternatives to using schools as shelter in case of displacement due to disasters?

The law provides for such alternatives.⁴²³ Notably, the NDS also provides a list of emergency shelters that may be used in the event of a disaster, the list includes several community centres, social welfare centres, village halls, gymnasiums, and football grounds.⁴²⁴ Importantly, the NDS does state that in extreme circumstances, schools may be used as temporary shelters.⁴²⁵

Does the law provide for mechanisms for undertaking planned relocations?

Planned relocations are not addressed in the NDRRM Act. However, the NDS does provide that the Ministry of Housing and Lands will identify possible alternate sites for relocation of those vulnerable to flooding in preparation for the rainy season.⁴²⁶

Is there a legally defined procedure in case of loss of records or documentation?

There do not appear to be legally defined procedures in place for managing the loss of records or documentation experienced by displaced persons.

Is there equity in the assistance provided to persons with and without land title?

As stated above, the NDRRM Act states that the NEOC and the REOC are tasked with causing public facilities to be used for the purpose of sheltering displaced persons.⁴²⁷ The NDS states that Ministry of Social Integration and Economic Empowerment is tasked with assisting in the provision of temporary shelter to accommodate those who have lost their houses during landslides.⁴²⁸ Similarly, the Ministry of Housing and Lands is responsible for assisting in the provision of temporary shelters to accommodate those who have lost their houses during a cyclone, floods, or Tsunami.⁴²⁹ These provisions do not distinguish between persons with and without land title.

[National Disaster Scheme of 2015](#)

[CADRI Report of 2020](#)

⁴²¹ NDS, page 89.

⁴²² NDS, page 260.

⁴²³ NDRRM Act, section 17(4)(c).

⁴²⁴ NDS, page 260-267.

⁴²⁵ NDS, page 32.

⁴²⁶ NDS, page 71.

⁴²⁷ NDRRM Act, section 4(c) and 34(4)(c).

⁴²⁸ NDS, page 227.

⁴²⁹ NDS, page 25, 71 and 121.

Importantly, the NDRRM Strategic Framework notes that there is a government initiative to provide legal title to land housing for those occupying land irregularly as this may play a role in reducing vulnerability.⁴³⁰ However, there remains significant urban and peri-urban areas where settlement conditions increase the threat of disasters.

Are there preparedness arrangements to reduce legal issues regarding housing, land and property irregularities and disputes?

The legal framework does not appear to contain arrangements to reduce legal issues regarding housing, land and property irregularities and disputes in the context of displacement caused by a disaster. However, it does provide arrangements with respect to the use of private property by DRM actors. The NDRRM Act permits an authorised officer during a state of emergency to take over any land or property as may be necessary.⁴³¹ This authorised officer is also permitted to direct any person who is the owner of, or in control of, any land which may be required for responding to a disaster situation, to surrender the use of such land to a specified person or to a specified authority.⁴³² In addition, the owner of a premises listed as a shelter will not be held liable to any person any injury or damage or loss of any persons property which arises on the premises.⁴³³

Do gender-specific needs or considerations exist in DRM law, including gender-sensitive needs assessments, standards for planning and construction of post-disaster accommodation and other arrangements for displaced communities?

The NDRRM Strategic Framework provides that families with zinc-roofed houses are more likely to suffer wind damage during cyclones, and that where female-headed households cannot afford wind resistant roofing, wind damage can lead to these households being more likely to need to use evacuation centres.⁴³⁴ Therefore, consideration of specific interventions to reduce this vulnerability, could include installing concrete-slab roofing on buildings occupied by female-headed households.⁴³⁵

In addition, as stated above, the NDS provides the roles and responsibilities of the Ministry of Gender Equality, Child Development and Family Welfare in DRM, some of which relate to shelter. For example, the NDS states that the Ministry of Gender Equality and Social Security must pay specific attention in ensuring that administrative arrangements are in place for the provision of amenities when emergency shelters are opened, with special attention to disabled persons and children,⁴³⁶ and to ensure that specialised institutions dealing with the physically handicapped, disabled and elderly develop their contingency plans.⁴³⁷

[National Disaster Scheme of 2015](#)

[The National Disaster Risk Reduction and Management Act of 2016](#)

[The National Disaster Risk Reduction and Management Act of 2016](#)

[CADRI Report of 2020](#)

⁴³⁰ NDRRM Strategic Framework, page 18.

⁴³¹ DRM Act, section 45(1)(a).

⁴³² DRM Act, section 45(1)(b)

⁴³³ DRM Act, section 24(5).

⁴³⁴ NDRRM Strategic Framework, page 18.

⁴³⁵ NDRRM Strategic Framework, page 18.

⁴³⁶ NDS, page 34 and 35.

⁴³⁷ NDS, page 91.

<p>Are there procedures in place to consider legal disputes with regard to land titles and property?</p> <p>Apart from the provisions referred to above, there do not appear to be laws and policies within DRM which specify procedures considering legal disputes regarding land titles and property.</p>	<p>NDRRM Strategic Framework 2020-2030</p>
<p>International Assistance</p>	
<p>Does your country's legal framework include procedures related to international disaster assistance?</p> <p>The NDRRM Act includes provisions on international disaster assistance.⁴³⁸ Section 38(1) of the NDRRM Act provides that where it is beyond the national capabilities to deal with a disaster, the Prime Minister may on the recommendation of the chairperson of the NCC, the chairperson of the RCC or General Manager, or on his own initiative, seek international relief.⁴³⁹</p> <p>The NDS also sets out roles and responsibilities for various Ministries and institutions regarding the facilitation of international humanitarian aid. For example, in the general preparation for an earthquake, the Mauritius Revenue Authority is tasked with ensuring that appropriate procedures for receiving and managing international humanitarian aid are in place.⁴⁴⁰ Similarly, in the general preparation for the cyclonic season, the MRCS is tasked in coordinating with the International Red Cross and Red Crescent Movement to facilitate collaboration of the society in response to disasters in Mauritius.⁴⁴¹ Furthermore, in the aftermath of heavy rainfall, torrential rains, or floods, the Ministry of Technology, Communication and Innovation is tasked with ensuring that all communication equipment are immediately cleared and operating bandwidth is made available for international humanitarian support.⁴⁴²</p> <p>Importantly, the NDRRM Strategic Framework makes provision for international cooperation on DRRM and states that international cooperation is crucial for Mauritius due to its geographical isolation.⁴⁴³ In this regard, Mauritius is a member of the Southern African Development Community (SADC), and a by-product of this membership includes having access to the SADC Standby Force.⁴⁴⁴ Mauritius is also party to a regional oil spill response plan for the Western Indian Ocean, and forms part of the Indian Ocean Tsunami Warning and Mitigations System.⁴⁴⁵</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p> <p>NDRRM Strategic Framework 2020-2030</p>

⁴³⁸ See also for this section *PIROI, IDRL in the South-West Indian Ocean: Study of legal frameworks to facilitate and regulate international disaster response in: Union of the Comoros, Mayotte and Reunion, Madagascar, Mauritius, Mozambique, Seychelles, and Tanzania (PIROI 2020)*.

⁴³⁹ *NDRRM Act, section 38(1)*.

⁴⁴⁰ *NDS, page 211*.

⁴⁴¹ *NDS, page 41*.

⁴⁴² *NDS, page 77*.

⁴⁴³ *NDRRM Strategic Framework, page 31*.

⁴⁴⁴ *NDRRM Strategic Framework, page 31*.

⁴⁴⁵ *NDRRM Strategic Framework, page 31*.

<p>Do relevant sectoral laws contain any provisions related to international disaster assistance?</p> <p>From the legislation reviewed for the purposes of this research, no provisions explicitly related to international disaster assistance could be identified in domestic sectoral laws. However, there are more general provisions which may be indirectly relevant, which are set out below.</p>	<p>Mauritius Meteorological Services Act of 2019</p> <p>The Constitution of Mauritius of 1968</p> <p>Climate Change Act of 2020</p> <p>Climate Change Adaptation Policy Framework, of 2012</p> <p>Immigration Act of 1970</p> <p>Civil Aviation Act of 1974</p> <p>Customs Act of 1988</p> <p>Income Tax Act (consolidated version) of 1995</p> <p>Value Added Tax Act of 1998</p> <p>Environment Protection Act of 2002</p>
<p>Do your country's laws and regulations set out a focal point for coordinating international assistance?</p> <p>Although a “focal point” is not specially provided for in the NDRRM Act, the NDRRM Centre acts as the main institution in Mauritius for coordinating, monitoring, and implementing all DRRM activities.⁴⁴⁶</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Are there adequate and efficient procedures in place to ensure coordination of international and domestic efforts at national and subnational levels and across all government agencies and who is responsible for developing and implementing the rules and procedures related to international assistance?</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

⁴⁴⁶ NDRRM Act, section 9(2)(a) and 9(2)(c).

As stated above, the Prime Minister may on his own initiative seek international assistance where it is beyond national capabilities to deal with a disaster.⁴⁴⁷ Section 38(2) of the NDRRM Act further provides that any relief assistance sought by the Prime Minister in such an instance must be coordinated according to international norms, without providing further detail.⁴⁴⁸ Furthermore, the NDRRM Act provides that international assisting actors must provide assistance in accordance with the principles of humanity, neutrality and impartiality.⁴⁴⁹ It is the Mauritius Government's responsibility to ensure that necessary facilities are provided to international assisting actors.⁴⁵⁰ Lastly, the NDRRM Act provides that any international assisting agency and their personnel shall abide by the laws of Mauritius and shall coordinate with domestic authorities in the relief efforts.⁴⁵¹

Importantly, the CADRI report notes a capacity gap with respect to international assistance, stating that there is a lack of procedures for facilitation of incoming international assistance in the event of a major disaster.⁴⁵² It further recommends that for international assistance to be assimilated smoothly into the ongoing national response, it is necessary that procedures for accepting incoming international assistance be put in place and cover issues such as customs exemptions for incoming relief supplies including medicines, recognition of foreign medical qualifications of incoming medical teams, the import of communications equipment by incoming relief teams and clarification of financial liabilities.⁴⁵³ It also recommends that these procedures should cover the establishment of institutional structures required to coordinate incoming international assistance and amalgamate them with existing national response coordination mechanisms.⁴⁵⁴

Notably, the NDS as described above provides roles and responsibilities for various Ministries and institutions regarding the facilitation of international humanitarian aid. For example, the NEOC is tasked with coordinating entry of international humanitarian aid and facilities into Mauritius as required.⁴⁵⁵

[CADRI Report of 2020](#)

[National Disaster Scheme of 2015](#)

Do your country's laws/ regulations outline a process for requesting/ welcoming offers of international disaster assistance and for terminating international assistance?

With respect to the request of international disaster assistance, the NDRRM Act stipulates that the Prime Minister may seek assistance but does not outline the process of making such a request, nor does it stipulate the process for terminating international assistance.

[The National Disaster Risk Reduction and Management Act of 2016](#)

⁴⁴⁷ NDRRM Act, section 38(1).

⁴⁴⁸ NDRRM Act, section 38(2).

⁴⁴⁹ NDRRM act, section 38(4).

⁴⁵⁰ NDRRM Act, section 38(6).

⁴⁵¹ NDRRM Act, section 38(3).

⁴⁵² CADRI report, page 141.

⁴⁵³ CADRI report, page 141.

⁴⁵⁴ CADRI report, page 141.

⁴⁵⁵ NDS, page 110.

Do your country's laws and regulations provide for necessary legal facilities to be provided for international assisting actors?

<p>(i) Landing rights</p> <p>The NDRRM Act does not specifically mention landing rights, but it does provide that the Government shall ensure that necessary facilities are provided to international assisting actors.⁴⁵⁶ The NDS specifically provides that the Mauritius Department of Civil Aviation must facilitate the arrival of international aid and assistance, if required.⁴⁵⁷</p> <p>Apart from what is mentioned above, from the research conducted including the relevant sectoral laws, there do not appear to be legal facilities provided to international assisting actors with respect to landing rights.</p>	<p>Civil Aviation Act of 1974</p> <p>Civil Aviation Act Regulations of 2016</p> <p>Civil Aviation (Security) regulations of 2019</p>
<p>(ii) Customs arrangements</p> <p>The NDRRM Act provides that where international relief assistance is requested, the goods imported as aid are, pursuant to section 30(3) of the Customs Act, to be released free of duty, excise duty and taxes.⁴⁵⁸</p> <p>The NDS also provides for customs arrangements whereby it indicates that the Mauritius Revenue Authority (Customs Department) is tasked with taking necessary measures for the rapid release of relief consignments and any goods needed during a disaster.⁴⁵⁹</p> <p>The Mauritius Customs Act No. 47 of 1988 (Customs Act) specifically states in section 30(3) that “the Director General of the MRA may, at any time, release, free of duty, excise duty and taxes, relief consignments or other goods imported as aid to those affected by a disaster in Mauritius in such a manner and under such conditions as he considers appropriate in the circumstances.”⁴⁶⁰</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p> <p>Customs Act of 1988</p>
<p>(iii) Immigration</p> <p>As stated above, the government is tasked with ensuring that necessary facilities are provided to international assisting actors who provide international relief assistance in the aftermath of a disaster.⁴⁶¹ There are no further details provided in the NDRRM Act regarding the facilitation of immigration or the granting of temporary visas or work permits to international relief actors.</p>	<p>Immigration Act of 1970</p>

⁴⁵⁶ NDRRM Act, section 38(6).

⁴⁵⁷ NDS, page 120.

⁴⁵⁸ NDRRM Act, section 38(5).

⁴⁵⁹ NDS, page 211 and 227.

⁴⁶⁰ Customs Act, section 30(3).

⁴⁶¹ NDRRM Act, section 38(6).

<p>The applicable law regulating immigration in Mauritius is the Immigration Act No. 13 of 1970 (IM Act). Section 4 of the IM Act entitles certain exempted persons to be admitted into Mauritius.⁴⁶² The list of exempted persons includes, but is not limited to:</p> <ul style="list-style-type: none"> • persons who are diplomatic or consular officers or representatives or officials, duly accredited to a country other than Mauritius, of the United Nations or any of its agencies or of any intergovernmental organisations in which Mauritius participates, who are coming to Mauritius to carry out their official duties; • members of any naval, army or air force who arrive in Mauritius in connection with the defence and security interests of Mauritius; • persons who come to Mauritius pursuant to any treaty or agreement between Mauritius and another country and whose admission to Mauritius is approved by the Minister; • persons appointed to the public service of Mauritius; and • persons passing through Mauritius in transit to another country. <p>Importantly, the IM Act does not make provision for visas related to international disaster assistance directly or indirectly for e.g. courtesy visas.</p> <p>Furthermore, because Mauritius is an island state which does not share any of its borders with other countries, immigration is not largely canvassed as an issue within the DRM framework. As a result, there is little information accessible on legal facilities addressing immigration apart from the IM act.</p>	<p>African Union Migration Policy and Action Plan 2018-2030</p>
<p>(iv) Registration of international assisting actors</p> <p>As stated above, the government is tasked with ensuring that necessary facilities are provided to international assisting actors who provide international relief assistance in the aftermath of a disaster,⁴⁶³ However, there does not appear to be any particularity provided for the registration of international assisting actors.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>CADRI Report of 2020</p>
<p>(v) Recognition of professional qualification of foreign personnel</p> <p>As stated above, the government is tasked with ensuring that necessary facilities are provided to international assisting actors who provide international relief assistance in the aftermath of a disaster.⁴⁶⁴ However, specific exemptions relating to the recognition of professional qualifications of relief personnel are not provided.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

⁴⁶² IM Act, section 4.

⁴⁶³ NDRRM Act, section 38(6).

⁴⁶⁴ NDRRM Act, section 38(6).

<p>(vi) Tax and currency exchange for disaster relief activities</p> <p>Save for the tax exemptions relating to the import and export of goods and equipment set out above, from the research conducted, there do not appear to be explicit legal facilities provided for international assisting actors regarding tax and currency exchange for disaster relief activities.</p>	<p>Income Tax Act (consolidated version) of 1995 Value Added Tax Act of 1998 Customs Act of 1988</p>
<p>(vii) Freedom of movement of international assisting actors during a disaster response</p> <p>As stated above, the government is tasked with ensuring that necessary facilities are provided to international assisting actors who are providing international relief assistance in the aftermath of a disaster.⁴⁶⁵ However, there do not appear to be specific provisions providing for the freedom of movement of international assisting actors during a disaster response.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>(viii) Safety and Security of international assisting actors</p> <p>The government is tasked with ensuring that necessary facilities are provided to international assisting actors who are providing international relief assistance in the aftermath of a disaster.⁴⁶⁶ The NDRRM Act does not provide a specific mechanism to ensure the safety of international assisting actors, although more generally, it provides that is an offence to assault, obstruct, threaten, intimidate, abuse, or insult any person who is performing a function or exercises power in terms of the Act.⁴⁶⁷</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>(ix) Additional facilities for international disaster relief</p> <p>In addition to the legal facilities mentioned above and provided for in terms of the NDRRM Act, the NDS also provides that the Ministry of Technology, Communication, and Innovation is responsible for ensuring that all communication equipment is immediately cleared, and operating bandwidth is made available within the frequency spectrum as required for international humanitarian support.⁴⁶⁸</p>	<p>The National Disaster Risk Reduction and Management Act of 2016 National Disaster Scheme of 2015</p>
<p>Please include other applicable information relating to legal facilities here.</p> <p>Legal facilities under international law</p> <p>There are several international agreements of relevance to international disaster assistance. Most relevant to this study are those instruments that expedite and facilitate the provision of international humanitarian assistance. The Tampere Convention on the Provision of Telecommunication</p>	

⁴⁶⁵ NDRRM Act, section 38(6).

⁴⁶⁶ NDRRM Act, section 38(6).

⁴⁶⁷ NDRRM Act, 42(1)(a).

⁴⁶⁸ NDS, page 28 and 77.

Resources for Disaster Mitigation and Relief Operations (Tampere Convention) provides legal facilities for the importation of telecommunications equipment and resources during emergencies, specifically requiring state parties to reduce or remove regulatory barriers to the use of telecommunication resources for disaster relief.⁴⁶⁹ With regards to transport, of most relevance is Annexe 9 of the Chicago Convention on Civil Aviation (Chicago Convention) which provides procedural guidance for the clearance of aircrafts containing humanitarian assistance in response to disasters. Further, the Convention on the Facilitation of International Maritime Traffic mandates parties to facilitate the entry and exit of vessels engaged in natural disaster relief work and facilitate the entry of persons and cargo related to natural disaster relief work.⁴⁷⁰

In terms of customs, the International Convention on the Simplification and Harmonisation of Customs Procedures (Kyoto Convention),⁴⁷¹ which was adopted in 1973 and revised in 1999, and the Convention on Temporary Admission (Istanbul Convention),⁴⁷² simplify and harmonise customs clearance procedures for the importation of goods. Specifically, Annexe B3 of the Kyoto Convention recommends as practice that states exempt goods, including “foodstuffs, medicaments, clothing and blankets sent as gifts to an approved charitable or philanthropic organisation for distribution free of charge to needy persons by the organisation or under its control”.⁴⁷³ Annexe J5 provides guidelines to expedite the clearance of relief consignments intended to assist those affected by disasters. Annexe B2 to the Istanbul Convention regulates the importation of professional and communication equipment for practitioners of various disciplines which may potentially support to relief efforts. The measures and exemptions for temporary admission of goods for humanitarian purposes in response to natural disasters and other catastrophes specifically are stipulated in Annexe B9. In addition, Annexe C of the Istanbul Convention allows for the temporary admission of means of transport used by a foreign entity and Annexe D allows for temporary admission of animals, including those involved in rescue operations.

It is also relevant to note treaties related to privileges and immunities law. The doctrine of privileges and immunities is not directly linked to disasters.⁴⁷⁴ However, it is essential for those entities involved in disaster response to which it applies, as it addresses many of the access and operations related issues identified as problematic in field operations, as it typically allows the holder of privileges and immunities to easily enter, exit and operate in a foreign country with minimum interference from domestic authorities.⁴⁷⁵ Much of the customary law in the area of privileges and immunities has been codified in the Vienna Convention on Diplomatic Relations⁴⁷⁶ and the Vienna Convention on Consular Relations.⁴⁷⁷ However,

⁴⁶⁹ See article 9 of the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, June 18, 1998, UN depositary notification C.N.608.1998.TREATIES-8 of Dec. 4 1998 (entered into force Jan. 8, 2005) (Tampere Convention).

⁴⁷⁰ See article 5.11 and 5.12 of Annexe 1 of the Convention on the Facilitation of International Maritime Traffic, 9 April 1965, 591 U.N.T.S. 265.

⁴⁷¹ Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures of 18 May 1973, 26 June 1999.

⁴⁷² Convention on Temporary Admission, 26 June 1990.

⁴⁷³ Annexe B.3 to the Kyoto Convention, recommendation 7.

⁴⁷⁴ IFRC, *Law and Legal Issues in International Disaster Response: A Desk Study (2007) (2007 IDRL Study)*, page 39.

⁴⁷⁵ 2007 IDRL Study, page 39.

⁴⁷⁶ Vienna Convention on Diplomatic Relations, April 18, 1961, 500 U.N.T.S. 95.

⁴⁷⁷ Vienna Convention on Consular Relations, April 24, 1963, 596 U.N.T.S. 261.

personal diplomatic and consular privileges and immunities generally do not extend outside the scope of mission staff and their families, and therefore civil protection, military and other disaster responders generally do not benefit from them.⁴⁷⁸ Intergovernmental organisations have also traditionally been granted privileges and immunities to enable them to carry out their functions without undue interference, but in general NGOs do not benefit from privileges and immunities under international law.⁴⁷⁹

In addition, the Framework Convention on Civil Defence Assistance provides a legal framework to reduce obstacles for effective international cooperation between states in disaster settings. It is also worth mentioning the Convention on the Safety of UN and Associated Personnel (UN Safety Convention) and the Optional Protocol thereto, which imposes an obligation on a state hosting a UN operation to protect UN personnel and property to prevent or reduce any impunity for those who attack UN or associated personnel or property.⁴⁸⁰

In terms of human rights treaties, the Convention on the Rights of Persons with Disabilities references disaster assistance the most directly. State parties are required to take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including humanitarian emergencies and natural disasters.⁴⁸¹ In addition, there are several global human rights treaties, such as the International Covenant on Civil and Political Rights⁴⁸² and the International Covenant on Economic, Social and Cultural Rights⁴⁸³ that set out rights closely linked to disaster relief and recovery assistance. These include the rights to life, food and water, housing, clothing, health, livelihood, and freedom from discrimination.⁴⁸⁴

There are also instruments which regulate the management of specific types of disasters or emergencies. For example, the International Health Regulations (the IHR)⁴⁸⁵ regulate health emergencies with potential transboundary effects, defining the rights and responsibilities for state parties in handling outbreaks and providing public health measures for international traffic and travel. Another example is the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which sets out rules for the initiation, coordination, and operation of international assistance operations in case of nuclear or radiological events as well as for legal facilities to be granted for the effective administration of assistance.⁴⁸⁶ A third example is the International Convention on Oil Pollution Preparedness, Response and Cooperation⁴⁸⁷ and its Protocol on Preparedness, Response

⁴⁷⁸ 2007 IDRL Study, page 40.

⁴⁷⁹ 2007 IDRL Study, page 40.

⁴⁸⁰ UN Safety Convention, articles 7 and 11.

⁴⁸¹ See article 11 of the Convention on the Rights of Persons with Disabilities.

⁴⁸² International Covenant on Civil and Political Rights, 16 December 1966, 999 U.N.T.S. 171.

⁴⁸³ International Covenant on Economic Social and Cultural Rights, 16 December 1966, 999 U.N.T.S. 3.

⁴⁸⁴ 2007 IDRL Study, page 34.

⁴⁸⁵ World Health Assembly, Revision of the International Health Regulations, Doc. No. WHA58.3 (23 May 2005).

⁴⁸⁶ Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency Sept. 26, 1986, 1439 U.N.T.S. 275, articles 1, 2, 3, 4, 7, 8, 9, 10, and 11.

⁴⁸⁷ International Convention on Oil Pollution Preparedness, Response and Cooperation, 30 November 1990, 30 I.L.M. 733 (1990).

and Cooperation to Pollution Incidents by Hazardous and Noxious Substances⁴⁸⁸ which require state parties to cooperate and provide advisory services, technical support, and equipment when necessary and within their capabilities and resources, to respond to an oil pollution incident, as well as to take the legal or administrative measures necessary to facilitate the arrival and utilisation of vessels and the expeditious movement of personnel, cargoes, materials and equipment.⁴⁸⁹

In terms of regional instruments, article 23 of the African Charter on the Rights and Welfare of the Child⁴⁹⁰ (ACRWC) provides that states shall take all appropriate measures to ensure that refugee children as well as children who have been internally displaced, including by disasters, receive appropriate humanitarian assistance. In addition, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), provides in article 5(7) that state parties are obligated to facilitate the coordination of international relief and allow rapid and unimpeded passage of humanitarian relief to internally displaced persons. Further, states shall enable and facilitate the role of local and international organisations and humanitarian agencies, as well as other relevant actors, to provide protection and assistance to IDPs.

The tables below examine which of the above-mentioned agreements Mauritius is a state party to:

Convention	State party (Yes/No)
Tampere Convention⁴⁹¹	No
Chicago Convention⁴⁹²	Yes
Convention on the Facilitation of International Maritime Traffic⁴⁹³	Yes
Annexe B.3 to the Kyoto Convention⁴⁹⁴	Yes

⁴⁸⁸ Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 15 March 2000.

⁴⁸⁹ See article 7 on the Convention on Oil Pollution Preparedness, Response and Cooperation and article 5 of the Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances.

⁴⁹⁰ African Charter on the Rights and Welfare of the Child, 11 July 1990, OAU Doc. CAB/LEG/24.9/49 (1990).

⁴⁹¹ Information obtained from the UN Treaty Collection (UNTC) available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXV-4&chapter=25.

⁴⁹² Information obtained from ICAO available at <https://www.icao.int/publications/Pages/doc7300.aspx>.

⁴⁹³ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280129d04>.

⁴⁹⁴ Information obtained from the World Customs Organization (WCO) available at <http://www.wcoomd.org/-/media/wco/public/global/pdf/about-us/legal-instruments/conventions-and-agreements/contracting-parties-and-instruments/mauritius/mauritiustinst.pdf?la=en>.

Annexe J-5 to the Kyoto Convention⁴⁹⁵	Yes		
Annexe B2 to the Istanbul Convention⁴⁹⁶	Yes		
Annexe B9 to the Istanbul Convention⁴⁹⁷	No		
Annexe C to the Istanbul Convention⁴⁹⁸	No		
Annexe D to the Istanbul Convention⁴⁹⁹	No		
Vienna Convention on Diplomatic Relations⁵⁰⁰	Yes		
Vienna Convention on Consular Relations⁵⁰¹	Yes		
Framework Convention on Civil Defence Assistance⁵⁰²	No		
UN Safety Convention and Optional Protocol⁵⁰³	No		
Convention on the Rights of Persons with Disabilities⁵⁰⁴	Yes		
IHR⁵⁰⁵	Yes		

⁴⁹⁵ Information obtained from the WCO available at <http://www.wcoomd.org/-/media/wco/public/global/pdf/about-us/legal-instruments/conventions-and-agreements/contracting-parties-and-instruments/mauritius/mauritusinst.pdf?la=en>.

⁴⁹⁶ Information obtained from the World Customs Organisation (WCO), available at <pg0302eb.pdf> (wcoomd.org).

⁴⁹⁷ Information obtained from the WCO, available at <pg0302eb.pdf> (wcoomd.org).

⁴⁹⁸ Information obtained from the WCO, available at <pg0302eb.pdf> (wcoomd.org).

⁴⁹⁹ Information obtained from the WCO, available at <pg0302eb.pdf> (wcoomd.org).

⁵⁰⁰ Information obtained from https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-3&chapter=3&clang=en.

⁵⁰¹ Information obtained from the UNTC https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-6&chapter=3.

⁵⁰² Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280086ecb&clang=en>.

⁵⁰³ Information obtained from the UNTC available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-8&chapter=18 and https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-8-a&chapter=18&clang=en.

⁵⁰⁴ Information obtained from the UNTC available at https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-15&chapter=4.

⁵⁰⁵ Information obtained from World Health Organisation available at https://www.who.int/ihr/legal_issues/states_parties/en/.

Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency ⁵⁰⁶	Yes		
International Convention on Oil Pollution Preparedness, Response and Cooperation ⁵⁰⁷	Yes		
ACRWC ⁵⁰⁸	Yes		
Kampala Convention ⁵⁰⁹	No		
Do your country's laws and regulations set out quality standards for international assisting actors?			
<p>The NDRRM Act provides humanitarian principles for international assisting actors to abide by, wherein it stipulates that the international assisting agency must ensure that the disaster relief and initial recovery assistance that is provided is done in accordance with the Act and principles of humanity, neutrality, and impartiality.⁵¹⁰</p> <p>Notably, there are no provisions within the DRM framework which formally requires the international assisting agency to abide by certain quality standards.</p>		<p>The National Disaster Risk Reduction and Management Act of 2016</p>	
Do your country's laws and regulations set out eligibility requirements for international assisting actors to receive legal facilities?			
<p>The DRM laws applicable to Mauritius do not specify that the legal facilities mentioned above are subject to the international assisting actor meeting certain eligibility requirements.</p>			
Do your country's laws and regulations establish a specialised unit for expediting the entry of international disaster assistance?			
		<p>National Disaster Scheme of 2015</p>	

⁵⁰⁶ Information obtained from the International Atomic Energy Agency available at <https://www.iaea.org/topics/nuclear-safety-conventions/convention-assistance-case-nuclear-accident-or-radiological-emergency#:~:text=The%20Convention%20on%20Assistance%20in,in%20the%20event%20of%20nuclear.>

⁵⁰⁷ Information obtained from the UNTC <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800aada6>.

⁵⁰⁸ Information obtained from the AU available at <https://au.int/en/treaties/african-charter-rights-and-welfare-child>.

⁵⁰⁹ Information obtained from the AU available at <https://au.int/sites/default/files/treaties/36846-sl-AFRICAN%20UNION%20CONVENTION%20FOR%20THE%20PROTECTION%20AND%20ASSISTANCE%20OF%20INTERNALLY%20DISPLACED%20PERSONS%20IN%20AFRICA%20%28KAMPALA%20CONVENTION%29.pdf>.

⁵¹⁰ NDRRM Act, section 38(4).

<p>From the research conducted, there are no laws/regulations which establish a specialised unit for expediting the entry of international disaster assistance. However the NDS does provide that the NDRRM Centre and the NEOC are tasked with coordinating entry of international humanitarian aids and facilities into the country, as required.⁵¹¹</p>	
<p>Do your country's laws and regulations provide adequate transparency safeguards and accountability mechanisms governing international disaster assistance?</p> <p>From the research conducted, there do not appear to be any laws/regulations which provide specific transparency safeguards and accountability mechanisms governing international disaster assistance specifically, but there are safeguards provided more generally that may promote transparency and accountability. For example, it is an offence to divert relief goods, equipment or other aid commodities to persons other than the rightful recipient, to substitutes or replace relief goods, equipment or other aid with items of inferior or cheaper quality or to deliberately hinder relief activities.⁵¹²</p>	
<p>Do your country's laws and regulations outline rules and procedures for international disaster assistance sent from, or transiting through your country?</p> <p>From the research conducted, there do not appear to be laws/regulations which provide for the rules and procedures for international disaster assistance sent from or transiting through Mauritius.</p>	
<p>Recovery</p>	
<p>Are there clear institutional mandates that specify the role of each agency, and clarify the responsibilities of the various stakeholders, in disaster recovery?</p> <p>With respect to disaster recovery, the NDRRM Act stipulates that its definition for DRRM includes the continuous and integrated multi-sectoral, multi-disciplinary process of planning, organising, coordinating, and implementing measures aimed at managing post-disaster activities, including post-disaster recovery and rehabilitation.⁵¹³ In addition, the NDRRM Act defines recovery as “the restoration, and improvement, where appropriate, of facilities, livelihoods and living conditions of disaster-affected communities, including efforts to reduce risk factors.”⁵¹⁴</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

⁵¹¹ NDS, page 148.

⁵¹² NDRRM Act, section 42(1)(b)-(d).

⁵¹³ NDRRM Act, section 2 “DRRM”.

⁵¹⁴ NDRRM Act, section 2 “Recovery”.

<p>In terms of roles and responsibilities provided in the NDRRM Act, the NDRRM Council is tasked with overseeing the implementation of post-disaster recovery and reconstruction activities,⁵¹⁵ whilst the NDRRM Centre and the Rodrigues Centre are tasked with assisting relevant stakeholders to develop appropriate risk transfer mechanisms for post-disaster recovery and rehabilitation purposes.⁵¹⁶ In addition, the NCC and the RCC which operate in the event of a disaster, have the power to take appropriate measures during the initial recovery phase of a disaster.⁵¹⁷ Furthermore the NEOC, Rodrigues Council and the REOC are activated in the event of a disaster to coordinate and monitor all response and recovery activities.⁵¹⁸ Finally, during a declaration of a state of disaster, the Prime Minister may issue directions concerning the facilitation of response and post disaster recovery activities.⁵¹⁹</p> <p>The NDS stipulates that the NEOC is the main coordinating body during the recovery phase of any disaster within Mauritius.⁵²⁰</p>	<p>National Disaster Scheme of 2015</p>
<p>Is early involvement of line ministries provided for?</p> <p>From what is stated directly above, the early involvement of line ministries in recovery is provided for through the involvement of the NEOC and REOC, both of which are multi-agency bodies. Furthermore, the NCC which consists of members of various Ministries including Civil Service, Home Affairs, Police, and the MMS, is tasked with ensuring the sharing of information and instructions to heads of Ministries and Departments who are primarily concerned with the work of relief and early recovery.⁵²¹</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>
<p>Are authorities and mandates for recovery from local to national clear?</p> <p>As stated above, the authorities and mandates for recovery at national level and in Rodrigues are clearly provided for in the DRM framework, but the mandates at local level are not provided.</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>
<p>Is community participation mandated in recovery decision making?</p> <p>From the research conducted, there do not appear to be provisions within DRM legislation that mandates community participation in recovery decision making.</p>	
<p>Liability and Accountability</p>	

⁵¹⁵ NDRRM Act, section 6(d).

⁵¹⁶ NDRRM Act, section 9(2)(j) and 26(2)(h).

⁵¹⁷ NDRRM Act, section 16(1)(e) and 33(1)(e).

⁵¹⁸ NDRRM Act, section 17(1), 24(e) and 34(1).

⁵¹⁹ NDRRM Act, section 37(2)(g).

⁵²⁰ NDS, page 4.

⁵²¹ NDS, page 146.

Are there public reporting or parliamentary oversight mechanisms for government agencies tasked with DRM (a) DRR; (ii) Response; (iii) Recovery established and is such information made publicly available?

With respect to reporting by government agencies tasked with DRRM activities, the NDRRM Act provides for annual reporting by every local committee, the Rodrigues Centre, and the Director General of the National Centre.⁵²² In particular, section 40 of the NDRRM Act provides that:

- every local committee, the General Manager of the Outer Islands Development Corporation, and the Rodrigues Centre must, not later than two months after the end of a financial year, submit its annual report in relation to its activities to the NDRRM Centre;⁵²³ and
- the Rodrigues Centre must send its report through the Rodrigues Council.⁵²⁴

Thereafter, the Director General of the NDRRM Centre must, not later than 4 months after the end of a financial year, submit to the NDRRM Council an annual report on the activities of the NDRRM Centre, every local committee, Rodrigues Centre and the Disaster Management Coordinator setting out:

- results of monitoring of prevention and mitigation initiatives;⁵²⁵
- details of disaster response activities performed during the year;⁵²⁶ and
- an evaluation of the implementation of the:
 - NDRRM Strategic Framework and Plan;
 - Rodrigues Strategic Framework and Rodrigues Plan; and
 - Local DRRM Plans.⁵²⁷

In addition, every six months, each local committee, the Rodrigues Centre, and the Disaster Management Coordinator for Agaléga and Cargados Carajos are required to submit periodic reports related to their activities to the NDRRM Centre, the Rodrigues Council and the Ministry in charge of DRM, respectively.⁵²⁸

From the research conducted, it is unclear whether the abovementioned reports are made publicly available.

[The National Disaster Risk Reduction and Management Act of 2016](#)

[The Mauritius Civil Code](#)

[Mauritius Courts Act of 1856](#)

⁵²² NDRRM Act, section 40(1) and (2).

⁵²³ NDRRM Act, section 40(1)(a).

⁵²⁴ NDRRM Act, section 40(1)(b).

⁵²⁵ NDRRM Act, section 40(2)(a).

⁵²⁶ NDRRM Act, section 40(2)(b).

⁵²⁷ NDRRM Act, section 40(2)(c).

⁵²⁸ NDRRM Act, section 20(f), 26(2)(k) and 35(2)(b).

<p>Is there a role for the judiciary in enhancing accountability for DRM?</p> <p>The role of the judiciary is implied through the conviction of offences alluded to by the NDRRM act, wherein the NDRRM Act provides that any person who commits an offence in terms of the Act and is convicted, is liable for a fine not exceeding 100 000 Rupees and to imprisonment for a term not exceeding two years.⁵²⁹</p> <p>There are also offences provided in sectoral laws that promote DRR, for example, as stated above, the LG Amendment Act provides for the increase of penalties for illegal constructions and development as well as mandatory pulling down orders by District Courts for illegal constructions and developments.⁵³⁰</p> <p>Apart from what is stated directly above, there do not appear to be other allocated roles for the judiciary in enhancing accountability for DRM.</p> <p>Are there individual responsibilities for DRM?</p> <p>The NDRRM Act does not formally acknowledge the role of individuals in DRM. However, the NDRRM Strategic Framework does provide for a shared responsibility in achieving its goals and states that individuals are expected to take actions within their means to address and reduce risks and impacts of disasters.⁵³¹ In addition, civil society is expected to support efforts by individuals and engage proactively in risk reduction and disaster management.⁵³²</p>	<p>Criminal Code of 1838</p> <p>The Protection of Human Rights Act of 1998</p> <p>Local Government (amendment) Act of 2018</p> <p>NDRRM Strategic Framework 2020-2030</p>
<p>Are there legal and/or administrative sanctions (as appropriate) established for public officials, individuals, and businesses for a gross failure to fulfil their duties on (i)DRR (ii) preparedness and response and (iii) Recovery?</p> <p>As stated above, the section 42 of the NDRRM Act provides offences, which includes assaulting, obstructing, threatening, intimidating, abusing or insulting a person in the discharge of their functions or exercise of their powers; diverting relief goods, equipment or other aid to persons other than the rightful recipient; substituting or replacing relief goods, equipment or other aid commodities with items of inferior or cheaper quality; hindering relief activities; making false claims of disaster losses; publishing false news; causing a disaster, refusing to provide assistance or resources when requested; and contravening an order issued under the NDRRM Act. Any person who commits these acts is liable upon conviction to a fine not exceeding 100 000 Rupees and to imprisonment for a term not exceeding two years.⁵³³</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p>

⁵²⁹ NDRRM Act, section 42(1).

⁵³⁰ LG Amendment Act, section 127C(1). See also CADRI report, page 51.

⁵³¹ NDRRM Strategic Framework, page 41.

⁵³² NDRRM Strategic Framework, page 41.

⁵³³ NDRRM Act, section 42(1).

<p>In addition, should any person refuse to evacuate an area, a police officer is authorised to use such reasonable force as may be necessary to remove that person from that area.⁵³⁴</p>	
<p>Are rights relevant to DRM established, including the right to disaster information, and enforcement mechanisms provided?</p> <p>Although the law sets out the roles and responsibilities of DRM institutions, which include roles and responsibilities relating to information sharing, specific rights related to DRM do not appear to be provided in Mauritian law. Although there are no formal laws which regulate the sharing of information, it is common practice for information to be widely shared with the public. Notably, the freedom of information is seen as complimentary to the DP Act. Furthermore, when new laws are developed, these laws are promoted and disseminated through advocacy sessions dedicated to the public, as well as through media and public debates.</p>	<p>The Constitution of Mauritius of 1968</p> <p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>Mauritius Meteorological Services Act of 2019</p> <p>National Disaster Scheme of 2015</p>
<p>Are there incentives for compliance with laws and regulations for DRM (i) DRR and (ii) Response and Preparedness, and Recovery?</p> <p>From the research conducted, there do not appear to be incentives for compliance with DRM laws and regulations.</p>	
<p>Does the law provide liability protections to governments, National Societies, civil society organisations, disaster rescue and relief personnel (including volunteers)?</p> <p>As a blanket provision for all DRRM actors, the NDRRM Act provides protection from liability to any person for any acts done or omitted in good faith during the discharge of his functions or the exercise of his powers under this NDRRM Act.⁵³⁵</p> <p>In addition, the NDS includes a disclaimer which stipulates that the NDS serves as a guidance to stakeholders and that no liability will be attached to any person or organisation in the execution of their roles, responsibilities and actions associated with the NDS.⁵³⁶</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>
<p>Are mechanisms in place to prevent unlawful diversion, misappropriation, or fraud concerning disaster relief operations?</p>	

⁵³⁴ NDRRM Act, section 42(1)(a)-d).

⁵³⁵ NDRRM Act, section 41.

⁵³⁶ NDS, page i.

<p>As a starting point, and as stated above, the NDRRM Act provides for annual reporting by every Local Committee, the Rodrigues Centre, and Director General of the NDRRM Centre.⁵³⁷ The importance of these reports with respect to accountability and liability is that it details disaster response activities conducted during a financial year.⁵³⁸</p> <p>The NDRRM Act also clearly provides that it is an offence to divert relief goods, equipment, or other aid commodities, and it is also an offence to substitute or replace relief goods, equipment, or other aid items with items of inferior quality.⁵³⁹</p> <p>The NDS also makes provision for the Mauritius Police Force to patrol abandoned residential and commercial areas to prevent theft and looting in the event of a disaster.⁵⁴⁰</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p>
Public Health Emergencies	
<p>What are the main laws, policies and plans which govern preparedness and response to public health emergencies?</p> <p>The main laws and plans governing public health emergencies (PHEs) in the Mauritius are:</p> <ul style="list-style-type: none"> • the Constitution of Mauritius No. 54 of 1968; • the Public Health Act No. 47 of 1925; • The NDRRM Act; • The NDS; • the Quarantine Act No. 2 of 2020; • the Mauritius Health Sector Strategic Plan 2020-2024; • Compendium of Guidelines on Major Communicable Diseases, 2021 (CGMCD); and • the Mauritius Operational Plan on MERS-Coronavirus, 2021 (Ops plan on MERS-Coronavirus). 	<p>The Constitution of Mauritius of 1968</p> <p>The Public Health Act of 1925</p> <p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>National Disaster Scheme of 2015</p> <p>Quarantine Act of 2020</p> <p>The Health Sector Strategic Plan 2020-2024</p>

⁵³⁷ NDRRM Act, section 40(1) and (2).

⁵³⁸ NDRRM Act, section 40(2)(b).

⁵³⁹ NDRRM Act, section 42(1)(b) and (c).

⁵⁴⁰ NDS, page 112 and 202.

	Compendium of Guidelines on Major Communicable Diseases, 2021 Mauritius Operational Plan on MERS-Coronavirus, 2021.
<p>Which government and non-government actors do laws, policies and plans identify as responsible for responding to public health emergencies? Please list each relevant actor and describe their roles and responsibilities.</p> <p>As a starting point, the Public Health Act No. 47 of 1925 (PH Act) provides that in response to dangerous epidemic diseases; the Minister responsible for health may give notice of the epidemic, provide regulations to combat the epidemic, and issue regulations to prevent resurgence of the epidemic.⁵⁴¹ Notably, the Health Sector Strategic Plan 2020-2024 (the HSSP) which was prepared by the Ministry of Health and Wellness (MOHW) references PHEs and stipulates that as a strategic goal for improving emergency preparedness and response, its proposed actions include the setting up and operationalization of a permanent PHE Operation Centre.⁵⁴² The CADRI report states that the PHE Operation Centre will be activated when necessary to address a PHE, and in the case of an emergency the Director General of Health Services will be the designated focal point for activation of the PHE Operation centre.⁵⁴³ Thus far, there have not been any PHE Operation Centres established.</p> <p>The HSSP provides for the establishment of expert and thematic working groups, these working groups are seen as coordinated mechanisms for operationalizing the HSSP through the development of action plans.⁵⁴⁴ The main objective of the expert working group is to support and advise the Ministerial Committee for Health and Wellness on the implementation of strategic priorities, in doing so, it is tasked with reviewing assessment reports and submitting recommendations to the Committee.⁵⁴⁵ With respect to thematic working groups, they consist of various stakeholders from the public and private sector and are mainly responsible for monitoring and evaluation, identifying bottlenecks and proposing remedial measures.⁵⁴⁶</p> <p>Importantly, the HSSP provides that when operational plans are developed, different units/departments of the MOHW will be responsible for implementation of the strategic actions within delivery time frames for evaluation and monitoring.⁵⁴⁷ The HSSP further stipulates that an area of work</p>	The Public Health Act of 1925 The Health Sector Strategic Plan 2020-2024 CADRI Report of 2020 Mauritius Operational Plan on MERS-Coronavirus, 2021

⁵⁴¹ PH Act, section 78-79A.
⁵⁴² HSSP, page 62.
⁵⁴³ CADRI report, page 123.
⁵⁴⁴ HSSP, page 108.
⁵⁴⁵ HSSP, page 108.
⁵⁴⁶ HSSP, page 108.
⁵⁴⁷ HSSP, page 108.

<p>for thematic working group 2 includes PHE Preparedness and Response.⁵⁴⁸ Annex III of the HSSP identifies the members of the thematic working groups and indicates the Director of Health Services as the Chairperson for thematic working group 2.⁵⁴⁹ Other members of thematic working groups include, but are not limited to, a Public Health Nursing Officer, a Community Health Care Officer, a Community Physician, and a Principle Health Records Officer. Despite the aforementioned information, it remains unclear what the responsibilities of the group is in relation to PHEs.</p> <p>The operational plans referred to above provide details on responsibilities with respect to responding to a PHE, however these responsibilities are specific to the emergency identified in each plan. For instance, with regards to the Ops plan on MERS-Coronavirus, the MOHW will constitute an intersectoral committee on pandemic implementation (pandemic committee).⁵⁵⁰ The pandemic committee is then tasked with constituting a crises management committee (CMM) to review the situation during a pandemic and issue interim revised guidelines in response thereto.⁵⁵¹</p>	
<p>Is there a coordination mechanism for the actors that are involved in responding to public health emergencies? If so, which actors are included in the coordination mechanism? Who has overall command and control for the response?</p> <p>As stated above, the HSSP makes provision for improving preparedness and response relating to PHEs. The HSSP stipulates that implementation of the HSSP will be coordinated by the MOHW.⁵⁵² The details or the manner of this coordination is however not clarified in the HSSP.</p> <p>The CADRI report also provides that despite the country having demonstrated effective multisectoral coordination during previous PHEs, the coordination is not systematised and incorporated into preparedness and response planning in relation to PHEs of international concern.⁵⁵³ In addition, the NDRRM Centre is the main agency responsible for national disasters and there is consequently a need to document the roles between the NDRRM Centre and the MOHW when there is a health event of national concern.⁵⁵⁴ Furthermore, communication during PHEs in Mauritius is not fully systemised.⁵⁵⁵</p> <p>As stated above, the Ops plan on MERS-Coronavirus provides specific details on responsibilities in responding to the MERS-Coronavirus. Consequently, the Ops plan on MERS-Coronavirus makes provision for coordination mechanisms, with the MOHW being the command centre.⁵⁵⁶ The coordination to be taken when there is no imported or indigenous MERS-Coronavirus consists of 3 actions, firstly; the establishment of an intersectoral</p>	<p>The Health Sector Strategic Plan 2020-2024</p> <p>CADRI Report of 2020</p> <p>Mauritius Operational Plan on MERS-Coronavirus, 2021.</p>

⁵⁴⁸ HSSP, page 119.

⁵⁴⁹ HSSP, page 115.

⁵⁵⁰ Ops Plan on MERS-Coronavirus, page 10.

⁵⁵¹ Ops Plan on MERS-Coronavirus, page 10.

⁵⁵² HSSP, page 107.

⁵⁵³ CADRI report, page 124.

⁵⁵⁴ CADRI report, page 121 and 124.

⁵⁵⁵ CADRI report, page 124.

⁵⁵⁶ Ops plan on MERS-Coronavirus, page 9.

<p>committee headed by the MOHW, secondly; the establishment of communication strategies within the committee, and thirdly; the establishment of a crisis management committee.⁵⁵⁷ On the other hand, when there is a widespread transmission of cases within Mauritius, the coordination strategy consists of the following 3 actions; to firstly increase the frequency of the intersectoral committee headed by the MOHW, then to establish communication strategies within the committee, and lastly, to convert the committee into an advisory one.⁵⁵⁸</p> <p>Notably, the HSSP as well as the Ops Plan on MERS-Coronavirus does not provide roles and responsibilities for DRM actors, nor do DRM actors have a seat at the table on thematic working groups.</p>	
<p>Are public health emergencies governed by the same legal and institutional framework as other types of disasters (e.g. floods, storms)? That is, are they regulated by the same laws and managed by the same actors?-</p> <p>No, the PH Act, the HSSP and other specified operational plans for health emergencies are separate documents from the NDRRM Act and the NDS. Therefore, PHE's are not governed by the same laws nor are they managed by the same actors as other types of disasters.</p>	
<p>If public health emergencies are governed by a separate, specialised legal and institutional framework, are there any linkages between that framework and the framework for other types of disasters?</p> <p>As Stated above, PHEs are governed by a separate institutional framework to disasters and there are limited linkages between the two frameworks. The only explicit linkages between PHE and DRM more generally are created through the definition of “emergency services” contained in the NDRRM Act, which includes PHE services.⁵⁵⁹ Additionally, a representative of the MOHW has a seat at the table of the NDRRM Council⁵⁶⁰ and the Local Committees.⁵⁶¹</p> <p>With respect to the PHE framework, the CGMCD lists the Ministry of Local Government, Disaster Risk Management as a non-health sector Ministry that is involved in the event of an outbreak of the Chikungunya, Dengue or Zika virus.⁵⁶²</p>	<p>The National Disaster Risk Reduction and Management Act of 2016</p> <p>Compendium of Guidelines on Major Communicable Diseases, 2021</p>

⁵⁵⁷ Ops plan on MERS-Coronavirus, page 10.

⁵⁵⁸ Ops plan on MERS-Coronavirus, page 24.

⁵⁵⁹ NDRRM Act, section 2 “emergency services”.

⁵⁶⁰ NDRRM Act, section 4(2)(m).

⁵⁶¹ NDRRM Act, section 19(2)(e).

⁵⁶² CGMCD, page 56.