

UNION OF THE COMOROS: 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 the Union of the Comoros 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](#);
- the [Checklist on Law and Disaster Risk Reduction](#);
- the [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 publicly available completed in March 2022. This document was prepared by Candela Navarro Casquete, under the supervision of Jeanique Serradinho and Stella Ngugi.

Note: In general, it is difficult to locate Comorian laws and policies online, and therefore this mapping may be incomplete. While every effort was taken to ensure that the information contained herein is as accurate as possible, gaps or discrepancies may remain. IFRC Disaster Law would be grateful for any feedback or corrections relating to the contents of this document.

1. 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, and are principles and priorities that guide your country’s approach to preparedness and response; risk reduction and recovery set out?

The Union of the Comoros (Comoros) is vulnerable to hydrometeorological (tropical storms, floods, rising ocean waters), geophysical (volcanic eruptions, earthquakes, landslides), biological (epidemics of cholera, malaria, typhoid fever) and technological (accidents of airplanes and road traffic, shipwrecks, fishermen lost at sea) hazards.¹

Law n° 97-009 establishes the organisation of the General Defence and, although it does not explicitly mention natural hazards, it provides in article 3 that the State can take exceptional measures in the event of an imminent threat, such as the state of emergency, state of siege or state of war.² The state of emergency is proclaimed by decree taken in the Council of Ministers, specifying the territorial extent to which it applies, and it is defined in article 4 as the set of exceptional measures in which the police powers are considerably increased and remain in the hands of the civil authorities.³

In terms of legislation relating to the institutional and coordination framework for disaster risk management (DRM) specifically, and to manage the above-mentioned natural hazards, there does not appear to be a specific DRM law in the Comoros that provides a framework for action, but only laws which establish the DRM institutional framework. Decree n° 12-054/PR of 9 March 2012 establishes the General Directorate of Civil Security (DGSC) (not available online), and Decree n° 12-181/PR of 15 September 2012 sets up the National Platform for Disaster Risk Reduction and Prevention (PNPRRC).⁴ However, the Comoros is in the process of developing a legislative and regulatory framework for disaster risk management (DRM) in the country.

In addition to these laws, the National Strategy for Disaster Risk Reduction of 2015 (SNRRC) aims to consolidate institutions and work towards establishing a legal basis for DRM in the country.⁵ The vision of the SNRRC is the planning and coordination of DRM in the Comoros with a view to substantially reducing losses and damage and strengthening the resilience of communities (national and local) in the face of disasters, by integrating DRM into the process of sustainable development.⁶ The SNRRC plan of action has 27 programme components, grouped into the following 6 areas of focus (referred to as strategic axes):

- 1) the establishment of a legal and institutional framework and mechanisms for DRR, including the adoption of a DRM law;
- 2) strengthening national, island and community institutional and individual capacities;
- 3) the development of knowledge, information and communication systems on prevention and DRM;
- 4) promoting intersectoral coordination for a less vulnerable and more resilient community;

[Capacity Assessment for Disaster Risk Reduction and Adaptation to Climate Change 2020](#)

[Law n° 97-009, organisation of the General Defence](#)

[IDRL in the South-West Indian Ocean report](#)

[National Strategy for Disaster Risk Reduction 2015](#)

[Accelerated Growth and Sustainable Development Strategy \(2018-2021\)](#)

¹ Comoros Capacity assessment for disaster risk reduction and adaptation to climate change 2020, 16.

² Law n° 97-009, organization of the General Defense, article 3.

³ Law n° 97-009, article 4.

⁴ Comoros Capacity assessment for disaster risk reduction and adaptation to climate change 2020, 21.

⁵ PIROI, IDRL in the South-West Indian Ocean (summary report, 2021) 8.

⁶ National Strategy for Disaster Risk Reduction (SNRRC) 2015, 51.

<p>5) the establishment of sustainable and flexible financing mechanisms; and 6) the promotion of regional and international cooperation.⁷</p> <p>In addition, the Accelerated Growth and Sustainable Development Strategy (2018-2021), which sets the bases of the structural transformation of the national economy, provides as one of its strategic objectives the need for ensuring the sustainable management of natural and environmental resources, thus strengthening resilience to disasters and the effects of climate change.⁸</p> <p>It should also be noted that Comoros is currently in the process of updating its legal framework with respect to DRM: a Draft Contingency Plan has been developed and is in the final stages of approval; and a DRM Law and revised DRR Strategy are also under development.</p>	
<p>Are links to relevant sectoral legislation set out?</p> <p>Decree n° 12/181/PR establishes PNPTRC. Although no clear links to sectoral legislation are provided, article 2 states that the PNPTRC is responsible for, among other things, promoting the sustainable integration of the dimension of disaster prevention and DRR into policies, plans and strategies for the development of good governance and poverty reduction; and developing a synergy of sectoral plans and programs drawn up in this area and ensuring their implementation.⁹</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p>
<p>Are links with relevant climate change law/policies and institutions established?</p> <p>Although no explicit links to climate change legislation and institutions are established, Decree n° 12/181/PR provides that the PNPTRC shall ensure the implementation and ownership of programs and activities related to climate change adaptation (CCA) at national and local levels.¹⁰</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p>
<p>What constitutes a “disaster” under the DRM Law?</p> <p>The laws reviewed for the purpose of this mapping do not appear to provide a definition of “disaster”. However, the SNRRC explores the dynamics among the concepts of risk, hazard, vulnerability and DRM. “Risk” is defined as the probability of</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>

⁷ SNRRC 2015, 51-53.

⁸ Accelerated Growth and Sustainable Development Strategy (2018-2021), 12.

⁹ Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction, article 2.

¹⁰ Decree n° 12/181/PR, article 2.

occurrence of harmful events or foreseeable losses, following interactions between a natural or man-made hazard and vulnerable conditions.¹¹ Risk can become a disaster when the combination of hazard and vulnerability results in a serious disruption of the functioning of a society and thus causes human, material, economic and environmental damage (or loss).¹²

A “hazard” can be a material event, physical phenomenon and/or human activity potentially destructive and likely to cause deaths and injuries, damage goods and property, cause a breakdown in social and economic life, and/or cause environmental degradation.¹³ The hazard is characterized essentially by two aspects: the frequency or period of return and the intensity or magnitude.¹⁴

In addition, “vulnerability” is defined as the set of conditions and processes resulting from material, social, economic and environmental factors that increase a community's sensitivity to the impact of hazards, and that govern a community's ability to prevent, mitigate, prepare for and respond to the impact of hazards.¹⁵ There are several types of vulnerability recognized in the SNRRC:

- physical vulnerability, including the impact of a hazard on goods, buildings, infrastructure, and agriculture;
- social vulnerability, including the impact of a hazard on a group of individuals such as those living in poverty, disabled persons, children, women, and pregnant women; and
- economic vulnerability, including the potential impact of a hazard on economic activities (such as the interruption of trade, production, increase in poverty and unemployment).¹⁶

How does the definition sit with international standards?

In terms of international standards drawn from the United Nations Office for Disaster Risk Reduction (UNDRR) and the United Nations Development Programme (UNDP), “disaster” is defined as “a serious disruption of the functioning 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”.¹⁷ Although a definition of the term

[The Handbook on Law and Disaster Risk Reduction 2015](#)

¹¹ SNRRC 2015, 42.

¹² SNRRC 2015, 42.

¹³ SNRRC 2015, 43.

¹⁴ SNRRC 2015, 43.

¹⁵ SNRRC 2015, 43.

¹⁶ SNRRC 2015, 43.

¹⁷ UNDRR Terminology, [online glossary] Available in: <https://www.undrr.org/terminology>

“disaster” is not provided, the definition of “hazard” provided in the SNRRC appears to be in line with international standards as to what constitutes a “disaster” as it includes the social, economic and environmental dimensions.

Who is mandated on different types of hazards – tech/oil spills?

The main coordinating entity for DRM in the Comoros appears to be the General Directorate of Civil Security (DGSC).¹⁸ Although no specific types of hazards are provided under the mandate of the DGSC, leading and coordinating the implementation of protection and rescue measures for people and property during disastrous events is among its main missions.¹⁹

In terms of oil spills, Law n° 94-018 establishes the framework law on the environment and provides in article 70 that the Minister of the Interior, in collaboration with the Minister of the Environment and any other Minister concerned, draw up emergency plans intended to deal effectively with, among other things, a situation following a serious accident involving one or more dangerous substances whose discharge, evacuation or spill is likely to jeopardize human health or the environment.²⁰

In addition, the SNRRC provides that the General Directorate of Health (DGS) is a public institution responsible for designing, planning, coordinating and monitoring the execution of action programs and projects under its remit, specifically hazards of epidemiological nature.²¹

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

The definition from the SNRRC provides flexibility as it recognizes that hazards can be natural phenomena as well as human-made, and that vulnerabilities can be of different natures, thus allowing the DRM system to adapt to different types of disaster settings and changing circumstances.

[Law n° 94-018, Framework Law on the Environment](#)

Roles and responsibilities

¹⁸ SNRRC 2015, 20.
¹⁹ SNRRC 2015, 20.
²⁰ Law n° 94-018, Framework Law on the Environment, article 70.
²¹ SNRRC 2015, 24.

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

In addition to the PNRRC (details of which are included in the question below), there are eight existing entities directly involved in DRM in the Comoros. These are: the DGSC; the National Civil Aviation and Meteorology Agency (ANACM); the Karthala Volcanological Observatory (OVK); the General Directorate for the Environment and Forests (DGEF); the General Directorate of Health (DGS); the National Directorate for Land Use, Housing and Urban Planning (DNATHU); the Ministry of Higher Education, Basic Education and Research (MEN) and the Comoros Red Crescent (CRCo).²² Over the past decade, these structures have undergone some adjustments recommended by different national and international organizations on the one hand, and different orientations due to changes in the political regime on the other.²³ Indeed, the frequency of disasters in the different islands has made the country invest more and more in DRM. In the current structural DRM framework, it is noticed that the majority of these institutions and organizations intervene especially during crises.²⁴ The prevention, preparedness and post-crisis phase activities are not addressed in as much detail.²⁵

As stated above, the main body in charge of DRM operations appears to be the DGSC which is a governmental structure created by Decree n° 12-054/PR. The missions of the DGSC include:

- coordinating the development of a national DRM policy and ensuring its implementation;
- promoting risk prevention and fight all disasters;
- leading and coordinating the implementation of protection and rescue measures for people and property during disastrous events;
- organizing the protection and defense of the population, property and the environment;
- ensuring the collection and analysis of information relating to the protection of populations, property and the environment, then inform the Ministry in charge of Civil Security of any situation justifying emergency measures;
- participating in the protection and safeguard of the population and the national heritage in circumstances relating to civil defense;
- proposing intervention methods, coordinating the implementation of national means of assistance and relief to the populations and ensure the Direction of Relief Operations;

[National Strategy for Disaster Risk Reduction 2015](#)

²² SNRRC 2015, 19.

²³ SNRRC 2015, 19.

²⁴ SNRRC 2015, 19.

²⁵ SNRRC 2015, 19.

<ul style="list-style-type: none"> ensuring the permanent secretariat of the PNPTRC for crisis management and response preparation; and designing, preparing and implementing regional and international cooperation actions in the field of civil protection and, within this framework, promote the participation of civil security elements in humanitarian action operations.²⁶ 	
<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, Decree n° 12-181/PR establishes the PNPTRC as a national multisectoral organisation.²⁷ More specifically, the PNPTRC functions as a permanent advisory body, made up of government agencies from all sectors, civil society and the private sector, with national and regional committees and a coordinating body.²⁸ The PNPTRC is made up of the National Commission, the National Coordination, the Regional Commissions and Local Committees, and the Regional Coordination.²⁹ The National Commission and the National Coordination are the main strategic and operational bodies of the PNPTRC.</p> <p>The National Commission of the PNPTRC is the highest body of the national platform for disaster prevention and DRR. This body is chaired by the Minister of the Interior in charge of Civil Security,³⁰ and is composed of the following:</p> <ul style="list-style-type: none"> the Minister in charge of Civil Security; a representative of each Ministry; a representative of the Assembly of the Union; the Coordinator of the PNPTRC; a representative of the Gold Staff of the National Development Army; a representative of the National Police; a representative of the General Planning Commission; a representative of each Governor of the islands; 	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p> <p>Accelerated Growth and Sustainable Development Strategy (2018-2021)</p> <p>Decree n° 19-047</p>

²⁶ SNRRC 2015, 20.

²⁷ Decree n° 12/181/PR, article 2.

²⁸ Accelerated Growth and Sustainable Development Strategy (2018-2021), 41.

²⁹ Decree n° 12/181/PR, article 3.

³⁰ SNRRC 2015, 57.

- a representative of Development Partners;
- the President of the Comoros Red Crescent or his representative;
- a representative of the Civil Society; and
- a representative of the private sector.³¹

The National Commission meets at least once per semester and, whenever necessary, on convocation of its President.³²

The National Coordination, chaired by the General Director of the DGSC, has a very important and operational role which mainly resides in the central coordination and implementation of programs and actions relating to DRM in the Comoros.³³ The National Coordination is made up of sectoral focal points of all national entities and/or development partners concerned with DRM. These focal points communicate to the Permanent Secretariat periodically or instantaneously any information on the risks relating to the sector of activity concerned.³⁴

The National Coordination meets at least once a quarter and, whenever necessary, on convocation of its Coordinator.³⁵

From the documents reviewed, it appears to be that, sometimes, ad-hoc inter-ministerial committees for disaster management can be created by Presidential Decree, which are sometimes utilized for the management of disasters, instead of the PNPTRC.³⁶ In 2019, Decree n° 19-047 established an Inter-ministerial Committee for the management of disasters caused by the passage of Cyclone Kenneth in the Comoros.³⁷ This Committee aims to propose to the Government all specific measures of coordination, mobilization, management, monitoring, supervision and action in the sense of mastering the disaster situation caused by Cyclone Kenneth.³⁸ It is provided in article 5 that the Committee meets as needed and at least once a week.³⁹

Furthermore, the SNRRC proposes to structure and strengthen the PNPTRC through the establishment of specialized units. These include a Center of Excellence in Risk Management (CERRC), responsible for all activities related to the management of risk

³¹ Decree n° 12/181/PR, article 5.

³² Decree n° 12/181/PR, article 6.

³³ SNRRC 2015, 58.

³⁴ SNRRC 2015, 58.

³⁵ Decree n° 12/181/PR, article 11.

³⁶ PIROI, IDRL in the South-West Indian Ocean Study, page 9.

³⁷ Decree n° 19-047, establishing an Inter-ministerial Committee for the management of disasters caused by Cyclone Kenneth, article 1.

³⁸ Decree n° 19-047, article 2.

³⁹ Decree n° 19-047, article 5.

knowledge and information;⁴⁰ an Administrative and Financial Unit, responsible for the administrative and financial planning and management;⁴¹ a Training, Education and Awareness Unit, which aims to reinforce human capacities through training the population;⁴² an International Communication and Cooperation Unit, responsible for the exchange and cooperation with foreign entities;⁴³ an Intersectoral Coordination Unit that will supervise the coherence in the programs and projects of the different sectors;⁴⁴ and an Operational Management and Planning Unit serving as a coordination focal point.⁴⁵ However, from the research conducted, it is not clear whether these specialized units have been established.

How does this committee function in preparedness, response, DRR and recovery?

From the documents available for review, the law does not appear to separate the functions of the National Commission and the National Coordination. Rather, it provides in article 2 that the PNPTRC as a whole is responsible for:

- promoting the sustainable integration of the dimension of prevention and DRR in the policies, plans and strategies of development of good governance and reduction of poverty;
- ensuring the implementation and ownership of the disaster risk reduction strategy for African and Arab countries, the Hyogo Framework for Action and programs and activities related to CCA, at national and local levels;
- validating the national DRR and prevention program, which is a medium and long-term vision in the aforementioned field, shared with all stakeholders;
- developing a synergy of sectoral plans and programs drawn up in this area and ensuring their execution;
- facilitating the mobilization of resources necessary for risk reduction, rehabilitation and development programs and projects after disasters;
- promoting, in schools, the teaching of prevention and reduction of disaster risks;
- issuing opinions and advice on any other matter relating to prevention and DRR; and
- promoting cooperation with institutions involved in the fields of disaster risk prevention and reduction.⁴⁶

⁴⁰ SNRRC 2015, 63.

⁴¹ SNRRC 2015, 65.

⁴² SNRRC 2015, 65.

⁴³ SNRRC 2015, 66.

⁴⁴ SNRRC 2015, 67.

⁴⁵ SNRRC 2015, 67.

⁴⁶ Decree n° 12/181/PR, article 2.

<p>Does the national committee include membership from key agencies outside government (humanitarian, development, private, scientific etc)?</p> <p>The National Commission of the PNRRC is the highest body of the national platform for prevention and DRR. This body is chaired by the Minister of the Interior in charge of Civil Security,⁴⁷ and includes membership from key agencies outside government, as set out above.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p> <p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</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> <p>As stated above, the SNRRC proposes to structure and strengthen the PNRRC through the establishment of specialized units. One of the units proposed is the CERRC, a technical branch of the PNRRC which will be responsible for all activities related to risk knowledge.⁴⁸ It is composed of different scientific institutions, chaired by the DGSC (in particular the Prevention and Studies Department (DPE) and the Information Analysis and Processing Centre), the OVK, the Technical Department of Meteorology (DTM), the DGS, the University of Comoros (UDC), the DGEF (in particular the Geographic Information System), and the Maritime Transport Department (DTM).⁴⁹</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Has a national focal point agency for DRM with sufficient institutional authority to exercise effective leadership been assigned?</p> <p>As stated above, the main body in charge of DRM operations appears to be the DGSC which is a governmental structure created by Decree n° 12-054/PR. This body appears to be the focal agency for DRM in the Comoros. The missions of the DGSC include:</p> <ul style="list-style-type: none"> • coordinating the development of a national DRM policy and ensuring its implementation; • promoting risk prevention and fight all disasters; 	<p>National Strategy for Disaster Risk Reduction 2015</p> <p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p>

⁴⁷ SNRRC 2015, 57.

⁴⁸ SNRRC 2015, 63.

⁴⁹ SNRRC 2015, 63-64.

<ul style="list-style-type: none"> • leading and coordinating the implementation of protection and rescue measures for people and property during disastrous events; • organizing the protection and defense of the population, property and the environment; • ensuring the collection and analysis of information relating to the protection of populations, property and the environment, then inform the Ministry in charge of Civil Security of any situation justifying emergency measures; • participating in the protection and safeguard of the population and the national heritage in circumstances relating to civil defense; • proposing intervention methods, coordinating the implementation of national means of assistance and relief to the populations and ensure the Direction of Relief Operations; • ensuring the permanent secretariat of the PNRRC for crisis management and response preparation; and • designing, preparing and implementing regional and international cooperation actions in the field of civil protection and, within this framework, promote the participation of civil security elements in humanitarian action operations.⁵⁰ 	
<p>Apply the same questions above to subnational committees (inter-ministerial and cross sectorial committees, including membership outside government).</p> <p>Decree n° 12-181/PR provides that a Regional Commission and Local Committees for the prevention and reduction of disaster risks are set up in each island of the Comoros.⁵¹ The Regional Commissions and Local Committees are notably responsible for the collection and analysis of data relating to risks and disasters, and the implementation of DRR and prevention programs.⁵² Similarly to the National Commission, Regional Commissions and Local Committees also include membership of key actors outside government as they are composed by representatives of:</p> <ol style="list-style-type: none"> a) all the sectors of the administration of the island constituted as sectoral focal points; b) the National Development Army; c) the National and local Police; d) Island Councils; e) communes / villages; 	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p>

⁵⁰ SNRRC 2015, 20.

⁵¹ Decree n° 12/181/PR, article 13.

⁵² Decree n° 12/181/PR, article 14.

<p>f) associations and organizations working in the field of disaster risk prevention and reduction;</p> <p>g) development partners; and</p> <p>h) civil society.⁵³</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>Decree n° 12-181/PR establishes that the Regional Commissions are chaired by the Authorities in charge of Island Internal Security and the Local Committees by the Prefects of the administrative areas.⁵⁴ Regional Coordination is ensured by the Regional Directorates of Civil Security which also fulfil the functions of "permanent Secretariat" of the Regional Commissions and local Committees for the prevention and reduction of disaster risks.⁵⁵ The Regional Directorates of Civil Security and regional focal points of the PNPRRC, are responsible for coordinating the implementation and monitoring of programs and projects relating to the prevention and reduction of disaster risks developed at the island level.⁵⁶ The President of the Regional Commission or of the Local Committee may appeal to any other administration or organization as well as to any natural person by reason of his skills or experience.⁵⁷</p> <p>The regional commissions meet monthly and/or whenever necessary after a decision and summons from the regional directors of civil security. These commissions report to the national commission through written quarterly reports.⁵⁸</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p> <p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Are national /subnational institutions consistently assigned clear responsibilities and authorities to carry out their mandate?</p> <p>The extent to which specific roles and responsibilities of DRM institutions at the national and sub-national levels have already been outlined above.</p>	
<p>Are roles and responsibilities between civilian and military actors for disaster response clearly articulated in law/regulation/policy?</p>	<p>Statutes of the Military Personnel (Law 97-006)</p>

⁵³ Decree n° 12/181/PR, article 16.

⁵⁴ Decree n° 12/181/PR, article 15.

⁵⁵ Decree n° 12/181/PR, article 16.

⁵⁶ Decree n° 12/181/PR, article 16.

⁵⁷ Decree n° 12/181/PR, article 16.

⁵⁸ SNRRC 2015, 60.

<p>Although national and sub-national committees for DRM involve representatives from civil society organizations, limited information could be located online relating to their specific responsibilities, as well as those of military actors. From the documents reviewed, including the Statutes of the Military Personnel (Law 97-006) and the Federal Police Law (Law 83-014), laws and policies in the Comoros do not appear to contain provisions on roles and responsibilities between civilian and military actors in disaster response.</p>	<p>Federal Police Law (Law 83-014)</p>
Funding	
<p>How does the law allocate funding distribution between risk reduction, preparedness and response?</p> <p>From the documents reviewed, limited information could be located with respect to the funding of DRM in Comoros. However, Chapter 7 of the SNRRC is dedicated to the Financial Mechanism for DRR.⁵⁹ The SNRRC provides that there will be an Administrative and Financial Unit in place, which will be in charge of planning, administrative and financial management. This unit will also have the mission of facilitating the mobilization of resources necessary for risk reduction, rehabilitation and development programs and projects after disasters.⁶⁰ Likewise, it will be responsible for financial management and accounting and internal audit.⁶¹ The composition of the Administrative and Financial Unit will be the following:</p> <ul style="list-style-type: none"> • the DGSC; • a focal point of the Ministry of Finance; and • a focal point of the General Planning Commission (CGP).⁶² <p>In terms of fund allocation, the SNNRC states that funds and resources for DRM are allocated by the Comorian Government to support all sectors directly involved in Disaster Risk Prevention and Management. These funds are managed by the PNPRRC.⁶³ The SNRRC states that these funds will be subdivided into three:</p> <ol style="list-style-type: none"> a) a budgetary allocation for prevention and mitigation (pre-disasters); b) an emergency intervention fund (crisis management); and 	<p>National Strategy for Disaster Risk Reduction 2015</p>

⁵⁹ SNRRC 2015, 65.
⁶⁰ SNRRC 2015, 65.
⁶¹ SNRRC 2015, 65.
⁶² SNRRC 2015, 65.
⁶³ SNRRC 2015, 101.

<p>c) a budgetary allocation for rehabilitation and construction works (post-disaster).⁶⁴</p> <p>The SNRRC identifies certain weaknesses in the funding of DRM the Comoros, noting that access to international and national funding is very limited in terms of disaster risk reduction, particularly for prevention and rehabilitation aspects.⁶⁵ There is also an imminent weakness in the mobilization of state funding, there is no specific emergency or pre- and post-disaster intervention fund.⁶⁶</p>	
<p>Does the legislation establish mechanisms to ensure that dedicated funding would be available in the event of a disaster?</p> <p>As mentioned above, there is limited information on funding for DRM in the Comoros. The SNRRC proposes the development of financial mechanisms with the fundamental idea of:</p> <ul style="list-style-type: none"> • encouraging all departments of the Government of the Comoros and the Autonomous Islands to take the necessary measures to reduce the impact and substantially reduce the probability of occurrence of disasters; • developing in each strategic axis an implementation schedule with its financial policy of the government; and • encouraging disaster response at all levels. The Union Government, as a higher level, should only be called upon when local capacities and resources are insufficient or non-existent.⁶⁷ <p>As stated above, funds and resources for DRM are allocated by the Comorian Government to support all sectors directly involved in Disaster Risk Prevention and Management. These funds are managed by the PNRRC and the Administrative and Financial Unit. However, from the documents reviewed, there do not appear to be any specific mechanisms in place ensuring dedicated funding in the event of a disaster.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Are adequate resources for DRR allocated, through mechanisms such as development plans earmarking percentages in annual budgets; dedicated budget lines?</p> <p>As mentioned above, the SNRRC states that the funds allocated for DRM by the Government will be subdivided into three, including a budgetary allocation for prevention and mitigation (pre-disasters).</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>

⁶⁴ SNRRC 2015, 101.
⁶⁵ SNRRC 2015, 103.
⁶⁶ SNRRC 2015, 103.
⁶⁷ SNRRC 2015, 106.

<p>However, the SNRRC also provides that the Ministry of Finance has prioritized the emergency intervention phase by emphasizing in the framework letter, a budget reserved for the year 2015 and intended for activities relating to the management of the crisis and therefore to the emergency response (i.e. 1% of the national budget).⁶⁸</p>	
<p>Are resources allocated to enable sub-national authorities and civil society/communities to fulfil their responsibilities?</p> <p>The SNRRC proposes that legal texts in the Comoros must be developed to provide for the modalities of communal, regional, island and national declaration of disaster as well as access to an emergency intervention fund. In addition, these texts must also underline that accounting must be kept at all levels of management to ensure that expenditure is real and carried out efficiently and that account control systems are also in place.⁶⁹ It is, however, not clear from online research alone whether such a fund has been established. Furthermore, the SNRRC provides a scheme for the distribution and use of DRR funds, from the national, to the regional and local levels.⁷⁰</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Is disaster insurance and/or risk finance mechanisms available?</p> <p>From the information available online, there does not appear to be an insurance system in place for disaster risks in the Comoros.⁷¹</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Are funding mechanisms for recovery mandated?</p> <p>As stated above, from the documents reviewed, there does not appear to be a specific emergency post-disaster intervention fund.⁷² However, the SNRRC highlights that a budget must be provided for activities related to rehabilitation; this budget will be allocated after the disaster according to the damage caused. In this phase, the physical reconstruction of a disaster-stricken territory following a cataclysm is very dependent on financial interventions.⁷³ As long as there is no insurance system for disaster</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>

⁶⁸ SNRRC 2015, 101.
⁶⁹ SNRRC 2015, 104.
⁷⁰ SNRRC 2015, 105.
⁷¹ SNRRC 2015, 106.
⁷² SNRRC 2015, 103.
⁷³ SNRRC 2015, 106.

<p>risks in the Comoros, the financial management of the post-disaster will be based on other mechanisms, in particular the intervention of public funds and/or funds already mobilized for occasional internal and external aid.⁷⁴</p>	
2. Disaster Risk Reduction	
<p>Do your country's relevant sectoral laws include provisions to reduce existing risks and prevent the creation of new risks?</p> <p>Various sectoral laws and policies which contain provisions related to DRR have been found. These documents include mainly environmental management laws, urban planning and infrastructure laws, and national adaptation plans. Although these documents provide mechanisms for building resilience against the effects of climate change, there are no clear links made within them to DRM specific laws/policies. Some sectoral laws will be presented in further detail below.</p>	
<p>Are there provisions related to DRR in the DRM Law?</p> <p>The SNRRC states that concept of DRM has traditionally been limited to organizing and using the resources available to deal with disasters. However, this concept has evolved over time to include measures taken to prevent and reduce the impact of disasters and today, DRM involves implementing policies, strategies and adaptive capacities of society or individuals in order to mitigate the negative impact of natural hazards.⁷⁵ In other words, it has integrated the DRR aspect.</p> <p>The SNRRC provides an extensive analysis of the existing risks in the country, defining the institutional structures and programmes for DRR, the mechanisms for strengthening capacities in DRR as well as the financial mechanisms. Therefore, DRR is a central concept in the framework provided by the SNRRC and the approach taken by the different institutional structures.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Is there duplication or conflicting provisions between laws on DRR?</p> <p>From the information accessible online, laws and policies in the Comoros appear to be aligned with each other in terms of DRR action. They reinforce (rather than duplicate) each other's vision and strategic priorities for investment in DRR and its promotion and integration in sectoral laws and/or policies to build resilience.</p>	

⁷⁴ SNRRC 2015, 106.

⁷⁵ SNRRC 2015, 44.

Environment	
<p>Are natural hazards and climate change risks addressed in laws related to the environment?</p> <p>The Framework Law on the Environment of 1994, promulgated by Decree n° 94-100/PR and modified by Law n° 95-007, provides mechanisms for the preservation of diversity and environmental integrity of the Comoros; the creation of conditions for the sustainable use, quantitatively and qualitatively, of natural resources in the present and future; and the guarantee for all citizens of an ecologically healthy and balanced living environment.⁷⁶ Article 8 provides that, apart from the emergency measures taken to deal with the consequences of a natural disaster or a serious accident, any draft text from a member of the government or an island governor, likely to have an impact on environmental policy, is submitted for an opinion to the Minister responsible for the environment.⁷⁷</p> <p>Furthermore, article 70 establishes that the Minister of the Interior, in collaboration with the Minister of the Environment and any other Minister concerned, draw up emergency plans intended to deal effectively with:</p> <ul style="list-style-type: none"> a) a situation following a serious accident involving one or more dangerous substances, discharge or spill of which is likely to endanger human health or the environment; and b) a situation following a natural disaster likely to jeopardize human health, the safety of property and persons or the protection of the environment.⁷⁸ <p>These emergency plans ensure the safety of personnel and surrounding populations, identify the causes of the accident and reduce or avoid the damaging effects.⁷⁹ A decree in the Council of Ministers determines, for the establishment of the emergency plans, the means that can be mobilized; the strategies for implementing the plans; and the compulsory information and protection measures for the population.⁸⁰ However, climate change risks are not explicitly addressed in Law n° 94-018.</p>	<p>Law n° 94-018, Framework Law on the Environment</p> <p>Decree n° 94-100, promulgation of Law n° 94-018</p> <p>Law n° 95-007, amendments of Law n° 94-018</p>

⁷⁶ Law n° 94-018, article 2.

⁷⁷ Law n° 94-018, article 8.

⁷⁸ Law n° 94-018, article 70.

⁷⁹ Law n° 94-018, article 71.

⁸⁰ Law n° 94-018, article 72.

<p>In 2013, the General Directorate of Environment and Forests, under the supervision of the Ministry of Production, Energy, Environment, Industry and Crafts, developed a National Action Plan for the Fight Against Desertification in the Comoros (PAN/LCD). Essentially, the PAN/LCD works around four strategic objectives, which include improving the living conditions of affected populations; improving the state of affected ecosystems; generating general benefits from effective implementation of the United Nations Convention to Combat Desertification (UNCCD); and mobilizing resources for the implementation of the UNCCD through the establishment of effective partnerships between national and international actors.⁸¹ Natural hazards and climate risks are included throughout the document as issues to be taken into account in the planning processes to combat desertification.</p>	<p>National Action Plan for the Fight Against Desertification 2013</p>
<p>Is DRR a criterion included in EIA for planned development?</p> <p>Law n° 94-018 provides in article 11, the request for administrative authorization, for the implementation by a natural or legal person, private or public, of planning and development projects, including town planning plans, must be accompanied by an impact study on the environment.⁸²</p> <p>Article 12 of Law N° 95-007/AF stipulates that an EIA report must include:</p> <ul style="list-style-type: none"> a) an analysis of the baseline environment of the project site and its surroundings; b) an evaluation/assessment of the predicted consequences of the project on the natural and social environment; and c) a presentation of measures to reduce or prevent negative impacts on the environment, as well as any potential alternatives to project implementation.⁸³ <p>In addition, Decree N° 01-052/CE governs the EIA process, and it includes an Annex with a list of works and developments which require an EIA. However, this document could not be located online, and the documents available for review do not explicitly set DRR as a criterion for planned development, although a presentation of measures to reduce or prevent negative impacts on the environment is required.</p>	<p>Law n° 94-018, Framework Law on the Environment</p> <p>Law n° 95-007, amendments of Law n° 94-018</p>
<p>Are eco- systems approaches to DRR adopted?</p>	

⁸¹ National Action Plan for the Fight Against Desertification 2013, page 25.
⁸² Law n° 94-018, article 11.
⁸³ Law n° 95-007, amending Law n° 94-018, article 12.

<p>Explicit provisions on eco-systems approaches to DRR could not be found. However, in the environmental field, the levers identified as accelerators for the achievement of sustainable and inclusive growth that does not compromise natural resources are: (i) promotion of green and blue economies, (ii) integration, protection of biodiversity and sustainable land management, (iii) climate change and risk management, and (iv) land use planning integrating climate and natural disaster risks.⁸⁴</p>	<p>Accelerated Growth and Sustainable Development Strategy (2018-2021)</p> <p>National Strategy for Disaster Risk Reduction 2015</p> <p>Decree n° 93-115</p>
<p>Natural Resource Management and Fire Control</p>	
<p>Are there provisions aimed at reducing the risk of water related hazards?</p> <p>Limited information could be located online relating to procedures or mechanisms aimed at reducing the risk of water-related hazards. From the documents reviewed, laws and policies in the Comoros do not appear to contain provisions on such mechanisms of DRR.</p> <p>However, it is interesting to note that SNRRC identifies the DGEF as one of the main institutional structures for DRR. Decree n° 93-115 establishes the mission, organization, and attributions of the DGEF, all of which are focused on the protection of ecosystems and the environment. However, the SNRRC states that the DGEF has a lack of expertise and professional skills required in the field of major disaster risks,⁸⁵ further stating that its experience in this field is limited to the development of hazard maps, and that there is a lack of information or data on disaster risks within the SNRRC.⁸⁶</p> <p>Furthermore, the framework law on the environment provides some general provisions relating to the protection and management of natural resources. Article 18, amended by Law n° 95-007 establishes that the State ensures, by necessary and appropriate measures, the protection of the quality of the various natural components of the environment, which are, among others, water resources, including the marine environment.⁸⁷ Article 28 provides that water abstraction points, intended for</p>	<p>Law n° 94-018, Framework Law on the Environment</p> <p>Law n° 95-007, amendments of Law n° 94-018</p>

⁸⁴ Accelerated Growth and Sustainable Development Strategy (2018-2021), 50.

⁸⁵ SNRRC 2015, 44.

⁸⁶ SNRRC 2015, 44.

⁸⁷ Law n° 95-007, article 18.

<p>human consumption, must be surrounded by an immediate protection perimeter, a close protection, and a remote protection perimeter.⁸⁸ All activities likely to harm water quality are prohibited or may be strictly regulated within the protection perimeters.⁸⁹ As per article 29, spills, discharges of all solid bodies, of all liquid or gaseous substances, likely to harm the quality of the waters, are prohibited in watercourses and on their surroundings.⁹⁰</p>	
<p>Is forest or urban fire prevention and management linked with DRM laws and institutions?</p> <p>From the documents reviewed in forest/urban fire prevention and management, including Law n° 88-006 on reforestation and forest management, laws and policies in the Comoros do not appear to contain any links with DRM laws and institutions.</p>	<p>Law n° 88-006, Reforestation and Forest Management</p>
<p>Land Use Planning and Urban Development and Building</p>	
<p>Is coordination with DRM institutions and mechanisms promoted?</p> <p>The SNRRC identifies the DNATHU as a government structure, under the supervision of the Ministry of Infrastructure, that works in partnership with the DGSC and is a member of the PNRRC. Some DRM actions undertaken by the DNATHU involve rehabilitation and maintenance of infrastructure and updating the Urban and Housing Code.⁹¹ However, some weaknesses identified in the SNRRC include the lack of key elements of prevention such as a national land use planning, urban development and planning plans, building permits, stormwater drainage and sanitation networks, lack of access to information and data, and lack of expertise in the cycle of DRM.⁹²</p>	<p>National Strategy for Disaster Risk Reduction 2015</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>Limited information could be found on this point. However, the Urban and Housing Code, established by Law n° n° 86-017, sets out the basic guidelines for Town Planning and Housing policy. These guidelines do not appear to contain provisions on building codes for disaster-resistant buildings or prioritization to public infrastructure. Also, from the documents reviewed, the Urban and Housing Code does not appear to have been recently updated.</p>	<p>Law n° 86-017, Urban and Housing Code</p>

⁸⁸ Law n° 95-007, article 28.

⁸⁹ Law n° 95-007, article 28.

⁹⁰ Law n° 95-007, article 29.

⁹¹ SNRRC 2015, 28.

⁹² SNRRC 2015, 28.

<p>Are incentives / legal sanctions established, where appropriate, in cases of non-compliance leading to unsafe buildings or developments?</p> <p>Law n° 86-017 establishes sanctions in case of non-compliance with the Urban and Housing Code. More specifically, article 141 states that in any establishment a safety register must be kept in which the information essential for the proper functioning of the security service is entered.⁹³</p> <p>As per article 142, breaches of the prescriptions of the development plans will be punished by imprisonment of one to six months and a fine of 10,000 to 200,000 Comorian FC or one of these penalties only without prejudice to legal proceedings.⁹⁴ The Court may also order the demolition of defective constructions and the restoration of the premises according to the request and within a time limit set by the administration.⁹⁵ in addition, it provides that the town planning and housing department is specially responsible for the investigation and observation of these offenses.⁹⁶</p>	<p>Law n° 86-017, Urban and Housing Code</p>
Climate Change	
<p>Are links between NAPs and other climate related processes made with DRM framework?</p> <p>The Comoros' National Action Program for Adaptation to Climate Change (NAP) of 2006 aims to identify immediate and urgent needs for CCA, indicating priority activities. Thus, the objective of the NAP is to help reduce the adverse effects of climate change on the livelihoods of the populations and the most vulnerable areas, therefore increasing their resilience to climate change and variability.⁹⁷ The NAP establishes links with the relevant sectors, including with the civil security sector, focused on disaster prevention, which involves reducing the negative impacts of disasters and ensuring the safety of people and goods.⁹⁸ Some of the actions provided under this framework include strengthening the institutional framework; setting up operational structures; developing response plans specific to each type of disaster; and establishing an early warning system and a communication and public awareness plan.⁹⁹</p>	<p>National Action Program for Adaptation to Climate Change 2006</p>

⁹³ Law n° 86-017, Urban and Housing Code, article 141.

⁹⁴ Law n° 86-017, article 142.

⁹⁵ Law n° 86-017, article 142.

⁹⁶ Law n° 86-017, article 142.

⁹⁷ National Action Program for Adaptation to Climate Change (NAP) 2006, 41.

⁹⁸ NAP 2006, 41.

⁹⁹ NAP 2006, 41.

<p>Furthermore, the NAP points out that the implementation of DRM projects will be jointly executed by the National Meteorological Directorate and the DGSC under the coordination of the Union Ministry responsible for the environment.¹⁰⁰</p> <p>However, the DRM framework in the Comoros does not extensively provide any links to climate change.</p>	
<p>Are DRM national laws including elements relating to climate change adaptation?</p> <p>Although limited information could be located due to the lack of a specific DRM law, the documents reviewed include elements relating to CCA. Decree n° 12/181 establishes that the PNPTRC, as a multisectoral organization, is responsible for implementing programmes and activities linked to CCA, at the national and local levels.¹⁰¹ In addition, the SNRRC was developed under the framework of integration of the transversal dimensions related to emerging risks, gender, CCA and poverty reduction, among other things. In other words, laws, plans and strategies in the Comoros appear to have a CCA lens in their framework as a transversal element to DRM.</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p> <p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Are DRM national laws formally endowing high-level governmental authorities and/or territorial administrations with the duty to share information and harmonize implementing activities and promote climate change adaptation-DRR coordination, policies and plans?</p> <p>As stated above, Decree n° 12/181 establishes that the PNPTRC, as a multisectoral organization, is responsible for implementing programmes and activities linked to CCA, at the national and local levels.¹⁰² The SNRRC provides that other government entities charged with the duty of taking action in CCA are the Ministry of Interior responsible for civil security, the DGEF, and the International Communication and Cooperation Unit as part of the PNPTRC.¹⁰³</p> <p>However, the documents reviewed do not appear to specify whether there are governmental and territorial administrations charged with the duty of promoting information sharing or coordination between DRR and CCA efforts.</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p> <p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Are DRM national laws favouring complementarity between financial instruments relating to any thematic issue with some relevance for DRM and climate adaptation?</p>	

¹⁰⁰ NAP 2006, 87.

¹⁰¹ Decree n° 12/181/PR, article 8.

¹⁰² Decree n° 12/181/PR, article 8.

¹⁰³ SNRRC 2015, section 5.1.4.

<p>As mentioned above, the SNRRC states that the funds allocated for DRM by the Government will be subdivided into three, including a budgetary allocation for prevention and mitigation (pre-disasters). However, it does not mention funding for CCA.</p>	<p>National Action Program for Adaptation to Climate Change 2006</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>As stated above, Decree n° 12/181 establishes that the PNRRC, as a multisectoral advisory organization, is responsible for implementing programmes and activities linked to CCA, at the national and local levels.¹⁰⁴</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 NAP states that the implementation of DRM projects will be jointly executed by the National Meteorological Directorate and the DGSC under the coordination of the Union Ministry responsible for the environment.</p> <p>In addition, the Accelerated Growth and Sustainable Development Strategy (2018-2021) provides that the government intends to strengthen the resilience of rural communities, in particular by a) rigorous application of regulations for the restoration of degraded areas, b) promotion of intensive agriculture, and c) more sustained involvement of women and communities in decision-making in matters of environmental protection. To do this, the country intends to integrate CCA measures into the various sectoral policies.¹⁰⁵ However, limited information could be located online relating to cross-sectoral coordination with stakeholders responsible for climate change. From the documents reviewed, laws and policies in the Comoros do not appear to contain provisions on specific institutions dedicated to climate change and the coordination mechanisms with other sectors and agencies.</p>	<p>Accelerated Growth and Sustainable Development Strategy (2018-2021)</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>The methodology for the development of the SNRRC was based on a participatory and concerted approach, involving the various Comorian structures concerned with DRR. To this end, a consultation workshop in the presence of the various Comorian</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>

¹⁰⁴ Decree n° 12/181/PR, article 8.

¹⁰⁵ Accelerated Growth and Sustainable Development Strategy (2018-2021), 68.

<p>structures was held in Moroni on 1 August 2014. It was the occasion to discuss and decide on the overall vision of the country in terms of DRR and also to identify the major strategic axes for DRR.¹⁰⁶ However, limited information could be found regarding the scientific and/or empirical basis of the documents reviewed.</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> <p>As stated above, CCA is widely integrated across the strategic objectives of the SNRRC as inherent to DRR and DRM. However, laws and policies do not appear to contain provisions that establish a climate-informed methodology in terms of urban planning and construction.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
Disaster Risk Assessments	
<p>Do your country's laws establish clear procedures and responsibilities for conducting risk assessments and ensuring that risk information is considered in development processes?</p> <p>The SNRRC recognises that disaster assessment is an essential operation for the implementation of any DRR policy or strategy, but that setting up a disaster risk assessment and information system is a fairly laborious analysis, requiring enough data and involving a wide variety of disciplines.¹⁰⁷ The SNRRC highlights that it is essential to initiate this study in the Comoros, covering the three islands, to assess the probable losses and make simulations based on the cost-benefit analysis and to identify the best risk mitigation options. The risk analysis requires the close collaboration of several Comorian departments. Given the technical nature of this analysis, it should be led by the CERRC, in particular the risk assessment unit. The implementation of this study uses a fairly diversified database that brings together all the layers of information related to:</p> <ul style="list-style-type: none"> • the issues or elements exposed to hazards, in particular their geographical distribution, their values, their nature, their composition; • hazards, with their intensity, extent, duration, frequency and return periods; and • physical, economic and social vulnerabilities.¹⁰⁸ 	<p>National Strategy for Disaster Risk Reduction 2015</p>

¹⁰⁶ SNRRC 2015, x.
¹⁰⁷ SNRRC 2015, 90.
¹⁰⁸ SNRRC 2015, 91.

<p>The SNRRC provides that the CERRC will be the body responsible for conducting risk analysis and assessments, as well as for coordinating the collection, sharing and archiving of data and information relating to DRM; the monitoring and production of early warning bulletins relating to the hazards that threaten the country, in particular those of hydrometeorological, volcanic and epidemiological origin; and providing guidance and advice on any other technical and scientific question concerning the prevention and reduction of disaster risks.¹⁰⁹ However, it is not clear whether this entity has been established.</p>	
<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 stated above, hazard, vulnerability and risk assessments are clearly tasked to the CERRC. This entity should be composed by the main DRM agencies, including the DGSC, the OVK, the DTM, the DGS, the UDC and the DGEF,¹¹⁰ and is therefore dedicated to supporting the DRM decision-making and operational bodies and appropriate to conduct such assessments. Although hazard, vulnerability and risk assessments are attributed to specific authorities to inform disaster preparedness, response, recovery and development it is not clearly stated whether such assessments are “required” by law or how often they should be conducted.</p>	
<p>Are at risk communities, civil society as well as the private sector involved in the risk assessment process and informed of the outcomes?</p> <p>Limited information could be located online relating to the involvement of civil society and private sector actors in risk assessment processes. From the documents reviewed, laws and policies in the Comoros do not appear to contain provisions on risk assessments conducted by civil society/private sector, or about information-sharing on risks and vulnerabilities with such actors.</p>	
<p>Do laws/regulations require sex and age disaggregated data (SADD) to be collected to inform risk and needs assessment?</p> <p>As stated above, no clear procedures or methodologies for undertaking hazard, vulnerability and risk assessments are provided. As a consequence, limited information could be located online relating to the collection of SADD. From the documents reviewed, laws and policies in the Comoros do not appear to contain provisions on the collection of SADD (or any other type of data) to inform risk and needs assessment processes.</p>	
<p>Is it mandatory to consider risk information in development planning, budgetary allocation and construction?</p>	

¹⁰⁹ SNRRC 2015, 63.

¹¹⁰ SNRRC 2015, 63-64.

<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>The EWS in the Comoros is divided among different entities depending on the nature of the hazard, as provided in the SNRRC. The monitoring of volcanic activities, in particular that of the Karthala volcano in Grande Comoro is provided by the OVK. Monitoring stations provide information on magmatic movements within the volcano and indicate periods of heightened activity.¹¹⁷ Meteorological monitoring, cyclones and tsunamis are covered by the Department of Meteorology.¹¹⁸ The DGS, under the Ministry of Health, is responsible for collecting and processing epidemiological information through the surveillance service of the Epidemiological Disease Control Directorate. In the event of an epidemiological threat, the Minister of Health is informed to trigger the alert.¹¹⁹ Lastly, maritime and air watch and safety are the responsibility of the Transport Department.¹²⁰</p> <p>However, the documents reviewed do not appear to set out the roles of private media companies or civil society organizations in early warning systems.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Are EWS established for the most frequent and serious hazards?</p> <p>Although clear procedures do not appear to be outlined, EWS are established for the most frequent and serious hazards, as stated above. These include volcanological hazards, meteorological hazards, cyclones and tsunamis, epidemiological hazards and tech/oil spills.</p>	
Information Sharing	
<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>The SNRRC states that there is no national system for sharing and transferring information and data, and states further that the channels for transmitting information remain unclear, and not very fluid. Likewise, the process of triggering the alert remains</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>

¹¹⁷ SNRRC 2015, 80.
¹¹⁸ SNRRC 2015, 81.
¹¹⁹ SNRRC 2015, 83.
¹²⁰ SNRRC 2015, 83.

<p>slow, which can delay the launch of interventions.¹²¹ The population is alerted by various methods, in particular by the use of the media and VHF and UHF radios and SMS.¹²² Police and Gendarmerie units, mosques, the Comoros Red Crescent and community associations are responsible for disseminating the alert to the population.¹²³ Megaphones, loudspeakers, flags and manual sirens are used to bring the population together and communicate information to them on next steps.¹²⁴</p> <p>Furthermore, the role of telecommunications satellites in DRM is well established, in particular to improve resilience and ensure rapid recovery from disasters. The deployment of such tools makes it possible to maintain continuous visual, oral communication and facilitates the transfer of data, especially when traditional equipment and tools are damaged following a disaster.¹²⁵</p>	
Contingency Planning	
<p>Does the country's legislation set out a process and framework for contingency planning?</p> <p>The law does not appear to set out a framework for contingency planning. However, the country has a contingency plan and specific plans which are implemented by the Emergency Operations and Civil Protection Center (COSEP) in partnership with other structures.¹²⁶ Contingency plans appear to also have been developed for each specific type of hazard mentioned above, however such plans could not be located.</p> <p>The most recent contingency plan that could be located is the National Contingency Plan 2017-2018 (the National Contingency Plan), although a new draft contingency plan was developed in 2021 which is pending adoption. This National Contingency Plan, has been drawn up in accordance with the spirit of the Humanitarian Action Charter which reaffirms the right of populations affected by disasters to protection, assistance and to live in dignity.¹²⁷ The purpose of this plan is to identify the actions to be taken:</p> <ol style="list-style-type: none"> 1. As part of the preparation of the response, to: <ul style="list-style-type: none"> • strengthen the operational and technical capacities of stakeholders in disaster management by producing, disseminating and popularizing disaster preparedness tools (assessment form, outline of situation report, risk maps); 	<p>National Strategy for Disaster Risk Reduction 2015</p> <p>National Contingency Plan 2017-2018</p>

¹²¹ SNRRC 2015, 84.
¹²² SNRRC 2015, 84.
¹²³ SNRRC 2015, 84.
¹²⁴ SNRRC 2015, 84.
¹²⁵ SNRRC 2015, 96.
¹²⁶ SNRRC 2015, 60.
¹²⁷ National Contingency Plan 2017-2018, 10.

- develop and popularize a disaster communication strategy;
 - identify places of relocation of populations who have lost their homes and means of subsistence;
 - identify storage sites and develop a pre-positioning strategy;
 - identify all the actors and stakeholders of the humanitarian response (national, regional and local authorities, CRCo, NGOs, Civil Societies, private sectors and Armed Forces).¹²⁸
2. As part of the response management, to:
- clarify the relationships/responsibilities between the various State technical services and humanitarian partners;
 - facilitate coordination between all humanitarian actors in order to ensure consistency of sectoral plans and better inter-sectoral assessment from the first days of the crisis;
 - ensure a follow-up of humanitarian operations which allows the timely identification of potential gaps in the response; and
 - reduce response times and the number of human lives lost.¹²⁹

Does it require planning that addresses multiple hazards, and does it also call for inclusiveness of public authorities and other civil society actors in contingency planning?

The National Contingency Plan 2017-2018 aims to address multiple hazards, namely hydrometeorological hazards, geological and geophysical hazards, and epidemiological hazards. As stated above, under the supervision of the DGSC, the National Contingency Plan calls for inclusiveness and the engagement of Ministries, institutions and government departments in charge of disaster management, the United Nations system, the CRCo, civil society actors and national NGOs.

Does it require periodic updates?

The SNRRC notes that the contingency plans do require regular updating.¹³⁰ However, from the documents reviewed, the law does not appear to set out a specific period for updating the contingency plans.

Does it establish linkages between forecast information and climate services in contingency planning?

¹²⁸ National Contingency Plan 2017-2018, 10.
¹²⁹ National Contingency Plan 2017-2018, 10.
¹³⁰ SNRRC 2015, 77.

<p>From the documents reviewed, the law does not appear to establish explicit linkages between forecast information and climate service in contingency planning.</p>	
<p>Does the country's legislation set out procedures and framework for evacuation?</p> <p>The SNRRC outlines the strengths and weaknesses of the institutions directly involved in DRM, and one of the weaknesses of the DGSC noted is the absence of evacuation plans.¹³¹ The National Contingency Plan does not appear to set out a framework for evacuation either.</p> <p>Does DM law require that disaster contingency plans set out comprehensive procedures for evacuation, assigning roles and responsibilities, and does it provide for the evacuation of livestock or domestic animals??</p> <p>From the documents reviewed, laws and plans do not appear to establish a framework and clear procedures for evacuation.</p> <p>Does it require that all endangered people be evacuated without discrimination, that the rights and dignity of evacuated persons be respected in situations of compulsory evacuation?</p> <p>As stated above, limited information could be located online relating to procedures, requirements and principles for evacuation.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>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)?</p> <p>The SNRRC notes that for contingency plans to be effective and operational, these plans require regular simulations.¹³² In fact, some of the strategic activities proposed by the SNRRC to reinforce the action mechanisms of the PNPTRC and the CRCo, and to promote the inclusion of DRM in academic education involve the development of simulation exercises of contingency planning.¹³³</p> <p>However, further details relating to training, such as the standards applicable and the frequency of the trainings, do not appear to be provided in laws and strategies.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>

¹³¹ SNRRC 2015, 27.

¹³² SNRRC 2015, 77.

¹³³ SNRRC 2015, 129-131.

Legal Facilities (Preparedness and Response)	
<p>Treatment and care of the victims (including the dead):</p> <p>Does the law give special attention to procedures for handling large numbers of casualties after a disaster?</p> <p>From the documents reviewed, the law does not appear to provide specific procedures for handling large numbers of casualties after a disaster.</p> <p>Does the law forbid or at least discourage mass burials in such circumstances, does the law require authorities to make best efforts to identify the remains and notify next of kin, and does the law require authorities to take into account cultural and religious rights with respect to the disposal of human remains?</p> <p>Limited information could be located in the documents reviewed in terms of procedures for handling 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>Limited information could be located online relating to volunteering activities and their regulation. From the documents reviewed, including the Labour Code, the Associations Law, as well as DRM laws and strategies in the Comoros, there do not appear to be provisions in place defining the term volunteer and regulating volunteer work in DRM.</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>Limited information could be located online relating to cash programming. From the documents reviewed, laws and policies in the Comoros do not appear to contain special provisions on legal facilities or simplified procedures for cash programming in DRM.</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 Code</p>

<p>The Comoros' Civil Aviation Code does not appear to contain any provisions on drones. Limited information and documents could be located online relating to the use of drones.</p>	
<p>Are appropriate tax exemptions provided to relief providers (government and civil society)? Are tax exemptions available for preparedness actions (eg. prepositioning of stock)?</p> <p>Although disaster preparedness is not mentioned, the Customs Code of 2015 provides in article 332 that by way of derogation from the provisions of this code, the importation free of duties and taxes may be authorized in favour of, among other things, donations or materials and products provided free of charge to the State by foreign States; items intended for ambassadors, diplomatic and consular services and foreign members of certain official international bodies sitting; and items intended for the Red Crescent and other national or international solidarity organizations.¹³⁴</p> <p>The Finances Law 2021, established through Decree n° 20-163/PR, does not add any provisions to the General Customs Code in terms of tax exemptions for the CRCO and other humanitarian actors.</p>	<p>Customs Code 2015</p> <p>Decree n° 20-163/PR, Finances Law 2021</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 Comoros does not appear to have dedicated privacy and data protection legislation.</p> <p>However, Decree n° 14-197/PR establishes the regulations relating to electronic communication. One of the central terms used in the law is “essential requirements”. This is defined as the requirements necessary to guarantee the general interest, the safety of the personnel operating electronic communications networks as well as of the users, the protection of networks and in particular of the exchange of control and management information associated with them, the interoperability of services and terminal equipment and the protection of personal data and, therefore, the proper use of the radioelectric spectrum.¹³⁵ However, the law does not appear to contain any provisions on data privacy that would apply to emergency/disaster settings.</p>	<p>Decree n° 14-197/PR</p>
<p>Are there legal barriers in particular sectoral laws that may inhibit disaster rescue and relief personnel (including volunteers) in emergencies?</p>	

¹³⁴ Customs Code 2015, article 332.

¹³⁵ Decree n° 14-197/PR, article 3.

<p>Generally, sectoral laws in the Comoros do not appear to take into account disaster scenarios. This may result in disaster relief personnel facing some barriers in emergency response, or it may pose challenge in the coordination of relief.</p>	
<p>Are there provisions in the law to ensure that State-operated offices and services essential to the relief be provided are open /operate outside of normal business hours?</p> <p>From the documents reviewed, DRM laws in the Comoros do not appear to contain any provisions outlining the opening hours of state-operated offices and services essential to disaster response.</p>	
<p>Stakeholder Engagement [INCLUSION AND PARTICIPATION]</p>	
<p>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?</p> <p>As stated above, Decree n° 12-181 establishes the PNPTRC as a multisectoral organization, ensuring the engagement of all relevant stakeholders. The National Commission, which constitutes the highest governing body of the PNPTRC, is composed of:</p> <ul style="list-style-type: none"> • the Minister in charge of Civil Security; • a representative of each Ministry; • a representative of the Assembly of the Union; • the Coordinator of the PNPTRC; • a representative of the Gold Staff of the National Development Army; • a representative of the National Police; • a representative of the General Planning Commission; • a representative of each Governor of the islands; • a representative of Development Partners; • the President of the Comoros Red Crescent or his representative; • a representative of the Civil Society; and • a representative of the private sector.¹³⁶ 	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p>

¹³⁶ Decree n° 12/181/PR, article 5.

<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, and are their specific roles and duties clearly assigned?</p> <p>As provided Decree n° 12-181, article 5, representatives of the CRCo, the civil society, and the private sector have a seat at the PNPTRC. Furthermore, the SNRRC identifies academic/scientific institutions as key to DRR. These include the ANACM, the OVK and the University of Comoros in partnership with the National Center for Documentation and Scientific Research (CNDRS).¹³⁷ However, specific roles of the different stakeholders in decision-making processes do not appear to be set out.</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p> <p>National Strategy for Disaster Risk Reduction 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>Although DRM laws and strategies do not explicitly acknowledge the auxiliary role of the CRCo, it received official recognition by the Comoros government in 1985 through Order n° 85-29/MEIAS. Article 1 states that the CRCo constitutes a legal association with legal personality, on the basis of the Geneva Conventions and additional protocols to which the Comoros are parties, is officially recognized and approved as an autonomous voluntary aid society auxiliary to the public authorities, in the sense of article 26 of the First Geneva Convention of 1949.¹³⁸</p>	<p>Order n° 85-29/MEIAS</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>As stated above, the Customs Code provides in article 332 that by way of derogation from the provisions of this code, the importation free of duties and taxes may be authorized in favour of, among other things, items intended for the Red Crescent and other national or international solidarity organizations.¹³⁹ The Comorian Customs Code allows for donations from approved organisations to be imported free of duties and taxes and provides for the introduction of simplified procedures for relief consignments.¹⁴⁰ The Finances Law 2021, established through Decree n° 20-163/PR, does not add any provisions to the General Customs Code in terms of tax exemptions for the CRCo and other humanitarian actors.</p>	<p>Customs Code 2016</p> <p>Decree n° 20-163/PR, Finances Law 2021</p>

¹³⁷ SNRRC 2015, 21-25.

¹³⁸ Order n° 85-29/MEIAS, article 1.

¹³⁹ Customs Code 2015, article 332.

¹⁴⁰ PIROI (n 71) 10, referencing the Union of the Comoros, Customs Code, arts. 1, 155 and 332.

<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> <p>Order n° 85-29/MEIAS provides in article 3 that the National Society shall enjoy financial and administrative autonomy for the purposes of achieving its objectives, in accordance with the fundamental principles of the Red Cross, formulated by the International Conferences of the Red Cross.¹⁴¹ In addition, SNRRC 2015 outlines the main missions of the CRCo, which is seen as a DRM structure like COSEP in that it is perceived as an institutional but not state device fully involved in DRM, thus enjoying independence from the government.</p>	<p>Order n° 85-29/MEIAS</p> <p>National Strategy for Disaster Risk Reduction 2015</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>Limited information could be located online relating to the engagement of especially vulnerable groups in DRM activities. From the documents reviewed, laws and policies in the Comoros do not appear to clearly outline the engagement of women, minorities, people with disabilities, displaced or migrant groups, the elderly, indigenous or youth groups.</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>As stated above, the law does not appear to set out clear guidelines for engagement and representation of especially vulnerable groups in DRM activities and decision-making processes.</p>	
<p>Education/ Training and Awareness</p>	
<p>Is DRM training mandatory in the school curriculum?</p> <p>From the documents reviewed, DRM training does not appear to be mandatory in school curriculum. However, Order n° 85-29/MEIAS states that the PNPRRC shall promote the teaching of prevention and DRR in schools.¹⁴² More specifically, the Training, Education and Awareness Unit will be responsible for building human resource capacities in terms of training related to all aspects of DRM. This unit will also be responsible for promoting the teaching of prevention and DRR in schools.¹⁴³ The proposed composition of the Training, Education and Awareness Unit is:</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p>

¹⁴¹ Order n° 85-29/MEIAS, article 3.
¹⁴² Decree n° 12/181/PR, article 2.
¹⁴³ SNRRC 2015, 65-66.

<ul style="list-style-type: none"> • the DGSC; • the University (including CNDRS and CUPOP); • the Ministry of the Interior; • the Ministry of production (environment and sustainable development); and • the CRCo.¹⁴⁴ 	National Strategy for Disaster Risk Reduction 2015
<p>Is training for public officials and relevant professionals promoted for (i) DRR (iii) Response and Preparedness?</p> <p>The SNRRC states that the Training, Education and Awareness Unit of the PNPTRC will be responsible for, among other things, promoting professional training,¹⁴⁵ but further details are not provided.</p>	National Strategy for Disaster Risk Reduction 2015
<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>The SNRRC states that the distribution of the main missions and responsibilities of the Training, Education and Awareness Unit will be divided into promoting awareness raising, primary and secondary training, university training, scientific research, and professional training.¹⁴⁶ However, further details are not provided.</p>	National Strategy for Disaster Risk Reduction 2015
Protection, Dignity and Safety	
<p>Does the law clearly provide a right to humanitarian assistance based on clear and specific needs?</p> <p>From the documents reviewed, laws and policies in the Comoros do not appear to provide a right to humanitarian assistance based on clear and specific needs. However, strategic axis 3 of the SNRRC, which focuses on the development of knowledge, information, education, and communication systems, has one component dedicated to the systematic assessment of loss, damage and post-disaster needs.¹⁴⁷</p>	National Strategy for Disaster Risk Reduction 2015
<p>Does the DRM law explicitly forbid discrimination in preparation and relief efforts, both by government and other actors?</p>	

¹⁴⁴ SNRRC 2015, 65-66.
¹⁴⁵ SNRRC 2015, 66.
¹⁴⁶ SNRRC 2015, 66.
¹⁴⁷ SNRRC 2015, 135.

<p>From the documents reviewed, laws and policies in the Comoros do not appear to set out non-discriminatory approaches in DRM. The only institutional structure that the SNRRC explicitly refers to as a non-discriminatory actor is the CRCo, responsible for preventing and alleviating human suffering without discrimination, among other things.¹⁴⁸</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>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?</p> <p>Especially vulnerable groups are identified within the framework of the SNRRC, including the poor, disabled, children, women, and pregnant women. One of the components of Strategic Axis 3 of the SNRCC aims to ensure post-disaster damage, loss and needs assessments to reduce vulnerabilities and build the resilience of the communities and, in particular, of the most vulnerable groups. Further details are not provided.</p>	
<p>Unaccompanied children:</p> <p>Are roles/responsibilities clear for ensuring the placement, shelter and aftercare of unaccompanied children in disaster settings?</p> <p>From the documents reviewed, DRM laws and policies in the Comoros do not appear to outline roles and responsibilities for ensuring adequate support and protection for unaccompanied children in disaster settings.</p> <p>Does the DRM law, policy or planning set out specific measures to combat heightened risks of trafficking and child exploitation in post-disaster settings?</p> <p>Law n° 14-034/AU, relating to the fight against child labour and trafficking, aims to define, prevent, and punish all forms of dangerous labour and all kinds of worst forms of child labour as well as the exploitation and treatment of children: it also defines the provisions relating to the care of victims.¹⁴⁹ The Criminal Code 2020 also contains in section 12 provisions on child abduction and substitution, child labour and burial law violations.¹⁵⁰ However, no provisions explicitly relate to child protection in disaster/post-disaster settings.</p>	<p>Law n° 14-034/AU, relating to the fight against child labour and trafficking</p> <p>Law n° 20-038/AU, Criminal Code 2020</p>

¹⁴⁸ SNRRC 2015, 25.

¹⁴⁹ Law n° 14-034/AU, relating to the fight against child labour and trafficking, article 3.

¹⁵⁰ Law n° 20-038/AU, Criminal Code 2020, Section 12.

<p>The SNRRC does not appear to include any references to child protection mechanisms either.</p> <p>Are special protections included in laws about adoptions (particularly international adoptions) in the aftermath of major disasters?</p> <p>The Family Code 2001 governs national adoptions, but does not appear to provide special procedures and protections specifically for adoptions in post-disaster settings. No laws relating to international adoptions could be located for the purposes of this research.</p>	<p>Family Code 2001</p>
<p>Sexual and Gender Based Violence:</p> <p>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?</p> <p>In 2014, the National Assembly of the Comoros adopted the law on violence against women, aimed at preventing and prosecuting GBV.¹⁵¹ However, this document could not be accessed for the purposes of this research.</p> <p>Does the legal framework (DRM framework and laws applicable “in normal time”) provide special measures to guard against and/or sanction sexual and gender violence and how does it apply in disaster circumstances?</p> <p>We could not examine the law against GBV mentioned above as it could not be accessed. Therefore, it is difficult to assert whether or not the law provides special measures to fight against GBV in disaster circumstances. The DRM documents reviewed do not appear to contain any references to GBV either.</p> <p>How do “normal time laws and systems related to GBV” work in times of disasters, are there coordination mechanisms established with DRM system?</p> <p>There are no clear links between the framework for action against GBV and the DRM framework – i.e., it is not clear from a reading of the accessible laws and policies alone how the two systems coordinate to implement measures against GBV in disaster settings. DRM documents do not appear to provide coordination mechanisms to combat GBV, and the law against violence against women could not be accessed for the purposes of this research.</p>	

¹⁵¹ Found at Linfo.re 2015, [Online] Available in: <https://www.linfo.re/ocean-indien/les-comores/670664-comores-promulgation-de-la-loi-contre-les-violences-faites-aux-femmes>

<p>Security:</p> <p>Does the legal framework provide special measures to guard against looting? Are mechanisms in place to assure the safety and security of relief personnel?</p> <p>Limited information could be located online relating to security measures against looting. From the documents reviewed, laws and policies in the Comoros do not appear to contain provisions on specific mechanisms in place to ensure the safety of relief personnel and humanitarian equipment, although criminal law would apply in such circumstances.</p>	
<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)? Does the law and/or policy mandate or facilitate practical measures to reduce the risk of disaster and climate related displacement, explicitly addressing the following points on disaster and climate related internal displacement:</p> <ul style="list-style-type: none"> • protecting communities against displacement; • preparing for unavoidable displacement; • responding to displacement; and • finding durable solutions. <p>Limited information could be located online relating to the support and protection mechanisms for displaced persons in disaster settings. From the documents reviewed, laws and policies in the Comoros do not appear to contain provisions on mobility and displacement, practical measures for reducing displacement, preparedness and response measures for displacement, and sustainable and long-term solutions to displacement.</p> <p>Although not specified in Comorian law, as part of the Red Cross/Red Crescent Movement, the CRCo actively participates in the ICRC Restoring Family Links Network. Thus, the CRCo, in collaboration with the ICRC, helps people look for family members within the Comoros.¹⁵² They try to help when the contact has been lost due to armed conflicts or other situations of violence, natural or man-made disasters, migration processes or in other situations of humanitarian need, when possible. Furthermore, the CRCo</p>	

¹⁵² ICRC, Restoring Family Links, [online] Available in: <https://www.familylinksprep.org/en/pages/countries/comoros.aspx>

helps people in the Comoros look for family members in another country where the contact has been lost due to the reasons mentioned previously.¹⁵³

Are there legal guarantees for the provision of shelter in case of displacement due to disasters, or does it set out alternatives to using schools as shelter or other mechanisms for undertaking necessary relocations?

From the documents available for review, there do not appear to be any clear procedures outlined in laws and policies for the provision of shelter and relocations of displaced persons due to disasters.

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

From the documents reviewed for the purposes of this research, the law does not appear to provide special procedure for support to displaced persons in case of loss of documentation.

Is there equity in the assistance provided to persons with and without land title, and are there procedures in place to take into account legal disputes with regard to land titles and property? Are there preparedness arrangements to reduce legal issues regarding housing, land and property irregularities and disputes?

No information could be found in the documents reviewed relating to assistance and procedures to displaced persons with regard to potential disputes regarding land titles and property.

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?

From the documents reviewed, DRM legislation in the Comoros does not appear to include gender-sensitive needs assessments in shelter planning and construction for displaced communities.

International Assistance

Does your country's legal framework include procedures related to international disaster assistance?

¹⁵³ ICRC, Restoring Family Links, [online] Available in: <https://www.familylinksprep.org/en/pages/countries/comoros.aspx>

<p>Strategic axis 6 of the SNRRC concerns the implementation of the three programmatic components aimed at developing and strengthening regional and international cooperation in issues related to DRR. ¹⁵⁴ It aims in particular to improve both regional and international collaboration in terms of mobilizing aid, sharing information, data, materials and techniques. ¹⁵⁵ On the other hand, the SNRRC also recognizes that the Union of the Comoros is one of the poorest countries, the most vulnerable and highly affected by many disaster risks due to its geographical position in the Indian Ocean. As such, it states that the Comorian government must increase its efforts to renew cooperation with partners and regional and international structures in order to meet these major challenges and be able to align with local, regional and international initiatives. ¹⁵⁶ Through this axis, a system for sharing resources, skills, information, and data is set up at both regional and international level. ¹⁵⁷</p> <p>As stated above, the SNRRC proposes new institutional structures to reinforce the PNPTRC. A specific International Communication and Cooperation Unit will be dedicated to building an exchange bridge between the organs of the platform and external stakeholders. ¹⁵⁸ More specifically, its main prerogatives will be the promotion of cooperation with institutions involved in the prevention and DRR; and the monitoring of the implementation and ownership of the disaster risk reduction strategy of African and Arab countries, the Hyōgo Framework for Action and programs and activities related to CCA, at the national and local levels. ¹⁵⁹ The International Communication and Cooperation Unit will be composed by the DGSC, the Ministry of the Interior and Information, and the Ministry of Foreign Affairs. ¹⁶⁰</p> <p>Although the SNRRC provides a framework for promoting and strengthening regional and international cooperation through its strategic axis 6, there do not appear to be specific procedures in place governing international disaster assistance.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Do relevant sectoral laws contain any provisions related to international disaster assistance?</p> <p>Limited information could be located in sectoral laws relating to international disaster assistance. From the documents reviewed, sectoral laws and policies in the Comoros do not appear to contain provisions on international disaster assistance, except the provisions from the Customs Code mentioned above.</p>	
<p>Do your country's laws and regulations set out a focal point for coordinating international assistance?</p>	

¹⁵⁴ SNRRC 2015, 141.
¹⁵⁵ SNRRC 2015, 141.
¹⁵⁶ SNRRC 2015, 141.
¹⁵⁷ SNRRC 2015, 141.
¹⁵⁸ SNRRC 2015, 66-67.
¹⁵⁹ SNRRC 2015, 66-67.
¹⁶⁰ SNRRC 2015, 66-67.

<p>The documents reviewed do not appear to set out a focal point specifically for coordinating international disaster assistance.</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>From the documents reviewed, laws and policies in the Comoros do not appear to set out clear procedures to ensure efficient coordination of international and domestic efforts.</p>	
<p>Do your country's laws/ regulations outline a process for requesting/ welcoming offers of international disaster assistance and for terminating international assistance?</p> <p>In the Comoros, access to international and national funding is very limited in terms of disaster risk reduction, particularly for prevention and rehabilitation aspects.¹⁶¹</p>	
<p>Do your country's laws and regulations provide for necessary legal facilities to be provided for international assisting actors?</p>	
<p>(i) Landing rights</p> <p>The Civil Aviation Code and its amendments provide the civil aviation regime in the Comoros, applying to all areas of civil aviation in accordance with international conventions, treaties and agreements ratified by the Comoros. However, law does not appear to include specific provisions on the landing rights of international flights carrying humanitarian assistance.</p>	<p>Civil Aviation Code</p>
<p>(ii) customs arrangements</p> <p>The Comorian Customs Code defines relief consignments as goods, including vehicles or other means of transport, foodstuffs, medicines, clothing, blankets, tents, prefabricated houses, water purification or storage equipment or other first-class goods necessary, channelled to help disaster victims.¹⁶² Relief consignments are subject to simplified customs procedures in terms of article 155 of the Customs Code.¹⁶³</p>	<p>Customs Code 2015</p>

¹⁶¹ SNRRC 2015 103.

¹⁶² Customs Code 2015, article 1.

¹⁶³ Customs Code 2015, article 155.

<p>In addition, as stated above, the Customs Code provides in article 332 that by way of derogation from the provisions of this code, the importation free of duties and taxes may be authorized in favour of, among other things, donations or materials and products provided free of charge to the State by foreign States; items intended for ambassadors, diplomatic and consular services and foreign members of certain official international bodies sitting; and items intended for the Red Crescent and other approved national or international solidarity organization for use or distribution free of charge by said organisation or under its control.¹⁶⁴</p> <p>Furthermore, the Customs Code provides that the customs authorities can sign administrative agreements with:</p> <ul style="list-style-type: none"> (a) economic operators; (b) business interest groups; (c) government agencies; (d) other customs administrations; (e) regional organizations; and (f) international organizations.¹⁶⁵ <p>Although it does not explicitly mention international disaster assisting actors, this provision could potentially apply to special ad-hoc agreements between the customs authorities and international and regional organizations providing relief.</p>	
<p>(iii) immigration</p> <p>Law n° 88-025 provides the amendments of Law n° 82-026 relating to the conditions of entry and stay of foreigners in the Comoros. Article 2 states that, in order to be admitted to enter Comorian territory, any foreigner must be in possession of a national passport or travel document in lieu, valid and covered with a Comorian visa. This visa can be:</p> <ul style="list-style-type: none"> • a transit visa allowing a stay of up to five days issued at the airport or port; • a tourist visa, valid for a stay of a maximum duration of forty-five days; • a short-stay visa not exceeding three months and possibly renewable once.¹⁶⁶ 	<p>Law n° 88-025, conditions of entry and stay of foreigners in the Comoros</p>

¹⁶⁴ Customs Code 2015, article 332. See also PIROI, IDRL in the South-West Indian Ocean Islands, page 9.

¹⁶⁵ Customs Code 2015, article 6.

¹⁶⁶ Law n° 88-025, conditions of entry and stay of foreigners in the Comoros, article 2.

<p>The beneficiaries of one of these visas must be in possession of a transport document allowing them to leave Comorian territory at the end of their stay.¹⁶⁷ As per article 3, members of diplomatic and consular missions accredited to the Comoros, holders of diplomatic passports, their wives, their ascendants and their minors, married or not, living under their roof, benefit, for the duration of their stay in the Comoros, from a diplomatic visa.¹⁶⁸ Staff of diplomatic and consular missions who do not hold a diplomatic passport should receive a service visa.¹⁶⁹ Military, civil servants, magistrates, or other agents as well as their spouses and minor children, of foreign nationality, who serve in a Comorian public service or in an organization directly or indirectly attached to the State, must also receive a service visa, by virtue of convention or agreement signed by the Government of the Republic.¹⁷⁰ Personalities visiting or on mission in the Comoros receive a courtesy or diplomatic visa.¹⁷¹</p> <p>Although international humanitarian personnel could potentially be receiving service visas, the Law n° 88-025 and the Labour Code do not appear to provide simplified procedures or expedited processes for visas for foreign relief personnel.</p>	<p>Law n° 84-108, Labour Code</p>
<p>(iv) Registration of international assisting actors</p> <p>From the documents reviewed, laws in the Comoros do not appear to provide specific provisions related to the registration of international assisting actors. However, the laws establishing the contract of associations and in particular associations of public utility as well as foreign associations, provides some guidance on the recognition of foreign associations in the country more generally.</p> <p>Article 3 establishes that, in order to acquire the legal capacity provided for in article 4, associations must be made public by the care of their founders. The declaration will be made to the Prefecture of the association's head office, presenting the title and object of the association, the headquarters of its establishments and the names, professions and residences of those who, in any capacity, are responsible for its administration or direction. Two copies of the statutes will be attached to the declaration.¹⁷² As per article 8, associations can be recognized as being of public utility by presidential decree. These associations can do all acts of civil life that are not prohibited by their statutes, but they cannot own or acquire buildings other than those necessary for the purpose they propose. They can receive donations and bequests under the conditions provided for by Comorian civil laws.¹⁷³</p>	<p>Law n° 86-006, relating to the contract of associations</p>

¹⁶⁷ Law n° 88-025, article 2.

¹⁶⁸ Law n° 88-025, article 3.

¹⁶⁹ Law n° 88-025, article 3.

¹⁷⁰ Law n° 88-025, article 3.

¹⁷¹ Law n° 88-025, article 3.

¹⁷² Law n° 86-006, relating to the contract of associations, article 3.

¹⁷³ Law n° 86-006, article 8.

<p>No foreign association may form or exercise its activity in the Comoros without prior authorization from the Ministry of the Interior. Foreign associations are those which have their headquarters abroad, or which, having their headquarters in the Comoros, are in fact headed by foreigners, or have either foreign directors or at least a quarter of foreign members.¹⁷⁴ Requests for authorization are addressed to the Ministry of the Interior. To be admissible, they must mention the title and object of the association or establishment, the place of their operation, the names, professions, domiciles, and nationality of the foreign members, and of those who, in any capacity whatsoever, are responsible for the administration or management of the association or establishment. The request must be accompanied by the technical opinion of the ministry concerned by the area of activity of the association. Foreigners residing in the Comoros, who are part of the association, must be in a regular situation vis-à-vis immigration rules.¹⁷⁵</p>	
<p>(v) Recognition of professional qualification of foreign personnel</p> <p>Limited information could be located online relating to the recognition of foreign professional qualifications of international disaster assisting personnel in the Comoros. From the documents reviewed, laws and policies in the Comoros do not appear to contain provisions on simplified procedures and requirements for the speedy accreditation of foreign qualifications.</p>	
<p>(vi) Freedom of movement of international assisting actors during a disaster response</p> <p>There do not appear to be any provisions that explicitly facilitate the free movement and access of international assisting actors in the Comoros.</p>	
<p>(vii) Safety and Security of international assisting actors</p> <p>Limited information could be located online relating to the safety of international assisting actors. From the documents reviewed, there do not appear to be laws and policies in the Comoros which explicitly relate to the safety and security of international disaster assistance actors.</p>	
<p>(viii) Additional facilities for international disaster relief</p> <p>There do not appear to be additional facilities related to international disaster relief operations in Comorian law.</p>	

¹⁷⁴ Law n° 86-006, article 9.
¹⁷⁵ Law n° 86-006, article 10.

Please include other applicable information relating to legal facilities here.

Legal facilities under international law

The Comoros subscribes to the monist approach to international law, according to which international agreements automatically become part of domestic law as soon as they are ratified and published. This is provided for in terms of article 12 of the Comoro's Constitution, which states the treaties or agreements regularly ratified have, from their declaration, an authority superior to that of the laws of the Union, with reservations, for each agreement or treaty, of its application by the other party.¹⁷⁶

There are a number of 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 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.¹⁷⁷ 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.¹⁷⁸

In terms of customs, the International Convention on the Simplification and Harmonisation of Customs Procedures (Kyoto Convention),¹⁷⁹ which was adopted in 1973 and revised in 1999, and the Convention on Temporary Admission (Istanbul Convention),¹⁸⁰ 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".¹⁸¹ 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

¹⁷⁶ Comoros' Constitution of 2018, article 12.

¹⁷⁷ 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).

¹⁷⁸ 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.

¹⁷⁹ Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures of 18 May 1973, 26 June 1999.

¹⁸⁰ Convention on Temporary Admission, 26 June 1990.

¹⁸¹ Annexe B.3 to the Kyoto Convention, recommendation 7.

communication equipment for practitioners of various disciplines in support to relief efforts. The measures and exemptions for temporary admission of goods for humanitarian purposes in response to natural disasters and other catastrophes 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.¹⁸² 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.¹⁸³ Much of the customary law in the area of privileges and immunities has been codified in the Vienna Convention on Diplomatic Relations¹⁸⁴ and the Vienna Convention on Consular Relations.¹⁸⁵ However, 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.¹⁸⁶ 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.¹⁸⁷

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.¹⁸⁸

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.¹⁸⁹ In addition, there are a number of

¹⁸² 2007 IDRL Study, 39.

¹⁸³ 2007 IDRL Study, 39.

¹⁸⁴ Vienna Convention on Diplomatic Relations, April 18, 1961, 500 U.N.T.S. 95.

¹⁸⁵ Vienna Convention on Consular Relations, April 24, 1963, 596 U.N.T.S. 261.

¹⁸⁶ 2007 IDRL Study, 40.

¹⁸⁷ 2007 IDRL Study, 40.

¹⁸⁸ UN Safety Convention, articles 7 and 11.

¹⁸⁹ See article 11 of the Convention on the Rights of Persons with Disabilities.

global human rights treaties, such as the International Covenant on Civil and Political Rights¹⁹⁰ and the International Covenant on Economic, Social and Cultural Rights¹⁹¹ 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.¹⁹²

There are also instruments which regulate the management of specific types of disasters or emergencies. For example, the International Health Regulations (the IHR)¹⁹³ 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.¹⁹⁴ A third example is the International Convention on Oil Pollution Preparedness, Response and Cooperation¹⁹⁵ and its Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances¹⁹⁶ 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.¹⁹⁷

In terms of regional instruments, article 23 of the African Charter on the Rights and Welfare of the Child¹⁹⁸ (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.

¹⁹⁰ International Covenant on Civil and Political Rights, 16 December 1966, 999 U.N.T.S. 171.

¹⁹¹ International Covenant on Economic Social and Cultural Rights, 16 December 1966, 999 U.N.T.S. 3.

¹⁹² 2007 IDRL Study, 34.

¹⁹³ World Health Assembly, Revision of the International Health Regulations, Doc. No. WHA58.3 (23 May 2005).

¹⁹⁴ 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.

¹⁹⁵ International Convention on Oil Pollution Preparedness, Response and Cooperation, 30 November 1990, 30 I.L.M. 733 (1990).

¹⁹⁶ Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 15 March 2000.

¹⁹⁷ 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.

¹⁹⁸ African Charter on the Rights and Welfare of the Child, 11 July 1990, OAU Doc. CAB/LEG/24.9/49 (1990).

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

Convention	State party
Tampere Convention¹⁹⁹	No
Chicago Convention²⁰⁰	Yes
Convention on the Facilitation of International Maritime Traffic²⁰¹	No
Annexe B.3 to the Kyoto Convention²⁰²	No
Annexe J-5 to the Kyoto Convention²⁰³	No
Annexe B9 to the Istanbul Convention²⁰⁴	No
Annexe C to the Istanbul Convention²⁰⁵	No
Annexe D to the Istanbul Convention²⁰⁶	No
Vienna Convention on Diplomatic Relations²⁰⁷	Yes
Vienna Convention on Consular Relations²⁰⁸	No
Framework Convention on Civil Defence Assistance²⁰⁹	No
UN Safety Convention and Optional Protocol²¹⁰	No
Convention on the Rights of Persons with Disabilities²¹¹	Yes
IHR²¹²	Yes

¹⁹⁹ 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.

²⁰⁰ Information obtained from ICAO available at <https://www.icao.int/publications/Pages/doc7300.aspx>.

²⁰¹ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280129d04>.

²⁰² Information obtained from the World Customs Organization (WCO) available at http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf_revised_kyoto_conv/Instruments.

²⁰³ Information obtained from the WCO available at http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf_revised_kyoto_conv/Instruments.

²⁰⁴ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

²⁰⁵ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

²⁰⁶ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

²⁰⁷ Information obtained from https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-3&chapter=3&clang=en.

²⁰⁸ Information obtained from the UNTC https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-6&chapter=3.

²⁰⁹ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280086ecb&clang=en>.

²¹⁰ 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.

²¹¹ Information obtained from the UNTC available at https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-15&chapter=4.

²¹² 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 Emergency²¹³	No		
International Convention on Oil Pollution Preparedness, Response and Cooperation²¹⁴	No		
ACRWC²¹⁵	Yes		
Kampala Convention²¹⁶	Signed but has not ratified.		
Do your country's laws and regulations set out quality standards for international assisting actors?			
From the documents reviewed, laws and policies in the Comoros do not appear to provide minimum quality standards for international humanitarian assistance.			
Do your country's laws and regulations set out eligibility requirements for international assisting actors to receive legal facilities?			
From the documents reviewed, there do not appear to be eligibility requirements set specifically for international assisting actors to receive legal facilities in the Comoros.			
Do your country's laws and regulations establish a specialised unit for expediting the entry of international disaster assistance?			
Current laws on DRM in the Comoros do not appear to explicitly set out a consolidated "One Stop Shop" approach to international disaster assistance nor do they establish a specialized unit for expediting the entry of international assistance.			

²¹³ 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.>

²¹⁴ Information obtained from the UNTC <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800aada6>.

²¹⁵ Information obtained from the AU available at <https://au.int/en/treaties/african-charter-rights-and-welfare-child>.

²¹⁶ 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>.

<p>Do your country's laws and regulations provide adequate transparency safeguards and accountability mechanisms governing international disaster assistance?</p> <p>Limited information could be located online relating fraud or misappropriation in disaster relief operations by international assisting actors. From the documents reviewed, laws and policies in the Comoros do not appear to establish mechanisms to prevent unlawful diversion, fraud, or the misappropriation of international emergency funds. However, the SNRRC highlights that the emergency intervention fund (crisis management) can only be used once the government of the union (ministry in charge of civil security) and/or the autonomous island (police in charge of the internal security of the island) will have officially declared the disaster, and recommends that legal texts must be developed to provide for the accounting of the fund.²¹⁷</p> <p>Article 515 of the Criminal Code provides that promising, offering or granting to a foreign public official or to an official of a public international organization, directly or through an intermediary, an undue advantage, for himself or for another person or entity so that he performs or refrains from performing an act in the exercise of his official functions, with a view to obtaining or to retain a market or other undue advantage in connection with international trade activities, is punishable by five years to ten years of imprisonment and a fine of 5,000,000 FC. Anyone having served as an intermediary in the commission of the offenses referred to in this article shall be punished with the same penalties.²¹⁸</p>	<p>National Strategy for Disaster Risk Reduction 2015</p> <p>Law n° 20-038/AU, Criminal Code 2020</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 documents reviewed, laws do not appear to outline a reduction of any restriction on the transit for relief personnel, reduction of export restrictions as well as duties or feed on relief goods and equipment. However, the Customs Code stipulates temporary admission of goods or services in article 239 to 245. This regime allows the use in the customs territory, with total or partial exemption from import duties and without being subject to commercial policy measures, goods intended for re-export, without having undergone any modification, except for their normal depreciation following the use made of them.²¹⁹</p>	<p>Customs Code 2015</p>
<p>4. Recovery</p>	

²¹⁷ SNRRC 2015, 104.

²¹⁸ Law n° 20-038/AU, article 515.

²¹⁹ Customs Code 2015, article 1.

<p>Are there clear institutional mandates that specify the role of each agency, and clarify the responsibilities of the various stakeholders, in the recovery?</p> <p>The SNRRC recognizes that international experience has shown that the post-disaster rehabilitation and recovery phases offer the best opportunities for the introduction of good mitigation practices in the context of developing countries.²²⁰ As stated above, the PNPRRC is responsible for, among other things, facilitating the mobilization of the resources necessary for risk reduction, rehabilitation and development programs and projects after disasters.²²¹ Other actors of relevance in the recovery phase are the DNATHU, involved in the rehabilitation and maintenance of infrastructure;²²² the development department, mainly in charge of reconstruction; the DGSC, responsible for the economic and social recovery; and the resuming of development activities, carried out by all the DRM actors presented throughout this mapping.²²³</p>	<p>Decree n° 12/181/PR, establishing the National Platform for Prevention and Disaster Risk Reduction</p> <p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Is early involvement of line ministries provided for?</p> <p>From the documents reviewed, the involvement of line Ministries in initial recovery operations, and specifically of the Ministry of Interior in charge of civil security, appears to mainly be focused on facilitating resource mobilisation for rehabilitation programmes.²²⁴ Therefore, the role of other line ministries in early recovery does not appear to be laid out in the law, only their representation in the DRM bodies listed above.</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>
<p>Are authorities and mandates for recovery from local to national clear?</p> <p>Mandates for recovery, from the local to the national level, do not appear to be clearly outlined in the DRM laws and policies reviewed for the purpose of this mapping.</p>	
<p>Is community participation mandated in recovery decision making?</p> <p>Community engagement does not appear to be explicitly mandated in recovery decision making in terms of the documents reviewed.</p>	

²²⁰ SNRRC 2015, 45.

²²¹ Decree n° 12/181/PR, article 2.

²²² SNRRC 2015, 28.

²²³ SNRRC 2015, 72.

²²⁴ SNRRC 2015, 150.

5. Liability and Accountability	
<p>Are there public reporting or parliamentary oversight mechanisms for government agencies tasked with DRM, DRR, Response and Recovery established and is such information made publicly available, and is there a role for the judiciary in enhancing accountability for DRM?</p>	
<p>Limited information could be located online relating to oversight mechanisms for government DRM agencies and their individual responsibilities. From the documents reviewed, there do not appear to be any mechanisms in place to enhance accountability in DRM. In fact, the SNRRC provides key recommendations for such mechanisms to be adopted and implemented efficiently as presented in the provisions below.</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>The only relevant provision with respect to legal and administrative sanctions are set out in article 189 of the Comorian Criminal Code which provides in article 189 that in the event of fire, cyclones, earthquakes, invasion of locusts, grasshoppers, millet-eaters, or other harmful animals and in general, in the event of calamities or public threats, endangering the life and property of all or a fraction of the citizens, any person on the scene, called for help or requested by the administrative authorities, is required to lend their assistance to the public authorities in combating it.²²⁵</p> <p>Those who without valid reason, refuse or neglect to lend the assistance to which they will be required, will be punished by imprisonment of fifteen days to three months and a fine of 20,000 to 300,000 Comorian francs, or one of these two sentences only. In the event of a repeat offense, the prison sentence will be mandatory and the fine will be doubled.²²⁶</p>	<p>Law n° 20-038/AU, Criminal Code 2020</p>
<p>Are rights relevant to DRM established, including the right to disaster information, and enforcement mechanisms provided?</p>	
<p>From the documents reviewed, laws in the Comoros do not appear to clearly establish rights relevant to DRM.</p>	
<p>Are there incentives for compliance with laws and regulations for DRM (i) DRR and (ii) Response and Preparedness, and Recovery?</p>	

²²⁵ Law n° 20-038/AU, article 189.

²²⁶ Law n° 20-038/AU, article 189.

There do not appear to be any incentives for compliance with laws and regulations for DRM included in the documents reviewed.	
<p>Does the law provide liability protections to disaster rescue and relief personnel (including volunteers), governments, National Societies and civil society organisations?</p> <p>There do not appear to be any clear procedures in domestic law for ensuring liability protections for volunteers, the CRCo and civil society organizations.</p>	
<p>Are mechanisms in place to prevent unlawful diversion, misappropriation, or fraud concerning disaster relief operations?</p> <p>As stated above, the SNRRC highlights that the emergency intervention fund (crisis management) can only be used once the government of the union (ministry in charge of civil security) and/or the autonomous island (police in charge of the internal security of the island) will have officially declared the disaster. However, the SNRRC notes that laws must be developed and must mandate that accounting procedures with respect to the fund must be kept at all levels of management to ensure that expenditure is actual and carried out efficiently and that account control systems are also in place.²²⁷</p> <p>The Criminal Code provides in terms of article 513 that it is a crime for a person holding public authority, charged with a public service mission or invested with a public elective mandate, to solicit or approve, without right directly or by an intermediary, offers, promises, gifts or advantages whatsoever to accomplish or refrain from performing an act of his function, mission or mandate, or facilitated by his function, mission or mandate.²²⁸</p> <p>As per article 515, it is also a crime to offer or grant to a foreign public official or to an official of a public international organization, directly or through an intermediary, an undue advantage, for himself or for another person or entity so that he performs or refrains from performing an act in the exercise of his official functions, with a view to obtaining or to retain a market or other undue advantage in connection with international trade activities.²²⁹</p>	<p>National Strategy for Disaster Risk Reduction 2015</p> <p>Law n° 20-038/AU, Criminal Code 2020</p>
6. Public Health Emergencies	
<p>What are the main laws, policies and plans which govern preparedness and response to public health emergencies?</p>	

²²⁷ SNRRC 2015, 104.

²²⁸ Law n° 20-038/AU, article 513.

²²⁹ Law n° 20-038/AU, article 515.

<p>Law n° 95-013 establishes the Comorian Public Health Code for social action and the wellbeing of the population, providing clear definitions of the different public health emergencies (PHEs), identifying the key actors involved in the fight against epidemics and endemics, and procedures for action in the event of a PHE, among other things.</p> <p>Furthermore, the National Health Policy (PNS) 2015-2014 was developed with the aim of improving the state of health of the Comorian population through an efficient and equitable health system by a) ensuring universal access to comprehensive, promotional, preventive, and curative health care and services; b) strengthening governance, leadership and partnership; and c) improving the management of health system resources.²³⁰ However, the PNS does not contain much information on a framework for action for PHEs.</p> <p>Finally, Arrêté N°12-029/MSSCSPG/CAB provides the creation, missions, composition and organization of the National Committee and Island Committees for the Management and Coordination of Emergencies and Disasters in the health sector. However, this document could not be accessed online for the purpose of this research.</p>	<p>Law n° 95-013, Public Health Code</p> <p>National Health Policy 2015-2024</p>
<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 stated above, the SNRRC provides that the General Directorate of Health (DGS) is a public institution responsible for designing, planning, coordinating and monitoring the execution of action programs and projects under its remit.²³¹ The SNRRC also mentions that the 2011 health framework law clearly stipulates management's commitment to preventing and combating natural disasters. By this law, a national committee for the fight against natural disasters (CNLCN) for the health sector under the DGS is set up. This committee is responsible for:</p> <ul style="list-style-type: none"> • organizing and supervise all curative, preventive and promotional activities specially designed to improve family health; • contributing to the training of the personnel necessary for these activities; • developing regulations on health control measures, epidemic control, hygiene and sanitation and monitor their application; • organizing and supervising the surveillance, control and treatment of endemic and epidemic diseases; and 	<p>National Strategy for Disaster Risk Reduction 2015</p>

²³⁰ National Health Policy (PNS) 2015-2024, 23-24.

²³¹ SNRRC 2015, 24.

<ul style="list-style-type: none"> • planning, coordinating and monitoring the implementation of socio-health actions.²³² <p>The SNRRC notes that the DGS has certain weaknesses in the field - works actively with the DGSC but it does not seem to be successful in collecting data; the existing data mainly concern epidemics.²³³ However, their contribution in response and coordination remains significant, their expertise and professional skills remain remarkable but require that they be strengthened.²³⁴</p> <p>Other activities carried out by the DGS include contributing to the training of the personnel; developing regulations on health control measures, epidemic control, hygiene and sanitation and monitoring their application; and organizing and supervising the surveillance, control and treatment of endemic and epidemic diseases.²³⁵</p> <p>In addition, the SNRRC states that the CERRC will be responsible for the surveillance and production of early warning bulletins relating to the hazards that threaten the country, in particular those of epidemiological origin, among others.²³⁶</p> <p>Lastly, SNRCC notes that one of the missions of CRCo includes working in the fight against epidemics.²³⁷</p>	
<p>Is there a coordination mechanism for the actors that are involved in responding to public health emergencies and, if so, which actors are included in the coordination mechanism? Who has overall command and control for the response?</p> <p>In terms of coordination, the SNRRC states that the DGS under the Ministry of Health is responsible for collecting and processing epidemiological information. This information is collected at the level of each district and goes back to the focal points at the island level, then to the DGS. It is at this level that the data collected is analysed by the surveillance service of the Epidemiological Disease Control Directorate. In the event of an epidemiological threat, the Minister of Health is informed to trigger the alert.²³⁸</p> <p>However, a few issues in the functioning of the surveillance system have been flagged, including a lack of human and material resources.²³⁹ On the one hand, the staff is very limited and lacks sufficient training, and on the other hand, the financial resources</p>	<p>National Strategy for Disaster Risk Reduction 2015</p>

²³² SNRRC 2015, 24.
²³³ SNRRC 2015, 24.
²³⁴ SNRRC 2015, 24.
²³⁵ SNRRC 2015, 24.
²³⁶ SNRRC 2015, 63.
²³⁷ SNRRC 2015, 25.
²³⁸ SNRRC 2015, 83.
²³⁹ SNRRC 2015, 83.

<p>are lacking.²⁴⁰ It should also be noted that due to lack of specialized and equipped laboratories, many analyses are done outside the country. The lack of financial resources is also reflected in the absence of the necessary logistics, such as places for packaging equipment and products. Another point that handicaps this situation more is the lack of means of communication and information transfer.²⁴¹</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?) 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>Although some DRM actors are also involved in the surveillance and management of PHEs, as stated above, thus establishing some links between PHEs and DRM, the legal framework for the management PHEs appears to be codified in the Public Health Code, and there do not appear to be clear links to DRM in the Public Health Code.</p>	

²⁴⁰ SNRRC 2015, 83.

²⁴¹ SNRRC 2015, 83.