



# DISASTER RECOVERY IN SIERRA LEONE

*A Legal and Policy Survey*

**+CIFRC**

*Disaster Law*

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# Executive summary

The legal, policy and institutional framework applicable to disaster recovery in Sierra Leone has several strengths. Overall, however, the provisions on disaster recovery within the existing (or accessible) legal and policy framework are relatively limited in terms of their scope and level of detail, resulting in significant gaps in the regulation of disaster recovery in the country. Key informant interviews conducted for this report revealed that, in practice, achieving sustainable, long-term recovery is a significant challenge in Sierra Leone, with disaster risk management (DRM) in the country still being largely focussed on disaster response, and partners and resources for disaster recovery being scarce. This makes the transition from the response phase to the recovery phase and achieving sustainable recovery a significant challenge.

It should be noted that detailed and comprehensive disaster recovery plans which canvas many of the topics included in this study have been developed in response to specific disasters in Sierra Leone, such as the Landslide and Floods Early Recovery and Risk Management Action Plan (the Recovery Action Plan) and the Landslide Response Framework (the Framework) developed following the 2017 landslide. However, there are no standing regulations, policies or plans dedicated to recovery. The starting point to supporting greater attention to disaster recovery in Sierra Leone may be the strengthening of the legal and policy framework for disaster recovery in the country through the development of an overarching national recovery instrument, which could take the form of regulations, a policy and/or a plan. Such regulations, policy or plan need to be aligned with and build on the National Disaster Management Agency Act, existing DRM policy documents, and existing sectoral laws and policies (for example, building codes and laws relating to land use and planning and environmental management) to ensure a cohesive disaster recovery framework. They should set out the following:

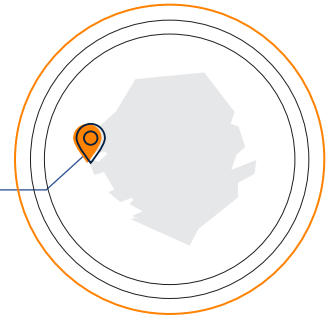
- specific recovery interventions to address the most common disasters experienced in the country and achieve sustainable recovery, based on the “build back better” principle;
- roles and responsibilities of government actors at all levels and across various sectors as well as all relevant stakeholders (including but not limited to Sierra Leone Red Cross Society, NGOs, CSOs, communities, individuals, the private sector and development partners), as well as coordination mechanisms for recovery interventions;
- financing mechanisms to ensure the availability of sufficient funding in disaster recovery (for short-, medium- and long-term interventions) at all levels;
- a strategy for ensuring the continuity of essential services to those affected by the disaster and the expeditious repair and reconstruction of housing and infrastructure to be resilient to future climate and disaster risks;
- measures to address cross cutting issues in disaster recovery such as the protection of vulnerable groups and the protection of the environment in recovery operations;
- arrangements for the regular monitoring and assessment of recovery operations; and
- avenues to promote coherence and strengthen linkages between disaster recovery, disaster risk reduction, climate change adaptation and sustainable development.

The development of comprehensive recovery regulations or a comprehensive recovery plan alone will, however, not ensure its implementation. While this report comprehensively maps the legal, policy and institutional framework for disaster recovery in Sierra Leone — including both the general framework and the Recovery Action Plan and Framework adopted to guide recovery from the 2017 landslide — it generally does not evaluate the extent to which the applicable instruments are implemented because

information about implementation is not readily available. Nevertheless, interviews with key informants indicated that, in general, achieving long-term, sustainable recovery in Sierra Leone is a significant challenge. Strengthening the implementation of DRM laws and policies through increasing domestic capacities and financial resources is therefore equally important.

Comprehensive laws, policies and plans on disaster recovery are the starting point to promoting successful implementation. For example, setting clear roles and responsibilities for DRM actors across all levels and sectors of government as well as other DRM stakeholders can enhance the coordination and implementation of recovery activities in practice. Linked to this, adopting an all-of-society approach to disaster recovery and prioritising stakeholder engagement, including vulnerable groups, in disaster recovery decision making processes, planning and activities (including the development of laws and policies) can promote the buy-in of all stakeholders and enhance implementation. Setting out clear reporting mechanisms, as well as establishing legal and administrative sanctions for public officials, individuals, and businesses for a gross failure to fulfil their duties are also important to promoting implementation.

Therefore, to support better implementation, the recovery plan or regulations proposed above should be developed with the participation of all DRM stakeholders to ensure their support and buy-in and be accompanied by a dissemination and training strategy to ensure that all stakeholders are aware of and capacitated to fulfil their roles and responsibilities. Finally, dedicated recovery financing is vital to the effective implementation of sustainable recovery interventions. Regardless of how comprehensive and detailed legislation and policies may be, weaknesses in funding mechanisms can significantly curtail their implementation. Therefore, avenues to secure sufficient funding for sustainable recovery processes should be explored within recovery planning processes.



# 1. Introduction

## 1.1 Background



This report forms part of an ongoing research project on Law and Disaster Recovery and Reconstruction conducted by [IFRC Disaster Law](#). The first phase of the project included the publication of a [Literature Review on Law and Disaster Recovery and Reconstruction](#) in 2020. In the second phase of the project, IFRC Disaster Law is conducting country-level mappings on law and disaster recovery across the globe. This research will ultimately support the development of a Checklist on Law and Comprehensive Disaster Risk

Management (DRM) which will consolidate the existing guidance documents developed by IFRC Disaster Law and address all phases of DRM.

In line with the mission of IFRC Disaster Law in providing technical support to governments and National Societies on the development and enhancement of climate-smart, comprehensive and integrated DRM legal and policy frameworks, the purpose of this study is to identify key elements related to disaster recovery in the DRM legal and policy framework of Sierra Leone and provide a set of recommendations for the improvement of domestic legislation with respect to disaster recovery in the country.

A wide range of themes and issues have been selected for the purpose of this study, including: the legal and institutional arrangements for disaster recovery; financial mechanisms relevant to disaster recovery; planning, monitoring and assessment mechanisms; the reconstruction of infrastructure; the protection of vulnerable groups; and fraud or corruption in the management of funds and resources in disaster recovery efforts. In addition, the landslide and flooding which occurred in April 2017 in Freetown have been used as a case study weaved throughout this report. This has been done to gain a better understanding of how law and policy influenced the recovery and reconstruction processes in the country in practice. The 2017 landslide was selected as it constituted one of the most significant disasters that the country has faced in recent years, while also having occurred long-enough ago to make it possible to evaluate how the legal and policy system influenced both the recovery and reconstruction processes. Given that significant legislative developments have taken place in Sierra Leone after the 2017 landslide, this study includes a review of both the legal and policy framework in place at the time of the landslide, as well as the legislation and policies developed afterwards.

This case study was undertaken through desktop research of the legal and policy framework in Sierra Leone, which was complimented by a series of interviews with the key informants listed in the acknowledgements at the start of this report. Although the inclusion of relevant legal provisions has been done as comprehensively and attentively as possible, gaps or discrepancies may exist. Therefore, the interviews conducted have been key in providing added value to the study through a perspective of disaster recovery in practice, contributing to the development of a set of recommendations based on previous experiences in Sierra Leone. Wherever possible, these experiences have been included throughout this study. Key informants include Sierra Leone Red Cross Society (SLRCS) staff as well as National Disaster Management Agency officials that are experienced in DRM and that participated in the response and recovery to the 2017 landslide.

## 1.2 Sierra Leone disaster risk profile



Located in West Africa, Sierra Leone is bordered on the north and east by Guinea, Liberia on the south, and the Atlantic Ocean on the west. Sierra Leone has a tropical climate characterised by high temperatures year-round and two distinct seasons: the dry season, from December to April, and the rainy season from May to November, which brings torrential rain from the African monsoon.<sup>1</sup>

Due to its geography and climate, Sierra Leone is vulnerable to several natural hazards including floods, landslides, tropical storms, coastal erosion, and droughts which cause loss of lives and livelihoods and have severe economic impacts.<sup>2</sup> The negative impact of these hazards is projected to increase as a result of climate change and underlying socioeconomic factors such as increased urbanisation, poverty, and low levels of economic development.<sup>3</sup>

Historically, public health emergencies such as the Ebola outbreak of 2014–2016 and the current COVID-19 pandemic have placed further strain on the coping capacity of Sierra Leone as a country.<sup>4</sup> Epidemics and other health-related risks in the aftermath of disasters are also a key concern — between 1980 and 2010, epidemics were the deadliest hazard in Sierra Leone, responsible for 83% of the total number of deaths due to disasters.<sup>5</sup>

## 1.3 The 2017 landslide and flooding



Following three days of intense rainfall, a mountain valley side slope below Sugar Loaf, the highest peak in the north of the Western Area Peninsula, collapsed into the Babadorie River Valley on 14 August 2017 and caused a major landslide that devastated several areas in and around the capital city of Freetown.<sup>6</sup> Witness reports suggest that the landslide occurred in two stages: in the first stage, the lower part of the slope slid into the valley; approximately ten minutes later, the upper part of the slope slipped into the same valley.<sup>7</sup>

The two-stage collapse, and particularly the second, comprising a mix of clayey soil and boulders of up to 40 cubic meters, had tremendous energy and momentum.<sup>8</sup> Residents reported a large “tidal wave” of material advancing down the river channel immediately after the landslide as the debris pushed flood water in front of it.<sup>9</sup>

The landslide and subsequent debris flow caused major destruction to infrastructure, including buildings, bridges, schools, and health facilities in the Regent, Malama/Kamayama, Juba/Kaningo, and Lumley areas, along with a wide range of social, economic, and environmental damages.<sup>10</sup> In addition to the landslide, flooding in areas outside the landslide zone affected 55 per cent of the households in the Culvert and Dwazark neighborhoods of Freetown on the same day.<sup>11</sup> Approximately 6,000 people were affected by the disaster, including 1,141 persons who were reported either dead or missing.<sup>12</sup>

A joint study conducted by UNDP and Sierra Leone’s Environmental Protection Agency concluded that the landslide was caused by a combination of: unusually high rainfall (the monsoon rains of the rainy season were more frequent and more intense than normal); slope instability resulting from geological conditions prevailing in the area combined with changes in the land use, which weakened soil stability; and other social factors caused by human intervention in the area, such as population growth which pushed the Freetown population to change forested areas to become settlements.<sup>13</sup> Gaps in the regulation and enforcement of DRM and land use planning in the country were also identified as factors that contributed to the overall cause of the landslide.<sup>14</sup>

While this case study is focused on the main Regent landslide, four other known landslides took place in the Regent, Goderich and Tacugama areas on the same day, which resulted in deforestation but did not result in the loss of life or damage to buildings or infrastructure.<sup>15</sup>



## 2. Key themes and issues in disaster recovery

### 2.1 Legal and institutional arrangements



At the time of the 2017 landslide, DRM in Sierra Leone was primarily regulated by the National Security and Central Intelligence Act of 2002 (NSCI Act). The NSCI Act established the National Security Council (NSC) as the highest forum for the consideration and determination of matters relating to the security of Sierra Leone. The NSC is comprised of: the President, as Chairman; the Vice-President, as Deputy Chairman; the Minister of Finance; the Minister of Foreign Affairs; the Minister of Internal Affairs; the Minister of Information and Broadcasting; the Deputy Minister of Defence; the Minister of State for Presidential Affairs; the Inspector-General of Police; the Chief of Defence Staff; and the National Security Co-ordinator (who also serves as Secretary).<sup>16</sup>

Persons may also be invited to the deliberations of the NSC by the President after consultations with the NSC.<sup>17</sup> The NSCI Act also makes provision for the establishment of Provincial and District level security and intelligence committees.<sup>18</sup>

However, the NSCI Act is not focussed specifically on the regulation of DRM. Rather, it was developed to provide for the internal and external security of Sierra Leone more generally. This is evidenced very clearly by the fact that the term “disaster” is not defined and is in fact only referenced once in section 18, which assigns the Office of National Security (ONS), as the secretariat of the NSC, as responsible for coordinating the management of disasters in Sierra Leone.<sup>19</sup> The term “recovery” is similarly not defined, nor mentioned, in the NSCI Act.

Following the establishment of the ONS in 2002, the Disaster Management Department (DMD) was established within the ONS in 2004 to strengthen DRM capacities in the country.<sup>20</sup> Once established, the DMD held the central responsibility for coordinating and managing disasters in Sierra Leone, endorsing a holistic approach to DRM in its activities, which included recovery from disasters.<sup>21</sup> In addition to coordinating DRM with different stakeholders at various levels, the DMD was responsible for promoting the integration of DRM into sustainable development programs and developing policies and plans to guide DRM in the country.<sup>22</sup> To this end, a Disaster Management Policy and National Disaster Management Preparedness Plan were prepared in 2006 (the 2006 Policy and the 2006 NDMPP). A new DRM Policy and National Disaster Preparedness, Response and Recovery Plan were developed in 2021 (the 2021 Policy and 2021 NDPRRP). However, the 2021 Policy was not available for review for the purposes of this study. A Multi-City Hazard Review and Risk Assessment was also published in 2018. The 2017 landslide and flooding took place during this risk assessment, and therefore informed its development.<sup>23</sup>

The 2006 Policy contained several provisions on disaster recovery. For example it provided that the objective of the government in the recovery phase was to direct efforts to improve the economic and social consequences of the disaster.<sup>24</sup> It also set out key activities in the post disaster phase such as: undertaking detailed multi-sector assessments prior to commencing reconstruction and rehabilitation activities; providing assistance to restore affected houses; and undertaking need-based relocations in terms of which local authorities, in consultation with the people affected and under the guidance of the DMD, would determine relocation needs taking into account criteria relevant to the nature of the disaster and the extent of damage.<sup>25</sup>

The 2006 Policy also set out roles and responsibilities with respect to disaster recovery, and provided that the NSC Coordinating Group for Disasters was responsible for approving the release of “disaster funds” from the Ministry of Finance to the concerned government departments and agencies for the implementation of rehabilitation and post-disaster reconstruction purposes. Together with the ONS, the NSC Coordinating Group for Disasters was responsible to facilitate and monitor reconstruction and rehabilitation efforts of various government departments and other implementation agencies in terms of project timelines, processes, funds, deployment and benefits to the affected community.<sup>26</sup> The 2006 Policy tasked government departments, local authorities and other non-governmental agencies with conducting detailed damage assessments and carrying out the reconstruction and rehabilitation activities, in accordance with the policies and guidelines specified by the Government.<sup>27</sup> The private sector, community groups and voluntary agencies (including NGOs) were also tasked with roles and responsibilities in the 2006 Policy, including to provide fair estimates of damage assessment to relevant authorities and provide feedback in terms of their priorities and concerns for work related to rehabilitation and reconstruction, participating in the post-disaster activities, in co-ordination with the government and in alignment with the overall policies and guidelines developed by the ONS, and co-operating in providing feedback regarding progress and outcomes of rehabilitation and reconstruction projects undertaken in their vicinity.<sup>28</sup> Finally, with respect to educational institutions, the 2006 Policy provided that the government would make efforts to incorporate disaster management into the curriculum of educational institutions at all levels through the appropriate ministry.<sup>29</sup>

The 2006 NDMPP also recognised recovery as a priority of DRM. Recovery efforts in the 2006 NDMPP included:

- long-term reconstruction of public infrastructure and social services damaged by the disaster;
- re-establishment of adequate housing to replace that which has been destroyed;
- restoration of jobs that were lost; and
- restoration of the economic base of the disaster area(s) through the National Commission for Social Action (NaCSA) (a government agency which augments the work of social sector Ministries and Agencies and local authorities in delivering social services to deprived and remote communities across the country)<sup>30</sup> in collaboration with other stakeholders.<sup>31</sup>

In terms of roles and responsibilities, the 2006 NDMPP assigned NaCSA as being accountable to the DMD in the ONS on all reconstruction activities, and with establishing links with stakeholders from government, NGOs, communities, UN agencies and the public sector, to ensure effective communication and coordination.<sup>32</sup> The 2006 NDMPP also assigned roles and responsibilities for disaster recovery. Central government was required to: take the lead in all reconstruction activities; provide staff and equipment and administer national disaster assistance programmes; support national and local public information outreach efforts; coordinate with various stakeholders regarding the solicitation and management of donated resources and volunteer labour; and coordinate with various stakeholders to promptly resolve recovery issues.<sup>33</sup> Local government was mandated to: participate in and support damage assessment operations; provide relevant data regarding the severity of the disaster and assessment of individual needs; participate in and support public information and education programmes regarding recovery efforts and available central government assistance; coordinate with the central government officials regarding location of reconstruction office and sites for other coordinated assistance locations; and support central government recovery efforts.<sup>34</sup> The role of NGOs and UN agencies were included as: participating in joint assessments; supporting government efforts in reconstruction processes; and providing technical support to reconstruction and recovery efforts.<sup>35</sup> Finally, the private sector was tasked with assisting recovery efforts by: providing technical support; taking responsibility for the reconstruction of their damaged infrastructure and equipment; and donating financial support to reconstruction efforts.<sup>36</sup>

In practice, Sierra Leone leverages a National Emergency Coordination Pillar System during national disasters, which has been noted as a successful approach for the coordination of disaster management in the country.<sup>37</sup> The pillar system meets once a month to coordinate, and more frequently in the event of a disaster. For example, in the aftermath of the 2017 landslide, a national emergency was declared, and the Government of Sierra Leone initiated its emergency response mechanism, under the leadership of the ONS. A command centre was established around Regent district, the epicentre of the landslide, to ensure optimal coordination of efforts. The ONS organised the response into 10 pillars headed by the sector-specific ministry to ensure coordination for the disaster assessment, emergency response and recovery: Coordination (led by the ONS), Logistics (led by the Republic of Sierra Leone Armed Forces), Food and Nutrition (led by the Sierra Leone Ministry of Agriculture, Forestry and Food Security), Security and Safety (led by the Sierra Leone Police), Registration (led by Sierra Leone Ministry of Social Welfare, Gender and Children's Affairs), Shelter (led by the NaCSA and the Ministry of Lands, Country Planning and Environment), Health and Burial (led by the Sierra Leone Ministry of Health and Sanitation), Social Mobilisation and Communication (led by the Sierra Leone Ministry of Information and Communication), Protection and Psychosocial (led by the Sierra Leone Ministry of Social Welfare, Gender and Children's Affairs), and WASH (led by the Sierra Leone Ministry of Water Resources).<sup>38</sup> Coordination meetings between the pillars were held twice a day, to allow for updates and reports, which were gradually scaled back as the response transitioned into recovery.

In the context of the landslide, the Government of Sierra Leone requested the World Bank to conduct a joint rapid Damage and Loss Assessment (DaLA), together with the government and partners.<sup>39</sup> The objective of the DaLA was to estimate damages and losses from the landslide and to make preliminary estimations for mobilising funds and commencing recovery.<sup>40</sup> The DaLA covered various sectors (real estate and urban development, transport, electricity and telecommunications, water and sanitation, health, education and social protection) as well as cross-cutting areas (the environment, solid waste management, gender considerations and DRM), and made preliminary recommendations for immediate, medium-, and long-term needs and interventions for each.<sup>41</sup>

Drawing from the DaLA, in November 2017 the United Nations together with the Government of Sierra Leone developed the August 2017 Landslide and Floods Early Recovery and Risk Management Action Plan (the Recovery Action Plan).<sup>42</sup> The Recovery Action Plan presents short-to-medium term recovery and risk management interventions by sector prioritised to be implemented over a six-month period, but also has long-term interventions presented separately that require additional resources for their implementation. Also in November 2017, the Government of Sierra Leone developed a Landslide Response Framework (the Framework) to guide the government and development partners to undertake the delivery of needs-based interventions, in order to recover from the landslide and inform the long-term planning of DRM strategies across the country.<sup>43</sup> The Framework focusses on the medium to long-term recovery phases (for the nine months following the three months immediately after the landslide and thereafter another two years). The Framework builds upon the DaLA, setting out a summary of the impact of the landslide, the recovery needs, interventions, and government considerations for each sector. The Framework also contains feedback on the interventions proposed by the DaLA in the short, medium, and long term, and therefore largely reflects the interventions proposed in the DaLA. Therefore, this study focusses on the interventions as set out in the Framework, rather than the DaLA.

The DaLA, Recovery Action Plan, and Framework all incorporate the build-back better (BBB) principle as a central guiding principle of recovery. The BBB principle is defined in the Recovery Action Plan as:

*“the reconstruction approach designed to reduce vulnerability and improve living conditions, while promoting more effective reconstruction taking account of future risks from natural hazards (climate-related and geological). BBB underlies the policy commitment to improve the resilience of critical infrastructure. The BBB principle will mean, for example, that roads, bridges and public*

*buildings will be rebuilt to a higher construction standard. Similarly, in agriculture BBB will mean that agriculture projects are climate resilient to climate and weather related risks such as floods through innovative floods mitigation strategies.”<sup>44</sup>*

Another principle included within the Recovery Action Plan is inclusivity, which means integrating civil society, the private sector, communities, gender issues, and social inclusion into recovery efforts and programmes, with the understanding that empowering vulnerable groups (including women, youth, and people with disabilities) is a critical ingredient for building resilience, as these groups are often the pillars and foundation of community resilience at the local level.<sup>45</sup> To this end, the Recovery Action Plan states that the government will work with public and private agencies and will closely coordinate with key members and leaders of the affected communities to determine the most appropriate support.<sup>46</sup> Building resilient communities and institutions is another principle under the Recovery Action Plan, which entails working at the ground level to provide basic first-responder training to community groups through the creation of a network of community leaders who are involved in the early warning system and implementation of evacuation plans along with basic first aid and search and rescue sensitisation.<sup>47</sup>

Collaboration and coordination are also principles of the Recovery Action Plan, which states that the ONS, in collaboration with the Ministry of Finance and Economic Development (MoFED) supported by the UN system, donors, civil society, the private sector, communities and individuals, are crucial to achieving the recovery quickly and effectively.<sup>48</sup> The Framework notes that the short-term response (i.e. 15 August – 15 November 2017) were coordinated by the leadership of ONS, while the medium- and long-term phases would be coordinated by the MoFED. The Framework further comprehensively sets out early recovery interventions by sector, including infrastructure, housing and settlements, WASH, health and nutrition, education, food security and livelihoods, protection and psychosocial support, environmental protection, DRM and HIV/AIDS, and assigns lead and supporting agencies for each activity.<sup>49</sup>

The DaLA outlined that in all sectors, there existed a key gap in technical capacities to define, design and deliver, and maintain basic needs and services to the population, which was amplified in disaster settings.<sup>50</sup> The DaLA therefore recommended the development of a strongly focused and central technical capacity within the government to underpin and anchor much of the planning, design, and implementation of recovery projects that would be required.<sup>51</sup> It further proposed that in the short term this could be achieved through the creation of a project management office (PMO) within the ONS, but in the longer term the specific technical capacities would need to be harnessed institutionally so that they are integrated effectively into a national resilient infrastructure plan.<sup>52</sup> The DaLA also highlighted that the landslide revealed the need for a paradigm shift in Sierra Leone from a reactive development approach to one which prioritises the prevention of risk.<sup>53</sup> The DaLA further acknowledged that this would require “the development of policies and an enabling legislative framework and procedures for action by different institutions endorsed by representative stakeholders: central government, local government, private sector and civil society organisations that interface with the communities” as well as the review and operationalisation of the 2006 Policy and the 2006 NDMPP and their integration into the development plans and operations of government entities, both at central and local levels.<sup>54</sup> Therefore, one of the key recommendations of the DaLA for resilient recovery in the medium to long term was to strengthen the DRM legal, institutional, and operational framework and tools.<sup>55</sup> The Recovery Action Plan also states that integrating resilience into the legal and policy framework and institutions to build a more resilient Sierra Leone is part of the principle of building resilient communities and institutions,<sup>56</sup> and that part of this involves reviewing DRM legislation and policies and strengthening institutional capabilities of the DRM multi-sectoral system.<sup>57</sup>

To this end, in June 2020 Parliament approved the National Disaster Management Agency Act (NDMA Act) which sets out the institutional architecture to manage disasters and emergencies from the national to

the chiefdom level. The NDMA Act does not repeal the NSCI Act, which, as stated above, is not focussed specifically on the regulation of DRM but was developed to address internal and external security of Sierra Leone more generally (i.e., not only disasters but threats such as politically motivated violence, espionage, or sabotage).<sup>58</sup> Therefore, ONS and NSC continue to exist to manage these threats. However, the NDMA Act has effectively superseded the NSCI Act in terms of the regulation of DRM.

The NDMA Act establishes the NDMA as the body responsible for the management of disasters throughout the country and for developing the capacities of communities to respond effectively to disasters, effectively superseding the DMD.<sup>59</sup> The NDMA was officially launched on 19 November 2020 by the President of Sierra Leone and is fully responsible for managing disasters and disaster risks in Sierra Leone.<sup>60</sup> In addition to the NDMA, the NDMA Act also establishes a multisectoral body called the National Platform for Disaster Risk Reduction (the Platform) as the governing body of the NDMA, responsible for the control and supervision of the NDMA, including providing policy guidance and advice to the NDMA.<sup>61</sup> The Platform is chaired by the Vice President, and comprises 33 representatives, including representatives from various ministries, departments, agencies, civil society, and the SLRCS.<sup>62</sup> The Platform meets during a disaster or for the administration of their business at the time and place considered appropriate by the chairperson.<sup>63</sup> The NDMA Act also establishes the NDMA Secretariat to provide technical and other support to the Agency and the Platform, headed by a Director General.<sup>64</sup> The NDMA Act further elaborates on regional and district coordination, making provision for NDMA offices to be established in each of the administrative regions of Sierra Leone as well as in districts and chiefdoms, and establishing regional, district and chiefdom DRM committees, which include representatives from civil society and the SLRCS.<sup>65</sup> The regional, district and chiefdom DRM committees meet at least once a month during a disaster or for the administration of their business.<sup>66</sup>

The NDMA Act has few provisions on disaster recovery specifically. While the term is not defined, the term “disaster management” is defined as “a continuous and integrated multi-sectoral, multi-disciplinary process of planning and implementation of measures aimed at:

- a. preventing or reducing the risk of disasters;
- b. mitigating the severity or consequences of disasters;
- c. emergency preparedness;
- d. a rapid and effective response to disasters;
- e. post-disaster recovery, rehabilitation, reconstruction, and resettlement.”<sup>67</sup>

This definition clearly encompasses the recovery phase. In addition, both the Platform and the NDMA are tasked with responsibilities related to recovery. One of the functions of the Platform is to ensure that there are appropriate and adequate facilities for rehabilitation, reconstruction and recovery in the event of a disaster.<sup>68</sup> The NDMA is responsible for implementing government policy and plans on DRM and to coordinate response and reconstruction efforts of local and international actors.<sup>69</sup> While the NDMA is clearly the focal point agency for disaster recovery in Sierra Leone, the NDMA Act does not establish a dedicated department for disaster recovery. It does, however, make provision more generally for the Platform to establish departments within the NDMA, at the national, regional, district and chiefdom levels, as it may consider necessary for the effective performance of the functions of the Agency.<sup>70</sup> The final provision directly relevant to recovery in the NDMA Act is section 27, which provides that if a national emergency has been declared, the President has the power to issue regulations or directives on the facilitation of response and post-disaster recovery and rehabilitation.<sup>71</sup>

Despite the multi-sectoral nature of the Platform and DRM committees established by the NDMA Act, specific roles and responsibilities of other actors in recovery are not set out. More generally, however, the NDMA Act makes provision for collaboration between the NDMA and NGOs in the mitigation or

management of particular disasters.<sup>72</sup> In addition, where a state of emergency has been declared, the President has the power to make regulations or issue directives on the release of state or private resources for the management of the disaster, including the release of personnel from both public and private institutions to render emergency services and on the facilitation of response and post-disaster recovery and rehabilitation.<sup>73</sup>

Finally, although the 2021 NDPRRP is focussed on preparedness and response, it contains several provisions on disaster recovery. As a starting point, recovery is defined as the “restoring or improving of livelihoods and health, as well as economic, physical, social, cultural and environmental assets, systems and activities, of a disaster-affected community or society, aligning with the principles of sustainable development and ‘build back better’/ ‘build to last’ to avoid or reduce future disaster risk.”<sup>74</sup> Section 4 of the 2021 NDPRRP is dedicated to recovery, which provides that post-disaster recovery involves three broad aspects:

- physical recovery, meaning restoration and reconstruction of damaged community infrastructure, critical infrastructure, private houses, and cultural heritage buildings;
- economic recovery, relating to restoration of livelihoods, productive activities, and market services; and
- social recovery, meaning recovery of the social and psychological aspects of personal, family and community wellbeing.<sup>75</sup>

Recovery activities are listed in the 2021 NDPRRP to include: damage and needs assessments; developing a recovery framework including institutional arrangements and a financing plan; measures to ensure socially inclusive recovery, sustainable development and climate change adaptation (CCA); demolition of damaged structures, debris clearance, removal and its environmentally safe disposal; restoration and upgrading utilities including communication networks; re-establishment of major transport links; temporary housing and detailed building inspections; redevelopment planning; environmental assessments; reconstruction; integrating disaster risk reduction (DRR) into various development initiatives; and financial management and economic impact analysis.<sup>76</sup>

The BBB principle is a major focus of the 2021 NDPRRP, which sets out six key steps of the recovery process, many of which relate to BBB:

- undertaking Post-Disaster Needs Assessments and Credible Damage Assessments;
- developing a vision for BBB;
- ensuring coherence of BBB with development programs and goals;
- incorporating resilience and BBB in the recovery vision;
- balancing recovery across sectors; and
- prioritising sectors for recovery.<sup>77</sup>

Disaster recovery is noted to include three stages in the 2021 NDPRRP: early recovery, consisting of cash for work, resumption of markets, commerce and trade, restoration of social services and transitional and temporary shelters; mid-term recovery (within five years and concurrent with early recovery), consisting of recovery plans for assets and livelihoods, and reconstruction plans for housing, infrastructure, public buildings and cultural heritage buildings; and long-term recovery (within 10 years), which is to be implemented along with developmental plans, infrastructure strengthening, environmental, urban and regional planning.<sup>78</sup>

The 2021 NDPRRP also notes the following are of key importance in ensuring successful recovery: institutional arrangements which clearly define roles and responsibilities across national, district and local levels; coordination between stakeholders including government, international agencies, the private sector and civil society organisations; Public-Private Partnerships (PPP); information and communication technology; a Decision Support System (DSS) and a pool of expertise with professional skills in diverse areas.<sup>79</sup>

Despite these provisions, key informants noted that disaster recovery continues to be a challenge in Sierra Leone and that there should be more focus on planning for disaster recovery. While coordination of the response to the 2017 landslide was noted as successful, the transition to recovery was challenging, with many supporting partners reportedly becoming dormant in the recovery phase. One of the partners seen as a leader in disaster recovery is the SLRCS, which supports both disaster response and recovery. In the context of the response to the 2017 landslide the SLRCS supported response efforts through: the provision of food and non-food items, including hygiene materials; community engagement and public awareness campaigns; and the provision of psychosocial support. In the context of the recovery, it provided continued psychosocial support, gathering data, engaging with communities, and monitoring and assessing community resilience.

## 2.2 Financing and financial support



Key informants noted that recovery funding continues to be a challenge in Sierra Leone, with the focus of resources still being on disaster response and funding for recovery being difficult to come by.

The 2021 NDPRRP sets out the policy for fund mobilisation for recovery, noting that reconstruction and rehabilitation projects are usually highly resource intensive.<sup>80</sup> Historically, the Government of Sierra Leone has had to rely on international partners and donors to fund disaster response and recovery.<sup>81</sup>

However, in recent years the government has committed to strengthen its disaster financing capacities, including through investing in ex-ante financing arrangements rather than relying on post-disaster financing mechanisms.<sup>82</sup> The 2021 NDPRRP lists several domestic or internal sources of government funds for recovery as:

- government operational and capital budgets;
- reallocation among the budget items to disaster-hit sectors;
- special levies or taxes for recovery;
- contingency financing arrangements;
- issuing sovereign reconstruction or development bonds;
- introducing policy incentives for the private sector to share recovery costs;
- voluntary contributions from civil society and private philanthropy; and
- insurance/risk transfer mechanisms.<sup>83</sup>

Indeed, the Government Budget and Statement of Economic and Financial Policies for the 2022 financial year recognises that it is crucial to consolidate programmes and intensify budget implementation to address food insecurity and to strengthen systems to adapt and respond to climate change and natural disasters.<sup>84</sup> Exceptionally, the state budget can also be increased in the event of a disaster.<sup>85</sup> Another

mechanism used to fund disaster response and recovery in Sierra Leone is shock responsive social protection, which was also used as a mechanism in the 2017 landslide response. A multi-purpose cash transfer was provided to households severely affected by the landslide through three main interventions: (i) a UNICEF/NaCSA-led intervention supported about 1,900 households; (ii) a Red Cross-managed intervention supported a further 1,000 households; and (iii) a final ONS-led round of support for about 200 households.<sup>86</sup> The Ministry of Finance played an important role in the management of disaster relief and recovery funding in the context of the 2017 landslide, for example opening a dedicated account to manage the funding, which was managed by a fiduciary agent.

The NDMA Act provides for the establishment of a specialised National DRM Fund (the Fund) which will receive contributions from: (a) monies appropriated for the NDMA by Parliament; (b) grants, donations, and other voluntary contributions to the Fund; and (c) other monies that may in any manner become lawfully payable to the NDMA.<sup>87</sup> The objective of the Fund is to “provide finances for the development and operation of disaster prevention, disaster risk reduction, climate change risk reduction and other disaster management programmes” and its funds can be applied to “finance emergency relief for disaster victims including such other disaster prevention and disaster risk reduction activities as may be determined by the Platform”.<sup>88</sup> While recovery interventions could be included as “other disaster management programmes,” the NDMA Act does not explicitly provide for the use of the Fund for recovery interventions. In addition, the Fund does not appear to have been operationalised at the time of this research.

Access to funding through the Contingencies Fund, Special Warrants of the President and the Consolidated Fund,<sup>89</sup> and poverty-related budget provisions to the NaCSA, which often partially originate from donor funding, have also been recognised as funding avenues for DRM in Sierra Leone.<sup>90</sup> Dedicated funds can also be established on an ad hoc basis. For example, in response to the landslide in 2017, the ONS established a disaster relief fund to centralise the funds received from donors and citizens in one location to ensure accountability and efficiency of scarce funds.<sup>91</sup>

The 2021 NDPRRP also lists the following external resources for recovery which can be sourced from multilateral development banks, regional development banks, bilateral development partners, international NGOs, private philanthropy and charities, and remittances:

- credits or loans from multilateral development banks;
- reallocation of existing portfolio of international development institutions;
- multi-donor trust funds;
- debt relief;
- risk insurance;
- standby financing; and
- Catastrophe Deferred Drawdown Option (see below).<sup>92</sup>

With regards to contingent credit, Sierra Leone does not currently have a contingent credit line but the government is in discussions with the World Bank about a potential Development Policy Credit with a Catastrophe Deferred Drawdown Option which would allow quick access to financial resources in an event of significant emergency provided certain conditions are met.<sup>93</sup> With respect to insurance, while Sierra Leone is a Member State of African Risk Capacity (ARC), a risk pool which offers governments insurance for certain disasters, it is not actively buying any of the ARC's products.<sup>94</sup> More generally, the insurance market in Sierra Leone is underdeveloped and the insurance penetration rate is low.<sup>95</sup>



## 2.3 Assessment, planning, monitoring and evaluation



The NSCI Act does not require post-disaster needs assessments (PDNA) to be conducted following a disaster, but the 2006 NDMPP provided that as part of the disaster response, joint assessments were to be carried out by the Provincial/District Disaster Management Committee and related agencies such as NGOs, community leaders, volunteers, government auxiliaries and UN agencies. The joint assessments were required to cover: the location of the target group; the sex and age distribution; the total target population; number of household heads; number of dependants; immediate damage and loss; number of disabled persons; needs of the victims; and identification of storage facilities for use by the community.<sup>96</sup> The 2006 NDMPP also provided for damage assessments to be carried out as part of the reconstruction phase, to be initiated by the relevant Disaster Management Committee and District Council within the area and to include: the boundaries of the disaster; access points to the disaster area; the status of critical facilities, the transport, communication, medical and utility systems, and security in the area; disaster casualty information; shelter and mass care information; major resource needs shortfalls; and information on humanitarian organisations within the area.<sup>97</sup> The 2006 NDMPP provided further guidance that when assessing damage to individual homes, information on the extent of damage in terms of both human and material terms was to be recorded, and when assessing damage to public facilities, the following was to be recorded: damage to roads and bridges; damage to water control facilities such as drainage systems; damage to public buildings and equipment; damage to public utilities; damage to parks and recreational sites; and the cost to clear debris as well as the cost of personnel, materials and equipment to respond to the emergency.<sup>98</sup>

The 2006 Policy also included details on PDNA, and provided that following the preliminary assessment carried out during the emergency phase, a detailed assessment was to be conducted before the commencement of reconstruction and rehabilitation activities. Government departments and local authorities were tasked with initiating detailed inter-agency assessments at their respective levels for damages sustained in housing, services, infrastructure, agriculture, health and education assets in the affected regions, carrying out the relevant activities and reporting various parameters related to the progress and outcome of the projects undertaken by them.<sup>99</sup>

With respect to recovery plans, monitoring and evaluation, the 2006 Policy recognised that the effectiveness of recovery activities is based on detailed planning and careful monitoring of the relevant projects to ensure their timely execution, in accordance with the technical specifications and contractual requirements, and to the satisfaction of the beneficiaries.<sup>100</sup> Therefore, the government was mandated with approving reconstruction and rehabilitation projects and, in conjunction with relevant Departments, overseeing and monitoring reconstruction and rehabilitation work undertaken by various government agencies as well as other implementing agencies.<sup>101</sup> The private sector, community groups and voluntary agencies were also recognised as having roles to play, such as providing fair estimates of damage assessments to their relevant authorities, providing feedback in terms of their priorities and concerns related to rehabilitation and reconstruction, participating in post-disaster activities, in co-ordination with the Government, and co-operating in providing feedback regarding the progress and outcomes of rehabilitation and reconstruction projects undertaken in their vicinity.<sup>102</sup>

Needs assessments and recovery plans have been developed in respect of disasters which have occurred in Sierra Leone. As stated above, following the 2017 landslide, the Government of Sierra Leone, requested the World Bank to conduct a joint rapid damage and loss assessment, together with the government and partners.<sup>103</sup> The objective of the DaLA was to estimate damages and losses from the landslide and to make preliminary estimations for mobilising funds and commencing recovery.<sup>104</sup> As

stated above, the DaLA covered various sectors (real estate and urban development, transport, electricity and telecommunications, water and sanitation, health, education and social protection) as well as cross-cutting areas (the environment, solid waste management, gender considerations and DRM), and made preliminary recommendations for immediate, medium-, and long-term needs for each.<sup>105</sup> Thereafter, in November 2017 the United Nations together with the Government of Sierra Leone developed the Recovery Action Plan in November 2017 as well, which presents short-to-medium term recovery and risk management interventions by sector prioritised to be implemented over a six-month period, as well as long-term interventions.<sup>106</sup> The Recovery Action Plan proposes the establishment of a technical design and review process to “underpin the planning and prioritisation of investments and apply build back better principles across all sectors for the reconstruction phase” as part of the planning and preparation of recovery interventions.<sup>107</sup> The Recovery Action Plan also provides for the monitoring and evaluation of the Plan itself, and sets out a monitoring and evaluation results matrix.<sup>108</sup> The Recovery Action Plan further acknowledges that its success is dependent on the adoption of effective arrangements for implementation and monitoring, and that while the overall responsibility for its implementation falls upon the government, bilateral donor agencies, the UN system, international organisations, civil society and the private sector will support its implementation.<sup>109</sup> Therefore, each UN Agency in collaboration with their government sector leads will be responsible for planning and implementation of their respective sector recovery plan interventions including preparing progress monitoring and reporting through the ONS/MoFED coordination forum, and each sector will be responsible for ensuring inclusive participation of all relevant stakeholders/partners, including that when applicable, committees at the community level will be employed to monitor implementation of recovery activities.<sup>110</sup> Also in November 2017, the government developed the Framework which provides a summary of the impact of the landslide, an overview of the damages and losses from the landslide, a brief summary of the government’s immediate response to the landslide, a summary of needs per sector and the government’s considerations for each sector, a table of interventions per sector (providing feedback on the interventions proposed in the DaLA), an explanation of the Government’s medium- and long-term recovery strategy, and details of the financing and implementation of the Framework.<sup>111</sup>

With respect to the DRM instruments developed after the landslide, the NDMA Act does not mandate detailed PDNAs, but several provisions are indirectly relevant. The NDMA Act provides that the NDMA acts as the first line of response in the event of a disaster and coordinates response and reconstruction efforts of both local and foreign actors (which could potentially include the development of PDNAs), and that following a disaster, the relevant regional disaster management committee must inform the Platform of the disaster and of its initial assessment of its magnitude and severity.<sup>112</sup> In terms of planning monitoring and evaluation, the NDMA Act provides for the development of DRM plans by each DRM committee, but not for the development of recovery plans specifically. Similarly, the NDMA is responsible for monitoring and evaluating the development and operation of DRM programmes in respect of NDM funds used generally.<sup>113</sup> There are also general obligations on NGOs who collaborate with the NDMA in DRM activities to submit a report to the NDMA Secretariat of the outcome of the intervention and assistance of the NGO to manage or mitigate the disaster.<sup>114</sup>

The 2021 NDPRRP also stresses the importance of PDNAs in recovery, stating that following a disaster, a PDNA must be undertaken by the government (either at national level or through collaboration with the district government, depending on the disaster).<sup>115</sup> The 2021 NDPRRP further provides that “a systematic PDNA will provide a credible basis for recovery and reconstruction planning that incorporates risk reduction measures” and also serves as a platform for the international community to assist in recovery, when required.<sup>116</sup> The PDNA typically comprises three components: a “Damage and Loss Assessment,” a “Human Recovery Needs Assessment,” (HRNA) and a “Recovery Framework”, which are described as follows:

*“The DaLA is quantitative in nature which can be used to value damages arising from a hazardous event, and the subsequent economic losses caused by the event. The DALA highlights the possible consequences on the growth of the economy, the external sector, and the fiscal balances, as well as the impact due to decline of income and livelihoods of households or individuals. The HRNA focuses on the social impact of disasters, analysing how disasters affect local patterns of life, social structures and institutions. A HRNA includes analysis of primary data from household or other units of analysis and provides insight into the recovery and reconstruction from the viewpoint of the affected community. The Recovery Framework summarizes the recovery recommendations from the sectoral assessments within the PDNA. It outlines the short, medium and long-term priorities for the recovery including plans for financing BBB.”<sup>117</sup>*

## 2.4 Reconstruction and repair of housing and infrastructure



The physical recovery of infrastructure is an essential element to the restoration of livelihoods and basic services. Therefore, reconstruction and repair of housing and infrastructure are among the main post-disaster recovery activities conducted by the government, communities, and individuals.

The NSCI Act does not address the reconstruction or repair of housing and infrastructure following a disaster, but the reconstruction of public infrastructure, social services and housing were listed as priorities of recovery in terms of the 2006 NDMPP.<sup>118</sup> The 2006 NDMPP provided that the Government of Sierra Leone would work with local government, the private sector and development partners to prioritise the repair of critical infrastructure following a disaster.<sup>119</sup> However, it did not explicitly provide for measures to expedite reconstruction. The 2006 Policy similarly provided that key activities in the recovery phase included an assessment of damage to housing and infrastructure, and undertaking needs based relocation of persons affected by a disaster.<sup>120</sup> The 2006 Policy also provided for the relocation of persons living in disaster prone areas to safer areas as a DRR measure.<sup>121</sup> While details are not provided, the 2006 Policy stated that a policy for providing assistance to restore damaged housing would be developed by the government.<sup>122</sup> Importantly, the 2006 Policy recognised improved development planning and action as an imperative to reduce disaster risks and achieve sustainable growth,<sup>123</sup> and provided that reconstruction and rehabilitation work would be overseen by the government which would ensure that it takes into account the overall development plans for the state.<sup>124</sup>

With regards to sectoral laws, building and planning is currently regulated predominantly by: the Town and Country Planning Act (Cap 81 of the Laws of Sierra Leone), as amended; the Freetown Improvement Act, as amended and its Rules; and the Freetown Improvement (Extension) Act. The Town and Country Planning Act is the principal legislation that provides for town and country planning (land use planning) in Sierra Leone. However, its provisions have rarely been used in recent times, with its usage being mainly limited to the declaration of “Planning Areas” and the appointment of “Planning Committees”.<sup>125</sup> The Freetown Improvement Act, as amended (FIA) and its Rules, form the basic “development control” tool for land use and building construction in Freetown, providing standards relating to the use of land, buildings and building materials.<sup>126</sup> The Freetown Improvement (Extension Act) extends the provisions of the FIA to other areas outside the city of Freetown within the first, second and third urban areas.<sup>127</sup> Despite their coverage being limited geographically to Freetown and other declared urban areas, the FIA and Rules are used as building guidelines all over the country.<sup>128</sup> It should be noted that the FIA and Rules are the only pieces of legislation described above that could be accessed for the purposes of this research. While the FIA and Rules do not contain any provisions directly related to disaster recovery, they do contain standards relating to DRR. For example, there are standards aimed to ensure building stability and reduce the risk of fires and flooding.<sup>129</sup> There are also penalties for non-compliance.<sup>130</sup>

However, it has been noted the FIA and Rules are outdated, poorly enforced, and that some of the building standards contained therein are unattainable for many in the country.<sup>131</sup>

While DRM and sectoral laws and policies contain limited information on the reconstruction of housing and infrastructure following a disaster, the 2017 landslide-specific frameworks contain far more detailed information in this respect. As a starting point, it is important to reiterate that the DaLA, the Recovery Action Plan and the Framework all incorporate and underline the importance of the BBB principle as a central guiding principle of recovery from the landslide. The BBB principle, in the context of the landslide recovery, includes designing recovery interventions that reduce vulnerability (taking account both present and future disaster and climate risks) and improve living conditions as well as the resilience of critical infrastructure (e.g., building roads, bridges and public buildings to a higher construction standard).<sup>132</sup>

The DaLA described the damage to housing and infrastructure in various sectors caused by the landslide in detail, noting that prior to the disaster, the city had already been struggling to cope with a population three times what it was built to serve and the aging of infrastructure which had largely not been replaced since the 1960s.<sup>133</sup> A total of 901 buildings (residential, mixed-use, public, and commercial) were affected by the landslide and floods; accessibility to the area was lost due to the collapse of several bridges and damage to roads; and areas across the city experienced power outages from damaged transformers, substations, voltage poles, meters, power lines and conductors.<sup>134</sup> Furthermore, the already heavily strained WASH and health sectors were put under further pressure through damage to infrastructure.<sup>135</sup> Broadly, the DaLA highlighted that mapping and delineating high risk and no build zones, the development of a comprehensive plan to manage and reduce risk in risk prone areas, as well as the development of master transport and drainage plans for the city (which incorporate the BBB principle) were required.<sup>136</sup> The DaLA also identified numerous concrete short-, medium- and long-term recovery needs in each of these sectors and proposed several interventions to address them, including the development of new tools for land redevelopment such as voluntary land swaps from risk areas to safe areas, targeted rental support for affected households, possible integration of rent-to-own options for housing in mixed use developments, the development of financing models for interventions that could attract private finance, and the relocation and/or repair of buildings as well as roads, bridges and drainage infrastructure to be able to better withstand floods, to name a few.<sup>137</sup>

The Recovery Action Plan also sets out how recovery in the infrastructure sector can be achieved, which includes: operationalising the central technical capacity (mentioned above) with the aim to combine and consolidate all existing technical capacities within Sierra Leone into one cohesive structure for the design, planning, prioritisation and execution of the Recovery Plan; stabilising the slope prior to the next rainfall season; and restoring connectivity to the affected areas through the building of modular bridges which incorporate the BBB principle.<sup>138</sup> Specific interventions also include developing maps of high risk and no build zones and master plans for transport and drainage.<sup>139</sup> Importantly, disaster resilience and environmental stability are included as cross-cutting issues to be integrated within all recovery interventions in the infrastructure sector.<sup>140</sup>

With respect to housing, and similar to the Framework, the Recovery Action Plan notes that in addition to the city's topography and proximity to waterways, rapid development, deforestation, construction in high-risk areas and the use of unsafe construction techniques, combined with fragmented governance systems, exacerbated exposure to vulnerability.<sup>141</sup> Therefore, the objective for recovery in the housing sector is to contribute to disaster resilience, build back safer housing and provide social services to new settlements.<sup>142</sup> Recovery needs are identified as: providing temporary shelter for at least six months for the most vulnerable (which should be linked with other sectors such as health and psychosocial support, education, WASH, food security and livelihoods); training of masons, artisans and unemployed youths on disaster resilient and cost effective construction techniques using local resources (which will support livelihoods); and the creation of a new community with social services outside Freetown.<sup>143</sup>

Specific interventions to address these needs include supporting affected populations to afford rental costs through cash transfers and providing temporary shelter with access to health and education facilities nearby until permanent housing is provided (which must also have access to social services) in accordance with the build back safer principle.<sup>144</sup>

The Recovery Action Plan also identifies the lack of implementation of laws, including those relating to land use planning, building and construction, and environmental and protected area management as a factor which is increasing disaster risks.<sup>145</sup> Objectives in the area of DRM therefore include, amongst others, streamlining national legislation to protect natural resources and improving implementation and enforcement of legislation in land use, land use planning, nature protection and housing construction.<sup>146</sup> Key actions in the short term include the rehabilitation and reforestation of degraded habitats in disaster prone zones and the stabilisation of the slope and mudslide affected areas. Key actions in the medium term include: the enforcement of legislation relating to construction, forestry, and protected areas; developing a resilient recovery framework for housing based on final multi-hazard risk assessment; including simple household-level waste management in recovery projects (especially recycling); including good practices in urban and peri-urban gardening in recovery projects to protect soil from erosion; and awareness raising activities on constructing housing in disaster free areas.<sup>147</sup>

The Recovery Action Plan proposes that each recovery intervention be complemented by communication activities intended to foster cooperation and positive behaviour change. It includes key messages aimed to prevent communities from building homes in high-risk zones, which includes messaging on the negative impacts of building in high-risk areas, housing related causes of risk and disasters, and the existence and enforcement of housing and development legislation, codes, and standards. There are also key messages aimed to engage communities in agricultural activity to improve land stability, to engage in recycling both as a risk management measure and as a means of income generation, and to counter deforestation with tree-planting.<sup>148</sup>

The Framework also covers recovery in the housing and infrastructure sectors. It states that in the housing sector, the impact of the landslide was compounded by a lack of building code enforcement, lack of enforcement in the delimitation of high-risk areas as “No Build Zones”, and the sprawl of unregulated informal settlements throughout the city.<sup>149</sup> Therefore, while the critical priority in the short and medium term is to provide low-cost, safe housing to affected citizens, recovery efforts need to be undertaken with a long-term vision for building back better under standardised building codes and in safe locations that minimise future risks.<sup>150</sup> The Framework sets out numerous interventions in this sector, including in the short term: site preparation, land planning and surveying, and the registration of land documents and title deeds.<sup>151</sup> In the medium term, interventions include retrofitting partially damaged buildings which are structurally sound, building new communities and relocating affected persons, and demarcating high and medium hazard zones to raise awareness.<sup>152</sup> Long-term interventions include, amongst others, developing resilient building codes and a spatial strategy based on risk assessments and multi-risk maps, improving existing infrastructure to build urban resilience, constructing green infrastructure for disaster mitigation at household and neighbourhood level, enforcing and implementing stringent processes to acquire land and construction permits, preparing a National Housing Policy for real estate development, enhancing land tenure through a functioning land cadastre and registry, establishing a functioning public land inventory, reviewing and validating the property tax database and land value maps for the affected areas, and leveraging private financing to innovate and increase the affordable and safe rental housing market.<sup>153</sup> Similarly in the transportation, electricity and telecommunications, WASH, and health sectors, the Framework stresses that the critical priorities are to restore bridge connectivity prior to the next rainy season and ensure continued access to safe drinking water, sanitation and healthcare for those affected by the landslide.

Despite the significant recognition of the BBB principle and the emphasis on behavioural change found in recovery policy documents, interviews with key informants revealed significant challenges in this area, and the BBB principle was noted as an element of recovery that should be afforded greater attention in practice. For example, in the context of the 2017 landslide, temporary shelters were provided in the relief phase. While cash transfers were provided to persons staying in the camps to support them to move on with their lives and were noted as an element of the disaster response that worked well, the amount provided was noted as not being sufficient to rebuild a house, and only fifty-two permanent houses were built (by the private sector) for the most vulnerable persons affected by the landslide. Those who were not provided permanent housing in some instances moved to similarly dangerous areas. Therefore, a significant behavioural change and the BBB principle following the landslide could not be seen in the context of housing. Issues with respect to the management of new resources were also identified — for example, solar powered boreholes were constructed in some communities affected by the landslide, but communities were not able to, nor taught, how to manage these structures, leading to them being abandoned and not used.

With regards to the DRM legislation developed after the landslide, the NDMA Act does not reference measures to expedite the reconstruction and repair of housing and infrastructure after a disaster. It does, however, state that one of the functions of the National Platform is to ensure that there are appropriate and adequate facilities for rehabilitation, reconstruction and recovery in the event of a disaster.<sup>154</sup> It is interesting to note that, more generally, the NDMA Act gives officers of the NDMA the power to demolish buildings or structures which have been assessed by a certified planner as being in an unauthorised or hazardous location.<sup>155</sup> The 2021 NDPRRP recognises physical aspects of recovery (the restoration and reconstruction of damaged community infrastructure, critical infrastructure, private houses and cultural heritage buildings) as being one of the three key aspects of effective disaster recovery.<sup>156</sup> While not providing further detail, the 2021 NDPRRP also includes several recovery actions relating to the repair and reconstruction of infrastructure, such as: the demolition of damaged structures; debris clearance, removal and its environmentally safe disposal; restoration and upgrading of utilities including communication networks; re-establishment of major transport linkages; temporary housing and detailed building inspections; redevelopment planning; environmental assessments; reconstruction; and integrating DRR into various development initiatives.<sup>157</sup>

## 2.5 Psychosocial support



Neither the NSCI Act nor the NDMA Act make provision for mental health and psychosocial support for communities affected by disaster. The 2006 NDMPP acknowledged that disasters can have a negative psychological impact on survivors,<sup>158</sup> and included the counselling of traumatised persons as a topic of public education on disasters and as a topic of training for a national body of trainers who would in turn train individuals at district, regional and community levels.<sup>159</sup> Counselling was also recognised as a relief measure to be taken during disaster response.<sup>160</sup> The 2021 NDPRRP recognises social recovery (the social and psychological aspects of personal, family and community well-being) as one of three key aspects to effective recovery.<sup>161</sup>

The need for psychosocial support was recognised in the DaLA<sup>162</sup> and was included as part of the pillar system adopted by the government to address recovery from the 2017 landslide, led by the Ministry of Social Welfare, Gender and Children's Affairs.<sup>163</sup> Psychosocial support is also included in the Recovery Action Plan which acknowledges the need to develop follow up and referral mechanisms for those who may require continued psychosocial support.<sup>164</sup> The cross-cutting nature of psychosocial support is also recognised in the Recovery Action Plan which states that coordination across multiple sectors is

required.<sup>165</sup> The Framework also acknowledges that many survivors suffered psychosocial impacts from the landslide, that by their nature are more dynamic and challenging to quantify, and that psychosocial support mechanisms need to become mainstreamed and integrated as part of access to professional health care.<sup>166</sup> Ensuring quality mental health services is included as a short-term recovery activity and providing psychosocial support as well as capacity strengthening in psychosocial support for vulnerable populations are included as medium- to long-term activities in the Framework, covering one to three years.<sup>167</sup> Psychosocial support was indeed provided as part of the response and recovery efforts to the landslide by both government agencies as well as partners, including the SLRCS, which provided psychosocial support on a long-term basis.

## 2.6 Education



Neither the NSCI Act, NDMA Act, 2006 Policy, 2006 NDMPP or 2021 NDRRP directly address the need for schooling to resume as soon as possible following a disaster. The 2006 Policy did, however, provide that the primary objective of the reconstruction and rehabilitation phase was to ensure the speedy return to normalcy and mitigation of long-term consequences of the disaster, and that a key activity in this regard was assessing damages sustained in educational assets in the affected regions.<sup>168</sup>

Although the 2017 landslide occurred during school holidays, the DaLA found that fifty-nine schools were affected by the landslide and six schools were used as shelters for 172 displaced households.<sup>169</sup> Among those displaced by the disaster, over three thousand students and displaced households faced severe financial constraints to meet the education needs of school-going household members.<sup>170</sup>

The Recovery Action Plan notes that the landslide occurred in a context where education already experiences several challenges, including poor school infrastructure, inadequately trained and qualified teachers, a lack of teaching and learning materials and high numbers of out-of-school children, and that disasters can result in more children out of school if steps are not taken to help the victims recover as quickly as possible.<sup>171</sup> The Recovery Action Plan sets out the main focus of the education sector response to the landslide as being to:

*“ensure the provision of learning materials and learning spaces for affected children. ECD [early childhood development] recreation kits were also provided to establish safe spaces for children including psychosocial support (PSS) as well as community engagement through social mobilization activities. Temporal learning spaces (TLS) were established at Old School and Juba in partnership with Save the Children and Ministry of Education, Science and Technology (MEST).”<sup>172</sup>*

The Recovery Action Plan sets out the objectives of recovery in the health sector as: to ensure continued access to schools for children whose schools were damaged through establishment of temporary learning spaces; the rehabilitation of schools and provision of teaching and learning materials; support for the transition and reintegration of affected children into regular schools during the recovery phase; and capacity development of the Ministry of Education, Science and Technology and decentralised levels to plan and respond to emergencies.<sup>173</sup> Early recovery needs in the education sector include:

- the rehabilitation and supply of furniture to damaged schools;
- strengthening linkages with ONS to determine schools in safe areas for potential rehabilitation;
- the speedy placement of children attending camp schools into regular schools;
- social mobilisation to raise awareness of affected children to reintegrate into schools;
- the placement of approved teachers from affected schools into other schools;

- psychosocial support for children and teachers in collaboration with the Ministry of Social Welfare, Gender, and Children's Affairs; and
- integrating ECD for children 3 to 5 years into recovery interventions.

Finally, education is also recognised as both a standalone sector as well as a sector that cuts across other areas such as housing and settlements and protection. A number of short- and medium-term recovery interventions in the education sector are also set out which include: the rapid assessment of schools in affected communities; providing teaching and learning materials to affected children and schools; providing psychosocial support to vulnerable children; and rehabilitating damaged school structures.<sup>174</sup> Long-term interventions in the education sector are also proposed to ensure that children in schools affected by the disaster continue to access education.<sup>175</sup> As stated above, the Recovery Action Plan also proposes that each recovery intervention be complemented by communication activities intended to foster cooperation and positive behaviour change, and includes key messages on the importance and benefits of education for both male and female children to promote the importance of education of all children even in disaster settings.<sup>176</sup>

The Framework also addresses recovery in the education sector, stating that education planning and the placement of infrastructure needs to be aligned and integrated into the urban planning for the Western Area, so that future housing planning is harmonised with the future education infrastructure.<sup>177</sup> The Framework recognises educational continuity for affected students through their absorption into suitably identified functional establishments as a key priority, and that current existing educational facilities need to be reinforced to be able to effectively enable this absorption.<sup>178</sup> In addition, the Framework notes that, looking forward, efforts to establish an early warning system should encompass all educational facilities including through disaster preparedness training and the development of a standardised response procedure to flooding and natural disasters across educational facilities.<sup>179</sup> The Framework further sets out a number of recovery interventions in the education sector which include: in the short term, ensuring readiness of affected schools to reopen on time and supporting the timely return and absorption of affected students into good quality schools; in the medium term, upgrading the physical and learning environment in affected schools to be safe, resilient and meet minimum standards and incentivising attendance and retention of displaced students; and in the long term, reconstructing schools and strengthening capacities in emergency preparedness and response.<sup>180</sup>

## 2.7 Economic activities



Neither the NSCI Act nor the NDMA Act make explicit provision for measures to restore economic activity and livelihoods following disasters. More generally, one of the responsibilities of the NDMA is to facilitate the development of communities and community based organisations to improve social mobilisation, employment generation and poverty reduction.<sup>181</sup> Addressing the social and economic consequences of a disaster was, however, the key objective of the government in the recovery phase in terms of the 2006 Policy and the 2006 NDMPP.<sup>182</sup> The 2006 NDMPP noted that specific activities in this regard included the restoration of jobs that were lost and the restoration of the economic base of the disaster area, through NaCSA, in collaboration with other stakeholders.<sup>183</sup> The 2021 NDPRRP also recognises economic aspects of recovery (the restoration of livelihoods, productive activities and market services) as being one of the three key aspects of effective disaster recovery.<sup>184</sup>

Speaking more generally, the government, with support from development partners, has established a basic social safety net system as well as a national cash transfer mechanism for extremely poor households, known as the Sierra Leone Social Safety Nets Program (SSN). The SSN is implemented by



the NaCSA in collaboration with key partners.<sup>185</sup> A national social protection policy has also recently been prepared and is awaiting Parliamentary approval.<sup>186</sup> This policy establishes a National Social Protection Secretariat (currently under NaCSA), defines measures to set up minimum protection packages and lays out institutional structures and coordination mechanisms for advancing social protection in the country.<sup>187</sup>

One of the main consequences of the 2017 landslide on affected households was the loss of livelihoods.<sup>188</sup> The Recovery Action Plan stresses that populations in areas most affected by the landslide require immediate support through food assistance and cash transfers, to rebuild their livelihoods and strengthen their resilience.<sup>189</sup> Looking forward, affected areas would also need an environmental plan addressing the human-induced pressure on natural resources as well as support in DRR and early warning to mitigate the effect of future disasters.<sup>190</sup> The Recovery Action Plan identifies early recovery needs in the sector as: food needs of vulnerable households; livelihood reestablishment for resettled households; rebuilding and creation of productive assets for communities which are resilient to disasters; agricultural inputs and the restocking of livestock; training in sustainable farming techniques; and augmented SSN and the revision of the Social Protection Policy.<sup>191</sup> These needs are complemented by short- and medium-term recovery interventions, including cash transfers and the provision of livestock, animal feed and agricultural inputs, as well as many interventions which relate to training and the sustainable use of land.<sup>192</sup>

Social protection is also recognised as an essential factor in achieving full recovery by survivors of the landslide in the Framework.<sup>193</sup> In this regard, direct financial support (i.e. cash transfers) and mainstreaming affected households into the SSN system were identified as a critical path for social recovery needs.<sup>194</sup> Specific interventions proposed in the Framework include: in the short term, providing emergency cash transfers and shelter for affected households; and in the medium term, enhancing the SSN systems and needs assessment to improve scalability of SSN, mainstreaming affected households into SSN for 3 years, adapting systems and development of operations manuals for implementation of cash transfers as emergency response, and continuing to strengthen the capacity to address protection and psychosocial needs of vulnerable populations.<sup>195</sup>

The Framework also addresses the landslide's macro-economic impact and its impact on commerce and productivity, noting that despite its effects being localised to a specific area which minimised its effects on economic growth, the sudden surge of expenditure requests coming in response to the disaster means that there would be greater strain upon the resources of the government.<sup>196</sup> Proposed interventions in this area in the Framework include: assessing the fiscal implications of the disaster and associated budgetary requirements; assessing the adequacy of the disaster-related contingent liabilities and conducting a disaster risk financing diagnostic; developing a disaster risk financing strategy considering use of risk retention and risk transfer instruments for disaster response; and conducting a comprehensive livelihood assessment to define needs and identify priorities to guide recovery efforts.<sup>197</sup>

With respect to commerce and productivity, 38 per cent of the working population in the landslide affected area were engaged in formal wholesale and retail trading, as well as many engaged as informal petty traders.<sup>198</sup> Re-starting businesses and economic activities within the affected areas was recognised as a priority and it was noted that recovery in this sector could be utilised as a catalyst to support and facilitate urban planning away from high risk zones.<sup>199</sup> In terms of recovery needs in commerce and productivity, the Framework proposed that a comprehensive livelihood assessment of small- and medium-sized enterprises (SMEs) in the affected area should be undertaken, followed by a small livelihoods grant scheme to help people re-start their businesses. In the medium and long term, there should be support for local cooperatives and support for market construction in non-disaster-prone areas to support displaced SMEs.<sup>200</sup> Specific activities were also proposed in the Framework in the short, medium, and long term. In the short term, these include conducting a comprehensive

registration of formal and informal enterprises in the affected areas by sector for grant allocation and issuing grants to identified formal and informal enterprises.<sup>201</sup> In the medium term, activities proposed include: developing a risk financing strategy and risk transfer framework for loan disbursements to SME beneficiaries and establishing a special loan package for petty traders in the affected area; issuing a competitive bidding process and commencing construction of a new marketplace; and establishing agricultural, agro-processing, and light manufacturing cooperatives.<sup>202</sup> Activities in the long term include: creating a monitoring and evaluation activity plan for the market construction project; and supporting regular monthly assessment visits to monitor, evaluate, and report on the status of the cooperative programme.<sup>203</sup>

## 2.8 Environmental protection



The NSCI Act does not address environmental considerations in recovery. In terms of policy documents, the 2006 NDMPP included protecting and mitigating damage to the environment and facilitating the recovery of the environment in the event of a disaster as two of the priorities of DRM in Sierra Leone.<sup>204</sup> The 2006 Policy recognised the need to integrate DRR into development strategies and plans, and included that the government will conduct Environmental Impact Assessments (EIAs) before issuing licences to companies whose activities may pose a threat to the environment.<sup>205</sup>

In the context of the 2017 landslide, the forest reserves of the Western Area Peninsula National Park were directly impacted, with the primary impact of the disaster on the natural environment noted in the DaLA as deforestation and, consequently, the loss of a carbon sink.<sup>206</sup> The Recovery Action Plan notes that several emerging environmental risks were identified after the landslide, including the unsafe disposal of waste and unsustainable exploitation of natural resources to meet increased demands for building materials.<sup>207</sup> The Recovery Action Plan further states in this regard that it “is essential that recovery strategies and interventions adopt appropriate mechanisms to immediately contain and address these emerging risks while at the same time addressing the longer-term underlying root causes.”<sup>208</sup> Environmental protection is a cross-cutting issue in the Recovery Action Plan, which states that the overall objectives of environmental interventions in early recovery are aimed at reducing disaster risks, reducing population vulnerability and exposure, and improving resilience by improving public health.<sup>209</sup> Early recovery needs in environmental protection include the demolition of unsafe houses and recovery of reusable and recyclable materials, as well as a number of needs relating to waste management.<sup>210</sup>

As environmental protection is addressed as a cross-cutting issue, interventions related to it can be found in sectors addressed throughout the Recovery Action Plan. For example, key interventions in the infrastructure sector include to mainstream environmental sustainability in infrastructure projects by conducting EIAs and implementing mitigation measures recommended to ensure that infrastructure projects are environmentally responsible.<sup>211</sup> In the food security and livelihoods sector, it is noted that affected areas need an environmental plan addressing the human-induced pressure on natural resources as well as support in DRR and early warning to mitigate the effect of future disasters in the medium and long term.<sup>212</sup> Several interventions in this sector relate to environmental protection, including: the promotion of afforestation, agroforestry, the management of biodiversity, sustainable land and natural resource management, land conservation and ecosystem rehabilitation, and Climate Smart Agriculture (CSA); and the promotion of livelihoods in waste management and recycling.<sup>213</sup>

The Framework acknowledges generally that there is a need for a broader understanding of environmental risks and for mitigation and adaptation measures to be adopted to manage these risks across the

country.<sup>214</sup> The Framework notes that the immediate priority is to physically demarcate and protect disaster prone areas, and that agencies within the environmental sector require additional resources to improve their ability to enforce in these sensitive areas and restore the forest cover lost due to the disaster.<sup>215</sup> A critical priority identified in the Framework to be addressed in the short term is to stabilise the slope prior to the next rainy season.<sup>216</sup> An additional activity included in the Framework, in the medium term, is to provide budget support to facilitate the functioning of the National Protected Area Authority (NPAA). In the long term, additional activities include: to redefine roles and responsibilities of all actors within the sector; organise regular steering committee meetings to discuss challenges from each actor; engage frequently with other development partners working in environmental issues; build NPAA as an efficient and effective service delivery organisation; maintain and restore forest cover; and increase community participation and public awareness as well as participation of development partners and NGOs.<sup>217</sup>

With respect to the DRM legislation developed after the landslide, the NDMA Act does not address environmental protection directly. However, it is worth noting that representatives of government agencies as well as non-governmental organisations that specialise in environmental protection are included as members of various DRM committees in terms of the NDMA Act. For example, representatives from the Environmental Protection Agency, the Ministry of the Environment and civil society organisations and NGOs specialising in environmental issues are included as members of the Platform.<sup>218</sup> In addition, the 2021 NDPRRP includes several recovery activities related to environmental protection, such as ensuring the environmentally safe disposal of debris and environmental assessments.<sup>219</sup> In addition, consultation and background studies on natural resource conservation and environmental protection are recognised as an element of incorporating resilience and the BBB principle in recovery.<sup>220</sup>

## 2.9 Waste management



Neither the NSCI Act, the NDMA Act, nor the 2006 Policy address waste or debris management following a disaster. The 2006 NDMPP addressed disasters caused by solid, human and clinical waste more generally, and provided that actions in the management of waste related disasters included, amongst others: assessment, the identification of waste disposal sites, the provision of trash cans, transportation of the waste, cleaning of the drains and contaminated sites, and waste recycling for backyard gardening.<sup>221</sup> The 2021

NDPRRP merely recognises that environmentally safe debris clearance is one of the actions commonly undertaken in recovery processes.

However, waste management was addressed as a cross-cutting sector in the DaLA, which highlighted that waste management in Freetown was highly constrained prior to the landslide and that the landslide resulted in tons of waste material and household items being channelled to the sea. Therefore, short-term efforts should focus on cleaning the river, drainage channels and beaches from debris and waste, while longer-term efforts require the development of a waste management strategy.<sup>222</sup> Waste management as part of the landslide recovery is also addressed in the Recovery Action Plan, which identifies the development and implementation of a Master Waste Management Plan for Freetown as an objective in the infrastructure sector.<sup>223</sup> It is also addressed under environmental management and DRM. Promoting the improvement of waste management practices from individual to national level is included as an objective of environmental management.<sup>224</sup>

Relevant recovery needs identified in this sector in the Recovery Action Plan include: the recovery of reusable and recyclable materials; the cleaning of drains of waste and sediment; the strengthening of livelihoods in waste management, including waste collection and recycling; the collection of waste from

the shelters; and the improvement of waste management infrastructure in Freetown, including through the closure of certain dumpsites and the construction of a new landfill.<sup>225</sup> Specific interventions identified include: the training of volunteer groups in waste reduction (composting and recycling); the promotion of livelihoods in waste management and recycling through forming waste pickers associations; and small business support to scrap shops and improving the efficiency of waste collection.<sup>226</sup> The Recovery Action Plan also identifies as early recovery needs in DRM: the rehabilitation of the drainage system as well as storm sewers, ditches and culverts; opening existing blocked drainage; and providing landscaping and reforestation to reduce run-off.<sup>227</sup> The Framework also addresses waste management as a cross-cutting issue, including: as short-term interventions, the clearing and removal of blockages from gutters and cleaning up of debris in specific areas; as medium-term interventions, various interventions at an existing dumpsite which partially collapsed as a result of the landslide and flooding and undertaking community awareness and communication; and as a long-term intervention, implementing the first phase of the waste management transitional plan.<sup>228</sup>

## 2.10 Protection and inclusion of vulnerable groups



The NSCI Act does not make provision for increased sexual and gender-based violence prevention measures and protection services to be provided to communities affected by disaster. However, strengthening the role of women, youth, and vulnerable groups in DRM was referenced as a strategic action under the 2006 Policy.<sup>229</sup> In addition, the 2006 NDMPP noted the provision of relief with special priority given to vulnerable groups, including children, pregnant and lactating mothers, the aged and the physically disabled as an approach to DRM in the country.<sup>230</sup>

With respect to the 2017 landslide, protection was addressed as a cross cutting issue in the DaLA. Protection is also addressed as a cross-cutting issue in the Recovery Action Plan, which integrates gender considerations throughout all sectors to ensure gender responsive interventions informed by a rights-based approach.<sup>231</sup> In response to the landslide, the protection and psychosocial pillar was led by the Ministry of Social Welfare, Gender, and Children’s Affairs (MSWGCA). As stated above, the Recovery Action Plan also includes “inclusiveness” as a principle, which means “fully integrating ... gender issues, and social inclusion into the recovery efforts and programmes. Empowering vulnerable groups, including women, youth, and people with disability, is a critical ingredient for building resilience, as these groups are often the pillars and foundation of community resilience at the local level.”<sup>232</sup>

Notably, there is also a dedicated protection and psychosocial section in the Recovery Action Plan, which acknowledges that historically, there has been a high prevalence of gender-based violence (GBV) in Sierra Leone, and that this risk may be increased in disaster settings.<sup>233</sup> The Recovery Action Plan stresses the importance for partners to work to minimise the risk of GBV and to:

- strengthen coordination between the psychosocial support providers and mental health care providers;
- activate the community-based protection mechanisms for identification, referral of and response to child protection cases in the communities;
- protect vulnerable groups, particularly women and girls, from GBV in emergency situations and provide comprehensive and multi-sectoral services for survivors;
- strengthen data collection and documentation of GBV cases during emergency situations using the standard tools, apply SOPs and develop a database on GBV cases;

- increase community and male engagement to support GBV prevention and response in emergency situations; and
- integrate GBV prevention and response into the national DRR programme.<sup>234</sup>

A number of early recovery interventions are also identified, together with lead and supporting agencies. Several protection-oriented interventions were undertaken in response to the landslide by the government and humanitarian partners.<sup>235</sup> The Recovery Action Plan states that protection efforts were coordinated under the protection and psychosocial pillar led by the MSWGCA and that protection mechanisms were strengthened in affected communities and in camps. A protection desk was established in affected communities and in camps with personnel from the MSWGCA, an officer from the Family Support Unit (FSU) of Sierra Leone Police and social workers from different NGO partners. In addition to being provided the necessary equipment, staff members were oriented on prevention and response to GBV in the context of a humanitarian crisis and child protection. All GBV cases reported at the protection desk were followed up using referral pathways to ensure that survivors would receive comprehensive and multi-sectoral services.<sup>236</sup>

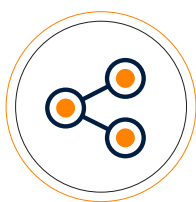
With respect to vulnerable groups, a core principle of the Recovery Action Plan is for all early recovery interventions to address the needs of the most socio-economically vulnerable individuals, especially women, children, elderly, people with disability and people living with HIV, and for recovery interventions to better prepare the poor and vulnerable to absorb the impact of future hazards and shocks.<sup>237</sup> Some of the early recovery needs and interventions identified in the Recovery Action Plan relate to the protection of vulnerable groups, such as: ensuring the inclusion of the most vulnerable social groups such as women, children, youth, people living with disability and people living with HIV in the national relief packages and resettlement process;<sup>238</sup> and the provision of quality essential health services including sexual and reproductive health services and nutrition services to affected populations (both at facility and community levels), particularly women/girls and vulnerable groups.<sup>239</sup> A focus of the Recovery Action Plan is also on child protection, with the need to activate community based protection mechanisms for the identification, referral and response to child protection cases, and to provide family tracing and reunification support for unaccompanied and separated children being recognised.<sup>240</sup> The Recovery Action Plan also contains a dedicated section on the early recovery needs and interventions to support persons living with HIV/AIDS.<sup>241</sup> As stated above, the Recovery Action Plan also proposes that each recovery intervention be complemented by communication activities, intended to foster cooperation and positive behaviour change, and includes key messages with respect to protection, with the aim of promoting gender equity.<sup>242</sup>

With respect to legislation developed after the landslide, the NDMA Act does not make provision for increased sexual and gender-based violence prevention measures and protection services to be provided to communities affected by disaster. However, the Permanent Secretary, Ministry of Gender and Children's Affairs is included as a member of the National Platform for DRR, and there is a protection and psychosocial pillar, led by the Ministry of Social Welfare.<sup>243</sup>

In addition, Sierra Leone developed the Gender Equality and Women's Empowerment Policy in 2020 (GEWE Policy). The goal of the GEWE Policy is to "mainstream gender into national, sectoral and local policies, plans, budgets and programmes, to achieve GEWE in all spheres of development in Sierra Leone".<sup>244</sup> The GEWE Policy includes as priority issues: gender, the environment, and DRM; and building women's capacity, leadership and resilience to cope with humanitarian disasters.<sup>245</sup> The GEWE Policy recognises that women are disproportionately impacted by disasters, including through increases in incidences of GBV.<sup>246</sup> The 2017 landslide is referenced as an example, where women suffered not only as victims but also as caregivers to affected loved ones and as overnight heads of affected families.<sup>247</sup> The GEWE Policy also recognises women as a vital resource in DRM, and that more must be done to highlight the role of women and girls as agents of change in crisis situations and resilience building

and to empower and include women in DRM.<sup>248</sup> Thirteen specific objectives are included within the GEWE Policy, which include: to strengthen implementation mechanisms to reduce the incidences of GBV in the country by at least 60 per cent by 2025; to review and/or implement guidelines to increase women's active and effective participation in environmental and DRM initiatives by 2023; and to ensure effective mainstreaming of gender perspectives in DRM interventions.<sup>249</sup> Strategic actions for each of these objectives are also set out in the GEWE Policy.<sup>250</sup> It is also worth mentioning that Sierra Leone is a member of the Economic Community of West African States (ECOWAS), which adopted a ten-year DRR Gender Strategy and Action Plan in 2020. This strategy includes facilitating sustainable, gender responsive recovery and reconstruction with the building back better approach as a priority for action.<sup>251</sup>

## 2.11 Links with sustainable development, DRR and CCA



Explicit links between disaster recovery and sustainable development, DRR, and CCA are not provided within the NSCI Act nor the 2006 NDMPP. While climate change was not referenced in the 2006 Policy, ensuring the integration of DRM into sustainable development programmes and policies, ensuring priority for DRR at all levels, and enhancing the use of knowledge, education, training, innovation and information sharing to build safe and resilient societies were included as core objectives.<sup>252</sup> Strategic objectives of the 2006 Policy also included advocacy for the inclusion of DRR in development strategies and emergency response management at all levels and the integration of DRR into development planning and sustainable development strategies.<sup>253</sup> With respect to the link between these concepts and disaster recovery specifically, the 2006 Policy stated that the government was responsible for overseeing reconstruction and rehabilitation work, in order to ensure that the overall development plans for the state were taken into account.<sup>254</sup>

With respect to the instruments developed in response to the landslide, as stated above, the DaLA, the Recovery Action Plan and the Framework all incorporate the BBB principle as a central guiding principle of recovery to ensure sustainable recovery is achieved. The DaLA recognised the need to address the urban development challenges in Freetown to ensure the sustainable growth of the city and to enable the city to respond more effectively to disasters.<sup>255</sup> The DaLA also recognised the need to mainstream DRR in the development sector,<sup>256</sup> and recommended that recovery efforts be linked to sustainable development.<sup>257</sup>

The Recovery Action Plan includes several links between disaster recovery and DRR, CCA and sustainable development throughout. For example, it states that:

*“The plan emphasizes a shift from saving lives to restoring livelihoods; effectively preventing the recurrence of crisis situation; harnessing conditions for future development; building national capacities; empowering all members of the affected communities; determining and addressing the root causes and vulnerabilities including developing measures for anticipating future hazards, their prevention, preparedness, response and recovery.”<sup>258</sup>*

Some of the strategic objectives of the Recovery Action Plan also highlight these links, such as: to stabilise local and national capacities to provide the foundation for full recovery and long-term sustainable development; to restore and promote disaster resilient infrastructure; housing and settlement embedded in the BBB; the promotion of participatory recovery initiatives by the affected population; mitigating risk through strengthening community level capacities in anticipating future hazards; and developing inclusive measures for disaster prevention, preparedness, response and recovery.<sup>259</sup>

The Recovery Action Plan also includes specific objectives and activities aimed to: promote integrated, anticipative, preventive and focused multi-sectoral approaches to reduce the impact of the landslide, including to future disaster and climate risks; and strengthen the DRM capacities of the ONS and key sectors to promote a multi-sectoral approach to building resilience within both humanitarian and development actions and provide a fluid transition towards strengthening capacities and the resilience of communities.<sup>260</sup> Objectives in the area of DRM for example, include, amongst others:

- strengthening DRM capacities of the ONS and all key sectors to promote a multi-sectoral approach to building resilience with both humanitarian and development actions and strengthening capacities and resilience of households and communities to safeguard lives and livelihoods;
- promoting integrated, anticipative, preventive and focused multi-sectoral approaches to reduce the impact of the landslide and floods event, as well as reducing other disaster and climate risks; and
- strengthening capacities in applying “build back better” principles in livelihoods and infrastructure recovery for resilience building to future shocks and stresses.<sup>261</sup>

Several recovery interventions identified also relate to climate change more specifically, in particular those related to strengthening DRR and climate resilience (through activities such as promoting afforestation, agroforestry, the management of biodiversity, sustainable land and natural resource management, land conservation and ecosystem rehabilitation, and climate smart agriculture) and improving household adaptation and resilience to climate and other shocks.<sup>262</sup> While climate change is not referenced, the Framework includes several links between development, DRR and recovery throughout. For example, the Framework provides that infrastructure must be developed in a way that it is more resilient to future disasters, and that the Framework itself will inform the country’s national development plan.<sup>263</sup>

With respect to the DRM legislation developed after the landslide, the general provisions relating to disaster recovery in the NDMA Act have been set out above. While there are no provisions providing explicit links between disaster recovery and sustainable development, DRR and CCA, there are several provisions relating to these topics separately. For example, some of the functions of the NDMA are related to DRR and development such as: implementing government policy on disaster prevention, DRR and climate risk management; disseminating information and conducting public education on human activities most likely to cause disasters; and facilitating the development of communities and community-based organisations to improve social mobilisation, employment generation and poverty reduction.<sup>264</sup> The Fund is also established to provide finance for the development and operation of DRM programmes, including DRR and climate change risk reduction programmes.<sup>265</sup> Focussing on sustainable development and CCA and integrating DRR into development initiatives are also recognised as recovery activities under the 2021 NDPRRP.<sup>266</sup>

In terms of the climate change and development framework, several relevant provisions have been identified, specifically with respect to the climate change policy framework in Sierra Leone. While Sierra Leone has not developed a dedicated climate change law, the country has developed a number of instruments relating to climate change, including a National Climate Change Policy (2012), National Climate Change Strategy and Action Plan (2015), National Determined Contributions to the Paris Agreement (NDC) and three National Communications to the UNFCCC.<sup>267</sup> Most recently, Sierra Leone developed a National Adaptation Plan in 2021 (NAP), which includes DRM as a priority sector.<sup>268</sup> A number of needs in this area have been identified relating to: data collection, availability and research; equipment and technical skills; and institutional and human capacity.<sup>269</sup> Building resilience to climate change and disasters is also a core element of the NAP. With respect to disaster recovery specifically, increasing risk awareness and support for resilient housing following the 2017 landslide is recognised as an opportunity, and the Freetown Emergency Recovery Project, which aimed to rehabilitate critical

infrastructure and strengthen government capacity for managing disaster risk following the landslide, is noted as a CCA project.<sup>270</sup> DRM is also recognised as a priority under Sierra Leone's updated Nationally Determined Contribution under the Paris Agreement of 2021 (NDC), which states that:

*"Disaster risk reduction and climate change adaptation represent policy goals for the government of Sierra Leone, one concerned with an ongoing problem (disasters) and the other with an emerging issue (climate change). As these problems overlap a great deal through the common factor of weather and climate and the similar tools used to monitor, analyse and address adverse consequences, disaster management is prioritised in this NDC to allow for approaching the twin issues of climate change and disaster risk reduction in a systematic and integrated way."*<sup>271</sup>

The NDC also proposes the development of climate resilient infrastructure, ensuring that new infrastructure will be prioritised, planned, designed, and built to account for climate change.<sup>272</sup>

Addressing vulnerabilities and building resilience, which includes improving DRM governance, is also a priority in the National Development Plan (2019-2023) (NDP).<sup>273</sup> The NDP recognises the need for disaster preparedness, mitigation, response, and recovery<sup>274</sup> and proposes key actions in this regard. These include: to develop policies and a legal framework on vulnerability and disasters; improve on disaster response within the country at all levels; strengthen early warning mechanisms and legal frameworks; enhance coordination and collaboration among key actors; increase community involvement in responding to disasters; and implement the Climate Information, Disaster Management and Early Warning System developed for climate information dissemination.<sup>275</sup> However, it is clear that these key actions focus more on DRR and preparedness and response, rather than recovery.

## 2.12 Fraud and corruption



Reports suggest that fraud and corruption concerns have been a key factor hindering the greater use of government systems for managing DRM interventions in Sierra Leone.<sup>276</sup> Sierra Leone ranks 115 out of 180 countries on Transparency International's Corruption Perception Index, and issues relating to the allocation of resources, procurement and bribery have been identified.<sup>277</sup>

As stated above, prior to the promulgation of the NDMA Act, DRM in Sierra Leone was primarily regulated by the NSCI Act, which was not focussed specifically on the regulation of DRM, but rather on the internal and external security of Sierra Leone more generally. While the NSCI Act does prescribe offences, most relate to confidentiality.<sup>278</sup> However, provision is made for the keeping of records and accounts of monies paid to the bodies created under the Act, as well as for the annual auditing of accounts, which may help to prevent fraud and corruption.<sup>279</sup> The NSCI Act also establishes a complaints tribunal to deal with complaints by any person aggrieved by anything done by the Director-General or any other employee of the Central Intelligence and Security Unit in the performance of their functions.<sup>280</sup>

The NDMA Act has several provisions relevant to the prevention of fraud and corruption. For example, the NDMA is responsible for ensuring the accountability of the Fund by defining procedures for its management and use, and the resources of the Fund may only be used for the purposes of the approved budget of the NDMA.<sup>281</sup> There are also detailed obligations on the NDMA to keep records and accounts in relation to its activities, property and finances, and to prepare and submit financial statements which will be audited annually.<sup>282</sup> The NDMA is also obliged to submit an annual report on its activities (including a financial statement) to the Minister, who then makes the report available before Parliament.<sup>283</sup> Thereafter, the NDMA is tasked with making copies of the report available to stakeholders.<sup>284</sup> In addition, it is an offence for any officer, agent, or volunteer of the NDMA to undertake any unauthorised act under the pretext of managing a disaster.<sup>285</sup> It is also an offence for anyone to act or



omit to act in a manner that exacerbates the effect of a disaster.<sup>286</sup> Finally, the Minister is empowered to make regulations under the NDMA Act to provide for the procurement of goods, equipment, personnel and other services in times of disaster, which could foreseeably include provisions to prevent fraud and corruption in procurement and services.<sup>287</sup>

More generally, Sierra Leone prohibits several specific types of corruption, such as the corrupt acquisition of wealth, corruption of public officers and misappropriation of both public and donor funds under Part IV of the Anti-Corruption Act of 2008.<sup>288</sup> Violators of the Anti-Corruption Act are actively pursued through the Anti-Corruption Commission (ACC), established under section 2 of the Act. The ACC is mandated to prevent, eradicate, and suppress corruption in Sierra Leone, as well as to investigate instances of alleged or suspected corruption referred to it by any person or authority, and to prosecute offences committed under the Act.<sup>289</sup> The ACC has been active in disaster response operations. For example, cash transfer projects under the 2017 landslide and flooding made use of ACC services to monitor, process and support the management of any complaints regarding interventions.<sup>290</sup> Sierra Leone has also developed a National Anti-Corruption Strategy to confront corruption as a threat to national development,<sup>291</sup> and anti-money laundering and financing of terrorism legislation, which includes prohibiting persons from entering or leaving Sierra Leone with any currency or negotiable bearer security to the value of more than USD 10,000 without declaring same.<sup>292</sup>

### 3. Key findings and recommendations

The legal, policy and institutional framework applicable to disaster recovery in Sierra Leone has several strengths. For example, the scope of application of the NDMA Act includes the recovery phase and, although the recovery phase is not the focus of the 2021 NDPRRP, it does provide a broad policy framework for disaster recovery within the country which highlights and incorporates the BBB principle.

However, there are significant gaps in the regulation of disaster recovery within the legal and policy framework. Most notably, there are very few provisions on recovery within the NDMA Act, with existing provisions being limited to: including the recovery phase within its scope of application; mandating the Platform to ensure that there are appropriate and adequate facilities for recovery in the event of a disaster in Sierra Leone; mandating the NDMA to coordinate reconstruction efforts of local and international actors; and making provision for the President to make regulations or issue directives on the facilitation of post-disaster recovery when a state of emergency has been declared. As stated above, the 2021 NDPRRP, although setting out a basic framework for recovery, is more focussed on preparedness and response. In addition, while the 2006 Policy did address the recovery phase, it has been superseded by more recent instruments. One such instrument, the 2021 Policy, could potentially include greater and more updated details on the recovery policy for Sierra Leone, but was not accessible for the purposes of this review.

Key informant interviews revealed that, in practice, achieving sustainable, long-term recovery is a significant challenge in Sierra Leone. The reasons cited for this include that DRM in the country is still largely focussed on disaster response, with partners and resources for disaster recovery being scarce. This makes the transition from the response phase to the recovery phase and achieving sustainable recovery a significant challenge.

The starting point to supporting greater attention to disaster recovery in Sierra Leone may be the strengthening of the legal and policy framework for disaster recovery in the country. Indeed, there is recognition of the importance of the regulation of disaster recovery in Sierra Leone, as the 2021 NDPRRP itself recognises that the recovery phase of the disaster management cycle requires a separate focus at both national and local level, and demands a separate policy, plan and set of actions to regulate this phase of DRM. This could be achieved through mandating and ensuring the development of regulations on disaster recovery or a tailored national disaster recovery policy and plan. Although the NDMA Act gives the power to the President to issue regulations or directives on disaster recovery during a state of emergency, recovery planning is not mandated within the law. There is, however, a need for an overarching national recovery instrument to guide recovery efforts in the country broadly, prior to a disaster occurring.

Very detailed and comprehensive disaster recovery plans which canvas many of the topics included in this study have been developed in response to specific disasters, such as the Recovery Action Plan and the Framework developed following the 2017 landslide. While such plans are useful, as each disaster requires tailored recovery interventions and considerations, an overarching national recovery instrument — whether in the form of regulations, a policy and/or a plan — could be particularly valuable in guiding early recovery efforts required in the short term and could be used as a guiding tool in the medium and long term as well. Such a plan needs to be aligned with and build on the NDMA Act, existing DRM policy documents, and existing sectoral laws and policies (for example, building codes and laws relating to land use and planning and environmental management) to ensure a cohesive disaster recovery framework. Such a document should set out:

- specific recovery interventions to address the most common disasters experienced in the country and to achieve sustainable recovery, based on the BBB principle;

- roles and responsibilities of government actors at all levels and across various sectors as well as all relevant stakeholders (including but not limited to SLRCS, NGOs, CSOs, communities, individuals, the private sector and development partners), and ensuring that the pillar mechanism that has proven successful in response operations is equally leveraged during disaster recovery. This can ensure that all relevant actors and stakeholders are able to continue coordinating and sharing information with one another as the response phase transitions into the recovery phase;
- financing mechanisms to ensure the availability of sufficient funding in disaster recovery (for short-, medium- and long-term interventions) at all levels;
- a strategy for ensuring the continuity of essential services to those affected by the disaster and the expeditious repair and reconstruction of housing and infrastructure to be resilient to future climate and disaster risks;
- measures to address cross cutting issues in disaster recovery such as the protection of vulnerable groups and the protection of the environment in recovery operations;
- arrangements for the regular monitoring and assessment of recovery operations; and
- avenues to promote coherence and strengthen linkages between disaster recovery, DRR, CCA and sustainable development.

The development of comprehensive recovery regulations or a comprehensive recovery policy and plan alone will, however, not ensure its implementation. While this report comprehensively maps the legal, policy and institutional framework for disaster recovery in Sierra Leone — including both the general framework and the Recovery Action Plan and Framework adopted to guide recovery from the 2017 landslide — it generally does not evaluate the extent to which these instruments are implemented because information about implementation is not readily available. Nevertheless, interviews with key informants did indicate that, in general, achieving long-term, sustainable recovery in Sierra Leone is a significant challenge. Strengthening the implementation of DRM laws and policies through increasing domestic capacities and financial resources is therefore equally important.

Comprehensive laws, policies and plans on disaster recovery can be the starting point to promoting successful implementation. For example, setting out clear roles and responsibilities for DRM actors across all levels and sectors of government as well as other DRM stakeholders and developing multi-sector coordination mechanisms for recovery can enhance the coordination and implementation of activities in practice. Linked to this, adopting an all-of-society approach to disaster recovery and prioritising stakeholder engagement, including vulnerable groups, in disaster recovery decision making processes, planning and activities (including the development of laws and policies) can promote the buy-in of all stakeholders and enhance implementation. Setting out clear reporting mechanisms, as well as establishing legal and administrative sanctions for public officials, individuals, and businesses for a gross failure to fulfil their duties are also important to promoting implementation. Therefore, to support better implementation, the recovery instrument proposed above should be developed with the participation of all DRM stakeholders to ensure their support and buy-in and be accompanied by a dissemination and training strategy to ensure that all stakeholders are aware of and capacitated to fulfil their roles and responsibilities.

Finally, dedicated recovery financing is vital to the effective implementation of sustainable recovery interventions. Regardless of how comprehensive and detailed legislation and policies may be, weaknesses in funding mechanisms can significantly curtail their implementation. Therefore, avenues to secure sufficient funding for sustainable recovery processes should be explored within recovery planning processes. While the NDMA Act establishes the Fund to provide funding for the development and operation of disaster management programmes, the funds of which can be applied to finance

emergency relief and disaster prevention and DRR activities as determined by the Platform, it is not clearly stated that the Fund may be applied to sustainable recovery processes. This could potentially result in a continued lack of funding for recovery being available through the Fund, as funding may be applied to the DRR, preparedness and response phases, leaving limited funding for recovery. One potential way in which funding for disaster recovery could be secured is through the establishment of a dedicated disaster recovery fund or a sub-fund of the Fund to ensure that there is earmarked funding for recovery.

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