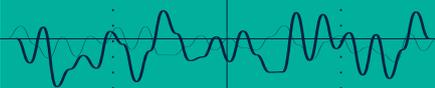


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# Policy and Legal Frameworks for Resilient PPPs



## National DRM policy and legal frameworks are foundational underpinnings that can support resilience building in infrastructure PPPs.

Most countries have formulated and implemented DRM and PPP policies and legislation separately, however. It is important for countries to reconcile existing policy and apply DRM standards to PPP contracts. Similarly, for countries formulating and establishing legal frameworks for PPP, it is important that resilience principles be incorporated (or at least DRM policy explicitly cited). By establishing central PPP support units tasked to coordinate with DRM agencies, governments can facilitate integrated approaches to developing resilient infrastructure PPPs.

While regulation and contract standardization can be effective means of mainstreaming DRM, contracting authorities must still consider local geophysical and hydro-meteorological characteristics, project and sector characteristics, and their own preferred risk exposure before standardization. These prerequisites, in turn, depend on early-stage climate and disaster screening assessments as well as application of lessons learned from past infrastructure PPPs. Government plays an important role in gathering and disseminating disaster risk data and in facilitating the use of the data to support PPP planning.

Governments can also implement policies that establish risk retention programs such as government reserves, contingency budgets, and funds at national and local levels, provide relief in the case of disaster events, or provide assistance to reinstate damaged assets.

Key objectives and related actions for policy makers in the area of policy and legal frameworks are as follows:

- **Establish a legal framework and institutional structure to incorporate resilience in PPP projects:**
  - Incorporate resilience considerations into PPP policies, guidelines, and standards.
  - Apply existing legal frameworks on DRM to PPP projects.
  - Prepare DRM guidelines for infrastructure or standard contract documents that introduce climate and disaster risk screening and assessment at the early planning stage.
  - Establish a coordination mechanism between PPP authorities and DRM agencies.
- **Develop a knowledge database and utilize open data on hazards during the early planning stage:**
  - Accumulate, disseminate, and utilize open data (for example, hazard maps) to screen climate and disaster risks and conduct detailed risk assessments during the feasibility study stage.
  - Capture and apply lessons learned and experiences of infrastructure PPP projects that have been affected by natural disasters.



### Useful Tools and Resources

#### Guidance on PPP Contractual Provisions

<https://ppp.worldbank.org/public-private-partnership/library/guidance-ppp-contractual-provisions-2019>