



REPUBLIC OF VANUATU
DEPARTMENT OF CLIMATE CHANGE
Ministry of Climate Change and Natural Disasters
Private Mail Bag 9054, Port Vila
Telephone: (678) 22160; Email: docc@vanuatu.gov.vu;



All correspondents directed to the Director

Terms of Reference

Local Consultant – Review of Legislative Requirements, Drafting and Submission for the Loss and Damage Fund.

Activity 2.5: Review of Legislative Requirements, Drafting and Submission for the Loss and Damage Fund.

This person will be responsible for the Review of Legislative Requirements, Drafting and Submission for the Loss and Damage Fund Mechanism for Vanuatu and will work closely with the project team and the LDWG.

Project Title: Vanuatu Loss and Damage Fund Development Project

Location: Port Vila, Vanuatu

Duration: 20 days

Start Date: TBD

Reporting to: Project Manager, Department of Climate Change (DoCC), Ministry of Climate Change (MoCC), Government of Vanuatu

Funding Support from: Ministry of Foreign Affairs and Trade (MFAT), Government of New Zealand

Background

Although it contributes just 0.0016% of global greenhouse gas (GHG) emissions, Vanuatu is already experiencing the devastating effects of climate change manifested as Loss and Damage (L&D). Vanuatu suffers irrecoverable L&D from climate change events on an annual basis, both through extreme and slow-onset events. Highly exposed to damaging cyclones, such events have led to financial losses in the billions of US Dollars. Single events can result in catastrophic and sustained impacts, for example, Cyclone Pam (2015), Cyclone Harold (2020), and Cyclones Kevin and Judy (2023) each led to losses of more than 500 million USD, which equates to more than 60% of the nation's GDP. Slow-onset events such as sea level rise, ocean acidification, and salinisation of productive land are leading to further losses. These include non-economic losses and damages (NELD) such as the irretrievable loss of culture, indigenous language and identity, human rights, health and wellbeing, biodiversity, and ecosystems.

The challenge for Vanuatu, like many highly vulnerable Small Island Developing States (SIDS), is that the international recognition of L&D rapidly needs to turn into meaningful investments on the ground; talk needs to turn into action. Establishing a financial mechanism that can attract and manage L&D finance and disperse it to those most in need can play a critical role in facilitating practical projects which address L&D. Such a mechanism requires sound governance, robust systems and processes (including financial management) reinforced by enhanced capacity, increased awareness of L&D, and effective Monitoring, Evaluation, Reporting and Learning (MERL).

The Government of New Zealand has committed NZD 4 million to support the “Vanuatu Loss and Damage Fund Development Project” to enable Vanuatu to become ‘investment ready’ to most effectively absorb international L&D funding arrangements into national systems, and then programme and disperse finance in bottom-up and locally appropriate modalities. The MFAT funding will be used to design an L&D Fund Mechanism and enhance capacity, but will also provide seed funding to get projects started and thus attract further investment.

Establishing a National L&D Fund Mechanism, L&D can be addressed in locally appropriate ways; an agile and responsive financial mechanism would provide easy access to communities and institutions. The Fund will be situated within a broader national climate finance architecture, and the project will help the Government of Vanuatu to work towards a more integrated approach to community-level climate change responses. The Fund can also facilitate effective learning and the rapid scale-up of effective strategies.

About the Role

Under the leadership of the L&D Fund Project Manager, the consultant will play a key facilitating and technical support role in the Review of Legislative Requirements, Drafting and Submission for the Loss and Damage Fund by implementing Activity 2.5: Review of Legislative Requirements, Drafting and Submission for the Loss and Damage Fund of the project.

The consultant will contribute local knowledge, ensure alignment with national systems, and support stakeholder engagement across all levels of government. The consultant will work closely with the project team, climate finance working group of NAB, and the L&D Technical Working Group to ensure the L&D Fund is contextually appropriate, legally sound, and operationally feasible.

The objective of this assignment is to review existing legislation relevant to climate finance and loss and damage, identify required legislative amendments or new provisions to enable the establishment and operation of the L&D Fund, and draft and support the submission of these legislative changes through the appropriate national processes.

Scope of Services

The consultant will undertake the following tasks:

1. Legislative Review and Analysis
 - Review existing legislation relevant to climate change, climate finance, public financial management, and funds or trust arrangements.
 - Assess the adequacy of the current legislative framework to support the establishment, governance, and operation of the L&D Fund.
 - Identify gaps, constraints, and opportunities for legislative amendments, with reference to Activity 1.1 and the L&D Fund Design Report.
2. Consultations and Technical Advice
 - Engage with the L&D Fund Project team, the Department of Climate Change and the National Advisory Board on Climate Change (NAB).
 - Consult relevant government ministries, legal drafting offices, and oversight bodies as required.
 - Provide clear advice on legislative options, including amendments to existing legislation versus the drafting of new provisions.
3. Legislative Pathway and Suggestions
 - Suggest the most efficient and feasible legislative approach, taking into account parliamentary processes and timelines.
 - Prepare a legislative options brief outlining risks, benefits, and implementation considerations for each option.
4. Drafting of Legislative Amendments
 - Draft legislative amendments or new provisions, as agreed with Government counterparts.
 - Ensure consistency with the L&D Fund Design Report, Business Plan, and the L&D national policy frameworks.
 - Integrate governance, fiduciary, accountability, and safeguarding requirements relevant to the L&D Fund.
5. Validation and Finalisation
 - Support technical review and validation of draft legislative texts with key stakeholders.
 - Revise drafts based on feedback to produce submission-ready legislative documents.
6. Submission Support
 - Provide technical support for the formal submission of draft legislation through established Government and parliamentary processes.
 - Advise on sequencing and timing in line with parliamentary sittings (May and November), where feasible.

Deliverables

The consultant will deliver:

1. Legislative review and gap analysis report.
2. Legislative options and suggestions brief.

3. Draft legislative amendments and/or new legislative provisions.
4. Final, submission-ready legislative documents.
5. Brief technical note outlining next steps for parliamentary consideration.
6. Workshop for presenting the final report.

Selection Criteria

Essential Experience and Knowledge:

- Advanced degree in law, environmental law, project management, or a related field.
- At least 7 years of experience managing complex, multi-stakeholder projects, preferably in Small Island Developing States (SIDS).
- Proven experience in legislative drafting in Vanuatu
- Strong knowledge of public financial management and climate finance legislation
- Familiarity with climate change governance and loss and damage frameworks
- Ability to engage effectively with government institutions and parliamentary processes
- Demonstrated knowledge of international and national climate frameworks, including the Paris Agreement and the UNFCCC.
- Experience with the Multilateral Development Bank or the Multilateral Climate Fund. Management, e.g., ADB, World Bank, Fund for Responding to Loss and Damage (FRLD), Global Environment Facility, or the Green Climate Fund.
- Proven ability to integrate GEDSI principles into project design and implementation.

Desirable:

- Familiarity with Vanuatu's law, climate policies and governance structures.
- Experience working in the Pacific region or similar contexts.
- Ability to speak Bislama.

Duration

The duration of the contract is 20 Days, commencing in Q2 2026 and Q3 2026.

Expression of Interest (EOI) Submission Requirements

Interested applicants should submit:

- Updated Curriculum Vitae (CV)
- Cover letter outlining approach and motivation
- Copies of qualifications
- Sample of previous work (or report)
- Valid Referee contact information (3)

Submit all soft copies of your EOI to thendricks@vanuatu.gov.vu cc bmaltera@vanuatu.gov.vu. The subject line of the email should be "**L&D Legislative Consultant**". Address all correspondence to the Project Manager, Ministry of Climate Change Adaptation.

Other Information

Consulting Services Budget: **VUV 2,000,000**

Date Published: **11-March-2026** Deadline of Expression of Interest: **25-March-2026, 05:00 PM**