

Human Rights and Disaster Risk Reduction

Autumn seminar: "International Law and Disasters"
Humanitarian Action Study Group

Development Studies Association of Ireland
24 September 2014

Dr Karen da Costa
Research Associate, Faculty of Laws,
University College London

Outline

- Introduction
- The notion of human rights
- The notion of disaster risk reduction
- Linking HR with DRR
- Conclusion
- References

Introduction



<http://thaiix.tripod.com/2008SummerCamp/2006summercamp.htm>

The notion of human rights

- inherent to all human beings
- common standard of achievement
- categories of rights

Human rights and disasters? (1)

Few references in human rights treaties:

Convention on the Rights of Persons with Disabilities, (2006), article 11

African Charter on the Rights and the Welfare of the Child (1990), article 23

Human rights and disasters? (2)

But as general rule human rights will **continue** to apply during disasters

Unless a derogation is made



Examples:
✓ Guatemala
✓ Chile
✓ Peru

➤ To reduce socio-economic vulnerabilities to disaster

➤ To address possible hazards

➤ Systematic approach and very wide-ranging

What is disaster risk reduction?

- Draft articles of the UN International Law Commission on the protection of persons in the event of disasters
- **HR treaties and the duty to protect the right to life in relation to disasters:**
 - ECHR, Budayeva and others v. Russia, no. 15339/02 and others, 29 September 2008 – positive dimension of right to life
- **Human rights-based approach to disaster risk reduction**

Linking human rights with disaster risk reduction

Post 2015 Framework for Disaster Risk Reduction

- ✓ A post-HFA document should **incorporate HR**.
- ✓ The general observance of HR shall enhance individuals' resilience to ND.
- ✓ Disregard for **basic HR** and lack of **accountability** makes societies more vulnerable to natural hazards.
- ✓ Post-Hyogo Framework for Action to be adopted in 2015 – pre-zero-draft refers to human rights

Conclusion

- Need to change reactive for proactive attitude regarding disasters
- Need for communities to participate in decisions on human rights and DRR
- Need for more accountability mechanisms available to those affected by disasters
- Scope for human rights advocacy to foster disaster risk reduction

References

- Bizzarri M, 'Protection of Vulnerable Groups in Natural and Man-Made Disasters' in de Guttery A, Gestri M and Venturini G (eds), *International Disaster Response Law* (T.M.C. Asser Press 2012)
- Carmalt, J. and Dale, C., 'Human rights and disaster' in: Wisner, B. et. al. *The Routledge Handbook of Hazards and Disaster Risk Reduction* (2012)
- Collins, Andrew E., *Disaster and Development* (Routledge: 2009)
- Zack N, *Ethics for disaster* (Rowman & Littlefield Publishers: 2009)

human rights should
be linked to disaster
risk reduction:
education



http://yokohamayomama.blogspot.ie/2011_03_01_archive.html

Thank you for your attention!

Contact

k.costa@ucl.ac.uk