

Title:	4 Frequently Asked Questions (FAQ) linking Human Rights & Disaster Risk Reduction (DRR)
Details:	<p>Following the acknowledgment by the Inter-Agency Standing Committee (IASC) in 2008 that a Human Rights based approach (HRBA) shall guide Disaster Risk Mitigation including pre-disaster mitigation and preparedness measures, little has been done to bridge and raise awareness about the added-value of human rights law.</p> <p>This short FAQ list shows how the Human Rights legal framework links with Disaster Risk Reduction (DRR) and in particular the Hyogo Framework for Action (HFA)¹. It underlines in particular the added-value of human rights law to foster access to information, participation of affected populations in decision-making, and accountability of key stakeholders (incl. the State).</p>
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1. What is the link between Human Rights & Disaster Risk Reduction (DRR)?

Both conflicts and natural disaster affect directly the enjoyment of human rights of affected populations. Destroyed shelters, lack of food or illnesses, all these realities impact directly fundamental human rights such as the right to housing, the right to food, the right to health or the right to water & sanitation.

2. What are the State obligations derived from Human Rights Law in the field of DRR?

Every State in the world has signed at least one Human Rights Convention. Over 70% have signed more than 4 conventions. The obligations of the States are divided into three categories: obligations to **respect**, to **protect** and to **fulfill**.

List of obligations to Respect	In the field of DRR, it means that States must make sure they don't prevent humanitarian workers to access the beneficiaries of prevention, mitigation & adaptation measures.
List of obligations to Protect	States committed to protect their local population from infringements on their Human Rights. This includes in particular adequate monitoring (incl. Disaster prevention), but also availability of remedies in case of disasters.
List of obligations to Fulfill	States committed to contribute 'to the maximum of available resources' to ensure the enjoyment of basic human rights starting with the most vulnerable groups. This impacts directly the management of State expenditures & their allocation.

¹ Available at: <http://www.unisdr.org/eng/hfa/hfa.htm>.

3. In general terms, what is the added-value to care about Human Rights Law when engaging in DRR?

1. DRR is not any more a question of political will, it is a matter of complying with legal commitments signed upon under international law;
2. Governments cannot simply take a few steps without **clearly presenting how DRR fits into the overall development strategy of the country;**
3. Citizens and in particular affected population have a **right to be informed** and a **right to participate** in the decision-making process;
4. **Governments are accountable** (cf. human rights treaty bodies at national, regional and international level). In some countries, the accountability systems provide effective remedies using the regular judicial systems up to the supreme courts.

4. Now in detail, what is the added-value of the Human Rights Legal Framework to foster implementation of the Hyogo Framework for Action (HFA)?

HFA – Priority 1 - Ensure that disaster risk reduction is a national and local priority with a strong institutional basis for implementation

Added-value of linking with the Human Rights legal framework:

- It is a legal obligation for States under Human Rights Law to **integrate DRR into national development planning**. This obligation is a consequence from the implementation of international law commitments into national laws, policies, strategies and plans of action.
- 50 Years experience from Human Rights lawyers in **evaluation and improvement of existing legal and institutional mechanisms**, while keeping in mind national development priorities.
- As a constitutional law, Human Rights Law has an overarching function which facilitates **mainstreaming** of issues which fall into its realm such as DRR

HFA – Priority 2 - Identify, assess and monitor disaster risks and enhance early warning

Added-value of linking with the Human Rights legal framework:

- It is a legal obligation for States under Human Rights Law to protect the local population (while giving priority to the most vulnerable groups). This obligation covers the **establishment of appropriate monitoring mechanisms**.
- It is also a legal obligation of the State to provide **access to information** to population on risks. It covers both awareness raising and empowerment to build resilience to disasters.

HFA - Priority 3 - Use knowledge, innovation and education to build a culture of safety and resilience at all level

Added-value of linking with the Human Rights legal framework:

- It is a legal obligation under Human Rights Law for States to provide **access to information** to population on current status and risks. It covers both awareness raising and empowerment to build resilience to disasters. These activities can be linked to the **right to education** and the guarantees it provides to the population.

HFA – Priority 4 - Reduce the underlying risk factors

Added-value of linking with the Human Rights legal framework:

- It is a legal obligation under Human Rights Law for States to give special attention to the most poor and vulnerable (cf. principle of non-discrimination). It means in particular that **funds allocation must target as matter of priority these groups**.

HFA – Priority 5 - Strengthen disaster preparedness for effective response at all levels

Added-value of linking with the Human Rights legal framework:

- Under International Human Rights Law, States have the obligation to ensure **participation of local populations in the decision-making process affecting their human rights**. As a result, Human Rights Law provides the legal basis to develop capacity building and empowerment of local population to ensure its effective contribution and response in times of emergency.
- Further, all sectors of society are bound to respect human rights law and principles. For **coordination** purposes in times of emergency, human rights principles and **accountability mechanisms** are gaining more and more importance.