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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Right to development

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the right to development, Saad Alfarargi, submitted in accordance with Human Rights Council resolution [33/14](#).

* [A/74/50](#).



Report of the Special Rapporteur on the right to development

Summary

In the present thematic report, the Special Rapporteur explores the explicit link between the right to development and disaster risk reduction and its practical implications.

The report concludes with key recommendations aimed at improving the participatory processes related to the planning, monitoring and implementation of disaster risk reduction measures and policies.

I. Activities of the Special Rapporteur

1. The present report is submitted pursuant to Human Rights Council resolution [33/14](#).
2. At the forty-second session of the Human Rights Council, the Special Rapporteur submitted a thematic report to the Council ([A/HRC/42/38](#)), which contains a set of guidelines and recommendations on the practical implementation of the right to development. The guidelines arose from regional consultations convened by the Special Rapporteur in 2018 and 2019, aimed at gathering information on good practices and sharing experiences in that regard. Using the Declaration on the Right to Development (General Assembly resolution [41/128](#), annex) as a starting point, the report provides practical examples, key principles and recommendations for fulfilling the right to development. The report also contains a summary of the activities of the Special Rapporteur between October 2018 and July 2019.

II. Disaster risk reduction, sustainable development and the right to development

3. The international community is confronted with ever-increasing global challenges and crises that pose a threat to the economic, social, cultural and political development of current and future generations. The challenges include the threats that disasters pose to past and future sustainable development. A natural or human-made disaster can undo years of development progress in a matter of hours and can stall future development for the next generation. The number of disaster events per year has been increasing since the 1980s and is likely to continue to do so as a result of climate change, population growth, urbanization, an increase in the number of people living in coastal areas and floodplains and the degradation or loss of natural ecosystems. Economic losses from “natural” disasters amounted to \$50 billion in the 1980s; losses now reach an average of \$250 billion to \$300 billion per year.¹ Future expected annual losses are now estimated by the United Nations Office for Disaster Risk Reduction in a total amount of \$314 billion in the built environment alone.² For small island developing States, future disasters may become an existential threat, with expected annual losses equivalent to nearly 20 per cent of their total social expenditure, compared with only 1.19 per cent in North America and less than 1 per cent in Europe and Central Asia.³

4. Data show that developing countries in the Global South are disproportionately affected by disasters – the majority of the countries most exposed to natural hazards and climate extremes are located in South Asia and sub-Saharan Africa.⁴ The cost is even higher with regard to the loss of life. According to the World Bank, over the past 30 years, more than 2.5 million people have been lost to disasters caused by natural hazards. Between 1995 and 2014, 89 per cent of storm-related fatalities occurred in lower-income countries, even though those countries experienced just 26 per cent of the storms.⁵ In the Global south, in particular in low- and middle-income countries, where the growth of informal settlements is booming and poor families live in hazard-prone areas with deficient or no infrastructure, a lack of social protection and high

¹ See www.worldbank.org/en/topic/disasterriskmanagement/overview.

² See www.preventionweb.net/risk/direct-indirect-losses.

³ United Nations, *Global Assessment Report on Disaster Risk Reduction 2015: Making Development Sustainable – The Future of Disaster Risk Management* (Geneva, 2015), p. 6.

⁴ Bündnis Entwicklung Hilft, *World Risk Report: Analysis and Prospects 2017* (Berlin, 2017), p. 17.

⁵ See www.worldbank.org/en/topic/disasterriskmanagement/overview.

levels of environmental degradation exist. Many low-income countries in sub-Saharan Africa suffer repeated damage from droughts and floods.⁶ Developing countries in the Middle East and Central Asia are also subject to drought, floods and earthquakes, and the Asia-Pacific region is highly exposed to natural disasters, such as cyclones, earthquakes, tsunamis and volcanic activity, with South Asia and the Philippines among the most severely affected.⁷

5. Disaster risk reduction is an integral part of social and economic development and is essential if development is to be sustainable for the future. In the 2030 Agenda for Sustainable Development, the urgent need to reduce the risk of disasters is recognized and reaffirmed. In addition to direct references to the outcomes of the Third United Nations World Conference on Disaster Risk Reduction (Sendai Framework for Disaster Risk Reduction 2015–2030), the 2030 Agenda includes several Sustainable Development Goals and targets⁸ that can contribute to reducing disaster risk and building resilience and thus at the same time contribute to achieving the Goals by reducing disaster risk. Such linkages and the adoption of the two major international agreements reaffirm the interrelationship between disaster risk reduction and sustainable development.

6. At the same time, disasters and extreme weather events directly and indirectly affect the enjoyment of a range of human rights, including the right to life, water and sanitation, food, health, housing, self-determination and culture, as well as the right to development (A/HRC/36/49, para. 20). The increasing number of natural disasters is one of the adverse global trends that pose a serious challenge to the realization of the right to development. Disaster risk reduction is therefore closely interlinked with the implementation of the right to development.

7. The right to development is explicitly referred to in paragraph 19 (c) of the guiding principles of the Sendai Framework: “Managing the risk of disasters is aimed at protecting persons and their property, health, livelihoods and productive assets, as well as cultural and environmental assets, while promoting and protecting all human rights, including the right to development”. While the Sendai Framework is not written from the perspective of the right to development, in much of its content, issues that are relevant to the right to development are addressed, and some of its underlying principles are even incorporated:

(a) Socioeconomic risk factors are addressed in the Sendai Framework, which is aimed at reducing vulnerabilities and preventing risks through action that tackles the underlying disaster and conflict risk drivers, such as the consequences of poverty, inequality and marginalization;

(b) Politico-institutional factors are addressed in the Sendai Framework, which highlights the need for good governance in disaster risk reduction at the local, national, regional and global levels;

(c) A broader and more people-centred prevention approach to disaster risk reduction is provided for in the Sendai Framework, and closer engagement with relevant stakeholders is called for. It is also stressed in the Sendai Framework that working with national and local actors to help design disaster risk reduction strategies increases economic, social, health and environmental resilience. The call for inclusive

⁶ International Monetary Fund (IMF), *Building Resilience in Developing Countries Vulnerable to Large Natural Disasters*, IMF Policy Paper, No. 19/020 (Washington, D.C., 2019), pp. 6 and 8.

⁷ Ibid.

⁸ Examples include targets under Goal 4, such as building and upgrading education facilities and ensuring healthy lives; under Goal 9, building resilient infrastructure, or those related to reducing poverty (1.5), building resilient cities, (11.5 and 11.b) or taking urgent action to combat climate change and its impacts (13.1, 13.2, 13.3, 13.a and 13.b), see General Assembly resolution 70/1.

and participatory capacity-building at the local, regional, national and global levels that involves a diversity of stakeholders mirrors the principles underlying the right to development.

8. Through the elements listed above, an explicit link is established between the right to development and disaster risk reduction. In the present thematic report, the Special Rapporteur explores that link and its practical implications. He pays special attention to the gender dimension, considering the specific challenges related to disaster risk reduction that women and girls face. The Special Rapporteur also focuses on the situation of the most disadvantaged groups in society, such as indigenous peoples, minorities, refugees and internally displaced persons and inhabitants of remote areas and coastal areas, who are exposed to tsunamis and/or floods. Mindful of article 1 of the Declaration on the Right to Development, he pays particular attention to the problems that persons with disabilities face in participating in disaster risk reduction planning and management.

III. Integrating the right to development into disaster risk reduction: practical examples

9. In an effort to assess the extent to which populations throughout the world have enjoyed the right to participate in planning and decision-making with regard to disaster risk reduction measures and policies, the Special Rapporteur issued a call for input, asking Member States and other stakeholders to provide information on measures taken or policies introduced since 2015 aimed at:

(a) Identifying the populations most at risk for disasters, including those driven by, among other factors, conflict, climate change, population growth and governance;

(b) Including such populations in planning of disaster risk reduction measures;

(c) Evaluating the effectiveness of disaster risk reduction policies and measures;

(d) Preventing and mitigating disaster risk;

(e) Ensuring that information about disaster risk reduction is provided to all segments of the population, including, but not limited to, groups that may not speak the official languages of the country, persons with disabilities and groups living in remote rural areas.

10. A number of countries provided practical examples of the ways that their Governments work to integrate the right to development into the national systems for disaster risk management.

11. The Government of Montenegro reported⁹ appointing a government body for disaster risk reduction, which established a national platform for disaster risk reduction and organized six conferences on various topics. A national strategy for disaster risk reduction was prepared in December 2017. The process of drafting the strategy was initiated by assembling a core group of experts from various State institutions at the national and local levels, who, within their responsibilities, suggested activities to be included in the strategy. The initial draft of the strategy was circulated for comments to different ministries and other institutions, and the final

⁹ Submission to the Special Rapporteur dated 8 April 2019.

version was approved by the Government. Entrepreneurial and local rescue and protection plans were also prepared.

12. The implementation of the national strategy is carried out through three two-year action plans. The first, adopted by the Government in March 2018, comprises activities of various national and local government bodies, encompassing the Sustainable Development Goals, climate change and disaster risk reduction. In total, 68 activities were planned and €12 million budgeted for their implementation. According to the report on the implementation of the national strategy, adopted by the Government for 2018, 21 activities were implemented, 15 were in progress and 10 were not implemented. The overall action plan for 2018–2023 includes 105 activities, and €34 million were budgeted for its implementation. The country's priority activities include: developing local disaster risk reduction strategies; developing a national risk assessment; developing local risk assessments; developing national, local and entrepreneurial rescue and protection plans for various risks; continuously implementing the inter-subject programme on disaster risk reduction in schools; and establishing early warning systems at the local level.

13. To raise awareness of disasters, a subject on disaster risk reduction was introduced into the curriculum for elementary and high schools. Some 200 teachers were trained in the subject. Montenegro is the only State in the region to have such a subject in its school curriculum.

14. The Government of Ecuador reported¹⁰ that, in order to address the growing risk of disasters effectively, since 2015, its national risk and emergency management service and other entities of the decentralized national risk management system have taken measures to identify the populations most exposed to disaster risk. The measures adopted have included creating methodologies to gather geographic information on susceptibility to floods, mass movements, forest fires and tsunami and seismic zones. Information has been distributed to various entities of the decentralized national system of risk management and is available free of charge at the geoportal of the national service for risk and emergency management.

15. The Government further reported having worked on creating scenarios that include the possible effects of disasters at the national level and analysing risks in priority localities of the country that have been affected by disasters. Training is provided to the provincial and cantonal decentralized autonomous governments in the susceptibility methodologies created. A methodology to assess vulnerability at the cantonal level had been updated and published. The Government provided a matrix indicating the various projects and programmes undertaken since 2015 to implement indicators A to G of the Sendai Framework,¹¹ which, notably, included the creation of a methodology for the formation of citizen participation networks, conducted in 2018.

16. The Government of Mexico provided¹² a list of the challenges and various good practices that various states of Mexico have put in place since the adoption of the Sendai Framework in order to address the growing disaster risk. Mexico wishes to establish wide-ranging strategies and programmes focused on preventing and reducing the risks themselves, not focusing solely on emergency intervention and reconstruction. As part of its good practices, the Government reported having established a regulatory framework for integral risk management to support federal public institutions in their actions.

¹⁰ Submission to the Special Rapporteur dated 24 April 2019.

¹¹ See www.preventionweb.net/sendai-framework/sendai-framework-monitor/indicators.

¹² Submission to the Special Rapporteur dated 12 April 2019.

17. Currently, Mexico has in place the following two mechanisms to promote the preventive function of the federal public administration and federal entities:

(a) The Natural Disaster Prevention Fund. In the draft federal expenditure budget for 2019, \$180,938,000 have been allocated for the fund to achieve its goals;

(b) The Preventive Trust.

18. The National Coordination of Civil Protection is in close contact with local governments, who have compiled good practices implemented in the respective states. Most projects are focused on the following four pillars:

(a) Improving monitoring systems: by setting up better monitoring systems, the states aim to be able to deliver better responses to disasters and to limit the effects thereof, should they occur. In most cases, measures involve updating existing systems and developing new ones to monitor potential natural disasters, such as volcanoes and floods. Various public protection programmes are also being put in place;

(b) Knowledge transfer: most states in Mexico reported that knowledge transfer will be implemented through education, as well as by reaching out to rural populations and those who do not speak the national language. The main focus is on raising awareness of the potential risks and learning how to prevent them. For example, the Secretariat of Military Civil Protection carried out a series of informative campaigns in various languages in order to reach indigenous populations;

(c) The reinforcement and promotion of the “Atlas of State Risks”. The regional atlases are used to compile information about the potential risks on their territories. The Government hopes to use these regional plans to create and complete the National Risk Atlas, which will be used when planning urban development and assist in other decision-making in relation to the specific areas;

(d) Creation of and cooperation with various entities: many states have set up various councils and committees to contribute to disaster risk management. Others mentioned working with various United Nations system entities and cooperating with local governments to set up a series of plans.

19. The Government of Ukraine reported¹³ that it had approved the conceptual framework for risk management in emergencies arising from technological hazards and natural disasters (Decree No. 37-p of 22 January 2014) and its implementation plan for 2015–2020 (Decree No. 419-p of 25 March 2015). The new legislation introduced modern risk-oriented methods designed to reduce and minimize the socioeconomic consequences of human-made and natural emergencies and ensure the guaranteed level of safety of the citizens and society. In July 2017, the Ministry of Internal Affairs of Ukraine adopted a methodology for the planning of evacuation measures, pursuant to article 33.16 of the Code of Civil Protection and paragraph 34 of the procedure for evacuation in case of emergency. The methodology addresses the issue of planning for the evacuation of the population and provides specific measures for the evacuation of persons with disabilities and other less mobile population groups (Order of the Ministry of Internal Affairs of 10 July 2017 No. 579).

20. In December 2017, the Government approved the conceptual framework for the implementation of State policy on climate change for the period up to 2030 (Decree No. 932-p of 7 December 2016) and its implementation plan (Decree No. 878-p of 6 December 2017), which take into account the main provisions of the Paris Agreement. The Ministry of Ecology and Natural Resources is the agency responsible for the implementation of these documents.

¹³ Submission to the Special Rapporteur dated 24 April 2019.

21. In order to strengthen the capabilities of the functional and territorial subsystems of the unified State civil protection system, reduce the risks of emergencies and increase the level of protection of the population and territories, the Government approves an annual plan of major measures in the field of civil protection. The plan defines specific tasks and activities for the central and local executive authorities, local governments, enterprises, institutions and organizations.

22. Each region has adopted a regional programme that includes measures to prevent, eliminate and reduce emergencies. The State emergency service of Ukraine, jointly with the relevant central and local executive authorities of the country's National Academy of Sciences, prepared an annual analytical review of the State's natural and technological safety, published on the website of the service.

23. In January 2018, the Government approved the conceptual framework for the development and technical modernization of the central emergency alert system (Decree No. 43-p of 31 January 2018) and, in July 2018, its implementation plan (Decree No. 488-p of 11 July 2018). The documents introduce a state-of-the-art warning system, equipped with modern software and hardware with the latest information and telecommunication technology, to process, transmit and display information on threats or emergencies.

24. In order to conduct tasks related to the Sendai Framework regarding the collection of data on the consequences of emergencies for disaster risk reduction indicators, the State emergency service of Ukraine summarized the information available on emergencies during the period 2005 to 2018 and provided input for the relevant sections of the online monitoring system of the Framework. A draft government regulation that is pending approval would ensure that the registration of emergencies in Ukraine is brought into compliance with the indicators for monitoring the implementation of the Framework.

25. In accordance with the Association Agreement between the European Union and the European Atomic Energy Community and their Member States and Ukraine, the State emergency service of Ukraine adopted a regulatory framework for the harmonization of national legislation with the provisions of Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks and is in the process of conducting a preliminary assessment of flood risks. A draft law entitled "On Amendments to Certain Legislative Acts of Ukraine on Hazardous Objects" is pending approval by the Government and, if adopted, will implement Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (Seveso III Directive).

26. The Government of the United Republic of Tanzania reported¹⁴ that it had taken various initiatives at the national level to address the challenge of climate change, including a programme on developing core capacity to address adaptation to climate change in productive coastal zones of the country (2012–2019) and another on implementing concrete adaptation measures to reduce the vulnerability of livelihoods and the economy of coastal communities of the country (2012–2019). The implementation of those initiatives has enabled the country to build resilience to the impact of climate change in various areas, through projects that include the following:

(a) The construction of 780 metres of sea wall at Barack Obama Road, in Dar es Salaam;

¹⁴ Submission to the Special Rapporteur dated 16 April 2019.

- (b) The construction of a 500-metre-long sea wall at Mwalimu Nyerere Memorial Academy, in Kigamboni;
- (c) The construction of a 40-metre-long sea wall at Kisiwa Panza, in Zanzibar, United Republic of Tanzania;
- (d) The reconstruction of a 795-metre-long sea wall in Pangani;
- (e) The restoration of degraded mangrove areas in Rufiji (1,000 hectares), Pangani (10 hectares) and Zanzibar (240 hectares);
- (f) The restoration of 3,000 metres of coral reef in Sinda, Kigamboni;
- (g) The construction of drainage systems in Mtoni, Temeke (550 metres), and Ilala Bugoni (450 metres).

27. The Government of Switzerland reported¹⁵ that the National Platform for Natural Hazards is the country's focal point for the Sendai Framework. With regard to the identification of populations at risk of disasters, hazard maps exist for more than 90 per cent of the territory and for most of the hazards that occur in Switzerland. Hazards have to be taken into consideration for all investments that have spatial impact. Switzerland is currently developing risk maps and risk overviews at the national level. With regard to the inclusion of populations in planning measures, disaster risk reduction projects regularly involve support groups, including representatives of the local population, and must be disclosed to the public. The prevention and mitigation of risks are based on land-use planning measures (risk-informed development), non-structural measures (preparedness for response) and structural measures. Nature-based solutions, such as ecosystem based-disaster risk reduction reforestation, are relevant in responding to many types of hazards.

28. The evaluation of the effectiveness of policies and practical measures is an ongoing process that is carried out at various levels. At the national level, the National Platform for Natural Hazards is responsible for the Swiss strategy on the management of risks from natural hazards. Control mechanisms also exist at the project level. With regard to the communication of information regarding disaster risks, all relevant documents at the state level are translated into the official national languages. For example, the strategy on the management of risks from natural hazards is available in all four official languages of Switzerland and English. Tourists are taken into account at the project level. Rural regions are included in the communication and planning processes. Efforts have been made to include persons with disabilities, but this is an ongoing process, still to be improved.

29. The Government of Portugal¹⁶ highlighted the adoption of Council of Ministers resolution No. 170/2017 of 30 October 2017, which approves the national strategy for preventive civil protection, defining five strategic objectives, 10 priority areas and 101 operational objectives. The Government reported on the work of the national platform for disaster risk reduction, which gathers together more than 70 participants from various sectors – central Government, municipalities, academia, professional bodies and civil protection agents – and encourages an inclusive approach that addresses the implementation of risk reduction measures. Reducing state fragility and building resilience are among the Government's high priorities, reflected in the strategic framework for Portuguese development cooperation, the national strategy on security and development and the operational strategy for humanitarian and emergency action. The Government has defended within its cooperation framework strategy the need to reinforce the national institutional capacities of its partners in terms of adapting to climate change. For example, the country's bilateral strategic

¹⁵ Submission to the Special Rapporteur dated 16 April 2019.

¹⁶ Submission to the Special Rapporteur dated 24 April 2019.

cooperation programme with Mozambique, 2017–2021, comprises the approach of developing strategies and measures for disaster risk reduction and increasing resilience.

30. The Government of Lebanon reported¹⁷ that the strengthening of disaster risk reduction and management in the country is implemented through the Disaster Risk Reduction and Management Unit in the presidency of the Council of Ministers, which is a result of a joint collaboration, established since 2010, between the Government of Lebanon and the United Nations Development Programme. The Unit has been working at several levels, in line with the goals and targets established in the Sendai Framework, including strengthening risk governance, understanding disaster risk and enhancing disaster preparedness, in particular with regard to vulnerable communities.

31. In 2018, the Prime Minister issued a decision to form a committee on disaster risk management, consisting of more than 35 members from key ministries, agencies and concerned stakeholders. The committee was tasked with updating the national disaster risk reduction strategy and the national response plan, developing the country's recovery plan and setting national indicators for reporting. As part of the process of reporting under the Sendai Framework, the following activities were conducted: training national disaster risk reduction focal points in key ministries, agencies and stakeholders in the reporting process; identifying owners and contributors for each target; developing a small working group; centralizing the data and validation by the Disaster Risk Reduction and Management Unit of the Presidency of the Council of Ministers; and identifying gaps, challenges and the way forward for future reporting.

32. As part of updating the national disaster risk reduction strategy, the committee on disaster risk management will conduct consultations with various stakeholders to ensure adequate participation. Furthermore, the Disaster Risk Reduction and Management Unit has supported the establishment of disaster risk reduction committees throughout the governorates of Lebanon. The committees work on preparedness and response and are composed of concerned ministries, agencies and local actors, so as to ensure adequate participation. Since 2016, the disaster risk reduction and management unit has developed several multi-hazard risk assessments for key sectors and governorates in order to identify and understand risks and identify vulnerable populations. In 2016, flood risk maps that identified hosting and refugee communities were also developed. In 2018, following flooding in the Baalbek region, the Disaster Risk Reduction and Management Unit conducted a detailed risk assessment of the flooding zones in that region with the active participation of concerned ministries, agencies and local authorities. The Unit facilitated coordination among stakeholders to bring about consensus on the proposed recommendations that were later endorsed by the Prime Minister and disseminated for further action to relevant entities. In 2018, the Unit conducted an evaluation mission to test and verify the efficiency of systems in place. The results of the evaluation were used to develop the disaster risk reduction and management theory of change and the strategic plan and new project documents for the period 2019–2023, which will be presented to the Government for endorsement.

33. The Government reported that it faces several challenges to effectively dealing with and reducing hazards and risks: a lack of comprehensive authority over disaster risk reduction and endorsed disaster risk reduction strategies; the need for 2030 Agenda stakeholders to enhance coordination and collaboration; the impact of the crisis in the Syrian Arab Republic, with more than 1 million refugees putting additional stress on the already inadequate infrastructure and nearly one third of them living in hazardous conditions; the need to enhance and mainstream disaster risk

¹⁷ Submission to the Special Rapporteur dated 24 April 2019.

reduction into development planning; the lack of specialized expertise in several fields; the absence of a unified community-based early warning platform; and the absence of coherent disaster risk reduction related data. While information is being disseminated through the disaster risk reduction structures within governorates, there is still a need to develop a comprehensive, community-based early warning platform so that no one is left behind.

34. The Government of Pakistan highlighted¹⁸ four sectors in which it has taken measures: identifying the populations at risk and their inclusion in planning risk reduction measures; preventing and mitigating disaster risk; evaluating the effectiveness of the measures that are taken; and ensuring that the information reaches all segments of the population. With regard to identifying the populations that are at risk, the Government has taken the following measures:

(a) Multi-hazard vulnerability risk assessment: conducted in various districts with the aim of incorporating appropriate risk reduction strategies and making them a priority in the national development planning process; the assessment puts emphasis on vulnerable groups;

(b) Vulnerable populations in hazard-prone areas: because the country is prone to flooding, settlements have been categorized from least to most vulnerable on the basis of frequency of flooding experienced in previous years;

(c) The country is divided into five seismic zones, which helps to identify the populations that are most at risk;

(d) School hazard vulnerability and risk assessment: the assessment has been executed in 28 of the most vulnerable schools in a specific district.

35. With regard to preventing and mitigating disaster risk, the Government reported that:

(a) Various funds have been put in place, such as the President's Relief Fund, the Prime Minister's Disaster Relief Fund and the Disaster Risk Management Fund, established with the support of the Asian Development Bank;

(b) The Sendai Framework National Action Plan is ready to be launched;

(c) Various services had been created and modernized to prevent and mitigate disaster risks: national and provincial working groups, humanitarian response facilities and six urban search-and-rescue teams were established; environmental impact assessments have been made mandatory for all public service projects;

(d) A consultative working group on communication strategy has been set up to gather information from government counterparts and stakeholders in order to perform a broad assessment of policies, framework and existing structures in relation to disaster risk management.

36. The Government also considers that one of the good practices is the evaluation of the effectiveness of disaster risk reduction policies and measures. The National Disaster Management Authority is the lead agency that directs and administers activities related to disaster management at the national level. The National Disaster Risk Management Framework guided the work of the National Disaster Management Authority until 2012. It was focused on poverty reduction, since the poorest were generally those most affected by disasters. The Authority was also focused on climate-resilient and disaster-resilient development, so that communities would be able to prepare for potential risks in advance. The Government has adopted multiple policies for disaster risk reduction, such as the national disaster risk reduction policy, in which

¹⁸ Submission to the Special Rapporteur dated 6 May 2019.

emphasis is put on risk knowledge, prevention, mitigation and preparedness. It has also formulated a prospective 10-year national disaster management plan for the country.

37. In addition, several information campaigns were conducted to inform all segments of the population of disaster risks. They consisted of educational campaigns that raised awareness through various media, such as radio, pamphlets and discussions on television. Such campaigns have also been undertaken in remote communities, in local languages.

38. The examples cited above provide a selection of good practices that can be used to implement disaster risk reduction, in line with the right to development. Creating central-level bodies that have the budget and capacity to conduct consultations with various stakeholders; involving experts from different fields in the planning processes; using modern technology to collect disaggregated data; translating information on disaster preparedness measures and protocols into all official languages and into widely used languages; creating regional-level disaster risk reduction programmes tailored to the local conditions; and creating programmes for the specific needs of persons with disabilities are included in such practices. The Special Rapporteur regrets not having received input from a greater number of countries throughout various geographic regions, which would have allowed him to provide more examples of good practices that countries could adapt and use in their particular circumstances.

IV. Disaster risk reduction and the right to development: challenges within countries

39. Natural hazards cannot be fully avoided; however, disasters can, to a great extent, be averted by reducing the exposure of communities to hazards, increasing their capacity to withstand them and/or reducing their vulnerability thereto.¹⁹ The Sendai Framework and the 2030 Agenda provide ways to reduce the risk of disaster and the negative effects thereof on human development and the enjoyment of human rights. Through the examples provided in section III above, it is demonstrated that the Framework has already had an important impact on conducting disaster risk reduction efforts in a manner that is consistent with the right to development. However, with regard to implementation, many challenges remain. Not only are the poorest countries often the most affected, but in those countries, disasters also hurt the poor and the marginalized disproportionately.²⁰ Scholars have found that some groups are more prone to death, injury, economic loss and psychological impairment in the wake of various hazards.²¹ Children, older persons, women, racial minorities, persons with physical or mental disabilities and immigrants have been identified as being particularly vulnerable to the harmful impacts of disaster.²² Members of these groups suffer disproportionate losses as a result of disasters and have the greatest difficulty recovering therefrom.²³ Compounding the disproportionate impact is the fact that

¹⁹ A/HRC/36/49, para. 16; see also <https://sustainabledevelopment.un.org/topics/disasterriskreduction>.

²⁰ IMF, *Building Resilience in Developing Countries Vulnerable to Large Natural Disasters*, p. 8, note 4.

²¹ Ben Wisner and others, *At Risk: Natural Hazards, People's Vulnerability and Disasters*, 2nd ed. (New York, Routledge, 2004).

²² Susan L. Cutter, Bryan J. Boruff and W. Lynn Shirley, "Social vulnerability to environmental hazards", *Social Science Quarterly*, vol. 84, No. 2 (June 2003).

²³ United Nations Human Settlements Programme (UN-Habitat), *Enhancing Urban Safety and Security: Global Report on Human Settlements 2007* (London and Sterling, Virginia, UN-Habitat and Earthscan, 2007).

these groups are not included, or sufficiently included, in disaster preparedness efforts. In the context of disasters, being left behind often amounts to the difference between life and death.

40. The right to development entitles every human being and all peoples to participate in, contribute to and enjoy economic, social, cultural and political development.²⁴ In the spirit of the Declaration on the Right to Development, the entitlement to participate should be extended to an entitlement for all to participate in planning and decision-making related to disaster preparedness and disaster risk reduction.

41. Scholars have advocated wide stakeholder participation as being pivotal for building resilience and stressed that the people and groups involved and the way in which they are involved are crucial aspects for developing resilience in practice.²⁵ It is therefore crucial to identify who the stakeholders included in the national and local platforms for disaster risk reduction or other consultative mechanisms should be. In paragraph 7 of the Sendai Framework, it is suggested that relevant stakeholders include women, children and young people, persons with disabilities, poor people, migrants, indigenous peoples, volunteers, the community of practitioners and older persons. In paragraph 19 (d) of the Framework, it is stated that disaster risk reduction requires an all-of-society engagement and partnership and empowerment and inclusive, accessible and non-discriminatory participation, paying special attention to people disproportionately affected by disasters, in particular the poorest. A gender, age, disability and cultural perspective should be integrated into all policies and practices, and leadership of women and young people should be promoted. Furthermore, in paragraph 19 (g), it is further stated that disaster risk reduction requires inclusive risk-informed decision-making based on the open exchange and dissemination of disaggregated data, including by sex, age and disability.

A. Persons with disabilities

42. To what extent are persons with disabilities included in disaster risk reduction planning and decision-making? In paragraph 36 (a) (iii) of the Sendai Framework (iii), it is declared that persons with disabilities and their organizations are critical in the assessment of disaster risk and in designing and implementing plans tailored to specific requirements. However, multiple sources suggest that, in reality, the inclusion of persons with disabilities is extremely limited.

43. A lack of reliable statistical data on people with disabilities remains one of the challenges faced by Governments and disability advocates alike. Studies have shown that a lack of disaggregated data has been a serious impediment to the responsiveness of service providers, for example, following the Indian Ocean tsunami in 2004.²⁶ In other cases, the number of persons with disabilities and the range of their disabilities were not known.²⁷ In addition, persons with disabilities and their organizations are rarely involved in any stage of disaster planning or response and are often treated without sufficient understanding of the variety of disabilities and specific needs they may have, resulting in inadequate access for people with disabilities to preparedness

²⁴ Declaration on the Right to Development, art. 1.

²⁵ Paulina Aldunce and others, "Stakeholder participation in building resilience to disasters in a changing climate", *Environmental Hazards*, vol. 15, No. 1 (2016).

²⁶ Maria Kett, Sue Stubbs and Rebecca Yeo, *Disability in Conflict and Emergency Situations: Focus on Tsunami-affected Areas* (International Disability and Development Consortium, 2005).

²⁷ *Ibid.*

measures, early warning systems and physical infrastructure.²⁸ In some societies, as a result of the social stigmatization of persons with disabilities, caregivers tend to hide their existence in order to protect them, leading to their being overlooked in planning and emergency response.²⁹

44. Some scholars have raised alarm about the particularly perilous situation of children with disabilities, who are often excluded from emergency preparedness planning because disaster response professionals assume that parents will take care of them in the event of a disaster.³⁰ This may result in children with disabilities being left behind in an evacuation or forced to evacuate without vital supports, such as mobility devices, respirators and medication.³¹ Such factors have led to children with disabilities facing multiple difficulties in the aftermath of a disaster.³²

B. Disabled, poor and female: the sad reality of the augmentation of risk

45. Disaster risk governance must be inclusive³³ and therefore ensure equal participation in decision-making. In paragraph 32 of the Sendai Framework, it is stated that empowering women and persons with disabilities to publicly lead and promote gender-equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches is vital. In paragraph 36 (a) (i) of the Framework, it is recognized that women and their participation are critical to effectively managing disaster risk and designing, resourcing and implementing gender-sensitive disaster risk reduction policies, plans and programmes and that adequate capacity-building measures need to be taken in order to empower women for preparedness and build their capacity to secure alternate means of livelihood in post-disaster situations. However, the implementation of these principles appears to be sporadic and inconsistent in many countries. At the international level, after the adoption of the Framework, the participation of women in discussions increased, from 31.7 per cent at the Third World Conference on Disaster Risk Reduction (held in Japan, March 2015) to 37.2 per cent at the 2017 session of the Global Platform on

²⁸ Fred Smith, Emma Jolley and Elena Schmidt, "Disability and disasters: the importance of an inclusive approach to vulnerability and social capital", October 2012.

²⁹ International Federation of Red Cross and Red Crescent Societies, "Sex, age and disability disaggregated data (SADDD)", in International Federation of Red Cross and Red Crescent Societies, *Minimum Standards for Protection, Gender and Inclusion in Emergencies* (Geneva, 2018).

³⁰ Tom Mitchell and others, "The role of children and youth in communicating disaster risk", *Children, Youth and Environments*, vol. 18, No. 1 (2008); Brenda D. Phillips and Betty Hearn Morrow, "Social science research needs: focus on vulnerable populations, forecasting, and warnings", *Natural Hazards Review*, vol. 8, No. 3 (August 2007).

³¹ Joy D. Osofsky, Howard J. Osofsky and William W. Harris, "Katrina's children: social policy considerations for children in disasters", *Social Policy Report*, vol. 21, No. 1 (Spring 2007); Glen White and others, "Final report findings of the Nobody Left Behind: Preparedness for Persons with Mobility Impairments research project", Research and Training Center on Living (2007).

³² More than one-third of the 100,000 children who were evacuated from the city of New Orleans as a result of Hurricane Katrina remained displaced months after the storm and had at least one diagnosed chronic medical condition. For many of them, access to health insurance, continuous medical care, prescription medication and specialized medical equipment was significantly compromised. See David Abramson and others, "The legacy of Katrina's children: estimating the numbers of hurricane-related at-risk children in the Gulf Coast states of Louisiana and Mississippi", National Center for Disaster Preparedness Research Brief, No. 2007-12 (December 2007).

³³ Christel Rose and Florentina Debling, *Words into Action: Developing National Disaster Risk Reduction Strategies* (Geneva, United Nations Office for Disaster Risk Reduction, 2019), p. 84.

Disaster Risk Reduction (held in Mexico, May 2017).³⁴ However, at the national level, the situation is worse: across the globe, national disaster risk reduction plans and policies are discussed and adopted in parliaments, in which, in 2018, only 24.3 per cent of the deputies were women.³⁵

46. At the same time, scholars and practitioners have gathered extensive evidence that women are disproportionately affected by disasters. For example, in the aftermath of the Indian Ocean tsunami of 2004, the death toll among women was four times higher than it was among men.³⁶ In the aftermath of the earthquake in Nepal of 2015, 55 per cent of the victims were women and children.³⁷ Apart from suffering a higher death toll and more injuries, women tend to suffer a greater number of socioeconomic losses from disasters. During the Indian Ocean tsunami of 2004, many women delayed escaping or chose to remain in unsafe locations because they were the primary caregivers for family members who could not easily be transported, including the sick, the disabled, older persons and children.³⁸ In studying the impact of a flood on communities in Cambodia in 2012, researchers found that women-headed households were disproportionately affected by the flood, women's rate of unemployment after the disaster were higher and women were largely absent from the forums where disaster risk reduction-related decisions were made and planning was carried out.³⁹ These examples are only illustrations of general trends and patterns.

47. It is no secret that, in most societies, persons with disabilities and women are also among the populations most affected by poverty. According to a report prepared by the World Health Organization, the rate of disability among women and girls is 19.2 per cent, whereas it is 12 per cent among men and boys.⁴⁰ According to data provided by the United Nations Entity for Gender Equality and the Empowerment of Women, it is estimated that 60 per cent of chronically hungry people are women and girls.⁴¹ On average, women make up some 43 per cent of the agricultural labour force in developing countries.⁴² However, land titles are most likely to be held by the men, and, following a disaster, many women cannot independently claim State-offered reconstruction funds.⁴³ In countries in which boys are taught to swim at an early age, but girls rarely are, women may also be more at risk of harm as a result of flooding. The destruction of physical assets and means of livelihood by natural hazards, as well as the adverse effects thereof on crucial systems that provide access to basic economic social and cultural rights – schools, hospitals and roads, to name just a few – all contribute to further lowering the standard of living for these populations. Studies

³⁴ See Christel Rose, Rahel Steinbach and Amjad Saleem, “Reducing disaster risk through gender parity and women’s leadership”, *World Meteorological Organization Bulletin*, vol. 66, No. 2 (2017).

³⁵ See <https://ipu.org/resources/publications/reports/2019-03/women-in-parliament-in-2018-year-in-review>.

³⁶ See Oxfam International, “The tsunami’s impact on women”, Oxfam Briefing Note (March 2005). Oxfam research showed that, in four villages surveyed in Indonesia, only 189 of 676 survivors were female; in four other villages, 77 per cent of the victims were female. In India, the deaths of 391 women and girls were recorded in the same period, compared with those of 146 men and boys. In one village, the only people to die were women.

³⁷ “Earthquake: 55 per cent of dead are women, children”, *Kathmandu Post*, 19 May 2015.

³⁸ See Kanchana Ginige, Dilanthi Amaratunga and Richard Haigh, “Tackling women’s vulnerabilities through integrating a gender perspective into disaster risk reduction in the built environment”, *Procedia Economics and Finance*, vol. 18 (2014).

³⁹ Sam Chanthy and Hay Samchan, *Flood Impacts on Women: Exploring the Possibility of Gender Sensitive DRR Planning* (2014).

⁴⁰ World Health Organization, *World Report on Disability* (Geneva, 2011).

⁴¹ See www.unwomen.org/en/news/in-focus/commission-on-the-status-of-women-2012/facts-and-figures.

⁴² Ibid.

⁴³ Ibid.

have shown that poorer households are not only more exposed to natural hazard risks, but their economic well-being is disproportionately affected in the short term and the long term.⁴⁴ Efforts towards disaster risk reduction should take into consideration the cumulative effect of factors such as gender, poverty and disability. To provide genuine relief, such efforts must put an end to the further marginalization of the poor and the perpetuation of uneven power dynamics.

48. In order to provide relief to women, people with disabilities and the poor, States must find ways to ensure wide stakeholder participation, in particular the genuine participation of those most affected by disasters, in order to build the resilience of these populations.⁴⁵

V. Conclusions and recommendations

A. General

49. **In order to integrate the right to development into disaster risk reduction efforts, Governments should promote channels of participation at all stages of the planning, implementation and monitoring of the related policies and programmes on a continuous basis for all relevant stakeholders. Under the Sendai Framework, while disaster risk reduction remains a responsibility of the national government, it also requires the active participation, support and contribution of all relevant stakeholders, such as the government, international organizations, non-governmental organizations, academic institutions, the private sector and the media.⁴⁶ There should be opportunities for the equal participation in all relevant planning and decision-making processes of those who are most disadvantaged, including persons with disabilities, women, children and young people, minorities, indigenous peoples, persons of African descent and members of other disempowered and marginalized groups.**

50. **National platforms for disaster risk reduction are nationally owned and led multi-stakeholder coordination mechanisms, which had already emerged under the Hyogo Framework for Action.⁴⁷ The Sendai Framework places a strong emphasis on the critical role played by the national platforms in supporting the implementation, monitoring and review of the Framework through effective coordinated action at the national level and appropriate linkages with the local level.⁴⁸ In the Special Rapporteur's view, national platforms are instrumental in ensuring the integration of the right to development in disaster risk reduction efforts by providing the space for the participation of all relevant parts of society in the planning, evaluation, monitoring and implementation of disaster risk reduction plans and programmes at the State level. He is concerned that, to date, only 65 countries have established national platforms.⁴⁹ He recommends that States endeavour to create favourable conditions for gender-balanced**

⁴⁴ Junko Mochizuki and Asjad Naqvi, "Reflecting disaster risk in development indicators", *Sustainability*, vol. 11, No. 4 (February 2019).

⁴⁵ Aldunce and others, "Stakeholder participation in building resilience to disasters in a changing climate".

⁴⁶ See Takako Izumi and others, *30 Innovations for Disaster Risk Reduction* (Tokyo, International Institute of Disaster Science, 2019).

⁴⁷ The Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters was adopted by 168 countries at the World Conference on Disaster Reduction, held in Kobe, Japan, in January 2005. See General Assembly resolution [69/283](#).

⁴⁸ Aldunce and others, "Stakeholder participation in building resilience to disasters in a changing climate".

⁴⁹ See www.unisdr.org/partners/countries.

participation in such platforms and for the inclusion of representatives of marginalized groups. The Special Rapporteur also calls for greater investment to support national platforms, which would allow them to perform their functions effectively and increase their legitimacy and accountability at the national level.

51. Depending on the types of disasters affecting particular countries and their geopolitical structure, similar platforms could be created at the regional and/or community levels. Local platforms would serve a dual purpose: providing information on the most pressing concerns of the communities and acting as a depository of local knowledge regarding possible disaster prevention measures and solutions.

52. The first step in providing inclusive and protective emergency programming is to learn who in the society is affected, how they are affected and what the most appropriate response is from the perspective of the persons or groups that are most affected. In the disaster risk reduction context, under the Sendai Framework, States should collect data disaggregated by sex, age and disability, at a minimum. Data collected in the context of the implementation of the Sustainable Development Goals and the 2030 Agenda targets may and should also be used for the needs of disaster risk reduction planning and policymaking, and such data need to be supplemented in accordance with the specific needs of the topic. Data disaggregation efforts need to draw on a human rights-based approach to data.⁵⁰ Specifically:

(a) In a human rights-based approach to data, the process of data collection should actively involve the community about whom the information is being gathered;

(b) Respondents should be able to select how they self-identify in terms of ethnicity, sexual orientation, gender identity and legal and disability status;

(c) The privacy of data should be maintained and balanced against the need for transparency.

53. National statistical offices and national human rights institutions should collaborate to facilitate the operationalization of a human rights-based approach to data.

54. States should enhance the international cooperation provided for capacity-building activities aimed at improving data collection in developed and developing countries.

55. Civil society's capacity to gather disaggregated data should be enhanced, and innovative approaches should be developed to bridge gaps in data collection. In that regard, civil society should work closely with national statistical institutes.

56. If policies, plans and programmes related to disaster risk reduction are to be effective, it is of crucial importance that the individuals and communities concerned be well informed of the processes for their creation and their outcomes. States should establish mechanisms that provide easy access to information related to disaster risk reduction development policies and processes and enact legislation guaranteeing the right to obtain access to information, including information about financing. Legal remedies should be provided to

⁵⁰ Office of the United Nations High Commissioner for Human Rights, "A human rights-based approach to data: leaving no one behind in the 2030 Agenda for Sustainable Development", 2018.

ensure that access to information is not denied. States should provide information in public spaces in relevant languages and accessible formats, such as images and posters, using larger fonts and audio transmission. The gender and diversity dimensions of how and where such information is displayed should be considered. Warning communication technology should be equally accessible to persons of all ages, disabilities and backgrounds. Information on hazards, vulnerabilities and risks and on ways of reducing the impacts thereof should be disseminated to everyone and in formats that are accessible to persons who are deaf or blind or who have a learning disability. States should enhance international cooperation provided for the dissemination of information.

B. Persons with disabilities

57. In order to ensure the genuine and informed participation of persons with disabilities in disaster risk reduction efforts, States should recognize the increased vulnerability of people with disabilities to disasters and account for and include persons with disabilities in all related processes. States should strengthen the capacity and resources of organizations representing persons with disabilities and actively involve them in all stages of disaster planning and management. States should develop systems to identify existing risks with the participation of organizations representing persons with disabilities and caregivers. Staff engaged in disaster risk reduction activities should be made aware of gender, age, disability and associated disaster risk reduction needs and of how to communicate respectfully with persons with physical, sensory and intellectual disabilities, persons with mental health disabilities and older persons.⁵¹ States should provide training to all relevant staff, in cooperation with organizations representing persons with disabilities and caregivers.

58. States should design and implement accessible and inclusive warning systems in several accessible formats, including audio and visual and physical support systems in cooperation with organizations representing persons with disabilities and caregivers. Building and rebuilding the physical environment must be done in a way that ensures accessibility, to remove previous physical barriers and ensure that new ones are not established. The input of persons with disabilities should be sought to ensure that their expertise is included in design. Special measures should be established to provide equal access to persons with disabilities, irrespective of the nature of their disabilities, and of all backgrounds, who wish to participate in disaster reduction or relief efforts. Programmes targeting the reduction of disaster risks for children with disabilities specifically should be put in place, and input from caregivers should be included in their design. Adequate resources should be budgeted to implement such measures.

C. Women

59. In line with the Sendai Framework, in order to ensure gender-equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches to disaster risk governance, States must ensure the equal participation of women in decision-making, monitoring and evaluation at the national and local levels. A gender-sensitive approach should be systematically integrated into evaluation processes. States must ensure the proportional representation of women in decision-making processes at all levels, including in

⁵¹ See Celia Till, ed., *Humanitarian Inclusion Standards for Older People and People with Disabilities* (London, Age and Disability Consortium, 2018).

community-based disaster risk reduction activities. As part of their gender-oriented planning, States should take into consideration the fact that women are not a homogeneous group, and they should therefore pay particular attention to women with multiple vulnerabilities, who may be harder to reach, including rural women living in remote areas; migrant women; and women from indigenous or minority groups, who do not receive information in languages that they understand. Adequate resources should be budgeted for this purpose.
