

NATURAL DISASTERS, CONFLICT, AND HUMAN RIGHTS: TRACING THE CONNECTIONS

PRESENTATION BY ELIZABETH FERRIS¹, SENIOR FELLOW AND CO-DIRECTOR,
BROOKINGS-BERN PROJECT ON INTERNAL DISPLACEMENT

ST. MARY'S UNIVERSITY, SAN ANTONIO, TEXAS

3 MARCH 2010

Responding to natural disasters has traditionally been seen as a compassionate response to people in need. While compassion remains at the core of humanitarian action, relief agencies are increasingly conscious of the fact that assistance is rarely neutral and that their actions can have long-term consequences, as evidenced by the 2004 tsunamis in Asia, Hurricane Katrina in 2005 and the earthquake this year in Haiti. In this presentation, I'd like to explore some of the connections between sudden-onset natural disasters, conflicts, and human rights. In particular, I argue that incorporating a human rights perspective into natural disaster response is important not only because it affirms the rights and dignity of vulnerable people, but also because it can prevent conflicts in the aftermath of disasters.

A natural disaster is defined by the UN as: “the consequences of events triggered by natural hazards that overwhelm local response capacity and seriously affect the social and economic development of a region.”² In other words, a cyclone that strikes only an uninhabited island is not a natural disaster. Nor is it a natural disaster when municipal authorities are able to respond effectively to flooding in their community. There are questions about just how ‘natural’ are natural disasters. For example, the devastating toll on Haiti of 4 hurricanes in 2008 was obviously the result of the storms themselves, but certainly exacerbated by the long-term deforestation in that country and inadequate public response. In fact, in that year, deadly hurricanes hit both Haiti and Cuba, but while 800 people died in Haiti, only four fatalities in Cuba were reported.

The evidence is clear that poverty is an important factor in understanding the effects of natural disasters. On 10 December 1988, an earthquake registering 6.9 on the Richter

¹ With thanks to Chareen Stark for her invaluable research assistance.

² InterAgency Standing Committee, *Operational Guidelines on Human Rights and Natural Disasters*. Washington: Brookings-Bern Project on Internal Displacement, June 2006.

scale hit Armenia, killing some 55,000 people and leaving 500,000 homeless. Less than a year later, in October 1989, an even stronger earthquake, 7.1 on the Richter scale, hit San Francisco, California, killing 62 and leaving 12,000 homeless.³ Within countries, it is almost always the poor and marginalized who are disproportionately affected by natural disasters. They tend to live in less safe environments and in less safe shelter. Shoddily-constructed slums are more vulnerable to earthquakes, landslides and flooding than the homes where the rich are more likely to live. Thus in the recent earthquake in Haiti, the homes of the country's elite were located in neighborhoods which were less impacted by the tremors and their homes were more likely to withstand the shocks than those of poorer neighborhoods.⁴

Natural disasters exacerbate existing gender inequalities and pre-existing vulnerabilities. The majority of those who die in natural disasters are women. Women also tend to have less access to essential resources for preparedness, mitigation, and rehabilitation. Assistance can often be discriminatory in impact even if not intended to be so. Government policies can reinforce social divisions.⁵

The frequency and severity of sudden-onset natural disasters is increasing. Presently there are about 400 natural disasters per year, affecting 200 million people. This is double the number reported 20 years ago. In particular hydrometeorological events are increasing – most likely as the result of climate change.⁶ Of the 200 million people whose lives are affected by natural disasters, around 36 million were forced to leave their homes in 2008 and are considered to be internally displaced persons.⁷ Unlike those displaced by conflict, this displacement is usually temporary and almost always occurs within the borders of the country. However, as our own Hurricane Katrina demonstrates, displacement can last a long time. It is estimated that about a quarter of those displaced by Hurricane Katrina have not returned.⁸

What is the relationship between natural disasters and conflict?

³ <http://www.sfmuseum.org/alm/quakes3.html> and

http://news.bbc.co.uk/onthisday/hi/dates/stories/december/10/newsid_2544000/2544077.stm

⁴ Juan Carlos Chavez, "In wealthy enclave of Pétionville, another picture," *Miami Herald*, 22 January 2010. Republished under title "Haiti quake made gap between rich and poor even bigger," in *McClatchy*, available: <http://www.mcclatchydc.com/2010/01/22/82900/haiti-quake-made-gap-between-rich.html>.

"The Earthquake Recovery Process in Haiti," statement by Walter Kälin, UN Human Rights Commission Special Session on Haiti, 27 January 2010.

⁵ Action Aid and People's Movement for Human Rights Learning, Habitat International Coalition on Housing and Land Rights Network, *Tsunami response: A human rights assessment*, Jan 2006.

⁶ See United Nations International Strategy for Disaster Reduction Secretariat (UNISDR), *Global Assessment Report on Disaster Risk Reduction*, 2009.

⁷ OCHA, IDMC and NRC, *Monitoring disaster displacement in the context of climate change*, September 2009.

⁸ Kevin McGill, Associated Press, "Saints, parades overshadow New Orleans mayor race," http://www.boston.com/news/nation/articles/2010/02/05/saints_parades_overshadow_new_orleans_mayor_race/. See also: <https://gnocdc.s3.amazonaws.com/NOLAIndex/NOLAIndex.pdf>

There are several ways of exploring this relationship: What is the cumulative effect of natural disasters and conflict on people's lives? Do natural disasters contribute to conflict? Does the response to natural disasters help resolve conflicts? Or make them worse?

There are cases where natural disasters occur in places where conflict has already disrupted the lives of people, for example, the Philippines, Iraq, Somalia, Kenya, Colombia, and Haiti. Because the definition of a natural disaster is linked to the society's response capacity, state and social structures which are weakened by conflicts are less likely to be able to respond to the effects of a natural hazard, making it more likely that a natural disaster will result. For example, the Somali government is extremely weak (controlling only a few blocks of the capital city) as a result of long-standing conflict and thus unable to respond to either the drought or flooding which has occurred in its country. If there were no conflict in Somalia, it is more likely that both the state and community institutions would be better able to cope with the natural hazards, perhaps avoiding disasters all together.

Although the situations vary, the occurrence of a natural disaster in an area affected by on-going conflict can lead to:

- increased misery for people whose lives have already been disrupted by conflict. For example, in the Philippines camps for people displaced by conflict in Mindanao were flooded in 2008, reportedly undermining their coping skills.⁹
- further displacement as when people displaced by conflict are forced to move yet again because of the disaster. In the case of the Mindanao floods, some of the conflict IDPs were forced to move again as a result of the flooding. Or following the tsunami in Sri Lanka, some of those displaced by the conflict were displaced again by the storm surge.
- increased hardship on communities hosting the displaced. Thus in Somalia, rural areas hard-hit by flooding in 2009 were already having difficulties growing sufficient food for their communities. The arrival of Somalis displaced by the fighting in Mogadishu increased the strain on these communities. The majority of recent IDPs from Mogadishu went to the nearby Afgooye corridor – making it the “highest density of internally displaced persons in the world – over half a million IDPs along a stretch of 15 kilometers of road.”¹⁰
- more difficulties for relief agencies in accessing affected communities. This is particularly the case for countries in governments that are unwilling to extend access to humanitarian actors. For example, after the 1990 earthquake in Gilan province in Iran which measured 7.7 on the Richter scale, killed 50,000 people

⁹[http://www.internal-displacement.org/idmc/website/countries.nsf/\(httpEnvelopes\)/4D72DEF161EAD3AFC125764F004C19D4?OpenDocument](http://www.internal-displacement.org/idmc/website/countries.nsf/(httpEnvelopes)/4D72DEF161EAD3AFC125764F004C19D4?OpenDocument)

¹⁰ http://www2.ohchr.org/english/issues/idp/docs/RSG_on_IDPS_Mission_Somalia.pdf

and decimated entire villages,¹¹ the government initially insisted that the country would handle the crisis on its own and turned away international assistance. By the time the government was willing to enlist assistance from abroad, a significant proportion of the affected had reportedly died from otherwise preventable deaths.¹² A similar initial rejection of international aid by the government of Burma/Myanmar following the May 2008 Cyclone Nargis complicated the relief effort.

It seems to make intuitive sense to conclude that conflicts worsen the impact of natural disasters by weakening state, community and individual capacity to respond.

There are surprisingly few long-term empirical studies on the relationship between conflict and natural disasters. Nel and Righarts looked at data for 187 countries and other political entities for the period 1950 to 2000 and found that rapid-onset natural disasters significantly increase the risk of violent civil conflict both in the short and medium-term, specifically in low- and middle-income countries that have high inequality, mixed political regimes (which are neither fully autocratic or democratic), and sluggish economic growth.¹³ Similarly, Olson and Drury found that the more developed a country, the less likely a natural disaster is to have political consequences.¹⁴

Rakhi Bhavnani argues that “sudden changes brought on by natural disasters exacerbate problems that people face on a daily basis, heightening conditions for conflict such as grievances, political opportunity, and mobilization. Disasters create grievances that lead to conflict by causing mass disruption, impacting individual behavior, community and political organizations, and the power relationships between individuals, groups, and the organizations that serve them. In the immediate aftermath of a disaster, a country’s physical infrastructure is affected often preventing the adequate distribution of food and medical supplies. Crops are destroyed, giving rise to food shortages, famines, and localized conflicts over resources. As a disaster destroys many key social and political institutions, it threatens political stability and creates a power vacuum and opportunity for warlords and criminal gangs to usurp power...A natural disaster has the propensity to reshape society and along with it, its ability to manage risk, grievances, and political change.”¹⁵ He tests this hypothesis with the use of EM-DAT International Disaster Database data on sudden and slow-onset disasters from 1991-1999 and various conflict databases and news reports to assess whether natural disasters increase the risk of conflict. Bhavnani concludes that natural disasters do “contribute to conflict because they

¹¹ “When the world shook”, *The Economist*, 30 June 1990, p. 45, cited in Rohan J. Hardcastle, Adrian T. L. Chua, “Humanitarian assistance: towards a right of access to victims of natural disasters,” *International Review of the Red Cross* no 325, December 1998, p.589.

¹² See Hardcastle and Chua, *ibid*.

¹³ Philip Nel and Marjolein Righarts, “National Disasters and the Risk of Violent Civil Conflict,” *International Studies Quarterly*, vol. 52, 1, March 2008, p. 159.

¹⁴ R.S. Olson and A.C. Drury, “Un-Therapeutic Communities: A Cross-National Analysis of Post-Disaster Political Unrest,” *International Journal of Mass Emergencies and Disasters*, vol. 15, p. 8, 1997, <http://web.missouri.edu/~drurya/articlesandpapers/IJMED1997.pdf>.

¹⁵ Rakhi Bhavnani, “Natural Disaster Conflicts,” Harvard University, February 2006, p. 4. Available at: <http://www.disasterdiplomacy.org/bhavnanisummary.pdf>

create competition for scarce resources, exacerbate inequality with the unequal distribution of aid, change power relationships between individuals, groups, and the organizations that serve them, and can create power vacuums and opportunities for warlords to usurp power.”¹⁶

In other words, it seems that particularly for developing countries with weak governments, a natural disaster can cause political instability. Indeed, in countries such as Guatemala (1976 earthquake) and Nicaragua (1976 earthquake), governments have fallen largely because of popular discontent over the way the disaster response was organized. Indeed, the poor response of the West Pakistan government to the 1970 typhoon in East Pakistan was a principal reason for the ensuing war which resulted in Bangladeshi independence the following year.

One of the most interesting comparisons of the relationship between conflict and natural disasters is the effect of the 2004 tsunamis on conflicts in Sri Lanka and Aceh, Indonesia. At the time the tsunamis struck, both countries were mired in protracted conflicts. In Aceh, the response to the tsunami seems to have contributed to the resolution of a long-term simmering conflict between Gerakan Aceh Merdeka (GAM) and the government. In contrast, the response to the tsunami in Sri Lanka seems to have exacerbated tensions between the Tamil Tigers (the Liberation Tigers of Tamil Ealam (LTTE) and the government of Sri Lanka.

What made the difference? As is usual in these situations, there are many factors which are responsible for both the conflict and for its resolution. Several researchers have made the point that these two cases were at different ‘stages’ of conflict and that the tsunami (and the response to the disaster) had different impacts on the warring parties. Bauman et al. argue that in the 30-year old Indonesia/Aceh conflict, both sides had come to realize that a military solution was unviable and were looking for a political solution, but lacked an exit strategy.¹⁷ Both the government and the insurgents were seriously affected by the tsunami. The government lacked the capacity to rebuild Aceh without international support and was forced to allow international actors into the region – which had previously been largely denied because of the conflict. The international presence provided a sense of security to the population and coupled with both strong international support and committed political leadership, peace negotiations were re-started. In August 2005, a Memorandum of Understanding was signed in which the Indonesian government recognized the right of Aceh to “special autonomy,” a solution short of the secession

¹⁶ Ibid. p. 38.

¹⁷ Peter Bauman, Mengistu Ayalew, and Gazala Paul, “Natural Disaster: War and Peace.

A comparative analysis of the impact of the tsunami and tsunami interventions on the conflicts in Sri Lanka and Indonesia/Aceh,” unpublished manuscript. Also see P. LeBillon and A. Waizenegger, “Peace in the wake of disaster?” Secessionist conflicts and the 2004 Indian Ocean Tsunami, 2007 and M. Renner and Z. Chafe, “Turning Disaster into Peacemaking Opportunities,” in *the State of the World*. New York: World Watch Institute, 2006.

which had been demanded earlier. This agreement ended nearly 30 years of conflict which had caused 15,000 deaths and displaced up to 150,000-250,000 people.¹⁸

In comparison, when the tsunami struck Sri Lanka, the peace process was similarly stalled, the LTTE held a strong position and the tsunami itself affected the Tamil and Sinhalese communities differently. At the time, the majority of the 390,000 conflict-induced IDPs lived in the North and East and were Tamil. But the majority – though by no means all – of those affected by the tsunami were Sinhalese living in the South. An estimated 457,000 Sri Lankans were displaced by the tsunami.¹⁹ While there was a lot of talk in Sri Lanka about joining together to respond to the victims of the tsunami, in fact, there were tensions from the beginning as both sides sought to use the occasion – and the relief – to strengthen their own positions.

As Hoffman et al report, the government was worried that the LTTE would utilize the tsunami to gain international sympathy, recognition, and direct assistance and, consequently, blocked opportunities that they thought would benefit the LTTE. At the same time, the LTTE did not trust the government to distribute assistance fairly and sought direct access to aid.²⁰ There was a strong sense of grievance among the Tamil population that assistance was going primarily towards tsunami-affected people in the South, mostly Sinhalese, while those affected by the tsunami in the North and East, mostly Tamil, did not receive a proportionate share. And the conflict-displaced, mostly Tamils in the North and East, were receiving much less. Efforts to develop a joint response between Sinhalese and Tamils failed. The discrimination in treatment between conflict-induced and tsunami-affected IDPs in Sri Lanka contributed to the tensions. Tamils complained that the government failed to provide adequate assistance and Muslims felt ignored and discriminated against. Inter-communal incriminations returned. Hope and expectations plummeted and the conflict re-ignited in late 2006, displacing still another 200,000 people. In 2009, the Sinhalese-dominated government defeated the LTTE in a brutal offensive.

One of the lessons of the tsunami is an affirmation of Mary Anderson's classic argument that humanitarian assistance can either mitigate or accelerate conflicts.²¹ This is also a major factor in conflict-induced displacement as humanitarian assistance can be diverted to support armed groups and actually prolong the conflict.

Natural disasters and human rights

¹⁸ See also Peter Feith, "The Aceh Peace Process: Nothing Less than Success," *US Institute of Peace Briefing Paper*, March 2007 <http://www.usip.org/pubs/specialreports/sr184.pdf>. Also see Walter Kälin, op cit.

¹⁹ [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/FFBBFDF012F17ADEC1257227004203D7/\\$file/Sri%20Lanka%20-November%202006.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/FFBBFDF012F17ADEC1257227004203D7/$file/Sri%20Lanka%20-November%202006.pdf), p. 37.

²⁰ Susanna M. Hoffman and Anthony Oliver-Smith, (eds.) *Culture and Catastrophe: The Anthropology of Disaster*, Santa Fe, New Mexico: The School of American Research Press, 2002.

²¹ Mary Anderson, *Do No Harm: How Aid can Support Peace – or War.*, Boulder, CO: Lynne Rienner Publishers, 1999. Also see www.disasterdiplomacy.org for discussion of the ways in which natural disasters create opportunities for diplomatic initiatives.

It was the 2004 tsunami which brought the issue of human rights and natural disaster response to the fore of the international agenda. In part this was because of the sheer magnitude of the disaster and the scale of the response. Unlike most natural disasters, the response to the tsunamis was well-funded. With sufficient funding, relief agencies were able to develop ambitious programs and generally did not need to coordinate their efforts with others. At its worst, this led to competition between agencies for beneficiaries and awareness of the discriminatory impact of assistance. While such discrimination has likely been a feature in most disaster relief efforts, the sheer presence of hundreds of NGOs, bilateral aid agencies, and international organizations made it more apparent to observers. The fact that relief agencies were generally well-resourced also made it possible for them to devote more resources to monitoring and evaluation – which also highlighted not only inequitable patterns of assistance, but a range of protection issues.²²

In response to the tsunami, the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, Walter Kälin, developed *Operational Guidelines on Human Rights and Natural Disasters* which were adopted by the Inter-Agency Standing Committee in 2006 and focus on what humanitarian actors should do to implement a rights-based approach to humanitarian action in the context of natural disasters. They provide concrete guidance on how to ensure that the rights of those affected by disasters are respected, are currently being revised on the basis of feedback from the field, and serve as a basis for a number of training and awareness-raising initiatives. They are based on the conviction that human rights are the legal underpinning of all humanitarian work related to natural disasters and to most humanitarian work with victims of internal conflicts.

These guidelines emphasize that:

- Persons affected by natural disasters should enjoy the same rights and freedoms under human rights law as others in their country and not be discriminated against.
- States have the primary duty and responsibility to provide assistance to persons affected by natural disasters and to protect their human rights.
- Organizations providing protection and assistance accept that human rights underpin all humanitarian action.
- All communities affected by the disaster should be entitled to easily accessible information concerning the nature of the disaster they're facing, possible mitigation measures that can be taken, early warning information, and information about ongoing humanitarian assistance.

The problems that are often encountered by persons affected by natural disasters include: unequal access to assistance; discrimination in aid provision; enforced relocation; sexual and gender-based violence; loss of documentation; recruitment of children into fighting

²² See for example: Harry Masyrafah and Jock MJA McKean, *Post-tsunami aid effectiveness in Aceh: Proliferation and Coordination in Reconstruction*, Brookings Wolfensohn Center for Development, Working Paper 6, November 2008, p. 24. Also see East-West Center, Berkeley University, "After the tsunami: human rights of vulnerable populations," October 2005.

forces; unsafe or involuntary return or resettlement; and issues of property restitution. These are similar to the problems experienced by those displaced or otherwise affected by conflicts.

Although there is considerable discussion within the human rights community about prioritizing certain rights, it is generally accepted that the first priority is to protect life, personal security, and the physical integrity and dignity of affected populations by:

- Carrying out evacuations and relocations when necessary in order to protect life
- Protecting populations against the negative impacts of natural hazards
- Protecting populations against violence, including gender-based violence
- Providing security in camps when these are necessary
- Protecting people against anti-personnel landmines and other explosive devices

A second category of rights are those related to basic necessities of life, including:

- Access to goods and services and humanitarian assistance
- Provision of adequate food, and sanitation, shelter, clothing and essential health services.

Protection of other economic, social and cultural rights, including

- Education
- Property and possessions
- Housing
- Livelihood and work

Finally, other civil and political rights need to be protected:

- Documentation
- Freedom of movement and right to return
- Family life and missing or dead relatives
- Expression, assembly and association, and religion
- Electoral rights

This offers concrete guidance to those responding to natural disasters – whether governments, international organizations, or non-governmental organizations. For example, in the immediate aftermath of a flood, governments are often not able to provide necessary educational facilities for affected children. This can (and must) come later, once the children are protected against violence and have access to the basic necessities of life. Similarly, the right to documentation is a crucial issue for many affected by emergencies, but affected communities have a more urgent need for sufficient food and water.

Even with the best of intentions by all concerned, it is sometimes not possible to ensure that the rights of all those affected by an emergency are fully and immediately respected. For example, access to affected populations is often difficult, those responsible for responding to disasters may themselves be affected, groups who are already socially

vulnerable are usually the most affected by disasters and the logistical demands of ensuring that needed assistance items are in the right place and are delivered may be significant. Resources are almost always limited in the initial phase of disaster response. However, in preparing for disasters, governments and relief agencies can and should carry out their planning in such a way as to ensure that human rights are respected. And with the passage of time, it is usually more feasible for disaster response to incorporate an explicitly human rights focus.

More than treaties and checklists, planning for emergency response requires adoption of a human rights perspective or mindset. This means that responders should constantly be asking themselves questions such as: ‘who are the vulnerable groups in this community and how do our plans ensure that they are protected and assisted?’ ‘Even as we’re working to supply water to this community, is someone else working on the next phase of providing education and protecting the property of those who have left?’ ‘How will our actions affect the rights of those who are not living in camps?’ Developing a human rights mindset requires not only an understanding of international and national standards, but also a commitment to ensuring that the inherent dignity and basic human rights of all people are upheld.

Adopting a human rights-based response to those affected by natural disasters is a concrete way to ensure that natural disasters do not exacerbate existing or provoke new conflicts.