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Study on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction and prevention and preparedness initiatives

Promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives

Study by the Expert Mechanism on the Rights of Indigenous Peoples

Summary

In its resolution 24/10, the Human Rights Council requested the Expert Mechanism on the Rights of Indigenous Peoples to prepare a study on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction and prevention and preparedness initiatives, including consultation and cooperation with the indigenous peoples concerned in the elaboration of national plans for natural disaster risk reduction. The present study explores the links between disaster risk reduction and human rights, provides an overview of the international legal and policy framework in this regard, and analyses some of the factors that place indigenous peoples at particular risk of being affected by disasters. It then examines how indigenous peoples can contribute to disaster risk reduction initiatives and proposes ways to increase indigenous peoples' participation in these initiatives. The study concludes with Expert Mechanism Advice No. 7.

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I. Introduction

1. In its resolution 24/10, the Human Rights Council requested the Expert Mechanism on the Rights of Indigenous Peoples to prepare a study on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction, prevention and preparedness initiatives, including consultation and cooperation with the indigenous peoples concerned in the elaboration of national plans for natural disaster risk reduction, and to present it to the Human Rights Council at its twenty-seventh session. The Human Rights Council also decided to convene, at the same session, a half-day panel discussion on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction, prevention and preparedness initiatives.

2. The Expert Mechanism called for submissions from States, indigenous peoples, non-state actors, national human rights institutions and other stakeholders to assist it in the study. The submissions received are, where permission was granted, publicly available on the website of the Expert Mechanism.

A. Hazards, vulnerability and risk

3. A disaster is not always or necessarily the inevitable consequence of the manifestation of a natural phenomenon such as an earthquake, a typhoon or another type of meteorological or geological event. In areas where there are no human interests, natural phenomena do not constitute hazards, nor do they result in disasters. They do, however, become hazardous events when they occur in close proximity to human populations. The more vulnerable the population is, in terms of where they live, their level of knowledge and awareness of and preparedness for the hazards, and the resources they have at their disposal to limit their exposure, the greater the adverse impact will be on their lives and livelihoods.

4. Although virtually nothing can be done to prevent the incidence or intensity of most natural phenomena, human actions can increase the frequency and severity of natural hazards. States and vulnerable populations, including indigenous peoples, have an important role to play in ensuring that their own actions (or lack thereof) do not contribute to creating a disaster. For example, healthy ecosystems play an important role in mitigating or reducing the risk of disasters, yet human interventions such as the destruction of coral reefs and deforestation can diminish the ability of ecosystems to provide protection against natural hazards.¹

5. A disaster, therefore, is “a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of the exposure to a hazard, the conditions of vulnerability that are present, and insufficient capacity or measures to reduce or cope with the potential negative consequences.”²

6. This definition and other disaster terminology defined by the United Nations Office for Disaster Risk Reduction promote a common understanding in the implementation of

¹ Organization of American States, “What are natural hazards?” Available from www.oas.org/dsd/publications/Unit/oea54e/ch05.htm#1.%20how%20natural%20are%20natural%20hazards (accessed 22 April 2014).

² United Nations Office for Disaster Risk Reduction, *2009 UNISDR Terminology on Disaster Risk Reduction*, (Geneva, 2009), p. 9. Available from www.unisdr.org/files/7817_UNISDRTerminologyEnglish.pdf (accessed 22 April 2014).

disaster risk reduction practices. However, it is necessary to ensure that the perspectives of indigenous peoples are adequately integrated into the implementation of all practices and at all stages of the design and implementation of risk reduction projects and activities.

B. Disaster risk reduction as an enabler of human rights

7. Disaster risk reduction is the concept and practice of reducing disaster risks by systematically analysing and managing the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.³

8. The impact of disasters on human rights can be of a direct nature, such as the threat that extreme weather events may pose to the right to life. But often they will have an indirect and gradual effect on human rights, such as increasing stress on health systems and increasing vulnerabilities related to climate change-induced migration (A/HRC/10/61, para. 92). The same holds true for virtually all types of natural hazards. Disaster risk reduction contributes to the protection of human rights by reducing the likelihood of natural hazards having a negative impact on housing, health, land rights and access to food, to give a few examples. Disaster risk reduction provides an enabling environment for the promotion and protection of human rights, particularly as it applies to indigenous peoples, whose close relationship with their natural environment makes them particularly vulnerable to disaster risk.

9. Strategies to reduce disaster risk require collaboration and the technical input of a wide range of actors if they are to be effective and they must include the perspective of the indigenous peoples whose human rights and lives they are designed to protect. No one agency or sector alone can hope to achieve meaningful change, and therefore, the very process of designing risk reduction strategies, through partnerships in which human rights agencies, disaster risk reduction experts and representatives of indigenous communities work together, provides an excellent opportunity to improve the participation of indigenous peoples in decision-making processes.

10. All States have the obligation to protect human rights. Natural hazards are not disasters, in and of themselves. Whether or not they become disasters depends on the exposure of a community, and its vulnerability and resilience — all factors that can be addressed by human (including State) action.⁴ A failure (by national and local governments, disaster risk reduction agencies, indigenous peoples and other actors) to take reasonable preventive action to reduce exposure and vulnerability and to enhance resilience, as well as to provide effective mitigation, is therefore a human rights issue.

II. International legal and policy framework

A. International legal framework

11. The United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) is the most comprehensive instrument elaborating the rights of indigenous

³ Ibid., pp. 10 and 11.

⁴ The Chengdu Declaration for Action lays out the premise that there is no such thing as “natural disasters”. Natural hazards — floods, earthquakes, landslides and storms — become disasters as a result of human and societal vulnerability and exposure, which can be addressed by decisive policies and actions and active participation by local stakeholders.

peoples, and should be the key starting point for any consideration of their individual and collective rights. Although the Declaration does not explicitly address disaster risk reduction, several of its provisions have implications for the promotion and protection of indigenous peoples' rights in this area, and can provide guidance for the design and implementation of sound disaster risk reduction strategies and interventions.

12. Self-determination, enshrined in articles 3 and 4 of the Declaration, is of paramount importance in this respect. As article 4 states, in exercising their right to self-determination, indigenous peoples have "the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions." Local plans for disaster risk reduction and preparedness would certainly fall under article 4.

13. Article 18, on the right to participate in decision-making, and articles 19 and 32, which address free, prior and informed consent, can also provide guidance in the context of disaster risk reduction. In applying these articles, it becomes clear that indigenous peoples are entitled to participate in disaster risk reduction processes and that States have the obligation to consult with them and to seek to obtain their free, prior and informed consent concerning risk reduction measures that may affect them. Risk reduction is more likely to be successful if indigenous decision-making processes and traditional knowledge are respected.

14. Article 31 affirms the right of indigenous peoples to maintain and protect their traditional knowledge and the manifestations of their sciences and technologies, as well as providing safeguards for the protection of this right. Traditional knowledge has a valuable role to play in disaster risk reduction and it should be recognized and protected accordingly. All too often, mainstream disaster management institutions have ignored indigenous knowledge, and many successful local practices have disappeared as a consequence of non-indigenous influence. At other times, indigenous peoples' practices have adapted to changing environments.

15. Article 23 affirms indigenous peoples' right to determine and develop priorities and strategies for exercising their right to development. This includes "the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them". In the same way that indigenous peoples have the right to be involved in developing and determining health, housing and other economic and social programmes, they must also be actively involved in designing and conducting vulnerability studies and strategies that aim to reduce their risk. Similarly, article 32 upholds indigenous peoples' right to determine and develop priorities for the use of their lands and territories, which would include their possible use for disaster risk reduction initiatives.

16. The conservation and protection of the environment is closely linked to disaster risk reduction, and the Declaration provides a strong normative framework in this respect. According to article 29, "indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources." Given the potential impact of disasters on indigenous peoples' lands and their productive capacity, sound disaster risk reduction strategies, developed with the active participation of indigenous peoples, would contribute to the fulfilment of article 29.

17. Disaster risk reduction, in extreme cases, might involve removal from areas that are deemed unsafe from a disaster point of view (e.g. from an area that has a high risk of landslides or is located along the banks of a river that is prone to flooding). Article 10 of the Declaration states that indigenous peoples "shall not be forcibly removed from their lands or territories" and prohibits relocation without the free, prior and informed consent of the peoples concerned, agreement on compensation and, where possible, the option of return.

18. Although International Labour Organization Convention No. 169 concerning indigenous and tribal peoples in independent countries does not address disaster risk reduction in particular, some of its provisions are applicable in this context. Article 4, for example, states that “special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.” Article 7, paragraph 1, affirms indigenous peoples’ rights to decide their own priorities for development and their participation in the “formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.” Disaster risk reduction would certainly fall under this provision. Article 16 addresses indigenous peoples’ right not to be removed from the lands that they occupy and provides safeguards for cases where relocation is necessary as an exceptional measure.

19. While universal human rights treaties do not refer specifically to disaster risk reduction, nor to a specific right to a safe and healthy environment (one of the expected outcomes of disaster risk reduction), the United Nations human rights treaty bodies all recognize the intrinsic link between the environment and the realization of a range of human rights, such as the right to life, to health, to food, to water, and to housing (A/HRC/10/61). Disaster risk reduction can contribute significantly to the promotion and protection of these human rights.

20. In their concluding observations, some treaty bodies have referred to disaster risk reduction from a human rights perspective. The Committee on the Elimination of Discrimination against Women, for example, has underlined the importance of integrating a gender perspective and fostering the participation of women in disaster risk reduction initiatives.⁵ The Committee on the Rights of the Child has also addressed the issue in some of its concluding observations, advocating for the inclusion of disaster preparedness in school curricula, for instance.⁶ The observations of the two Committees refer to indigenous women and indigenous children by implication.

21. The Special Procedures have also given some attention to the issue of disaster risk reduction and its implications for human rights. The Special Rapporteur on the right to food recommended, for example, that Nicaragua put in place a rapid alert system in order to “protect indigenous peoples from the impacts of weather-related events” and support them in making their food systems more resilient in the face of climate change (A/HRC/13/33/Add.5, para. 83 (h)). The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, has also called for a human rights-based approach to disaster prevention (A/HRC/13/20/Add.3, para. 71).

B. Overview of global frameworks for disaster risk reduction

22. The United Nations-endorsed Hyogo Framework for Action (HFA)⁷ is a ten-year plan (2005–2015) that sets out a comprehensive approach for reducing disaster risks. It was adopted by the General Assembly of the United Nations in its resolution 60/195 (para. 2). Beyond recognizing the role of traditional knowledge and cultural heritage, the HFA makes no specific reference to indigenous peoples. However, a number of its risk reduction

⁵ See, for example, the concluding observations for Indonesia (CEDAW/C/IDN/CO/5, para. 39), Grenada (CEDAW/C/GRD/CO/1-5, para. 36 (b)), Jamaica (CEDAW/C/JAM/CO/6-7, para. 32 (b)) and Tuvalu (CEDAW/C/TUV/CO/2, para. 56).

⁶ See, for example, the concluding observations for Djibouti (CRC/C/DJI/CO/2, para. 63 (h)).

⁷ UNISDR, *Hyogo Framework For Action 2005–2015: Building the Resilience of Nations and Communities to Disasters* (2005). Available from www.unisdr.org/files/1037_hyogoframeworkforactionenglish.pdf (accessed 22 April 2014).

strategies and principles are relevant to indigenous peoples. These include the “development and strengthening of institutions, mechanisms and capacities at all levels, in particular at the community level, that can systematically contribute to building resilience to hazards”,⁸ the importance of taking into account “cultural diversity, age, and vulnerable groups” in disaster risk reduction,⁹ and the empowerment of communities and local authorities “to manage and reduce disaster risk by having access to the necessary information, resources and authority to implement actions for disaster risk reduction”.¹⁰

23. Although a number of human rights–relevant elements are already explicitly addressed (to varying degrees) in the HFA (e.g. gender, age, vulnerable groups, cultural diversity, livelihoods, and socioeconomic structures), others (such as discrimination and inequalities, economic and social rights in general, and the need for participation by affected communities) are missing. The HFA also does not address the situation of indigenous peoples explicitly.

24. The mandate of the United Nations Office for Disaster Risk Reduction (UNISDR), formerly the United Nations International Strategy for Disaster Reduction, is to serve as the focal point in the United Nations system for coordinating disaster risk reduction and ensuring synergies among disaster risk reduction activities. Through a system of global partnerships, the UNISDR system provides a vehicle for cooperation among governments, organizations and civil society actors, as well as indigenous peoples and their organizations, to implement the HFA.

25. Currently, UNISDR is coordinating the post-2015 successor mechanism: HFA2.¹¹ The HFA2 framework is drawing its input from recommendations made at regional platform meetings, and particularly from the fourth Global Platform for Disaster Risk Reduction, held in 2013. The report of the fourth Global Platform mentions several areas that should be duly noted by both States and indigenous peoples: “HFA2 needs to enable and encourage full participation of people disproportionately affected by disasters and should embody the principles of social inclusion and human rights. The perspectives of the most vulnerable should be included in both disaster risk reduction planning and implementation. Their representatives should also play a major role, including leadership, in national disaster risk reduction arrangements. In conjunction with this, the relationship between disaster risk reduction and human rights needs to be explored and practical measures taken to strengthen it.”¹² In addition to ensuring the full and effective participation of indigenous peoples, it is particularly crucial to seek and include the perspectives of indigenous women, children, and persons with disabilities, since multiple discrimination often means that their views are not taken into account.

III. Why are indigenous peoples at particular risk?

26. Most policymakers and academics acknowledge that poor planning, poverty and a range of other underlying factors create vulnerability, resulting in insufficient capacity or measures to reduce the potential negative consequences of disaster risk. This vulnerability

⁸ Hyogo Framework for Action 2005–2015, para. 12.

⁹ *Ibid.*, para. 13.

¹⁰ *Ibid.*, para. 13.

¹¹ UNISDR, Proposed elements for consideration in the post-2015 framework for disaster risk reduction. Available from www.preventionweb.net/files/35888_srsgelements.pdf (accessed 22 April 2014).

¹² UNISDR, Post-2015 Framework for Disaster Risk Reduction (HFA2): Report from 2013 Global Platform Consultations, p. 3. Available from www.unisdr.org/files/35070_hfa2consultationsgp2013report.pdf (accessed 22 April 2014).

has as much to do with the disproportionate effect of a disaster on a particular community as it does with the natural hazards themselves. Thus, the consequences of disasters may well be made more serious if high-risk populations are not properly addressed in disaster planning and response.

27. The estimated 370 million indigenous people in some 90 countries worldwide¹³ face systematic discrimination and exclusion from political and economic power and continue to be overrepresented among the poorest and most vulnerable segments of society. Indigenous peoples are often dispossessed of their traditional lands and territories and deprived of their resources for survival, both physical and cultural, further weakening their capacity to deal with hazards, both natural and man-made (E/C.19/2013/14, para. 2).

28. Many indigenous communities have faced disasters, including earthquakes, floods, landslides, tsunamis, typhoons, coastal erosion and drought, which have caused enormous losses including of lives, property and sources of livelihood. Even though indigenous peoples are often from smaller, close-knit communities that live close to the earth, understand their environment and practise risk reduction strategies and methods that originated within their communities and have been enhanced and passed down over generations, the factors listed below are among those placing them at particular risk from the effects of natural disasters.

A. Risk factors

1. Climate change

29. The Fourth Assessment Report of the Intergovernmental Panel on Climate Change¹⁴ states that the global climate system is warming and is doing so mainly because of man-made greenhouse gas emissions. The Intergovernmental Panel's reports, and other studies, document how climate change will affect, and already is affecting, the basic elements of life for millions of people around the world, leading to an increasing frequency of extreme weather events, rising sea levels, droughts, increasing water shortages, and the spread of tropical and vector-borne diseases.

30. It is becoming increasingly apparent that climate change will have implications for the enjoyment of human rights. In 2008, the Human Rights Council recognized this in the preamble to its resolution 7/23 on human rights and climate change, expressing concern that climate change "poses an immediate and far-reaching threat to people and communities around the world," threatening the right to safe and adequate water and food, the right to health and the right to housing. Equally, the human rights perspective emphasizes that climate change is set to hit the poorest countries and communities the hardest, including indigenous peoples.

31. In its most recent report, the Intergovernmental Panel on Climate Change noted that the "livelihoods and lifestyles of indigenous peoples, pastoralists and fisherfolk, often dependent on natural resources, are highly sensitive to climate change policies, especially those that marginalize their knowledge, values and activities."¹⁵ Considering this through a human rights lens, it is clear that projected climate change-related effects threaten the

¹³ *State of the World's Indigenous Peoples* (United Nations publication, Sales No. 09.VI.13).

¹⁴ Intergovernmental Panel on Climate Change, Fourth Assessment Report (2007). Available from www.ipcc.ch/publications_and_data/publications_ipcc_fourth_assessment_report_synthesis_report.htm (accessed 22 April 2014).

¹⁵ Intergovernmental Panel on Climate Change, *Climate Change 2014: Impacts, Adaptation and Vulnerability*. Technical summary, p. 8.

effective enjoyment of a range of human rights, including the right to life, the right to health, the right to food, and indigenous peoples' rights to their lands, territories and natural resources.

32. Indigenous peoples are among the first to face the direct consequences of climate change, owing to their dependence upon and close relationship with the environment and its resources. Climate change exacerbates the difficulties already faced by vulnerable indigenous communities, which include political and economic marginalization, loss of land and resources, human rights violations, discrimination and unemployment. The following are some examples:¹⁶

- (a) In the high-altitude regions of the Himalayas, glacial melts affecting hundreds of millions of rural dwellers who depend on the seasonal flow of water are resulting in more water in the short term but less in the long run, as glaciers and snow cover shrink.
- (b) In the Amazon, the effects of climate change include deforestation and forest fragmentation, and consequently, more carbon released into the atmosphere, exacerbating the situation and creating further changes. Droughts in 2005 resulted in fires in the western Amazon region. This is likely to occur again as rainforest is replaced by savannahs, having a huge effect on the livelihoods of the indigenous peoples in the region.
- (c) Indigenous peoples in the Arctic region depend on hunting polar bears, walrus, seals and caribou, herding reindeer, and fishing and gathering, not only for food to support the local economy, but also as the basis for their cultural and social identity — consistent with article 20 of the Declaration, which states that indigenous peoples have a right to subsistence and to engage freely in all their traditional and other economic activities. Some of the concerns facing indigenous peoples there include changes in species, and in the availability of traditional food sources, and a perceived reduction in the accuracy of weather forecasts and in the safety of travelling in changing ice and weather conditions, posing serious challenges to the right to health and the right to food.
- (d) In Finland, Norway and Sweden, rain and mild weather during the winter season often prevents reindeer from accessing lichen, which is a vital food source. This has caused a massive loss of reindeer, which are vital to the culture, subsistence and economy of Sami communities. Reindeer herders must, as a result, feed their herds with fodder, which is expensive and not economically viable in the long term.
- (e) Rising temperatures, dune expansion, increased wind speeds, and loss of vegetation are impacting negatively on the traditional cattle- and goat-farming practices of indigenous peoples in Africa's Kalahari Basin, who must now live around government-drilled bores in order to access water and depend on government support for their survival.
- (f) In the Pacific, sea level rise, ocean acidification and an increase in extreme weather events such as droughts and typhoons are placing indigenous peoples at added risk.¹⁷

¹⁶ Climate change and indigenous peoples (2008). United Nations backgrounder. Available from www.un.org/en/events/indigenousday/pdf/Backgrounder_ClimateChange_FINAL.pdf (accessed 22 April 2014).

¹⁷ Submission: Foundation of the Peoples of the South Pacific International.

- (g) In many indigenous communities in Asia, climate change has caused changes to the agricultural calendar, affecting cultural practices that are linked to key activities in the agricultural calendar.

2. Environmental and geographical factors

33. Environmental protection and the strengthening of ecosystems is an essential ingredient in building disaster resilience.¹⁸ The close relationship of indigenous peoples with their lands and territories makes them extremely vulnerable to changes and damage to the environment. Indigenous peoples often inhabit lands that are risk-prone (e.g. low-lying coastal areas or steep mountain slopes). Making them even more vulnerable is the fact that infrastructure development and resource extraction frequently take place on or close to their lands and territories, even though the community itself is often not involved in creating the added risk.

34. The decline of ecosystems is due to human activities such as road construction, pollution, wetland reclamation and unsustainable resource extraction, the impact of which can often increase disaster risk. Activities such as illegal logging, deforestation for agriculture, the destruction of mangroves, and mining, as well as large-scale plantations and energy projects, contribute to changes in climate patterns, which can threaten the health and livelihoods of indigenous peoples and can increase their exposure to disasters. For example, in Peru (a country with 52 indigenous peoples, who represent a significant proportion of the country's population),¹⁹ the opening of new roads down the eastern slopes of the Andes and into the central jungle in order to extend the agricultural frontier has led to a notable increase in the number of reported landslides in that region since the 1980s.²⁰ In South-East Asia, the destruction of a rainforest to establish palm oil plantations has led to increased flooding risk.

3. Vulnerable livelihoods

35. As noted above, indigenous peoples often live in marginal and fragile ecosystems, such as tropical and temperate forest zones, low-lying coastlines, high mountainous areas, floodplains and riverbanks. These areas are some of the most threatened by climatic uncertainties and unpredictable extreme weather events that can severely impact the lives of indigenous peoples, since their livelihood systems are directly dependent on their ecosystems. With livelihoods dependent on agriculture and the biodiversity of natural resources, which are particularly sensitive to climate change, indigenous peoples may face lower agricultural productivity and reduced access to food and other materials collected from the natural environment. Their economy, social organization, identity, and cultural and spiritual values can likewise be adversely affected.²¹

36. Indigenous peoples in rural areas may be impacted more severely. Rural populations face difficulties with communications, a lack of access to government and financial institutions, and fewer opportunities to make a living. The experience of the Tarahumara

¹⁸ UNISDR, *How to Make Cities More Resilient: A Handbook for Local Government Leaders*. Available from www.unisdr.org/files/26462_handbookfinalonlineversion.pdf (accessed 22 April 2014).

¹⁹ Ministry of Culture of Peru. *Base de Datos de Pueblos Indígenas u Originarios*. Available from bdpi.cultura.gob.pe/alcance-de-la-base-de-datos (accessed 22 April 2014).

²⁰ UNISDR, 2009 Global Assessment Report on Disaster Risk Reduction. Available from www.preventionweb.net/english/hyogo/gar/press/documents/UNISDR_insert_2-DR-drivers_prFINAL1-r.pdf (accessed 22 April 2014).

²¹ Asia Indigenous Peoples Pact, *Indigenous Peoples and Climate Change Adaptation in Asia* (2012), p. 2.

community during the drought that affected Mexico in 2012 is a case in point. This indigenous community, which relies on farming as its sole source of income, endured a severe reduction in its corn yields and bean harvests due to a lack of water for irrigation, with considerable impact on livelihoods.²²

37. The Punan indigenous peoples, who live in hunter-gatherer communities in East Kalimantan, Indonesia, have for generations followed a lunar calendar for planning their agricultural, forestry, shifting cultivation and hunting activities. With changes in the timing of migration and fruiting, their dependence on traditional knowledge for their survival has become less reliable.²³

4. Resource extraction

38. Indigenous peoples have lived on their lands and territories for centuries yet have often been denied their rightful ownership and their right to self-determination. While the revenues from natural resource development are filtered out of regions where indigenous peoples live, the negative consequences, including increased disaster risk, stay behind.²⁴

39. As is stated in the Expert Mechanism's "Follow-up report on indigenous peoples and the right to participate in decision-making, with a focus on extractive industries" (A/HRC/21/55, para. 15): "Globally, a fundamental concern of indigenous peoples regarding extractive industry development, in addition to that of the dispossession of their lands, territories and resources, has been the ensuing unsustainable development and environmental degradation. Such patterns contrast with indigenous peoples' traditional models of development and are rooted in a lack of recognition of indigenous peoples' international human rights."

40. The link between unsustainable development practices and disaster risk reduction has been clearly made by the Secretary-General in his report to the General Assembly entitled "Implementation of the International Strategy for Disaster Reduction", which states that "development cannot be sustainable if the disaster risk reduction approach is not fully integrated into development planning and investments", and that "development investment that does not consider disaster risk will lead to the accumulation of more risk" (A/68/320, para. 69).

5. Health risks

41. Health is a human right and every country in the world is now party to at least one human rights treaty that addresses health-related rights. Article 12 of the International Covenant on Economic, Social and Cultural Rights, for instance, affirms the right "to the enjoyment of the highest attainable standard of physical and mental health." Article 24 (2) of the Declaration states that indigenous individuals have an equal right to enjoy the highest attainable standard of health and calls on States to take the necessary steps for the progressive realization of this right. Yet indigenous peoples often suffer from exclusion, discrimination and lack of access to health services, particularly if they live in remote areas where governments do not invest in basic social services. For example, the highest inequalities in health and mortality in Latin America and the Caribbean can be seen among

²² UNISDR, "Indigenous people threatened by Mexico's worst drought in 70 years", 14 August 2012. Available from www.unisdr.org/archive/28019 (accessed 22 April 2014).

²³ Asia Indigenous Peoples Pact, *Indigenous Peoples and Climate Change Adaptation in Asia* (2012), p. 5.

²⁴ Corinne Lennox, *Natural resource development and the rights of minorities and indigenous peoples. State of the World's Minorities and Indigenous Peoples 2012*. Minority Rights Group International.

indigenous peoples and other ethnic groups.²⁵ Some indigenous peoples, tribes and nations have a treaty right to health, often violated, that must be considered in any planning for disaster risk reduction.

42. If the health rights of indigenous peoples are at risk in “normal” times, their vulnerability will be exacerbated in disaster situations where underlying disaster risks have not been addressed. Access to health services, which for many indigenous communities is already challenging, can become even more difficult following a disaster, when increased demand, and often preventable damage to transport infrastructure and health facilities, can compound the challenges. Other disaster-related health risks that may disproportionately affect indigenous peoples include outbreaks of infectious diseases, increases in vector-borne disease, and a lack of safe drinking water and of access to adequate sanitation. It is also worth pointing out that the health security systems of indigenous communities are linked to the health of their forest and ecosystem. The declining population of medicinal herbs and the destruction of their habitats constitute another source of increasing vulnerabilities and health risk.

6. Migration

43. Throughout the world, humans are migrating to urban areas at an unprecedented rate. It is estimated that by 2030, six out of every ten people will live in a city, and that by 2050, this proportion will increase to seven out of ten.²⁶ This includes indigenous peoples throughout the world. In the United States, for example, nearly 67 per cent of those self-identifying as American Indian or Alaska Native, either alone or in combination with another race, were living in cities in the year 2000.²⁷ This trend toward urbanization was first recognized among this population in 1970 and the percentage of Native Americans living in cities has grown steadily ever since.

44. The root causes of migration to urban settings are closely linked to human rights violations, which compel indigenous peoples to migrate from their lands and territories. These include dispossession of lands and territories, environmental considerations, and insecurity due to conflict.²⁸ Indigenous peoples living in urban areas face particular challenges to the fulfilment of their rights, including their access to housing, safe water and sanitation. Once in urban areas, indigenous peoples are likely to establish themselves in informal settlements, which are at increased risk from extreme weather events (E/C.19/2013/14). The serious disconnection from their lands, territories and resources also has a disastrous impact on the spirituality of indigenous peoples and their spiritual relationship with the land.

²⁵ Pan American Health Organization, *Strategic Plan 2013–2018: Disaster Risk Reduction and Response*. Available from http://www.paho.org/disasters/index.php?option=com_docman&task=doc_download&gid=2161 (accessed 22 April 2014).

²⁶ World Health Organization, Urban population growth. Available from www.who.int/gho/urban_health/situation_trends/urban_population_growth_text/en/ (accessed 22 April 2014).

²⁷ United States Census Bureau, *The American Indian and Alaska Native Population: 2010*. Available from www.census.gov/prod/cen2010/briefs/c2010br-10.pdf (accessed 22 April 2014).

²⁸ UN-Habitat, *Securing Land Rights for Indigenous Peoples in Cities: Policy Guide to Secure Land Rights for Indigenous Peoples in Cities* (Nairobi, 2009), p. 14.

B. Lack of participation of indigenous peoples in decision-making and lack of recognition of community-driven initiatives

45. As discussed earlier, indigenous peoples have the right to participate in decision-making in matters that affect them. They should therefore be actively engaged in disaster risk reduction, prevention and preparedness initiatives, particularly if these measures are likely to take place on, or somehow affect, their lands, territories and resources. Indigenous peoples also have a great deal to contribute to disaster risk reduction, preparedness and prevention, and States should take the opportunity to learn about time-tested indigenous practices that have arisen from a close relationship with the environment, and include these lessons in their planning.

46. Ideally, this inclusive process would build bridges for collaboration between indigenous communities and the government agencies responsible for disaster risk reduction, in the interest of improving risk reduction strategies. Rather than imposing top-down processes, it is important to respect the culture of the at-risk community; effective planning for disaster risk reduction cannot be undertaken without engaging the people themselves and ensuring that the strategies that are agreed upon remain their own.

47. Indigenous peoples must have fully engaged, from the planning stages onwards, in order to reduce disaster risk and vulnerability. The practice of imposing centralized solutions on local problems (many of which already have successful local solutions) can lessen the community's capacity to reduce risk and save lives. They must have opportunities to develop their own strategies as well as to exercise their right to participate in the development of national and international policies, as called for in the Declaration.

48. The lack of legal recognition of indigenous peoples with collective rights likewise increases their vulnerability and restricts their participation. With this lack of recognition and protection by States, the security of their persons and properties and their ownership of their lands and resources are always threatened by imposed development projects. This threat affects their traditional knowledge, as well.

49. The international community should involve indigenous peoples in disaster risk reduction strategies. Additional effort is required in order to ensure that these initiatives result in tangible and sustainable programmes that promote a human rights-based approach to disaster risk reduction. The Pan American Health Organization — a regional office of the World Health Organization, for the Americas — is developing a model initiative of collaboration with indigenous community leaders throughout the Americas to improve disaster risk management. A questionnaire has been circulated to collect baseline data, and a Hemispheric Consultation on Engaging Indigenous Peoples in Disaster Risk Reduction is planned for mid-2014. The expected outcome of this dialogue will be effective approaches to reduce the risk of disasters and other public health events of international concern, and strategies to remove the challenges that exist to their universal implementation.

C. Contribution of indigenous peoples to their own and to national resilience

50. As discussed above, article 31 of the Declaration provides a framework for the recognition and protection of indigenous peoples' traditional knowledge. In addition, article 8 (j) of the Convention on Biological Diversity requires its Contracting Parties to "respect, preserve and maintain knowledge, innovations and practices of indigenous and

local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity...²⁹

51. Indigenous communities hold time-tested knowledge and coping practices developed through their intimate connection with their natural surroundings that make them resilient to climate-related natural hazards and disasters. This knowledge is a living practice, which can adapt in response to changing circumstances. Indigenous knowledge “includes an understanding of the relationships between indigenous societies and nature, which have been tested by time and proven to be sustainable and successful in limiting the effects of hazards” (E/C.19/2013/14, para. 39).

52. Indigenous peoples should therefore not simply be viewed as people who are vulnerable to climate change — they are also ecosystem peoples, with sound knowledge of and an intimate relationship with their environments. Indigenous communities have developed specific strategies to cope with extreme variations of weather, such as altering land use and settlement patterns, and crop diversification, in order to minimize the risk of harvest failures. Other coping strategies include changes to hunting and gathering periods to adapt to changing animal migration and fruiting periods, the introduction of food banking and seed banking, along with the creation of exchange networks among the communities, and the conservation of forests and watersheds, including the restoration of ecosystems.³⁰

53. However, this knowledge has been unduly neglected in disaster management policies formulated by States, due not only to the predominance of technocratic thinking, but also to the lack of connections between mostly non-indigenous officials and the indigenous population. Among the many arguments that can be made in favour of using traditional knowledge in disaster risk reduction, four are especially compelling:

- (a) Indigenous practices for disaster risk reduction and mitigation can often be adapted for use by other communities in similar situations or environments.
- (b) The use of a community’s traditional practices can encourage participation and empower the community itself to take the lead in disaster risk reduction initiatives.
- (c) Traditional knowledge and practices can provide valuable information about the local context to project implementation partners, including government agencies working on disaster risk reduction.
- (d) The non-formal dissemination of traditional knowledge provides a model for awareness-raising and education on disaster risk reduction.³¹

54. Today, indigenous peoples’ traditional knowledge and practices, which were formerly undervalued and ignored, are increasingly considered to be important and necessary contributions to the conservation of biodiversity and to disaster risk reduction. As stressed by the Permanent Forum on Indigenous Issues, maintenance of indigenous peoples’ cultural and spiritual relationships based on sustainable development and millennial knowledge founded in generations of hunting and agricultural practices, land management, sustainable water use, and agriculture-related engineering and architecture, which leads to vital conservation of biodiversity, must be a key priority in effectively

²⁹ Article 8 (j): Traditional knowledge, innovations and practices. Available from www.cbd.int/traditional/ (accessed 22 April 2014).

³⁰ Asia Indigenous Peoples Pact, *Indigenous Peoples and Climate Change Adaptation in Asia* (2012), p. 2.

³¹ Adapted from UNISDR, *Indigenous Knowledge for Disaster Risk Reduction: Good Practices and Lessons Learned from Experiences in the Asia-Pacific Region* (2008). Available from www.unisdr.org/we/inform/publications/3646 (accessed 22 April 2014).

addressing environmental or food catastrophes and global warming.³² Recognition and respect of the rights of indigenous peoples to self-determination, lands, territories and resources, and the protection of traditional knowledge, will have a positive impact on the environment,³³ and on disaster risk reduction, prevention and preparedness initiatives.

IV. How can consultation with and the participation of indigenous peoples in natural disaster risk reduction, prevention and preparedness initiatives be improved?

55. The participation of indigenous peoples, in addition to being a right to which they are entitled, is critically important for the success of disaster risk reduction, prevention and preparedness initiatives.

A. Free, prior and informed consent

56. The Expert Mechanism has underlined the centrality of free, prior and informed consent, noting that “indigenous peoples identify the right of free, prior and informed consent as a requirement, prerequisite and manifestation of the exercise of their right to self-determination as defined in international human rights law” (A/HRC/EMRIP/2010/2, para. 34). The Declaration sets out a series of provisions on free, prior and informed consent, and six of its articles contain explicit requirements in this regard (arts. 10, 11, 19, 28 (1), 29 (2) and 32). This principle is of fundamental importance for indigenous peoples’ participation in decision-making and establishes the framework for all consultations relating to projects affecting indigenous peoples, including in the area of disaster risk reduction. The duty of States to obtain indigenous peoples’ free, prior and informed consent entitles indigenous peoples to effectively determine the outcome of any decision-making that affects them, not merely to a right to be involved in such processes. It should be obtained through genuine consultation and participation.

57. As the Expert Mechanism has repeatedly stated (see, for example, A/HRC/18/42), the principle of free, prior and informed consent has the following implications:

- (a) *Free* implies no coercion, intimidation or manipulation.
- (b) *Prior* implies that consent is obtained in advance of the activity associated with the decision being made, and includes the time necessary to allow indigenous peoples to undertake their own decision-making processes.
- (c) *Informed* implies that indigenous peoples have been provided with all information relating to the activity and that that information is objective, accurate and presented in a manner and form understandable to indigenous peoples.
- (d) *Consent* implies that indigenous peoples have agreed to the activity that is the subject of the relevant decision, which may also be subject to conditions.³⁴

58. An ongoing discussion surrounding the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD) illustrates some of the challenges in applying the concept of free, prior and

³² *State of the World’s Indigenous Peoples* (United Nations publication, Sales No. 09.VI.13), pp. 42–43.

³³ UN-Habitat, *Securing Land Rights for Indigenous Peoples in Cities: Policy Guide to Secure Land Rights for Indigenous Peoples in Cities* (Nairobi, 2009), p. 21.

³⁴ For an interpretation of free, prior and informed consent, see E/C.19/2005/3.

informed consent in the context of disaster risk reduction. UN-REDD was conceived as a mechanism for achieving sustainable development outcomes that benefit tropical forests and their populations while simultaneously delivering climate change mitigation benefits.³⁵ UN-REDD subscribes to the principles of free, prior and informed consent, and since its inception, consultations have been held to ensure that the UN-REDD objectives are realized. One such consultation, held in partnership with the United Nations Development Programme, the United Nations University, the Indigenous Peoples' International Centre for Policy Research and Education (Tebtebba) and the secretariat to the Convention on Biological Diversity, took place in Baguio City, Philippines, in November 2008. The principles and recommendations developed during this consultation, which included the call for engagement with and reliance on free, prior and informed consent, provided the basis for the creation of the UN-REDD Programme's "Operational guidance on the engagement of indigenous peoples and other forest-dependent communities."³⁶ This guidance material has been distributed to UN-REDD Programme staff, United Nations country team staff and national government and civil society counterparts involved in any UN-REDD Programme activities that may impact upon the rights and livelihoods of indigenous peoples or other forest-dependent communities. This commitment to free, prior and informed consent illustrates both the value of and the challenges inherent in maintaining the principles of free, prior and informed consent in the context of disaster risk reduction, prevention and preparedness initiatives.

B. Partnership between indigenous peoples and governments

59. In order to be successful, disaster risk reduction initiatives require the concerted efforts of all stakeholders. In this regard, strong partnerships between indigenous peoples and government agencies working in disaster risk reduction are essential. For these partnerships to be successful, however, indigenous peoples' right to participate in decision-making must be respected — indigenous peoples need to be consulted and involved in disaster risk reduction initiatives at all stages.

60. The State of Washington in the north-west of the United States of America has a unique disaster risk reduction and response model that recognizes the State's 26 federally recognized Indian tribes, and recognizes that each sovereign tribe has an independent relationship with the other tribes and with the State. The Centennial Accord³⁷ was concluded in 1989 between tribal nations and the State of Washington in order to better achieve mutual goals through an improved relationship between their sovereign governments. Since its inception, the Accord has provided a framework for government-to-government relations. The Washington State Emergency Response Commission, which was established within the framework of the Centennial Accord, also recognizes the importance of developing partnerships with tribal nations and their tribal emergency response commissions. It works to encourage partnerships between local emergency planning committees and tribal nations. Tribal nations have the same responsibilities as States under the Emergency Planning and Community Right-to-Know Act (adopted by Washington State in 1987). Some tribes have established their own tribal emergency response

³⁵ See www.un-redd.org.

³⁶ Available from www.un-redd.org/Portals/15/documents/events/20090309Panama/Documents/UN%20REDD%20IP%20Guidelines%2023Mar09.pdf (accessed 22 April 2014).

³⁷ State of Washington, Governor's Office of Indian Affairs, Centennial Accord Between the Federally Recognized Indian Tribes in Washington State and the State of Washington. Available from www.goia.wa.gov/Government-to-Government/Data/CentennialAccord.htm (accessed 22 April 2014).

commissions, while others have opted to enter into agreements with their local emergency planning committees.

61. In Canada, the treaties include a famine clause, which has been implemented in a recent joint fire and emergency services agreement between the Maskwacis Cree and Wetaskiwin. The Government of Canada also recently announced a new approach to emergency management on Indian reserves in order to strengthen emergency management support to First Nations communities. When the city of Calgary experienced a major flooding event in 2013, this approach led to increased partnerships between the federal, provincial and First Nations governments, leading to quick recovery efforts and increased capacity on the part of the First Nations via training and the development of community emergency plans.

C. Strategies to improve the participation of indigenous peoples in disaster risk reduction

62. The relationship between disaster risk reduction and the promotion and protection of the rights of indigenous peoples is a relatively new area of exploration. There is no one-size-fits-all approach to promoting the participation of indigenous peoples. The Expert Mechanism's "Final report of the study on indigenous peoples and the right to participate in decision-making" (A/HRC/18/42) suggests a number of good practices by which indigenous peoples may participate in decision-making and stresses that their involvement in the design of the practices is important for success. These practices should be applied to disaster risk reduction. For example, through participative assessments (of both capacities and vulnerabilities) and policymaking processes aimed at combining local knowledge with scientific methods, communities can be empowered to take advantage of their own traditional knowledge to develop integrated strategies that are institutionalized and perhaps even transferred to similar contexts elsewhere.

63. Strategies that aim to improve indigenous peoples' participation in the process of risk reduction should start by engaging the community in a conversation about how risk reduction concepts (e.g. risk and vulnerability) are understood and defined. These definitions may or may not be consistent with those in common use by disaster professionals, but unless a common understanding is reached on essential concepts, it will be difficult to implement programmes, and attempts to measure success will be frustrated.

64. Advantage should be taken of regional and international initiatives and platforms that recognize, highlight and promote indigenous peoples' issues, so as to help ensure that indigenous peoples, communities and nations have access to best practices and lessons learned and that the experience and knowledge residing in indigenous communities is recognized by the international community as a valuable contribution to disaster risk reduction.

65. The participation of indigenous peoples is essential in order to ensure the protection and promotion of their rights in disaster risk reduction, prevention and preparedness initiatives. Currently there is a need to engage both indigenous peoples and their non-indigenous counterparts in dialogue aimed at understanding and reducing disaster risks. This involves risks that are unique to indigenous peoples as well as those that they have in common with other groups.

1. Education and awareness-raising

66. One key means of strengthening the participation of indigenous peoples in disaster risk reduction is through education and awareness-raising. Indigenous peoples have the

right to receive information to reduce their risk and vulnerability and to protect themselves, their property and their livelihoods.

67. The importance of education as a tool for disaster risk reduction is recognized in the Hyogo Framework for Action, which identified the use of knowledge, innovation and education to build a culture of safety and resilience at all levels as one of its key priorities for the period from 2005 to 2015. As noted in the Framework, “disasters can be substantially reduced if people are well informed and motivated towards a culture of disaster prevention and resilience.”³⁸ In the case of indigenous peoples, education on disaster risk reduction, in addition to being included in school curricula, could be addressed through their own educational systems and institutions, in accordance with article 14 of the Declaration.

2. Strengthening the participation of indigenous peoples in the development of plans for disaster risk reduction

68. The importance of strengthening the participation of indigenous peoples was highlighted at the conclusion of the 130th assembly of the Inter-Parliamentary Union,³⁹ which urged its 164 member parliaments “to take immediate action to review existing legislation related to disaster risk reduction.” The assembly further adopted a resolution stressing that “reducing disaster risk and protecting people’s lives are the legal responsibility of all public representatives.” At an earlier Inter-Parliamentary Union event focusing on parliaments, minorities, and indigenous peoples’ effective participation in politics, the assembly stated: “We cannot accept that minorities and indigenous peoples are the most vulnerable members of our societies and that they remain excluded from decision-making that affects their lives and the future of our countries.”⁴⁰ These two resolutions, stating that national government leaders are responsible for reducing risk and that they cannot exclude indigenous peoples from decision-making, are strong statements and should be a call to action. It is through these kinds of deliberations, which influence national laws and policies, that lasting, sustainable risk reduction will be achieved.

69. Indigenous peoples need to be involved in strengthening national risk reduction at all levels. Examples of this involvement include the following:

- (a) Supporting legal recognition of indigenous peoples’ collective and intergenerational rights to their lands, territories and natural resources, as the basis for livelihood security, cultural identity and political leverage.
- (b) Promoting access to financial resources for the development of basic services in indigenous territories.
- (c) Developing educational and informative materials in appropriate media on the causes of disaster and climate change risk, and on measures to reduce it.
- (d) Encouraging the holding of forums within and between indigenous communities to identify and share traditional mechanisms for coping with climate variability and natural hazards, and to analyse their potential effectiveness in future climate change scenarios.

³⁸ Hyogo Framework for Action, para. 18.

³⁹ Inter-Parliamentary Union. Towards risk-resilient development: taking into consideration demographic trends and natural constraints (2014). Available from www.ipu.org/conf-e/130/Res-2.htm (accessed 22 April 2014).

⁴⁰ Inter-Parliamentary Union. Parliaments, minorities and indigenous peoples: effective participation in politics (2010). Available from www.ipu.org/splz-e/chiapas10.htm (accessed 22 April 2014).

- (e) Promoting access to technology and scientific knowledge generated by non-indigenous peoples.
- (f) Integrating participation by all indigenous peoples into regional early warning systems.⁴¹

70. As an example, the indigenous people (Bethechilokono) of Saint Lucia are increasingly engaging with the National Emergency Management Organization as the country revises its National Emergency Management Plan. The Bethechilokono are advocating for the collection of disaggregated data on the community and its risks, and for the Plan to consider international obligations to respect the rights of indigenous peoples when designing and implementing rehabilitation programmes to mitigate the effects of natural disasters.⁴² To this end, they are advocating for the inclusion of representatives, selected by the community, in all local and national disaster risk reduction and emergency management committees and advisory bodies. In Australia, indigenous peoples contributed to the development of the National Emergency Management Strategy for Remote Indigenous Communities, which aims to improve the resilience of those communities.⁴³

3. Participation by indigenous peoples in the development and implementation of early warning systems

71. The ultimate objective of an early warning system is to provide information so that individuals can make informed decisions and take action in order to avoid risk or, at a minimum, reduce the risk, to their lives, health and property. The process of effective warning against disasters includes: (a) identifying the risk or event (e.g. hurricane, volcanic eruption, wildfire); (b) identifying individuals vulnerable to that risk; and (c) communicating the warning to those individuals so that they understand it, are sufficiently impressed by it, and, as a result, take effective action to minimize their risk before and during the anticipated event. In the case of indigenous peoples, it is essential that early warning systems take into account their linguistic and cultural needs. In the overseas territories of France with indigenous peoples (French Guiana, New Caledonia, French Polynesia, Wallis and Futuna, and Mayotte), the dissemination of alert messages during extreme weather events is carried out in indigenous languages.⁴⁴

72. The participation of indigenous peoples in the development and implementation of early warning systems is essential to their success. Participation by indigenous peoples can help to ensure that these systems are culturally and linguistically relevant and are well adapted to the specific risks and circumstances that they face. Furthermore, thanks to their traditional knowledge, indigenous peoples have a great deal to contribute to the development and implementation of early warning systems. In Uganda, for example, Karamojong communities participate actively in, and benefit from, an early warning system for droughts. The strategies for disseminating warnings and recommendations to the community include the use of radio messages and text messaging (SMS). A wider community awareness component also includes dramas and songs. Every month, drama groups raise the communities' awareness of the importance of listening to the warning messages on the radio and following the recommendations given by district authorities in order to avoid and reduce loss of lives and assets.⁴⁵

⁴¹ Marilise Turnbull, Charlotte L. Sterrett and Amy Hilleboe, *Toward Resilience: A Guide to Disaster Risk Reduction and Climate Change Adaptation* (Rugby, United Kingdom, Practical Action Publishing, 2013).

⁴² Submission: ALDET Centre, Saint Lucia (2014).

⁴³ Submission: Australia.

⁴⁴ Submission: France.

⁴⁵ UNISDR, *Africa Informs: Disaster Reduction in Africa: Special Issue on Drought 2012*. Available from www.unisdr.org/we/inform/publications/26438 (accessed 22 April 2014).

Annex

Expert Mechanism Advice No. 7 (2014): Promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives

A. General

1. The United Nations Declaration on the Rights of Indigenous Peoples provides the legal framework for the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives. In particular, article 29 calls for “the conservation and protection of the environment and the productive capacity of their lands or territories and resources.” Reducing the risk of natural hazards on indigenous peoples’ lands, territories and livelihoods can be seen as contributing to the fulfilment of other rights of indigenous peoples, including the right to life, the right to health and the right to food. In order for disaster risk reduction initiatives to truly have a positive impact on the rights of indigenous peoples, their full and effective participation in these initiatives is essential. Furthermore, disaster risk reduction initiatives should respect indigenous peoples’ right to self-determination, their rights related to lands, territories and resources, and their right to participate in decision-making.

2. Natural hazards are not disasters, in and of themselves. Whether or not they become disasters depends on a community’s exposure to the hazard and its vulnerability and resilience — all factors that can be addressed by human (including State) action. A failure by governments and others to take reasonable preventive action to reduce exposure and vulnerability and to enhance resilience, as well as to provide effective mitigation, is a human rights concern.

3. The following Advice is offered to promote and protect the rights of indigenous peoples in the context of disaster risk reduction, prevention and preparedness initiatives.

B. Advice for States

4. States should take every opportunity to secure the input of indigenous peoples in the development and implementation of disaster risk reduction initiatives so as to ensure their full and effective participation and the specific inclusion of indigenous peoples’ knowledge and unique needs or circumstances. States, and in particular agencies responsible for national development, should be committed to ensuring the full and effective participation of indigenous peoples, partnering with indigenous peoples in national strategies for disaster risk reduction.

5. National policies should integrate indigenous perspectives that reflect the changing climate in the context of disaster risk reduction in order to provide a strategic framework for action that empowers indigenous peoples to build resilience while respecting their right to self-determination with regard to their lands, territories and natural resources, their right to participate in decision-making, and their right to protect their cultural knowledge.

6. Disaster risk management efforts should be scaled up to reach the many risk-prone indigenous peoples and other vulnerable groups.⁴⁶ States should take measures, in cooperation with indigenous peoples, to promote sustainable land use and ensure the security of water resources.
7. The design and implementation of early warning systems should be carried out with the participation of indigenous peoples in order to ensure the linguistic and cultural relevance of the systems.
8. States should consider the possible impact of infrastructure development and of resource extraction policies and activities on the rights of indigenous peoples in general, and on their vulnerability to disasters in particular.
9. States should take measures to promote the participation of indigenous peoples in regional and international disaster risk reduction forums, including the global post-2015 framework for disaster risk reduction (HFA2).
10. Existing treaty relationships and partnerships between relevant government agencies working on disaster risk reduction and indigenous peoples should be pursued in all regions of the world in order to develop disaster risk reduction strategies at the national and local levels that reflect the voices of indigenous peoples.
11. The collection and disaggregation of data on disaster risk reduction should be improved in order to develop a clearer picture of indigenous peoples' vulnerability to disasters.
12. States should consult with indigenous peoples and seek to obtain their free, prior and informed consent when implementing disaster risk reduction measures that may affect their lands, territories and natural resources.
13. It is important for States to develop and implement resource extraction policies that aim to measure and reduce risk. This may include prohibiting resource extraction development where such development could lead to an increase in disaster risk.
14. As suggested in the Hyogo Framework for Action, States should "provide easily understandable information on disaster risks and protection options, especially to citizens in high-risk areas, to encourage and enable people to take action to reduce risks and build resilience."⁴⁷ This recommendation is particularly relevant for indigenous peoples. The Hyogo Framework for Action also calls for the information to incorporate indigenous knowledge and to be tailored to the target audiences, taking cultural and social factors into account.

C. Advice for indigenous peoples

15. Indigenous peoples should ensure their greater participation in disaster risk reduction initiatives at the local, national and international levels. In advocating for increased participation, indigenous peoples should draw upon the relevant provisions of the United Nations Declaration on the Rights of Indigenous Peoples, including the right to self-determination, rights related to lands, territories and resources, the right to participate in decision-making, and respect for and protection of traditional knowledge.

⁴⁶ UNISDR, *2011 Global Assessment Report on Disaster Risk Reduction*. Available from www.unisdr.org/we/inform/publications/19846 (accessed 22 April 2014).

⁴⁷ Hyogo Framework for Action, para. 18.

16. Indigenous peoples should develop community-level preparedness and risk reduction plans and strategies, with the participation of the entire community, that include actionable contingency plans to protect lives, livelihoods and critical infrastructure.

17. Indigenous peoples should disseminate and promote the elements included in these plans and strategies, which represent an indigenous perspective, in order to heighten awareness at the national and global levels.

18. Indigenous peoples should consider investing in training for youth on new technologies that are a part of current early warning and Geographic Information System mapping applications, which may include training by elders on how to adapt traditional knowledge in this contemporary context.

19. Traditional indigenous knowledge, values and cultures are, in themselves, important risk reduction tools and should be incorporated into national and international disaster risk reduction strategies, in conformity with the United Nations Declaration on the Rights of Indigenous Peoples. Indigenous knowledge should be valued and widely shared among the communities of indigenous peoples and with States and international institutions.

D. Advice for the global and regional disaster risk reduction communities

20. International agencies and organizations working on disaster risk reduction should exchange good practices and experiences in working with indigenous peoples at the regional and international levels.

21. As indigenous peoples continue to take steps to manage and reduce disaster risk, they will require information on common principles and concepts in a language that is easily understood and culturally appropriate.

22. In all disaster risk reduction initiatives, measures should be taken to ensure the full and effective participation of indigenous peoples and the recognition and promotion of the rights of indigenous peoples, including the right to self-determination, rights related to lands, territories and resources, the right to participate in decision-making, and respect for and protection of traditional knowledge, consistent with the United Nations Declaration on the Rights of Indigenous Peoples. Such initiatives should recognize indigenous peoples' participation as distinct from that of civil society organizations.

23. HFA2 should continue to highlight the inclusion of indigenous perspectives and traditional knowledge of risk reduction, particularly on issues related to climate change, and to advocate for a human rights-based approach to be integrated into disaster risk reduction policies and programmes, as recommended in the report of the fourth Global Platform for Disaster Risk Reduction.

24. Existing gaps in human rights-relevant elements of the Hyogo Framework of Action should be addressed, including discrimination and inequalities; economic and social rights in general; the rights to food, housing, health and property; and the need for full and effective participation by indigenous peoples.

25. International and regional organizations should strive to identify appropriate spaces and opportunities to move forward a productive dialogue that reflects and builds upon potential synergies between disaster risk reduction, human rights and indigenous issues.

26. International and regional organizations, in cooperation with indigenous peoples, should develop training programmes on disaster risk reduction aimed at strengthening the participation of indigenous peoples in disaster risk reduction and improving indigenous peoples' resilience to disaster risk.

27. International organizations can play a crucial role in promoting dialogue between indigenous peoples and States with regard to the promotion and protection of the rights of indigenous peoples in the context of disaster risk reduction strategies.
