HUMAN RIGHTS-BASED APPROACH IN DISASTER RESPONSES

Tuesday 23 May 2023
1:00-2:30 pm online

Facilitated by NCOSS Community Sector
Disaster Capability Project

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Megan Nicholson, Director

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Session outline

Part 1
- 'Disaster Risk Reduction' (DRR) as context
- Human Rights-Based Approach Principles

Part 2
- Applying Rights-Based Principles in disaster contexts

Part 3
- Whole group reflection

Finish

PART 1

Introduction and context

*Transformative times have fast-tracked us
into transformative thinking.*

Rights-Based Approach: a framework to build on.

https://www.rgscontractors.com/structural-stability-lies-in-concrete-foundation/

Disaster Risk: basic definition

Weather, pandemic, earthquake, tsunami
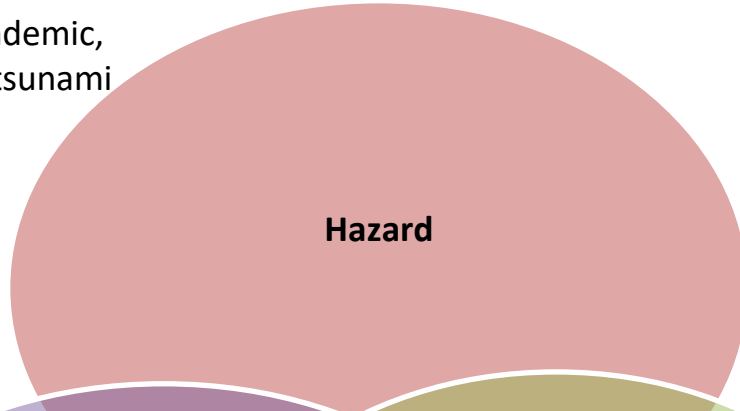
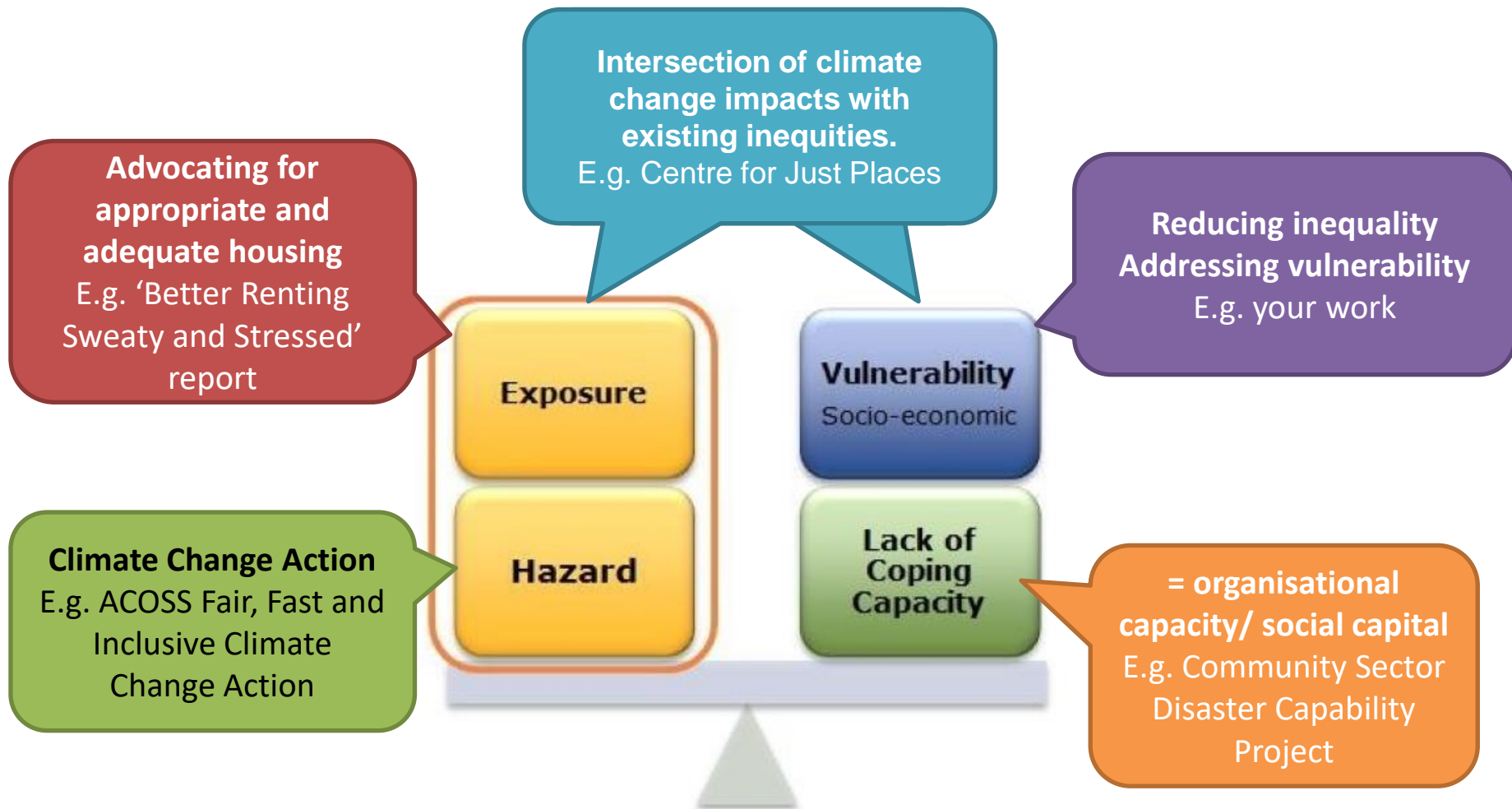**Hazard**

Disaster risk

Vulnerability

Exposure

Vulnerable people are disproportionally adversely affected by disasters.

Where we are located, our infrastructure and local resources to protect ourselves.

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Disaster Risk Reduction: Role of Community Services

Intersection of climate change impacts with existing inequities.
E.g. Centre for Just Places

Advocating for appropriate and adequate housing
E.g. 'Better Renting Sweaty and Stressed' report

Reducing inequality Addressing vulnerability
E.g. your work

Climate Change Action
E.g. ACOSS Fair, Fast and Inclusive Climate Change Action

= organisational capacity/ social capital
E.g. Community Sector Disaster Capability Project

Exposure

Hazard

Vulnerability
Socio-economic

Lack of Coping Capacity

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Disaster Risk: basic definition

Community support organisations contribute to reducing disaster risks in prevention and preparedness, but are also subject to disaster risks.

Disaster risk reduction capacity is the combination of all the strengths, attributes and resources available within an organization, community or society to manage and reduce disaster risks and strengthen resilience.
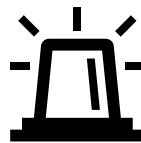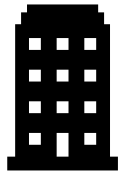
A human rights based approach to disaster risk reduction aims to reduce vulnerability.

https://www.undrr.org/
Sendai Framework for disaster risk reduction

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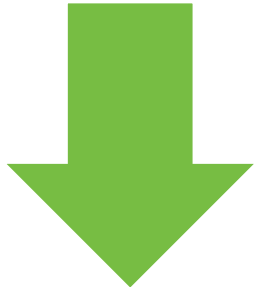
TRADITIONAL APPROACH

Centralised 'command and control'

Affected population as helpless victims

Trained experts keep untrained masses out of harm's way

Coordination in isolation, away from impacted communities.

RIGHTS-BASED APPROACH

Core principles: PANEL

Practice principles
   Community-led/based
   Working alongside vulnerable groups

The concern	The approach

Socio-economic inequality,
 	
as well as disaster risk,
 	
is likely to continue
 	
to increase for communities
 	
that have limited opportunities
 	
to manage their risks
 	
and to strengthen
 	
their resilience.
 	
-United Nations Office for
Disaster Risk Reduction (UN DRR)
	A human rights-based framework for –
	
	• Understanding how
	
	  inequality and risk interact;
	
	• Empowering people to
	
	  build a resilient life;
	
	• Holding governments,
	
	  institutions and we,
	
	  as service providers,
	
	  accountable.

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Rights-Based Approach

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Turning human rights

from purely legal instruments

into

effective policies,

practices,

and practical realities.

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- Australian Human Rights Commission
https://humanrights.gov.au/our-work/rights-and-freedoms/human-rights-based-approaches

The 'PANEL' Principles

P enabling meaningful participation of all key people and stakeholders

A ensuring clear accountability, identifying who has legal duties and practical responsibility for a human rights approach

N non-discrimination: discrimination avoided, attention paid to groups made vulnerable

E empowerment of staff and service users with knowledge, skills and commitment to realising human rights

L expressly apply human rights laws, particularly the Human Rights Act

(British Institute of Human Rights, 2013)

PART 2

Discussion: panel members

Fay Jackson
General Manager of Inclusion, Flourish Australia

Lisa Cameron de Vries
Technical Director, Phoenix Resilience

Dr Grant South
Ngunya Jarjum's 'Planning For Disaster' Project

Anne Crestani
Project Lead, Resilient Villages Blue Mountains

Discussion with panel members

A *Human Rights-Based Approach Self-Assessment Tool* was developed by the Scottish Human Rights Commission in 2018.

It has non-exhaustive 'prompt questions' that are designed to –
- be used flexibly,
- as a cross-organisational exercise, and
- support policy workers in embedding a rights-based approach.

For panellists

<u>As we look at some questions in the tool-</u>

1. What are the realities of translating each PANEL principle into practice, in your experience?

2. What are your TOP TWO tips for community organisations around translating a principle into practice?

Rights-Based Approach: PANEL core principles

Participation

Going out to where people are, instead of waiting for them to come to you?

Is it inclusive and accessible?

Are power and resources shared?

Removing barriers that stop people from getting involved?

Is information presented in a format which rights holders are able to understand?

Do rights holders feel that their opinions are listened to, even if a contrary decision is made?

Does it consider representation: – Geographically   – Across all protected characteristics   – From seldom heard groups?

Are people with lived experience equal partners throughout?

Rights-Based Approach: PANEL core principles

Accountability

Are strong laws, policies and procedures in place to protect people's rights?

Are duty bearers (government, organisations, authorities) identified and held accountable?

How do you identify key capacity gaps in duty bearers, so they could meet their obligations?

How do you monitor and evaluate the impact on human rights outcomes over time?

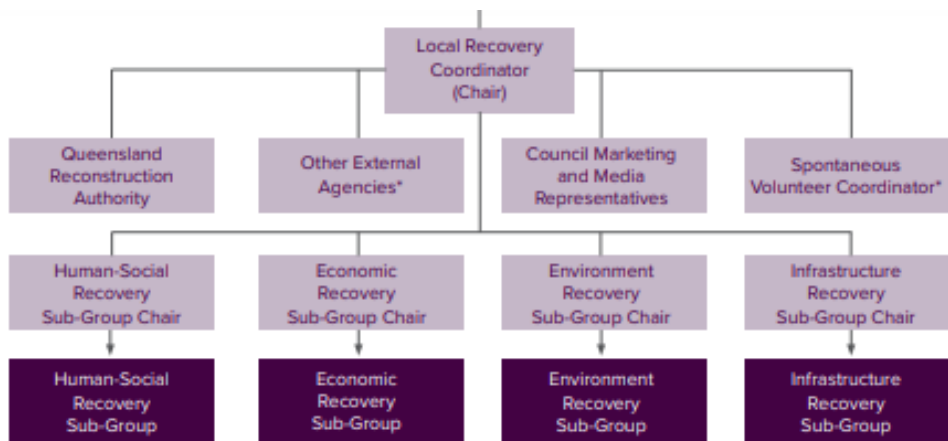

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Accountability

- Queensland Disaster Management Act

- Responsible entity – Local Government - Local Recovery Group

- Membership must enable disaster planning for vulnerable communities

- Mandatory to meet regularly, exercise, review performance and continually improve

Queensland

Disaster Management Act 2003

Current as at 1 March 2023

Logan City Council – Local Recovery Group

Local Recovery Coordinator (Chair)

- Queensland Reconstruction Authority
- Other External Agencies*
- Council Marketing and Media Representatives
- Spontaneous Volunteer Coordinator*

Human-Social Recovery Sub-Group Chair	Economic Recovery Sub-Group Chair	Environment Recovery Sub-Group Chair	Infrastructure Recovery Sub-Group Chair

Human-Social Recovery Sub-Group

- Council's Community Services Branch
- Council's Customer Services Branch
- Department of Communities, Housing and Digital Economy
- Department of Education
- Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships
- Metro South Health
- Australian Red Cross
- The Salvation Army
- Logan City State Emergency Service
- GIVIT
- Volunteering Queensland
- Brisbane South Primary Health Network
- Carers Queensland
- YFS
- Aboriginal & Torres Strait Islander Community Health Service
- Beenleigh Housing and Development Company
- Save the Children Australia
- Adventist Development and Relief Agency
- Multilink Community Services
- Access Community Services
- Gunya Meta
- Logan Principal Cluster
- Logan Elders

Economic Recovery Sub-Group

- Council's Economic Development and Strategy Branch (Logan Office of Economic Development)
- Queensland Rural and Industry Development Authority
- Department of State Development, Infrastructure, Local Government and Planning
- Department of Employment, Small Business and Training
- Department of Agriculture and Fisheries
- Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships
- Logan Chamber of Commerce
- Logan Regional Chamber of Commerce
- Beenleigh Yatala Chamber of Commerce
- Queensland Reconstruction Authority
- Regional Development Australia
- Insurance Council of Australia
- Primary producer groups
- Industry representatives
- Queensland Tourism Industry Council

Environment Recovery Sub-Group

- Council's City Standards and Animal Care Branch
- Council's Health, Environment and Waste Branch
- Council's Parks Branch
- Council's Sport, Leisure and Facilities Branch
- Council's Water Business Branch
- Department of Environment and Science
- Department of Regional Development, Manufacturing and Water
- Queensland Health
- Department of Resources
- Department of Agriculture and Fisheries (Biosecurity)

Infrastructure Recovery Sub-Group

- Council's Health, Environment and Waste Branch
- Council's Parks Branch
- Council's Sport, Leisure and Facilities Branch
- Council's Road Infrastructure Delivery Branch
- Council's Water Business Branch
- Council's Water Infrastructure Branch
- Council's Water Operations Branch
- Department of Transport and Main Roads
- Department of Environment and Science
- Department of Energy and Public Works
- Department of Resources
- Energex
- Telstra
- APA Group
- nbn
- Queensland Reconstruction Authority
- Seqwater
- Local bus companies

*External agencies may include Queensland Fire and Emergency Services; or Department of Communities, Housing and Digital Economy. Other external agencies who are not listed within the table may be called upon for assistance representation on the Recovery Group depending upon the type of event.

*Spontaneous Volunteer Coordinator may not always be activated. This will

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Non-discrimination and equality

How do you identify the impact on 'protected characteristics'*?

How do you prioritise the most vulnerable, those who face the biggest barriers to realising their rights?

How do you address issues of
<u>universal accessibility</u>
(making things accessible for all groups of people) and
<u>reasonable accommodation</u>
(making adjustments so that things are
accessible to a particular individual)?

*age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity
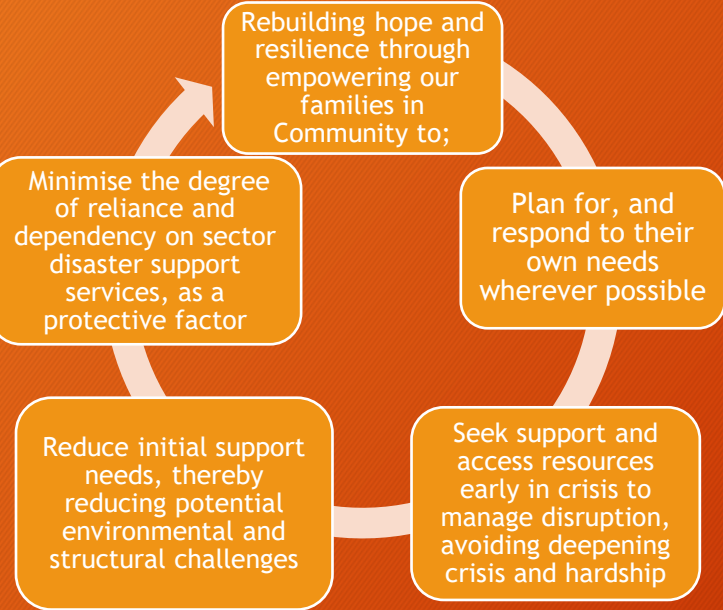
Planning For Disaster Project

Human Rights in Disaster Responses

NSW Council of Social Service (NCOSS) Learning event

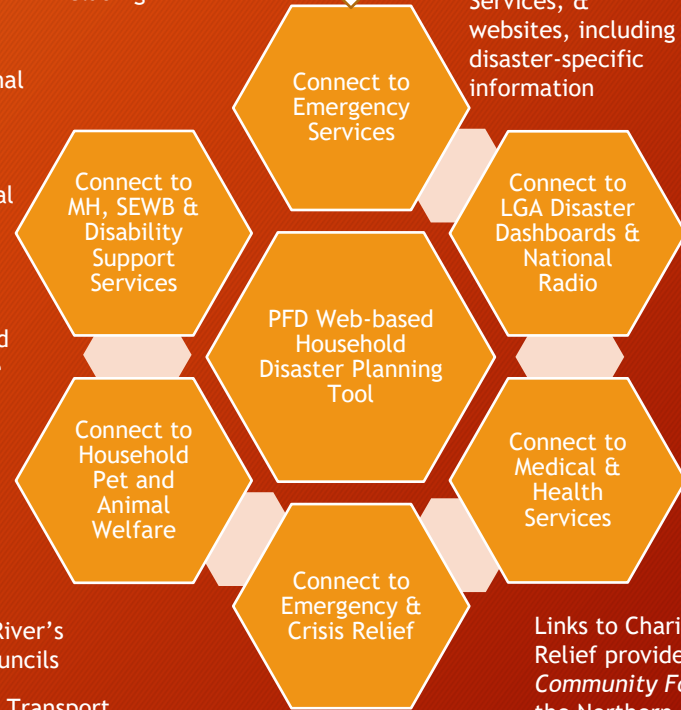# Community Empowerment Practice Framework

Theory + Practice

PFD Hub

Rebuilding hope and resilience through empowering our families in Community to;

Plan for, and respond to their own needs wherever possible

Seek support and access resources early in crisis to manage disruption, avoiding deepening crisis and hardship

Reduce initial support needs, thereby reducing potential environmental and structural challenges

Minimise the degree of reliance and dependency on sector disaster support services, as a protective factor

Links to regional, State & National Mental Health, Social and Emotional Wellbeing, & Disability support services
Link to the National Relay Service, including Auslan services, and Accessibility features embedded in the PFD website design
Links to regional & State Pet and Animal Welfare Services, including Livestock, & Wildlife
Links to Northern River's Aboriginal Land Councils

Link to Community Transport

Link to the *EmergencyPlus* App, including *what3words*

Links to Emergency Services, & websites, including disaster-specific information

Connect to Emergency Services

Connect to MH, SEWB & Disability Support Services

Connect to LGA Disaster Dashboards & National Radio

PFD Web-based Household Disaster Planning Tool

Connect to Household Pet and Animal Welfare

Connect to Medical & Health Services

Connect to Emergency & Crisis Relief

Links to up-to-date local information across all 7.5 LGA's of the Northern Rivers

Links to National and regional Radio stations

Links to regional Aboriginal Medical Services (AMS's) & NSW Health Hospitals and Medical Services

Links to Charities & other Crisis Relief providers including *Community Food Pantries* across the Northern Rivers

3 Key Learnings & Top 2 Tips

In Response; to recent reports such as the *Final Report of the NSW Bushfire Inquiry, 31 July 2020, p. 379, which states –*

"*The inquiry was disappointed to learn that is some community's, Aboriginal people felt unwelcome at evacuation centres, and in some cases support services were reluctant to provide immediate relief. These experiences compounded the trauma they had already experienced as a result of the bush fires, and in some cases led to people putting themselves at risk as they feared how they would be treated in evacuation centres*".

1. A present gap in commissioned services raising *Human Rights* concerns of non-discrimination and equality. (Risk factor)

2. A present gap in ACCO representation within commissioned disaster support services across regional areas (Risk factor)

3. A present gap in First Australian trauma-informed Social & Emotional Wellbeing supports (Risk factor)

Reflection & Further Discussion

1. What are Human Service providers actively doing to ensure that their staff, policies, service design and delivery upholds non-discrimination and equality, as per, State and Federal legislation?

2. Why are well-established regional ACCO's not currently represented within State commissioned disaster support services strategically across each regional area of NSW; and what are Human Service agencies and sector providers doing to actively ensure their inclusion as a Human Rights/social justice measure?

3. How are service providers actively working towards ensuring that First Australian Social and Emotional Wellbeing is not further burdened and negatively impacted upon through the increase of Health-related risk factors in the delivery of commissioned services?

Top 2 Tips

1st: Seek inclusion of ACCO's to improve services (Protective factor)
2nd: Seek culturally informed training, clinical mentoring, and opportunities for co-design (Protective factor's)

Rights-Based Approach: PANEL core principles

Empowerment

> How does it contribute towards building the capacity* of rights holders?

How are rights holders fully supported to participate in the development of policy and practices which affect their lives?

How do you identify key capacity gaps in rights holders, that constrain them from claiming their rights?
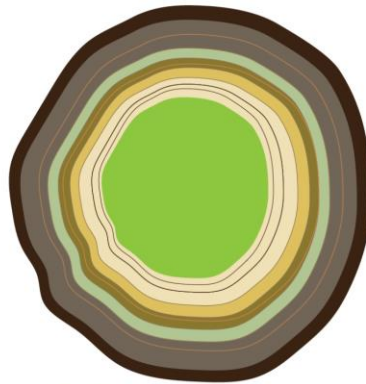
*E.g. *ability to access information, organise, advocate policy change and get access to justice, etc?*

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Empowerment

Resilient Villages: A community partnership project

Empowerment

What we have learned from communities

Empowerment is not something that can be bestowed on individuals and communities

Empowerment can be actively denied, ignored and dismissed
or actively acknowledged, amplified and supported

Sometimes the quietest voice/s in the room can embody empowerment –
Empowerment looks, sounds and operates differently across different contexts.

Walking alongside communities at their pace helps to
co-create the conditions that strengthen and grow localized power and action
(be prepared to follow **and** lead).

It takes time (sometimes a long time) to authentically understand and effectively
partner with community. Future funding models need to reflect this reality.

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'Top tips'

Get knowledgeable about how power operates and influences recovery and resilience outcomes.

Share this knowledge – get curious – ask *uncomfortable* questions.

Turn mainstream program logics upside down – empowerment becomes the primary resilience KPI.

Rights-Based Approach: PANEL core principles

Legality

What human rights* are affected by this activity?

How does your work address the range of civil, political, economic, social, and cultural rights?

*Four core groups of Rights in the context of disasters:

(A) rights related to physical security and integrity
(B) rights related to basic necessities of life
(C) rights related to other economic, social and cultural protection needs, and
(D) rights related to other civil and political protection needs

References
https://www.scottishhumanrights.com/media/1814/shrc_panel_self-assessment_tool_vfinal.pdf
Inter Agency Standing Committee (IASC) Operational Guidelines on the Protection of Persons in Situations of Natural Disasters 2008 (pp. 15, 29, 39, 45). M Krolik, https://knowledge.aidr.org.au/resources/ajem-oct-2013-exploring-a-rights-based-approach-to-disaster-management

Reflection: all participants

- How do you see your role in supporting rights-based disaster capabilities within your community?

- What stood out for you in today's discussion?

Practical opportunities to reduce disaster risk

Awareness

- Know your local context, organisational hazard exposure and how disasters affect your organisation

Prevent

- Build your organisational resilience
- Work with vulnerable people/ communities to build their resilience
- Enhance awareness of disaster responders on the specific needs of vulnerable people/ communities

Plan

- Develop a plan for mitigating your remaining vulnerabilities

Prepare

- Have methods in place to become aware of hazards/threats early
- Have communication and coordination structures in place
- Build a resilience network
- Have resource sharing arrangements in place
- Train and practice for disasters

NCOSS Community Sector Disaster Capability program

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Queries about 'Human Rights-Based Approaches' learning series to:

Rocellita Lacsina
Program Delivery Officer- Industry Development