



# General Assembly

Distr.: General  
22 February 2010

English only

---

## Human Rights Council

### Thirteenth session

Agenda item 3

**Promotion and protection of all human rights,  
civil, political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by International Educational Development (IED), Inc., a non-governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2010]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Humanitarian Aid to Victims of Natural and Man-made Disasters<sup>1</sup>**

1. International Educational Development and the Association of Humanitarian Lawyers welcomes the attention given by the international community to Haiti following the devastating earthquake, and especially the Council's decision to hold a special session soon after to support a human rights approach to the recovery process.

2. The first responses have of necessity focused on rescuing persons trapped, providing medical care to those sick and injured, and providing food, water and sanitation, and shelter. Unfortunately, the scale of the devastation to most hospitals, the makeshift nature of medical aid, and the continued lack of adequate shelter, food, water and sanitation has now resulted in a crisis due to malnutrition (especially of children and elderly) and diseases related to the current living conditions. Hospitals overwhelmed with persons with serious physical injuries now have to address these secondary problems. In this regard, we welcome the invitation of the Council to the High Commissioner and the relevant mandate-holders to look into the situation with a view to present suggestions to the Council at its 14<sup>th</sup> Regular Session.

3. Recovery of a catastrophe of this scale will take many years, and the international community as a whole and the United Nations in particular will need to be ready to assist the people of Haiti and their officials in a wide variety of ways. However, before the earthquake, Haiti was already suffering disasters due to a variety of reasons, most of them man-made. For example, Haiti's resources, especially its trees, have been plundered for years by foreign actors who either were colonial powers or who supported and exploited corrupt governments. As a result, Haiti is particularly vulnerable to other types of natural disasters such as floods and mudslides. Long-term reconstruction in Haiti must, accordingly, include planting trees and ground covers. Haitians also face severe food insecurity because of the destruction of agricultural lands and prohibitive tariffs that have nearly wiped out, for example, Haiti's rice production. Countries profiting from these tariffs need to eliminate them, and actively help Haiti achieve food self-sufficiency as soon as possible. In a similar vein, the international community must help Haiti meet water and sanitation needs, both to maintain health but also to provide for sustainable agriculture.

4. While the situation in Haiti is one of the gravest in recent memory, there are other recent natural and man-made disasters, some of which were also addressed in Special Sessions.<sup>2</sup> Several themes have emerged in response to these emergency situations, including (1) the need for international solidarity with the victims; (2) the need for humanitarian and financial assistance;<sup>3</sup> (3) the possible need for high level missions or investigations;<sup>4</sup> (4) the fact that man-made disasters can include international food or financial crises in addition to wars or situations of extreme human rights violations; (5) the need for equitable distribution of humanitarian assistance based on need only, and no other factors such as race, social class, or political affiliation; and (6) the need to mainstream human rights into all situations of natural or man-made disasters.

---

<sup>1</sup> The Association of Humanitarian Lawyers (AHL) also shares the views expressed in this statement.

<sup>2</sup> G.A. Res. 60/251 of 15 March 2006 provides that the Council "shall respond promptly to human rights emergencies. Preamb. Para. 4(b).

<sup>3</sup> Resolution S-2/1 addressed this regarding Lebanon.

<sup>4</sup> Decision S-4/101 regarding events in Darfur underscores this response.

5. We note that in several natural disasters, aid was distributed based on factors other than need. The most egregious of these was in post-Tsunami Sri Lanka where the Tamils in the north and East of the country received very little of the international aid sent to the country, and where UN envoys, including for United States President Clinton, were not permitted to visit.<sup>5</sup> Many of the Tsunami victims are still in camps for internally displaced or are otherwise still displaced. In Myanmar, international aid following the cyclone was not permitted for quite some time. As a result, victims suffered far more than they should have and many lost their lives. In India, Pakistan and Kashmir, some post-earthquake aid providers are alleged to have sought to invoke religion or religious conversion as part of their aid efforts. China allowed very few international actors into the post-earthquake recovery phase, but did appear to provide massive relief on its own. Man-made disasters such as those in Darfur and areas in the Democratic Republic of the Congo continue to haunt all, and aid provision, including medical rehabilitation, is grossly inadequate. In many situations, including Haiti and Darfur, the need to balance security needs with aid provision, have hampered aid to victims, and in many cases, resulted in deaths or a worsening of medical conditions. Coordination of efforts of non-governmental organizations, national governments, States and United Nations agencies has also been a problem, with no clear guidelines or protocols.

6. Because of the mixed record of addressing natural and man-made disasters, we recommend that the Council seek the guidance of the High Commissioner in formulation of best practices in addressing humanitarian crisis within a right-based approach, and how best to address those situations where there are serious impairments, for political or other reasons, on ensuring that people who are victims receive the aid they need. The Council also can usefully recommend that the United Nations agencies and the many relevant mandate-holders address this topic.

---

---

<sup>5</sup> We also note that the US administration told the American Red Cross that it could not deliver post-Tsunami aid to the Tamil areas in Sri Lanka, even those under government control. While we are gratified at the response of civil society in regards to the Haitians, we wonder why such a response did not occur for the Tamils – either in relation to the Tsunami but now in relation to the catastrophic post-conflict situation.