

Children's Rights in Disasters Information Sheet

International Disaster Law project

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Children are highly vulnerable to disasters, in part due to their young age, dependency needs and developmental status. In disasters nearly all the rights of children are implicated – ranging from basic survival to freedom from abuse and exploitation, and access to health care and education. All too often, at the critical juncture following a major disaster, children are relegated to the margins.

Moreover, in post-disaster settings, research shows that the voices of children are often not heard.¹ As a result, children's rights and needs are frequently under-addressed, with adverse long-term consequences for the children, their communities and their countries.²



Image: Nigel Dickinson (IFRC)

Long-term Implications for Children

Children's rights may be most at risk in a disaster context – specifically at a time when their needs are heightened and more immediate. Moreover, preparing for and responding to the specific needs of children is made more urgent by the long-term repercussions of relatively short delays in relief efforts.

For example, a child who suffers adverse health consequences or is unable to attend school for a considerable period of time might never fully recover and so miss out on a lifetime of opportunities. The consequences of a disaster that occurs during the formative years of a child can last decades.³

For more information, see: <http://disaster-law.ucc.ie>

Children's Rights Approach to Disasters

A children's rights approach recognises and seeks to ensure the full panoply of children's rights. Central to this is the [UN Convention on the Rights of the Child](#) (CRC), which has been ratified by 196 states around the world and is the most widely ratified human rights treaty.

While the CRC does not specifically mention disasters, the Convention sets out a series of important rights which children possess at all times – including in the context of disasters.⁴ For example:

Safety and security:

A child's right to a safe and secure environment encompasses the right to be free from exploitation and free from all forms of sexual, physical and psychological abuse, violence and neglect. States therefore have a legal obligation to ensure the safety and security of children in all disaster contexts.

Likewise, children have a right to family reunification, which is particularly important for separated and unaccompanied children.

Health and education:

Disasters frequently disrupt access to health, including psychosocial care, and education opportunities. However, children have a right to health and education irrespective of the disaster, and so states must allocate adequate resources to their realisation at all times.

Participation:

Children have the right not just to express their views freely in all matters affecting them, but their views must be given due weight in accordance with their age and maturity. This is particularly true in ensuring that children's voices are heard and respected at all stages of disaster preparation, prevention, response and recovery.

Child rights friendly environment:

Recognition of children's collective rights requires consideration of the impact on children of all relevant policies and programmes such as infrastructure, education, health when planning activities related to disaster preparation, prevention, response and recovery.

Mainstreaming Children's Rights

According to [UNICEF](#), children constitute approximately **29% of the world's population**. For example, Indonesia has approximately 74 million children, representing one-third of the country's population. In Haiti, children are nearly half the population.

When disaster preparation, response and recovery plans fail to account fully for the rights of a significant proportion of the population, the country will be worse off in the long run. It is therefore crucial that states and humanitarian actors mainstream children's rights into all aspects of their work.

The Sphere Handbook (2018 edition)

The Sphere Project's [Humanitarian Charter and Minimum Standards in Humanitarian Response](#) ('the Sphere Handbook') provides an authoritative set of operational guidelines for humanitarian actors. The rights of children are expressly included throughout the Handbook, which notes:

"Timely and child-sensitive humanitarian aid access all sectors can enhance children's safety and well-being. Actively seek the views of girls and boys of all ages and backgrounds, so they can influence how assistance is delivered, monitored, and evaluated."⁵

International Assistance

Major disasters can have a devastating impact on a state's ability to adequately protect and respect the rights of all persons, including children. Therefore, the UN [Committee on Economic and Social Rights](#) has recognised that:

"States parties have a joint and individual responsibility [...] to cooperate in providing disaster relief and humanitarian assistance in times of emergency, including assistance to refugees and internally displaced persons. Each State should contribute to this task to the maximum of its capacities."⁶

¹ A. Jabry, [After the Cameras Have Gone – Children in Disasters](#) (2nd ed, 2005) Plan International.

² J. Todres, '[Mainstreaming Children's Rights in Post-Disaster Settings](#)' (2011) *Emory International Law Review* 25: 1233-1261.

³ P. White et al, [Disaster Risk Reduction: A Development Concern](#) (DFID 2004) 21-22.

⁴ J. Todres, '[A Child-Rights Based Approach to Reconstruction in Haiti](#)' (2011) *Intercultural Human Rights Law Review* 6: 43-85.

⁵ The Sphere Project, [Humanitarian Charter and Minimum Standards in Humanitarian Response](#) (3rd ed, 2018, second draft for consultation).

⁶ CESCR, General Comment No.14, [The Right to the Highest Attainable Standard of Health](#) (11 August 2000).

⁷ IFRC, [Preparing for Disaster: Protecting Girls and Boys in Disasters](#) (Dec 2017).

Relevant International Standards & Guidelines

International human rights law, in particular the CRC, provides a comprehensive framework for the protection of children in all stages of disaster management – from pre-disaster risk reduction and preparation, to post-disaster response and recovery activities.

The IFRC has explained the operationalisation of these rights in a **child-friendly manner** via the use of cartoons setting out key messages for children and adults.⁷

Key Messages

1. All girls and boys must be protected.
2. Prioritise child protection in disaster preparedness and response.
3. Ensure adults and children know how to protect children and can access help for any protection concerns.
4. Implement local, practical interventions to protect children.



Image: Rob Few (IFRC)

Minimum Standards for Child Protection in Humanitarian Action (2012)

Developed by over 400 practitioners from 40 states, the interagency [Minimum Standards](#) aim to:

- Establish common principles for those working in child protection.
- Improve accountability within child protection work.
- Provide a synthesis of good practice and learning.

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