

# **DAMAGE, NEEDS OR RIGHTS? - DEFINING WHAT IS REQUIRED AFTER DISASTER**

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## **Abstract**

There are three basic approaches to assessing the impact of disaster and defining relief assistance requirements after a disaster: the damage done, the needs of the affected population or the rights which the survivors have to achieve life with dignity. Each approach has advantages in assessing post-disaster needs. Each approach overlaps with the other two, but each represents a different theoretical view of what should take place following a disaster. Further, each approach tends to be used by different categories of assistance providers (e.g., governments, external funding organizations, non-governmental organizations). The paper explores the nature of each assessment approach, defines the different theoretical underpinnings of each approach and outlines the key divergent and convergent aspects of the three approaches. The paper concludes that it is unlikely that a single unified post-disaster assessment approach, incorporating damage, needs and rights-based concepts, will be developed, with the rights-based approach focusing more on influencing post-disaster relief and recovery through publicity and advocacy.

## **Introduction**

Assessing the impact of a disaster often begins concurrently with immediate life saving operations. This assessment process is critical to defining the scope and magnitude of a disaster, as well as the appropriate level of response. While it is clear that disasters can occur without assessments, no assistance to disaster survivors takes place without some type of assessment.

Multiple impact assessments often take place following a disaster. The greater the perception of the impact of a disaster, the greater the number of assessments undertaken. These assessments often use different data collection and analysis

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methods, and can prioritize different issues as targets of emergency assistance. A common result is disagreement between assessment results, leading to a difficulty in effectively providing appropriate assistance to disaster survivors in a timely manner.

In extreme cases, disagreement over assessment results (which define the severity of a disaster) can lead to international political tensions and the actual curtailment of humanitarian assistance. For instance, disagreement between the government and external parties (donors and NGOs) as to the impact of the displacement in western Sudan is a major challenge to the provision of assistance to the affected populations.

There are a number of efforts underway to create the holy grail of a post-disaster assessment tool which is rapid, accurate, incontestable and acceptable to multiple parties. These efforts currently centre on the work of the disaster response clusters established as part of the reform of the humanitarian assistance structure.<sup>2</sup> As well, many NGOs have their own in-house post-disaster assessment tools or procedures (see Eade and Williams; International Federation of Red Cross and Red Crescent Societies) which may be applied after a disaster.

The work on which this paper is based involves the development of a post-disaster assessment tool which is clear, easy to use, rapid and generates results which can be used to improve the effectiveness of relief immediately after a disaster. This common assessment tool is intended to be used cooperatively by non governmental organizations (NGOs), a host government and agencies which fund post-disaster assistance (“donors”) working in a highly disaster-prone country.

While the assessment tool development process came to relatively quick agreement as to what information was needed to be collected on a disaster-affected community, it also became apparent that different approaches to using the information collected were emerging. These different approaches, discussed below, risked making it difficult, if not impossible, to create a common assessment process as originally envisioned. And without a common assessment process, the likelihood of coordinated and effective post-disaster assistance diminished significantly.

### **Different Approaches, Different Users**

There are three basic approaches to using information collected in the impact of a disaster: damage, needs and rights-based. These three approaches are discussed below.

#### Damage

A damage assessment presents, usually quantitatively and often also in monetary terms, the physical, and much less often, the social and psychological, damage done by a disaster event. Damage assessments often use tables to present destruction and can be generated using a variety of assessment methods, including remote sensing,

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<sup>2</sup> <http://www.humanitarianreform.org/> provides access to efforts to develop better post-disaster assessment tools. Information on the humanitarian reform can be found at the same site. Information on post-disaster assessment tools is available at [http://www.untj.org/files/React/REACT\\_DNAToolTableENG.pdf](http://www.untj.org/files/React/REACT_DNAToolTableENG.pdf) and <http://www.disasterassessment.org/default.asp>.

drive-by assessments and community-generated tabulations of disaster-associated losses.

The Handbook for Estimating The Socio-Economic And Environmental Effects Of Disasters (Economic Commission for Latin America and the Caribbean) is a broad-based tool to generate these damage estimates. Other damage assessment tools are somewhat less sophisticated (and easier to use), with the basic damage assessment being a list of infrastructure damaged or destroyed as the result of a disaster.

A damage assessment is useful at two levels, to define the:

1. Magnitude of the damage attributed to a disaster event, and
2. Physical, and thus financial, resources needed for recovery.

Damage assessment data are often cited in the media. For instance, the number of houses destroyed presents a dramatic image of what has happened in a disaster, particularly when accompanied with actual photos of destroyed houses.

Aside from media use, damage assessment results are often used by governments (both national and foreign) and international financial institutions (e.g., the World Bank, Asian Development Bank) as the basis for allocating funds for relief and recovery. While lifesaving assistance will flow immediately after a disaster, more significant and longer term funding for relief and recovery is almost always predicated on a detailed damage assessment.

There are two significant and different disadvantages of the damage assessment approach. First, as noted, it does not do well at capturing social or psychological impacts. Thus real damage experienced by the disaster survivors may be underreported and recovery assistance less than needed to address the full impact of a disaster.

Second, damage assessments do not usually take into account resources available to the disaster survivors. In some circumstances, survivors may have considerable resources with which to engage in recovery (e.g., savings, insurance). This could lead to more assistance being provided than is really needed.

The nuance to this outcome is that some segments of a disaster-impacted society may have significant resources (“livelihood assets” in humanitarian speak), while others do not. If post-disaster assistance is allocated on the basis of total damage, then it is possible that survivors with fewer livelihood assets (less absolute damage) but proportionally greater losses of these assets than those with greater livelihood assets (greater absolute damage, but lower losses relative to total assets) will receive less aid. In other words, damage assessments do not always tell who actually needs more or less post-disaster aid.

### Needs

The needs-based approach usually starts with a damage assessment and attempts to differentiate between the level of damage and what is actually needed for recovery. For instance, if a flood damaged a water supply system, but seasonal rains allow disaster survivors to collect sufficient water, then a needs assessment might conclude that water was not an immediate need for the survivors, i.e., the repair of the water

system can wait while other more critical relief efforts are completed. This outcome is critical to the effective provision of post-disaster assistance.

A needs assessment is more amenable to considering social and psychological impacts. This is done by asking the question “What does a disaster survivor need to recover?”, and asking this question not only about their shelter, but also about the physical wellbeing, economic conditions, education and a wide variety of other subjects. Needs assessments are often done by NGOs and, at times, used by donors to justify assistance, i.e., funding to cover a critical unmet need.

The results of a needs assessment can be used to reduce the level of post-disaster assistance provided by reducing assistance levels to those of just the unmet needs. This can seem niggardly, but is often necessary when relief aid is limited and needs to be used most effectively.

However, as most disaster survivors provide most of their own recovery, there is logic to asking “What more does a disaster survivor need?”. An approach to meeting unmet needs can also be seen as empowering to the disaster survivor when she is part of the needs definition process.

Another aspect of the needs assessment approach is the use of standards to define needs and the degree to which they are unmet. For instance, the *Sphere Standards* set out minimum standards for specific basic needs such as water, food, shelter and health care (The Sphere Project). These standards and their associated indicators can be used to define the level of needs met, and thus what further assistance may be needed.

Note that this use of the *Sphere Standards* is not necessarily in keeping with fundamental rights on which the standards are largely based. However, this approach has been incorporated into needs-based assessment tools because information on gaps between needs and supply is often easy to collect, analyze and present. An example of such a use can be found in the *Unmet Basic Needs* table in Rapid Environmental Impact Assessment in Disasters (Kelly).

Another challenge with the needs-based approach is where there is no clear definition or agreement on the nature or scale of a need. For instance, defining specific needs in the area of psycho-social well being can be difficult for cultural reasons and due to uncertainty as to individual psycho-social well being before a disaster.

As well, the level of expressed needs (what the disaster survivors say they need) may be out of kilter with existing minimum standards or the expectations of relief providers. For instance, a livestock raising population may insist on making fodder a need as great as food for human consumption, thus creating a conflict with normal humanitarian assistance which focuses on the need for feeding humans and rarely considers assistance to livestock as a critical need.<sup>3</sup>

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<sup>3</sup> Conflict between external and disaster-survivor assessments of need is a significant challenge. See Humanitarian Charter and Minimum Standards in Disaster Response (The Sphere Project) on placing the disaster victim at the centre of the assessment process.

### Rights-Based

A rights-based assessment approach is based on a belief that all persons have certain rights and these should be met at all times. The rights-based assessment approach has its origins in the Universal Declaration of Human Rights (United Nations) and the rights-based approach to development (O'Neill).

A rights-based approach engenders a much broader and deeper approach to post-disaster assistance, and the issues which need to be assessed. For instance, under a rights-based approach, post-disaster assistance should assure adequate supplies of water, access to water being necessary for a dignified life.

But a rights-based approach also needs to consider whether the disaster survivor is living free from violence, a right arising from the “security of person” cited in the Universal Declaration of Human Rights (United Nations).

A rights-based approach expands the scope of a post-disaster assessment considerably by looking beyond basic physical needs such as water and shelter, to consider the whole context of a disaster survivor's life. And this expansion includes not only the post-disaster life, but also how the survivor lived before a disaster.

For instance, a rights-based approach considers whether a person was living free from violence before a disaster. If this was not the case, a rights-based approach would note this as part of the assessment and anticipate that post-disaster assistance would result in a change in this situation.

Four immediate implications of a rights-based assessment approach are:

1. The level and detail of information to be collected in an assessment is considerably greater, and deeper in its social aspects, than for the other two types of assessments,
2. Assessment-based actions may involve addressing issues which existed before a disaster (e.g., child labour),
3. The response to issues identified in the assessment may require skills and knowledge not traditionally included in post-disaster operations (e.g., land tenure specialists), and,
4. Actions to address issues identified may be beyond the specific competencies of an organization involved in relief operations (e.g., the problem of national-origin-based discrimination in access to water supplies and an NGO which just drills wells where requested.)

To date, rights-based assessments are largely the domain of NGOs and UN organizations. UNICEF's 1.5 A Human Rights-based Approach to Programming in Humanitarian Crises: is UNICEF up for the Challenge? provides an overview of the disaster-rights-based approach. Rand summarizes the rights-based assessment process and how this process has been incorporated into actual assistance programs from an NGO perspective.

Donors tend to shy away from a rights-based approach for two reasons:

1. For fear of creating an entitlement obligation which replaces the obligations of a sovereign government, e.g., having to provide a functioning water supply

- system after a disaster when the local government has failed to do so before a disaster, and,
2. Because of politics within foreign assistance organizations,<sup>4</sup> which tend to fire-wall short-term relief from longer-term development assistance. This separation of relief and development makes it difficult to use relief aid as a start in the process of addressing rights issues which an assessment identified as having existed before the disaster. (In damage or needs-based approaches, problems which existed before a disaster would not be addressed by disaster relief as they are not directly due to the disaster.)

At the same time, USAID's Office of Foreign Disaster Assistance has taken a rights-based approach to protection and encouraged its partners to do the same. Whether this reflects a broader shift to donor-driven rights-based disaster assistance is as yet unclear. The United Kingdom's foreign assistance arm, the Department for International Development, uses a livelihoods approach which is linked to rights.<sup>5</sup> The degree to which this approach is incorporated into relief operations is unclear.

Critically, governments of disaster-affected populations may not welcome a rights-based approach to assessments or assistance. For instance, one of the underlying issues which delayed relief following Cyclone Nargis is that relief-associated assessments might focus on conditions before the disaster, and explicitly on pre and post-disaster human rights conditions.

Despite the impediments noted above, a rights-based approach to disaster assessment can generate a greater understanding of the causes of a disaster and the structural and social issues which need to be addressed to foster fair and equitable recovery. But collecting, analyzing and using the information generated through a rights-based assessment can be a significant challenge and may deflect assessors toward the easier needs or damage-based approaches.

### **A Unified Approach?**

Ideally, the damage, needs and rights-based approaches should be amalgamated into a single assessment process which meets the principle-based requirements of the rights-based approach, but has the practicality of the damage or needs-based approaches. Despite efforts to create unitary assessment procedures,<sup>6</sup> this outcome is unlikely.

The needs-based approach incorporates data collected for the damage-based approach, and the rights-based approach incorporates data from the needs-based approach. However, the philosophical underpinnings of each approach are sufficiently far apart to make it difficult to combine all three approaches into one tool or process.

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<sup>4</sup> Many organizations involved in development are also involved in disaster relief and recovery.

<sup>5</sup> See [http://www.livelihoods.org/info/info\\_guidancesheets.html](http://www.livelihoods.org/info/info_guidancesheets.html) and <http://www.livelihoods.org/SLdefnSimilarApps.html>.

<sup>6</sup> See [http://www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/cluster%20pages/health%20cluster/RT/IRA\\_Guidance\\_Country%20Level\\_field\\_test.doc](http://www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/cluster%20pages/health%20cluster/RT/IRA_Guidance_Country%20Level_field_test.doc) and <http://www.disasterassessment.org/default.asp>.

At a practical level, some governments may not want more than a damage assessment done. This position may not be for malevolent reasons. Official assessments in the U.S. tend to be damage focused, with relief more often needs-based than rights-based.

As well, the time and effort needed for a rights-based assessment are much greater than a damage or needs-based assessment. The political, humanitarian and practical consequences of holding most recovery assistance until four weeks after a disaster when a rights-based assessment of sufficient detail to guide all assistance efforts is completed is significant, and probably unacceptable to the disaster survivors.

The prospect is that three types of assessments will continue to be done after disasters: damage, needs and rights-based. The first will trigger commitments of aid. The second will focus where this aid should be used to address pressing problems. The third will focus attention on the equality of the assistance effort and underlying causes of a disaster. (All disasters are basically a failure to assure some recognized human right.)

On the surface, this sequence of assessments seems logical and productive. But there remain the issues that a rights-based approach is:

- Not universally accepted (and may be specifically opposed), and,
- Not easily integrated into the current division of post-disaster assistance into short-term relief and long-term developmental recovery.<sup>7</sup>

Despite the better understanding of disaster impacts and causes which a rights-based approach can bring, this approach will likely remain an outsider to the normative approach to post-disaster assessment. As a result, rights-based assessments are more likely to focus on influencing disaster assistance through publicity on human rights gaps, or advocacy, an approach already in use by a number of rights-based organizations.<sup>8</sup>

In conclusion, the assessment approach which tends to provide the greatest understanding as to impact and causes of a disaster, the rights-based approach, will likely remain an out-of-the-mainstream advocacy tool, pursued by a few organizations on the basis of principle, and where its use does not unduly threaten field staff.

The upside of this situation is that in some disasters, rights-based assessments and advocacy will improve the impact of assistance and contribute to reducing the impact of disasters in the future. The downside is that these outcomes will likely only occur where rights-based assistance organizations have the time, resources and independence to conduct rights-based assessments and publicize the results.

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<sup>7</sup> Most post-disaster recovery policy and programming is defined within 2 weeks after a disaster, often before a rights-based assessment can produce substantiated results.

<sup>8</sup> See Oxfam's advocacy on gender issues following the 26 December 2004 tsunami:  
[http://www.oxfamamerica.org/newsandpublications/publications/briefing\\_papers/briefing\\_note.2005-03-30.6547801151](http://www.oxfamamerica.org/newsandpublications/publications/briefing_papers/briefing_note.2005-03-30.6547801151)

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## Author Biography

Charles Kelly has over 27 years of field experience in humanitarian assistance programs dealing with droughts, famines, insect infestation, hurricanes, epidemics, floods, war and other emergencies in developing countries. Over this career Mr. Kelly has performed field and senior management tasks in over 17 disaster response operations. Recent professional work has included risk assessment in Tajikistan, disaster risk reduction in the Sahel, dam emergency planning in Nigeria, and assessing the environmental impacts during disasters (The Rapid Environmental Impact Assessment Project). Mr. Kelly has worked in over 60 countries and published over 45 articles on disaster management, including disasters and megacities, disaster management systems and disaster-environment linkages. An Affiliate of the Benfield UCL Hazard Research Centre, University College London, Mr. Kelly is a member of the International Research Committee on Disasters, the Society of Risk Analysis and The International Emergency Management Society.