



# NATURAL DISASTER AND HUMAN RIGHTS CRISIS: A STUDY IN FLOOD-AFFECTED UPPER ASSAM REGION

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## Abstract

*The human rights are inherent to all human beings and they provide a dignity to live as human beings. These rights are enjoyed by all human beings irrespective of caste, creed, sex, religion, place. But, some factors seem to obstruct the enjoyment of these rights. These factors may be human or natural. An attempt will be made in this article to highlight how flood seems to serve as a natural factor which obstruct the enjoyment of human rights. Assam is a land of many rivers. The rivers are the lifeline of the people of Assam. But, during summer these rivers bring sorrow to lives of the people of Assam. The rivers uprise in the form of flood and affect the lives of lakhs of people of Assam. Flood is a disaster that comes every year as misery to the lives of the people of Assam. As such, human rights crisis is seen among the people affected by flood. This article tries to highlight about various human rights and the human rights crisis of the flood affected people of Upper Assam. It also tries to search for the factors behind the annual crisis of the people. Moreover, an attempt is being made to recommend some measures that can mitigate the situation.*

*Key words: Rights, Flood, Disaster*

## Introduction:

Assam is a land of lush landscapes and abundant rivers. These rivers are a lifeline of the people of Assam. But Assam has to face the daunting challenge of annual floods that wreak havoc on the lives of its people. Assam has a flood-prone area of 31.05 lakh hectares, which comes to about 39.58 % of the total land area of Assam. Whereas the flood-prone area of the country as a whole is about 10.2 % of the total area, it signifies that the flood-prone area of Assam is four times the national mark of the flood-prone area of the country. In 2022, 88 lakh population are affected and 181 people lost their lives in Assam. Flood seems to be an annual recurrent event in Assam. This disaster is causing huge damage to the life and property of the people of Assam. Floods as a form of disaster obstruct the enjoyment of human rights. Human rights are inherent rights that an individual enjoys because of being a human being. These rights are inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. But, due to flood the enjoyment of these rights is greatly harmed and people cannot enjoy them to the fullest. The areas of Upper Assam are very much prone to flood and as such disaster-induced human rights crisis is seen in this area.

## Objectives of the study:

The objectives of the present study are:

1. To examine the flood situation in the districts of Upper Assam
2. To study how the enjoyment of human rights are affected due to flood

- Study area:**

### Methodology:

### **Flood situation and Causes of Flood in the study area:**

| District  | Population affected |
|-----------|---------------------|
| Dhemaji   | 1,60,545            |
| Lakhimpur | 1,19,582            |
| Golaghat  | 1,32,426            |
| Majuli    | 78,567              |
| Jorhat    | 65,912              |
| Charaideo | 7,694               |
| Sivsagar  | 37,184              |
| Dibrugarh | 65,713              |
| Tinsukia  | 38,001              |

The major causes behind the recurring flood in the districts of Upper Assam are –

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make the districts susceptible to flooding. Moreover, the study area receives water from the neighbouring state of Arunachal Pradesh.

- **Erosion of riverbanks:** The relentless bank erosion, characterized by the removal of soil along the riverbanks widen the river and also alter its course. Approximately 8000 hectares of land succumb to erosion and create vulnerability to the region. Massive erosion takes place in various areas including Rohmaria in Dibrugarh district. Majuli
- **Encroachment of River Banks and Wetlands:** The encroachment of rivers banks and wetlands are significant factors in aggravating the flood situation. Unplanned human settlements, agricultural activities and building infrastructure along the riverbanks disrupt the natural flow of water and cause flood.
- **Unplanned Urban growth:** the rapid urbanization and urban growth has contributed to the recurring floods. The haphazard construction of building and roads leads to sealing of wetlands and permeable soils, thus reducing the absorbing ability of the land.
- **Poor drainage system:** Inadequate drainage system across the state contribution to the recurring flood in the state. The absence of well-planned drainage system hinders the proper disposal of sewages too.

### **Flood and Human rights:**

Human rights are inherent rights which an individual enjoy because of being a human being. These rights are inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion or any other status. They range from most fundamental – right to life to those that make life worth living, such as right to food, education, work, health etc. The universal declaration of Human rights adopted by the UN General Assembly in 1948, was the first legal document that tried to give an universal form to these rights. The UDHR, together with the two covenants of 1966 make up the International Bill of Rights. The rights are inalienable, universal, indivisible and interdependent. These basic rights belong to every person in the world from birth till death.

### **Impact of Flood on human: flooding of areas have a variety of negative impacts.**

The magnitude of adverse impact depends on the vulnerability of the population, intensity and extent of flooding. Some negative impacts may be –

**Loss of lives and property:** Immediate impact of flooding includes loss of human life, lives of livestock, deterioration of health condition due to waterborne diseases. Moreover, Flash flood and collapse of dyke causes more deaths during flood.

**Loss of livelihood:** flood dislocate and disfunction the normal life of the people of he flood affected people. It directly effect the production of agriculture or industry. The effect on the production leads to loss of livelihood. The loss of livelihood effects the non-flooded areas too.

**Decreases purchasing power :** Damage to infrastructure can cause long-term impacts. Loss of livelihood reduces the purchasing power of the people and loss of land value in flood lead to increased vulnerability of various communities.

**Mass Migration:** Frequent flooding, resulting in loss of livelihood, production and prolonged economic impacts can trigger mass migration or population displacement. The outmigration may create complex social problems.

**Psychological effect:** the huge psycho-social effects on flood victim and the family members can traumatize them for long periods. It have a negative impact on the childrens.

### **How flood prevent the enjoyment of Rights:**

Flood creates an environment where people cannot enjoy human rights to the fullest. It impacts various human rights. It is elaborately discussed below with reference to the study area -

**Effect right to life:** Article 3 of the UDHR states that everyone has the right to life and article 6 of the International Covenant on Civil and Political rights (ICCPR) states that “Every human being has the inherent right to life”. Flood have devastating effect on people and their enjoyment on the right to life. According to the ASDMA data, a total of 838 people died in the floods in the state during 2013-2022, of whom 181 died in 2021, which is the highest human death toll in floods in a year.

**Effect Right to food:** Article 11 of ICESCR provides right of everyone to an adequate standard of living for himself and his family, including adequate food. Food access, utilization and price stability is greatly affected by flood. It has been reported that in Assam The flood waters have submerged 14091.90 hectares of cropland in the flood-hit districts of Assam.

**Right to Health:** Article 12 of the International Covenant on Economic, Social and Cultural rights recognizes the right of every person to the enjoyment of the highest attainable standard of physical and mental health. It also includes access to safe water, adequate sanitation nutrition, inclusion of sexual and reproductive health. Water borne diseases are a threat to the people of the flood affected areas. In Assam, According to State Health Dept 82 cases of Japanese Encephalitis were reported after the flood in 2022.

**Right to water and sanitation:** Article 11 of ICESCR includes the right to water and sanitation. Flooding greatly impact on water supplies. Drinking Water scarcity is a major issue in the flood affected areas. Moreover, sewage system is also affected. Sewage flooding and sewer overflow creates a serious issue in the flood affected areas.

**Right to housing:** The right to housing is an element of the right to standard living. It includes legal security to tenure, availability of services, facilities and infrastructure, accessibility etc. but, flood risks the human settlements in the areas near the rivers. Massive erosion engulf the houses of the people and make them homeless.

#### **Effect on specific groups :**

It is seen that environmental damage is felt most acutely by those segments of population already in vulnerable situations. It includes women, children, persons with disabilities, elderly people.

**Women:** The existing gender inequalities are heightened during the time of disaster. Reports reveal that a larger number of women are affected by floods than men. Moreover, the pregnancy period increases the vulnerability to disasters of various forms.

**Children:** The Convention on the Rights of the Child ensures the realization of all rights by children. But, it is seen that during floods children face various challenges such as malnutrition, infant mortality etc. Moreover, floods affect the daily schedule of education. In another way, due to the loss of livelihood of parents, the children may be forced to drop out of educational institutions. In 2022 flood affected 175 schools in the Lakhimpur district, out of which 164 are LP and 11 high schools. Unabated erosion by the river this time forced the villagers to shift the school by pulling out its metal roofs to a nearby cultural stage where temporary arrangements have been made to take classes.

#### **Measures by the government for flood management:**

The Govt of India and the State government have been adopting various policies for flood management. Some of the initiatives in this area are associated with the National Policy on Flood which includes three phases – Immediate measures; Short Term measures; and Long term measures. Some of the schemes that have been implemented for flood management are –

- River Bank Protection work
- Anti Erosion and town protection
- River channelization
- Drainage improvement
- Flood forecasting

- Raised platforms

According to the Water resource dept report, various physical achievement includes – Embankment of 4473.82 km; Strengthening of embankment – 655.502 km; Anti erosion work – 911 nos Sluices – 639 Nos

### **Recommendations:**

Although the government has taken various measures to prevent the flood, but still flood seems to be a major threat to human rights enjoyment. Assam's annual flood problem has a lot of factors. It needs a multi-faceted approach. Some recommendations in order to curb the menace and provide a suitable environment for the enjoyment of human rights are -

1. Effective measures to prevent encroachment
2. Construction of a robust drainage system
3. Effective dredging must be done in order to increase the water-holding capacity of the Brahmaputra and its tributaries.
4. Traditional building techniques like – Chang Ghar, Kaso –pithiya moulds (man made moulds), and Highlands to take refuge

Only by such measures, Assam can enhance its resilience to flood and mitigate its devastating consequences. The impact of flood over human rights is a serious issue of concern. India being a signatory of various international instruments for human rights protections need to undertake concrete measures not only to mitigate flood but also for the protection of human rights even in the days of flood. Moreover, the various departments associated with the enjoyment of human rights must take necessary measures such as –

1. Take necessary measures for remedial classes for students effected by flood
2. Necessary measures to prevent waterborne diseases
3. Provide adequate food supply to the flood affected people
4. Proper training to the people of the flood affected areas so that they can save lives during the flood.

### **Conclusion:**

The study reveals that the districts of Upper Assam are very much prone to flood. It is a form of disaster in which the people of Assam suffer a lot. The reoccurrence of floods annually is a major concern seeking multi-faceted solutions to the problem. Moreover, the human rights crisis due to the flood must be addressed with utmost priority. Protection of human rights in flood-affected areas must be achieved through the unified effort of the government and the community.

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