SPECIAL PROCEDURES
UNITED NATIONS
HUMAN RIGHTS COUNCIL

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Special Rapporteur on the human rights of internally displaced persons

Special Rapporteur on the promotion and protection of human rights in the context of climate change

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

28 May 2026

Excellencies,

We have the honor to address you in our capacities as the Special Rapporteur on the human rights of internally displaced persons, the Special Rapporteur on the promotion and protection of human rights in the context of climate change, and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, pursuant to Human Rights Council resolutions 59/12, 57/31 and 61/16.

In this regard, and further to the decision adopted by the Sixth Committee at its 41st meeting on 10 April 2026, we are writing to propose additional amendments to the 2016 Draft Articles on the Protection of Persons in the Event of Disasters (PPED). At that meeting, the Sixth Committee approved the recommendation of the working group requesting the Secretariat to finalize the consolidated text on the basis of the compilation of proposed amendments to the International Law Commission's draft articles contained in document A/80/610, together with any additional written proposals submitted by 15 May 2026, which will be reflected in a forthcoming addendum.[1]

The amendments proposed herein draw on international standards relating to internally displaced persons (IDPs), including the UN Guiding Principles on Internal Displacement, international human rights law, disaster displacement frameworks, and evolving State practices.

At the outset, we would like to welcome States' recognition and acknowledgment of the fundamental importance of protecting persons affected by disasters. We note, however, that while the draft articles are broadly compatible with international human

[1] Protection of persons in the event of disasters - Eightieth session - Sixth Committee (Legal) - UN General Assembly.

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rights law, protection relating to internal displacement remains underdeveloped throughout the text.

Given the centrality of displacement in disaster contexts, the articles would benefit from more explicit recognition of prevention of displacement, protection during displacement, durable solutions, non-discrimination, participation, housing/land/property rights, and protection against arbitrary displacement. Furthermore, the draft largely conceptualizes disasters through the lens of humanitarian assistance rather than mobility and displacement governance. This creates several gaps, including:

- no explicit protection against forced evictions and arbitrary displacement;
- lack of or no recognition of the specific vulnerabilities and rights of IDPs, persons with disabilities, women, children, older persons, persons living in informal settlements or exposed to homelessness;
- obligations regarding evacuation, relocation, return, local integration, or resettlement;
- limited attention to housing, land and property (HLP) rights;
- no reference to participation of communities under risk of eviction or of displaced communities;
- insufficient integration of durable solutions;
- weak attention to data collection and registration concerning displaced populations;
- no explicit requirement to protect against discrimination in access to assistance for displaced persons lacking documentation;
- no reference to climate-related displacement risk.

In addition, we believe that specific measures should be required to take into account multiple grounds of vulnerability that children, women and girls, persons with disabilities, and older persons face in the context of disasters. Several important lessons have been learnt in this connection in the last few years in the context of climate-related disasters and they should be reflected in the draft in accordance with international human rights law. These are now foreseeable and preventable human rights harm and their careful consideration and appropriate response can strengthen the overall effectiveness of action on disasters (for a synthesis of findings and applicable human rights standards, see A/HRC/56/46).

Further, it is essential to recognize that action in the context of disasters should prevent foreseeable harm to the environment, which has been widely documented as a cause of human rights harm in the aftermath of emergency-related interventions. Participatory planning and access to information in consultation with potentially affected communities is essential to this end (see A/79/176). Reliance on the 2025 Advisory Opinion of the International Court on Justice on State Obligations on Climate Change is recommended in this connection, as well as in relation to Article 12. The 2024 Advisory Opinion of the International Tribunal for the Law of the Sea is also relevant in relation to Article 12.

In this context we would also like to draw to your attention the Guiding Principles on Resettlement (A/HRC/61/43, Annex) that apply to all situations of displacement, eviction, relocation, or resettlement, regardless of cause, including in the context of natural and human-made disasters (see Guiding Principle 1 e)).

We strongly believe that the suggested in the below Annex amendments to the draft articles would bring the draft articles of the 2016 Draft Articles on the Protection of Persons in the Event of Disasters (PPED) into closer alignment with international standards, from the perspective of international standards relating to internally displaced persons, including the UN Guiding Principles on Internal Displacement, international human rights law, disaster displacement frameworks, and evolving State practices.

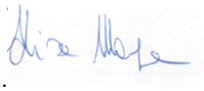
We remain available to provide States with further information on these proposals, as well as support for ongoing work and advocacy initiatives related to the development of this important instrument.

Should you have any questions and would you require further information, please contact Ms. Shushan Khachyan, Human Rights Officer at the Office of the High Commissioner for Human Rights in Geneva (shushan.khachyan@un.org).

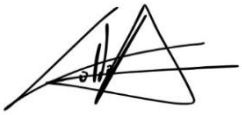
Please accept, Excellencies, the assurances of our highest consideration.



Paula Gaviria Betancur
Special Rapporteur on the human rights of internally displaced persons



Elisa Morgera
Special Rapporteur on the promotion and protection of human rights
in the context of climate change



Koldo Casla
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

In Annex: Draft articles on the protection of persons in the event of disasters 2016

Annex

Draft articles on the protection of persons in the event of disasters 2016

Protection of persons in the event of disasters

Bearing in mind Article 13, paragraph 1 (a), of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

Considering the frequency and severity of natural and human-made disasters and their short-term and long-term damaging impact, including displacement, loss of housing, land and property, and disruption of livelihoods and community life,

Fully aware of the essential needs of persons affected by disasters, the differentiated impacts on children, women and girls, persons with disabilities, older persons, and persons at heightened risk of discrimination or exclusion, and conscious that the human rights of everyone must be respected and protected in such circumstances,

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Mindful of the fundamental value of solidarity in international relations and the importance of strengthening international cooperation in respect of all phases of a disaster,

Stressing the principle of the sovereignty of States and, consequently, reaffirming the primary role of the State affected by a disaster in providing disaster relief assistance,

Article 1
Scope

The present draft articles apply to the protection of persons in the event of natural and human-made disasters.

Article 2
Purpose

The purpose of the present draft articles is to facilitate the adequate and effective response to disasters, and reduction of the risk of disasters, so as to meet the essential needs of the persons concerned, including persons displaced or at risk of displacement, with full respect for their human rights and to prevent and reduce disaster-related displacement where possible.

Article 3
Use of terms

For the purposes of the present draft articles:

(a) "disaster" means a calamitous event or series of events resulting in widespread loss of life, great human suffering and distress, mass displacement, destruction or loss of housing, land and property, or large-scale material or environmental damage, thereby seriously disrupting the functioning of society or of a particular community;

(b) "affected State" means a State in whose territory, or in territory under whose jurisdiction or control, a disaster takes place;

(c) "assisting State" means a State providing assistance to an affected State with its consent;

(d) "other assisting actor" means a competent intergovernmental organization, or a relevant non-governmental organization or entity, providing assistance to an affected State with its consent;

(e) "external assistance" means relief personnel, equipment and goods, and services provided to an affected State by an assisting State or other assisting actor for disaster relief assistance;

(f) "relief personnel" means civilian or military personnel sent by an assisting State or other assisting actor for the purpose of providing disaster relief assistance;

(g) "equipment and goods" means supplies, tools, machines, specially trained animals, foodstuffs, drinking water, medical supplies, means of shelter, clothing, bedding, vehicles, telecommunications equipment, and other objects for disaster relief assistance.

Article 4
Human dignity

The inherent dignity of the human person shall be respected and protected in the event of disasters.

Article 5
Human rights

Persons affected by disasters are entitled to the respect for and protection of their human rights in accordance with international law.

Specific measures should be put in place for the protection of the human rights of those facing differentiated impacts and experiencing specific conditions of vulnerability in the context of disasters.

New proposed article after Article 5 or Article 6
Protection of displaced persons

"Persons displaced in the context of disasters are entitled to protection in accordance with international law, including international human rights law. States shall take appropriate measures to:

(a) prevent and avoid arbitrary displacement;
(b) ensure protection and assistance during displacement;

(c) facilitate durable solutions, including voluntary return, local integration or resettlement elsewhere in the country in safety and dignity; and

(d) respect housing, land and property rights."

Article 6
Humanitarian principles

Response to disasters shall take place in accordance with the principles of humanity, neutrality and impartiality, and on the basis of non-discrimination, while taking into account the specific rights and needs of persons in vulnerable situations, including internally displaced persons, persons with disabilities, older persons, children, and persons at heightened risk of discrimination or exclusion.

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Article 7
Duty to cooperate

In the application of the present draft articles, States shall, as appropriate, cooperate among themselves, with the United Nations, with the components of the Red Cross and Red Crescent Movement, and with other assisting actors.

Such cooperation may include support for protection, evacuation, registration, shelter, relocation planning, housing reconstruction and durable solutions for displaced persons.

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Such cooperation must ensure that assistance would not reduce the vulnerability of one group at the expense of others or harm the environment.

Article 8
Forms of cooperation in the response to disasters

Cooperation in the response to disasters includes humanitarian assistance, coordination of international relief actions and communications, and making available relief personnel, equipment and goods, and scientific, medical and technical resources. Cooperation may also include support for evacuation, temporary shelter, registration and documentation, housing reconstruction, relocation planning, and durable solutions for displaced persons.

Cooperation in the response to disasters must prevent foreseeable negative impacts on the environment and contribute to ecosystem restoration, in consultation with affected communities.

Article 9
Reduction of disaster risk

1. Each State shall reduce the risk of disasters, including the risk of disaster-related displacement, by taking appropriate measures, including through legislation and regulations, to prevent, mitigate, and prepare for disasters.

2. Disaster risk reduction measures include the conduct of risk assessments, the collection and dissemination of risk and past loss information, the installation and operation of early warning systems, land-use planning, evacuation preparedness, and community-based adaptation and resilience measures.

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3. These activities should be conducted in a participatory manner with communities likely to be affected by disasters, and ensure access to information that contributes to the protection of human rights and the environment in the context of disasters.

4. Where disaster risks create conditions in which continued habitation places persons at serious risk, States shall ensure that any planned relocation is undertaken in accordance with international human rights law, including requirements of necessity, proportionality, consultation, participation, non-discrimination, and access to effective remedies. Preference must be given to prevent any relocation through disaster risk reduction measures.

Article 10
Role of the affected State

1. The affected State has the duty to ensure the protection of persons, including protection against arbitrary displacement and protection of persons displaced by disasters, and provision of disaster relief assistance in its territory, or in territory under its jurisdiction or control, ensuring that assistance would reduce the vulnerability of one group at the expense of others, future generations or the environment.

2. The affected State has the primary role in the direction, control, coordination and supervision of such relief assistance. The affected State shall seek to ensure participation of affected and displaced communities in decisions affecting them.

Article 11
Duty of the affected State to seek external assistance

To the extent that a disaster manifestly exceeds its national response capacity, the affected State has the duty to seek assistance from, as appropriate, other States, the United Nations, and other potential assisting actors. This includes situations involving large-scale displacement or prolonged displacement resulting from disasters.

Article 12
Offers of external assistance

1. In the event of disasters, States, the United Nations, and other potential assisting actors may offer assistance to the affected State. States have a duty to offer assistance in accordance with their respective international obligations to protect the environment.

2. When external assistance is sought by an affected State by means of a request addressed to another State, the United Nations, or other potential assisting actor, the addressee shall expeditiously give due consideration to the request and inform the affected State of its reply.

Article 13
Consent of the affected State to external assistance

1. The provision of external assistance requires the consent of the affected State.

2. Consent to external assistance shall not be withheld arbitrarily. Withholding consent may be arbitrary where this results in denial of lifesaving or rights-protective assistance to affected communities, including displaced populations.

3. When an offer of external assistance is made in accordance with the present draft articles, the affected State shall, whenever possible, make known its decision regarding the offer in a timely manner.

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Article 14
Conditions on the provision of external assistance

The affected State may place conditions on the provision of external assistance. Such conditions shall be in accordance with the present draft articles, applicable rules of international law, and the national law of the affected State. Conditions shall not discriminate against or arbitrarily exclude persons or communities on grounds of age, race, gender, or disability, including displaced persons and communities, and shall take into account the identified needs of the persons affected by disasters and the quality of the assistance. When formulating conditions, the affected State shall indicate the scope and type of assistance sought, including information on which actions would reduce the vulnerability of one group at the expense of others, future generations or the environment.

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Article 15
Facilitation of external assistance

1. The affected State shall take the necessary measures, within its national law, to facilitate the prompt and effective provision of external assistance, in particular regarding:

(a) relief personnel, in fields such as privileges and immunities, visa and entry requirements, work permits, and freedom of movement; and

(b) equipment and goods, in fields such as customs requirements and tariffs, taxation, transport, and the disposal thereof.

2. The affected State shall ensure that its relevant legislation and regulations are readily accessible, to facilitate compliance with national law. The affected State shall equally ensure that accessible information on external assistance is provided to affected communities.

Article 16
Protection of relief personnel, equipment and goods

The affected State shall take the appropriate measures to ensure the protection of relief personnel and of equipment and goods present in its territory, or in territory under its jurisdiction or control, for the purpose of providing external assistance.

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Article 17
Termination of external assistance

The affected State, the assisting State, the United Nations, or other assisting actor may terminate external assistance at any time. If the assisting State or other assisting actor have caused environmental harm in the course of external assistance, they remain responsible, after termination, to remediate to it and provide effective remedies to those whose human rights were negatively affected by environmental harm.

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Any such State or actor intending to terminate shall provide appropriate notification. The affected State and, as appropriate, the assisting State, the United Nations, or other assisting actor shall consult with respect to the termination of external assistance and the modalities of termination of assistance should take into account the ongoing needs and rights of displaced persons, including progress towards durable solutions.

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Article 18
Relationship to other rules of international law

1. The present draft articles shall be interpreted consistently with international human rights law and relevant standards relating to internally displaced persons and are without prejudice to other applicable rules of international law.

Additional major issue:

Planned relocation[2]

The draft articles do not address planned relocation at all. Given increasing climate-related disaster risks, a new provision could be considered as following:

Where disasters or disaster risks create conditions in which continued habitation places persons at serious risk, States shall ensure that any planned relocation is undertaken in accordance with international human rights law, including requirements of necessity, proportionality, consultation, participation, non-discrimination, and access to effective remedies.

The following cross-cutting human rights issues should be integrated throughout the text:

1. Non-discrimination

Explicit protection needed for:

- undocumented persons;
- minorities;
- Indigenous Peoples;
- migrants;
- persons with disabilities;
- women and girls;
- older persons.

2. Participation

Affected and displaced communities should participate in:

- evacuation decisions;
- relocation;
- camp management;
- reconstruction;
- return planning.

[2] For more information, see the Special Rapporteur on the human rights of internally displaced persons' report on planned relocations of people in the context of the adverse effects of climate change and disasters (A/HRC/56/47).

3. Housing, land and property rights

The draft articles currently omit:

- restitution;
- tenure security;
- protection against forced eviction after disasters.
- These are central to durable solutions.

4. Data and registration

States should collect disaggregated displacement data consistent with:

- privacy;
- dignity;
- informed consent.

5. Durable solutions

The framework currently focuses on emergency response but not recovery pathways.

A durable solutions framework should include:

- voluntary return;
- local integration;
- settlement elsewhere;
- livelihood restoration;
- mental health and psychosocial support considerations;
- access to services.

We strongly believe that the draft articles should evolve from a primarily humanitarian-assistance framework into a fuller human-rights-based disaster displacement framework.

At minimum, the following should be added:

1. explicit recognition of IDPs;
2. prohibition of arbitrary displacement;
3. protection during displacement;
4. durable solutions;
5. housing, land and property protections;
6. participation rights;
7. planned relocation safeguards;
8. displacement-sensitive disaster risk reduction.

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