

Guidelines for Gender Sensitive Disaster Management



Practical Steps to
Ensure Women's
Needs are Met
And Women's Human
Rights are Respected
and Protected during
Disasters



Guidelines for Gender Sensitive Disaster Management

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GUIDELINES FOR GENDER SENSITIVE DISASTER MANAGEMENT

Practical Steps to Ensure Women's Needs are Met And
Women's Human Rights are Respected and Protected

Asia Pacific Forum on Women, Law and Development (APWLD)

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FOREWORD

These Guidelines are the result of the documentation project "Survey of Women's Human Rights Violations in the Aftermath of the Tsunami in India, Indonesia, Thailand and Sri Lanka and the October 8, 2005 Earthquake in Pakistan" coordinated by Asia Pacific Forum on Women, Law and Development (APWLD), a women's human rights network of over 140 members in 23 countries of Asia Pacific. This project developed in response to the calls for support from our members involved in relief operations in the aftermath of the December 26, 2004 Indian Ocean tsunami, and their reports raising women's human rights concerns in Aceh province in Indonesia, Tamil Nadu in India, Sri Lanka and the Andaman coast of Thailand. When Azra Talat Sayeed, our member from Pakistan, reported about the impact of the earthquake on women, especially women headed households completely left out of relief assistance, the survey was expanded to document women's human rights violations in Northern Pakistan and Azad Jammu and Kashmir.

"Women and men experience the same hardships," replied Kofi Anan to a question on how the UN was addressing women's specific needs in the tsunami aftermath, at the press-conference during his visit to Jakarta in January 2005. There are a lot of people around the world, including aid workers, who believe that disasters, such as the tsunami, affect everyone equally and there is no need to focus on vulnerable groups, such as women, children, elderly, marginalised groups such as Dalits in India, migrants, religious and ethnic minorities and others.

Although gender disaggregated official statistics were not available in some of the affected countries, the Survey confirms the earlier observations that in Aceh, India and Sri Lanka more women died in the tsunami than men, almost 80% of the dead were women. The tsunami not only killed more women, it produced some very gender-specific after shocks, ranging from women giving birth in unsafe conditions to new forms of violence against women: forced recanalisation of women and "tsunami" marriages. In Thailand, women were discriminated even in death: the government assistance for funerals provided twice as much money for a man's death than for a woman's because men were regarded as heads of households and breadwinners. In Aceh, Indonesia, *ulamas'*, Islamic religious leaders, interpretation of women's disproportionately high death

rates was that the tsunami was the God's curse on women for their immoral behaviour. As a result, the enforcement of Shariah Laws in post-tsunami Aceh became stricter with Shariah police beating women in the streets for not wearing headscarves. Similarly, in Pakistan women were blamed for invoking the earthquake as the God's curse for their sins.

In 2000, at the special session of the UN General Assembly, "Gender equality, development and peace for the twenty-first century", the Assembly highlighted the inefficiencies and inadequacies of existing approaches and intervention methods in responding to natural disasters and the need for gender perspectives to be incorporated whenever disaster prevention, mitigation and recovery strategies are being developed and implemented. The Commission on Status of Women further recognised in 2002 that "gender is a highly significant factor, both in the construction of social vulnerability to risk and in people's organised responses to hazards and disasters. Gender inequalities with respect to enjoyment of human rights, political and economic status, land ownership, housing conditions, education, health, in particular reproductive and sexual health, and exposure to violence, make women more vulnerable before, during and after disasters."

However, five years after the concerns about the lack of a gendered response to natural disasters have been expressed gender blind disaster management recurred in the context of the Indian Ocean Tsunami and the Earthquake in Pakistan. The Survey findings confirm that women are more vulnerable during disasters as women, marginalised and disempowered under normal circumstances, are more at risk because of their lower socio-economic status, barriers to choice and lack of access to resources. Gender neutral disaster management results in discrimination and marginalisation of women because relief efforts rely on existing structures of resource distribution that reflect the patriarchal structure of society.

Gender neutral relief, rehabilitation and reconstruction efforts based on the assumption that men's and women's needs are similar result in:

- Women giving birth in unsafe conditions
- Malnourished infants because their malnourished mothers cannot breastfeed them
- Sexual abuse of women because there are no protection measures and no separate toilets and bathrooms in camps and temporary shelters

- Widows and women headed households unable to restore their livelihoods because employment generation assistance focus on areas which predominantly employ men
- Widows and women headed households unable to access food and other aid supplies because of restriction of their movements (e.g. purdah in Pakistan)

There is an urgent need to move from gender blindness to gender sensitivity in helping the victims of natural disasters. Given that disasters such as earthquakes, floods, droughts, hurricanes and landslides will always occur, it is imperative to ensure that a gender perspective is included in all disaster management programmes so that the relief efforts are able to properly address women's needs and prevent violations of women's human rights. We hope these Guidelines will be translated into various languages and used by government, aid and relief agencies, international and local NGOs in assisting disaster affected people around the world.

On behalf of APWLD, I would like to thank our members who conducted the Survey, on which these Guidelines are based, for their hard work and express my admiration for their commitment to the cause of protection and promotion of women's human rights: Fatima Burnad and her team at Tamil Nadu Dalit Women's Movement for their incessant fight for Dalit women's rights and against caste discrimination in India. TNDWM saved many Dalits from starvation when relief food was denied to them; Titi Soentoro and the team of Solidaritas Perempuan for their resilience and dedication. Titi had to defer her term as Regional Coordinator of APWLD Secretariat in Thailand because her team in Aceh needed her help to provide relief support to the Acehnese survivors. Two members in her Aceh team died in the tsunami and many lost family members. Ravadee Prasertcharoensuk and Duangkamol Sirisook of Sustainable Development Foundation, Thailand; Sunila Abeysekera of INFORM, Sumika Perera of CATAW and Sarala Emmanuel of Suriya Women's Development Centre, Sri Lanka; and Azra Talat Sayeed and the research team of Roots for Equity, Pakistan, for their hard work in conducting the Survey and special thanks to Shyamala Gomez, the writer of the Guidelines, and Lin Chew, an adviser of Global Fund for Women and Mamacash without whose "push" this project would not have gone ahead.

Cholpon Akmatova
 Project Coordinator
 APWLD (Asia Pacific Forum on Women, Law and Development)
 November 2006

INTRODUCTION

These guidelines have been formulated to assist governments, the non state sector and civil society in dealing with women who have been affected by disaster. They are meant to be practical, easy to follow steps that need to be taken in responding to women's concerns in post disaster situations. They have been categorized into immediate, mid term and long term responses. However, there could be overlap in the responses and this factor needs to be taken into consideration in implementing the guidelines.

The guidelines draw from reports of countries that were affected by the December 2004 tsunami: Thailand, Aceh, India, Sri Lanka and the earthquake in northern Pakistan in October 2005.

In disaster relief efforts, a rights based approach must be adopted so that women's rights are promoted and safeguarded. Women's socio economic and cultural rights, as well as their civil and political rights must be ensured at all times.

Gender sensitive disaster management must be based on the fundamental principles:

1. **WOMEN'S RIGHTS ARE HUMAN RIGHTS**, therefore, relief efforts should not only be based on needs, but on ensuring that women's human rights are protected and promoted.
2. **EQUALITY** of women and men
3. **NON-DISCRIMINATION** against women

These disasters occurred in vastly different places among different populations, yet they share a common factor: during and afterwards, women and children suffered most. That women are disproportionately affected by disasters is indisputable- yet it continues to be ignored: by governments, and by many non governmental agencies involved in relief and reconstruction efforts.

Caught in the Storm: The Impact of Natural Disasters on Women
The Global Fund for Women

Identify Specific Needs of Women

Ask the women. Women are the most aware of what family needs are and what immediate responses needed.

1. Women's reliable and regular access to food and clean water is important because women take care of food and water for children, elderly and the entire family.
2. Special care should be given to pregnant and breastfeeding women and women with young children
3. Include sanitary pads and underwear in relief supplies
4. Provide adequate separate toilets and bathrooms for women
5. Provide regular access to gynaecological services by female health workers
6. Ensure women's security and safety
7. Provide adequate shelter and housing
8. Provide psycho-social counselling



Ensure that Emergency Relief Supplies include:

- Sanitary pads/towels and clean white cloth as in some cultures women are not used to commercially manufactured disposable pads such as Carefree brand products.
- Contraceptives
- Underwear and petticoats/underskirts
- Drinking water
- Baby food and infant milk formula
- Baby items such as diapers, blankets and clothes
- Bedding (mattresses, sheets, blankets, pillows)
- Nutritional supplements (multi vitamins, iron etc)
- Nutritious food
- Children's clothing
- Warm clothing
- Culturally appropriate clothing (traditional clothing, e.g. sarongs, head scarves, hijabs, salwar kameez, sarees, etc.)
- Toiletries: toilet rolls, soaps, shampoo
- Towels
- Mosquito netting
- Mosquito repellents and coils
- Spectacles, hearing aids, walking sticks

Ensure Women's Access to Sufficient and Adequate Food

Ensure that disaster affected people do not suffer from hunger, thirst and malnutrition:

- A steady and sufficient flow of food and drinking water should be maintained until disaster affected people are able to restore their livelihoods, as long as it takes.
- Pregnant and breastfeeding women, widows, elderly, orphaned children and disabled should be provided food aid until their food security has been ensured.
- Distributed food must be of appropriate quality and fit for human consumption.
- To meet nutritional needs, ensure access to a range of food: cereals, pulses and fat sources.
- Basic food aid should include milk and sugar and be provided regularly until families are able to restore food security.
- Breast milk substitutes should be included in the food aid package for families with infants as in disaster situations under stress and trauma mothers have lactating problems.
- Food aid should be culture specific taking into consideration food habits of different communities.
- Consult women about the make up of the 'food basket' or essential food items for distribution.
- Basic cooking facilities such as cooking utensils, stoves and firewood must be provided.

India

Entire communities of Dalits and Irula did not receive any assistance from the Indian Government or NGOs as they were not seen as directly affected by the tsunami because they had not suffered human losses and property damages. However, they had lost their livelihood sources such as fishing and collecting shells in backwaters that became sand clogged in the tsunami and agricultural land became uncultivable due to salinisation. Drinking water had become a "mirage" after the tsunami as water sources had been salinised. With no means to earn living and no relief support, many Dalit families were on the verge of starvation.

"We are hungry. It is cruel to let people suffer from hunger," said Sundari from Kalpakam. Relief operations did not reach the Dalits until public "hue and cry" raised a few weeks later.

Tsunami Aftermath: Human Rights Violations of Dalit Women

Aceh (Indonesia)

In the first three months after the tsunami, the supply of food and other basic needs was one of the major problems. Women first fed their children and very often went hungry so many of them suffered from malnutrition and hunger. Malnutrition of pregnant and breastfeeding women led to malnutrition and morbidity of their babies.

In addition to insufficient supply, food distributed by various international and national agencies was mainly instant noodles. Majority of evacuees living in makeshift tents and barracks lacked appropriate kitchen utensils to cook instant noodles. Other food supplies were biscuits, canned food or rice without any accompanying side dishes and there were frequent incidents of expired food products.

Tsunami Aftermath: Violations of Women's Rights in Nanggroe Aceh Darussalam

Food distribution should be equitable, transparent and respect human dignity

- Food should be distributed to everyone who lost food security as a result of a disaster: to those who lost livelihoods and jobs as a result of a disaster, not only those who lost family members.
- Food distribution mechanisms should respect dignity of disaster affected people without making them fight for food or feeling like beggars.
- Women should be receivers of food to ensure that food is not sold by men to collect money for alcohol.



People in Devanapattinam queuing to collect relief materials from a private charity

Aid distribution for women should be handled by women

- Include women in aid teams. Women groups need to be at the centre of planning, implementation and management of food aid. There should be minimal involvement of military forces for delivery of goods in the aftermath of disasters.
- Special efforts must be made to reach out to women as in most societies, women feel too intimidated to collect aid supplies. In Pakistan, in the aftermath of the October 2005 earthquake a vast majority of women headed households were left out of the distribution system because in a conservative Muslim society women should not be seen in public unaccompanied by men.
- Women should be encouraged to access aid directly.
- Aid distribution points should have public toilets, including separate toilets for women, access to drinking water and shaded sitting arrangements.
- At aid distribution points, separate queues for women should be made, especially in cultures where gender segregation is practiced.

Pakistan

In Muzaffarabad district, at a food aid distribution point, there were two widows queuing for food in the long line of men. One was nearly fainting from the heat and the long hours she had been waiting for her turn to come. She also had a fever. The distribution point had no drinking water available or toilet facilities. Nor was there any shade or arrangements for people to take some shelter from the heat. In the end, our research team members had to persuade the Army personnel at the distribution point to share some of their water with the women. The women and others at the distribution point reported that they had to hire a vehicle for Rs 500 to come to the distribution point and take back the dry food supplies which were provided there.

Earthquake Aftermath: Violations of Women's Human Rights
in Pakistan

Ensure that Women's Menstrual Needs Are Met

Women's menstrual concerns need immediate attention. Current disaster relief practices are culturally and gender insensitive to the needs of women. The humiliation and embarrassment of women must be avoided when distribution of sanitary napkins and underwear is undertaken. Women are reluctant to approach men for their personal hygiene requirements.

Ensure that:

- males are **NOT** involved in the distribution of sanitary napkins and underwear.
- women **ARE** involved in the distribution of sanitary napkins and underwear.
- adequate cloth and washing facilities are provided for menstruating women.

Sri Lanka

The distribution of underwear, bras and panties was carried out publicly, with embarrassing comments about which sizes were appropriate for which women. In addition, distribution of sanitary products were under the control of male camp officials, who handed them out one at a time, so women had to go back and ask again and again. There were no contraceptives available, even though husbands and male partners insisted on sex.

Caught in the Storm: The Impact of Natural Disasters on Women

Ensure that All Disaster Affected People Have Access to Adequate Shelters

Ensure that:

- Everyone who needs shelter has access to temporary housing facilities. E.g. in Thailand, survivors who did not have proof of ownership of a house before the tsunami were denied access to temporary housing.
- Temporary shelters, including tents, must be comfortable and habitable. In disaster situations, women tend to spend more time in shelters than men looking after children.
- Temporary shelters should provide adequate space and privacy:
 - each family should have a separate space depending on the size of the family;
 - married couples and children should have separate rooms;
 - Dressing rooms for women and rooms for breast feeding should be provided.
- Conditions conducive to disease and structural hazards should be eliminated:
 - Temporary shelters and houses must be constructed of the material appropriate for the climate of the country affected by the disaster
 - Tar and tin sheets must never be used as construction material for human dwellings. They trap heat and make shelters uninhabitable. Climatic conditions should be taken into account when constructing shelters as people may end up living in shelters for many months.
 - Roofs must not leak during rain.
 - Tents and temporary houses should not be constructed too closely together to provide some form of privacy.

- Location of shelters should be considered carefully. They should not be built on hills vulnerable to landslides or low lying areas vulnerable to floods during rainy season.
- Tents need to be designed with better secure fastenings so that it would provide a sense of security to women.
- In tent distribution, priority should be given to widows, women headed households, male-headed households who have physical or mental disabilities and the elderly, through direct door-to-door service.
- Old-style tents with slanting sides need to be phased out as they leave no space for mobility. Tents with ventilation facilities need to be promoted. Cooling and heating mechanisms need to be developed for maintaining temperatures inside the tents. If not, they can be very cold in winter and very hot in summer.
- Built-in storage space should be part of tents for bedding and clothes to keep them safe from getting wet or damaged.



Camp Lampeunerut, Aceh, flooded when the rainy season started.



Temporary shelters look more like cattle sheds than human dwellings, Tamil Nadu



Temporary shelter built on hills damaged by landslides, Seibun Ketapang, Aceh

Aceh (Indonesia)

After the tsunami, the government built IDPs' barracks on the top of the hill. The barracks had walls made of thin wood, laminated flimsy triplex and no kitchen. There were various types and sizes of barracks. Some barracks were the size 4x3 meters accommodating approximately 4-7 persons. Besides being very hot, the barracks built in March 2005 had begun to deteriorate by early June 2005. Its thin walls had begun to peel off and parts of the floor had started to crack. Some of the barracks were hit by the land slide and became uninhabitable. The facilities in the barrack were inadequate, with absence of washing, bathing, latrine facilities. Men and women used same bathing rooms (when such rooms were available); sexual harassment or violence against women was frequent.

The conditions faced by women in barracks were frequently pointed out to both the government and NGOs who visited and also to the Aceh-Nias Reconstruction and Rehabilitation Agency. But until December 2005 the situation remained unchanged.

Tsunami Aftermath: Women's Human Rights Violations in Aceh



Ensure Women's Access to Adequate Toilet and Bathing Facilities

Adequate hygiene and sanitation facilities are important because lack of them affects women's reproductive health.

Ensure that:

- women have access to sufficient and regular supplies of clean water for bathing and personal hygiene. Average water use for drinking, cooking and personal hygiene in any household should be at least 15 litres per person per day.
- The maximum distance from any household to the nearest water point should be 500 meters.
- Water sources and systems should be maintained to ensure availability of appropriate quantities of water consistently and on a regular basis.
- women have separate toilet facilities.
- toilets and bathrooms have walls, secure doors that can be locked and a proper drainage system. Toilets should be closed structures which enable women to use them with a degree of privacy.
- toilets and bathrooms are built of durable material to prevent men from making peep holes.
- a maximum of 20 people per toilet. Camp management and residents must develop a system to maintain the toilets in a clean and hygienic condition to minimise the spread of fly and mosquito borne diseases.
- arrangements should be made for sanitary disposal of solid waste.
- within the camps, toilets and bathrooms must be located not far from the living quarters (50 metres) and provided with lighting to

ensure safety of women

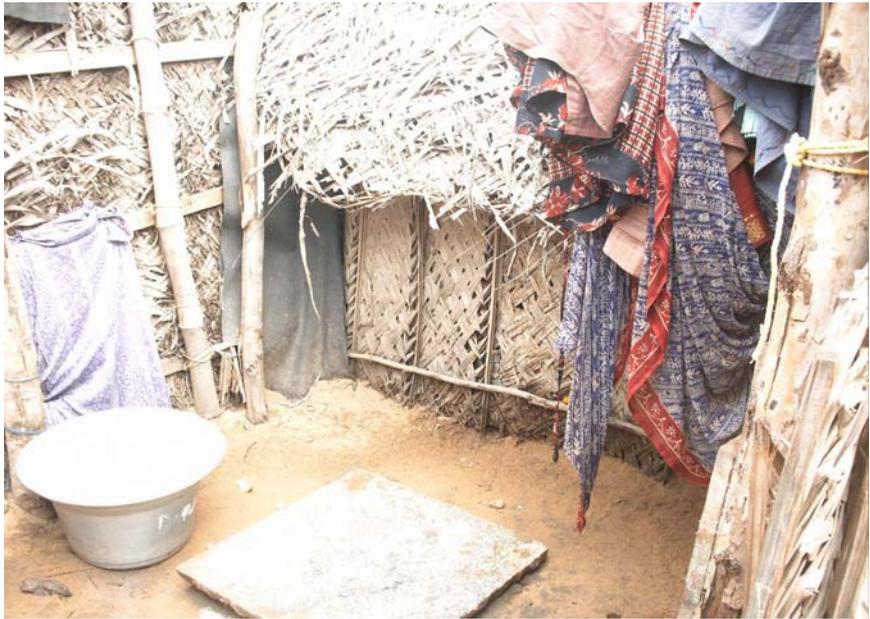
- pathways to and from toilets and bathrooms must be well lit to ensure safety of women
- private laundering areas should be available for women to wash and dry underwear and sanitary cloths.
- dressing rooms for women and rooms for breast feeding should be provided.

India

In Kilmanakkudi village, Kanyakumari district, there were seven camps housing 1,225 people. Only 10 toilets and 10 bathrooms were available for 1,225 people! Toilets and bathrooms were either too far from camps or in the midst of camps. They lacked proper drainage and water facilities and were unhygienic.

In Nagai district, Kesavan Palayam village camps, the bathrooms and toilets had no doors so women found it very difficult to use the toilets and underwent a lot of trauma. There was one hand pump which pumped up salt water. Four water tanks were placed near the camps but only three of the tanks were filled with water. Each family, irrespective of the size, could get only 40 litres of water per day for their cooking and drinking needs. Any extra requirement of water should have been met by the family. The camp residents, mainly women and children, had to walk as far as a kilometre away from their shelter to fetch water from other sources like Kathanchavadi village. Rain water reserved in a pond was used for washing and bathing. (India)

Tsunami Aftermath: Human Rights Violations of Dalit Women



Makeshift bathroom in a camp, India



Makeshift bathroom in a camp, Aceh



Men burnt cigarette holes in camp toilets made out of thick vinyl material. This caused general distrust amongst women in using these facilities. Mothers often reported escorting their daughters to toilets and guarding outside." (Pakistan)

Aceh (Indonesia)

After the tsunami, the Seibun Ketapang residents occupied barracks on the top of the hill. This not only hindered the residents' mobility but also the barracks did not have sufficient water supply. The water tank was placed at the foot of the hill so women were forced to walk up and down to fetch water. In addition, the bathing and latrine facilities built by the government were inappropriate for use. With no water, the latrine could not be used. The bathing facility did not have a sewage system and water from bathing and washing flooded the barrack yards. Poor sanitation triggered diarrhoea in children and several barrack's residents, and affected women's reproductive health. (Indonesia)

Tsunami Aftermath: Violations of Women's Rights in Nanggroe Aceh Darussalam;

Ensure Women's Access to Free Health Care Services

Ensure that:

- access to health services is granted to all disaster affected people irrespective of their status: citizenship, migration, registration, medical insurance etc. The right to health services is a fundamental human right guaranteed by Article 25 of the Universal Declaration of Human Rights, 1948.
- pregnant women and women with young children are identified and provided with free medical post natal and maternity care and additional nutrition for the women and children
- women who delivered after a disaster are provided with extra reproductive and child health care and psycho-social counselling as they are more vulnerable due to the stress experienced during the disaster.
- necessary vitamins and other supplements are provided to pregnant and lactating mothers.
- a conducive, sanitary and safe environment is set up for childbirth purposes.
- medical assistance is provided to lactating mothers who have lost their babies in disaster and have milk clotting in their breasts.
- adequate provision and easy access to different forms of contraception is facilitated as soon as possible.
- medical services are offered proactively by health workers through regular visits to camp, shelter and disaster affected communities.
- female health workers are included in medical teams servicing camps and affected communities.
- female obstetricians and gynaecologists are at hand to take care of maternity and child related health concerns.

- children are inoculated against childhood diseases within stipulated time periods
- women have access to general health care clinics
- hospitalised women are provided with shelter after they leave hospital and not asked to leave hospital even if they have no place to go. Some of them may be disabled as a result of the disaster.

Pakistan

Injured women were brought to hospitals in the chaos in the aftermath of the earthquake. Once they had been treated they were asked to leave. Many of these women had no relatives with them, as they had been evacuated by helicopters from remote mountainous areas. The hospital personnel in many cases did not know where their patients had come from. The women themselves would sometimes not be able to clearly identify their villages, or in some cases had only phone numbers through which they could contact their families. The phone lines were not working or there was no response from the numbers. However, even when women had no people to look after them, they were being asked to leave the hospital premise.

A majority of expectant mothers in the tent camps delivered their babies in the tents. Even if medical aid was available in the camps, the medical doctors present were mostly men. Women and families were very hesitant to bring the doctors either to the tents or to take women to the medical units. In nearly all cases identified, deliveries had been carried out by mid-wives, commonly known as dais in Pakistan. These women were charging Rs 1,000 to 2,000 per case. Another woman in Bagh, AJK, reported that she had to travel to Rawalpindi (about five hour's journey across mountainous terrain) as her delivery had to be through C-section surgery. The cost of the operation came to Rs 15,000 which she took as a loan and had not been able to repay at the time the research team interviewed her. A third woman reported walking in rain to get to the camp, and had her delivery at the camp at night with no medical assistance. An extreme situation was reported by a woman who had delivered her baby whilst walking with her parents to reach a tent camp and the umbilical cord had to be cut using a stone. The woman was living alone in a tent camp with her four children.

Women, in the period during their pregnancies and after delivery, had little help in the tents, and were basically looking after themselves, to the extent that some reported fetching water, washing clothes and cooking food themselves. At the Mira Camp, Bisham, NWFP, according to a Cuban doctor, women were only brought to them when their condition had deteriorated and become serious, otherwise their husbands or other male household members were not allowing them to seek medical aid. In many of the tent camps there were no female doctors on call.

Earthquake Aftermath: Violations of Women's Human Rights in Pakistan



Aceh (Indonesia)

In the tsunami aftermath, women's health in Lampuuk village became a grave concern. Due to inadequate health services, women in the village experienced difficulties in maintaining their reproductive health. Even if doctors paid visits to the village, health examinations were normally conducted in open tents without proper examination beds or in unenclosed areas. Therefore, women were reluctant to examine their reproductive organs when they had any pain or ailments. By December 2005, three pregnant and breastfeeding women were unable to receive access to health services. They were also unable to obtain vitamins and necessary vaccines as well as nutritional food.

Tsunami Aftermath: Violations of Women's Rights in Nanggroe Aceh Darussalam

Cut Ita, a tsunami survivor from Aceh, conceived her 3rd child in a tent camp. When we met her in Banda Aceh in July 2005 she was 6 month pregnant. She was very anxious about the delivery as hospitals charged USD 100 per day for health services. As a survivor dependent on food handouts from aid agencies she could not afford to pay hospital fees. However, she did not have to pay delivery charges. She miscarried soon due to stress and malnutrition.

APWLD

Sri Lanka

One of the areas most neglected was that of reproductive and sexual health care to tsunami affected women. Many complained that they had no access to contraception until six months had passed. The damage to hospitals included destruction of drug stores and many hospitals did not have stocks of contraceptives - pills, injectibles, loops, condoms - until several weeks after the tsunami.

Tsunami Aftermath: Violations of Women's Rights in Sri Lanka

Ensure Security and Safety of Women and Children

Ensure that:

- 'vigilance committees are formed in the communities consisting of women to act as monitoring officers to ensure maximum security and safety for women
- written and verbal safety guidelines are provided to be further developed by committees themselves against possible violations against women and children.
- women are trained to raise immediate alarms against violations in the camp sites.
- women police officers, and if necessary, women from the armed forces provide security in the camps.
- women police officers are stationed within the camps to record and address safety complaints made by women in the camps and monitor women's rights violations in the camps.
- night security is maintained at camp sites.
- security guards (male and female) should be trained to be sensitive to women's apprehensions and problems in order to facilitate assistance seeking by women
- Additional security measures need to be taken in camps and communities to prevent abductions of women and girls for forced prostitution, sex trafficking and trade in human internal organs.

Pakistan

In post earthquake Pakistan, it was reported on TV news, that a number of children had been kidnapped from their tent camp. Two girls who escaped were able to tell their story. A group of young girls and boys were crossing a road to get to a water site. A vehicle came by and people from the vehicle sprayed some substance on the children. When they regained consciousness they found themselves in a secure building in an unknown locality among other kidnapped children. These children had been living with their aunt, as both parents had been killed during the earthquake. According to the girls, kidnapped persons were used for forceful removal of their internal organs. These sisters were able to escape and were currently living in one of the orphanages. The house where kidnapped children were kept was raided by the Federal Investigation Agency (FIA) and a number of people were arrested but no children were present at the facility anymore. It is believed that other kidnapped children have been moved to another area

Earthquake Aftermath: Violations of Women's Human Rights
in Pakistan

Sri Lanka

Women at IDP camps were concerned about safety of their own and their children. Although no actual incidents occurred, there was a sense of insecurity and fear that prevailed in most camps. A girl on her way to the makeshift toilet had been dragged by two men but she managed to escape. There had been attempts at molestation by men in charge of camps. Husbands were abusive since alcohol was smuggled into the camps. There were police and security personnel in the camps, but they were primarily present to maintain discipline. They had not received clear instructions regarding possible interventions and responses to complaints of gender based violence. In some camps where women police officers had been detailed, their presence gave the woman and girl children a sense of security. (Sri Lanka)

Women and Media Collective, Sri Lanka

Protect Women from Violence and Abuse

Studies show violence against women, including sexual abuse, increases during disasters. However, because of stigma and ostracism related to sexual violence the cases go unreported. Increased alcohol consumption and substance abuse results in increased domestic violence and sexual harassment in camps.

Some relief policies offering financial assistance may lead to 'new' forms of violence against women, such as forced recanalisation surgery of sterilised women in families that lost children in the disaster and forced marriages.

Ensure:

- Accessible counselling services for women victims of violence and other abuses
- That free legal services are provided for women survivors of violence
- Full protection of victims of violence and witnesses from reprisals
- Accessible medical examinations on reporting of violence
- Accessible reporting procedures when violence against women is committed
- That women are made aware of their right to be free from physical, emotional and sexual violence
- That women are made aware of the redress available when affected by violence (e.g. court process, police complaint, medical treatment, counselling, support groups)
- That self help groups consisting of women are established within the camps to give emotional and other forms of support to women affected by violence

- That 'vigilant' groups consisting of men and women are set up to respond to violent incidents
- That police, government officials and non governmental workers take women's complaints of violence and harassment seriously and take measures to assist women access redress mechanisms
- A ban on sale of alcohol within camp sites
- Improve lighting and transport facilities to and from the camp to other community locations such as schools, bus stands, markets and shops
- Government policy makers should make an assessment of the potential impact of their interventions before adopting a policy such as offering financial assistance to sterilised women for recanalisation surgery and to newly married couples. Such policies led to new forms of violence against women: forced sterilisation and "tsunami" marriages in post-tsunami India.



Sri Lanka

In many cases, while tsunami-affected persons were in the welfare centres set up immediately after the tsunami, women complained of domestic violence and pressure to engage in sexual relations by husbands. Alcoholism, male irresponsibility towards their families and insensitivity to the lack of privacy (in demanding sex) were cited as being some of the causes that led to violence.

Single women, including those widowed by the tsunami, complained of a range of sexual advances made by men in the camps as well as by officials. In the transitional housing the situation was not that much better because people continued to live in very close proximity to one another, there was no privacy and women were vulnerable to harassment and abuse. In Batticaloa and in Galle, two women complained of attempted sexual abuse; they had both made complaints to the Police officers in charge of security but they had not received adequate response. In Hambantota, one young woman had been sexually abused and abandoned by the perpetrator who fled the shelter when she became pregnant. Today she is subject to marginalisation because of the child.

In the transitional housing settlements, domestic disputes including violence were reported. These primarily related to tensions within families because the male family members tended to use the money received as compensation for liquor and gambling. Men would also sell the rations for money, often disregarding their family's needs. As Kottegoda points out, 'Domestic conflict has arisen because women are not directly given monetary relief handouts which could then help better management of household expenditures on food and other family needs. This is because men tend to receive relief and rehabilitation grants as head of the household, which is based on a preconceived assumption that it is men who provide for the family.'

Tsunami Aftermath: Violations of Women's Human Rights in
Sri Lanka

India

The government's announcement of financial assistance to "sterilised" women of reproductive age to undergo recanalisation surgery caused additional pain and trauma to the surviving women who had lost their children in the tsunami. They were forced by their husbands to undergo recanalisation operation, which reverses sterilisation by reconnecting the fallopian tubes. The fact that many women had previously been encouraged by the government to go through sterilisation operations makes the situation all the more tragic. Some women had undergone sterilisation because the family desperately needed the Rs. 200 (USD 4.5) offered under the government family planning scheme.

At least, 14 cases of forced recanalisation were reported in the five surveyed districts of Tamil Nadu. "My husband threatened me that if I do not go for recanalisation he will not live with me. So I decided to risk recanalisation even if I die," said Radhika from Kalkuttam village, Kanyakumari district.

The government's well-intended policy of providing financial assistance to the survivors, who had planned their marriages before the tsunami gave rise to a new phenomenon of "tsunami marriages". An additional incentive was a promise of a permanent housing to newlyweds. 21 "tsunami" marriages were reported in the surveyed areas but only two couples received the promised compensation of Rs. 25,000 (USD 562).

There were many instances of forced marriages against the will of girls below 18 years (minimum legal age for marriage in India) triggered by another "well-intended" government policy. The government announced that girls in the age group of 14 to 18 and young single women above 18 who had lost their parents in the tsunami were eligible for cash compensation. In Sothikuppam village only, Cuddalore district, four girls under 18 year had been forced into marriage.

Tsunami Aftermath: Violations of Human Rights of Dalit Women

Ensure Women's Access to Psycho-Social Counselling

Ensure that:

- psychological counselling for post traumatic stress is provided for women and children, widows, elderly and disabled women
- female counsellors are at hand to provide counselling services
- psycho-social counselling facilities should be set up at camps and temporary shelters
- psychological care should not focus on prescribing anti-depressants, but on trauma healing and support
- self-help groups among the affected women should be formed to give emotional support to each other. Women can heal themselves in the long term when they are involved in helping each other overcome suffering.
- psychological support and assistance in finding/ identifying dead or missing family members should be provided



India

Ananthi's 5 month old baby sleeping in the cradle was washed away into the sea. She has been using herbal treatment to relieve the physical pain in her milk clotted breasts but she cannot deal with the unbearable mental pain of losing her baby. There are thousands of women like Ananthi who have to live with such pain. And most of them are not receiving any psychological counselling. Some of them are on the verge of insanity. 24 year old Minn, who lost her 4 month old baby, was admitted to hospital as a mentally disturbed patient. Rosemary, a widow, who lost her two sons, faces abuse from the society because she was not able to save her children. (Tamil Nadu, India)

Women's Human Rights Concerns in Tsunami Affected Countries, March 2005, APWLD

Aceh (Indonesia)

Balai Inong ('Women's Houses')

Villages in Aceh have women's houses where women meet and exchange views, network and work together on various projects. Having these safe houses would provide a place for women to voice their concerns and also be a place in which they can share their experiences, share their grief and develop their skills in different fields.

MID-TERM RESPONSES DURING THE RECOVERY PHASE

Till the tsunami struck nobody ever realised to what extent male domination prevailed in these communities. Nobody asked why women were not consulted. Even if one had asked the fisher men folk they would have replied, "our women will go by what we decide". The men in charge of camps were shown a choice of shelters and their decision was taken and women were not consulted nor taken into the decision making process of choosing the design of shelters. (Tamil Nadu, India)

Tsunami Aftermath: Human Rights Violations of Dalit Women

Women's participation in management of camps and temporary shelters is important to ensure that women's needs are met. When women's voices are not heard, it results in lack of separate toilets and bathrooms for women leading to sexual harassment and violence and lack of kitchens forcing women to cook in unsafe make-shift facilities resulting in fires.





To ensure women's equal access to compensation payments and rehabilitation measures, head of household concept should be eliminated as it discriminates against women in societies when men are normally registered as heads of households. Information on relief assistance, including clear procedures on applying for such assistance, should be disseminated to all disaster affected people in camps, temporary shelters and those outside camps and temporary shelters, including those in hospitals and remote islands, forests and mountainous areas.



Temporary shelters for Dalits in Tamil Nadu, India

Ensure Women's Participation in Management of Camps and Temporary Shelters

Ensure that:

- Women are elected to camp management teams/committees.
- Women are encouraged to participate in camp decision making.
- Women are consulted in the design and lay out of camps and shelters.
- Women are not represented by male family members in camp management.
- Meetings on camp management are held at convenient times for women to attend (for example, not late in the evenings or at night)
- If women traditionally do not come to community meetings, that shelters or tents are visited individually to elicit women's views.
- Conflict solving mechanisms should be set up within the camps to deal with internal conflicts that may arise due to distribution of aid.



Ensure Women's Equal Access to Compensation Payments and Rehabilitation Measures

Ensure that:

- Compensation schemes are equitable and transparent. Compensation benefits must be provided to everyone affected by a disaster, directly or indirectly: those who lost livelihoods and jobs as a result of a disaster, not only those who lost assets.
- Government and aid agencies should ensure that relief and rehabilitation measures are provided equitably and impartially by adopting clear and transparent targeting mechanisms and criteria such as making public the list of disaster victims and the list of beneficiaries.
- Compensation payment should be made on individual basis, not to head of household.
- Cash compensation payments should be made to both spouses. Reports indicate men tend to spend compensation money on alcohol and other things not related to family needs.
- Compensation should be paid to joint bank accounts, in case of married couples.
- Compensation for loss of assets such as houses/boats/equipment should be adequate and sufficient to replace lost assets. Adequate compensation is important to help people to restore their livelihoods and start earning income for the families.
- In disaster situations, death certificates should not be the main eligibility criteria for compensation for loss of a family member. In India, with thousands of people missing after the tsunami, women who could not present dead bodies of their husbands were not eligible for compensation for loss of a husband.
- If married sons are given the right to claim access to benefits (the right to claim house damages), married daughters living with their parents should also be given the same rights.

- Government agencies should not set a short period limit to apply for relief assistance and compensations as disaster victims may have failed to apply within the given period because they were in hospital, observing mourning rituals or in remote areas without access to information on relief assistance.
- Recognise the right of persons living in rented accommodation or engaging in business in rented premises to receive compensation for their losses.

Pakistan

Compensatory policies were male biased. Only married males were eligible for compensatory cheques for the loss of a home. A widowed woman mentioned that her married daughter, who had been living with her, was denied access to compensation although thousands of similar claims by sons were immediately honoured by the government officials.

Earthquake Aftermath: Violations of Women's Human Rights
in Pakistan

Sri Lanka

The Tsunami Housing Policy states that cash grants are supposed to go to the owner of the previous land/house. In practice the cash allocations have been deposited into **existing** bank accounts which were used earlier to deposit tsunami assistance grants of Rupees 5000 (about \$49). In most cases these bank accounts are in the name of the male head of the household. Although the banks were instructed to make these accounts joint accounts, often this did not happen.

The District Secretaries or the relevant authorities should make sure that the housing cash grants go into bank accounts owned by the previous land/house owner, especially when the previous owner was the woman of the household, or go into joint accounts.
(Sri Lanka)

Gender Sensitive Guidelines on Implementing the
Tsunami Housing Policy, COHRE

Muslim women could not access most of the relief available during the first weeks after the tsunami because they had gone into the 40 day period of mourning required by their religion. They also had to encounter many obstacles in trying to register for long-term benefits after the lists prepared by government officials for relocation, for example, had been closed. A woman from Galle who had been hospitalised after the tsunami due to injuries said that she could not make proper applications for relief and therefore had trouble finding allocation of space in a camp. Some had received the outright grant of Rs. 5000/ per month for a period of between two to four months. There were some who had not received this at all. Again, this seemed to depend on how successful the women were in getting access to government officials.

Tsunami Aftermath: Women's Human Rights Violations in Sri Lanka

Thailand

The government provided higher compensation payments for damaged or lost boats which had been registered prior to the tsunami. Many tsunami affected fisher families had not registered boats because they were unaware of registration requirements. Even if the boats were registered, the compensation amount was insufficient for fisherwomen to recover their livelihoods. This is a critical problem in situations where women have lost their husbands/ breadwinners. The women have additional household burdens where they have the responsibility to earn a sufficient income to support the family.

Tsunami Aftermath: Violations of Women's Human Rights in Thailand

Eliminate Head of Household Concept

Ensure that:

- Support, including financial compensation, is provided on an individual basis, rather than based on 'head of household' concept. In Thailand, the government paid twice as much to families for the funeral expenses of men than for those of women based on the assumption that men are heads of households.
- Government and aid agencies should not identify the 'head of the household' as the main claim holder. In India, compensation for loss of children was given only to the hands of the men unless the husband died in the tsunami. This resulted in some men spending compensation money on alcohol on other things not related to family needs.
- 'Head of household' concept should be removed from legislation and government policy implementation acts, including official documentation.

Sri Lanka

Government compensation for loss often completely excludes women in societies where only males are recognised as heads of households. The Sri Lankan government offered 5,000 rupees (about \$49) to families affected by the tsunami, but in Batticaloa, the regional capital of the eastern coastal area, authorities recognised only male headed households, so women whose husbands had died could not claim the money.

Sarala Emmanuel, Suriya Women's Development Centre, Sri Lanka

Thailand

The Thai government made a policy that as long as the name of the head of the household appears on the form or document, full compensation can be paid. Such regulations have been difficult to follow in some households where the head of the household has been unable to perform the role of a breadwinner. For example, the head of the household is ill and the responsibility has fallen on a daughter. Adopted measures do not take into consideration the actual situation where women perform the tasks of a head of the household. Government officials refuse to recognise such situations and there is no mechanism to ensure that women who have been the breadwinners of the household receive equitable assistance.

Tsunami Aftermath: Women's Human Rights Violations in Thailand



Ensure Women's Access to Information on Relief and Rehabilitation Measures

Ensure that:

- Information on relief assistance, including clear procedures on applying for such assistance, is disseminated to all disaster affected people in camps, temporary shelters and those outside camps and temporary shelters, including those in hospitals and remote islands, forests and mountainous areas.
- Special efforts are made to reach out to women in their shelters within the camps as in some cultures women do not participate in public meetings where information is normally announced.
- Information is in reader friendly simple language and can be understood by all.
- Special efforts should be made to disseminate information to illiterate communities.
- Women officials are involved in the dissemination of information.
- the dissemination of information which provides information on facilities/ loans/ grants available for women to start on livelihoods such as coir work, pottery, and other small and medium enterprises
- All information is shared with women who cannot access information easily due to cultural and religious constraints and that assistance to those who failed to apply for assistance due to lack of access to information is provided.

Thailand

'I was in the hospital so I did not hear or receive any information about government assistance for children. By the time I came out of the hospital and applied three times for the assistance, there was no response from the government. I found out from the government official later that I had missed the deadline and that the fund for this had already finished,' said Nu Lee, tsunami survivor in Thailand.

Tsunami Aftermath: Women's Human Rights Violations in Thailand



Ensure Children's Access to Education

Ensure that:

- Halls or community centres are provided so that educational activities can resume as soon as possible
- Food, school uniforms, books and other stationery items are provided for children free of charge
- Schools are relocated and rebuilt as soon as possible
- Temporary housing is located close to schools
- Free transport facilities are provided for children to travel to school

Aceh (Indonesia)

In the immediate aftermath of the tsunami hardly anyone paid attention to schooling of children. Later, when public transport services resumed, they were limited to certain hours. This caused difficulties for many school children who had to go to school outside the village. Meanwhile, school cost became nearly unaffordable as there was an extraordinary post tsunami price hike. To cover the cost of schooling, mothers had to divert funds from other needs, in particular, money for nutritious food. Many children in Lham Lhom resumed schooling, but later quitted due to their school being far away and absence of transportation. The school lacked equipment and the school fee was too high. Several families decided to stop education for their girls and give opportunity for the boys to continue school.

The Indonesian government did not have a clear plan for reconstruction of the education facilities in the tsunami affected areas. A year after the tsunami, there were still many school-aged children facing difficulty in reaching schools located far from their settlements. In addition, there were no serious efforts to bring new teachers in to replace many teachers who had died during the tsunami. The government also did not provide financial aid to help families to send their children back to school.

Tsunami Aftermath: Women's Human Rights Violations in
Nanggroe Aceh Darussalam



LONG TERM RESPONSES DURING RECONSTRUCTION PHASE

To ensure women's needs are addressed, government and aid agencies should involve women in the consultative and decision making processes: from camp administration and disaster management committees to policy making bodies for reconstruction efforts.

"Women must be at the heart of all recovery and reconstruction processes. For decades, they have been the lifeline of their communities, leading survival systems and mutual aid networks, including among the internally displaced and refugee communities. Women are not just victims, they are survivors, and they need to be part of the solution. The reweaving of the social fabric of life is the foundation for reconstruction and a necessary part of the healing process. It is women, in their families and their communities, who are playing this role."

Noeleen Heyzer, Executive Director, UNIFEM



Dalit women received fishing nets from SRED, a local NGO

Ensure Women's Participation in Decision Making Processes for Rehabilitation and Reconstruction

Participation of disaster affected women at local and national levels in all aspects of recovery and reconstruction is important. Women must actively contribute not only to matters concerning women, but also be involved in issues concerning the community side by side with male members of the community. Aid agencies must make special efforts to reach out to women because in some cultures gender segregation and women's seclusion norms restrain women even from accessing food aid, let alone participating in community meetings to voice their concerns.

Ensure that:

- Women are included in all decision making structures at every level: national, local and village governments, aid agencies, international and local NGOs and community based groups.
- To ensure that government policies, procedures and practices are gender sensitive,

Coordination between the different relief agencies in the disaster affected areas that relief measures are applied to all irrespective of official procedures (registered and non registered migrants, registered and non registered fishermen, ethnic groups)

A unit that deals specifically with the concerns of women post disaster must be established within institutional structures set up to deal with post tsunami reconstruction.

- All decision making processes concerning affected communities are transparent, just, equitable and fair.
- Government and aid agencies should consult with the affected people in the design, implementation, monitoring and evaluation of their assistance programmes.
- Affected communities, especially women, are consulted about decisions concerning their lives: from closure of camps and temporary shelters, relocation and design of houses to employment generation and livelihoods opportunities.

- Relocation of affected communities must be implemented with community's consent and should not be linked to compensation conditions such as if people do not relocate they will not receive compensations for lost/damaged houses.
- Women should be consulted in important decisions such as relocation and closure of camps and temporary shelters. Women should have ample information and time to move. The burden of packing and getting organised is the basic responsibility of women and they need time to plan according to the needs of their families.
- Women's involvement in decision making in conservative societies should be facilitated through affirmative action approach to assist in overcoming resistance from various stakeholders in every level of decision making.
- Women's empowerment in conservative societies, such as Indonesia and Pakistan, requires special process to overcome numerous obstacles in policy making and legislation, especially removing Shariah laws restricting women's movement and conduct.

Thailand

The government did not provide permanent houses to those who refused to relocate from villages where they used to live before the tsunami to "safer" areas away from the seashore. The government claimed the relocation was necessary for 'safety' of the people concerned. However, relocation without community's consultation and consent is a violation of their rights to housing and participation and not sustainable. Most of the affected people earned their living from fishing and related activities and relocation meant losing their jobs and livelihoods so they refused to move away from the sea. Forced relocation was a "second tsunami blow" for these people. For many women fisherfolk, relocation away from the sea meant a change of livelihood strategy that they were not prepared for.

Tsunami Aftermath: Violations of Women's Human Rights in
Thailand

Pakistan

In the aftermath of the October 2005 earthquake, the most outrageous government policy was the arbitrary closing of the tent camps by March 31, 2006, just six months after the disaster. The earthquake survivors had been forced to come down to the valleys from the mountainous areas to go through the winter. In March when it was still cold and raining causing landslides in the mountains, the camp residents were ordered to evacuate. Transporters were charging an arm and a leg to get people to their villages from the tent cities. The army was ordering truck drivers to take people from the tent villages to their points of destination. However, truck drivers were dumping people in the middle of the way, leaving them high and dry on the roadside. In many cases, there were no roads right up to the village; hence people had to trek through treacherous mountainous paths, in freezing rain, carrying not only their tents and belongings but also the weak and frail members of their family.

Earthquake Aftermath: Women's Human Rights Violations in Pakistan



Ensure that Reconstruction of Houses Meets Women's and Family Needs

Consult women about their housing needs and requirements related to the design of houses:

- type of house, design and size depending on the family size
- houses must have toilets, bathrooms and kitchens
- houses must have water supply and sanitation systems and electricity
- houses must ensure security, privacy and dignity of women
- the design of houses must take into account lifestyles, livelihoods and occupations of women.
- Adequate housing must allow access to employment options, healthcare, schools and other social services. There must not be excessive financial demands on the household with respect to transportation.
- Women's special requests should be taken into consideration in the allocation of land and housing such as cluster housing for extended families
- Prevent bias, favouritism and discrimination by officials - at national, local and village levels - responsible for the allocation of permanent housing.

Aceh (Indonesia),

The delay in housing construction was caused by several factors, including: (1) The government at the earlier stage showed its reluctance to start the housing construction in villages allegedly related to GAM (armed separatist group); and (2) Lack of coordination between the government and NGOs constructing houses. In addition, there had been no women's involvement in the process since on November 2005 BRR stopped using the community driven approach to housing construction.

In Lampuuk village, the construction process commenced only in November 2005 after a long competition process between several international NGOs was over. In Seibun Ketapang, 80 houses had been built by Mercy Corps. However, the houses were built on the location of the old residential area that has been inundated by water since the tsunami. The surface of the land had sunk after the tsunami. The houses have no kitchen, bathing/latrine facility and water supply system. Therefore, many residents, especially women, were reluctant to move to the new houses from the barracks. The water pockets became mosquito breeding grounds. Similarly, in Lham Lhom village, new houses were not equipped with kitchens, bathrooms, and water supply systems.

Tsunami Aftermath: Violations of Women's Human Rights in
Aceh





The house of a Dalit woman rebuilt by DFDL, Mahabalipuram, Tamil Nadu, India

Thailand

The government constructed houses without prior consultation with the beneficiaries and did not study the livelihood patterns of the local communities before undertaking the construction. The outcome is a general dissatisfaction of the people who believe they deserve better quality of assistance. "The government provided us with a permanent home built by the military. Its size is about 6 x 6 metres for a family of 4 people. It's very small. The kitchen of my old house was the size of this entire house. I have requested the government to build an extension because it is extremely crowded for such a big family like mine. Nonetheless, we will never know when this will come through. Many of us here cannot rely on the government anymore. My children do not have a room to play or any privacy like they used to. Our lives have changed from white to black," said Mrs. Woranuch Chantalor, a widow with three children from Kam Kem village, Phang Nga province who lost her husband in the tsunami.

Tsunami Aftermath: Violations of Women's Human Rights in Thailand

Enure Women's Equal Ownership Rights to Land, House and Property

- The Government must prioritise allocation of land to communities that have to relocate from disaster affected land.
- Create laws and policies that guarantee women's equal rights to ownership of land and property allowing them to own and inherit land from their husbands/fathers.
- Ensure that wives and daughters inherit the land and property in societies with strong religious or customary laws where property inheritance rights go to the deceased husband's brother in case of absence of a son.
- Ensure that dowry property belonging to women prior to disaster is maintained.
- Ensure a total rejection of the 'head of the household' concept as it could result in women losing their rights to land they owned prior to the disaster.
- Recognise the right of spouses to joint ownership of land, house and property. New policies made in the aftermath of disasters should break existing patriarchal norms. For instance, land allocated to replace land lost to disaster, should be registered in joint ownership of husband and wife, rather than giving full claims only to the (male) head of the household.
- In dispute situations that tend to occur in post-disaster situations, the government must respect land, property and housing rights of women and protect them from violence and eviction.
- People living in rented accommodation prior to disaster must also be provided with housing.



India

Introduction of a buffer zone restricting construction and reconstruction of buildings within 500 metres from the shoreline with the well-intended purpose of protecting coastal communities from future tsunamis meant that some communities had to relocate. Identifying land for construction of permanent housing for relocated communities turned out to be a major problem. The Government was not willing to provide or acquire alternative land expecting aid agencies to purchase land for the communities. Most aid agencies did not have funds to purchase land. Others, such as TATA LEAP, a construction company, had to buy land from the government and construct houses at its own expense.

Tsunami Aftermath: Violations of Women's Human Rights in
India

Sri Lanka

In the post-tsunami context, most of the land made available for re-housing was state land. Since state policy in relation to land ownership is informed by the categorisation of the male as the 'head of the household', the consequence is that women are clearly discriminated against when State land is allocated for families. Deprived of legal ownership of the land, women become vulnerable to eviction from their home; this makes them also more vulnerable to domestic violence. Lack of title also makes it impossible for female heads of household to use the land as collateral with banks.

In the Muslim community in the East there is a customary practice of bestowing land received by mothers as dowry or inheritance to daughters. Given the male bias implicit in much of the post tsunami relocation programmes, there were concerns that if land alienation was not done sensitively, it would have a negative impact on the land rights that girls and women have traditionally enjoyed. Lobbying for policy change that would ensure joint ownership between spouses in the process of land allocation has been a critical demand of CATAW and other women's groups working with tsunami-affected women.

The government's policy was to replace a house for a house which benefited house-owners. Thus, people who had lived in rented premises were not entitled to any kind of compensation of re-housing, even though they had lost all their possessions and been displaced. In the case of extended families who had lived in one large family home, only the chief householder was registered as entitled to a replacement house. Thus, even during the time of the interviews, almost 14 to 16 months after the tsunami, families were living in transitional shelters without any guarantee of permanent housing or even compensation.

Tsunami Aftermath: Violations of Women's Human Rights in
Sri Lanka

Aceh (Indonesia)

The tsunami brought up the issue of women's ownership rights to land. According to Islamic inheritance laws and Acehese tradition, land is transferred from a man to his son or to his brother. A woman can only have land certificate under her name, if she does not have a son and her husband does not have brothers. After marriage, a woman's land certificate can no longer be under her name, it is changed to her husband's. Acehese women generally follow the very strict Acehese tradition based on the Islamic male inheritance laws. Opposing the tradition can be considered as opposing the family, Islam, custom and even God's will.

In post-tsunami reconstruction, Islamic inheritance laws are clearly preventing women who lost husbands from registering as potential beneficiaries of housing assistance. The village government made a list of tsunami survivors, who needed houses and registered a man's name as the landowner. The land previously registered to the man's name cannot be automatically changed into woman's name. As a consequence, widows had to constantly go back and forth to the land administration in order to get land.

In Lampuuk village with over 90% of its 6,500 population killed in the tsunami, there were many land disputes with claims by family members of victims living outside of Lampuuk, making widows vulnerable to eviction and poverty. Many family members of the dead victims consider that inheritance of land does not automatically fall into the hands of women but should be transferred to the family of their deceased husbands. Widows, therefore can no longer manage agricultural land around the village because the land has been claimed by many other interested parties.

Tsunami Aftermath: Violations of Women's Human Rights in
Aceh

Thailand

Entire communities were unable to return home after the tsunami because of pre-tsunami land disputes. Out of 418 villages affected by the tsunami, 81 had insecure land ownership rights. The claimants took advantage of the disaster situation, when people had to flee their houses, and tried to prevent them from returning to their homes. One of the most violent takeovers took place in Lam Pom Community, Phang Nga province, a seaside settlement of ex-labourers in the tin mine. When the mining concession ended, they established their own community, which villagers have called home for more than 40 years. From living in thatched-roof huts with no roads and electricity, they developed their homes and community and had their houses registered with the province administration in 1990. The land dispute started in 2001 when a powerful businessman presented the villagers with a land ownership document and ordered them to leave. The community refused to do so. One day after the tsunami struck, his company made claim to the land by sealing off the area using a group of hired armed men. "We could not get into the area to look for the bodies of our missing family members. Electricity and water were cut off. In February, we managed to come back. Someone from the company came to take our photos. We heard gunshots that night. I begged them in tears to let me in so I could find my daughter and my relatives. They threatened: 'if the tsunami did not take your life we will take it,'" said Ratri Kongwatami, a 32 year old woman who has been in the forefront of the community's struggle.

Tsunami Aftermath: Violations of Women's Human Rights in
Thailand

Ensure Women's Equal Access to Livelihood Opportunities

In post-disaster rehabilitation and reconstruction, employment and income generation assistance for women must facilitate their food security, women's access to natural resources and poverty alleviation at the community level.

Reconstruction programmes must have a special focus on women's economic empowerment and offer them income generating opportunities. In disaster situations, women who lost their husbands/breadwinners face difficulties accessing income generating assistance because the existing opportunities normally target men.

- Provide small grants for women to help restore income generating activities they were involved before the disaster: food processing, cooking food for sale, sewing, lace and rope making etc.
- Give women easy access to working capital, materials and resources for income generating activities, technical and marketing assistance.
- Offer training in new skills for women aimed at facilitating their access to new areas of income earning activity.
- Facilitate women's access to bank loans for small business development.
- Banks and other finance, trading and business institutions should be supported and encouraged to create special structures for providing financial aid and investment advice to small and medium women entrepreneurs in the disaster-affected areas.
- Support to employment generation must be monitored and evaluated to make sure that access to loans and credit do not lead to increased indebtedness and overexploitation of natural resource towards commercialisation.
- Banks and other lending institutions must grant loan repayment holidays to persons who obtained loans prior to the disaster.

- Governments must provide livelihood alternatives to relocated communities. Ensure that in relocated areas communities have access to employment options, healthcare, schools and other social services.
- Women should have complete control of their livestock in camps and temporary shelters so that they can access milk from their dairy cows.

Sri Lanka

Restoration of livelihoods constitutes a large segment of the post-tsunami reconstruction programmes. Much of the focus has been on support for large-scale economic development programmes, often oriented towards men on the basis that they are the head of the household and the primary breadwinner. Thus, there was widespread distribution of motorised fishing boats, nets and other fishing equipment, reconstruction of big public markets. The Sri Lanka Donor Forum, for example, called for investment in housing, transportation, infrastructure and livelihood restoration for fishermen, small farmers and small and micro enterprises, with almost no reference to gender based livelihood needs and the specificity of women's work in the informal sector. The small scale but essential activities that women traditionally engaged in, such as processing fish, making and selling foodstuffs, lace-making, making rope, mats and other household items from coconut husk fibre have been largely ignored even though they constituted a critical part of the family economy.

In addition, women were still held responsible for repayment of loans obtained from banks prior to the tsunami, even though their means of livelihood had been clearly destroyed and they were not generating any income. Banks and other lending institutions insisted that they keep up with their repayment schedules. Several of the women in Galle and Hambantota had obtained loans from Fisheries Cooperatives or from the Samurdhi Bank (State-sponsored Poverty Alleviation programme) and were under great pressure due to the repayment dilemma.

Tsunami Aftermath: Women's Human Rights Violations in Sri Lanka

Aceh (Indonesia)

Gender blind disaster management prevented women from receiving adequate assistance from the government and NGOs. Even organisations under the United Nations, such as Food and Agriculture Organisation (FAO) and various other international organisations, were weak in their assessments of women's needs. The assistance was male-biased and some support, such as business capital assistance for poultry or fishing, even strengthened patriarchy and discrimination against women. Poultry assistance, in fact, targeted mainly men, rather than supporting women headed households struggling to survive. Excluding women from assistance programmes increased their multiple burdens because they were forced to look for work outside their village/houses and look after their children, elderly and sick as well as manage household chores. Families' food security worsened gradually as the high level of inflation after the tsunami increased the main commodities prices up to 40%. Public transport operators even had to stop their business.

By 2005, women in the Lham Lhom village were generally incapable of restoring their economic activities due to the lack of business capital. The government and some NGOs provided grant for equipment and capital to men. Women were disregarded and did not receive any direct aid or working capital. Some organisations provided sewing machines or working capital to help women resume their pre-tsunami work. However, the assistance could not help much as they have lost access to markets.

Two months following the tsunami, some women managed to set up food shops at their homes. However, such activities were prohibited by the village authority under the pretext that all commercial activities should be carried out in market places to ensure rehabilitation of village markets. However, the actual reasons behind the prohibitions are that the local authority has a vested interest in collecting taxes from the traders. Secondly, husbands disapprove of their wives working outside home instead of attending to their husbands.

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Pakistan

Some camps had specific space allocated for livestock which the earthquake affected people had brought with them. In two of these camps, it was observed that although community members were looking after their livestock, they did not have control over the milk from them. Army personnel would allow them to access milk once in maybe two or three days. Milk was such a needed food item, especially for women with young children, but even then they were not allowed access to milk which was from their own livestock.

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in Pakistan



Raising Women's Awareness of their Human Rights

Women's groups should use post disaster reconstruction processes to break the old patriarchal norms and educate women about their human rights: from right to have national identity cards, separate bank accounts to land and property rights.

- Support human rights awareness education programmes for women within the camps and in their homes if it is not possible to meet elsewhere convenient to women
- Provide women with necessary skills to face new challenges as heads of households due to male family members death, disappearance or incapacitation.
- Provide male family members with the necessary skills to take on new responsibilities of child care due to the death, disappearance or incapacitation of female family members
- Support young female orphans with advice on looking after themselves due to death of parents or adult family members.
- Awareness programmes must emphasise that forced marriage of girls under the age of eighteen is illegal and attracts penalties.
- Support ongoing gender awareness programmes for camp officials and security personnel.

Mobilise and Empower Women to Advocate for their Human Rights

Mobilisation and empowerment of disaster affected women is important for protection of their rights, especially in conservative patriarchal cultures with women's seclusion norms. In Aceh and Pakistan, religious leaders further marginalised women by blaming them for invoking disasters with their 'immoral' behaviour. Furthermore, in Aceh, they enforced stricter Islamic laws with shariah police beating women for failure to wear a headscarf. As a consequence, women are intimidated even to come out of their houses, let alone, voice their needs and concerns.

Ensure that:

- Women's organisations set up coalitions/alliances to advocate for human rights of women in disaster situations
- Women affected by disaster are organised among themselves to advocate for their rights and support each other.
- Advocate for removing laws restricting women's movement and conduct.



Sri Lanka

As a response to the tsunami and to the needs of women survivors, Sri Lankan women's groups came together to set up the Coalition for Assisting Tsunami Affected Women (CATAW). Providing direct assistance to build the capacity of locally based women's organisations to deal with the day to day issues of tsunami recovery and rehabilitation efforts, CATAW acted as an advocacy centre to ensure that women's concerns are met and women are included in decision-making positions and processes at the local, regional and national level. Key issues were those of protection for women and girls affected by the Tsunami and to lobby for a gender responsive rights-based approach to post Tsunami assistance.

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Aceh (Indonesia)

After visits and relaxed discussions, the main researchers encouraged a number of women to make three to four "small groups" (often called "cell"). The discussions started from these small groups and then followed with sessions. At the next stage, a focus group discussion was created by involving various cells and discussed issues that had been discussed in the cells. The Focus Group Discussions were not only for identifying issues based on common experiences but also as a means to learn and build awareness together. It also provided a platform to build a consensus for future common actions. The Focus Group Discussions were followed with small group discussion for in-depth understanding on specific issues. It continued with several group discussions until they understood the problems faced, roots of the problems, their impact to women and society, and the important factors that affect problems faced.

Tsunami Aftermath: Women's Rights Violations in Aceh

Protect Vulnerable and Marginalised Groups

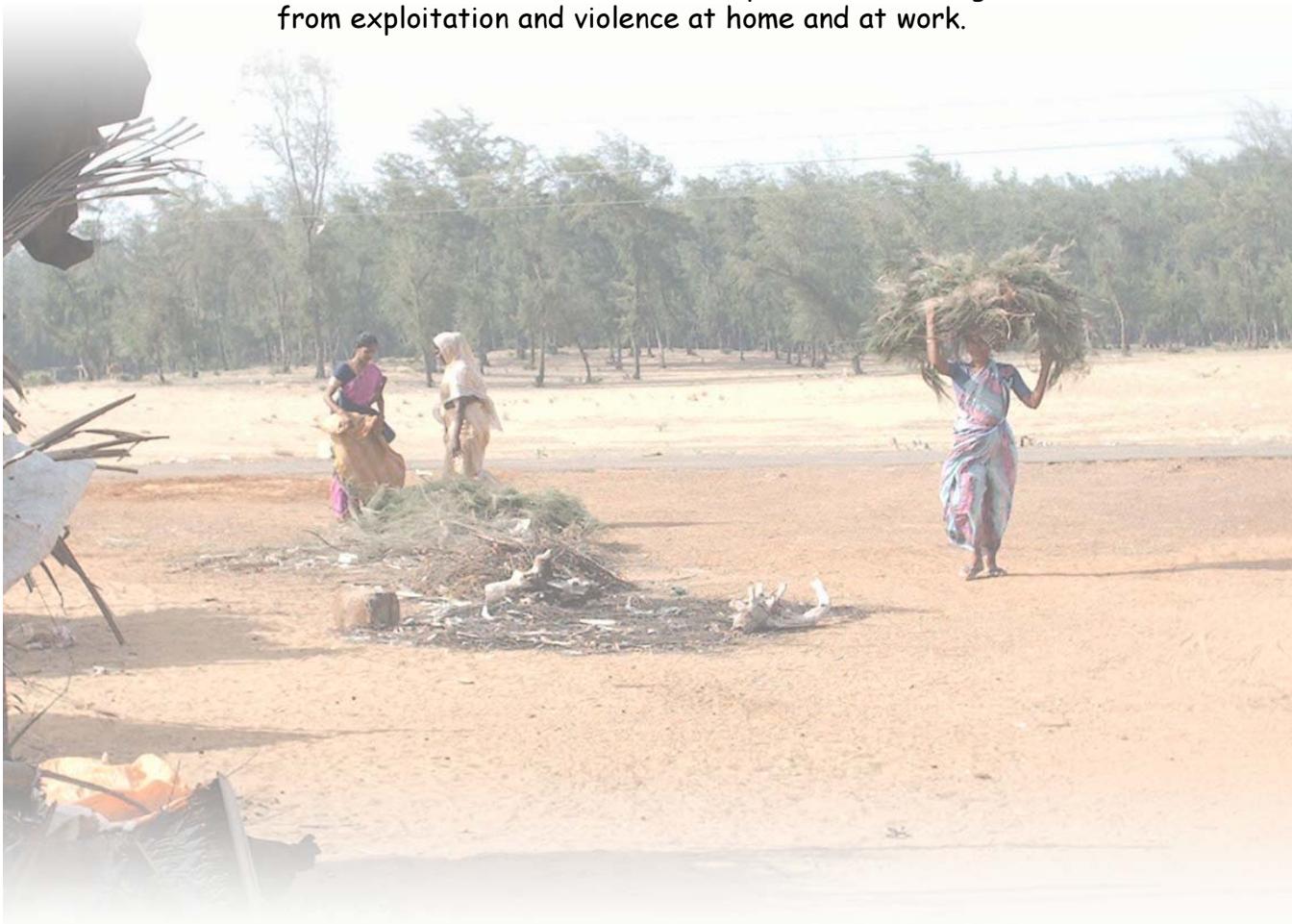
States have an obligation to promote, respect and fulfil fundamental human rights of people affected by disasters irrespective of gender, race, caste, class, ethnicity, citizenship, religion, migration and registration status and other factors.

Ensure that:

- Disaster relief is based on a humanitarian and human rights approach.
- Government and aid agencies engage in relief operations and reconstruction activities without discrimination based on gender, class, ethnicity, religion, age and other factors.
- Government and relief organisations make a special effort to reach out to marginalised groups such as migrants, Dalits, ethnic and religious minorities, sex workers, workers in the informal economic sector (small fisherfolk) to ensure they have access to basic needs as food, water, shelter and health services.
- Women should be mobilised to advocate for policies that secure the rights of vulnerable groups of women such as migrant workers, Dalit women, stateless persons, women belonging to different ethnic groups, sea gypsies, women in service sectors etc

Protect Migrant Workers

- Ensure that in disasters, migrant workers are not discriminated against, whether they are documented or undocumented workers and have access to relief assistance: food, shelter and health services.
- Governments must not arrest and deport migrant workers during disasters.
- Governments must protect migrant workers' rights by reviewing the existing laws and registration processes to ensure that migrant workers have access to registration and legal status.
- Governments must take measures to protect women migrant workers from exploitation and violence at home and at work.



Thailand

The tsunami exposed the plight of migrant workers in Thailand, mostly from neighbouring Burma. In the immediate after of the tsunami, they had to hide in the forest for fear of arrest as their identity cards and registration documents had been washed away by the tsunami. They could not even come out to recover dead bodies of their family members. Since they had lost ID and registration documents they were denied access to government assistance and health services.

After the tsunami, the migrant workers, especially those employed in the commercial fishing industry and service sector, including the entertainment sectors, were affected badly. There was no accurate data on how many had died. For those who survived, they faced loss of employment, and loss of legal documents such as identification cards and other proof of registration. As there is no baseline data available on the population of migrant workers, it was difficult to confirm the number of deaths.

Human rights violations and violence against migrant workers were rampant in Thailand before the tsunami. Migrants were abused by Thai government officials, local communities and employers, including delayed payment of wages, denial of compensation for overtime work, underpayment, a lack of life insurance, rape, robbery, assault and etc. Women are more subject to abuse. They are at risk from sexual harassment and sexual assault at workplace, at home, and in the community. Especially, women working on rubber plantations face sexual abuse by both Thai and Burmese men. Undocumented migrant women normally do not report abuse to the police for fear of arrest and deportation. When they do report to the police, no legal action is taken by the police because they are illegal workers. In some cases, the woman is forced to marry her assaulter. In cases, where Thai men raped Burmese women, they have a very big chance to escape and never held accountable for their crimes

Tsunami Aftermath: Violations of Women's Human Rights in Thailand

Reach out to Widows and Women Headed Households, Disabled and Elderly

Special efforts must be made to reach out to widows, women headed households, disabled and the elderly. In some cultures, widows face ostracism and abuse and can be left out of general assistance efforts.

Ensure that:

- Disabled, the elderly and women headed households in cultures where women's seclusion is practiced, have access to aid supplies.
- Housing, land and property rights of widows (widowed pre disaster and due to disaster) and women headed households are protected.
- In camps and temporary shelters, toilets and bathrooms have relevant facilities for use by people with disabilities
- If camps do not have facilities for disabled people, they should be provided shelter in existing specialised facilities for people with disabilities.
- Aids such as walking sticks, hearing aids, spectacles, should be provided as soon as possible.



Sri Lanka

Women faced a range of issues because of their single status: getting recognition from the state in terms of the benefits such as land allocation, housing allocation and so on, was not straightforward because of the systematic assumption of male as head of household. The social and cultural stigma attached to widowhood was also cited by many women as being an impediment to their ability to be self-reliant. Several women in both the east and the south said that they were blamed for the death of their husbands, and that they were told that it was their 'bad luck' that led to the untimely death of their husband. In several cases, women who had been living in joint family situations prior to the tsunami had to battle their husband's family for their due after the husband was killed in the tsunami. In the east, one woman said that she had been cast out of both her family and the family of her husband after he was killed in a politically motivated shooting 3 months after the tsunami. Looking at the cases in which women complained of sexual harassment, abuse and assault, it was single women who were most vulnerable.

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Pakistan

One of the interviewed women, who had lost her husband, four daughters, two sons and two grandchildren, had severe injuries to her legs and was unable to walk. . Right after the earthquake, she had been carried by her brother who was on foot himself. After reaching a more populated area, an army officer had given them Rs 300 to get a taxi to the hospital. Later she received Rs 25,000 (USD 420) as government compensation for her injuries. Apart from this monetary assistance, there was no help to provide her with a more comfortable place to stay in keeping with her medical needs, nor was transportation assistance provided to visit various hospitals. She was moved from the hospital to the tent camp carried on a bed (charpai). It had been raining in the past few days, and the tent camp had been a quagmire of mud and slippery, sliding pathways, an absolute death trap even for the able-bodied. It was clearly a gross violation of the woman's right to health care and safety. However, her transportation to such a highly dangerous site at that particular point in time was just one of the many abuses she had suffered since the earthquake. For the past six months she had been shifted from one hospital to another. In between, she had been staying with her brother in one of the camps. It needs to be pointed out that using squat toilets in the camp must have been a torture for a woman with a leg injury.

Earthquake Aftermath: Violations of Women's Human Rights
in Pakistan

Reach out to Low Caste People

In some cultures, caste discrimination is still strong and may prevent relief assistance reaching low caste communities.

- Government and aid agencies should ensure that relief and reconstruction activities are implemented without discrimination based on caste, class, ethnicity, religion, and other factors.
- Government and aid agencies should ensure low caste people have equal access to relief supplies - food, water, health services, compensation benefits and housing.

India

Dalits, or so called untouchables, are denied their basic human rights and face the most terrible forms of deprivation and abuse under normal circumstances. The problems of caste discrimination have added to the misery caused by the tsunami. Entire communities of Dalits were left out of government's and aid agencies' relief assistance for several weeks and suffered from severe hunger and thirst. Indian authorities discriminated in providing financial assistance to the families of deceased Dalits. Dalit areas have been the last to have electricity and water supplies restored during rehabilitation efforts.

At Muttukaddu relief camp; an Irula (low caste tribal group) was beaten up by fisher folk for demanding milk at a centre set up by an NGO. The relief materials designated Irulas and Dalits were diverted.

Women could not go near water pumps to get water as fisher folk scorned at them and drove them away.

Dalits' temporary shelters had no toilets and looked more like cattle sheds than human dwellings.

Women's Human Rights Concerns in Tsunami Affected Countries, APWLD

Ensure Stateless People's Access to Relief Support

- Government and aid agencies should ensure that relief and reconstruction activities are implemented without discrimination based on citizenship.
- Governments must grant citizenship to stateless people so that they can be protected and have access to relief assistance: food, water, shelter, health services, compensation and other support during disasters.

Thailand

In the tsunami affected areas, stateless communities are found in Ranong province. They were made 'stateless' as a result of the national border demarcation imposed by the British between Thailand and Burma, a British colony between 1824 and 1948. These people lived along the border of the two countries, normally in the hills or jungles, and were left out of the government surveys. This resulted in unclear nationality status. These people look like Thai and speak the Thai language. However, they have no birth certificates, no registration documents or IDs, no usual practice of death reports and no right to vote in the elections. Hence, they are not protected by the Thai laws, have no labour and property rights and no access to education. They are, therefore, practically non-existent in Thailand. There is no record of how many stateless people died during the tsunami.

"We the Moken in Tap Tawan village, never got any help from the government. When they came to distribute aid in the tent camp, we always waited for our names to be called. But we waited in vain. We even had identification cards but we were never included. I don't understand why. Our names were never on the list because we do not have Thai citizenship. During the first few days we stayed in a tent but they didn't give me temporary home so I went to stay in the mountains", said Lai, a sea gypsy, tsunami survivor in Thailand.

Tsunami Aftermath: Women's Human Rights Violations in Thailand

Protect Women - Victims of Disasters and Armed Conflict Situations

Women - victims of disasters in armed conflict situations are most vulnerable to deprivation, violence and abuse by conflicting groups. Efforts must be made to provide assistance and protection.

Governments and international aid agencies, especially UN, must prioritise reaching peace agreements between the conflicting parties, including:

- End all military actions in disaster zone
- Let humanitarian aid agencies into disaster zones
- Ensure free movement of people and distribution of relief
- Do not prevent people from accessing livelihoods sources to ensure food security: sea, forests, agricultural land.
- Do not station military personnel in IDP camps "for security reasons" if they are one of the conflicting parties. In Sri Lanka, government military presence in camps caused deaths of civilians when Tamil Tigers launched attacks on the government forces.



Aceh (Indonesia)

Lampuuk Village was reached by emergency assistance three days after the tsunami. The area is relatively easily reachable because its location is at the edge of the coast, while Seibun Ketapang and Lham Lhom villages, situated at the foothill, were reached only on day six. The delay in evacuation and relief assistance was caused not only by the debris, wood and sprawling bodies but also by TNI (Indonesian military). The three villages had been terrorised by TNI troops hunting after GAM members suspected to have come down from the hills to save their families. In the chaos of looking for missing family members and food shortage that followed the tsunami, the villagers were checked one by one to ensure that they were not GAM members. Women and men in Seibun Ketapang village were asked to make a line and questioned whether they were GAM members and about the location of their GAM family members. This made many volunteers and aid organisations providing relief supplies reluctant to work in Seibun Ketapang, Lham Lhom or Lampuuk because they did not want to have problems with the military. Moreover, the army used the momentum to search for weapons in the areas around the villages to replace those lost when the ammunition warehouse at the TNI Company base in Lhok Nga was destroyed by the tsunami.

After the tsunami, the military unofficially declared particular regions as 'black, red and grey' zones. Black indicated areas of armed conflict between the military and GAM; red - areas of possible location of GAM forces; and grey zone was an area relatively free from GAM. People were restricted to go to black zones. Women of the Lampuuk village used to pick wild fruits, vegetables and herbs in the nearby hills declared 'black zone' after the tsunami. On March 7, a few villagers were shot dead at the foothill as suspected GAM fighters. The communities, who lost their livelihood sources from the sea, were now denied access to the forest - another livelihood source.

Most of the residential area and agricultural land were inundated by water and mud resulting in a loss of food supplies either in their farms or houses. The only hope was government or non-governmental organisation's assistance. The assistance finally got through to the villages after 4-5 days.

Tsunami Aftermath: Women's Human Rights Violations in Aceh

Sri Lanka

The tsunami was most severely felt by the eastern coast of the island, which is also the area which had already been devastated by the armed conflict for at least fifteen years prior to the tsunami. Thus, communities that had faced all forms of violence, severe human rights abuses, impoverishment, loss of livelihood and displacement in a systematic manner due to the conflict were once more subjected to deprivation and to the destruction of their communities, their lives and their livelihoods because of the tsunami. In fact, some of them referred to this as the 'second tsunami' while the conflict had been the first. The waves destroyed an already weak infrastructure, and impoverished already very poor communities. It created more widows in communities that already had a majority of female-headed households; it created more orphans in communities that already had abnormal numbers of parentless children.

Tsunami Aftermath: Women's Human Rights Violations in Sri Lanka



General Recommendations for Gender Sensitive Disaster Management

Global Response

- An international women's disaster response agency needs to be created which would reach out to disaster hit areas and provide advisory assistance for gender sensitive disaster management to governments of the affected country and aid agencies involved in relief and rehabilitation activities.
- Gender sensitive disaster management manuals need to be translated into various languages and distributed to governments.
- Officials of governments and aid agencies, including UN officials, need to undergo gender sensitive disaster management training.
- Gender sensitive disaster management policies should be mainstreamed into international government and non-government agencies involved in disaster management.

National Response

- In the immediate aftermath of a disaster, 'gender focal committees involving various stakeholders - government, aid agencies, international and local NGOs - should be set up to ensure women's needs are met and women's human rights are protected.
- Collect gender disaggregated data as soon as possible after the disaster so that necessary data is available in an accessible and user friendly format. Gender disaggregated data is essential to enable governments and aid agencies to formulate gender-sensitive relief and reconstruction programmes and plans.
- Provide legal support to women in processing documentation such as death certificates, land and other ownership disputes.

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"The Guidelines for Gender Sensitive Disaster Management were initiated at the Asian Women's Consultation on Post Tsunami Challenges, which convened 60 women activists and tsunami survivors from India, Indonesia, Malaysia, Sri Lanka and Thailand in Aceh, July, 2005.



APWLD is an independent, non-government, non-profit organisation committed to enabling women to use law as an instrument of change to achieve equality, justice, peace and development

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