

*Saving Lives, Protecting Rights*

# **Women's rights in emergencies**

**Integrating Women's Rights into  
emergency response; a guide  
for trainers**

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# Introduction

It is widely acknowledged that emergencies have a differential impact upon women, men, girls and boys. The social, cultural, political, economic and ecological context both before and after emergencies influences the vulnerability of different groups. Factors such as gender, ethnicity, caste, poverty, minority group status, and age in a given society determine a person's entitlements and access to resources, information, services, voice, and political participation. The interaction of these factors within society determine how women, men, boys and girls are affected by, anticipate, face, and emerge from emergencies.

Women are typically regarded as a "vulnerable group"<sup>1</sup> in emergencies. Pre-existing inequalities, structural discrimination and the perceived lower status of women within some societies along social, economic, cultural and political lines increases women's vulnerability to emergencies. Emergency situations arise in gendered societies so it is important to understand how emergencies affect and impact upon women. Women are not hapless victims that passively receive assistance; they play central roles in families, communities and economies. The unequal status of women in some societies can lead to the mistaken belief that their needs and concerns are the same as men. Their considerable efforts, needs and concerns before, during and after emergencies tend to be invisible to planners who design generalised – and therefore male-centric – disaster management programmes.

Emergency response agencies and organisations tend to reproduce or perpetuate many of the inequalities found in societies already fractured along gender, caste, class, religion and ethnicity lines. As a result women are often excluded in emergency response, preparedness and mitigation processes. This continuing discrimination against women must be understood as a violation of human rights. It is not merely an unfortunate oversight or a benign lack of gender sensitive understanding. The violation of women's right to participate in decision making, to information, to relief assistance, to assets for a livelihood, to the knowledge of how to reduce their risk to future emergencies and be better prepared, denies women their dignity and security. It undermines women's active agency, disempowering them and reinforcing inequity. It also denies communities and families the benefit of women's contributions.

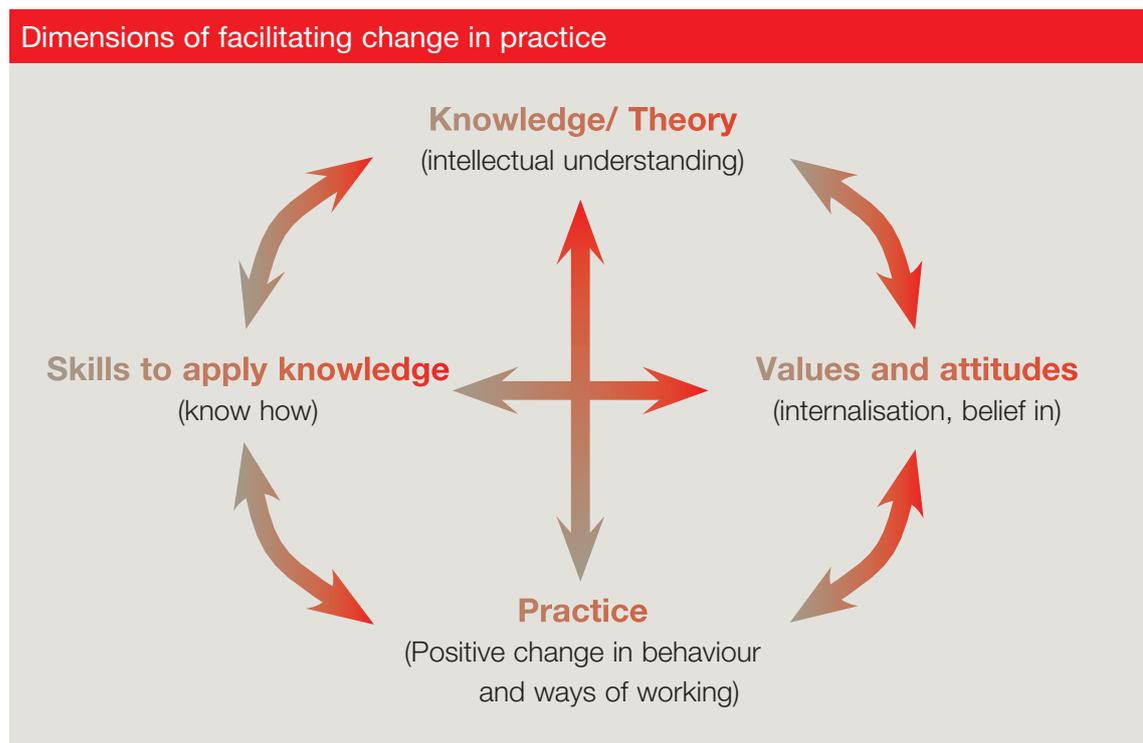
Emergencies are often a time of great social upheaval. They also present an opportunity to redress the existing inequalities between men and women, through the belief and commitment of social transformation. The guidelines look at the protection, prevention and programming aspects of women's rights in emergencies and provide practical steps to promote social transformation in favour of women's rights.

## Why is there a need for these guidelines?

The experience of emergency-affected women consistently indicates that, despite the plethora of international instruments, national laws, policies and institutional frameworks which specify the equality of women and aim to prevent discrimination and violence against them, women are still routinely marginalised and denied opportunities. Despite the evidence-base indicating an increase in violence against women during and after emergencies, the necessary measures to protect women are not systematically factored into the response. As a result emergency response programmes continue to fail women.

<sup>1</sup> See *The Sphere Project: Humanitarian Charter and Minimum Standards in Disaster Response*, The Sphere Project, Switzerland, (2004), pp9-11.

The guidelines seek to provide trainers with the tools and necessary processes to build the capacity of field workers, government officials and community leaders to enact social change. They focus on the change needed within oneself, based on the assumption that if we do not acknowledge that women are being denied their rights in emergencies, we will not change our own attitudes and behaviours and the way that we work. It is of limited value to focus on how affected women or others must change, if we do not realise or recognise how our own actions obstruct the fulfilment of affected women's rights. The guidelines seeks to provide exercises to facilitate the internalisation of the necessary values and principles associated with women's rights and their application in emergencies.



As indicated in Figure 1, Certain values, knowledge and skills are required to proactively and effectively work for women's rights.

### **We need:**

- to know and understand the unequal power relations between women and men which underpin women's exclusion and disadvantage
- to be aware of how our own behaviours, words and attitudes can reinforce unequal power relations
- to believe that women's subordination is unjust, a denial of women's human rights, and that we need to take sides with women to redress this injustice
- to have the skills and tools to apply our knowledge and beliefs into practice
- to realise that skills, knowledge and values are required by practitioners and officials to actively promote, respect, protect and fulfil women's rights.

## **Overall Objective**

The overall objective of these guidelines is to work towards securing the rights of women in emergency response, preparedness and mitigation through building the awareness, conviction and capacity of emergency response personnel.

## **Immediate Objectives**

- To equip trainers with the approach and tools they require to build the capacity of community women leaders to proactively take their place in emergency preparedness, mitigation and response activities
- To ensure the policies and practices of governments, organisations and agencies who respond to emergencies are pro-poor, and pro-women and girls.

## **Who are the guidelines for?**

This guidelines is primarily for the use of trainers (with 3-4 years training experience) to prepare and deliver training on women's rights in emergency response. It is targeted at trainers who will work at building the capacity of field workers, government officials and community leaders to be committed and equipped to work in ways which will ensure the respect, promotion, protection and fulfilment of women's rights in emergency preparedness, mitigation and response.

The guidelines assumes that trainers will develop a conducive learning environment to enable participants to undergo a period of self-reflection on how she/ he must change her/ his way of working and interacting in order to facilitate the process of reflection and transformation in others.

## **What are the guidelines about?**

The guidelines comprise four modules.

- The first module outlines key concepts relating to women's rights, how they impact upon women, shape their reality and their application in practice.
- The theoretical framework for human rights, the rights-based approach and women's rights in emergencies are detailed in Chapter 2.

- Chapter 3 examines the impact and consequences of the abuse of women's rights in practice, and provides practical guidance on preventing, responding, and stopping such abuses. Furthermore, it seeks to ensure that women's rights are mainstreamed across all phases of emergency prevention, response and mitigation. There are checklists to monitor the inclusion of women's economic, social, cultural, political and civil rights in programming linked to this module in the appendix.
- The final module links programme and policy-advocacy on women rights issues. It is premised on the importance of the policy agenda being grounded in affected women's issues and connecting grassroots women with regional and national levels to amplify their voice and influence policy makers.

### **How to use the guidelines.**

The trainer must select exercises from particular modules (and the appendix) to develop a training programme according to the specific training requirements of the participants and the time available.

## Chapter 1

# Women's Rights in Emergencies: Theoretical Framework

The focus of this module is to help participants understand why specific attention must be given to women's rights in emergencies, as well as to commit themselves to acting in ways which will respect, protect, promote and fulfil women's rights. Key concepts explaining women's status and situation in society are discussed, coupled with guidance on facilitating positive change with, and on behalf of, women.

This module will help participants understand the underlying causes behind the daily structural discrimination and violence that women face. The concepts of women's agency and capabilities are also discussed, coupled with advice on how participants can empower women to take an active role in disaster management processes. The module seeks to challenge the perception that all women are vulnerable and helpless and views women as active agents for change.

### Chapter 1 - learning objectives

- To understand how gender is constructed.
- Gender and power
- To enable participants to understand the connections between poverty, vulnerability and gender.
- To enable participants to develop strategies and ways of working which will facilitate women's empowerment.

## Gender relationships

### What is gender?

**Gender** refers to the social attributes and opportunities associated with being male and female and the power relationships between women and men, girls and boys, as well as the relations between women and those between men. Sex refers to the fixed biological differences between males and females, such as reproduction and thus differs from gender.

Gender attributes, opportunities and relationships are:

- Socially constructed
- Context specific
- Time-specific
- Changeable

Gender is part of the broader socio-cultural context and determines what is expected, allowed and valued for a woman or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as in decision-making opportunities.

Societal expectations, aspirations, roles and responsibilities for men and women are different. They, also, reinforce and perpetuate gender-based discrimination within societies. The process of socialisation for girls and boys is complementary, such that unequal power relationships between men and women are created, reinforced and perpetuated. Gender is determined by the conception of tasks, functions and roles attributed to women and men in society and in public and private life. For example, in the gendered division of labour in the family, household work is considered to be a woman's responsibility while the man is considered to be the "breadwinner" and, therefore, the "head of household" for the family. Women's work in the family, although critical to the survival of the family and in freeing up men to go out to work, is generally given little value, and their significant productive contributions to the family economy through gardens and raising livestock, small trade etc are often ignored, both by men and the humanitarian community<sup>2</sup>

In the past aid agencies and organisations had been relatively gender blind in their humanitarian response programmes, with many perpetuating inequalities and structural inequality along gender lines. It is important that we are attune to the needs and rights of women, girls, men and boys in emergencies, whilst challenging the inequalities associated with gender.

<sup>2</sup> Adapted from: [www.itu.int/gender/about/gender.html](http://www.itu.int/gender/about/gender.html)

## Socialisation

Socialisation is the process of teaching children about the behaviours, roles, attitudes and belief systems that characterise their culture and society. This affects the way they see themselves, other people and their surroundings. This process is carried out by the family, school, ideology, media, politics and economics etc. Socialisation teaches the 'correct' behaviour for girls and for boys. As a result of socialisation in many cultures, women are seen as weak, helpless and passive whereas men are portrayed as strong, capable leaders. This stereotype is perpetuated during times of emergencies, where women and girls are perceived as helpless victims and thus without agency, whereas men and boys are provided with opportunities to actively contributing to the relief efforts.

Internalisation is the result of socialisation. People take the messages they have been taught through socialisation and believe them to be 'true' or 'natural'. The messages about the 'right' behaviour for a girl and boy, starts to guide their behaviour, attitudes and beliefs. This is reinforced by adults through rewards of acceptance and praise when girls and boys behave 'correctly'. Cultures are fluid as they are created through processes of socialisation and internalisation. Just as socialisation and internalisation are learned; negative and unjust aspects of culture can be unlearned so that people can be empowered to challenge and change themselves, and their society.

Emergencies are a time of great flux and social change (particularly conflict-based emergencies) within any community. Women, girls, boys and men often assume roles and responsibilities that they would not have carried out before the emergency. For example, if a woman's husband dies, she then becomes the sole earner, head of household and is often responsible for the care and upbringing of multiple children. Often emergencies are an opportunity to empower women socially, economically, politically and culturally, however, they can also be a time of great distress if the humanitarian response does not take into account the rights, needs and agency of women and girls.

## Exercise: Understanding gender roles and the social construction of gender

### Objectives

1. To enable participants to understand how gender is constructed.
2. To enable participants to understand that gender is a social construction (not biological), thus it is open to change.
3. To enable participants understand that gender inequality is discrimination created artificially between women and men.

### Gender roles 1: Discussion exercise

- (i) List some of the characteristics of a 'good' man in your community?
- (ii) List some of the characteristics of a 'good' woman in your community?
- (iii) Compare the two lists. Are there any characteristics in common?
- (iv) Why are the roles, that is, the ideas or expectations of how women and men should behave, different?
- (v) Think back to the toys you were given when you were young or the games and activities you played when you were a child. At what age do girls and boys start getting different toys and start playing different games? Why is this?
- (vi) Think back to when you were 12-14 years old. How did your parents treat you – and your brother or sister – differently as a girl/boy that made you conscious of your gender? (Make lists and compare.)
- (vii) How does this differential treatment impact on girls in your community?
- (viii) Who was held up as a role model (that is, someone you should admire and try to be like) for girls/boys?
- (ix) Was the way in which you were taught by your family to behave as a girl/boy the same as you were expected to behave in school and in your ideology?

Please see the appendix for further discussion exercises.

### Key learning points to be reinforced:

- We cannot categorise women's or men's ability to do tasks as biologically determined – except for reproductive roles.
- The abilities and expectations of women and men are socially constructed and reinforced by popular social, cultural and ideological beliefs.
- Differentiation on the basis of gender (simply because one is a woman or a man) is unfounded. It is not based on a person's actual potential or abilities, and is discriminatory for both women and men.

## Women rights and power

“Power can be defined as the degree of control over material, human, intellectual and financial resources exercised by different sections of society. The control of these resources becomes a source of individual and social power. Power is dynamic and relational, rather than absolute - it is exercised in the social, economic, and political relations between individuals and groups. It is also unequally distributed - some individuals and groups have greater control over the sources of power while others have little and no control. The extent of power of an individual or group is correlated to how many different kinds of resources they can access and control.

Conflict and drought-based emergencies are characterised by resource-scarcity. Control and access to and over resources becomes a crucial dynamic in the cause of certain emergencies and the subsequent response. The empowering of women and girls to increase their access and control over resources can therefore help to prevent emergencies, as well as acting as an integral part of humanitarian response and peace-building.

- Power is always established through human interaction
- Power works at many different levels
- Power is found everywhere in public and private domains: in the workplace, the market and family, in relations with friends and colleagues and even at a very personal level within each individual.
- The dynamics of power (who has power over others, who can build power with, who can exercise their power to, who can feel powerful within or not) is defined within each context and each relationship.

## AAI Gender Framework

### (a) The three faces of women

**Public realm of power** - this is the visible face of power as it affects women and girls' employment, education, public life and legal rights etc. AAI focuses upon public institutions, systems and structures which perpetuate and foster gender inequality. Where there is a denial of women's rights we will strengthen women's public participation in public decision-making forums as equal power holders. Examples of such forums in emergencies are compensation packages, camp management committees and, truth and reconciliation commissions.

**Private realm of power** - relationships and roles in families (as mothers, daughters and wives etc..) and among friends, sexual partners, marriage etc. The family is too often the site of major violations of women's rights as well as the perpetuation of all forms of violence - domestic, incest, sexual, widow inheritance, psychological etc. Unfortunately, in emergencies, the private realm of power often decreases for women and girls, as men and boys seek to take advantage of a community in flux. The public and private spheres are inter-linked.

**Intimate realm of power** - individual women's sense of self, personal confidence, psychology and relationship to body and health. During emergencies, many women and girls suffer from violence, abuse and discrimination which attacks their self-confidence, dignity and self-worth, as well as possibly causing medical and psychological complications.

## (b) Expressions of power: power OVER, power TO, power WITH, and power WITHIN.

**Power over:** This is the most commonly recognised form of power. *Power over* has many negative associations for people, such as repression, force, coercion, discrimination, corruption and abuse. Power is seen as a win-lose relationship. Having power involves taking it from someone else, and then using it to dominate and prevent others from gaining power. In politics, those who control resources and decision making have *power over* those without. When people are denied access to important resources like land, healthcare and jobs, as in many emergencies, power over perpetuates inequality, injustice, and poverty.

There are three alternative and more collaborative ways of exercising and using power: *power with*, *power to*, and *power within*. These offer positive ways of expressing power that create the possibility of forming more equitable relationships. By affirming people's capacity to act creatively, they provide some basic principals for constructing empowering strategies.

**Power to:** This power is the unique potential of every person to shape his or her life and world. When based on mutual support, it opens up the possibilities of joint action, or power with. 'Power to' is closely associated with women's, men's, girls' and boys' intimate realm of power. Citizen education or leadership development for advocacy is based on the belief that each individual has the power to make a difference.

**Power with:** *Power with* depends on finding the common ground among different interests and building collective strength. Based on mutual support, solidarity and collaboration, *power with* multiplies individual talents and knowledge. *Power with* can help build bridges across different interests to transform or reduce social conflict and promote equitable relations between women and men. Advocacy groups seek allies and build coalitions drawing on the notion of *power with*.

**Power within:** This form of power relates to a person's sense of self-worth and self-knowledge; it includes an ability to recognise individual differences while respecting others. It is based on self-acceptance and self-respect. *Power within* is the capacity to imagine and have hope; it affirms the common human search for dignity and fulfilment. Many grassroots efforts use individual story telling and reflection to help people affirm their personal worth and recognise their *power to* and *power with*. Both of these forms of power are referred to as *agency* – the ability to act and change the world. *Power within* is closely related to women's, men's, girls' and boys' intimate realm of power.

## Analysis of power relations

There are three dimensions of power over that shape the parameters of political participation and advocacy for women. These dimensions are: visible, invisible and hidden.

**Visible power: observable decision-making processes and structures.** This is the power which revolves around institutions, groups and individuals arising from the formal rules and policies, laws and plans. Visible power can discriminate against women, particularly those who are poor through:

- (i) laws and policies which are biased in favour of men and
- (ii) women's exclusion from the decision-making structures which do not take account of their interests, such as in camp management committees and livelihood assistance projects.

**Hidden power** is that of certain powerful people and institutions to control who participates in decision-making and agenda setting. Typically women and very poor people are excluded. For example, if the police are appointing a people's committee to co-ordinate aid distributions – who should decide who will be the community representatives? Who decides the role of the committee and the issues they will deal with? Who decides what – and how much – information the members should have access to? The decision is made by the person(s) who has/ have the particular authority in the police or local authorities. Behind every decision lies the choice about delegating power or not.

**Invisible power** is the socio-cultural systems and related ideologies that shape a person's consciousness, that is, how an individual thinks about her or his place in the world, sense of self, acceptance of superiority or inferiority and their beliefs about their capacity to participate in decision-making processes. Even if the authorities provide space and 'give' power to particular individuals or the community they may not accept this space. Community members may still feel powerless due to their culture, ideology and process of socialisation which has internalised the current situation as 'normal' or 'natural'. In their state of mind they feel they are a 'small' person, unimportant and without capacity (without power) and do not understand their rights as citizens. They allow others to make decisions about their lives and feel it is up to the authorities to take decisions on their behalf.

It is very difficult to deal with invisible power and to change the processes which shape people's beliefs about themselves and others. Since this thinking process happens inside the mind it is difficult for others to understand it and to take the necessary steps to facilitate people to change their perceived lack of power. This is especially so within an emergency context when societies are in flux. These conditions can be avoided by analysis, knowledge and realisation that she or he is a person with rights. For example, if people enter the police station they feel threatened by the atmosphere and feel the police officers have power over them. If they feel confident in themselves and believe that the role of the police officer is to serve them and to protect their rights according to the law they are less likely to feel so intimidated.<sup>3</sup>

## Paying attention to issues of power

Central to ActionAid's rights-based approach is the analysis of power relations and strengthening the power of poor and excluded people. In practice, the fulfilment of human rights is determined by cultural practices, behaviours, institutions and people that either embody or hold power. However, it is not always in the interests of the powerful to protect and promote equal rights. Since a rights-based approach seeks to secure equal rights for all people, it inevitably means confronting, or critically engaging with, the powerful. It means resisting oppression, making claims, persuading and negotiating with the powerful and influencing public policy and building necessary public opinions through advocacy and campaigning methods.

ActionAid International (2008) The human rights based approach

<sup>3</sup> "A new weave of power, people and politics: The action guide for advocacy and citizen action" pages 41-49

## Women's agency, capability and vulnerability

### What is agency?

Agency is the capacity of a person to change her or his life rather than remaining suppressed by the structures of power and oppression that hold her or him down. Agency is the ability to make your own choices and to take control of the decisions and resources that have an impact on your life. Agency becomes increasingly important during drought or conflict-based emergencies, which are often characterised by resource scarcity.

A focus on the agency of women means to elicit their active participation to ensure the form and quality of the changes they desire. This enhances women and girls' well-being and strengthens their agency at the same time. Education and the ability to earn an independent income are two key contributing factors to women's agency. If women have the capacity to engage in a livelihood then it becomes a positive factor in the advancement of their lives, as well as decreasing the vulnerability of their family to future disasters. Similarly, educated women know about the risks associated with disasters and thus they can make informed decisions to decrease their vulnerability. Educated women have higher levels of resilience and thus are better placed to cope with future disasters.

Agency is central to the empowerment of women - but it is not the same as empowerment. Empowerment is both a process and an end result. Empowerment includes self-assertion, people making choices and taking actions to challenge, and change the power relationships that cause their disadvantage and oppression.

### What is vulnerability?

"Vulnerability defines the characteristics of a person or group and the situation that influences their ability to anticipate, cope with, resist and recover from the impact of a hazard."<sup>4</sup> Vulnerability is a term used to describe exposure to shocks (an event that threatens well being or increases vulnerability) and hazards (natural or man-made phenomenon that may threaten human life and well-being, and cause physical damage and economic loss).

Vulnerability involves a combination of factors (social, economic, political) that affect the extent to which someone's life, livelihood, property and other assets are put at risk by an event or series of events in nature and society. Some groups are more susceptible to damage, loss and suffering due to gender, class, occupation, ethnicity, disability, health status, age etc.

Vulnerability is different depending on one's gender. The way women experience vulnerability is very different to men due to gender roles and power relations. Factors such as lack of access to and control over basic resources and lack of entitlements increase women's vulnerability and undermine their ability to cope with the effects of emergencies.

***"Poverty is not the same as vulnerability but they are strongly linked. All poor people are vulnerable, but not all vulnerable people are poor. Poverty is a core dimension of vulnerability. Poverty is the deprivation of natural, social, economic and political resources and capacities. Poverty induced vulnerability is the resulting defencelessness, insecurity and decreased inability to cope when exposed to hazards and shocks."***

ActionAid International. Participatory Vulnerability Analysis.

<sup>4</sup> Wisner et al., 2004

Some of the specific gender roles that make women more vulnerable to emergencies are<sup>5</sup>:

- Women have less access to resources – social networks and influence, transportation, information, skills (including literacy), control over land and other resources, personal mobility, secure housing and employment, freedom from violence and control over decision making – that are essential in disaster preparedness, mitigation and rehabilitation.
- Given the gendered division of labour, women are more than proportionately represented in the agriculture sector and informal economy. They are often under paid and have no social security or access to health care. Therefore, during a disaster they become more prone to being amongst the unemployed in a post disaster scenario.
- Being primarily responsible for domestic and reproductive work, such as child care and care of the sick and elderly, women often are not mobile and thus are not able to migrate for work as men. They largely remain behind for all practical purposes heading their households and coping with the disaster to help themselves and their families to survive.
- The loss of women's assets are often inadequately accounted for in emergency-loss assessments. This maybe due to the prevailing perception of men as breadwinners. However, it may also be because men often possess more productive and viable assets than women.
- Housing is often destroyed during emergencies, forcing people to move into temporary shelters. Inadequate spaces for simple daily tasks such as cooking means an increase in women's domestic as well as economic burden, making it more difficult for them to look for alternate sources of employment and income.

All these factors, along with increased incidence of violence, exacerbate a woman's vulnerability during and post emergency, challenging her capability to lead a life with dignity.

## **The connection between poverty and vulnerability in emergencies.**

Emergencies do not affect all people equally. People who are poor and excluded are hardest hit. They often have little access to, or control over, resources and take longer to recover after emergencies. Poor people, generally, are often denied economic and social rights such as the right to an adequate standard of living, including food, clothing and housing, and rights to health care, education and employment. They are also denied civil and political rights such as the right to participate, and freedom of expression and association. All rights, including economic, social, cultural, civil and political rights are thus directly associated with vulnerability to hazards.

Poverty causes vulnerability. Poverty-induced vulnerability reflects the failure of development to reduce the underlying causes of risk, and the lack of engagement with the socio-cultural and political perpetuation of inequality. Poverty induced vulnerability is a direct consequence of the denial or violation of human rights and the result of unequal power relationships in the process of claiming and/or realising one's rights.

Poor people frequently live in areas prone to natural disasters. For example, in flood prone areas of Bangladesh, most high-level houses are owned by the better off, and the poorest often live at the river's edge. Those who are killed, injured or left homeless by earthquakes, fires, floods, mudslides or cyclones are often those living in poor housing or areas of high risk because of their poverty. In conflict based emergencies, poor people are unable to move to safer locations, or protect their assets due to a lack of means. Emergencies exacerbate pre-existing poverty levels.

<sup>5</sup> Fact Sheet, of the Program on Women, Health and Development; Pan American Health Organisation, a Regional Office of the World Health Organisation

Development is a process by which vulnerabilities are reduced and capabilities are increased.<sup>6</sup> It is the social, cultural, economic and political environment that makes people vulnerable<sup>7</sup>. This is apparent from the economic and social pressures that force people to live in unsafe areas like slums due to poverty and in refugee/ IDP camps due to conflict. Emergency settings enhance pre-existing vulnerabilities. Vulnerability is more acute for the poor than the rich, women than men, older than young, disabled than able bodied, powerful than the powerless, displaced than settled. Further when “being a woman” intersects with vulnerability arising out of the emergency, the situation impacts on women and girls more severely and negatively than upon men.

### Characteristics of vulnerability in emergencies

- **Physical** - Location, proximity to hazards, distance from water etc.
- **Social** - Marital status (widows, female headed households etc.), social status, caste, ideology, ethnicity, tribe
- **Economic** - Financial status, savings, access to livelihood assets
- **Psychological** - Beliefs, self-confidence, pre-existing mental health disorders
- **Physiological** - Children, pregnant and lactating women, disabled persons, the elderly
- **Sexual** - Exposure to sexual violence, STD and HIV infection, unwanted pregnancies and abortions
- **Political** - Discrimination against political view and affiliation, minority groups etc.

### What is capability?

Capabilities are the existing strengths of individuals and social groups. They are related to people’s material and physical resources, their social resources, and their beliefs and attitudes. Capabilities are built over time and determine people’s ability to cope with a crisis and recover. Women and girls, are often perceived to have less capability to respond to emergencies because they have limited access to physical and financial resources.

Please see Chapter 3 for further information on vulnerability.

<sup>6</sup> Anderson and Woodrow 1989

<sup>7</sup> Amjad Bhatti and Madhavi Malalgoda Ariyabandu, Disaster Communication, A Resource Kit Media P 19

## Empowerment

### What is empowerment?

Empowerment can be defined<sup>8</sup> as a process which involves dynamic interactions between an array of different elements (such as culture, age and ethnicity) within three dimensions.

- The first dimension involves fundamental psychological or psychosocial processes and changes central to which are the development of self-confidence and self-esteem, a sense of agency and dignity.
- The second dimension is collective empowerment where individuals work together to achieve their goals. The core elements are the development of group confidence through a sense of collective agency, self-organisation and management, and a sense of identity and dignity as a team
- The third dimension is relational empowerment which refers to the ability to negotiate and influence the nature of a relationship and decisions made within it.

It is important to understand empowerment as a process involving psychological and social change within a person.

### Exercise: Understanding empowerment

When speaking about women's empowerment field staff are often not clear about what empowerment is - or how it happens.

1. What are the words for 'power' and 'empowerment' in local language?  
How do you understand these words/terms?
2. Ask the group to brainstorm what would characterise women:
  - i. Who are empowered?
  - ii. Who are powerless?
3. As field workers, can they "make" women empowered? Is it something that one person can "do" to another?
4. Discuss 'power' and 'empowerment' in-depth. If someone becomes empowered, where does the power come from? Can you give power to someone? Do you gain or lose power if someone else is empowered?
5. Discuss the following re the nature of power
  - a. Power over (position, wealth, force)
  - b. Power to (knowledge, skills, ability)
  - c. Power with (co-operation, solidarity, teamwork)
  - d. Power within (spiritual, character, peace of mind)

<sup>8</sup> Rowlands (1997:111, 115)

6. Discuss the following definitions of empowerment:
  - (i) Empowerment is a process that involves individual discovery and change. At an individual level empowerment results in increased confidence and self-esteem. It can come about as a result of power within/to/with.
  - (ii) Empowerment is the process of increasing the capacity of individuals or groups to make choices and to transform those choices into desired actions and outcomes. Central to this process are actions both to build individual and collective assets and to improve the efficiency and fairness of the organisations and institutional context which govern the use of these assets
7. Why is listening a critical skill in facilitating empowerment?
8. How can women change from feeling powerless to empowered?

- **Economic:** Women can be empowered if they have the opportunity and skills to: earn an income; be engaged in meaningful employment, acquire ownership to property rights and widow inheritance.
- **Social:** Women can be empowered if they gain knowledge, education, literacy, access to healthcare, live a life of dignity without any violence, and face no social stigma or discrimination.
- **Political:** Women can be empowered if they are accepted and recognised, hold office, have power of decision making in the family and outside; can take control of their own lives and make their own choices.
- **Legal:** Women can be empowered if they have protection and access to legal services, equal treatment before law, if there is effective implementation of laws and legislation that protect and benefit women.

### Process of Conscientisation and Empowerment

- Women obtain access to information
- Information stimulates questions and anger
- Women recognise injustice and powerlessness
- Women start interacting with others
- This process of questioning encourages exploration of ideas, e.g. discrimination, rights, equality and equity
- These ideas help women to identify constraints
- These ideas give confidence to push forward the process of change.

## Women's empowerment framework

### Objectives

1. To understand that empowerment is a process which can be facilitated but not “done to” a person.
2. To enable participants to undertake analysis of empowerment using different frameworks
3. To enable participants to develop strategies and ways of working which will facilitate women's empowerment.

### Discussion

1. Use the **women's empowerment** framework below to analyse where your programme's efforts are focused when working with women. That is: provision of goods and services (welfare); facilitating women's access to resources; awareness raising/ conscientisation; informed analysis and understanding and men and women working together/ mobilisation, women's control of resources.  
  
Give reasons for your analysis.  
  
What could be improved?
2. Through what processes could specific aspects of economic, social, political or legal empowerment of women be achieved in the post-emergency context?
3. Use the **Access and control profile**<sup>9</sup> below to analyse the power differences between women and men, in relation to who has access to and who controls resources. Use a recent emergency as a case-study.

For example, micro-credit projects for women found that while they increased women's ability to generate income, men (usually husbands and fathers) controlled how the money was used. This is one example to illustrate that increasing access to resources (providing equal opportunities) is not sufficient. To make a difference, women must have control over the resources (level the playing field). Analysis of who has access and control is essential to ensure that a program promotes equity rather than reinforces inequalities that enable injustice to happen.

#### Key learning points to be reinforced

- Empowerment is a process which is internal to the self.
- Others can facilitate a process but empowerment comes from within.
- Empowerment is linked to power. The power to change comes with – *power within, power with, power to, power over.*
- Access: is the ability to use a resource but not necessarily have control over it.
- Control: is the ability to make ultimate decisions about the use and disposal of resources.

<sup>9</sup> March, Smyth and Mukhopadhyay, A Guide to Gender Analysis Frameworks, Oxfam, Oxford 1999 cited by AAI Draft Gender and RBA toolkit .

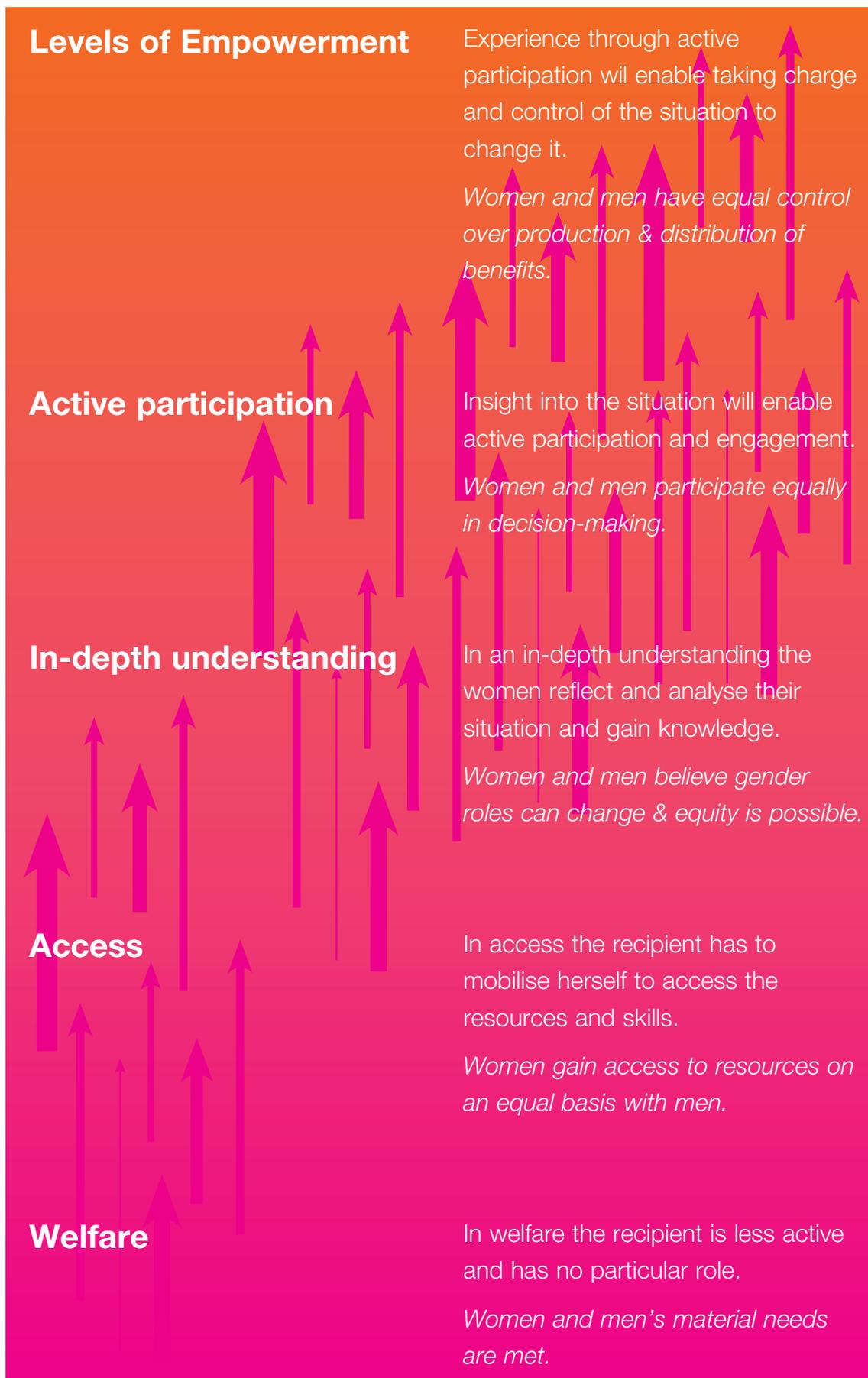
## Access and Control table

| Resources               | Access |       | Control |       |
|-------------------------|--------|-------|---------|-------|
|                         | Men    | Women | Men     | Women |
| Economic and productive |        |       |         |       |
| Land                    |        |       |         |       |
| Equipment               |        |       |         |       |
| Education and training  |        |       |         |       |
| Labour                  |        |       |         |       |
| Cash                    |        |       |         |       |
| Other                   |        |       |         |       |
| Political               |        |       |         |       |
| Leadership              |        |       |         |       |
| Education and training  |        |       |         |       |
| Information             |        |       |         |       |
| Citizenship skills      |        |       |         |       |
| Legal rights            |        |       |         |       |
| Other                   |        |       |         |       |

### Access and Control table

| Resources                              | Access |       | Control |       |
|--|--------|-------|---------|-------|
|  | Men    | Women | Men     | Women |
| Income                                 |        |       |         |       |
| Property ownership                     |        |       |         |       |
| Basics needs (food, clothing, shelter) |        |       |         |       |
| Education                              |        |       |         |       |
| Political power and prestige           |        |       |         |       |
| Other                                  |        |       |         |       |

# The women's empowerment framework



## Chapter 2

# Women's rights in Emergencies: International Laws, Conventions and Standards

The implementation of a rights-based approach in emergencies requires field workers to have a thorough understanding of the rights of affected people as enshrined in international and national human rights laws and standards. Human rights law provides the legal and moral foundations to inform actions, decisions and guidelines in emergency situations. The knowledge and understanding of human rights is required by both programme and policy staff to bridge the gap between policy and practice.

This module establishes the relationships between rights and the state as the primary duty bearer responsible for ensuring the respect, promotion, protection and fulfilment of rights for all its citizens.

### Chapter 2 - learning objectives

1. To understand the human rights framework
2. To understand how structural discrimination, embedded in social, political, ideological, economic and cultural institutions results in the widespread violation of women's rights
3. To foster a commitment to the justice and necessity of the rights based approach.

### A rights-based approach

Poverty and injustice are not inevitable, but are as a result of unequal distribution of power. A structural analysis of the cause of people's oppression and disadvantage reveals unequal and unjust power relations based on gender, race, class, ethnicity, age, disability, sexuality etc. Lack of power is inextricably tied to the denial of basic human rights. AAI takes sides with poor and excluded people during emergencies to ensure that their rights are respected, promoted, protected and fulfilled.

*“A human rights-based approach to poverty eradication and development needs to go an important step further and focus on how these rights are claimed, secured and enjoyed by the rights holders. Human rights are about flourishing as a human being. They involve people being free to reason and imagine what they want to be, what they want to do with their lives and what they want to become; to plan according to their own hopes and needs and to be free to act on their plans, either by themselves or with others. A human rights-based approach thus needs to ensure that rights are claimed, secured and enjoyed in ways that are empowering, strengthen people’s ability to negotiate with the powerful, build dignity, and increase freedom and choice to imagine and pursue the lives, futures and the rights they value. Rights cannot be just handed out to people as charity; active agency and the actions of the rights-holders need to be an integral part of a rights-based approach”.* (AA HRBA 2008)



Whenever someone has a right, a duty-bearer has a responsibility to ensure the protection and fulfillment of that right. The relationship between rights and responsibility means that duty bearers must be held to account for their action or inaction. The human rights framework and ActionAid’s human rights-based approach are premised on the firm belief that the state is the primary duty bearer and is responsible for respecting, promoting, protecting and fulfilling the human rights of all its citizens.

### **This requires the state:**

- To recognise the human rights of all its citizens in its constitution, laws and regulations
- To provide legal and regulatory mechanisms to ensure that citizens are not denied from claiming and enjoying their human rights
- To provide a conducive environment for the fulfilment of human rights for all its citizens.

These are fundamental state responsibilities, irrespective of whether the country is rich or poor.

NGOs who have signed the Red Cross Code of Conduct, Humanitarian Charter and Sphere Standards have committed to address the rights of people in need and ensure harm is not caused by their programs. Humanitarian actors have a responsibility to support States to meet their responsibilities and in turn to demand accountability from the State. International and local NGOs have a moral (not legal) responsibility to respond to emergencies. Working with the state (executive government, legislative parliament, and judiciary) is an integral part of the rights-based approach.

### **What are human rights?**

*All human beings are born free and equal in dignity and rights.*

(Universal Declaration of Human Rights, 1948)

AAI's work is guided by a rights-based approach. The human rights framework recognises that people's suffering during emergencies is mainly an outcome of the denial of their rights. AAI places poor and excluded people at the centre of emergency preparedness and response, and recognises that people affected by emergencies should enjoy the same human rights and freedom as others.

## **AAI's goal in emergencies: People continue to exercise their rights and maintain a sense of security during conflict and emergencies.**

These guidelines will focus on protecting all five of the rights for women and girls in emergencies below.

## International Legal Framework

The international legal framework applicable in emergencies is composed of three inter-related and mutually reinforcing set of rules.

### i) Human Rights

Human rights define the relationship between the state and citizens, and provides a minimum standard for the treatment of all human beings, regardless of the legal status, sex, age or any difference, enabling a person to lead a life of dignity and respect. Human rights are established by treaty or custom and place an obligation on states to act. Human rights law enables individuals and groups to take positive action to redress violations against their internationally recognised rights.

- Some human rights are **absolute** and can never lawfully be violated such as the right to life or prohibition from torture
- Others are **qualified** rights that may be lawfully breached by the State, where such a breach would be proportionate and justified, such as the right to freedom of movement or to family or to private life
- Others are **derogable** (i.e., can be disapplied) in an officially declared state of emergency, these include the right to hold political gatherings or the right to not be detained without trial.

The main source of the contemporary conception of human rights is the **Universal Declaration of Human Rights** (United Nations, 1948). The declaration limits the behaviour of the state, which now has duties to the citizen.

The **International Covenant on Civil and Political Rights** (entry into force: 1976) and the **International Covenant on Economic, Social and Cultural Rights** (entry into force: 1976) bind those states that ratify the covenants to protect the rights listed in the respective covenant. Together these three documents constitute the **International Bill of Human Rights**.

## These rights are universal, inalienable, indivisible, and non negotiable.

### There are a number of other conventions:

- Convention on the Prevention and Punishment of the Crime of Genocide (entry into force: 1951)
- Convention against Torture (entry into force: 1984)
- Convention on the Elimination of All Forms of Racial Discrimination (entry into force: 1969)
- **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (entry into force: 1981)**
- Convention on the Rights of the Child (entry into force: 1989)
- Rome Statute of the International Criminal Court (entry into force: 2002)
- Convention on the Rights of Persons with Disabilities (entry into force: 2006)

## Towards development, security and human rights for all

*“The notion of larger freedom also encapsulates the idea that development, security and human rights go hand in hand. Larger freedom implies that women and men everywhere have the right to be governed by their own consent, under law, in a society where all individuals can, without discrimination or retribution, speak, worship and associate freely. They must also be free from want – so that the death sentences of extreme poverty and infectious disease are lifted from their lives – and free from fear – so that their lives and livelihoods are not ripped apart by violence and war. Indeed, all people have the right to security and to development. They must be free to live in dignity.”* (Report of the Secretary-General 2005).

### The five types of human rights that AAI seeks to protect in all emergencies:

1. **Physical security and integrity of persons** (e.g. not being raped or arbitrarily detained); and property and assets (e.g. home, crops, land etc..)
2. **Basic necessities** - (e.g. food, drinking water, shelter, clothing, healthcare and sanitation)
3. **Economic opportunities** - (e.g. access to and control over natural resources or assets pertaining to your livelihood)
4. **Social and cultural opportunities** - (e.g. education, practice of religion or cultural norms)
5. **Civil and political participation** - (e.g. freedom from discrimination, political participation and access to justice).

**Women and girls are more vulnerable than men and boys to violations of their fundamental human rights in emergency settings.**

## ii) International Humanitarian Law (IHL)

International Humanitarian Law (IHL) is set of rules that apply in international and non-international conflicts (such as civil war). IHL seeks to limit the effect of armed conflict, by protecting persons who are not, or are no longer participating in hostilities, and by restricting the means and methods of warfare.

- IHL employs the principle of proportionality, i.e. a balance must be found between injury to civilians and direct military advantage of a particular action.
- IHL regulates humanitarian assistance in armed warfare, in particular demanding a safe passage for humanitarian personnel, vehicles and supplies necessary to the survival of the civilian population and imposing a duty on the occupying power to ensure essential supplies to the population on its territories.
- IHL is binding on all actors - not just state authorities. No derogation is permitted.
- ICRC is mandated for specific protection and assistance on matters relating to IHL.
- Breaches of IHL by an individual may lead to prosecution for war crimes.

## iii) Refugee Law

Refugee law consists of international and regional conventions developed to protect individuals who have crossed an international border and are unable to return to their country of origin, owing to a well-founded fear of persecution for reasons such as ideology, ethnicity or political opinion.

### Features of refugee law:

- a) Places obligation on states hosting refugees, including the principle of non-refoulement (i.e., the principle of non-forcible return to the country of origin)
- b) Provides refugees with certain rights for example, access to education and the labour market on the same terms as citizens of that country, freedom of movement and the right to be reunited with family members.
- c) Refugee law mandates UNHCR with the protection of refugees. UNHCR's role is likely to include the management of refugee camps, and seeking durable solutions for refugees (i.e., voluntary repatriation, integration into the host country or resettlement in a third country).

Persons displaced within their own country and not 'refugees' within international law. However, there exists the OCHA Guiding Principles for Internally Displaced Persons (1998). These guidelines urge states to take steps to avoid displacement, respect family unity, provide assistance without discrimination, and respect and protect persons engaged in humanitarian activities.



## Exercise: Human rights. “The Power Walk”

### Materials:

- i) Prepare cards, each with the characteristics of an assigned person written on the card. There must be sufficient characters for all the participants except for 2-3 participants who will be observers/ assistants.
- ii) A list of scenarios to which the characters must respond depending on their capacity to do so.

An example set of (adult) characters and scenarios were developed for Sri Lanka (see below). A new set of characters and scenarios must be developed for each country/situation. The characters must be diverse in terms of: gender (half women and half men); age; marital status/sexual preference; ethnicity/race; educational levels; economic status; and HIV & AIDS status. It is essential that some characters are educated, wealthy and powerful and that others are poor, uneducated, excluded/ discriminated against etc.

The character descriptions below provide each participant with her/ his: gender, age, marital status, occupation, number of children, place where she/ he lives and ethnicity. Some other factors which affect people’s opportunities are, for example, whether they have dependent parents; substance abuse for example, an alcoholic; and caste.

Example set of characters for a group of 22 Sri Lankan participants.

1. Male, 60, married, paddy farmer, 5 children, Anuradhapura, Sinhala
2. Male, 40, married, salt mine worker, 3 children, parents living with him, Puttalam, Tamil
3. Male, 27, living with lover, 3 wheeler driver, alcoholic, Moratuwa, Sinhala
4. Male, 45, married, judge, 1 daughter, Galle, Sinhala
5. Male, 30, homosexual, with partner, small tourist hotel owner, Bentota, Sinhala
6. Male, 40, married, moneylender, 2 children, Ampara, Tamil
7. Male, 56, married, fisherman, 3 children, Hambantota, Sinhala
8. Male, 42, married, 5 children, night restaurant (Kottu), Kirulaptwo, Moslem
9. Male, 32, married, disabled, ex-farmer, wife is labourer, 3 children, Moratuwa, Sinhala
10. Male, 37, married, banker, 2 children, Colombo, Sinhala
11. Male, 24, married, school drop-out, HIV positive, factory cleaner, Biyagama, Sinhala
12. Woman, 40, married, husband day labourer, small shopkeeper, 4 children, widowed mother living with her, Badulla, Tamil
13. Woman, 35, home duties, married to plantation superintendent in Nuwera Eliya, living in Chilaw, 2 children, Sinhala
14. Woman 30, widow, government employee - clerk, 2 children, Kurunegala, Sinhala
15. Woman, 31, home duties, married to IT specialist, 2 children, Batticaloa, Moslem
16. Woman, 28, doctor, married to lawyer, no children, Kandy, Sinhala
17. Woman, 25, married, commercial sex worker, 3 children, Wellawatte, Sinhala
18. Woman, 45, married, wife of paddy farmer, 1 child, Jaffna, Tamil
19. Woman, 17, newly married, low caste, sells fish, husband has vegetable stall, Dambulla, Sinhala
20. Woman, 37, widow, Internally Displaced Person, 2 children, Trincomallee, Sinhala

**Methodology:** The exercise requires a large space so is better done outside.

Each participant is given a card with the characteristics of the person she/he is to play written on it. (Giving women men's characters and vice versa helps the participants act differently, according to their character role.) The card is hung around the participant's neck or stuck to their chest. The person must respond to the scenarios presented by imaging she/he is that character. The observers/assistants are to watch the movement of the participants according to the particular scenario and their respective characters. If their movement seems out of keeping with the character she/he is assigned the assistant should ask the participant to justify her/his move. (For example, a participant who is assigned the character of a poor woman taking a step forward when the scenario tells the group to take a step forward if they can use the computer, when it is unlikely she would have this skill.)

**Instructions:** All participants are to start by standing in a straight line. Explain that they are starting as equals - standing in the same place. Out ahead is the "good life" where people are able to be and do what they value, and are able to live a life of dignity free from fear and want. For each scenario, the participant must listen, assess what this would mean for her/his assigned character - and step forward, stay in the same place, or step back according to instruction.

## Scenarios

The scenarios must be appropriate to the political, social, cultural, religious and economic context. There should clearly enable some of the characters to move forward while others are unable to. There should also be some scenarios where women are likely to be restricted because of their gender, for example, walking alone at night without fear of one's safety.

1. If you have studied up to class VII or higher, take two steps forward.
2. If you feel fully accepted by the people in your neighbourhood take a step forward. If you have to hide your identity or feel excluded by members of the society take a step back
3. You have diabetes and need specialised treatment. If this is available in the area where you live – and you can afford it – take two steps forward. If there is no hospital nearby and you cannot afford to cover the cost of transport and treatment take two steps back.
4. If you feel safe to walk 200 metres by yourself at 2 o'clock in the night to your friend's house take two steps forward, if not then two steps back.
5. If you are able to participate in democratic, free and fair elections where you live, take two steps forward.
6. You need Rupees 100,000. If you can arrange a loan from a bank take two steps forward. If you can only get a loan from the money lender take two steps back.
7. You are interested in music/sport or a recreational activity. If you are able to take classes to fulfil your ambition take two steps forward.

8. If you know how to use a computer take two steps forward.
9. The government is planning to build some infrastructure such as a major road near to your house which will have a negative impact on your life. If you feel confident to approach the District Secretariat or government relevant authority to protest, take two steps forward.
10. There has been an explosion in the area close to where you live. If you feel you can travel to your home without being harassed take two steps forward. If you fear being detained by police/security forces and feel frightened about going home simply because of your ethnicity/race/religion take two steps back.
11. You are not ready to have a child. If you can convince your partner to use a contraceptive take two steps forward, otherwise take two steps back.

### Discussion

If possible, ask participants to stay in their position while the discussion is taking place.

1. Ask people who have moved backwards or did not move at all how they feel. Who are they? What are their general characteristics?
2. Ask the people who moved ahead how they feel. Who are they? What are their general characteristics?
3. In each scenario what was the right involved (e.g. education, health, of participation, security)?
4. Looking at this role play – what does it mean to say that people have “equal rights”?
5. In this role play, what are the factors which prevent the people who moved back from moving forward to achieve a life free from fear, free from want and with dignity?
6. In general, what are the dimensions which negatively impact on people’s opportunity to secure their rights? (Gender, access to resources, ethnicity, sexuality, disability, social acceptability).

7. Do you agree with the following statements:
  - (i) “Basic needs such as shelter, water, education, employment are basic human rights.”
  - (ii) “Poverty is a violation of people’s human rights. ”
8. What is needed to ensure that the people who are behind (that is, who went backwards or who did not move) can move forward?
9. Who has the primary responsibility to ensure that all of the people enjoy their human rights?
10. Use this role play to explain what it means to take a rights based approach.
11. Why is a rights based approach necessary?
12. What would you expect to see in a disaster situation if you apply this understanding of how, when and why people’s rights are violated in everyday life, that is, in “normal” circumstances? (Prompt if necessary, for example: inequality and inequity in distribution, nepotism, corruption, lack of opportunity to participate etc.)

**Key learning points to be reinforced:**

- Saying people have equal rights does not mean they have equal opportunity to enjoy those rights.
- Differences in ability to have access to and control over resources (power differences) influences whether or not a person can enjoy her/his rights.
- A structural analysis of the causes of people’s oppression and disadvantage reveal gender, race, class, ethnicity, age, disability and sexuality are key factors.
- Basic needs such as shelter, water, education, employment are basic human rights. States or national governments have the primary responsibility to ensure that all citizens can enjoy all their rights.
- The rights based approach means taking sides with and creating opportunities to ensure poor and excluded people, especially women, can claim their rights.

## A women's rights approach to emergencies

A rights based approach focuses on power and works towards changing the power imbalances in a society. A human rights perspective argues that poverty is not merely a state of low income but a human condition characterised by sustained deprivation of capabilities, choices and power necessary for the enjoyment of fundamental rights. Women are vulnerable and more impoverished as they have been systematically made vulnerable by years of violence, patriarchal power and control as well as decades of inequitable laws and policies designed to keep them in this position<sup>1</sup>.

### A woman's rights approach in emergencies necessitates:

- Understanding the women's gender specific vulnerability
- Responding to these vulnerabilities during emergency preparedness and response
- Identifying opportunities to redress the power imbalances and gender inequities whilst responding to the specific vulnerabilities that arise due to emergency.

## The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

The Convention defines **discrimination** against women as “...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

By accepting the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

- To incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women
- To establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- To ensure elimination of all acts of discrimination against women by persons, organisations or enterprises.

<sup>1</sup> AAI Women's Rights Strategic Plan 2005-20

The Convention provides the basis for realising equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment. State parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy their human rights and fundamental freedoms.

The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. State parties also agree to take appropriate measures against all forms of trafficking and exploitation of women and girls. Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations.

The International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, both of 1966, which translate the principles of the Declaration into legally binding form, clearly state that the rights set forth are applicable to all persons without distinction of any kind and, again, put forth sex as such a ground of impermissible distinction. In addition, each Covenant specifically binds acceding or ratifying States to ensure that women and men have equal access to the enjoyment of all human rights they establish.

### **United Nations Security Council Resolution 1325 (also known as Operation 1325).**

UNSCR 1325 was borne out of the evidence that women and girls account for the vast majority of those adversely affected by armed conflict, including as refugees and IDP's. They suffer disproportionately from the impacts of armed conflict in comparison to boys and men. The vast majority of cases of rape and other forms of sexual violence are against women and girls during times of conflict. Armed opposition groups and State armies target women and girls as a means to shame a community, to force displacement, to instil fear in a population and for ethnic/ tribal/ caste/ clan superiority through either forced impregnation or forced abortion. Shame and humiliation is also placed upon the men and boys in an affected community for failing to protect the women and girls. Resolution 1325 reaffirms the need to implement fully international humanitarian and human rights law to protect the rights of women and girls during and after conflict.

Women are a vital resource in the prevention and resolution of conflicts and in peace-building. Resolution 1325 seeks to place women and girls at the heart of conflict resolution, peace-building and reconciliation programmes. It demands that international actors view conflict, peace-building and reconciliation through a gender lens, paying particular attention to the detrimental impact of conflict on women and girls, and the violation of their rights during times of armed conflict. Resolution 1325 highlights that women should be empowered to participate fully in the promotion and maintenance of peace and security, and the need to increase their role in decision-making and conflict resolution. All international actors are asked to place effective institutional arrangements to guarantee the protection and full participation of women and girls in peace processes.

The document is made up of 17 Articles. Below are a list of the most important articles for AAI's work in emergencies:

**Article 8:** Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including:

- (a) The special needs of women and girls during repatriation and resettlement, and for rehabilitation, reintegration and post-conflict reconstruction
- (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all implementation mechanisms of peace agreements
- (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and judiciary.

**Article 9:** Calls upon all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls, especially as civilians.

**Article 10:** Calls upon all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.

**Article 11:** Emphasises the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes, including those relating to sexual and other violence against women and girls.

**Article 12:** Calls upon all parties to armed conflict to respect the civilian and humanitarian charter of refugee camps and settlements and to take into account the particular needs of women and girls, including in their design.

**Article 13:** Encourages all those involved in planning for disarmament, demobilisation and reintegration to consider the different needs of female and male ex-combatants and to take into account their dependants.

Please see the next module for guidance on how to prevent and stop violations of women and girls' rights during times of armed conflict.

## **United Nations Security Council Resolution 1820: Women and peace and security (2008)**

Civilians account for the vast majority of those adversely affected by armed conflict. Women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instil fear in, disperse and/ or forcibly relocate civilian members of a community or ethnic group. Sexual violence perpetrated in this manner may help prolong the war and impede peace processes.

Persistent obstacles and challenges are prohibiting women's participation and their full investment in the prevention and resolution of conflicts. These obstacles are as a result of violence, intimidation and discrimination, which erodes women's capacity and legitimacy to actively participate in post-conflict public life. Resolution 1820 seeks to reaffirm the international community's attention and efforts in putting a stop to violence against women and girls during armed conflict.

The following articles within the resolution are most pertinent for AAI's work

**Article 3:** All parties in armed conflict should take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which include enforcing appropriate military discipline, upholding the principles of command responsibility, training troops on the categorical prohibition of all forms of gender based violence against civilians, debunking myths that fuel sexual violence, vetting armed and security forces to take into account past actions of rape and other forms of sexual violence, and evacuation of women and children under imminent threat of gender-based violence to safety.

**Article 9:** Encourage a higher deployment of women peacekeepers and women police officers.

**Article 10:** Consult with women and women-led organisations to develop effective mechanisms for providing protection from violence including, in particular, sexual violence to women and girls in and around UN managed refugee and IDP camps, as well as in all disarmament, demobilisation and reintegration processes, and in justice and security sector reform efforts assisted by the UN.

**Article 11:** The Peace building Commission should include ways to address sexual violence committed during and in the aftermath of armed conflict and to ensure representation of women's civil society in-country specific configurations.

**Article 14:** Appropriate regional and sub-regional bodies (such as the Great Lakes Conference) to consider developing and implementing policies, activities and advocacy for the benefit of women and girls affected by sexual violence in armed conflict.

## What is discrimination?

Discrimination is differentiation between people on the grounds of gender, age, race, class or other factors. It can operate institutionally in the public sphere, e.g. gender discrimination in laws or employment opportunities in government. Less visible discrimination against women operates through culture, social and religious beliefs and ideology, and is manifest in lower education levels for girls and women, lower political representation, higher numbers of women living in poverty, etc. Discrimination exacerbates poverty and is a major factor in determining vulnerability through impacting on a person's access to and control over resources based on social divisions such as gender, generation, class, ethnicity, and belief.

## Structural discrimination

The organisation of economic, social and political structures, along with ideological, cultural and social beliefs and institutions, result in some people who “have” (power, resources etc) and some people who “do not have”.

- **Economic structures** – who owns what and how economic resources are distributed
- **Social and political structures** – regulation through laws, policies and institutions (who makes the laws and how they are reinforced)
- **Ideological, cultural and social elements in society** – beliefs and institutions (such as churches, schools and the media) that shape values, ideas and norms (how society treats women).

## Structural discrimination against women

Women and girls across all countries are denied their social, economic, political and civil rights. Women are systematically discriminated against because of their gender, where biological ‘differences’ between men and women are exploited to create ‘discrimination’ between them. Emergencies can exacerbate the discrimination against women and girls.

The areas of women’s lives that are systematically and systemically controlled by men are:

- Women’ access to resources such as education, health facilities, nutrition etc.
- Women’s productive or labour power
- Women’s reproduction
- Control over women’s sexuality
- Women’s mobility
- Property and other economic resources.



2. Do you think of these issues/concerns as abuses of women's rights? Why did these abuses of women's rights take place?
3. Why are women's needs not considered important when interventions are being designed and implemented?
4. Despite frequent talk about the importance of women's participation, women very often say that they were not consulted about their needs. If humanitarian workers and government officials have been doing this work for a long time, surely they know what is necessary. Is it really necessary to ask women? Why/ why not?
5. Do women consider themselves worthy of consultations? Why/ why not?
6. From your experience, give one concrete example of a project or programme that promoted, protected and/or fulfilled women's rights?

Key learning points to be reinforced:

- Neglect of women's needs and rights is a consequence of gender relations.
- To change this construction, women must understand that they have rights and assert them.
- AAI staff must understand the power dynamics which underpin the violation of women's rights.

## The importance of working with men and boys

Engaging with men and boys has emerged as a vital strategy for overcoming structural discrimination and violence against women and girls in refugee, displaced person, post conflict and complex emergency contexts. AAI Gender Framework recognises that we must work with men and boys to identify and change the ways in which they perceive of, and exercise power in, their relationships with women and girls. Furthermore, it states that any gender awareness work that AAI undertakes, must emphasise the point that men do not lose power as a result of women and girls gaining theirs.

Whilst the prevention of human rights violations is essential, we must begin to address the societal, cultural, economic, ideological and political systems that either perpetuate or allow for violence and discrimination based on gender to continue. This requires the engagement of men and boys to begin the process of attitudinal change, behavioural change and systems change. Men and boys have to be engaged to build the understanding that it is their actions and attitudes that continue to put women and girls at risk, and they have to be engaged to stop this from occurring.

Whilst the majority of perpetrators of violence in emergency settings are men, not all men choose to engage in violence or discrimination to maintain their position of power or authority. Men and boys are not a homogeneous group; they are a diverse group which must be adapted to the particular context. Well-designed policies and programmes, in emergency settings, targeted at men and boys can facilitate changes that improve men's gender related attitudes and behaviours.

Please see the next module for guidance on how to involve men and boys in women's rights programming in emergencies.

| Myths  | Facts   |
|--|---|
| Women are vulnerable   | Women are made vulnerable by social, economic, political, ideological arrangements of society   |
| Gender is women and their problems   | Gender unpacks and questions the power relationship between women and men   |
| Only men do productive work  | Women's household works sustains the productive work of men and typically becomes more time consuming than men's work   |
| Access is enough to empower women  | Access is different to having control over what one has access to   |
| Domestic violence is a private affair  | Domestic violence impacts upon societal gender relations  |
| Domestic violence affects only the spouse (usually women)                    | Domestic violence against women affects the entire household, including children and the elderly. It is a far reaching problem, affecting all sectors of social system and demands to be at the forefront of the political discourse. |
| Income-generating activities (IGAs) address the livelihood concerns of women | For women, livelihoods encompass the pattern of expenditure as much as the source of income generation.   |

## The Sphere Project: Humanitarian Standards and the Minimum Charter

Sphere is based on two core beliefs: first, that all possible steps should be taken to alleviate human suffering arising out of calamity and conflict, and second, that those affected by disaster have a right to life with dignity and therefore a right to assistance.

Developed by humanitarian Non-Government Organisations (NGO) and the Red Cross and Red Crescent Movement, the Charter and Minimum Standards provide an operational framework to achieve defined levels of service to ensure that people affected by disasters have access to the minimum requirements in the following five core areas: water supply and sanitation, nutrition, food aid, shelter and health services.

### Code of Conduct

The Humanitarian Charter is based on the principles and provisions of international humanitarian law, international human rights law, refugee law and the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Response programs. The Code of Conduct has implications for the rights of women and girls in emergencies.

The principles in the code of conduct are:

- (1) The humanitarian imperative comes first
- (2) Non-discrimination: Aid is given on the basis of need, regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind
- (3) Neutrality: Aid will not be used to further a particular political or religious standpoint
- (4) Not act as instruments of government foreign policy
- (5) Sensitivity to culture and custom
- (6) Response should build on local capacities
- (7) Involve affected people in programme management
- (8) Reduce future vulnerabilities to disaster as well as meeting basic needs
- (9) Accountability to affected people and other stakeholders
- (10) Respect for the dignity of the affected people.

AAI has signed the Sphere Standards and thus understands that responsibility for control over the management and allocation of the valuable resources involved in emergency response programmes places AAI and our partners in a position of relative power over other people. All staff must be alert to the danger that this power may be corruptly or abusively exercised. Staff must be aware that women and children are frequently coerced into humiliating, degrading or exploitative behaviour. Sexual activity cannot be required in exchange for humanitarian assistance, nor should staff be party to any form of exchange.

According to the Sphere Standards specific factors, such as gender, affect vulnerability and shape people's ability to cope and survive in emergency contexts. Women and girls may suffer specific disadvantages in coping with disaster and may face physical, cultural, and social barriers in accessing the services and support to which they are entitled. Failure to recognise the differing needs of women and girls, and the barriers they face in gaining equal access to appropriate services and support, can result in them being further marginalised, or even denied access to vital assistance.

*“The equal rights of women and men are explicit in the human rights documents that form the basis of the Humanitarian Charter. Women, men, girls and boys have the same entitlement to humanitarian assistance; to respect for their human dignity; to acknowledgement of their equal human capacities, including the capacity to make choices; to the same opportunities to act on those choices; and to the same level of power to shape the outcome of their actions.*”

*Sphere argues that humanitarian responses are more effective when they are based on an understanding of the different needs, vulnerabilities, interests, capacities and coping strategies of men and women, and the differing impacts of disaster upon them. The understanding of these differences, as well as of inequalities in women's and men's roles and workloads, access to and control of resources, decision-making power and opportunities for skills development, is achieved through gender analysis.”*

(The Sphere Project: Humanitarian Charter and Minimum Standards, p12).

The Minimum Standards for each sector emphasise the need for sex disaggregated data; to consult women in assessments; to consider gender factors and women's roles in the social and political structure of the affected population; to consider groups at risk and gender specific security threats; issues of access; women's participation in decision-making; staff awareness of gender issues and specifically knowing how to report incidents of sexual violence. Affected women's experience of emergency response suggests that despite these inclusions, the 'normal' structural discrimination and violence against women persists or increases.

- The Humanitarian Charter and Minimum Standards also provide a framework for accountability in humanitarian assistance efforts.
- Please see the programming module for guidance on how to operationalise the Sphere standards in emergency response.

## Hyogo Framework for Action (HFA)

In January 2005 the Hyogo Framework for Action (International Strategy for Disaster Reduction) was adopted by 168 Member States of the United Nations. The Hyogo Framework for Action (HFA) is the key instrument for implementing disaster risk reduction. Its overarching goal is to build the resilience of nations and communities to disasters, by achieving substantive reduction of disaster losses by 2015 – in lives, and in the social, economic, and environmental assets of communities and countries.

The formulation of the HFA reflects the realisation that disaster loss is increasing with more than 200 million people being affected every year by droughts, floods, cyclones, earthquakes, fires, and other hazards. This is threatening the survival, dignity and livelihood of individuals, particularly the poor, women and girls, and the sustainable development of developing countries. Governments around the world have committed to take action to reduce vulnerabilities to natural hazards and achieve disaster resilience for vulnerable communities in the context of sustainable development.

The framework has five key priorities for action 2005–2015:

### **1. Ensure that disaster risk reduction is a national and a local priority with a strong institutional basis for implementation.**

Priority 1 is concerned with governance and the commitment of states to develop policy, legislative and institutional frameworks for disaster risk reduction. The provision of resources for the development and the implementation of disaster risk management policies, programmes, laws and regulations on disaster risk reduction and community participation are key activities.

### **2. Identify, assess and monitor disaster risks and enhance early warning.**

Priority 2 assumes the starting point for reducing disaster risk and for promoting a culture of disaster resilience lies in the knowledge of the hazards and vulnerabilities to disasters, the monitoring of these and developing early warning systems. An analysis of the resilience and vulnerabilities of women and girls to disasters is key.

### **3. Use knowledge, innovation and education to build a culture of safety and resilience at all levels.**

The third priority understands that disasters can be substantially reduced if people are well informed and motivated towards a culture of disaster prevention and resilience. Key activities are information management and exchange, education and training, research and public awareness. Women and girls must obtain access to information, education and dissemination materials, in a language and medium they understand, even if they are unable to attend school or are illiterate. It is vital that

women within a community understand the risks and are able to build their resilience to future disasters, as they are usually the carers and protectors of children within a family. Empowering women to analyse and mitigate the risks also prevents damage to children or family separation as a result of an emergency.

#### **4. Reduce the underlying risk factors.**

To reduce the underlying disaster risk factors and the impact of hazards, the key activities in Priority 4 include environmental and natural resource management; social and economic development practices; land-use planning and other technical measures. Pro-poor and pro-women socio-economic development practices will reduce the risk of individual families to economic difficulties after an emergency, as men and boys will not be the sole breadwinner. Additional income to a household as a result of women standing up and claiming their economic and social rights enables families to possibly move away from disaster prone areas, to continue working despite the disaster, or recover more quickly afterwards. Women and girls therefore play an integral part in disaster risk reduction activities.

#### **5. Strengthen disaster preparedness for effective response at all levels.**

Priority 5 is based on the belief that impacts and losses at times of disaster can be substantially reduced if authorities, individuals and communities in hazard-prone areas are well prepared, ready to act, and are equipped with the knowledge and capacities for effective disaster management.

Under General considerations section A13 (d) the HFA explicitly states that: A gender perspective should be integrated into all disaster risk management policies, plans and decision-making processes, including those related to risk assessment, early warning, information management, and education and training.

## Chapter 3

# Women's Rights and Emergency Programming

### Introduction

A rights based approach to working with women in emergency contexts is founded on the following ideas:

- (i) Addressing basic needs and rights in relief and reconstruction must go hand-in-hand with an analysis of the structural causes of poverty and gender induced vulnerability
- (ii) A rights based approach requires a long term agenda and the integration of disaster risk reduction in disaster response and development work. From the initiation of relief measures a long term perspective and long term strategies for reconstruction are essential, such as institution building at different levels and livelihoods promotion to redress, for example, women's lack of voice and access to resources.
- (iii) Women's rights issues identified through programme work inform, and are closely linked to policy work through community mobilisation, participatory research, advocacy and campaigns (see Module Four).

This module comprises three main sections. The first covers the core programme principles and skills which are applicable to all emergency work with communities. It includes political rights such as the right to participation and information. Section two looks at programme design and implementation to ensure that all five areas of women's rights are respected, promoted, protected and fulfilled in emergency response:

- **Physical protection, security and dignity of person and physical property**
- **Basic needs** - food, water, healthcare, sanitation, shelter etc
- **Economic** - right to livelihood and to support one's family
- **Social and cultural rights** - access to education and freedom to practice culture etc.
- **Civil and political rights** - access to rule of law, equality and democracy etc.

Checklists for each key area of women's rights are provided in the appendix.

The third section addresses disaster risk reduction and working with women to build the resilience of their communities through preparedness and mitigation measures.

The challenge is to translate the conceptual understandings, human rights laws, principles, codes and standards into effective operational instruments and tools for field workers and communities.

### Chapter 3 - learning objectives

- To develop the skills to respond to women's needs and rights in disaster risk reduction and emergencies
- To mainstream the rights of women and girls across the phases of humanitarian response.

# Section One

## Core programme components:

- (i) **Women's right to participate**
- (ii) **Women's right to information**
- (iii) **Mobilisation**
- (iv) **Leadership and group formation**
- (v) **Accountability mechanisms**
- (vi) **Do no harm - local capacity protection strategy.**

### Key principles:

- It is wrong to assume that all people are affected equally by disasters. Women and girls have different needs and priorities to men and boys.
- We must understand local laws, customs, institutions and prevailing power relationships between men and women to ensure that the obstacles to, and opportunities for, the promotion, protection and fulfilment of women's rights can be effectively factored into emergency work

## i) Women's right to participate

Women have the right of access to social, political, and organisational structures. They have the right to participate in the decision making processes that affect their lives, ranging from resource use to relationships.

When part of an empowerment process, participation is about involving and expanding the power and voice of those who are impoverished and marginalised as thinkers, decision-makers and leaders. It is about ensuring they have the opportunity to analyse their realities, express their priorities and provide their knowledge and wisdom to develop strategies and undertake action.<sup>1</sup>

Ensuring effective participation means addressing the structural causes – social, political, economic, legal and cultural – that underpin women's inequality and the denial of their basic rights and freedoms to participate in decision-making processes. To ensure effective participation the multiple dynamics of inequality and discrimination must be addressed. This means finding ways to include and amplify the voice of people who are typically excluded from meetings or groups that are responsible for emergency response or disaster risk reduction work.

<sup>1</sup> Critical webs of power p 65

It is useful to carry out a gender mapping exercise before devising participatory programme strategies. Gender mapping involves looking at the relative spaces and resource entitlements, women and men have in different institutions: family, community, markets and the State.

### Some points to help facilitate women and girls participation:

- Make times and locations of meetings and groups conducive to women's availability
- Hold meetings and disseminate information in a language and medium they understand
- Facilitation so that women feel encouraged and able to engage. This includes monitoring who speaks, who is listened to, who is seen as worthy of making decisions – which is a reflection of power relations among the participants
- Setting the agenda with the participants including their expressed interests
- Being clear about our intentions and the level of participation and decision making on offer.

## Exercise: Making space for women to participate in decision making forums

### Objectives

To identify key opportunities for women to fully participate in emergency response and disaster risk reduction work.

**Materials:** Flip chart and pens

### Methodology:

1. Divide participants into groups of five or six members
2. Allocate each group one of the following:
  - camps/temporary shelters
  - resettlement in a new geographical location
  - rehabilitation in situ (i.e. rebuilding in the same place)
  - reconstruction processes
  - disaster preparedness
3. Each group should:
  - (i) identify the key decisions that have to be made in each situation (see example for camps/ temporary shelters in the table below), and
  - (ii) consider the obstacles to women's participation.
4. When finished, each group should report to the plenary and stick their responses on the wall.

| Location  | Opportunity for decision-making   | Obstacles to women's participation (social, political, economic, legal and cultural) and strategies to overcome these |
|---|---|---|
| In camps/temporary shelters                                   | Examples: <ul style="list-style-type: none"> <li>• Design of the camp facilities</li> <li>• Camp committee</li> <li>• Distribution committee</li> <li>• Mediation committee</li> </ul>  |   |
| In resettlement to a new location                             | Examples: <ul style="list-style-type: none"> <li>• Site of the new location</li> <li>• Site of individual houses (clustering family/neighbours)</li> <li>• Design of houses</li> <li>• Site of water points, toilets, gardens</li> <li>• Transport – access to schools and health facilities</li> <li>• Community centre</li> </ul> |   |
| In rehabilitation in situ (i.e. rebuilding in the same place) |   |   |
| In long term reconstruction                                   |   |   |
| Domestic violence is a private affair                         |   |   |
| In disaster preparedness                                      |   |   |

## Discussion

1. What are the barriers to the inclusion of women and their active participation in decision-making?
2. Identify the sources of power and the dynamics of power relations which limit women's opportunity to participate.
3. A range of codes of conduct and standards stipulate the participation of women in decision making processes. However, this is repeatedly and consistently overlooked.

What has to change? How can you facilitate change so that:

- (i) those 'in-charge' allow and actively encourage women to speak
  - (ii) affected women themselves have confidence to speak
  - (iii) women's voice are heard and their opinions incorporated into the decision making?
4. Inclusion of women also requires advocacy and participation of agencies in the Protection Cluster. Discuss the cluster system and the role and functioning of the Protection cluster.

## ii) Women's right to information

All communities affected by an emergency are entitled to easy accessible information concerning:

- (a) the nature and level of emergency they are facing
- (b) the possible risk mitigation measures that can be taken
- (c) early warning information; and
- (d) information regarding ongoing humanitarian assistance, recovery efforts and their respective entitlements.

Women, girls, boys and men should be meaningfully consulted and given the opportunity to take charge of their own affairs to the maximum extent possible and to participate in the planning and implementation of the various stages of emergency response.

## IASC Operational Guidelines on Human Rights and Natural Disasters

All human beings have the right to information about their rights, and the corresponding obligations and responsibilities of governments, international bodies and other actors. They have the right to information about events or processes which threaten their lives and livelihoods, and the right to timely warnings or preparedness strategies if such knowledge is held by others. The right to information is directly linked to vulnerability and powerlessness, as it denies people the right to make informed choices.

With information people are better able to use sources such as the media and human rights legislation to call the relevant institutions to account and thereby lessen their own vulnerability. Information is crucial to learning, building knowledge, engaging critically in discussion, developing leadership and

improving action. “Accessing, understanding and using information are strategic sources of power”. However, information is frequently centralised and known to a few; it is often not accessible and hard to locate; it is not easily understood or presented in ways which are usable.

(Adapted from Critical web p72)

### How can you ensure women’s rights to information in your programme work in terms of:

- Women knowing about and being able to claim their right to information
- Where women can access information
- Content and presentation of information (for illiterate women)
- Sensitising and holding government officials/ agency staff to account.

### iii) Mobilisation of women, women’s leadership and group formation

In the post-emergency and disaster preparedness phases, the mobilisation and organisation of community-based self help women’s groups is a common strategy to create mutual assistance, support and empowerment. The focus of such groups is usually problem sharing, analysis of women and girls’ situation, brainstorming solutions, and drawing on their knowledge and wisdom to develop strategies and undertake community-level initiatives or develop more effective ways of coping. Although women are frequently informal leaders in the community their role and capacity is often overlooked in disaster response and preparedness. At the same time, women are often hesitant and lack confidence to take up leadership roles.

Facilitating women’s reflection on the personal barriers which prevent them being leaders or constrain their leadership, and processes which promote women’s confidence and ‘power within’ are crucial in enabling women to be active participants and leaders. Mobilisation, in-depth understanding of power relationships, active participation and control are critical steps in women’s empowerment.

Below is advice on how to gauge the influence constructed women’s groups have on the conventional power structures, examine whether:

- (i) The group(s) have enough opportunities to interact
- (ii) The groups(s) have a specific agenda
- (iii) They have the economic strength to take up something
- (iv) They have social status
- (v) They have external support
- (vi) The size of the group(s) and their inter-linkages influence their interaction with the conventional power structure.

*Please see the women’s empowerment framework in module 1.*

## iv) Accountability

### Background<sup>2</sup>

Accountability can be understood as an obligation by decision makers or those with power to account for the use of their power. A fundamental principle of democracy is that citizens have the right to demand accountability and public actors have an obligation to be accountable. Accountability is usually regarded as being about compliance and counting; assigning performance indicators and safeguards against corruption and inertia. However, accountability is fundamentally about civilising power. Through raising their voice and exercising their rights, people can demand just and accountable governance. It means enabling communities to manage, monitor and evaluate the reconstruction process through providing information on accounts and operations. “Accountability systems are important as a check or balance to unaccountable power over and are a way of building *power with*”<sup>3</sup>.

### Accountability in emergency contexts

Disaster situations offer scope for mismanagement, abuse and misappropriation of available funds and resources. The relationship between humanitarian agencies and affected people often mutually reinforces the notion that relief is charity, viewing affected people as passive recipients. The mechanisms and processes developed to achieve downward accountability to rights holders must be viewed as long term strategic tools to empower poor and excluded people.

Programme processes such as Social Audits, Community Reviews and People’s Hearings create a space or environment that empowers communities to ask questions and challenge the typical “donor and recipient” mindset. These participatory processes facilitate a shift in a person’s view of her/ himself as a beneficiary/ recipient of aid to that of a person with rights to aid (a ‘rights-holder’). The assumption here is that by going through such processes, communities can gain confidence and skills to demand transparency and accountability from other NGO’s and Government bodies.

**Three mechanisms to achieve downward accountability are presented here:**

1. Social Audit
2. Community Review
3. Public Hearing

<sup>2</sup> This section draws on AAISL (2008) Development with a difference: The Sri Lankan experience

<sup>3</sup> Critical web p74

## 1. Social audit

Social Audit is delivered through three key processes:

- i. **Transparency or display boards:** The name of the village, objectives, content, coverage and budget of the initiatives under implementation are displayed on a board in a frequented public place in the village (i.e. temple, junction, and bus stand) and updated on a regular basis.

Outcome: strengthen community access to and ownership of information

- ii. **Vigilance Committee:** Community selects a group of volunteers mainly comprising members from excluded groups with equitable gender representation, to monitor and supervise the day-to-day implementation of the projects, including purchase and procurement. Capacity building of these volunteers is facilitated to enable them to take up larger responsibilities in community-based institutions.

Outcome: Community participate in all activities and decide on activities related to their lives.

- iii. **Community auditing the bills and vouchers of expenses:** Copies of vouchers and bills of the expenses incurred by partners and community members in implementing project activities in the village must be shared. The community must accept the role of the vigilance committee and approve the bills and vouchers of the expenses incurred in the village through passing a resolution. Any complaints against the vigilance committee or partner implementing the project must be immediately acted on. It is useful to invite other civil society organisations and government representatives to these interactions. This helps the community to ask for similar processes to be done in the village by other actors.

Outcome: Transparency in transactions. In some cases, the community asks other actors to do the same.

## 2. Community review

Community Review is a process held every three months whereby nominated members from vigilance committees from different villages form a team and physically verify the program directions and achievements in each of the villages. The reviewers move from village to village to observe the program and physically verify the quality of work in each village with the primary aim of learning from others' experiences, facilitating networking around issues building wider solidarity in the neighbouring villages, and helping them gain a sense of ownership. The process changes the status of the community from 'the source of information' to 'the owner of the information'.

The steps in Community Review include:

- i. **Clustering of villages in a functionally feasible way:** Clustering is to enhance networking with government and other agencies.
- ii. **Formation of the review team:** Comprising at least two members from each village – one of whom must be a woman - selected/ elected by the partner community amongst themselves.
- iii. **Orientation on accountability including:** What is planned in the village; the intended coverage; intended outcome; the process planned and agreement regarding the implementation of the programme.
- iv. **Physical verification (of each village in the cluster) through village visits by the team:** In each village this coincides with the community auditing of the bills and vouchers of expenses in the social audit process which is described above.

v. **Reporting the community review:** Sharing lessons learnt, good practices and program effectiveness and

vi. **Dialogue around emerging issues.**

### 3. Public hearing

The Public Hearing is a larger gathering held once a year, usually at the level of the district or a wider region. It is attended by right holders, vigilance committees, community review committees, partners, ActionAid staff, government officers and other stakeholders such as academics, media, and members of religious institutions. Partners display and present the programme progress against plans and budget details in the public hearing. Groups of right holders observe all the details, achievements and missed opportunities which are discussed in an open platform. Partners, ActionAid and government officers sit together to answer questions posed by the rights holders.

### 4. Do no harm 'local capacity-protection' strategy

Without an expressed commitment to the realisation of rights, people's rights and dignity are often violated in the delivery of assistance. Survivors may be viewed and treated as pathetic and passive recipients rather than people of courage, dignity and with their own vision of the future. The attitudes of service providers – government officials, police, magistrates, health workers, field workers - who judge and shame, poor and excluded women and girls perpetuate discriminatory practices.

A rights based approach describes situations not simply in terms of human needs or developmental requirements but in terms of society's obligations to respond to the inalienable rights of individuals. It focuses on empowering women to demand justice as a right, not as charity, and provides a moral basis from which to claim international assistance when needed. Careless provision of funds and materials can have a detrimental impact on communities. For example, through fuelling conflicts, creating dependence, stifling volunteerism and community cohesion in working together. It can reinforce gender inequality and inequity.

*See (vi) Do no harm checklist in the appendix.*

## Section Two

### Women's rights programming in emergency response

Women and girls have differing needs and priorities to boys and men during emergencies. However, women, like men, are not a homogeneous category of 'vulnerable people', but a mixed group with differing needs, resilience levels and capabilities. Women who are pregnant, single, elderly, living with physical or mental disabilities, young and unmarried, are likely to be more vulnerable to the impacts of emergencies. Thus, programming must be designed to address this diversity through an understanding of the rights-based approach, the human rights framework (particularly CEDAW, UNSC 1325 and UNSC 1820), women's agency and empowerment.

Structural discrimination against women and girls is persistent even in emergency settings. It can, also, be aggravated by a lack of resources and chaos – where the more powerful, vocal and visible are able to obtain services and resources. Women and girls can be placed at a greater disadvantage in the absence of infrastructure, equitable systems for the distribution of assistance and service delivery.

#### Relief begins with a rights-based response

A rights based approach must be practised throughout the emergency response. Needs assessments, planning and relief distribution should promote and protect human rights. At each stage it is vital to evaluate the impact of humanitarian action or inaction on the human rights of those we seek to support. Equally, human rights standards provide a coherent set of indicators for monitoring and evaluation in emergencies.<sup>4</sup>

Assessments must obtain gender disaggregated information to inform programming (Please see section A of Chapter 3 in the appendix for checklists)

#### Assessments must:

- Not cluster women and children together
- Always gather data from women and men separately as their opinions, needs and priorities will differ
- Identify the most vulnerable and marginalised women and girls
- Take a rights based approach, consulting survivors and respecting their dignity and capabilities.

<sup>4</sup> AAI HRBA in emergencies (2008)

Rights can be violated in the distribution of relief. For example, the manner in which relief is distributed can increase women's vulnerability. If relief is provided through established social hierarchies, some women may be forced to resort to prostitution or survival sex in order to gain access to food. The provision of food which is unfamiliar or which offends people's cultural or religious values is a denial of the right to adequate food and the right to a life with dignity. The provision of poor quality or inappropriate means of shelter or sanitation can undermine people's dignity and security. If water and sanitation facilities in camps are communal, women and girls are more vulnerable to sexual violence, abuse and exploitation. The neglect or exclusion of certain social groups (such as minority groups, castes or clans) in the relief process is also common.

## Right to protection, security and bodily integrity

### What is violence against women (VAW)?

Violence against women encompasses physical, sexual and psychological/ emotional violence occurring in the family and in the general community. Violations against women's right to bodily integrity, security and protection include: battering/assault; sexual abuse of children; incest; dowry-related violence; rape; female genital mutilation and other traditional practices harmful to women; non-spousal violence and violence related to exploitation; sexual harassment and intimidation at work, in educational institutions and elsewhere; trafficking in women; forced prostitution; and violence perpetrated or condoned by the state.

UNFPA/WHO

### Understanding the causes of VAW

The root causes of violence against women lie in a society's attitudes towards and practices of gender discrimination, which place women in a subordinate positions to men. The lack of social and economic value for women and their work, and accepted gender roles perpetuate and reinforce the assumption that men have decision making power, and control over women. Individual or collective perpetrators seek to use violence to maintain privileges, power and control over others, in this case the other being the 'woman'.

Gender roles and identities are maintained by and are a function of sex, age, socio-economic conditions, ethnicity, nationality and religion. Relationships between male and female are also marked by different levels of authority and power that maintain privileges and subordination amongst different members of the society. In a patriarchal society, which is true for most of the communities and societies around the world, the various privileges include control over women's labour (productive as well as reproductive, women's sexuality, mobility, property and other economic and intellectual resources.)

Ultimately then, violence against women is a tool, an instrument of the powerful, to maintain the status quo. It is an exercise of power in the private and public domains to ensure the gender order of societies remains unequal with the social, economic, political and cultural norms, practices and belief systems, rules and regulations supporting this inequality. Violence against women or even the threat of violence against women is perhaps the most potent, widely used method across societies to maintain patriarchal structures. The prevailing social norms and attitudes uniformly condone, and thus make acceptable, violence against women in both public and private spheres. The greater the tolerance to violence generally in a community, the higher the incidence of violence towards women and other vulnerable groups. The disregard for, or lack of awareness about human rights, gender equity, democracy and non-violent means of solving problems helps perpetuate these inequalities. Emergencies happen in already fractured and unequal social contexts leading to the exacerbation of pre-existing inequalities.

## Exercise: VAW in emergency settings

Kabesha Katambwe, 45, fled from her home town of Kiwanja, Rutshuru (90km from Goma) when rebels attacked and massacred over 100 young men in November 2008. She now lives in the Kibati IDP camp.

Widowed, 6 children-- 3 girls, 3 boys, her youngest is 5 years old; her husband was taken by CNDP, she hasn't heard from him since. She can't reach him on the phone, no information about him.

*I was attacked in October by armed men who came in to our home demanding money. I gave them 5000Fr, it wasn't enough. My children ran away, the soldiers followed me into my room. They raped me. Then others came in and did the same to me. When I went back out, I found that my daughter also had been raped. They took my husband with them when they left. I know they were CNDP because they spoke Kinyarwanda to each other. It was a terrible, terrible shock.*

*I left my home with only my children. We fled to the camp in Goma. When I arrived I was in great pain from the rape. I used to be a teacher at home, and then I went into commerce. I have no work now in the camp. I have no money – what can I do? I wait to be able to go home. My children wander around, looking for food, for petty work, some of them are working with butchers, anything to help them find something to eat. They used to go to school, but have not been able to continue because of the war. Without school, they are at greater risk of being recruited by the army, or by prostitutes, they are at risk.*

*More than anything I want to go back, now that I've given up on my husband being alive. But my house was destroyed, I won't be able to rebuild it. That is why I stay here in the camp. I have no choices for the future. In my heart of hearts I know that I don't know what to do. They took my husband. He is gone. I can live now, but it hurts in my heart, I weep for him. We women know how to weep. I don't know what I am going to do, how to go back, I need help to go home. I have absolutely nothing, no home, nothing, but I want to go home.*

Masika Tshuma, female, aged 45, six children, originally from Kiwanja, in Rutshuru—90km from Goma. Has been in Kibati IDP camp since the end of October 2008.

*I am here alone. My husband was killed during the war by the CNDP in the recent crisis. I was also raped. I lost my husband in this way. I have six children, five boys and one little girl. She is in the sixth grade, but she can't finish school because there is no money. She is not here. She is still in Kiwanja. The others are here looking for petty work every day to bring something home to the family. Before the war, I sold fish in my village. But when they raped me, they tortured me. They hurt me. Now I am broken, I can no longer work. I sit in my hut. I wait.*

*I went to the fields with my husband to work, to pull out the weeds. Military came to the fields. They demanded food. We told them there was no food, that it was finished. They took us and tied us up. My husband said no, let her go-- there are some bananas left. But the military refused. They said, no, you said there was nothing when we asked for food. They struck me across the ankles with a stick, and I fell. Then they said to my husband that they would kill me. He fought them. He told them to let me live. They asked if he would die in my place and he accepted. They carried him to where I was tied, placed him in front of me, and beat him until he was dead. Then they shot him in the head.*

*The soldiers said I would carry their bundles for them. There were six soldiers. I carried their packs through the bush. We approached a village, and four of the soldiers went ahead. The other two stayed back with me. They said to me, we are going to kill you. But if you want to save your life, you will have sex with us. I said no. You have already killed my husband, kill me also. I do not want to live. We will be together that way. The soldiers started talking together, and I realised quickly that even if I wanted to die, I could not leave my children alone. I could not. So I did not fight them when they raped me. They beat me afterwards anyway. The FDLR committed this act against me and my family.*

*I began to feel terrible pain after that. When I arrived in the camps, I was swollen and infected. I went to the hospital in the camp and they said it was serious. They gave me medicines. I am still in Kibati camp, and am a little better, although my ribs still hurt from the beating. But I am always cold since that time. I am always looking for something warm to wear.*

*Afterwards, the family of my husband came looking for me, knowing that he had died. They came to kill me because they blamed me for his death, because I am a Nande and he was a Mwishu, we were two different tribes. This is why I ran away with my children to Goma, to the IDP camp.*

*I accepted that the soldiers rape me, this ignoble act, because I was afraid to die. Now there is also my husband's family who hate me and want me to die. I can't go back to a place where I am in mortal danger. I don't know what to do.*

### Discussion

1. Do you agree that violence against women increases after emergencies?
2. What are the various forms of violence after emergencies (peeping, beating, harassment, coercion, rape, exploitation etc.)?
3. Who are the main perpetrators?
4. What do you think are the causes of an increase in violence after emergencies?

Write the factors on pieces of card and put these under the following categories on the wall.

For example:

| Incident   | Reasons   |
|------------|---|
| Peeping    | Bored, frustrated, insecure environment & opportunity among strangers, insecure facilities  |
| Beating    | Loss of children, loss of jobs, loss of house, alcohol and drug consumption, frustration.   |
| Rape       | Dislocation from secure environment, breakdown in social values, ethnic superiority, to bring shame & humiliation, as a policy of forced displacement, frustration. |
| Harassment | Opportunity, exploitation and corruption  |

- Do you think tensions or frustration **cause** violence? Do all men who are frustrated commit acts of violence towards women? Why only some men?
- Men usually beat their own wife/ wives (and children) - not other women or men in the camps. Why is this?
- Do women also have tension or stress? Women also experienced loss of children, house etc. How do they respond?
- What is the relationship between power and violence?
- Categorise the causes into socio-cultural, economical, political, emotional/ psychological factors?

Key learning points to be reinforced:

- VAW increases in emergency situations. Women face aggravated physical, psychological, and sexual violence in post emergency settings.
- VAW is considered to be a norm in many societies (even in normal conditions). Men's frustrations are perceived to lead to (increased) violence against women; however this is not the main cause. Men with or without frustrations or tensions also violate women. The cause of violence is essentially unequal power relations.
- In situations of emergency response in temporary shelter facilities and resettlement sites, infrastructure needs to be carefully designed to ensure the privacy, protection and security of women and girl children.
- The loss of women's social networks and support systems in displacement negatively impacts on women's security and coping strategies.

The Austcare/ActionAid "Stand-up! Stand with!: A guide to integrating protection into humanitarian programmes" protection guidelines provides detailed guidance and exercises to conduct analysis and establish community based protection mechanisms for women, girls, boys and men.

## How can we prevent and respond to violence against women?

(please see the appendix for further information on how to respond to GBV in emergencies):

Gender-based violence (GBV or VAW) is a common feature of many complex emergencies and even many natural disasters. The prevention and management of GBV requires collaboration and co-ordination among members of the community and between responding agencies and organisations.

According to Sphere, health services should include medical management for sexual assault survivors, confidential counselling and referral for other appropriate care. The layout of settlements, distribution of essential items, and access to health services and other programmes should be designed to reduce the potential for GBV. Sexual exploitation of disaster affected populations, especially women, girls and boys by staff, military personnel and others in positions of influence must be proactively prevented and managed.

*(The Sphere Project: Humanitarian Charter and Minimum Standards, p289).*

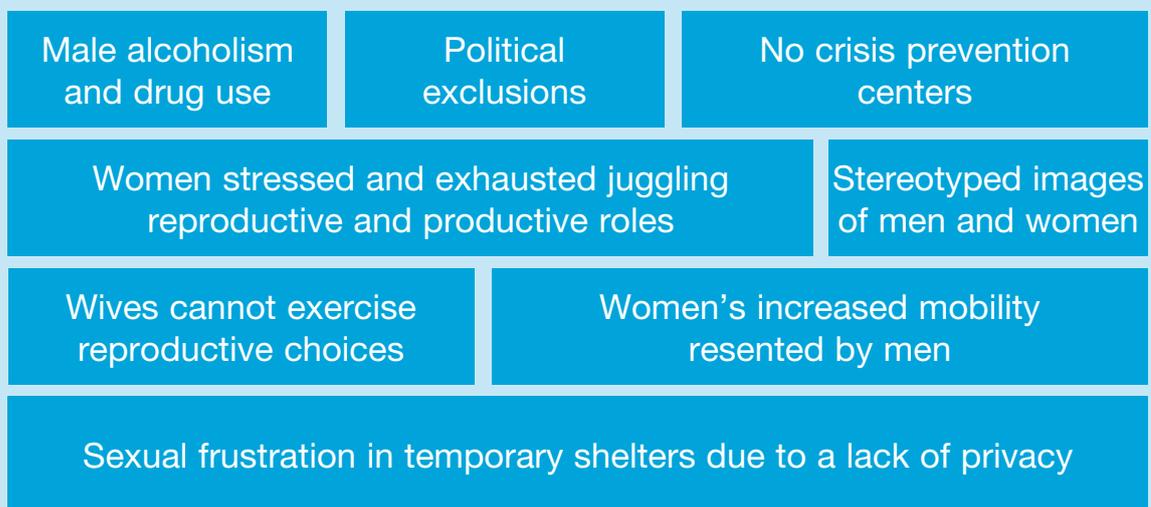
1. Zero tolerance of violence against women, which means seeking legal redress or disciplinary action against perpetrators (even if the perpetrator is a humanitarian worker)
2. Provide information to women and girls on their rights and where they can seek assistance should their rights be violated
3. Affirmative action to ensure women's representation in decision making committees
4. Organise women into support-groups/ task forces/ vigilant committees to combat violence against them
5. Ensure understanding of legal provisions and legal protective frameworks (such as Codes of Conduct for Humanitarian Workers and UN Peacekeepers)
6. Mobile legal clinics maybe useful
7. Link women with the wider network of service providers, health care, reproductive services, post-rape counselling, HIV & AIDS testing centres, law enforcement authorities, legal aid etc
8. Training community leaders to have a comprehensive understanding of prevention, protection and policy advocacy approaches to violence against women
9. Sensitisation programmes on violence against women in emergencies with local government officials, security officials, camp management and agency field staff
10. Encourage women to disclose abuses in safe spaces and provide follow up support programmes
11. Provide psychosocial support
12. Use safe-spaces and safe havens to protect women and girls.

### Exercise: Problem wall and solution tree<sup>5</sup>

**Materials:** Green pieces of paper in the shape of a leaf and red pieces of paper in the shape of bricks. Enough for two leaves and two bricks per participant. Pen and pencils.

This participatory tool can be used with an emphasis on gender-based issues to obtain more precise information for designing gender-sensitive programme strategies. Establishing an initial rapport is particularly essential for facilitating this exercise on sensitive issues such as gender based violence. This may involve some amount of self-disclosure so that problems are perceived as being common to all women, although the nature and extent may differ. Such a sincere attempt places the participants particularly at ease. The participants should be reassured that there are no right or wrong answers and that all responses and reaction would be treated with respect, and confidentiality if they so wish.

#### Problem wall



#### Solution tree



<sup>5</sup> Vibrant Communities: Gender and Poverty Project; (1999), Goldberg, T. Leong & Lang, C., Gender Analysis Tools, Canadian Government.

1. Assemble a group of women
2. Explain the purpose of the exercise to the participants
3. Hand out the bricks and leaves pieces of paper
4. Ask each of them to write a problem related to the major theme (e.g. VAW) on the paper brick and a possible solution on the leaf
5. You may also follow the same procedure for eliciting different problems pertaining to different areas
6. If the participants are illiterate you may write their problem and solution with them
7. Try to maintain the anonymity of participants
8. One participant can write more than one problem and solution
9. Ask them to drop the leaves and bricks into the box
10. Open the box and ask the participants to sort out the bricks and leaves
11. Encourage the participants to create a visual display of the problems and solutions.

This tool can be used both before and after programming. When used before beginning a programme, the tool will yield a map of problems and solutions generated at the grassroots level. These constitute a powerful resource to guide policy makers and programme designers. The problems and solutions may also indicate easy entry points (practical gender needs) and underlying structural discrimination and power imbalances. When used after programming, it can serve as a very effective monitoring and evaluation tool. The two visuals can be juxtaposed to track the progress made and the extent of mitigation that may have occurred.

## **The role of men and boys in the prevention and response to VAW**

It is absolutely paramount that programmes seeking to prevent or respond to VAW provide guidance and support to the partner or spouse of a survivor (usually the partner/ spouse is male). Many men also feel great shame and embarrassment at their inability to protect the female within the family, and thus feel as though they have failed in their family duty. This can lead some men to seek solace in drugs or alcohol, and they too may then engage in violence against women and girls. Hence, VAW programmes and activities should, where appropriate, work with men and boys to reintegrate survivors and their families back into society through social support networks and mediation.

1. Work with men and boys to help them understand that it is their attitudes and behaviours that cause VAW
2. Give equal importance to forming and sensitising men's groups in sharing household responsibilities and childcare with women. Include men in childcare and first aid teams to let them practice these skills in an external environment; these skills are then more likely to be transferred to the home.

3. Support men and boys who seek to use alcohol and drugs to cope with the impact of an emergency, by raising awareness of positive coping mechanisms
4. Support youth groups, recreational activities, livelihood activities, skills training and cash-for-work schemes (such as digging latrines and trenches) for men and boys.
5. Establish community-based groups that can contribute to protection from sexual violence including the judiciary, police, local government and health authorities, traditional healers, spiritual and community leaders, women's groups and youth groups.
6. Create 'safe-spaces' for women at food distribution points – appeal to men in the community to protect women and ensure safe passage of women from distribution sites to their homes. Camp managers should also make sure that distribution points are away from male groups or alcohol establishments and armed personnel.
7. Undertake education and advocacy with communities through workshops, distribution of leaflets and information events regarding the effects of sexual violence on women and girls. Speak to male community and spiritual leaders to obtain their support and recognition of the importance in protecting the women and girls within the community from violence, as well as an acknowledgment of the importance of women and girls to the well-being of the community.

*Please see the appendix for further information on responding to VAW.*

## **Basic needs: Right to clean water and sanitation**

**Everyone has the right to water.** This right is recognised in international legal instruments and provides for sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses. The right to water is inextricably related to other human rights, including the right to health, the right to housing and the right to adequate food. States and non-state actors have responsibilities in fulfilling the right of water. In times of armed conflict for example, it is prohibited to attack, destroy, remove or render useless drinking water installations or irrigation works,

*“In most emergency settings, the responsibility for collecting water falls to women and children. When using communal water and sanitation facilities, for example in refugee or displaced situations, women and adolescent girls can be vulnerable to sexual violence and exploitation. In order to minimise these risks and to ensure a better quality in response, it is important to encourage women’s participation in water supply and sanitation programmes. An equitable participation of women and men in planning, decision-making and local management will help to ensure that the entire affected population has safe and easy access to water supply and sanitation services, and that services are equitable and appropriate.”*

(The Sphere Project: Humanitarian Charter and Minimum Standards, p56)

## Exercise

**Materials:** case study, writing paper, pen/ pencils

**Methodology:** Read the following case study/ narration and discuss.

Ramola Mesthar, her husband and six children took shelter in the school for more than 20 days, sharing space with 30 other families. With the entire village inundated, everyone defecated directly into flood waters. Women had to wait until night time. “To make matters worse, I had my period, and I had to use wet cloth all the time. I developed an infection and not knowing what it was, I was really scared thinking that it might be some kind of venereal disease. I could not share this with anyone and it was only three months later, after much suffering, that finally a female health worker came here and then I went and got some medicine.

Nepal VAW post floods 2007 report

## Discussion

1. What do you think are the key issues in this story? What basic rights are being violated?
2. What is the plight of the women in this story?
3. Whose responsibility is it to provide clean water and sanitation?
4. What is the role of the state? What is the role of humanitarian organisations?
5. In the absence of response from the state what can the people do? What action is possible?
6. What legal documents confirm it is the responsibility of the state to fulfil these rights? (International law, constitution, national laws and policies)
7. What do you think prevented these families taking collective action to claim their rights?
8. See the checklist (viii) in the appendix.

## Basic needs: Right to food

Everyone has the right to adequate food. This right is recognised in international legal instruments and includes the right to be free from hunger. States and non-state actors have responsibilities in fulfilling the right to food. There are many situations in which the non-fulfilment of these obligations and violations of international law - including, for example, the deliberate starvation of populations or destruction of their livelihoods as a war strategy - have devastating effects on food security and nutrition. In times of armed conflict, it is prohibited for combatants to attack or destroy foodstuffs, agricultural areas for the production of foodstuffs, crops or livestock. AAI can help to realise the rights of affected populations by providing food assistance in ways that respect national law and international

human rights obligations. AAI can also provide fuel and cooking equipment so that women and girls are not placed at risk searching for firewood and cooking items.

As women usually assume the overall responsibility for food in the household and because they are the major recipient of food aid, it is important to encourage their participation in the design and implementation of programmes.

### Discussion

1. When is a cash grant preferable to food distribution? Why?
2. Why should food for distribution be purchased at local markets?
3. Do you take into account specific needs of women's dietary requirements: e.g. pregnant women, lactating mothers, etc? Do relief packages typically provide for specific needs?
4. In the family, who bears most responsibility for providing, and preparing, food?
5. Are child friendly spaces active during food distribution times, so that women are free to collect the relief supplies?
6. Those distributing food rations are typically men. What are the consequent problems for women? What is required to prevent exploitation of women?
7. Are the mechanisms for distribution women friendly? What are the obstacles to women accessing food and what strategies can be implemented to avoid these? What is required to ensure that access for women is easy?
8. What is the responsibility of the state in the case of drought and famine-based emergencies?
9. See the checklist (vii) in the appendix.

### Basic needs: Right to health

*Women reported that no medical facility had been provided by government or NGOs for the common flood related diseases such as conjunctivitis, fever, skin diseases (mainly on their legs as women had to walk and work through filthy flood water) diarrhoea, dysentery and vomiting blood. Women provided immediate health care to the family members. Only when diseases became serious did women go to local doctors.* Pakistan VAW in Flood Study 2008

Everyone has the right to health, as recognised in a number of international legal instruments. This embraces not only the right to equal access to healthcare, but also the underlying determinants of health, which involve the fulfilment of other human rights, such as access to safe water and adequate sanitation, an adequate supply of safe food, nutrition and housing, health environmental conditions; access to health-related education and information; non-discrimination; human dignity and the affirmation of individual self-worth.

Healthcare is a critical determinant for survival in the initial stages of an emergency. Emergencies almost always have significant impacts on the public health and well-being of affected populations. The public health impacts may be described as direct (injury, psychological trauma) or indirect (increased rate of infectious diseases, malnutrition and complications of chronic diseases).

In most emergency situations, women and children are the main users of healthcare services, and it is important to seek women's views as a means of ensuring that services are equitable, appropriate and accessible for the affected population as a whole. Women can contribute to an understanding of cultural factors and customs that affect health, as well as the specific needs of vulnerable people within the affected population. Women are predominantly the carers of children, the sick and elderly within communities. Women are, thus, a very useful resource when conducting monitoring and reach of relief supplies, and for engaging the community in health awareness and hygiene programmes. Women, girls and other vulnerable groups should, therefore, actively participate in the planning and implementation of health services from the outset.

*(The Sphere Project: Humanitarian Charter and Minimum Standards p253-255.)*

### Discussion:

1. In emergencies, how does the government in your country fulfil its responsibility to ensure the right to health of the affected population? In the event that hospitals and health posts are destroyed, what measures does the government take to provide mobile clinics or temporary medical camps?
2. In the case study, why didn't the affected people hold the government to account? What prevented them?
3. In the case of a recurring disaster – and the recurrence of the same health problems – what can be done to prepare people for future disasters in terms of health education etc?
4. Are there special health needs of women? What are they? Are these usually addressed in disasters?
5. What is required in disaster preparedness and response to ensure that women's health needs are taken care of?
6. What are the traditional, religious or cultural norms which need to be taken into account to ensure appropriate health care is provided for women in your country?
7. What should we do if the traditional, religious or cultural norms are the cause of injustice or discrimination against women's access to health care?
8. Please see checklist (x) in the appendix.

## Psychosocial protection and support

The disruption, loss and distress people experience in emergencies impacts on their thoughts, feelings and actions. It can affect people's ability to function and can make them feel lost or unable to cope. The normal reactions which can be expected after an abnormal event such as an emergency can be immediate feelings of shock, anxiety, panic, fear and confusion, followed by feelings of worry, grief, guilt, sadness, flashbacks, vigilance and hyper-alertness (watchful and on edge) or elation at being alive. After a few months people start to recover from the loss and stress although for some people, some feelings may get stronger – and this is also a normal reaction for people who have experienced a traumatic event. These include flashbacks, restlessness, pessimism and hopelessness, missing loved ones and somatic feelings such as headaches which do not have a physical cause. Over time, for most people, these feelings will slowly decrease. For a small percentage of people, the impact of a traumatic event can overwhelm their ability to cope, and they may need medical assistance.

People can cope by looking after their immediate physical needs, helping their family and involving themselves in relief efforts within their community. Talking to others, listening to them, being involved in religious or spiritual rituals and being active facilitates healing and recovery.

The provision of psychosocial support can help people. This includes: actively listening to affected people so they can vent or release their feelings and grief; talking with people, reassuring them that their feelings are normal and expected; finding out what they need; providing information; and discussing with them where they can seek additional support.

Psychosocial support for women can include helping them stay together with their families in safe places; the provision of information about the situation; re-establishing routines with the family and caring for vulnerable people; involvement in community activities and in decision-making processes; encouraging formation of groups to talk together, look after children etc; listening and talking with them individually.

Be aware that after emergencies women may experience an increase in violence against them, mainly by male family members but also strangers. The disruption of family and social networks may increase vulnerability as well as decrease the options for women to seek support. Help to develop community protection mechanisms which are alert to abuse of women and can deal with perpetrators, and provide information and support.

For more information, please see ActionAid's *Psychosocial Protection and Support in Emergencies Guidelines*.

1. What are the measures taken to ensure women and men have access to psychosocial support?  
How is this done?
2. Have psychosocial support measures been integrated across the humanitarian response sectors and into disaster preparedness and response programmes?
3. How is the health department/ministry integrated into the disaster management plan? Is there a gap?
4. Please see the checklist (xi) in the appendix.

## Basic needs: Right to adequate housing and land

The right to housing is linked to other human rights, including that of protection against forceful eviction, harassment and other threats to physical safety and well-being, the right of everyone to be protected against arbitrary displacement from their home or place of habitual residence, and the prohibition of indiscriminate armed attacks on civilian objects.

Shelter is a critical determinant for survival in the initial stages of an emergency. Beyond survival, shelter is necessary to provide security and personal safety, protection from the climate and enhanced resistance to ill health and disease. It is also important for human dignity, and to sustain family and community life in difficult circumstances.

*“Involving women in shelter and settlement programmes can help ensure that they and all members of the population affected by the disaster have equitable and safe access to shelter, clothing, construction materials, food production equipment and other essential supplies. Women should be consulted about a range of issues such as security and privacy, sources and means of collecting fuel for cooking and heating, and how to ensure that there is equitable access to housing and supplies. Particular attention will be needed to prevent VAW, sexual exploitation and abuse. It is therefore important to encourage women’s participation in the design and implementation of shelter and settlement programmes wherever possible.”*

(The Sphere Project: Humanitarian Charter and Minimum Standards, pp207 - 208.)

## Exercise

**Materials:** case study

**Methodology:** Read the following case study and discuss.

### Cui Wenqin, 43, from Dazhuba village, Shaanxi Province, China

Cui Wenqin’s home and land were branded as geologically too dangerous to remain in the earthquake struck, but they were forced to stay because there was nowhere else to go.

*“Every day we worried that the house would collapse,”* she said.

Her farmland and home were badly damaged by falling rocks and their only bull killed. Living alone with her elderly parents, Wenqin, 43, had to make do as best she could.

The family found another area in Dazhuba village to build on, and with her grown up daughters they are setting to work. ActionAid China has provided the family with RMB 10,000 (US\$1,465), in addition to the RMB 20,000 (US\$2,930) allocated by the local government to rebuild their home.

## Discussion

1. Discuss what the right to housing means to citizens in the post emergency context. Is it more difficult for women – especially particular categories of women e.g single women, widows, women with disabilities older women – to access this right? Why?
2. What are the consequences if women’s right to participation in decision-making regarding the design the house and location of resettlement are not respected? (Cultural and religious requirements).
3. Why it is that despite the stipulation in codes of conduct and standards that women must be involved in decision-making processes, they are consistently excluded?
4. In the absence of a clear housing policy a lot of discrepancies can occur. Women can suffer more due to greater lack of information and lack of political influence. What can be done about this?
5. Political interference and corruption can impact the registration of names on a beneficiary list. What can be done to address this?
6. In the reconstruction phase governments in some countries have seized the emergency as an opportunity to pursue macro-economic policies which favour, for example, large scale investment and tourism. This has led to the displacement of small traders, farmers and fishing communities and the subsequent loss of their land and livelihoods.  
  
What should be the response of NGOs when government policy is relocation, under the guise of “safety” concerns?
7. In your country what is a woman’s rights to inherit land owned by the family?
8. After emergencies there is an opportunity for policy reform to ensure that women’s names are included on land titles. How would you pursue this?
9. Women who are widowed in an emergency can be disadvantaged by, for example, lack of proof of a customary law marriage and lose her entitlement to compensation or right to inherit property and land. What is needed to ensure recognition of women’s status and rights?
10. Please see the checklist (xiii) in the appendix.

## Economic rights: Right to livelihood

For further information see ActionAid's guidelines on Livelihoods in Disasters

- *Livelihoods comprise the capabilities, assets (including both material and social resources) and activities required for a means of living linked to survival and future well-being.*
- *Livelihood strategies are the practical means or activities through which people access food or income to buy food.*
- *Coping strategies are temporary responses to food insecurity.*

(The Sphere Project: Humanitarian Charter and Minimum Standards, p108).

The resilience of people's livelihoods, and their vulnerability to food insecurity, is largely determined by the resources available to them and how these have been affected by an emergency. The resilience of livelihoods and people's subsequent food security determines their health and nutrition in the short-term and their future survival and well-being. These resources include economic and financial property (such as cash, credit savings and investments) and physical, natural, human and social capital. For people affected by emergencies, the preservation, recovery and development of the resources necessary for their food security and future livelihoods is a priority.

In conflict situations, insecurity and the threat of conflict may seriously restrict livelihood activities and access to markets. Households may suffer direct loss of assets, either abandoned as a result of flight or destroyed by warring parties.

*“An understanding of the pre-emergency economic activities of the affected population, and the opportunities within the post-emergency context, should guide the settling of affected populations. This should include land availability and access for cultivation and grazing; the location of and access to market areas; and the availability of and access to local services that may be essential to particular economic activities. The differing social and economic needs and constraints of vulnerable women and girls within displaced or host communities should be assessed and accommodated accordingly.”*

(The Sphere Project: Humanitarian Charter and Minimum Standards, p215).

Women are important contributors to household economies, and in many cases are the sole breadwinner. As such they must also be regarded as heads of households and not be overlooked or ignored irrespective of their marital, caste, ethnic, class, age or ideological status. Women's right to livelihood must be recognised and protected by the State. Equity in interventions must be considered so that women's livelihoods go beyond the pre-disaster level of vulnerability. Livelihood programmes should take an integrated approach to provision of capital, skill development and market linkages.

In the immediate response, cash or food for work are common interventions in the first weeks or months after disaster to clear debris, rebuild small scale infrastructure and so on. Strategies to enable and ensure the inclusion of women could include:

- Childcare and the organisation of groups so that women/ men who cannot undertake physical work can be carers

- Measures to eliminate sexual harassment or extortion of sexual favours by male overseers during the allocation/ recognition of days worked
- Equal daily wages for women and men.

In previous disasters livelihood recovery programmes discriminated against women in a variety of ways. These included:

- Inequity in the grants provided for livelihood recovery: most often men who had large businesses got large grants and women who had small scale, vulnerable livelihood activities got meagre capital inputs which did not enable them to “build back better” or reduce their vulnerability and develop a more sustainable livelihood
- Women who were petty traders in the informal sector who lost their few tools got no compensation
- Grants or loans given in women’s names but were controlled by men
- Rebuilding market places but women who were petty traders were unable to get a licence or a place to sell
- Provision of capital but with no attention or support given to backwards and forwards linkages i.e. to access to raw material or markets.

### Discussion:

1. What are the advantages and disadvantages of cash versus food for work? Who should decide?
2. What is needed to ensure that discrimination against women and inequity in assistance is eliminated in future emergency response interventions?
3. What are the benefits of organising women into groups based upon livelihood?

E.g. Need to take longer term development perspective and collectivise power and the networking of small producers (home based workers etc.) to negotiate the prices/ access to raw materials, marketing and elimination of middlemen and to ensure better quality product through skill development, obtain access to markets

4. See the checklist (xiv) in the appendix.

## Social and cultural rights: Right to education

Inadequate rainfall due to climatic changes has rendered most households in Ijara District under acute food stress. Animals in the area have started succumbing to the drought. The last time there was significant rainfall was almost one year ago, leaving the community with no food and water.

Soaring heat with temperatures as high as 38 degrees Celsius greet the women of Ijara as they trudge tens of kilometers to the nearest water pan which is drying up fast as a result of over dependence by the residents. Women and girls move in large groups, looking behind cautiously at intervals lest they are caught unawares by marauding lions or herds of buffaloes. Inadequate rain has left humans and wild animals on a collision course in the fight for water. Ijara is inhabited by the Somali tribe, who are predominantly pastoralists with their livelihoods largely depending on cattle.

*“We dare not walk in small groups as the likelihood of us being attacked by wild animals is high. It’s survival of the fittest here,”* said Amina Abdi, a resident of Ijara in her native Somali language.

With lack of rain, men and young boys have been forced to migrate hundreds of kilometers in search of pasture for the animals, leaving behind mothers and girls with the responsibility of looking after the family.

*“My husband and my two sons left for the hills three weeks ago with our herd of cattle. Most cows have died because of lack of pasture and if had they stayed behind, we would have lost all of them,”* added Amina.

The food stress has also had a heavy toll on the health of the residents; children are becoming weaker by the day as the women drown in desperation. Relief food distributed to the area has been inconsistent and inadequate.

The last these residents got relief food was last December.

*“The last time we were given food was just before Christmas. They gave us a 50kg sack of rice and 5kg of cooking oil. We are 12 in my family, so the ration was depleted within days. We are now just having one meal per day if we are lucky,”* said Daudi Dekow, 15, a pupil at Ruqa primary School.

Emergencies have serious and different impacts on the lives of women, girls, boys and men. Educational needs change, and the ability of girls and boys to attend school changes. To ensure that all boys and girls benefit equally from education in emergencies, it is critical to understand that the social and gender dynamics that might affect or place constraints upon them.

**On the supply side** - long distances to school make it difficult for girls and disabled people to access facilities. Women and girls may only be permitted to travel short distances without a male companion. Even if there are all-girls schools, they may be too far to attend. Minimal or no sanitation facilities can result in low attendance and high drop out rates among adolescent girls who are menstruating. Travelling to and from school in conflict-based emergencies places girls at a risk of sexual violence, exploitation and abuse.

**On the demand side** - impoverished families may prioritise boys' education and not have the money to pay for girls' school fees, uniforms and other supplies. Families rely on girls to do household chores, care for siblings and generate family income. Early marriage and pregnancy are additional barriers to girls taking up or continuing their schooling.

In emergencies, the right to gender sensitive education is critical and should be fulfilled without discrimination of any kind. Where this window of opportunity for gender responsive education in emergencies is seized, it can also result in long-term changes in the education system, and in relationships, power - and opportunity sharing between women, girls, boys and men.

#### **Education:**

- **Provides safety** - safe, physical spaces that shelter girls and boys from violence
- **Promotes normalcy and a positive sense of well-being**
- **Channels health and survival messages** - teaching respect amongst girls and boys
- **Builds the future** - ensuring girls access to quality education prepares them to play significant roles in reconstruction efforts, in their communities and beyond.

Please see the appendix for a checklist (xii) on how to implement gender-responsive education in emergencies, and AAI's *Psychosocial Protection and Support in Emergencies Guidelines*.

## Section Three

### Incorporating women's rights into disaster risk reduction

This section covers two main areas:

- (i) **Participatory Vulnerability Analysis (PVA) and the development of community action plans for disaster preparedness and disaster mitigation measures**
- (ii) **Empowering women to develop resilient communities.**

#### **Participatory Vulnerability Analysis (PVA)**

PVA is a participatory, systematic process which facilitates communities' in-depth examination of their hazards, vulnerabilities, resources and capacities. It motivates communities to plan and take action to reduce their risks to disasters.

The underlying causes of people's vulnerability can be physical, social, economic and/or environmental. Poverty exacerbates vulnerability leading poor and excluded people to suffer disproportionately from the impacts of hazards. PVA explores the structural causes of vulnerability and the societal arrangements in particular communities. It is essential to ensure that women's vulnerability arising from gender based roles and practices as well as structural discrimination is integrated into the analysis.

Whether PVA is being undertaken in disaster prone communities or in communities which are recovering from a disaster, it is critical to remember that the local communities and survivors are the first to respond in a disaster. Youth groups and community based organisations respond sometimes days before government authorities and NGO personnel arrive. It is therefore imperative to enter into meaningful partnerships with communities and respect their continuing vital contribution.

Programmes must build on existing local resources and processes to collaboratively design strategies to reinforce people's sense of dignity and capability, and strengthen the capacity of the affected population. As women are most often at home and responsible for the care of children, dependent older people and people with disabilities, they are core to the development of disaster preparedness, mitigation strategies and plans for families and communities.

Figure 1 outlines the PVA process. The first activity with the community is to establish the relevance and importance of disaster risk reduction. At the same time, relationships are formed with local government authorities so that the disaster risk reduction plan developed by the community is accepted by the authorities and other stakeholders as legitimate.



A range of participatory tools are utilised to facilitate the community's analysis of their situation. These include social and resource maps, historical timeline of disasters, hazards and risk mapping, livelihoods analysis, mobility mapping and mapping of the most vulnerable community members (using well being ranking).

Facilitating the community to prepare their disaster preparedness plan from the information derived through the PVA is the next step in the process. The plan builds on the community's identification of vulnerabilities and capacities. Typically the plans include identification of different task forces needed for preparedness and of various measures which could reduce vulnerability to future hazards at three levels:

- Individual level: awareness generation, safety and care mechanism for persons with disabilities, older people, children, pregnant women and lactating mothers
- Household level: preparation of family survival kit and awareness plan with mothers and children
- Community level: strengthening of traditional early warning and communication systems, formation and capacity building of task forces, regular mock drills and mitigation activities.

The type of task force depends upon the context of each village but typically include: co-ordination and monitoring, early warning, search and rescue, first aid, psychosocial support, food preparation, child care, school safety and preparedness; and shelter management. Task force members are selected by the community depending on their skills and knowledge.

For example:

- In Andaman and Nicobar Islands in India, to reduce the vulnerability of women to hazards such as tsunami and flood, women learnt how to swim and to row fishing boats, both of which were earlier considered to be culturally unacceptable for women.
- When new houses were built the design and construction method increased their resistance to disasters.
- People were supported to diversify their livelihood options.

Once the plan is developed it is shared with other stakeholders, particularly the local authorities who are invited to contribute to assisting the villagers to operationalise their plans. Access to resources, information, multiple livelihood options, social support and decision-making processes can enable people to prepare themselves for the onset of a hazard, to cope in an emergency situation, and to recover quickly after the disaster.

Simply worded and illustrated Information, Education and Communication (IEC) materials on disaster preparedness can alert people to the different ways to prepare themselves for a disaster, whilst reinforcing the process.

## A gender equitable, community based approach to resilience building

This section is based on GROOTS International (June 2007), “Building better futures: Empowering grassroots women to build resilient communities”. The approach builds on grassroots women’s agency and capacities, as discussed in Chapter 1.

### Building better futures: Empowering grassroots women to build resilient communities

- **Recognise and resource grassroots women’s roles in community resilience building, community recovery, reconstruction and development. Allocate resources for women to undertake these roles:**
  - Organising and mobilising people into groups, e.g. women’s groups, youth groups etc.
  - Ensuring basic needs
  - Improving community access to basic services (particularly health and education for women and girls)
  - Demanding accountability from Government.
- **Invest in grassroots’ women’s leadership and organisations**

Women need their own organisations and leadership to sustain long-term: economic, social-cultural and political change to overcome gender-based inequalities and unequal distribution of power.
- **Provide multi-purpose spaces for women and children**

Physical spaces (particularly during the early stages of an emergency) where women can regularly gather and meet, for social support and to plan activities. Spaces should also be made available for children and youth, freeing mothers to meet or engage in their daily chores.
- **Empower grassroots’ women to participate in decision-making**

Risk reduction, and post disaster recovery and reconstruction processes are opportunities to promote the public participation of women, and their inclusion in dialogue with local authorities, government and other decision makers. Examples of committees women and girls should participate in are: camp management, relief co-ordination and community-based protection committees.
- **Enable grassroots’ women’s organisations to manage information**

Create roles for women in managing information e.g. through gathering information via mapping and surveying their communities to understand needs and resources, and to improve access to services, infrastructure and entitlements for their communities
- **Appoint grassroots women leaders to evaluate resilience building programmes**

Women’s monitoring of aid distribution can reduce corruption, waste and inappropriate targeting of aid. Women can also be used to evaluate emergency response programmes and feedback concerns of the community to Government agencies and NGOs.
- **Assign grassroots trainers to scale up effective community practice**

Peer learning, where community women leaders who have helped their communities cope with an emergency can teach others about what works at the community level – for example: securing and constructing safe housing; managing women’s and children’s centres; restoring agriculture and biodiversity; ensuring food security during disasters; improving health and sanitation; providing crisis credit; organising emergency response; monitoring distribution of aid; assessing recovery programmes and negotiating with officials. Women leaders with expertise must be supported and encouraged to go out and train other risk-prone communities.

| What's wrong with existing resilience building programs and policies?                              | How policy makers can make a difference.  |
|--|---|
| Women are seen as passive victims and beneficiaries not stakeholders with rights and entitlements. | Allocate resources and assign roles to grassroots women and their communities in designing, implementing and assessing programs                       |
| No requirement for women's participation or for community participation in decision-making.        | Set standards for women's participation in disaster risk reduction and committee concerned with emergency response.                                   |
| Mismatch between aid provided and community priorities.  | Put resources and information in the hands of grassroots women and enable them to identify priorities at the individual, family and community levels. |
| Resilience building and risk reduction is de-linked from development programs.                     | Design programs that package risk reduction with grassroots development priorities.   |
| Risk reduction tends to focus mainly on physical resilience and emergency response.                | Broaden risk reduction to address social, economic and political marginalisation which make women and girls vulnerable.                               |
| Professional experts and their expertise 'disappear' when projects end.                            | Invest in building community expertise. Use community trainers to refine and scale up effective practices.  |
| Grassroots women and disaster prone communities are excluded from decision-making processes.       | Create forums for dialogue among grassroots women and policy makers.  |

GROOTS International (June 2007)

## Chapter 4

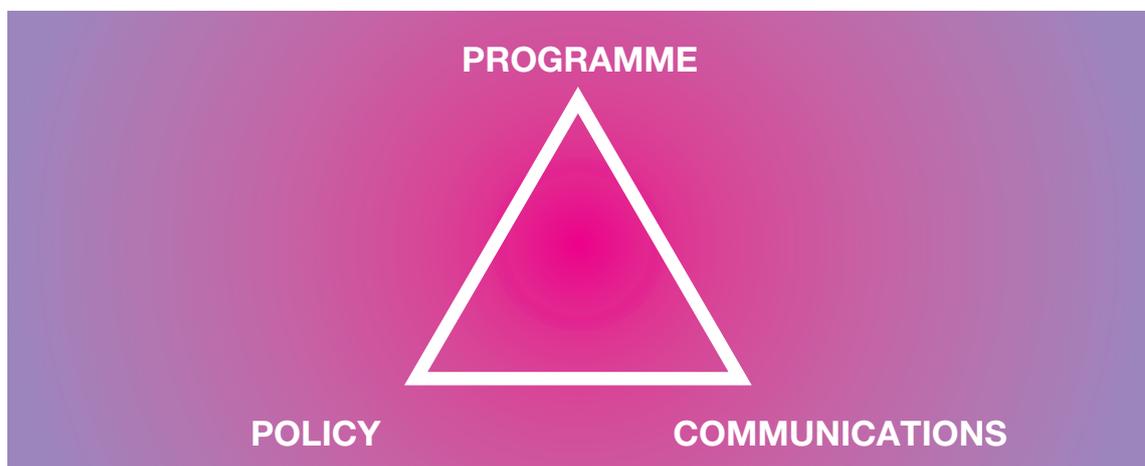
# Policy Work for Women's Rights in Emergencies

The rights based approach goes beyond basic service provision and focuses on how poor people fulfil their individual needs by claiming or securing their human rights. ActionAid believes that the most effective way for people living in poverty to claim, secure and enjoy their human rights is to organise and mobilise with others, have a voice and develop their power to negotiate with the powerful. Active agency and the actions of rights-holders are integral to the realisation of the rights-based approach in practice.

For agencies to effectively support affected people to claim, secure and enjoy their human rights in emergency contexts it is critical that the programme, policy and communications functions are linked. In emergency response for example, while the immediate concern is to provide services it must be understood that there are structural causes of discrimination and exclusion which were pre-existing in society and which will persist in the emergency context. The structural causes underpinning marginalisation such as laws and policies, institutions, budget allocation and discrimination in implementation, must be analysed and addressed if the disaster response is to be just and equitable. Likewise these structural causes contribute to people's poverty and their vulnerability to emergencies and so must be tackled if poor and excluded people are to benefit from disaster risk reduction activities. Policy advocacy in holding governments accountable for the fulfilment of human rights therefore goes hand-in-hand with any provision of services in a rights-based approach.

### Programme implementation

For programme, policy and communications staff to be truly effective in emergency contexts they must see themselves as being, and functioning as **interdependent units**. There must be a coherent strategy to connect policy, research and communications, with programme issues.



- **Policy:** Policy work must be informed by the programme and affected people's experience and concerns in the field. It should be grounded in evidence from local people and field practice and is therefore not a first-line of response. Policy work should, thus, begin in phase two (after the acute phase of an emergency) and work through the early recovery, emergency preparedness and risk reduction phases.

Policy staff must have a clear strategy to work with affected people and like-minded agencies in networks and coalitions. The information generated through structured discussions with people about their concerns must be documented and forcefully brought by the affected people and their allies to the attention of the most appropriate duty bearers at different levels (local, national and international). Government officials have the prime responsibility to promote, protect and fulfil citizen's rights.

- **Programming:** Practice must be informed by policy. A clear policy agenda grounded in programming is required with SMART objectives.

Programme staff should be engaged with affected people in: raising awareness of their rights and the subsequent mobilisation of people at the community level to stand up and claim their rights. Programme staff should also support and facilitate the connection between affected people and wider networks, and with district and national level processes.

#### SMART objectives

- Specific
- Measurable
- Attainable
- Realistic
- Timely.

- **Communications:** Communications staff have an important role to effectively communicate issues and disseminate information. This includes both preparing materials about the laws and policies in forms which are comprehensible for communities, as well as the preparation of reports, disseminating information effectively, and co-operatively working with policy staff on advocacy and campaigns.

## Building a rights based political perspective in emergencies

The rights based approach takes human rights as the objective of emergency response, mitigation and preparedness work and empowers people to demand their rights. The human rights framework is as applicable in emergencies as in 'normal' settings. It is imperative to situate emergency based policy work within the human rights framework.

### Education:

- Denial of participation
- Inadequate and inappropriate responses
- Emergency policies that do not reflect people's needs or concerns
- Discrimination
- Compensation is poorly defined, denied or non-transparent
- Accountability of programmes and policy work to beneficiaries
- Violations in the code of conduct and future vulnerability.

## Exercise: Building a rights based perspective on emergencies

### Objective

To develop a critical understanding of emergency policy work from a rights based perspective.

**Materials:** Propositions written on individual slips of paper, and a question sheet

### Methodology:

1. Read out one of the propositions to the whole group and ask the group to reflect on what it means.
2. Ask the following questions for each proposition:
  - a) What does the proposition mean to you?
  - b) Do you agree?
  - c) If yes, give a concrete example to illustrate its truth
  - d) What is implication of this proposition for emergency work?
  - e) What is implication of this proposition for policy work?
3. Place the participants into small groups and divide the remaining propositions amongst the groups.
4. Participants discuss their results and report back in the plenary.

### Propositions

1. All poor people are vulnerable to hazards and are the most affected, but not all vulnerable people are poor.
2. Poverty induced vulnerability is a result of the denial or violation of human rights and reflects the failure of development interventions.
3. Social, cultural and economic factors make women more vulnerable than men in emergencies. However not all women are equally vulnerable.
4. It is primarily the responsibility of the state to ensure that affected people's rights are protected and fulfilled.
5. While there are laws, policies, guidelines, standards and codes of conduct to uphold and protect people's rights there is no guarantee that women's rights will be respected, protected, promoted and fulfilled.
6. I/NGOs and UN agencies who raise funds in the name of affected people, are obligated to fulfil their human rights and must be accountable to affected people.
7. Emergency programmes which regard all people as equally affected by a disaster and respond to all affected people in the same way, typically result in the marginalisation of people who are poor and excluded.

8. Humanitarian response generally rebuilds the status quo (those who had more to lose get more assistance, those who had little to lose get little assistance) and fails to tackle and reduce the underlying causes of different vulnerabilities.
9. Emergency response and disaster risk reduction must be seen as integral components of development processes.
10. In the post emergency context violence against women increases. This includes physical, sexual and emotional violence as well as structural discrimination.

## Understanding policy and advocacy

### i) What does policy mean?

Policy is 'a course of action followed by an actor or set of actors'. Policy includes both plans on what is written, as well as the action on the ground.<sup>1</sup>

#### The components of the policy process are:

- Agenda setting (awareness of and priority given to an issue or problem)
- Policy formulation (how options and strategies are constructed)
- Decision-making (the ways decisions are made about alternatives)
- Policy implementation (the forms and nature of policy administration and activities)
- Monitoring and evaluation.

**Policy example:** Doctors in the Democratic Republic of Congo are not allowed to prescribe family planning pills to women and girls without their husband's being present.

#### Key questions to ask:

- Who took the decision?
- On who does the decision impact –the decision-maker or you/ women and girls?
- How is the decision being implemented at different levels?
- If the affected people took the decision – how would the decision be different?
- Have the leaders taken the right decision?
- What was the gap? Why was there a gap?

<sup>1</sup> Definition by ODI & RAPID (2006:6)

## ii) What does advocacy mean?

Give an example of:

- a) NGO led advocacy
- b) People led advocacy.

People-centered advocacy is an organised political process that involves the co-ordinated efforts of people to change: institutions, public policies, positions or programmes. Policy influence - or advocacy - refers to how external actors are able to interact with the policy process and affect the policy positions, approaches and behaviours. It includes both changing specific decisions affecting people's lives and changing the way decision-making happens into a more inclusive and democratic process.

People centered advocacy begins with the will and mobilised energy of people as citizens. It seeks to change public policy so that it is more in line with the needs of people at the grassroots level. It strengthens citizens' capacity as decision makers and builds more accountability and transparency in the institutions of governance.<sup>2</sup> Advocacy work involves many activities including research, networking, raising awareness, mobilising people, lobbying, campaigning and working with the media.

To **lobby** means to advocate with, or put pressure on, those who have the power to make decisions – such as politicians and government officials. Lobbying aims to encourage politicians to take an interest in and support the cause of people living within communities at the grassroots level, who are often disproportionately affected by emergencies. In most democracies lobbying is recognised as a legitimate way for citizens to make their voices heard.

## An integrated approach to people centred policy advocacy

### Exercise: A framework to connect grassroots women's concerns to policy makers.

#### Methodology:

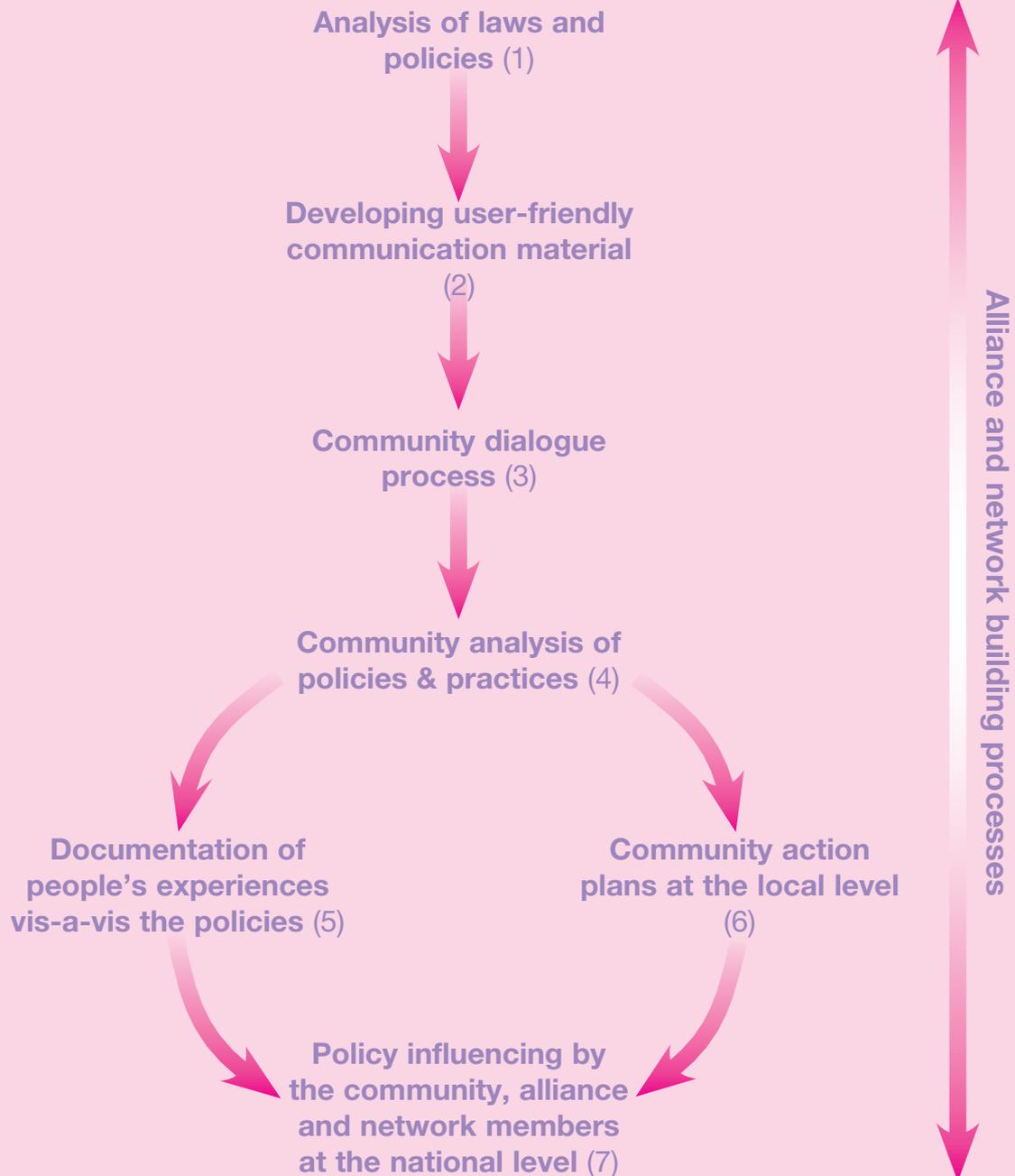
Distribute the handout of the model and discuss. Follow on with the case study illustrating people-centred advocacy by women on violence against women in post-emergency contexts. It illustrates the efficacy of the process in securing grassroots women's active participation in policy work.

#### Discussion:

Discuss each component in the model and the linkages between them so that participants fully understand the model and how it functions.

For further examples, please see the case study in the appendix on: 'Women centred policy advocacy process in practice: VAW post tsunami in Sri Lanka and the South Asian Regional Network on Women's Rights in Disasters'.

## Handout 1



## Case-study

The people centred policy-advocacy framework integrates eight key components. The components of the people centred policy process are, in practice, not chronological as indicated in the diagram. Many of these components/stages are conducted simultaneously at the local and national level.

The components include:

1. At the national level, international law and the relevant national legal and institutional frameworks, are analysed from the affected people's perspective to clarify their rights in the nation's constitutional provisions, laws and policies and the international rights instruments to which the government is signatory. This analysis provides an understanding of whether gaps exist in the laws or policies or in their implementation.

For example: When investigating the issue of violence against women, this analysis was vis-à-vis the rights enshrined in the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), Operation 1325 and UNSC Resolution 1820. This analysis enhances the ability to research and report on evidence and exposure of human rights violations.

2. The analysed laws and policies are translated into local languages and communicated in community friendly forms, such as street theatre, videos, posters, leaflets and booklets to inform people of their rights. This right to information is fundamental if people are to know and claim their rights and leads to more informed and empowered communities.
3. Affected people's issues inform the policy discourse from the local, national, regional and international levels. An ongoing dialogue is conducted with affected people, particularly women and excluded people, on the issues and their experience in relation to what is contained in laws and policies.

This process raises affected people/ women's consciousness of their rights and they are actively and centrally engaged in processes of analysis, and their experience of fulfilment or violation of their rights.

4. People's voice/influence is amplified through the development and/or strengthening of alliances and networks of organisations/NGOs around the key issues. This ensures sustainability of various policy initiatives and the collective voice strengthens policy influencing efforts.
5. Documentation of community consultation processes provides evidence of the violations of affected women's rights in the disaster response and the gaps in policies or their operationalisation.
6. At the local and district level informed women community members are empowered to take collective action and claim their rights from local government institutions.
7. The documentation of people's experiences can be used by networks to put pressure on the respective government agencies for policy change/reform or operationalisation. This demand for change has greater legitimacy when it comes from the affected people.

In this model there is synergy between programme, policy and communication functions.

### Key learning points to be reinforced

- The usefulness of the people centred advocacy model is that, by integrating policy and programme functions, policy is informed by ground realities and practice is building on policy issues, creating the desired synergy.
- The link to the Communications function facilitates the production of accessible information for the community as well as its dissemination to policy makers and the media.
- The participation of affected women at all levels continuously reinforces the focus on the issues they face, and the formation or strengthening of alliances, amplifies their voice in, and legitimates, advocacy efforts.

## Governance

Policy advocacy assumes that people have rights and that governments are responsible and accountable for respecting, promoting, protecting and fulfilling these human rights. Understanding poverty and vulnerability as a violation or denial of human rights places the primary responsibility for this situation on the government. The people centred policy advocacy framework is premised on holding governments to account. Application of the model requires an understanding of government and governance and why it is central to emergencies and a rights based approach. To be effective advocates, the particular functions of elected representatives and appointed officials in government must be understood.

### What is the distinction between government and governance?

**Government:** refers to the machinery and institutional arrangements for the exercise of sovereign power for serving the internal and external interests of the political community.

**Governance:** is the process, as well as the result of making authoritative decisions for the benefit of society. Governance is a broader notion than government or state. It involves the exercise of power to manage the affairs of a nation, organisation or group. Governance refers to the way a society sets and manages the rules that guide policy-making and policy implementation. Governance, therefore, operates at a conceptually higher level than policy and its implementation.<sup>3</sup>

<sup>3</sup> Taken from: ActionAid (2004) Good governance; Hope & Timmel (1999), Training for Transformation, Book 4:220

### Elements of good governance:

- **Accountability:** Holding responsible elected or appointed individuals and organisations charged with a public mandate to account for a specific action, activities or decisions to the public, from which they derive their authority.
- **Transparency:** Public access to knowledge of the policies and strategies of government.
- **Combating corruption:** Fighting the misappropriation of public assets or public office/trust for private gains
- **Stakeholder participation:** Stakeholders can exercise influence over public policy decisions, and share control over resources and institutions that affect their lives, thereby providing a check on the actions of government.
- **Legal and judicial framework:** Rule of law and respect for human rights

### What is the purpose of government?

- To do what individuals are not able to do for themselves (like building roads or hospitals, providing schools or defence)
- To provide these services from public money (through taxes) so there are limits to what it can provide
- To listen to citizens' input on priorities for the community so there is a sharing of responsibility for the services which are for the common good
- To ensure that services are equitably distributed
- To ensure a mechanism for citizen input on decision-making about the priorities and services which most affect local communities.

### What are the symptoms of a poorly functional government (characteristic in complex emergencies)

- Poor services
- Failure to take decisions and implement policies
- Poor financial management and lack of control over the budgets
- Use of public resources by private individuals
- Arbitrary application of laws and rules
- Excessive rules and regulations which discourage creativity and community initiative
- Excessive rules and regulations which discourage public servants from responding to community needs and can lead to corruption and apathy
- Non-transparent decision-making
- Resources allocated to 'special interest groups' rather than being targeted to development needs
- Ownership and control of decisions not in the hands of the people.

## Movement from the local to the national level in governance is a critical factor in emergencies.

### Governance issues from the local to the national levels in emergencies include:

- Availability of information regarding rights and entitlements
- Participation in decision-making
- Transparency in beneficiary lists
- Corruption and political interference
- Functioning grievance mechanisms
- Accountability - communities having redress for poor quality, inadequate and inappropriate work.

### Some suggested national governance issues:

- Laws, policies, institutional frameworks – gaps, overlap, problems with implementation so that rights are not protected or fulfilled
- Policies and practices are not pro-poor or pro-women and girls.

- (Democratically elected) governments are public instruments created by, for and with the people of a nation to protect and enhance the well-being of each individual and all communities.
- Governments operate through public institutions such as parliaments or councils, judiciary, laws, courts and police.
- To effectively advocate for policy change it is crucial to understand the policy making process and the key government institutions involved.

## Understanding the policy making and implementation context

When enacting change or initiating new policies, it is important to understand the key policy actors and the policy environment. The first step after clarifying the research or policy change objective is to identify the policy makers and the stakeholders or interest groups associated with this objective, project, problem or issue, and the evidence which the community already has, or needs to have. This information is required to push for change.

In developing an influencing strategy one needs to consider the usefulness, credibility (with evidence to support) and political cost (i.e. how controversial it will be) of the message, and which decision maker, at what place and time. It is critical to be clear about the purpose of the research and proposed advocacy before beginning. Too often, research is conducted without clarity such that important information is overlooked; if collected it is not used, useful or relevant; it may be considered too much of a risk to the organisation; or is no longer relevant to the organisation's strategy.

**Exercise: Understanding the policy making and implementation context**

**Objective:**

To develop a critical understanding of the context in which policies are made and/or implemented.

The first exercise<sup>4</sup> in this section helps to map the interests of decision-makers in a particular context and to identify the target of the advocacy strategy. The exercise is useful for planning and for monitoring.

**Materials:** Handout ‘Naming the powerful/ decision-makers’

**Methodology:**

1. Divide the participants into groups of 5-6 people.
2. Each group will need to first decide the specific policy issue or change they want to focus on.
3. Using the Table “Naming the decision-makers” ask the participants/ groups to identify those who have power to respond to their specific advocacy issue.

| What are the main institutions, organisations, or agencies making decisions on your issue/right? | Who are the most influential and powerful leaders or officials in these bodies? | What are the main interests they are promoting? | How do they promote their interests and block those of others on this issue? |
|--|---|---|--|
|  |   |   |  |

<sup>4</sup> ActionAid, Critical webs of power and change, p 18.

### Discussion – analysis of the policy context

1. From the analysis using the above table - Who are the key policy actors? That is the key groups, organisations, institutions and personalities (economic, political, civil society and cultural/ideological sectors)? What are their real and expressed interests? Who shapes the aims and outputs of the policies?
2. Who do you consider your allies and opponents?
3. What is the policy environment?
  - What is the relevant legal/ policy framework?
  - What are the opportunities and timing for input into formal processes?
  - How do social structures and customs affect the policy process?
4. What key international and national trends or events are affecting your issue? How are they affecting it?

Policy change on its own is never enough. Change to make society more just and equitable will only be viable in the long term if it alters the balance of power in our societies and transforms inequitable access to rights and resources. ... At the core of sustainable social transformation are positive shifts in the empowerment of people as agents of social change, able to undertake collective action. The engagement of marginalised groups in public debate and decision-making allows them to participate fully in the struggle for rights, it helps challenge the historic domination by a few and reinforces the concept that all people, in particular the excluded and women, are citizens with rights and responsibilities. Strengthening their collective action, critical consciousness and leadership should always be a crucial strategy within people-centred advocacy, but will rarely be the only strategy.<sup>5</sup>

A more detailed analysis on how to influence policy and practice is provided in the following table.<sup>6</sup>

<sup>5</sup> ActionAid, Critical webs of power and change, p 18.

<sup>6</sup> Adapted from Daniel Start and Ingje Hovland, (2004:8) Tools for Policy Impact: A Handbook for Researchers, ODI

| What do we need to know?  | What needs to be done?  | How to do it?  |
|---|---|--|
| <p><b>Political Context:</b></p> <ul style="list-style-type: none"> <li>• Who are the policy makers?</li> <li>• What is the policy making process?</li> <li>• What are the opportunities and timing for input into formal processes? (e.g. formation or review of legislation, upholding human rights and conventions, Ministerial speeches, election of political representatives)</li> <li>• What are the sources of resistance?</li> </ul> | <ul style="list-style-type: none"> <li>• Review understanding of legislative processes and structures</li> <li>• Get to know the policy makers, their agendas and their constraints.</li> <li>• Prepare for opportunities in regular policy processes.</li> <li>• Look out for and react to unexpected policy windows.</li> <li>• Identify potential supporters and opponents.</li> </ul> | <ul style="list-style-type: none"> <li>• Work with the policy makers.</li> <li>• Seek commissions.</li> <li>• Line up research programmes with high-profile policy events.</li> <li>• Allow sufficient time and resources.</li> </ul>  |
| <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• What is the current theory/ understanding?</li> <li>• How divergent is the new evidence?</li> <li>• What sort of evidence is needed to convince policy makers?</li> </ul>  | <ul style="list-style-type: none"> <li>• Establish credibility over the long term.</li> <li>• Provide practical solutions to problems.</li> <li>• Establish legitimacy.</li> <li>• Build a convincing case and present clear policy options.</li> <li>• Communicate effectively.</li> </ul>   | <ul style="list-style-type: none"> <li>• Build up programmes of high quality work.</li> <li>• Action-research and pilot projects to demonstrate benefits of new approaches.</li> <li>• Use participatory approaches to help with legitimacy and implementation.</li> <li>• Clear strategy for communication from the start.</li> </ul> |

|   |   |   |
|---|---|---|
| <p><b>Links:</b></p> <ul style="list-style-type: none"> <li>• Who are the key stakeholders?</li> </ul> <p><b>Public sector</b></p> <ul style="list-style-type: none"> <li>• elected representatives (legislature)</li> <li>• Ministers and advisors (executive)</li> <li>• civil servants and departments (bureaucracy)</li> <li>• courts (judiciary)</li> </ul> <p><b>Civil society</b></p> <ul style="list-style-type: none"> <li>• media, churches, universities, Trade Unions, NGOs.</li> </ul> <p><b>Private sector</b></p> <ul style="list-style-type: none"> <li>• businesses and corporations</li> <li>• What links and networks exist between them?</li> <li>• Who are the intermediaries, and do they have influence?</li> <li>• Whose side are they on?</li> </ul> | <ul style="list-style-type: none"> <li>• Develop a strategy on how to engage different stakeholders.</li> <li>• Establish a presence in existing networks.</li> <li>• Build coalitions with like-minded stakeholders.</li> <li>• Build new policy networks.</li> </ul>                          | <ul style="list-style-type: none"> <li>• Partnerships between researchers, policy makers and policy end-users.</li> <li>• Use informal contacts.</li> </ul>   |
| <p><b>External Influences:</b></p> <ul style="list-style-type: none"> <li>• Who are main international actors in the policy process?</li> <li>• What influence do they have?</li> <li>• Who influences them?</li> <li>• What are their policy agendas and aid priorities?</li> <li>• What are their research priorities and mechanisms?</li> <li>• What are the policies of the donors funding the research?</li> </ul>   | <ul style="list-style-type: none"> <li>• Get to know the donors, their priorities and constraints.</li> <li>• Identify potential supporters, key individuals and networks.</li> <li>• Establish credibility.</li> <li>• Keep an eye on donor policy and look out for policy windows.</li> </ul> | <ul style="list-style-type: none"> <li>• Develop extensive background on donor policies “donor intelligence”.</li> <li>• Orient communications to suit donor priorities and language.</li> <li>• Co-operate with donors and seek commissions.</li> <li>• Contact (regularly) key donor and research individuals.</li> </ul> |

## Exercise: Triangle Analysis Framework

### Objective

To analyse the policy problem and understand the content (laws, formal rules), structure (structures of government) and culture (social values and political power dynamics) of the policy system.

The second exercise in this section - triangle analysis<sup>7</sup> - is a technique for both analysing and finding answers to a problem, focusing on the structure, content and culture in the policy system. The framework can be used to analyse how a combination of policies, institutions and social values, and behaviour contribute to, or perpetuate a problem (or issue). The framework can also be used to map and clarify strategy options to address each of the three dimensions.

### Materials:

- Handouts:
- i. triangle analysis framework
  - ii. case studies

**Methodology:** Presentation, discussion, group exercise

1. Distribute the triangle analysis framework and discuss the various components and the usefulness of the framework.
2. Divide the participants into groups and assign groups case studies. Identify the problem or the issue.
3. Each group is to use the triangle analysis technique to analyse the problem.

| Problem/issue:   |           |         |
|--|-----------|---------|
| Content  | Structure | Culture |
| <p>Insert responses to the guide questions under each column</p> |           |         |

<sup>7</sup> Source: VeneKlausen & Miller 2007:170-174

### Guide questions for analysis of content

- Is there a law or policy that contributes to the problem by protecting the interests of some people over others?
- Is there a law or policy that helps address the particular issue you have chosen?
- Is adequate government money budgeted to implement the policy or law.

### Guide questions for analysis of structure

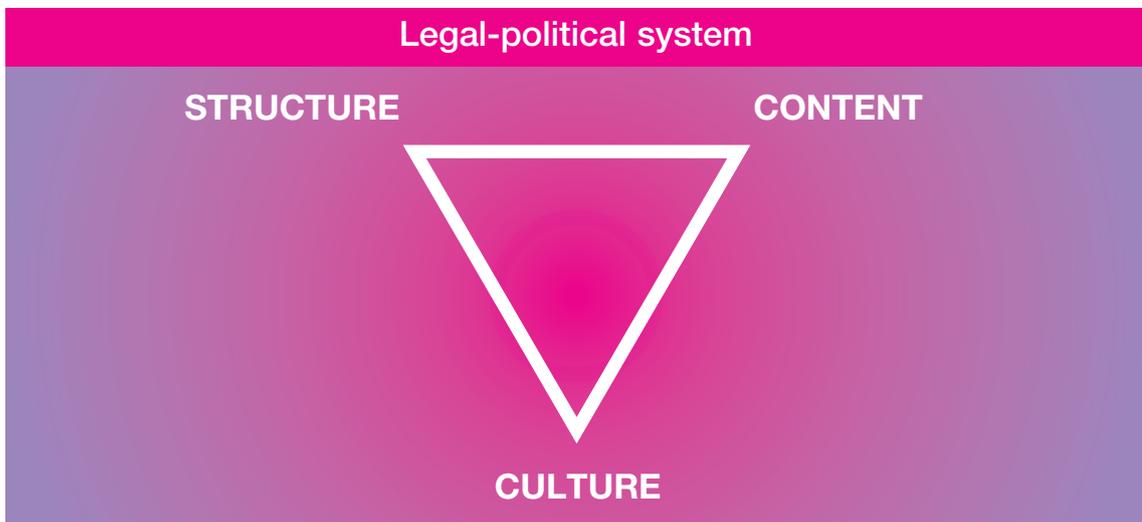
- Do the police enforce the law fairly?
- Do the courts enable women and men, poor and rich, to find a solution?
- Is the legal system expensive, corrupt or inaccessible?
- Are there support services where people can get help to access the system fairly?
- Do existing programs and services discriminate against some people (even unintentionally)?
- Does a government or non-government agency exist to monitor implementation?

### Guide questions for analysis of culture

- Are there any political or social values and beliefs that contribute to the problem?
  - Do cultural beliefs contradict human rights?
  - Do women and men know their rights? Do they know how to access their rights?
  - Do family and social pressures prevent people from seeking a fair solution?
  - Do psychological issues play a role? Do people believe they are worthy of rights?
4. On the basis of the analysis in question 3, map possible solutions in relation to content, structure and culture. Use the mapping to see if you can prioritise the solutions.

## Triangle Analysis Framework

Laws and policies can be unjust in three ways. The triangle analysis can help to highlight the specific aspect of the legal-political system that needs to be changed.



**i) Content** refers to written laws, policies and budgets – which can be discriminatory. For example, if there is no law to criminalise domestic violence, one part of a solution may be introducing a law. Also, even if a law or policy exists, unless there is funding and institutional mechanisms for enforcement, it will not be effective.

**ii) Structure** refers to state and non-state mechanisms for implementing a law or policy - which may not be enforced. This would include, for example, the police, the courts, hospitals, credit unions, ministries, and agricultural and health care programmes. Structure can refer to institutions and programmes run by government, NGOs or businesses at the local, national and international levels.

**iii) Culture** refers to the values and behaviour that shape how people deal with and understand an issue. Values and behaviour are influenced, amongst other things, by religion, custom, class, gender, ethnicity and age. Lack of information about laws and policies is part of the cultural dimension. Similarly, when people have internalised a sense of worthlessness or, conversely, entitlement, this shapes their attitudes about and degree of benefit from laws and policies.

Advocacy may need to focus on the content of the law, and/ or the enforcement and implementation of the law, and/ or the socio-cultural norms which underpin power relations and access.

### Case study 1. Vulnerability of widows and female headed households

In many cultures widows and women headed households face discrimination due to social and cultural norms and are among the poorest people in communities. This discrimination is reinforced and exacerbated during and after disasters and in the relief, rehabilitation and reconstruction processes. Field experience indicates that a widow very often has limited rights to a share of her husband's property. After her husband's death property rights become a common source of tension in the family. Despite having legal rights a large majority of widows have limited and insecure property rights and these are easily violated. Widows may have a limited freedom which severely restricts employment opportunities, as does the gendered division of labour. As a consequence, they frequently work in the informal sector and face problems of low wages, or low returns on the small trade they are engaged in. Widows can expect little economic support from their family and community. If there were government measures to enable widows and female headed households to assert their right to their land, inheritance and to earn a livelihood, particularly in emergencies, their poverty and vulnerability may be reduced.

### Case study 2. Disasters and consequent increasing vulnerability

Kokwototo sub location in ActionAid Kenya's Tangelbei development initiative (DI) is all hot and dry. The only vegetation around is the desert and shrubs; a sign that the dry spell is far from over. Seasonal rivers have all dried up leaving behind their flow's wind as the only trace. The sun is scorching, slowly sucking out life from every existing creature.

Meet 80-year old Kokulam Chemwing' who lives in a dainty hut with her daughter-in-law and eight grandchildren.

*“Food has become a luxury. We eat when it is really necessary, that is at most once a day. Wild berries, our staple, are quickly running out of stock. The famine is unbearable,”* she struggles to speak in a trembling voice.

The area last received rain in November, this being hardly enough to sustain any kind of farming. Women bear the task of fending for their families, especially as most of them have been abandoned by their husbands. Kokulam's 40 year-old daughter-in-law, Chepocheponyo Lomnasiwa narrates her ordeal.

*“My husband left me nine months ago when I was expectant. He went to look for work and has never returned home. I delivered a baby girl a fortnight ago and still have eight more mouths including my frail mother-in-law to feed. It is really a struggle,”* she says.

Chepocheponyo is now dependent on her two school-going children to look for water after school.

*“My boy and girl have to look for water for us. The nearest water source is three kilometers away from home. They tire quickly and have to keep up at school, but there is no other way out,”* she adds.

## Analysis of international law, national laws, policies and institutional frameworks

The initial steps in holding a state accountable involve working with rights-holders and others to understand the existing constitutional, legal and regulatory frameworks. This helps to establish which rights are recognised and provided for, and where there are gaps, either in absolute terms or in relation to the international human rights declaration, conventions and treaties.

This process potentially opens up two streams of work:

- To demand rights for women and girls that are not yet recognised in the constitution or laws
- To further analyse, understand and gather evidence on which rights that are already provided for in the constitution, laws and regulations, are not being fulfilled or are being violated by the state or non-state actors (corporations as well as citizens and society itself) and are not enjoyed by women and girls.

This is an essential process in claiming rights in our human rights-based approach.

AA HRBA 2008.

**International human rights** law respects and protects people's civil and political rights (the right to equality, to be free from discrimination, to life, liberty and personal security) and their economic, social and cultural rights (the right to food, housing and social security) which are to be protected and fulfilled in times of emergencies, and in reducing people's vulnerability to disasters. Governments, individuals and institutions all have the responsibility to uphold these rights.

When a country ratifies a UN convention it means it agrees to abide by its provisions and to change the laws of the country to conform to the convention. It is important to know which conventions your government has signed as this can be a powerful tool in holding your government accountable to ensuring its people enjoy basic human rights.

With regard to women's human rights, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) emphasises non discrimination on the basis of sex in the formulation of laws, policies and practices. It defines what constitutes discrimination against women and sets out what a country must do to end such discrimination. Within the Convention discrimination is defined as "... any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

CEDAW urges member states to eliminate discrimination against women and promote gender equality. The underlying assumption is that states who have ratified CEDAW have an obligation to promote equality and non discrimination as enshrined in CEDAW even in the aftermath of emergencies. The Convention thus provides the basis for holding governments to account if women are discriminated against in emergency situations such as the provision of relief materials and livelihood assistance, as well as in having equal access to, and equal opportunities in, political and public life.

**The national legal framework** sets out the state's obligations and responsibilities. Having a clear analysis of the legal provisions enables people to demand the government fulfil their responsibilities to protect and fulfil people's rights. In addition to the laws which guarantee citizens health and education for example, there are specific laws and policies relating to disaster management. Analysis of these should include:

- If and how the laws and policies are inclusive of communities – and in particular for women and girls.

- The conformity of existing laws and policies to the Hyogo Framework for Action HFA (HFA) and assessment of the state's progress in fulfilling its commitments made under the HFA, such as establishing the national platform for action.

At the same time as setting out people's rights, this analysis of the national framework is essential if we are to understand where there are gaps or inadequacies in the provisions which require reform or new laws. It also reveals whether the shortcomings are with the legal provisions and policies – or in their translation into practice by the responsible institutions. Most countries have fairly comprehensive national legal frameworks that enshrine notions of gender equality and non discrimination. However, these national legal frameworks do not address the increase in the incidence of violence against women in post emergency contexts.

The **institutional analysis** covers the Ministries, Disaster Management Centres and other structures/ bodies established to implement the Disaster Management laws and policies - at the local, district, state and national levels. The analysis should include the implications of this structure, the gaps and so on. It should assess: the co-ordination mechanisms which exist to facilitate co-ordination among the various agencies and an assessment of the success of these efforts; if the institutional delivery mechanisms are adequately organised to realise the intention enshrined in the laws and policies; if the institutional delivery mechanisms have sensitised personnel; and what mechanisms are in place for enforcement of the policy etc.

In order to achieve an overall picture it is essential to know which other actors, agencies and networks are working on emergency preparedness, response and mitigation, and their activities.

## Exercise: Analysis of the disaster management framework in relation to women's rights

### Objective

1. To identify the relevant international instruments, national laws, policies and institutional frameworks regarding women's rights in emergencies.
2. To identify some of the common institutional gaps which result in the failure to respect, promote, protect and fulfil women's rights in emergencies.

**Methodology:** Group work & discussion.

### Discussion questions

1. What are the international laws/covenants/protocols relevant to human rights in emergencies and emergency response to which your government is signatory? (CEDAW, Covenants on Civil and Political Rights, Economic, Social and Cultural Rights, Operation 1325, UNSC Resolution 1820, the Hyogo Framework for Action (HFA) etc.,)
2. Why is international law so important?

3. What are the specific aspects of national law which are relevant to the analysis?
  - Particular constitutional provisions for example regarding the equality of women etc.
  - Relevant acts/laws – relating to emergencies, women’s rights
  - Relevant policies and national disaster plans.
4. Why is analysis of the national legal framework important?
5. What should the analysis identify?
  - Lack of specific laws/policies
  - Explicit inclusion of women in the provisions
  - If laws/policies are discriminatory in themselves
  - If there are multiple laws & institutions - if there is clarity in their roles and provision for proper co-ordination.
6. What is the institutional framework for disaster management?
  - Relevant Ministries – and related bodies at provincial/state, district, local level
  - Disaster Management Centre.
7. Why is analysis of the national institutional framework for disaster management important?

## **Common institutional gaps in disaster response, based on studies on VAW in five tsunami affected countries, with particular reference to Sri Lanka.**

### **1. Lack of Gender Disaggregated Data**

In any post disaster situation, the state and non state response depends, to a large degree, on the available information. An institutional mechanism to gather reliable gender disaggregated data on the numbers of women who lost their lives, displaced women, widows and female headed households is often not in place at district and national levels.

### **2. Access to Justice**

Many countries do not lack policies and laws that empower women and accord them their rights. A major concern and one which has to be addressed urgently is the need to implement them effectively. The criminal justice system is inaccessible to women affected by violence. Women are also reluctant to approach the legal system because it is alienating and costly. Effective implementation also requires that the key actors involved act in a gender sensitive manner. This includes the judiciary, the legal profession, government officials, the police and the medical profession. A lack of awareness of the legal and other redress available to women hinders them from accessing the legal system.

### 3. Right to Information

Women need to be provided with information on the relief and rehabilitation packages they are entitled to. This did not happen after the tsunami. Details of compensation packages were not revealed to women. Women were unaware of their entitlements due to many restrictions: inaccessible government offices, restrictions in mobility, especially for widows and other social and cultural restrictions. The information was at times unclear and misinformation was also a concern. Informed choice is possible only where adequate, credible information is received.

### 4. Women's Participation in Decision-making

Women's voices were not heard in the reconstruction process. Male members of families were consulted in decisions concerning housing and compensation issues. If women are not consulted in the design and location of housing their needs are not taken into account in rebuilding and reconstruction. Many women were left as breadwinners upon the loss of their husbands. These women have specific needs such as to be in close proximity to relatives and extended families which were, unfortunately, not taken into account.

### 5. Emergency Policies and Women

Although a range of policies, laws and guidelines are formulated by states to tackle disaster relief, they mainly cover technical aspects of disaster and areas such as housing rights. The participation of women in emergency relief, recovery and rehabilitation is overlooked.

### 6. Policies discriminatory to women

Several policies were formulated by the state in the aftermath of the tsunami. In Sri Lanka, the Tsunami Housing Policy (THP) established a framework for the distribution of state land and cash allocations to those affected by the tsunami. The Policy contained hardly any reference to women and has a reference to land allocation to 'married couples' with an 'equitable interest' in the other spouse. The wording is confusing and unclear. The policy also makes reference to the fact that Divisional Secretaries must ensure that priority is given to vulnerable groups such as single women and multi child households. The Policy does not take into account the specific needs of women, and further guidelines are required to apply the policy in a gender sensitive manner.

### 7. Policies that are gender sensitive

The Sri Lankan post tsunami Mental Health Policy adopts a more gender sensitive approach to disaster management and stresses that interventions such as providing a safe, and secure environment and normalising life as much as possible for those affected, are crucial in the recovery process. The National Plan of Action on mental health, in its guiding principles, stresses the need to be gender sensitive and also to be culturally and socially sensitive. The mental health sector has addressed the particular problems of women post tsunami and sought to include interventions that target women in its policy, unlike the THP.

In Sri Lanka, the Divisional Livelihood Development Planning (DLDP) document was formulated by the national disaster management agency to assist in co-ordinating the tsunami recovery process. Although the DLDP mentions a major role for community participation, it does not specify women and girls. Experience has shown that women's concerns will not be taken into account unless expressly provided for in policy documents. This was true even after the tsunami where assessments carried out by the state to determine loss of livelihood did not take into consideration the livelihoods of women. Opportunities for men to return to their livelihoods were, however, a priority. This is due to the common perception that it is men who are the bread winners and women run the household.

### 8. Policies that are gender sensitive

There is no specific policy that focuses on violence against women in emergency situations.

## Exercise: Communications and provision of information

### Objective

To understand the importance and type of information required in emergency contexts.

**Methodology:** Discussion

### Discussion

1. In disaster preparedness – what information is needed by people living in disaster prone areas:
  - i. So they can mobilise to reduce their vulnerability to disasters?
  - ii. For early warning of an impending hazard?
2. Is there an early warning system which will spread information to the poorest and most vulnerable people in the event of an impending hazard?
3. In disaster response what is the specific information required by communities, and particularly women, which will enable them to claim their rights? (Compensation and relief entitlements, shelter policies, beneficiary lists and processes, insurance mechanisms ...)
4. What methods could you use to provide this information on laws and policies so that it will be easily accessible to communities and members will know their rights to resources, services and protection?
5. The power relations that exclude women on the basis of their sex, ethnicity, age etc in ordinary times typically persist in times of disaster. Public meetings which previously excluded women or minority groups are not spontaneously going to be inclusive after an emergency. What are the barriers to women accessing information and how can these be overcome?

### Building awareness and evidence: Facilitating community analysis

In people centred advocacy, research is not an extractive intervention done by experts. It is the facilitation of a process to enable affected people to reflect on their experience and perspectives regarding emergency response and disaster risk reduction, mitigation, and preparedness. Analysis of the social structures responsible for exclusion and poverty must be part of the analysis of people's situation post-emergency. A narrow focus on the disaster response itself will result in a lost opportunity for justice and social change. The quality of the process is as important as the product, and facilitation is the key to discussing, processing and analysing the issues with affected women, men, girls and boys.

Providing people with information about their rights – such as the content of relief and compensation entitlements - and analysing the extent to which affected people have received these, provides them and their allies with the necessary evidence. ‘The evidence can be used to inform or open discussions with the state to develop positive action to secure people’s rights in the communities we work in, hold states accountable through litigation and court processes or through international mechanisms such as shadow reports to the United Nations.’ (AA HRBA 2008) The evidence can also stimulate people’s mobilisation and organisation at the local level for practical action to achieve change.

## **Organising and Raising Critical Consciousness**

The first step in ActionAid’s rights-based framework is to raise critical consciousness through popular education and through practical support to analyse contexts, power-relations and violation of rights, and then to plan and organise actions to improve people’s well-being. For those who have been made to believe that they have no rights, and socialised to expect to be treated without dignity or respect, the first step is to challenge and change their perceptions of themselves. This step supports people to critically assess their situation and to see it for what it is: exploitation, oppression and injustice. It is also the first step to empowerment for change– an inner realisation that there is a possibility for change and a sense that people have the power to do something about it.

(AA HRBA 2008)

*This section does not provide research methodology but explores the process of identification of community women’s priority concerns for research.*

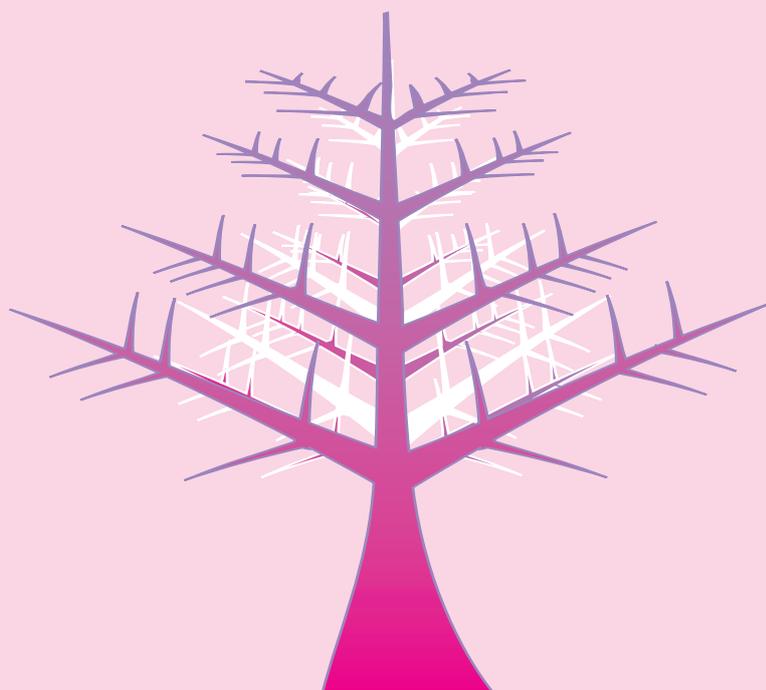
### Objective

1. To establish the importance of research
2. To identify community women's priority concerns for research.

### Discussion

1. Why collect evidence or do "research"?
2. To obtain persuasive evidence needed to influence or change policy; campaign and mobilise the public; inform own position; develop knowledge base; for effective advocacy and mobilisation, create public argument for change; legitimise our position; bring people's voice to the public and develop new social theories etc.;
  - What makes a good "research project"?
  - Evidence built through a people-centred process (refer to framework), multi-disciplinary approach, risk analysis, good research brief, strong research management.
  - Clear action - should target specific change – advocacy campaigning, communications, distribution etc, specific campaign action mechanism, communication strategy, agreed spokespeople, promotion and dissemination strategy, feedback and accountability system to interviewees and rights holders.
  - Analysis with other agencies who are working on similar issues, mapping the gaps and opportunities for co-operation.
3. Use the problem tree analysis tool<sup>8</sup> to identify the key problem(s) women are experiencing and wish to address through policy advocacy work.

<sup>8</sup> Tools for Policy Impact: A Handbook for Researchers page 22



## Methodology:

- i. Form groups of about six to eight people
- ii. The first step is to discuss and agree the problem or issue to be analysed.
- iii. The problem or issue is written in the centre of the flip chart and becomes the 'trunk' of the tree. This becomes the 'focal problem'. It should describe an issue that women feel passionately about.
- iv. Next, the group identify the causes of the focal problem – these become the roots.
- v. Then identify the consequences – which become the branches. These causes and consequences can be created on post-it notes or cards, perhaps individually or in pairs, so that they can be arranged in a cause-and-effect logic.
- vi. The heart of the exercise is the discussion that is generated as factors are arranged and re-arranged, often forming sub-dividing roots and branches.
- vii. Take time to allow people to explain their feelings and reasoning, and record related ideas and points that come up on separate flip chart paper under titles such as: solutions, concerns and decisions.

## Discussion

- Does this represent the reality? Are the economic, political and socio-cultural dimensions to the problem considered?
- Which causes and consequences are getting better, which are getting worse and which are staying the same?
- What are the most serious consequences? Which are of most concern? What criteria are important to us in thinking about a way forward?
- Which causes are easiest / most difficult to address? What possible solutions or options might there be? Where could a policy change help address a cause or consequence, or create a solution?

## Coalitions, Alliances and Networks.

While the terms coalitions, alliances and networks are often used interchangeably they can be distinguished as follows:<sup>9</sup>

### What is a coalition?

Coalitions often have a more formalised structure, an office and full-time staff. They usually involve long-term relationships among the members. Their permanence can give clout and leverage.

### What is an alliance?

Alliances generally involve shorter-term relationships among members and are focused on a specific objective. Being limited in time and goal, alliances tend to be less demanding on members.

### What is a network?

Networks tend to be loose, flexible associations of people and groups brought together by a common concern of interest to share information and ideas.

.. To tackle the dominant and pervasive individuals, systems and structures of power ... requires more power-building strategic action by mobilising like-minded groups, networks, alliances, social movements, knowledge, resources and public opinion. It requires engaging with formal power structures (state structures and public bodies) and creating new public spaces in which the marginalised are more in control of the process, such as through social audits, participatory budgets, and people's commission and platforms. It is critical at this stage to receive support and solidarity from NGOs and the broader social movements.

(AA HRBA 2008)

## Exercise: Understanding alliance building

### Objective

To understand the purpose of alliances and networks.

### Discussion

1. What is the purpose of building alliances and networks?
  - To create linkages to bring the concerns from the local to the national/regional levels, and mobilise many people at different levels
  - To amplify the voices of poor and excluded people and generate a powerful voice for change to counter the status quo
  - To strengthen people's ability to critique and analyse
  - To increase the scope, scale and sustainability of the impact

<sup>9</sup> VeneKlasen & Miller 2007:311, Tools for Policy Impact: A Handbook for Researchers 59

2. What are the advantages and disadvantages of forming alliances and networks?

Some possible answers are given in the table below.

| Incident   | Reasons  |
|--|--|
| <ul style="list-style-type: none"> <li>• Generates more resources</li> </ul>                     | <ul style="list-style-type: none"> <li>• Distracts from other work</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Increases credibility and overall visibility</li> </ul> | <ul style="list-style-type: none"> <li>• Unrealistic expectations</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Provides safety in numbers</li> </ul>                   | <ul style="list-style-type: none"> <li>• Generates an uneven workload between stronger and weaker members</li> </ul> |
| <ul style="list-style-type: none"> <li>• Broadens support base</li> </ul>                        | <ul style="list-style-type: none"> <li>• Requires compromise</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Creates opportunities for new leaders</li> </ul>        | <ul style="list-style-type: none"> <li>• Causes tensions due to imbalances of power</li> </ul>                       |
| <ul style="list-style-type: none"> <li>• Creates opportunities for learning</li> </ul>           | <ul style="list-style-type: none"> <li>• Limits individual organisational visibility</li> </ul>                      |
| <ul style="list-style-type: none"> <li>• Broadens scope of each member's work</li> </ul>         | <ul style="list-style-type: none"> <li>• Poses risks to reputation</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Contributes to strength of civil society</li> </ul>     |  |

### Tips for establishing campaigning coalitions include:

- Be clear about the issue people are coming together to create change on
- Develop membership criteria and mechanisms for including new members
- Resolve what the coalition will do and not do
- Select a steering committee if the group is large
- Establish a task-force to plan and co-ordinate different activities
- Assess progress periodically and make changes if needed
- Develop a code of conduct to ensure mutual respect and responsibility.

## Documentation of research

For a report to gain the attention of policy makers and institutions it must demonstrate clarity, rigour and credibility in its objectives, methodology, data presentation and analysis.

Reports have greater legitimacy if they are produced by a coalition of members who have provided inputs into the analysis, conclusion and recommendations before the report is finalised and disseminated.

This can entail:

- Consolidation, analysis and presenting findings to the network
- Dialogue with network members and community representatives to develop the policy advocacy strategy
- Network members sign off the report
- Launch of the report to coincide with a relevant event such as a major conference or government meeting along with media coverage.

### Reports should be:

- Short (concise)
- Evidence-based
- Well written
- Illustrated
- Powerful graphics and photos
- Excellent summary
- Quotes
- Reliable quantitative data.

## Community action planning/mobilisation

Through providing information, awareness raising and analysis on their situation, women can come to realise their shared situation in the denial or abuse of their rights and create a collective sense of identity among themselves, as rights-holders. Through organising themselves and working together to claim their rights and pursue the goals they set for themselves, women develop power: power within, power to and power with.

In a people-centred advocacy framework, critical analysis of their issues leads to:

- a) The pursuit of policy advocacy at local, regional and national levels with networks of allies; and,
- b) Mobilisation to work for change in their own communities. Through this process of organisation and mobilisation, people develop increasing control over, and access to, the resources and relationships they need for their well-being.

## Policy influencing - advocacy

### Objective

- To understand the components and processes in advocacy or policy influencing.

### Exercise: Developing an advocacy plan

A policy influencing strategy has essentially three steps:

## 1. What? Identification of the policy change objective.

- What is the evidence you are working with and the **message** it communicates?
- How would policy change in response to the evidence?

## 2. Who? Analysis of the policy audience.

- Who in government and among opinion leaders, do you need to tell the message to?
- And whose decisions do you need to influence? Identify who could influence these changes.
- Where are the supporters, entry points and policy hooks and opportunities you can hang your proposals on in a timely and focused manner?
- Where are your detractors?

## 3. How? The evidence-based message – how to package and promote the information:

- The message must address the issue as a social and political problem and be relevant to the current situation, to the piece of legislation, policy or programme, present a clear solution and the change proposed and how the change could be achieved.

Constant review is required until the objective is achieved. As the policy influence project progresses, the objectives, messages, target audiences and strategies should be reviewed, assessed and improved.

1. Brainstorm the tools available for claiming individual/ group rights. This can include:

- Written submission to concerned local authorities: locating sites of violations, collecting facts and figures around the violation, collecting details of the provision of right (article number etc.) and making an application to the local authorities giving all details.

Evolve pro-women and girls policy guidelines which can be used by civil society to pressurise governments to act or integrate women's rights into their disaster policies:

- Follow up repeatedly with the authority. In the absence of any reply, go to higher authority. One can approach the relevant highest authority.
- Meet with officials in person: Try to personally meet various officers involved to build up a relationship and hopefully expedite the process.
- Negotiations: try to bring key authorities and elected representatives into discussions.

Mobilise community support:

- Organise meetings with representatives of community organisations and the concerned officials
- Group protest
- Long march/ procession.
- Legal recourse
- Media plan as part of the overall influencing plan.

Linkages to ActionAid regional and international thematic work – through themes:

- Engage with actors who are critical in emergency response.
- Linking and engaging with regional donor and policy networks where possible.

2. What strategies can enable the voice and perspectives of poor and excluded people – and particularly women in decision-making and planning process when the actual practice of government does not provide opportunities for input and excludes them from processes?

3. There needs to be a balance between critical engagement – resistance and critique, with constructive engagement and support. Advocacy does not have to be confrontational. Policy makers such as governments and local leaders are often aware that there is a problem and will welcome suggestions about how it can be solved.

4. The type of advocacy that can be undertaken in functioning democracies is very different to advocacy in failed states and dictatorships, where any opposing or dissenting voice is seen as a threat. The safety of staff and the risk to the organisation need to be considered when developing an advocacy strategy.

5. Presentation on **Policy Papers**

A good policy paper should:

- Define and detail an urgent policy issue within the current policy framework which needs to be addressed
- Outline the possible ways (policy alternatives) in which this issue can be addressed; description and discussion of the available policy options within the current policy framework

- Provide an evaluation of the probable outcomes of these options based on an outlined framework of analysis and the evidence from the current policy framework
- Choose a preferred alternative (policy recommendation) and provide a strong argument to establish why your choice is the best possible policy option.
- Recommend practical solutions for real-world problems to a broad and highly politicised audience. While based on rigorous analysis, there is therefore an evident need for you as the policy specialist to take a position on what you feel would produce the best possible outcome to the problem discussed.

## Women centred advocacy in emergencies

### The key messages from a women's right perspective are:

- The agency of women
- The need to stop structural discrimination and violence against women
- To bring women into the mainstream; the inclusion of and investment in women's participation and leadership
- To recognise and resource the role of women in community resilience building.

## Key policy recommendations concerning women's rights in disasters:

### 1. Policies Ensuring Women's Rights

The formulation of state policies, and guidelines for their implementation, must ensure that the rights of women are fulfilled, taking into account women's concerns and the specific needs of women in the recovery process. Every policy and national plan of action must explicitly include women. Procedures must be in place to overcome structural discrimination against women to ensure that policies are operationalised. Violence against women in the post emergency context is a reality and must be proactively prevented and addressed.

### 2. Access to information

The state must be transparent and effective in providing women easy access to information regarding their entitlements and rights - particularly their right to dignity, reproductive and sexual rights.

### 3. Women's participation in decision-making

Women must be consulted and involved in policy formulation and programme design for relief operations, camp management, damage and needs assessments, allocation of houses and land, and the rebuilding of livelihoods. Their voice can be ensured through the appointment of, and ensuring the space for, women in all decision making committees at the local, national and international level.

### 4. Building up Women's Groups (Self Help Groups)

Women who experience violence or hardship may share their experience with friends and relatives. When community support and protection mechanisms are disrupted by emergencies, women's groups can be encouraged and strengthened to rebuild coping and support mechanisms at the community

level. Self help groups could support each other as well as provide assistance and support to survivors of violence.

## **5. Training of Women Community Leaders for Advocacy**

Women at the grassroots level can influence policy and effect change at the highest level. It is critical that the state engages with women community leaders working at the grassroots level who are trained to lobby and advocate for change. Their 'hands on' experience of the discrimination women and girls face in society should be used for evidence based advocacy. It is also important to build networks between women community leaders and those working at policy level so that information flows are maintained.

## **6. Men as Positive Agents of Change**

Policies and programmes targeting men and boys can enact changes that improve men's gender related attitudes and behaviours. Men can act as agents of change if they also are involved in processes of reflection and analysis and become part of the solution. Attitudinal change, behavioural change and systems change - largely on the part of men - should be encouraged to address the societal, cultural, economic, ideological and political systems that perpetuate or allow for violence against women and girls. Men have to be engaged to build understanding that it is their actions and attitudes that continue to put women and girls at risk, and they have to be engaged to put a stop to it. Empowering women begins by empowering men.

## **7. Improved Access to Justice for Women**

Effective implementation is possible only through a concerted multi-pronged effort by the state which takes into account the different actors in the socio-legal system. This includes training and sensitisation of the police, the legal profession, the judiciary and the medical profession so that women can access the justice system. It also includes women's groups, community groups, women's NGO's, and institutions providing services such as referrals, safe houses, psychosocial support and legal aid. The justice system needs to function effectively if a survivor of violence is to seek and receive adequate and speedy relief.

## **8. Rejection of the 'Head of Household' concept**

Governments should promulgate policies which expressly reject this concept in keeping with the principles of non discrimination and in the promotion of gender equality. Women must be equally recognised as heads of households irrespective of their marital, caste, ethnic, class, age or religious status.

## **9. Ownership of Land**

Title to land allocated in resettlement should be in the name of both the woman and the man. Land and house allocation must include single women, widows, women with disabilities and older women.

## **10. Women and Livelihood Opportunities**

Women's economic rights must be recognised and they must be targeted by the state to ensure that their livelihoods, essential to the survival of family economies, are restored. Women must have support and access to grants, credit facilities, market linkages, skills and business development services so that they are economically empowered.

## 11. Women's role in disaster risk reduction

The centrality of women to families and communities and in building their resilience to emergencies is vital. All agencies must recognise, resources and strengthen the capacity of women to prepare for and mitigate disasters.

### Policy analysis checklist in emergencies (to be used in the first four weeks)

| Key questions/ issues  | Checklist for analysis  | Sources of information  | Output   |
|--|---|---|--|
| <p>What rights do people have?</p> <p>Public obligations to protect rights of the citizens in emergencies.</p> | <ol style="list-style-type: none"> <li>Existing responsibility and entitlement.</li> <li>Locate bodies responsible for developing evolving policies on compensation, relief distribution etc.</li> </ol>  | <ul style="list-style-type: none"> <li>Constitutional provisions</li> <li>Disaster response codes/ policies</li> <li>Standing orders</li> <li>Public commitment made in media by key officials, politicians etc.</li> </ul> | <ul style="list-style-type: none"> <li>Relevance, adequacy, timeliness.</li> <li>Clarity on what people are entitled to, and what is the gap.</li> </ul>         |
| <p>How those policies are formulated, the process</p>  | <ol style="list-style-type: none"> <li>Who is involved? Who is not?</li> <li>Do affected people know about the process?</li> <li>Understand that local authority officials have to engage in the process—to identify advocacy targets?</li> </ol> | <p>Key government officials.</p> <p>Co-ordination/cluster meeting organised by UN/Government.</p>   | <ul style="list-style-type: none"> <li>Participation issues.</li> <li>Need for information about policy provision.</li> <li>Advocacy targets defined.</li> </ul> |
| <p>Process of implementation at various levels</p>   | <ol style="list-style-type: none"> <li>Gap between people's priorities and entitlement.</li> <li>How local government is involved.</li> <li>Alternative administrative mechanism—military.</li> </ol>   |   | <ul style="list-style-type: none"> <li>Key advocacy issues.</li> <li>Advocacy targets at various levels.</li> </ul>  |

| Key questions/ issues  | Checklist for analysis   | Sources of information                                     | Output  |
|--|--|--|---|
| Examine factors enabling or disabling government's capacity to meet those obligations.   | <ol style="list-style-type: none"> <li>1. How do people normally hold the government accountable?</li> <li>2. What are the existing groups raising the issues?</li> <li>3. What are key political issues: conflict sensitivity, state of emergency, deployment of army, forthcoming elections</li> </ol> | Donors: policy, funding commitment, pledges and transfers. |   |
| Examine factors enabling or disabling people to hold government accountable  | <ol style="list-style-type: none"> <li>1. How does the disaster affect government capacity?</li> <li>2. Do governments acknowledge a disaster? Do they declare emergencies?</li> <li>3. Is there a resources gap? How are donors performing?</li> </ol>  |  | Who we are partnering with in policy work?<br>Risk assessment (external). |
| Identify the process, way and mechanism by which governments are being held accountable for their obligations in relation to protecting rights in emergencies. | <ol style="list-style-type: none"> <li>1. What mechanisms exist to hold governments/a government accountable to fulfil those obligations?</li> <li>2. How does this work in practice?</li> <li>3. Are the accountability mechanisms responsive to women and girls? A stakeholder analysis.</li> </ol>    |  | Advocacy and communication strategy                                       |

| Key questions/<br>issues   | Checklist for<br>analysis   | Sources of<br>information | Output                                 |
|--|---|---------------------------|--|
| <p>What are the factors affecting marginalised and excluded people's ability/capacity to hold government accountable.</p> <p>Through which mechanism(s)?</p> | <ol style="list-style-type: none"> <li>1. Why do women, girls and excluded people in emergencies struggle to hold government accountable?</li> <li>2. To what extent can women, girls and other marginalised people participate in government accountability mechanism(s)?</li> <li>3. What are the factors and conditions that enable women, girls and other marginalised people to hold government accountable?<br/>Generate analysis from specific example.</li> </ol> |                           | <p>Long term mobilisation strategy</p> |

## Chapter 1: Women's Rights in Emergencies: Theoretical Framework

### Exercises: Gender roles 2: Role reversal

**Time:** One and half hours

**Materials:** Each scenario below is written on a separate card.

**Methodology:** This exercise is based on gender 'role reversal' which encourages participants' reflection on their previous experiences and what is considered 'normal'. Role reversal means, for example, a woman being or doing something typically associated with a man.

In groups of 5-6, distribute the cards with the scenario so that each group is assigned at least one of the scenarios outlined below. Ask the group to imagine the scenario and then to act it out in the plenary. Tell the group that the issue must be clear to the audience – who is acting as a man or a woman. Be explicit in the role play.

- 1) A man washes the dishes, sweeps the floor and does all the household chores at home everyday.
- 2) A woman eats with the family and other male family members are involved in serving food.
- 3) A woman in a queue for food distribution intentionally pinches/touches private body parts of a man squeezed next to her.
- 4) A woman starts drinking alcohol/gambling after an emergency struck the family/village.
- 5) A man is told by his wife/ other women in family to shut up and not to poke his nose in decision-making about house building after an emergency.
- 6) A woman starts working with a woman's group or joins some task force preparing for an emergency without consulting any family male member.
- 7) A woman swims across the sea/river and rescues a man.

#### Discussion:

During the discussion record the key points on flip chart.

1. Considering the various scenarios: Is this behaviour 'normal'? What is 'normal'? Who decides?
2. What would be reactions of: a husband/partner; parents/in-laws; neighbours to a woman doing these things? Why is the same behaviour – carried out by a man – tolerated in society?
3. Who decides what the 'correct way' is for women or men to behave? Who makes the rules? Who decides the roles?
4. How are rules and roles communicated?
5. How rules and roles are (i) reinforced by society (ii) internalised by women and men?
6. What happens to a person who defies assigned gender roles?
7. Why does society judge women and men differently if they do the same action?
8. What does discrimination on the basis of one's sex mean?
9. Can we categorically say that particular tasks are only for women and others only for men?

## Exercise: Understanding gender and power: Persons and “things”

### Objectives:

1. To facilitate participants’ understanding of the manifestations of power in relationships between men and women and to facilitate participants’ self-reflection.
2. To enable participants to realise how they themselves (and all of us) live with unequal gender relationship in our day-to-day lives and also reinforce them.

**Time:** Two hours

**Materials:** Write Table 1 on a flipchart or white board.

**Methodology:** Divide the participants randomly into three groups. Assign one group’s to be ‘things’, another to be ‘persons’ and the third to be ‘observers’. Try and ensure that the groups ‘persons’ and ‘things’ have the same number of participants.

Present the characteristics for each group as set out in the table and ask each person to act accordingly.

Ask each participant in the group of ‘persons’ to select one ‘thing’ (form pairs). The person can then tell the ‘thing’ to do whatever they want ‘it’ to do. They can order them to do any kind of activity (inform the participants not to do anything illegal, dangerous or violent). The observers stand at the sidelines and witness the interactions of the pairs.

Give the pairs 5-8 minutes to carry out their designated roles

Come to a plenary to discuss the experience.

| Incident   | Reasons  |   |
|--|--|---|
| <ul style="list-style-type: none"> <li>• You cannot think</li> <li>• You have no feelings</li> <li>• You cannot make decision</li> <li>• You do not have desires</li> <li>• You have to do what the ‘persons’ tell you to do. If you want to move or do something you have to ask the ‘persons’ permission.</li> </ul> | <ul style="list-style-type: none"> <li>• You can think</li> <li>• You can take decisions</li> <li>• You have desires</li> <li>• You have feelings</li> <li>• You can tell the ‘things’ what to do</li> </ul> | <ul style="list-style-type: none"> <li>• You will observe the interactions between persons and ‘things’.</li> </ul> |

### Discussion:

1. What was your experience of participating in this activity?
2. For the ‘things’: how did your person treat you? How did you feel? Why?
3. For the ‘persons’: how did you treat your things? How did you feel? Why?
4. For the observers: what did you observe? How did you feel? Why?
5. Were there ‘things’ or ‘persons’ who resisted the exercise? Why?
6. In daily life are some people treated as ‘things’? Who? Why? What are the prominent relationships around us of the type of ‘persons and things’?
7. In your own life, does anyone treat you as a ‘thing’? Who? Why?

8. Do you ever treat anyone as a 'thing'? Who? Why?
9. What do you think underlies such inequality in relationships? What are the reasons for this treatment?
10. What are the consequences of a relationship where one person treats the other person as a 'thing'?
11. Is power a key reason for unequal relationships? For example, between men and women? Why?
12. How does society encourage or endorse such power relationships?
13. Have you seen such an exercise of power in relationships in disaster situations? Please give examples. (For example: between government officials and disaster affected women; between women and men survivors; between relief workers and survivors).

**Key learning points to be reinforced:** The manifestations of unequal power are experienced and witnessed in all kinds of relationships between women and men, more so in intimate relationships. It is generally thought that in a disaster all people are equally affected. However, unequal power relationships persist and are aggravated in disaster situations which mean that the impact on women is greater. Due to social conditioning and expectations women may accept their treatment as 'things', and men accept their dominant role as 'persons'. Being aware of and recognising these power dynamics between women and men is critical if we are to work for change, women's rights and equality. Men must monitor their interactions with women and respect women's ideas, feelings, desires and decisions. Women should understand and assert their rights in unequal relationships.

**Application and internalisation:** Given the reality of unequal power and inequality in relationships – give a specific and concrete example of what you can do in disaster preparedness or response which will respect, protect or fulfil women's ideas, decisions, feelings and desires. Give a concrete example.

**Facilitator notes:**

**Women as 'things'**

Let us think about a 'thing', say for example chalk. Chalk can never write on its own, can never move on its own and will write only those things that the writer using that chalk wants to write. The chalk will be used only when the writer wants to use it. 'Things' don't think, they have no feelings and cannot act on their own will, i.e. they do not have power and are not in-charge of their lives. Things always need a 'person', who makes decisions for them about their position and situation. The 'person' is 'powerful' because he/she can think, can feel and can take decisions and is in control of 'thing's' life. The thing is 'powerless'.

In our real lives, also our relationships with different people bear unequal power dynamics. In some relations we are 'persons' while in some we are 'things'. Women are most likely to be 'things' in various relationships in public and private life. The power dynamics in relationships sometimes change with factors like age and illness but generally women are less powerful in any man-woman relationship.

One should always be aware and conscious about 1) not treating anyone as a 'thing' and 2) not being treated like a 'thing'.

## Exercise: Gendered relations and the head of household concept

**Time:** One hour

**Materials:** Handout on head of household concept.

**Methodology:** Read the handout and discuss the questions below.

### Head of the Household' concept

The 'head of the household' concept typically views the male as the leader of the family. This assumption results in many problems for, and discrimination against, women. It is not a written policy of governments. It is an administrative practice followed for administrative convenience. By assuming that the man is always the head of the household women's roles are undervalued and overlooked. For example, where the male spouse's name is put on beneficiary lists or he signs as the head of the household on forms and other documentation of the state, women have lost their rights to land, property and the other forms of assistance they were entitled to. This is frequently seen in the post disaster context where women - particularly single women, widows, women with disabilities and older women - lose out as a result of the assumption that the 'head of the household' is the male - who is the primary provider for the family. Men can be given more assistance than women because governments assume that the man is the major breadwinner of the family and therefore needs more money and benefits to support the family than a woman needs. Women can also have difficulty in obtaining custody of their children.

Official documentation and use of the head of household concept is patriarchal terminology. The distribution of family responsibilities varies from home to home. Family units have their own unique means of allocating responsibilities within the family and this factor should be respected. The head of the household concept should be expressly rejected by state policy and the government should promulgate policies which expressly reject this concept in keeping with the principles of non discrimination and the promotion of gender equality. Policies should take into consideration specific contexts and situations. An option is to have both the woman and man sign forms as responsible members of a family unit. In this way, there would be no family member signing as head of the household. Another option is to have either adult member of the household sign the form as a responsible family member.

### Discussion:

1. How does the use of the 'head of household concept' make women 'invisible'?
2. In reality many women are heads of households. (What is the statistic in your country?)  
What are some of the reasons for female-headed households?  
(Single, divorced, widowed, living with another woman, abandoned, long-term migration by male household member, war or disaster causing women and children to become refugees)
3. What is the link between poverty and female-headed households? Why?
4. From your experience, what problems do female-headed households face in the disaster context?
5. What should be the position of your organisation regarding the head of household concept?
6. What can the community do to assist women who are the head of households?

**Application and internalisation of power:** Organise the group into pairs and ask them to, first, reflect alone and remember a situation when:

(i) she /he felt powerful and (ii) she /he felt powerless.

(Powerful examples: overcoming fear or a feeling of ignorance by pushing oneself to take action; recognition by others of what I did, having higher status or more knowledge than the other

Powerless examples: disrespect or put downs; being ignored; ignorance; isolation or exclusion from a group; shame; loss; lack of control)

- Ask each pair to discuss their feelings

**Discussion in plenary:**

1. What were the feelings associated with experiences of being (i) powerful (ii) powerless?
2. How did feelings of powerlessness connect to being a woman? That is, are there harmful social/cultural practices, norms and values which underpin women's common feelings of powerlessness?
3. Brainstorm how this understanding of the harmful social/cultural practices, norms and values which underpin women's common feelings of powerlessness can be used in the disaster context to enable community women to challenge these barriers?

## **Exercise: Analysis of power**

**Materials:** Copies of the case study (or request a case study from one of the participants)

**Methodology:**

1. Read the case study together.

### **Case study: Story of Ma Shwe Zar**

In Labutta township there is a widow called Ma Shwe Zar. She has five children, the youngest of whom is about two years old. Her husband died during cyclone Nargis. She is a farmer. Shwe Zar moved to this village after her marriage and her siblings live far away. Her husband's only brother also does not live in the district.

After cyclone Nargis the local authorities distributed power tillers to the farmers because many buffalos died and people needed to plough their land before the monsoon season. Shwe Zar was told that she would be given a power tiller to plough her land. But the condition was she needed to find a hired worker who could manage the power tiller. If she was not able to find this person she would not get the power tiller. In addition, she was told that if her land was not ploughed then her land had to be loaned to someone to use. Shwe Zar did not want to lend the land to someone else as there she was not confident to rely on the policy of the local authority. She was worried that if she did lend her land that she would not get it back. She did not have experience to manage a hired worker and did not want to take the risk of lending her land or hiring a worker.

Neighbouring farmers did not offer to help her plough the land. Shwe Zar talked with her women neighbours but they had no suggestions or solution for her.

To solve this problem Shwe Zar decided that she had to re-marry even though this was not her wish. In Myanmar tradition this is called 'rebuilding the home'. She had to do this against her wish and rush into a marriage to meet the requirement to get a power tiller and to safeguard her land.

2. Divide the participants in 5 groups and ask each group to respond to the questions given below.

i) Woman (Shwe Zar)

- What did you do to aid your recovery from the disaster and support your children?
- *What was the power that you had? (Power within)* (see question 3)
- What could your male and female neighbours, husband to be, and the local government authorities have done to assist you?

ii) Women neighbours

- What did you do to assist Shwe Zar? What could you have done to better support her?
- *What was the potential power that you had? (Power with)*

iii) Husband to be

- What did you do to assist Shwe Zar? What could you have done to make life easier for her?
- *What was the power that you had? (Power to/with)*

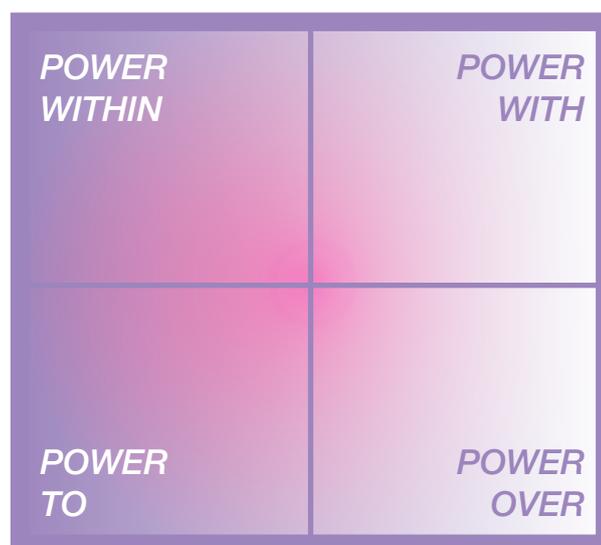
iv) Neighbouring farmers

- What did you do to assist Shwe Zar? What could they done to make life better for her?
- *What was the power that you had? (Power to/with)*

(v) Local government

- What did you do to assist Shwe Zar? What could you have done to make life easier for her?
- What could you do to make life better for female headed households?
- *What was the power that you had? (Power over, potentially power to)*

3. In a square grid on the floor label one quarter “power within”, one quarter “power with”, one quarter “power to” and the last quarter “power over”.



Ask each of the 5 groups to think about the power (power to/within/with/over) that they had – or potentially had - to assist Shwe Zar. Place the name of their character on the appropriate quarter of the grid.

4. Ask each why they did - or did not - use the power that they had?
5. In a disaster what is needed to ensure that the community provides more support to more vulnerable members, such as those widowed by the disaster?

#### For discussion

As a development/government worker give one specific example of how you could work with powerful people and influence them to not use their power over women but to work with women and facilitate/strengthen women's power with/to/within.

### Exercise: Agency and vulnerability

**Materials:** Case study, handout on agency and vulnerability

#### Nurjahan

I lost my mother when I was only one and a half years old. My father remarried. I have been suffering from polio and became physically challenged when I was two years old. I lost my original name – Nurjahan - and grew up as 'lengri' (cripple). On one hand I had a step-mother and on the other hand I was not able to walk on my legs and was dependent on others. I was never served with good food or given proper clothes. During the 2007 flood our house was completely inundated. As it was difficult to live there, my parents went to the nearby highway. They took my brother and step-sister but left me alone in the flooded room. They thought of me as an 'extra burden' at the time of flood.

Our neighbour Amena Begum helped me to raise the bed and she often offered me food. All the time I was thinking, sitting on the platform: am I a human being? If I am, why I do I have to face such trouble?

One quiet night an unknown man came by raft and asked me to open the door. He told that he would like to help me. I was in the dark but I used a match to see his face. I opened the door taking a big fish cutter with me. Seeing the fish cutter in my hand the man did not know which way to run (Nurjahan laughed). I kept the fish cutter with me after my parents went to live in the flood shelter. I know no one can do any harm to me even I am physically challenged (protibondhi). I have grown up with struggle (songram) and learnt how to face odds.

*Bangladesh Floods 2007*

#### Discussion

1. In what ways was Nurjahan vulnerable? That is, what were the causes of her vulnerability?
2. What reflects Nurjahan's agency?
3. What are the causes of women's vulnerability in normal circumstances and during emergencies?

Ask the participants to form pairs. Each pair is to discuss their lists of the causes of vulnerability and then categorise the different vulnerabilities.

Write the names of the categories on cards.

Ask one pair to stick their categories across the wall. Then ask other pairs to put their cards up, clustering the same categories together.

4. What are the different categories of vulnerabilities? Which categories/groups of people in the population are who most vulnerable?

5. Ask the participants to consider the following statements on vulnerability. (Add others)

Ask all participants who agree with a statement to go to the left side of the room and those who disagree to go to the right. Each group must then present their reasons for their stance.

- (All) women are vulnerable and helpless
  - More women die in emergencies than men
  - Women are emotional and cannot handle pressure or trauma. They need more psychological support than men.
  - If women had capacity and agency they would not be poor and vulnerable
6. Brainstorm examples of the positive things women and women groups have done in the disaster context.
7. Link the discussion to power analysis. Why, if women are able to do all these things are they typically considered to be so vulnerable and victimised? How does it relate to the notion that women are weak and men are strong and can do better/more.
8. Women are not a homogeneous group. What does this mean for practice?
9. Does being vulnerable automatically mean that poor women are helpless and without capacity?
10. Discuss how external factors are major contributors to the vulnerability of women and how such factors can be minimised.
11. Present the definitions of agency and vulnerability (see handout) and discuss with the group.

**Key learning points to be reinforced:**

- Vulnerability is different depending on one's gender. Factors such as: a lack of access to and control over basic resources, and a lack of entitlements increases women's vulnerability, and undermines their coping mechanisms.
- The general perception of women as helpless victims means that their capacities are not identified or maximised.
- Vulnerability does not mean that women are helpless and passive; they still have agency.
- The underlying causes of women's vulnerability exist in ordinary times - before emergencies occur. It is critical that disaster responses build a deeper understanding of women's vulnerability to various forms of violence against women so as to ensure their responses help in empowering the women survivors. If these causes – and women's needs/rights – are not recognised and addressed, interventions will reinforce women's exclusion and poverty - and so vulnerability. It is vital to engage with women as active agents in their own recovery, respecting their capacities and resilience and ensuring information, opportunities and space for them to participate and make decisions.

## Chapter 2: Women's Rights in Emergencies: International Laws, Conventions and Standards.

### Exercise: Rights based approach in emergency response

**Methodology:** Distribute the case study from AA Myanmar, 'A community-led emergency response', and organise the participants into discussion groups.

#### Discussion

1. What are the advantages and disadvantages of the approach taken?
2. Is the process replicable in other contexts? Why/why not?
3. How could women's roles be enhanced?

#### A community-led emergency response

Cyclone Nargis devastated the Ayeyarwady Delta region of Myanmar on 2 May 2008. It left at least 160,000 dead and 70,000 missing, most of them women and children. 2.4 million people were severely affected by homelessness, psychological distress, lack of water and food and the destruction of their livelihoods.<sup>1</sup> Three weeks after the cyclone, ActionAid and its partner organised a meeting with representatives from 17 selected villages in Nugpu daw. At this one-day meeting community representatives were told exactly how much money they would be given by ActionAid – US\$180,000 – and together they discussed how the money should be allocated. Based on the number of people in each village and the damage suffered, funds were split between the 17 villages.<sup>2</sup>

Prior to the cyclone ActionAid had trained 30 young leaders (from elsewhere in the Delta) in sustainable development, voluntary action and community mobilisation.<sup>3</sup> Investing in human capital before the disaster was to prove crucial for the successful integration of community participation in the emergency response. Individuals or pairs of fellows assigned themselves villages for which they would be responsible.

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<sup>1</sup> Post-Nargis Joint Assessment, published by the Tripartite Group comprised of Representatives of the Government of the Union of Myanmar, the Association of Southeast Asian Nations and the United Nations with the support of the Humanitarian and Development Community. Published July 2008.

<sup>2</sup> Adapted from ActionAid Myanmar publication (2009) "A Community Led Emergency Response: ActionAid's experience in 17 villages in post-Nargis Myanmar with community youth leaders".

<sup>3</sup> The "fellowship program" is a youth leadership and community development program utilising the Reflect approach. For fellows it comprises a six-week training course, followed by a two-month placement based in a village, followed by a four week advanced training and reflection and finally a second, seven-month village placement.

## A community-led emergency response continued

### *Community based organising*

The 30 fellows moved to the villages to live and work amongst the people they were supporting, building trust and close relationships. Emergency food and water was provided immediately to each community through partner staff, the village representatives and pre-existing community groups (i.e. churches and monasteries). In each of the villages the fellows called a community meeting, asking a minimum of one person per family to attend. At the meeting they explained who they were and what they were going to do in the following weeks and months. This group of people, together with other pre-established interest groups such as youth and women's groups, formed the basis of the community based organisation (CBO). Immediate village priorities and how the CBOs wished to restore their village and livelihoods were discussed and decided by them.

### *Dignity in distribution*

With markets working either in or near the villages, the CBOs jointly decided that procurement of materials should be made locally to limit transportation costs and support local businesses. With 1200 families in the area and funding originally calculated to be sufficient for 660 families, it was clear that difficult decisions had to be made. Not everyone could receive direct support for all their shelter, nutrition and livelihood needs. The CBOs decided that everyone would receive support in one of the response sectors. The agreement of all stakeholders was important to ensure everyone accepted these decisions. Villages helped determine criteria to identify the most vulnerable families or people, so that support could reflect needs as much as possible. The elderly, women-headed households, families with many children and those struggling with illness or disability received particular attention.

**Food items:** In each CBO, particular village members were given responsibility for procuring food. The communities generally decided that families would be given enough rice, chili and salt to last them for two weeks. In areas where access to food was more difficult, food support was longer.

Villages frequently expressed the concern that the cyclone had made them like beggars – an idea they detested. The CBOs determined that the celebratory manner of aid distribution would help overcome this sentiment and restore self-respect and independence to the communities. Communities would eat together at picnics, often performing songs or dances before giving out “prizes” in the form of household or children's kits.

**Non-food items:** CBOs organised the purchase of household items at local markets. The women-only discussion groups were particularly important for ensuring that sanitary protection was culturally appropriate. In Myanmar hot Chinese tea is often drunk instead of water, protecting communities from waterborne diseases that can be passed on through drinking unclean water. Since boiled water is drunk throughout the day, groups of women determined that household kits should include thermos flasks so that water would not need to be continually boiled, which wastes fuel. Child focused groups highlighted the need for umbrellas to protect them from the sun and rain.

**Shelter:** While many INGOs offered tarpaulin sheets and externally sourced building materials, the villagers in Ngapudaw said that palm leaves, bamboo and re-usable debris was readily available in their region. Using locally sourced materials also saved money that could be used to re-establish livelihoods.

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## A community-led emergency response continued

**Early Recovery:** The monsoon-rice-planting season is at the close of May and beginning of June. Villagers were concerned that if they could not plant their rice they would continue to be reliant on food aid for many months. Beginning livelihood programs immediately, in parallel with aid distribution, helped to alleviate people's fears over their future, which had a positive psychological effect. Community discussions determined who would be offered livelihood support. Once a person had decided what tools they required for their desired livelihood - and with the agreement of the CBO - they would be given the corresponding amount of money required to buy what they needed at the market. Striving against a prescriptive form of aid was essential. By not ear-marking the funds for particular needs, but trusting villages to determine and decide themselves an individual focused form of emergency response was possible. In the larger CBO the men often emphasised the need for fertilizer and seeds for planting rice and boats and nets for fishing. In women's groups small livestock were often identified. Inclusion of women not only gave women a larger voice but also diversified livelihoods.

The cost of a boat purchased from the market is approximately 400,000 kyat (roughly US\$400). Community members decided that it would be cheaper to buy wood at the local market and have the villagers themselves build the boats. The locally made boats were stronger than the boats available at the market and more suited to the requirements of the rivers around each of the villages and the type of fishing they would be used for. Purchasing boat-building materials locally cost 100,000 kyat (US\$100) – saving the village 300,000 kyat (US\$300) and provided a source of income for the boat-builder.

**Cash-for-Work:** Cash-for-work gives people money that they can use for their own individual needs, offering them flexibility and respecting their right to decide what they need most. Cash-for-work schemes also support the emergence of local markets. In the 17 villages in Ngapudaw communal assets such as the jetty (essential for receiving boats – the only line of communication with other villages), the cleaning of ponds (the source of the village's drinking water – filled with debris since the cyclone) and monastery or church rebuilding (essential for community gatherings and psychosocial support) were prioritised. Many of the villagers expressed anxiety at the idea of being paid for such work through a cash-for-work scheme. It was often decided that money for the cash-for-work would be pooled into a community fund and used for the re-building of other community assets. The process of working together as a community to re-build had a psychosocial element to it. It kept people occupied and focused their attention on the future, as opposed to dwelling on the tragedy of the past.

**Disaster risk reduction:** Myanmar annually suffers from floods, fires, droughts and cyclones. Nobody is more aware of this than the villagers themselves. Through consultation with disaster risk reduction specialists a number of disaster risk reduction strategies were discussed – such as offering radios as a part of each community kit and training of community members in first aid. The most effective form of disaster risk reduction however, is to address the long-term requirements of a community and the root causes of poverty, which makes villages particularly vulnerable to future disasters.

**First aid:** After a disaster community members are almost always the first responders, with government and emergency services sometimes taking days to reach remote communities. To reach the health clinics and hospitals in these 17 villages can entail an eight-hour boat ride and the cost of transport. CBOs decided that creating a pharmacy in each village and training village members in first aid were priorities for the response effort and important in addressing people's vulnerability to future disasters. They decided that medicine should not be sold at a marked up price and that malaria medicine in particular should always be available. First aid training was arranged for one or two volunteers from each community.

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## A community-led emergency response continued

**Psychosocial Support:** No one who experiences or witnesses an event like Cyclone Nargis remains untouched by it. Common symptoms of psychological distress include insomnia, nightmares and flashbacks. Stress and feelings of grief are normal responses to an abnormal situation. People's responses to a disaster may change over time, from sadness or even elation at having survived, to frustration, anger and disillusionment and a desire to seek revenge. If symptoms persist beyond three months, people may require special attention. The long-term consequences on a population can include depression, loss of productivity, increase in substance abuse, suicide, marital discord, illicit sexual relationships and difficulties in managing livelihoods.

All ActionAid/partner staff/fellows received training in psychosocial care, where they learnt that recovery from severe and moderate distress is based not so much on external intervention but on working with a community to strengthen resilience and support networks already present. The fellows recognised that one way to help people deal with the emotional stress of having lost so much was to keep them active – cash-for-work schemes provided a focus to communities' recovery. Identifying community priorities and addressing local problems through community participation fosters social cohesion by reinforcing and supporting community coping mechanisms – essential for the psychological recovery of a population. However, effective psychosocial care requires more than just keeping people active, but also showing empathy and compassion. The fellows listened to concerns over difficult living conditions and uncertain futures.

The main focus of psychosocial support in Ngapudaw was on child friendly spaces, which were set up for the children in the village to regain a sense of routine and normality. These spaces were run by local community volunteers, many of whom received training in Early Child Hood Development and who provided for activities like singing, games, artwork and putting on concerts for the rest of the community. As youth and adult volunteers also participated in the child-friendly spaces, they were not only an effective in aiding the psychosocial recovery of the children, but also in strengthening social cohesion generally and providing relief for the volunteers themselves. Furthermore, the space freed parents up during the day so that they could re-build homes and assets, without worrying about childcare, reducing stress within families.

**Accountability and Transparency:** Being transparent with villagers about the money they were receiving and thoroughly debating its use beforehand helped give the villagers a sense of ownership in the decisions being made and sought to obviate future complaints or resentment. From the start the fellows were clear that feedback or questions could be made directly to them, to the partner representatives in the village and/or to the more formal CBO or ActionAid. Additionally, any aid or money received was accounted for meticulously, including signatures of receipt for everything. These were photocopied and copies kept in the local communal building (often a church or monastery), where they would be accessible to all. Transparency and accountability are an intrinsic feature of community led participation. Learning to question the assistance NGOs provide is fundamental to building a culture of accountability and transparency where all actors and institutions are held responsible for their actions.

## Exercise: Welfare or rights

**Objective:** To help participants understand the difference between a needs-only based approach and a rights based approach.

**Materials:** Handouts of the scenarios and on the rights based approach

**Methodology:** The participants are divided into two groups. One group is assigned to be Agency X and the other Agency Y. Each group reads the scenario and prepares a role play.

**Agency X** has experience in responding to emergencies in a number of countries. Staff prepare a relief package with a range of essential items for the affected people. They buy the materials at the market in the capital city and some items are flown in from overseas. The agency goes to the most affected villages and delivers the relief package to the villagers. They are able to do this quickly.

**Agency Y** goes to the village and meets with women and men and consults them about what they need. They ask people and check what items are available at the local markets. They ask about widows, pregnant women or those with young children, older people, people living with disabilities and HIV & AIDS. The agency provides cash to people so they can buy what they want and from what is available locally. The agency purchases other items which were not available in the local market and arranges for village leaders and women to distribute the items, and ensures that excluded groups and vulnerable members are included. Women distribute, for example, sanitary pads and underwear. This process may take a day or two longer than agency X.

### Discussion

A possible approach is to debate the pros and cons of approaches x and y – with a panel to adjudicate.

1. What are the advantages and disadvantages of Agencies X and Y approaches?
2. Which approach is more respectful of people's rights? Why?
3. It is often said that in emergencies, meeting immediate needs quickly is critical and there is no time for participatory decision-making or to take a rights based approach. Do you agree? Why/not?
4. Is there a difference between basic needs and basic rights? Explain.
5. Are all people affected equally in a disaster? Why/not? Explain.
6. Is it right to "take sides" and focus on poor and excluded people? Does this violate the principle of "non-discrimination"?
7. Discuss the following paragraph.

### Key learning points to be reinforced:

- A rights based approach attempts to respect, promote, protect and fulfil a person's rights in every situation.
- The analysis of why people are poor and vulnerable, that is - denied their rights - and working with them to enable them to claim their rights underlies the approach.
- A needs-only approach is primarily concerned with providing people with what they need without necessarily questioning why - or trying to change the underlying power relations which cause the person's vulnerability.
- A needs-only approach is concerned with relief but does not worry about changing the structural causes - the unequal power relations.

- A needs-only approach can bring some immediate relief but will not lead to mobilisation or strengthening people's capacity to claim their legitimate rights.

**Materials:** Copies of the Universal Declaration of Human Rights and the handout: "A woman's rights approach in emergencies".

**Methodology:** Divide the group into two. One group will take the role of women and the other the role of men. Take each right in the UDHR one by one and ask the women's group and the men's group if the right is applicable to them.

### Discussion

1. Are rights the same for men and women?
2. Are women human beings? If yes – then why are they treated as "second class" human beings?
3. Structural discrimination (defined in module 1.7) results in the persistent violation of women's rights and their treatment as second class citizens. What are the institutions which underpin discrimination against women and perpetuate violence against them? (Religion, culture, tradition, education, family, marriage, state).
4. How does each of these institutions contribute to the discrimination against women?
5. How does women's internalisation of their role lead to their own discrimination? (Probe and lead the discussion to consider power within and recognition by the woman herself as being a person with rights.)
6. We have UDHR - why was it necessary to have the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Declaration on the Elimination of Violence against Women (DEVAW)?

### Key learning points to be reinforced

All human rights equally apply to women and they should be treated equally with men. The institutions which are closest to women – family and marriage – deny them their full human rights. In disasters the pre-existing structural discrimination continues and further contributes to women's exclusion and disadvantage. Taking sides with women is essential if women's rights are to be respected, protected and fulfilled in disasters. An analysis of and addressing power relationships is essential if structural change is to be achieved.

## Facilitator notes

### Denial of rights as a consequence of unequal power relations

People are denied their human rights, not through mere omission, forgetfulness or lack of effort, but due to unequal power relations, with the more powerful denying the human rights of the less powerful on both an individual and structural level. On the individual level, poor people face discrimination, violence, oppression, and exploitation in their day to day interactions with other individuals. This can be caused by any factor that blocks access to justice, equal treatment or control and access to the resources needed for livelihoods and to live a life of dignity, and can be in any public or private space such as the household, the marketplace, a school or any other place where people meet or work.

On the more complex structural level, people are denied their rights in the very way that they act, expect and accept that the world operates. It invisibly structures a set of beliefs, laws, institutions, policies and behaviours such as caste, ethnicity, race or gender, as well as broader concepts of patriarchy or deep-seated political-economic belief systems such as neo-liberalism. People experience social exclusion when their deprivation is a result of their belonging to a particular group, rather than because of their specific individual situation. The unequal position of women in society is the most widespread, deepest and most harmful of human rights violations and social exclusion practices. Most regard it as normal because it has been so carefully and deliberately structured into every level of human relations and over a long period of time.

It is the dynamics of these relationships (how, when and why they operate) and the structures through which they manifest themselves (culture, religious institutions, family, law, state, market, and public and private institutions) that determine who can claim and enjoy their human rights. Not only do the powerful make people who live in poverty feel worthless and powerless and that they have no human rights, but those who live in poverty often give in to this exploitation, discrimination and oppression because they don't have the power to resist.

## Exercise: Understanding the provisions of CEDAW

**Objective:** To help participants understand the provisions in CEDAW and to be able to relate these provisions to their life realities.

**Time:** One and a half hours

**Materials:** Pamphlets/handouts of simplified CEDAW document, whiteboard/chart paper, markers.

### Methodology:

Distribute copies of a simplified version of CEDAW.

Read together parts of CEDAW: right to housing, right to land, right to work, right to health, decision making etc.,

Ask the participants to apply the particular right to:

- i) "normal" circumstances
- ii) disaster situations.

### Discussion:

1. In CEDAW articles what types of structural discrimination are addressed?
2. Do you think there is any relation between CEDAW provisions and for ordinary women's requirements in their daily lives?
3. How can CEDAW be used to leverage action from governments if they are not fulfilling their obligations? What is the provision for holding governments accountable in implementing women's rights and eliminating discrimination against women in CEDAW?

### Application and internalisation

Divide the participants into groups of 4-5 people to complete the table.

| Women's rights frequently violated in disasters ( <i>brainstorm</i> )   | Provision in CEDAW ( <i>List article</i> ) | Give two practical examples/strategies which can address this violation of each right in a disaster situation |
|---|--|---|
| <ul style="list-style-type: none"> <li>• Water</li> <li>• Food</li> <li>• Shelter</li> <li>• Housing</li> <li>• Participation in decision making</li> <li>• Land</li> <li>• Information</li> <li>• Livelihood</li> <li>• Bodily integrity</li> <li>• Protection &amp; security</li> </ul> |  |   |

## Chapter 3: Women's Rights and Emergency Programming

### Exercise: Structural barriers to women's right to information

#### Objective:

1. To enable participants to understand the significance of people's right to information and to locate sites of violations of this right against women in normal and disaster situations.
2. To equip participants with the skills and knowledge to provide accessible information and to organise collective activism/ resistance to violations of the right to information.

**Materials:** Copies of the case study; writing papers, pen/ pencils

#### Methodology:

Participants read the following case study.

*I lost everything in the disaster. I approached the village level government officer to get information on compensation, but he refused to give the information and told me to come another day. This repeatedly happened. Finally I went and met the District Secretary and he asked me why I did not come earlier - now it's too late. This was the reply I got.*

Disaster affected woman in Sri Lanka

#### Discussion:

1. Whom do you blame for the woman not getting compensation? How does this denial aggravate her situation in a disaster context?
2. What are the consequences of the denial of right to information?
3. What do you think about the village level government officer's behaviour? Is this kind of behaviour of government officials (public servants) towards poor women typical? Normal?
4. Why did the village level government officer behave like this? What is the power relationship? Would he respond like this to a man?
5. Why did the woman tolerate the village level government officer's arrogance for a long time?
6. Is this unusual or would other women do the same?
7. Are different categories of women (e.g. single women, widows, sex workers etc) more vulnerable to be denied information than wealthy, educated, influential women?
8. What do you think would happen if the woman demanded information and refused to leave without it?
9. If a government official's behaviour is obstructive what action can be taken? Is there any redressal mechanism?

10. Is this kind of behaviour also true of staff of other agencies – (I)NGOs, UN etc? Why/why not?
11. How can disaster affected women exert their right to information?
12. How can a single woman ensure her right to information? What is the likelihood of success?
13. How can a group of women ensure their right to information? What is the likelihood of success?
14. What are other reasons why women cannot obtain their right to information?
15. How can these obstacles be overcome?
16. Does your country have a “Freedom of Information Act”? How can this Act be useful?

### Exercise: Do No Harm

**Objective:** To understand that relief assistance can damage local capacities and negatively impact on social cohesion and to develop strategies which ‘do no harm’.<sup>4</sup>

**Methodology:** Discussion.

Ask participants to identify the capacities that need developing (and that could be strengthened by outside assistance). For example:

#### Capacity areas of the Community Groups that are weak (and that could be strengthened by grants)

1. Exposure to new technologies
2. Improved access to resources/materials not available locally
3. Financial capital
4. Knowledge of wider development concepts
5. Basic education
6. Understanding of rights
7. Access to land and how to improve
8. Communication between villages, groups, weak networking
9. Financial management capacity.

1. Identify community groups existing strengths and capacities Groups/CBOs may need help to protect. For example:
  - i. Spirit of self-help, readiness to volunteer, to provide labour
  - ii. Capacity to mobilise local resources and materials
  - iii. Maintenance of trust, solidarity, unity within the group
  - iv. Accountable leadership that remains transparent and answerable to membership (to avoid risk of corruption)
  - v. No problems in relationships with authorities
  - vi. Sustainable supply of environmental resources and services.

<sup>4</sup> This section is derived from a workshop in ActionAid Myanmar.

2. Assess the potential risk of community groups' existing strengths and capacities being weakened by grants/outside assistance. For example:

|    | Existing strengths or capacities of groups/CBOs  | Possible effect of grant   | Risk Assessment |
|----|--|--|-----------------|
| 1. | Existing local, natural resources and services, materials, places                                | Positive (depends on situation)  | Zero or low     |
| 2. | Existing knowledge   | Positive   | Zero            |
| 3. | Capacity for self mobilisation of human resources, labour, self help, self reliance, willingness | DEPENDS – if nothing is done to protect capacity for self help, solidarity, trust, participation and systems of internal information sharing and transparency (including financial management) | Medium to high  |
| 4. | Trust, unity, honesty and solidarity   |  |                 |
| 5. | Initiatives for collective action, participation and common good.                                |  |                 |
| 6. | Capacity to “survive”, to manage relationships with local authorities                            | DEPENDS: <ul style="list-style-type: none"> <li>• If existing, strong relationships</li> <li>• If no strong relationships (and often if group was formed by outsiders)</li> </ul>              | Low<br>High     |
| 7. | Accountable leadership, group decisions, local selection, peer group checking                    | DEPENDS: <ul style="list-style-type: none"> <li>• Strong systems for peer group control</li> <li>• Weak systems leaders not closely regulated</li> </ul>                                       | Low<br>High     |

## Checklist for Women’s Rights in Emergencies

### A. Disaster preparedness

#### *i) Staff*

1. Are staff skilled and sensitised to ensure women’s rights in disasters?
2. What is the sex breakdown of staff working in disaster response and preparedness?

#### *ii) Women in communities*

1. Are women’s roles in community resilience building recognized and resourced?
2. Are disaster preparedness and mitigation initiatives being implemented with women?
3. Are grassroots women’s leadership and local organizations being supported and strengthened?  
How are they being empowered to participate in decision making?
4. Are disaster risk reduction programmes designed in line with women’s development priorities?

### *iii) Capacity of national institutions and the legislative framework for disaster management*

1. Is the capacity of national disaster management institutions being strengthened to work on women's rights in disaster preparedness and response?
2. Has the government ratified all international instruments, particularly those related to disasters, and/or is the government fully complying and effectively implementing these instruments? What needs to be done?
3. Is there a responsible national institution to monitor and seek redress for violations of women's human rights in the disaster context? Is its capacity adequate or how can it be strengthened?

## **B. Disaster response**

### *i) Disaggregated information i.e. break down of the data by sex, age etc*

1. Is disaggregated information on affected populations/beneficiaries - by sex and age - collected at all stages (immediate relief, rehabilitation etc, and for all sectors – food, livelihood, shelter etc)?
2. Are all women listed as one vulnerable group or is there specific information about the women who are displaced, widows, head a household, pregnant etc?
3. Is the information gathered and analysed from a women's rights perspective?

### *ii) Identification and support to vulnerable groups*

1. Have vulnerable groups been identified and registered?

(For example: women in shelters away from extended families; women living alone; women heading households, women and girls subject to violence within the home and outside; chronically ill women; undocumented women; poor women; older women; women and girls with disabilities; socially isolated women; care givers with numerous dependants)

### *iii) Participation*

1. Are women equally accepted as heads of households irrespective of their marital, caste, class, ethnic, religious or age status?
2. Are women actively consulted in priorities and involved in formulation and design of relief operations, camp management, damage and needs assessments, allocation of houses and land, and the rebuilding of livelihoods?
3. Is women's right to decision making ensured through the appointment of women in all decision making committees and fora from community to national level?
4. What is the strategy/support for women's organisations to take a role in relief, rehabilitation and reconstruction processes?

### *iv) Information*

1. Is information provided in ways and in places which are accessible to women?
2. Have mechanisms for routine exchange of information with affected women been established and are these functioning?

#### *v) Coordination between agencies*

1. Is there coordination among agencies to ensure the protection, promotion and fulfilment of women's rights? Is the Protection Cluster functioning and does it adequately deal with women's protection issues?
2. Are the responsibilities and resources of different agencies clear?

#### *vi) Do-no-harm Checklist*

A simple checklist to use as a guide to facilitate CBOs to protect themselves before applying/receiving a grant/ external assistance:

1. Raise awareness of the community to the risks of grants/external funds  
Reflect on the possible risks of grants/ external funds and how their core strengths can be threatened (This could be done through facilitating a process to identify their core strengths and how grants can affect them).
2. Facilitate wider community knowledge of proposal  
Ensure that all community know the details of any proposal (i.e. objectives, activities, budget) being submitted to a donor and approve it. This will normally mean a community meeting and perhaps preparation of some very simple visuals. When proposals start to be submitted just by a few individuals without wider agreement, problems can start.
3. Ensure existing self-reliance and self-help is not stopped  
Make sure any proposal has a clear commitment to which community will provide:
  - a. Labour
  - b. Materials
4. Ensure CBO members know how they manage themselves  
Facilitate the groups to clarify their decision-making process and sharing of responsibilities
  - a. How decisions are made and who makes them
  - b. Who is responsible for doing what
5. Ensure CBO has systems of internal and downward accountability
  - a. Facilitate the group to clarify how information is shared on achievements and expenditures internally (reporting to the core members)
  - b. Facilitate the group to clarify how information is shared on achievements and expenditures externally (reporting to the wider community)
  - c. Ensure that the group has basic systems and skills necessary to be able to manage any grant they get in an accountable and safe way
6. Ensure group has system of accountable leadership  
Facilitate the group to clarify the procedures or mechanisms that it will use to be able to appraise and comment on the role of leadership, to re-elect or, if necessary, replace it (grass roots democracy). Clarify that such systems are there also to protect the leader, so that no one can accuse them unfairly.

## 7. Maintaining good institutional relationships

Ensure that the group has reflected deeply on the issue of how access to grants can sometimes 'complicate' relationships with local power holders. Facilitate them to develop their own appropriate strategy for minimising this risk. Clarify that most donors will penalise them if grant funds are used to 'develop' easy relationships. Thus, even if the community decides that some form of gift is appropriate, they will have to raise their own funds to cover such expenses and not use donor funds.

## 8. Protecting natural resources

If the group will be using any natural resources or services for its projects, make sure that they have their own strategy to ensure that they can sustain any resources they use (e.g. if they are using wood, that they attempt to replant any trees felled, or if they are introducing more livestock how will they maintain grazing etc). Most donors would be ready to support any initiatives to sustain natural resources if needed.

### *vii) Food Security*

1. Have women been consulted in the design and distribution of food aid and is the food distribution system women-friendly? Have problems like inadequate registration, long queues, lack of female staff or unsuitable distribution hours been addressed to ensure access of women?
2. Do women have their own, separate ration cards to strengthen their control over food?
3. Are food insecure households or those with special needs being given special consideration such as supplemental feeding programs, specific diet plans, additional ration etc? (Women headed households, pregnant or lactating women, nutritionally deficient young children especially girls, unaccompanied children, large families, women in large families.)

### *viii) Water and sanitation*

1. Are water and sanitation programmes based on an understanding of the roles and responsibilities and needs of women and girls in ensuring domestic water supplies? Are they involved in setting priorities and making decisions about water supply programmes? Are women represented on WATSAN committees?
2. Are water distribution points accessible to women, especially those with limited access or mobility? As a guide it is often recommended that no household should be more than 500 meters from a water point.
3. Do women have access to containers for storage and collection of water?
4. Do women have separate queues or timings to avoid harassment at public places? In situations where water is rationed or pumped at certain times, times that are convenient and safe for women should be given consideration.
5. Are sanitary towels for young girls and women available? Are these distributed by female staff?

## *Immediate relief*

### *ix) Temporary shelters*

1. Has the design and layout of the shelters/camp sites been planned in collaboration with community women and with input from vulnerable groups?
2. Are women involved in camp management committees?
3. Is the shelter safe for women? Is it well lit - especially the paths used by women to access services and facilities? Do unrelated families have to share communal living and sleeping space? Is there a minimal level of privacy for each family provided by e.g. a curtain? Is there privacy in communal wash areas for women?
4. Are latrines, with locks on the doors, a safe distance from living spaces, and are male and female facilities separate? Are the facilities guarded at night-times?
5. Are women able to collect water and fuel safely?
6. Have vulnerable groups such as women headed households been given special assistance in shelter construction or setting up of tents?
7. Are essential items such as food and non-food items distributed directly to women or through women? Do single women or women headed households depend upon men for shelter construction, distribution of nonfood items such as bedding, warm clothes, and sanitary material? Are there any safeguards in the management structure to ensure that sexual exploitation by relief workers does not take place?
8. Are there clearly marked off multi-purpose spaces for women and children? Does the layout have spaces for community centers - private space for women and children of the community for activities like meetings, vocational classes, skills training and psychosocial support? Are women involved in the management and maintenance of these safe spaces?
9. Are there women staff and camp security personnel who are trained so they can prevent violence against women?
10. Have all displaced persons been registered regardless of their age, sex, race, religion or ethnicity; and if possible received identity cards to ensure access services and resources and compensation?

### *x) Health and nutrition*

1. Are women's health priorities addressed and health services accessible to all women, children and youth and the disabled?
2. Does women's inability to access registration documents in any way limit their access to health care?
3. Are resources allocated for reproductive health including antenatal and postnatal care? Do pregnant women and their families have knowledge and access to health services?
4. Is there a sufficient number of female health care providers and can women be examined in privacy?
5. Does post-disaster public health information includes information about the increased risk of VAW in disaster contexts?
6. Do HIV/AIDS programmes respond to women's needs and situations?

### *xi) Psychosocial*

1. Are psychosocial support initiatives available to the community to meet special and varying needs of women and children and men? (For example: child and women friendly spaces, support groups, other coping strategies for dealing with grief, parenting skills - understanding and helping children deal with loss and trauma).
2. Do women have a say in the kind of support being offered?
3. Do psychosocial services also address men and provide them with acceptable outlets for increased frustration and tension and changes in gender roles after the disaster?
4. Are teachers being trained in psychosocial services to support school children in coping with the impact of the disaster on their lives?
5. Are there facilities for play and recreation for children?
6. Is there provision of psychiatric and psychological support for those men, women, and children who may develop post traumatic stress disorder or depression?

### *xii) Education*

1. Do education programmes target especially vulnerable groups such as the children of minorities and children with disabilities, with a special emphasis on girls?
2. Has attention been paid to the obstacles faced by girls in attending school?
3. Does the location/route of the school allow for easy and safe access by girls and boys?
4. Are both women and men mobilized as teachers? Is the staff sensitive to varying needs and situation of girls and boys?

#### **Early recovery and reconstruction** (shelter, employment and livelihood)

How and where is beneficiary registration done? Do women know how to register and are they able to register? Are there any issues with registration due to limited mobility, head of household status etc?

### *xiii) Shelter*

1. Does the support for self-help shelter recovery provide special assistance for women headed households and disabled women?
2. Is special assistance provided to vulnerable groups (disadvantaged by lack of land registry papers, legal titles, ID cards) such as widows and women headed households in housing, land and property claims?
3. Is the deed of the new house/shelter constructed in the name of both husband and wife so there is equal ownership of housing?
4. Have women been included in housing design and construction? (choice of location for resettlement; design of house, facilities and services needed).
5. When new housing is being provided is higher priority given to more vulnerable women such as single mothers, widows, poor and unemployed women; socially marginalised women?
6. Is women's right to own land and have access to their livelihood ensured?
7. Is the right of people to remain in the place of their original home in danger of violation?

#### *xiv) Employment and Livelihood*

1. Are women's economic rights recognised? Are women being compensated for loss of livelihood and being assisted with restoration of assets?
2. Do cash-for-work or livelihood activities include women, and target widows, women headed households, single women, women who, after the disaster, are responsible for family income due to the disability or death of earning members of the household and excluded and marginalised women? Are these schemes fair e.g. equal wages?
3. Are childcare and social support services available for those women who will access these programmes?
4. Have financial and /or technical resources been allocated in equitable manner irrespective of gender, age, class, caste, religion and place?
5. Are vulnerable groups protected against further exploitation by involvement in the labour market e.g. young children involved in hazardous work, sexual harassment in the workplace, lower salaries for women etc?
6. Are women involved in decision-making with village level planning committees when decisions are being taken in relation to rebuilding livelihoods?
7. Are the specific barriers facing women and girls which prevent them obtaining equal access to resources, lands, opportunities, and equal participation in meaningful employment, livelihoods etc being dealt with? What can be done to remove these barriers or minimize them in the immediate, medium, and long-term? Are the prevailing attitudes, religious and cultural norms, practices and prejudices that affect women's ability to contribute to and benefit from engaging livelihood activities being addressed?
8. Has women's role in agriculture been identified and supported?
9. Is an assessment made of micro enterprises and support given to women's needs such as credit, market linkages, skill and business development services, for alternative livelihood/upgrading traditional livelihood?

#### *xv) Violence against women*

1. Are there accessible, transparent, efficient mechanisms to report and investigate complaints, especially those related to violence against women and to prevent abduction and trafficking? Does the community - especially women and children - have a clear awareness and understanding of how to report abuse?
2. Is there active monitoring of incidences of violence against women?
3. Have resources for medical, legal, psychosocial, police assistance and security services been identified for those women who report abuse?
4. Is there access to safe shelter for those women who report violence and cannot go back to their own houses/tents?
5. Have high-risk areas where sexual violence or abductions occur been dealt with, and the factors that contribute to this been identified and addressed?
6. Have women and girls been consulted about their concerns, protection risks, opinions and solutions to key issues?
7. Are there "community watch" programmes providing education of women, men and children on

issues of physical, sexual and emotional violence and its potential consequences?

8. Is women and children's vulnerability to prostitution, begging and in the disaster situation being monitored and addressed?
9. Are mechanisms in place to hold both the state and the relevant officials accountable?

#### *xvi) Policy*

1. Have the national laws, policies, and institutions which are to promote and protect specific women's rights in the disaster context been reviewed?
2. What are the strategies to monitor and advocate full compliance, and effective implementation of international instruments and good practices?
3. Have the priorities been identified and strategies developed for women's security and protection, and the prevention of violence against women?
4. Are there forums for dialogue among grassroots women and policy makers?
5. Have mechanisms been developed to monitor, report, and seek redress for violence against women and other human rights violations of women?
6. Has training been provided to relevant sectors including security forces, judges and lawyers, health practitioners, and service providers? age

These guidelines were drawn from the following: SEAGA, ILO Sri Lanka Gender Division, UN Gender Working Group, GROOTS, IASC, Guidelines for Gender-based Violence Interventions in humanitarian settings: Focusing on Prevention of and Response to Sexual Violence in Emergencies, UNDP, "Sexual and Gender based violence manual".

## **Exercise: Types of violence and the culture of silence**

**Materials:** A poster of a typically 'ideal' woman in your society and/or copies of the case studies.

**Methodology:** The option is to use the series of statements which describe incidents of VAW and/or use the short case studies on VAW after the tsunami and floods to analyse the different types of violence.

Present a picture to the participants depicting an ideal or typical woman in the particular country/area. Imagine you are this woman and what/how you would feel if the following instances of violence happened to you.

Put spots of red on the picture indicating how the woman is violated in relation to the following instances of violence against her.

### **A. Incidents**

- The husband shouts/scolds his wife for not preparing tasty food.  
*(The woman is ashamed and embarrassed and does not speak about this to anybody)*
- The husband slaps/ kicks his wife for talking to a male neighbour.  
*(The woman is terrified and does not speak about this to anybody)*
- The husband beats his wife in public for not giving him money to buy alcohol  
*(The woman is ashamed and terrified and does not speak about this to anybody)*

- The husband forces his wife to have sex with him.  
*(The woman is humiliated and afraid and does not speak about this to anybody)*
- The father sexually abuses his daughter and threatens his wife he will leave her if she tells any one.  
*(The woman is terrified and does not speak about this to anybody)*
- The local government official makes indecent gestures towards this woman when she is in a queue to receive a relief package.  
*(The woman is humiliated and terrified but does not speak about this to anybody)*
- The husband refuses to give relief money to his wife who wants it to buy food for the family.  
*(The woman feels hopeless and frustrated but does not speak about this to anybody)*
- The government official holds the widow's hand when she comes to register for a house and says, "I will put your name on the list if you met me alone in the late evening".  
*(The woman desperately needs a house for her children. She is terrified but does not speak about this to anybody)*
- A rescue worker forcibly enters the woman's house when she is alone and rapes her  
*(The woman is terrified and does not speak about this to anybody.)*

#### Discussion:

#### B. Case studies

In Tuthukudi, Dalits generally faced exclusion during the relief distribution and widows were not given the initial relief grant of Rs.2000/- (USD 50) by the relief distributors who mostly belonged to the upper caste. During relief distribution, many women, especially widows and women belonging to the Dalit community, suffered verbal abuse from the officials. The extent of the abuse was so intense that many women claimed that death was better than having to live the experience of such "undignified and degrading" words.

India VAW post-tsunami report

*"I am 18, and mother of two children. My husband is a farmer. The flood was very destructive for us. It destroyed our crop and house. Only one buffalo was saved. We lost our living source. Joblessness has added to the poverty of home and has created many problems for us. Our males have become more aggressive and a small incident can trigger any quarrel".*

Nepal VAW post-flood study report

*"One day, I milked the buffalo and was taking the 5kg milk bucket to the kitchen. All of a sudden the milk bucket slipped out of my hand and the milk was spilt. When my father-in-law saw the scene, he shouted and started beating me. I was already shocked and was in pain for losing the milk. Instead of showing sympathy, my father-in-law beat me a lot. He was so annoyed that he tried to throw me out from home. I did not throw the bucket on the ground intentionally. It was a human mistake. I still question - was it right for my father-in-law to beat me like that"?*

Pakistan VAW post-flood study report

*continued on page 141*

Twenty year old Kiran had been living with her parents since her husband left her some two years back for not bringing adequate dowry. *“I was on top of a tree for five days with no food and no water. When the people from an organization came with relief materials, one of them asked me to come into the vehicle and take my package. When I got in, he started to run his hands all over my body. I ran away without the relief package.”* Kiran still felt humiliated while talking about this incident. When she told her parents and villagers, she got no support. *“Why did you have to go inside his vehicle? You must have led him on.”* They accused and blamed her. *“I have done nothing wrong. If my husband comes back and hears about this, he will never take me back”* lamented Kiran.

Nepal VAW post-flood study report

*“During the flood this year we stayed on the nearby road. My father did not have any work due to the flood and he has been wandering around different places to look for work. We had to depend on mother’s income”. One day my mother was late to bring food and I was very hungry. I saw my distant uncle (paternal) was eating wheat with his young daughter. My aunt had gone to collect relief. I went to their shelter to ask for rice. After washing my hands my uncle suddenly grabbed me and tried to undress me. He started to bite me. I was released when my aunt returned home. I went back to our shelter and told my mother. When father was about to hit my uncle, neighbours stopped him from doing so and said: ‘Don’t shout - hide it or otherwise people will blame your daughter’. My parents still wanted justice and asked for salish (traditional mediation). The only punishment the culprit received was to jump up and down for ten times holding his ears!”*

Bangladesh VAW post-flood study report

## Discussion

1. What are the types of violence you see being inflicted upon the woman? (Physical, sexual, emotional/psychological)
2. What is the most common type of violence experienced by women and girls in your society?
3. Are all women (regardless of age, religion, social class, education) vulnerable to violence against them?
4. Who are the perpetrators of the violence?
5. ‘And the woman is terrified and does not speak about the violence to anybody’

What does this mean to you? Do you think this is common?

6. Silence is golden. In many countries and cultures silence is a virtue. It is understood as crucial to maintain the family's honour. Do you agree with this? Why/not?
7. Why is it that if a young woman is raped she is blamed, society judges her harshly and her chances for marriage ruined whereas the man who used force and committed the rape is frequently excused and his criminal act disregarded by society.
8. When violence is done to you personally - do you speak about it with anybody?  
If yes - then whom do you speak to? And why do you speak with that person?  
If you do not speak it with anybody - why don't you?
9. "No type of violence against women can be tolerated or justified at any time."  
Do you agree with this statement? Why/not?
10. How does the media (radio, TV, movies etc and print media) portray violence?
11. What are the consequences of violence against women at:
  - i. the personal/individual level
  - ii. at the family level
  - iii. at the community/society level
12. (Form 3 groups and ask each group to discuss the consequences at one particular level. Then discuss in plenary.)
13. If women do not talk about the violence against them, how can the stigma or the sanctions which prevent women speaking out be addressed?

#### Key learning points to be reinforced

- Any violence or violation - of any quantity/quality done to any woman - must be totally condemned and punished. There is no such thing as 'acceptable violence' or 'tolerable violence'.
- All women are susceptible to violence. A woman's assumed secondary status (by others and also by herself) in her family and in the community makes her more vulnerable to violence.
- All types of violence: physical, sexual, emotional and structural must be recognized and addressed.
- The 'culture of silence' on VAW has to be broken if women are to stop violations against them and claim their rights. However, women's confidence to speak out and options for women to do this without exacerbating the violence against them must be carefully strategised. This is not a woman's problem only. Work with men and their violent behaviour is critical.

#### Application and internalisation:

Recollect the camp situation and think of any incident of violence which you witnessed/faced/perpetrated. What form of violence was it? How could you have intervened or what would you do differently now?

## Handout or Facilitator's note

### Consequences

Violence against women results not only in physical injuries, but also impacts on women socially and emotionally. Women feel suicidal, fear, anger, depression, loneliness, shame, and marginalised from society. Feelings of isolation and the stigma further demotivate and marginalise women. The shame attaches to the survivor of violence and not to the perpetrator of the violence in Asian and African societies.

Apart from this, there are serious health related consequences. Women suffer injuries to their bodies, resulting in disability or even death. Sexual violence often leads to infections such as sexually transmitted infections and even HIV/AIDS. Unwanted pregnancies following acts of violence could lead to efforts at unsafe abortion, risking the life of the woman.

There are serious economic consequences to the entire society as violence or the threat of violence leads women away from pursuing livelihoods freely. For the survivors of violence it may mean loss of earning and incomes as they heal or even are discouraged from going into public spaces.

Perhaps most importantly, violence serves to maintain status quo. When inappropriate or inadequate redressal mechanisms are followed by the legal and social justices systems, violence against women in societies only serves to deepen the subordinate positions of women denying entire societies and nations the opportunity of their contributions.

## Exercise: Dispelling myths about violence against women

**Materials:** Three large pieces of paper with 'agree', 'disagree' and 'don't know' written on them.

Prepare a list of myths on VAW which are relevant to your country and to the disaster context. Proverbs can be a good source. (Some examples are provided.)

**Methodology:** Place the sign with agree in one corner, the one with disagree in another corner and 'don't know' in a third.

Ask the participants to stand in half circle. After a statement is read out each participant must quickly decide whether s/he agrees, disagrees or doesn't know.

Once decided, the participants should quickly move to the appropriate corner of the room.

All the participants taking the same position must then discuss their stance and their reasons for taking it. The group must appoint one person to be a spokesperson.

The three spokespeople should then justify their stand and debate the proposition.

If, and when, a participant is convinced about the other group's stand they can change their group.

### Myths:

- Alcohol causes violence against women.
- If a woman does something her husband does not like, it is acceptable for him to hit her or belittle her.
- If a woman gets raped it is her fault. Because of the way she dresses or acts the man cannot help himself.
- It is okay for men to harass women who go out for work and who mix among men who are not family members.

### Key learning points to be reinforced

- Violence against women can never be justified or tolerated. Men can control their sexual urges – rape and sexual abuse of women is about power not sex. Rape is always a criminal act and the perpetrator must be punished, not the woman.
- Alcohol, poverty, drugs, frustration, unemployment, pornography and provocations such as women’s dress or speech etc are NOT the root cause of violence.
- The underlying cause of VAW is the imbalance and abuse of power between women and men.
- Religion, culture, tradition and social mores underpin the power imbalance and the practices mean that VAW is accepted in society - by both men and women.
- VAW cuts across age, religion, region, and ethnicity of a woman.
- Cultural norms and structural practices reinforce gender inequality and aggravate VAW.
- VAW is not the fate of ‘womanhood’ and women can mobilise themselves to combat VAW of all kinds.

### Application and internalisation:

Does your empathy for a woman who is being violated depend on ‘which’ woman is being violated? That is do you think that some women “deserve” what happens to them? (Sex workers, servants, low caste women, persistent women) Discuss and debate.

(In fact these groups of women may be more vulnerable in emergencies because people can judge them as being less deserving – as if their human right to bodily integrity and security is less than that of others.)

**Materials:** Handout - Case studies and list of questions, flipchart paper, markers, pencils/ pens

**Methodology:** Form groups with 3-5 participants in each. Assign one case study to each group.

#### Case Study I

*I was eight months pregnant when the flood hit the village. Some people had come to my village to record names of flood-affected families. I was sure that my family’s name was in the list. When I heard the news that relief food package was being distributed, I went there for more than seven days: every day with the hope that my turn would come. Every morning, I used to stay in queue. To my despair, in the evening, I used to end up borrowing more food from villagers and be up the next morning to take my position in the queue. One day due to exhaustion and hunger I fainted while standing in the queue. I was unconscious for hours. On that day, I gave up hope of receiving any relief. My baby was born after a month of that incident. The boy is very weak and usually sick.*

Nepal VAW post-flood study report

### Case Study 2

*I lost everything in the disaster. I approached the village level government officer to get information on compensation, but he refused to give me the information and told me to come another day. This repeatedly happened. Finally I went and met the Divisional Secretary and he asked why I did not come earlier - now it was too late. That was the reply I got!*

Sri Lanka VAW post-tsunami study report  
Woman in the conflict-affected Eastern Province of Sri Lanka

### Case Study 3

*On the day of the tsunami I was selling beetles at the Hambantota Market and I lost everything. But I was not considered when livelihood assistance was given as I was only a small-scale business woman.*

Sri Lanka VAW post-tsunami study report

### Case Study 4

*We had been living here in peace for years until the tsunami came. Then they did not allow us to rebuild on the coast but expect us to move uphill. They said it is best for us. I say they know nothing about how we live. How do they expect us to take care of our boats if we live uphill? And what if they build a marina on the beach? How can we live then?*

Thailand VAW post-tsunami study report

### Case Study 5

*The meeting is the matter of men. We do not know what they do for disaster management affairs... but we women must be ready if the disaster strikes ... we keep important documents in a plastic bag and put medicines and some dry food stuffs – stores for 2-3 days ... I tell my children to run up to the hill and wait for me over there. I repeat to them, don't come and seek for me at home.*

Thailand VAW post-tsunami study report

### Case Study 6

*I am 45 years old and a single woman from Nainarkuppam. I lost my sister very long back. After her death my sister's husband eloped with another woman and I took the responsibility of bringing up my sister's children. I have no ration card in my name and hence I did not receive any aid or relief of any sort from the government.* (India)

Sri Lanka VAW post-tsunami study report

### Case Study 7

*...my young daughter was raped by a man in a military uniform two weeks after the tsunami. With the assistance of my neighbours, I took her to the hospital as she sustained very serious injury in her genitals. I was not able to buy the drugs prescribed the doctors because the medical bill was too high. Everyone advised me not to go the police because I will not get any help rather they will just waste my time and treat me badly. Thank God she is doing well physically but she keeps having nightmares.*

Thailand VAW post-tsunami study report

Each group should analyse their case study using the following guide questions:

1. Do you think the woman in their case study was discriminated against?
2. What type of discrimination took place? Who did that?
3. What was the obvious cause of the discrimination?
4. Are there any traditional/cultural/religious causes to this discrimination?
5. What is the underlying cause of this discrimination? What is its relationship to the obvious cause?
6. What is the power dynamic in the underlying cause? Who is powerful/powerless?
7. What is the impact of such discrimination of the women and on her family? Think about the social, economic, emotional, political consequences.
8. Why various opportunities are denied girls/ women?

### Discussion in plenary

Each group presents their analysis.

The facilitator records on flipchart the obvious and underlying causes given and then summarises the information.

Facilitate an in-depth analysis of the underlying causes through using the cause and effect analysis of one selected case study.

1. Are women part of the decision-making processes at-family, community level, national policy making level?
2. Are women discriminated against by the State? How?

### Key learning points to reinforce

Religion, culture, tradition and the social institutions underpin the patriarchal structure of society which is the underlying cause of the structural discrimination women experience. However, this is seen to be the 'normal' or 'natural' state of affairs. Women's rights to information, participation, livelihood, health, shelter and education are systematically violated because those (men) in positions of power, and society in general, believe that it is men who should get the information, men who should participate, men who should get the livelihood assistance because they are the primary provider for the family etc. Social structures perpetuate inequality and oppression of women and these are reinforced through the policies and/or practices of the state.

Structural discrimination reflects the imbalance and abuse of power between women and men.

### Application and internalisation

The power imbalance described above usually characterises relationships. Reflect on your interactions with members of the opposite sex. Do you see the power imbalances in your own relationships and how does it impact on your work?

## How can we help communities respond to sexual violence?

Sexual violence must be understood as an ongoing trauma with repercussions that can affect the lives of many women, girls, boys and men. Survivors may suffer anxiety due to living in a community where violations continue to be perpetrated; where they suffer economic distress; and where armed conflict remains unresolved. Sexual violence is often employed to disrupt community life and family relations.

**Treating the individual survivor does not address the community aspect. ActionAid's rights-based approach determines that we should address the context of human-rights violations** and thus look at a community's relationship with sexual violence.

### Key actions on providing community based psychosocial support for sexual violence survivors.

#### 1. Identify and mobilise appropriate existing resources in the community, such as women's groups, religious leaders, and community services programmes.

- Discuss issues of sexual violence, survivors' needs for emotional support, and evaluate the individuals, groups, and organisations available in the community to ensure they will be supportive, compassionate, non-judgmental, confidential, and respectful towards survivors.
- Establish systems for confidential referrals among and between community-based psychological and social support resources, health and community services, and security and legal sectors.
- Establish coordination mechanisms and orient local partners.

**2. At all health and community services, listen and provide emotional support whenever a survivor discloses or implies that she has experienced sexual violence. Give information, and refer as needed and agreed by the survivor.**

- Listen to the survivor and ask only non-intrusive, relevant, and non-judgmental questions for clarification only. Do not press her for more information than she/ he is ready to give (e.g. never initiate a single-session psychological debriefing). Note that she/ he may describe the event out of sequence, and details may change as her/ his emotional state changes. This does not indicate that she/ he is lying but rather that she/ he is emotionally upset.
- If the survivor expresses self-blame, care providers need to gently reassure her/ him that sexual violence is always the fault of the perpetrator and never the fault of the survivor.
- Assess her/ his needs and concerns, giving careful attention to security; ensure that basic needs are met; encourage but do not force company from trusted, significant others; and protect her/ him from further harm.
- Ensure safety; assist her/ him in developing a realistic safety plan (such as safe shelters and safe havens), if needed.
- Give honest and complete information about services and facilities available. Do not tell the survivor what to do, or what choices to make. Rather, empower her/ him by helping them problem-solve by clarifying problems, helping her/ him to identify ways to cope better, identifying her/ his choices, and evaluating the value and consequences of those choices. Respect her/ his choices and preferences about referral and seeking additional services.
- Discuss and encourage possible positive ways of coping, which may vary with the individual and culture. Stimulate the re-initiation of daily activities. Encourage active participation of the survivor in family and community activities. Teach relaxation techniques.
- Discourage negative ways of coping; specifically discourage use of alcohol and drugs, because trauma survivors are at high risk of developing substance abuse problems. Young males can be particularly prone to seek solace through alcohol or other substances.

**3. Address the special needs of children (girls and boys).**

- Persons interviewing and assisting child and adolescent survivors should possess basic training on child development and sexual violence.
- Use creative methods (e.g. games, story telling, and drawing) to help put young children at ease and facilitate communication.
- Use age-appropriate language and terms.
- When appropriate, include trusted family members to ensure that the child/ adolescent is believed, supported, and assisted in returning to normal life.
- Do not remove children from family care to provide treatment (unless it is done to protect from abuse or neglect).
- Never coerce, trick, or restrain a child whom you believe may have experienced sexual violence. Coercion, trickery, and force are often characteristics of the abuse, and “helpers” using those techniques will further harm the child.
- Always be guided by the best interests of the child.

#### 4. Organise psychological and social support, including social reintegration activities.

- Advocate on behalf of the survivor with relevant health, social, legal, and security agencies if the survivor provides informed consent. When appropriate, organise confidential escorting to any service needed.
- Initiate community dialogues to raise awareness that sexual violence is never the fault of the survivor and to identify solutions to honour killings, communal rejection, and isolation.
- Provide material support, as needed, via healthcare or other community services.
- Facilitate participation and integration of survivors in the community. This may be achieved through concrete, purposeful, common interest activities (e.g. reconstruction and reintegration projects, teaching children), activities that enhance self-sufficiency and mediation.
- Encourage the use of appropriate traditional resources. If feasible, collaborate with traditional healers or clergy who, respectively, may conduct meaningful cleansing ceremonies or prayers for sexual violence survivors. Many such practices can be extremely beneficial; however, ensure that they do not perpetuate blaming the victim or otherwise contribute to further harming to the survivor.

#### Always adhere to the guiding principles for action:

- Ensure safety and security
- Guarantee confidentiality
- Respect the wishes, choices and dignity of the survivor
- Ensure non-discrimination
- Any training in psychological support should be followed by supervision
- Help the survivor to understand that healing is a process: a journey.

#### 5. Prevent sexual violence and maximise child survivors access to services by raising awareness among students and teachers about sexual violence and implementing prevention strategies in schools, youth groups and child-safe areas.

- Inform teachers about sexual violence, prevention strategies, potential after-effects for children, and how to access help and sexual violence services in the community.
- Actively recruit female teachers.
- Include discussion of sexual violence in life-skills training for teachers, girls, and boys in all educational settings.
- Ensure all teachers sign codes of conduct, which prohibit sex with children and young people.
- Establish prevention and monitoring systems to identify risks in schools and prevent opportunities for teachers to sexually exploit or abuse students.
- Provide materials to assist teachers (for example, “School in a box” and recreation kits that include information on gender-based violence and care for survivors from UNICEF).
- Provide psychological support to teachers who are coping with their own psychosocial issues, as well as those of their students, to ensure that they are not overburdened. Such support may help reduce negative or destructive coping behaviours.

**6. Establish community-based protection activities and mechanisms in places where children gather for education to prevent abuses such as sexual violence and/ or recruitment by armed groups.**

- Provide facilities for recreation, games, and sports at school and ensure access and use by both boys and girls. Be sensitive to the community's cultural practices and preferences related to gender.
- Gain community support for school-based sexual violence programming by communicating with parent groups (PTA's) and communities about sexual violence.

**7. Identify existing resources and potential channels for communication that can be mobilised to inform the community about prevention of, and response to, sexual violence.**

- Community-based workers/ animators in health, nutrition, WASH, community services, children's programmes, midwives, traditional birth attendants, etc.
- Women's leaders, teachers, religious and cultural leaders.
- Places where community members gather, where posters or other informational materials could be available, such as distribution points, health centres, registration centres, communal shelter areas for new arrivals.
- Popular radio programmes.
- Compile a resource list of organisations and services working in prevention and response to sexual violence.
- Establish co-ordination mechanisms, orient partners and distribute widely in the community and between humanitarian and relevant government organisations.

**8. Determine the key messages to be disseminated based on a co-ordinated situational analysis and the resources available in the setting. Some, or all, of the following messages may be needed and appropriate:**

- Potential health consequences of sexual violence (unwanted pregnancy, injury, reproductive health problems, infection, STIs, including HIV infection).
- Emotional and social consequences of sexual violence (fear, anxiety, panic attacks, withdrawal, depression, feeling hopeless, social isolation).
- Who might need help (e.g. girls, boys, adolescents, women, concerned family members).
- Where to go for help — exactly where to go, which organisation(s), which door to use, hours of operation (preferably 24 hours), etc.
- What kind of help is available (e.g. confidentiality and privacy, trained midwives, trained counsellors, confidential treatment, medicines, help you plan for your continued security).
- The importance of protection and safety for the survivor.
- The community's responsibility to protect and care for survivors, not blame them and not reject them.

**9. Adapt or develop simple methods and materials to communicate the messages.**

- Consult with women and girls to verify that the information is culturally appropriate, clear, and conveys the intended message(s).
- Inform community leaders about the need for the information dissemination and consult with them to ensure that materials and messages are culturally appropriate.

- Be sure to emphasise the message that sexual violence services are confidential.
- Prepare materials using a variety of methods to ensure communication with literate and non-literate persons.
- Some examples are: posters and pamphlets with words and pictures; radio spots; and meetings or groups where women and girls gather, such as health talks and after-school programmes.

## Chapter 4: Policy Work for Women's Rights in Emergencies

### South Asia Network on Women's Rights in Disasters

#### Charter On Violence Against Women Post-Tsunami

##### Demanding an end to violence against women in disasters

We, the tsunami affected women from India, Maldives and Sri Lanka are deeply concerned with the continuing widespread violation of women's rights in the post-disaster context. We experience the violence not only as physical, sexual and emotional violence. We also experience as acts of violence the sustained structural discrimination that denies us of our right to information; basic amenities; health and education; housing and land; livelihoods; participation and decision-making, which is perpetrated by the state, society, community, and the family. This denial and abuse of our rights impedes our potentiality and agency to be active partners in development.

We request that you take our demands to the South Asian Association for Regional Cooperation so that our voice can influence the formulation of the policies and practices that affect our life and livelihood.

##### 1. Right to Information

**We are deeply concerned with...** the denial of the right of women to information. Most of us across the countries did not know of our entitlements to relief and rehabilitation. The practice of men being registered as heads of households generally excluded our access to entitlements, particularly for the single, widowed, women with disabilities and older women among us.

**India:** We, the women of the coastal communities, were largely unaware of our rights. Particularly as Dalit, tribal or minority women we were denied information.

**Maldives:** Seven out of ten among us knew about the food items we were entitled to, nine out of ten knew of our housing rights and seven out of ten were aware of the cash grant. However, the details of the compensation package were not fully disclosed, thereby denying us of this information.

**Sri Lanka:** Six out of ten among us did not know about our right to safe drinking water whereas only one third of us were aware of our right to food.

**We therefore demand:**

1. The states must be transparent and effective in providing women easy access to information regarding their entitlements and rights.
2. Women must be equally recognised as heads of households irrespective of their marital, caste, ethnic, class, age or religious status.

## **2. Right to food, clean water and sanitation**

**We are deeply concerned with...** the provision of basic needs to women in the aftermath of disaster. In temporary shelters we experienced difficulties due to the location, improper lighting and lack of privacy, particularly with regard to toilets and bathroom facilities, and the lack of appropriate clothing in some cases.

**India:** Even though food and water was provided we found it inadequate - particularly so for those of us from the socially disadvantaged groups, or for the pregnant women or lactating mothers among us. Generally the design of sanitation facilities violated our privacy.

**Maldives:** Most of us received the basic food package. The special needs of diabetics were addressed in the food package and most of us had access to water.

**Sri Lanka:** Immediately after the tsunami seven out of ten among us received food, eight out of ten received cash for food, and nine out of ten had access to water. However, in the later stages access to water decreased due to the salination of wells as many of us were unaware of our right to get them cleaned through government initiatives. Four out of ten among us had access to sanitation facilities.

**We strongly demand that...**

states ensure equal rights to food, clean water and clothing to women of all communities without discrimination and provide secure and safe sanitation.

## **3. Right to Education and Health**

**We are deeply concerned with...** the right of girl children to access education and women's access to adequate health care.

**India:** Though the government ordered the fee-waiver for children of tsunami affected families this was not implemented in many cases resulting in a high drop out rate of our daughters.

**Maldives:** Education facilities were provided but we are concerned with the safety and security for girls seeking higher education that is not available on all islands. Rising fundamentalism is affecting our girls' access to education in some cases.

**Sri Lanka:** Nine out of ten of us had access to school within three months but distance and lack of transport facilities impeded access, particularly for our girl children. Girls dropped out of school due under-age marriages as well as being compelled to stay at home and look after their siblings.

After the tsunami there were no epidemic outbreaks in any of the countries. However, we experienced reproductive health care to be inadequate in general and especially for those of us who were pregnant or lactating mothers. Too often the health centers are located at a considerable distance and transport is difficult for us. The availability of the services of midwives is insufficient at new settlements. We found mental health care to be inadequate.

**India:** We experienced a paucity of women doctors in the medical camps which were randomly conducted at temporary shelters. The government played a negligible role in provision of health care, instead we had to rely on the services provided by NGOs. For older women among us our health needs were neglected.

**Maldives:** Even though there are health centers on every island we had to travel to regional hospitals for specialised care which is a problem, especially for the pregnant women among us.

**Sri Lanka:** Seven out of ten among us had access to health care.

#### **We demand**

1. Special attention be given to education of girl children, and measures taken to reduce their drop-out rate.
2. Easy access for women to health facilities and effective reproductive and mental health care.

#### **4. Right to Housing and Land**

**We are deeply concerned with...** the delay in the provision of permanent houses to the affected communities. Across all the countries we were largely excluded from participating in deciding the location and design of houses. In temporary shelters and camps we experienced lack of space, facilities, privacy, overcrowding and unhealthy conditions. We have found the design and quality of houses to be often unsuitable. As single women, widows, women with disabilities and socially excluded women we experienced discrimination in house allocation.

Many of us who were engaged in home based economic activities earlier are now forced to be dependent on our spouses' income due to displacement.

Given the lack of clarity of policies on coastal zones and land allocation, and regarding the rights of squatters and renters, we have faced eviction or the ongoing threat of eviction. Relocation or forced eviction from coastal areas has impacted heavily on those of us who depended on the sea for our livelihood.

**India:** In temporary shelters we experienced lack of sewage and garbage disposal. The insensitive grouping together of people of different castes in shelters created tensions for us.

**Maldives:** Those of us who are single or older women or who had families with less than two children found we were not entitled to houses.

**Sri Lanka:** In some areas, where land had previously been in women's names, in the new allocation joint ownership was promoted. For example, in Muslim communities, new allocation rules led to land ownership by men which disadvantaged us as women, particularly when men marry again.

#### **We demand that**

1. Policies on housing and land allocation take into consideration the previous practices and the impact the policies can have on women.
2. Affirmative action be taken in land and house allocation to include single women, widows, women with disabilities and older women.

3. The consultation of women in the design and construction of temporary and permanent houses
4. Women's right to own homestead land and have access to their livelihood must be ensured.
5. The right of people to remain in their original place of habitation must not be violated.

### **5. Right to Livelihood**

**We are deeply concerned with...** the concentration on sectoral development - specifically of fisheries and tourism – and the minimal attention to micro enterprises where we were/are mostly engaged. Lack of assessment and consultations with us regarding the loss of our livelihoods has disempowered us in rebuilding our livelihoods.

Compensation for livelihood materials focused primarily on men's livelihoods and the subsequent discrimination in resource allocation perpetuated the inequities between women and men. Revival of livelihoods in the agricultural sector where we women workers are in the majority tended to be neglected. Systematic efforts and resources were not given to our traditional and alternative livelihoods and there was inadequate support to develop market linkages. The relocation of fisher families away from the coast also disrupted those of us who have sea-based livelihoods. Political interference and corruption affected our access to livelihood support. Many of us who are widows were unable to obtain compensation for our deceased husbands' lost livelihood equipment.

**India:** If we had no adult male in our family we were excluded from the list for the allocation of boats, trawlers and nets.

**Maldives:** Half of us received livelihood assistance. However, due to lack of consultation this support was often inappropriate. For example, the distribution of sewing machines which we cannot utilise for our livelihood.

**Sri Lanka:** One third of us have resumed our livelihood. In the rehabilitation and reconstruction process attention was focused on the building of large scale infrastructure which displaced some of us who were small traders or entrepreneurs.

#### **We demand**

1. The recognition of women's economic rights and that we be accepted as income earners.
2. That assessment be made of micro enterprises and special attention paid and support given to women's needs such as credit, market linkages, skills and business development services for alternative livelihood/upgrading traditional livelihood and compensation for loss of livelihood.
3. That to ensure women's involvement in macro and sectoral economic development, our entrepreneurial skills must be upgraded with the necessary resource support.
4. That affirmative action must be taken to promote the livelihoods of excluded and marginalised women such as single women, widows and women with disabilities.

### **6. Right to participation and decision-making**

**We are deeply concerned that...** we were too often denied the right to participate in planning and decision making fora and committees, resulting in our specific needs such as reproductive health, livelihood, safety and security being largely ignored. The social, political, religious and cultural prejudices of decision makers reinforced the status quo. Despite constant demands and several agreed standards/ codes of practice, the space for us to participate in decision making remained minimal. The view of us

as passive, vulnerable recipients and being confined to the home perpetrated our marginalisation from decision making

**India:** The traditional feudal leadership and religious institutions exercised power and control over communities and marginalised us in the relief and rehabilitation process. Socially excluded groups among us suffered due to the caste hierarchy, with Dalits and tribal women being the worst affected.

**Maldives:** Centralised planning excluded our participation, and our lack of political empowerment limited our involvement at the island level.

**Sri Lanka:** We were not included as decision makers in state apparatus dealing with relief, rehabilitation and reconstruction, particularly as committee members.

We demand that

1. Women's right to decision making be ensured through the appointment of women in all decision making committees and fora from community to national level.
2. Women are consulted and involved in policy formulation and programme design for relief operations, camp management, damage and needs assessments, allocation of houses and land, and the rebuilding of livelihoods.

## **7. Right to Protection, Security and Bodily Integrity**

**We are gravely concerned with...** the increased incidence of violence against us after the tsunami in all the countries. We identify a range of causes for violence against women but the underlying reason is the power imbalance between women and men within the family and in the community at large.

The extensive violence against us in the post tsunami context has not only resulted in physical injuries but also in social consequences such as isolation, stigma, loss of self worth, fear, depression etc. which further de-motivates and marginalises us. This has also led to suicide.

**India:** Nine out of ten of us find increased alcoholism among men, which we attribute for the increasing incidence of physical and emotional violence. This is related to cash payments being paid exclusively to men, compounded by their unemployment and lack of counselling for them to overcome grief and frustration. In instances of extreme deprivation some of us have had to sell our kidneys or take up sex work. We have found incidents of early marriages, polygamy (by men) and forced recanalisation. There are also reports of girls being pushed into sex tourism in the coastal regions.

**Maldives:** One in six of us experienced physical and sexual violence in and out of marriage. A third of us have experienced verbal and physical harassment in the workplace and on the roads. The majority of us feel that violence within community has increased after the tsunami.

**Sri Lanka:** Over half of us have experienced physical violence within the last two years. In fifty percent of cases this was by our husbands.

**We strongly demand**

1. The punishment of those who perpetrate violence against women regardless of the circumstances and zero tolerance of violence against women in disaster or any other situation.
2. Acknowledgement of the ineffectiveness and blockages in the implementation of laws and policies on violence against women
3. Those mechanisms are put in place to hold both the state and the relevant officials accountable.
4. The development of a critical mass of women included in decision making in the prevention, intervention and advocacy on violence against women particularly in the post-disaster situation.

We demand that the states eliminate all forms of violence against women, be it emotional, physical, sexual or structural violence, and ensure the freedom of women to secure their rights. We demand the states adopt this charter, incorporate women's demands into the laws and policies on relief, rehabilitation and reconstruction, especially on housing and land, livelihood, education and health, and most importantly in laws on violence against women, and ensure their effective implementation and monitoring.

### Endorsement

164 organisations endorse this women's charter of demands. We recognise the efforts made by states to respond to the unprecedented scale of this tsunami disaster. However, we are acutely aware of the suffering and hardships facing women affected by the tsunami and reiterate the urgency and gravity of their demands.<sup>5</sup>

### Contact details

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## Exercise: Analysis of a law

**Objective:** To critically analyse a law or policy using the criteria provided

### Materials:

- i. Copies of a short piece of legislation or a policy document which is currently being debated
- ii. Copies of 'criteria for analysis of legislation'.

### Methodology:

1. Ask participants, in pairs, to read the legislation and use the criteria to assess the legislation.
2. Add other criteria you think are important.
3. List further information needed to help understand the law if it is not clear.

<sup>5</sup> This charter evolved out of discussions with 7,315 tsunami affected women in 308 communities in India, Sri Lanka and Maldives.

### Criteria:

1. Who benefits from this law?
2. Who loses?
3. How does this law affect women and poor, excluded people?
4. What will be the consequences five years from now if this is enforced?
5. Is this something ordinary people will understand?
6. Who is demanding this law and why?
7. How did this issue come to the notice of legislators?
8. How much will it cost?
9. Can it be enforced? If so, by whom and how?
10. What will be the penalty if you do not obey this law?
11. Does the law violate the UN Declaration of Human Rights or any other conventions signed by your country?
12. Is the law consistent with your own country's Constitution/Bill of Rights?
13. Do you favour the proposed law or oppose it? Why/why not?
14. If it should be amended, what changes are needed?

### Key learning points to be reinforced

- In its ratification of UN treaties, and in its constitution, laws and policies, the state has made commitments to the rights of women.
- Through analysis of these laws, policies and conventions, we can achieve clarity as to where women's rights are enshrined and this provides the basis on which people can claim their rights and hold governments (and others) accountable.
- By understanding where there are inadequacies and gaps in the existing laws and policies and/or in how these are applied or enforced in society, we achieve clarity regarding the policies and practices we need to influence in order to promote and protect women's rights in emergency prevention, response and mitigation.
- Through raising their awareness and facilitating their analysis and empowerment, women will come to know their rights
- When people are informed and mobilised they have more power to demand their rights from local and state institutions.

## Budget Analysis

Is the money working for addressing women's rights issues in emergencies and conflict?

### Why do a budget analysis?

The main aim for doing gender budget analysis for our work in humanitarian emergencies is to assess whether the organization is contributing to addressing women's rights issues in humanitarian response. Most of emergency work addresses women's immediate needs that mainly revolve around their practical needed including food, water, sanitation and sometimes their medical care. The challenge is how to get women's position to change in emergencies & conflict. The status change would see them more proactive in governance, conflict resolution, participating in designing the reparation packages, resource mapping and planning and getting the necessary amenities in humanitarian settings.

### Theory to practice

#### 1. Emergency response: What is the condition & position of women in situations of displacement, and how much money and resources are we putting into addressing these issues?

- How many women & girls are affected?
- How do they deal with their privacy (Space, shelter & organization around their issues)
- Access to specific needs – ( reproductive health needs-Family Planning, Ante-Natal Care, HIV/AIDS care and support, sanitary towels, bathroom & toilets)
- How has the situation affected women's self confidence and what is being done about it?
- Are the women at the camps actively participating at the decision making /management levels?
- Do women understand the power dynamics and politics involved and what is their stake in it?
- Are women's issues/needs (including women's specific protection needs) part of the requests being put across?
- Are there violations of women's rights in the camp? What is being done about it?
- How well are displaced women organized both at the national level and local to influence action and change that protect them & their rights?

#### 2. Investing in women's agency and leadership:

- Are women organized and participating in addressing the crisis/emergency?
- Are the women informed of their rights and demanding for protection and taking leadership in finding solutions?
- Are there strategic opportunities that we facilitate women to get involved in?

#### 3. Policy /Advocacy work:

- How well are constituencies informed of the International, treaties and conventions that facilitate their protection and response to crisis? If there is a gap what is being done to build their capacities?
- Assessing government compliance and domestication efforts.
- Facilitating policy dialogues and development of implementation plans.

#### 4. Financial Analysis:

- Does the program/emergency response take into account the relevant gender concerns in each context?
- How much money is going into addressing the gender issues? Is it adequate?
- if there are gender integrated programmes, how much allocation is going directly to women's protection and empowerment in the whole process/programme?
- Assessing if the money has contributed to change at a personal level as well as engagement in public spaces.

**act:onaid**

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ActionAid International is incorporated in The Hague,  
The Netherlands. Registration number 27264198

ActionAid International is incorporated in South Africa under section  
21A of the Companies Act 1973.  
Registration number 2004/007117/10

July 2009