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In the **Aftermath** of the Tsunami **Disaster**: **Gender Identities** in Sri Lanka¹

by Sepali Kottegoda

Some groups are more vulnerable than others. Vulnerability is not just poverty, but the poor tend to be most vulnerable due to their lack of choices. The influences of both poverty and development processes on peoples' vulnerability to disasters are now well-established, significantly affected by class, caste, ethnicity, gender, disability and age.

Women, especially if they do not receive timely warnings, or other information about hazards and risks, or if their mobility is restricted, or otherwise affected by cultural and social constraints, are major casualties in disasters. Gender-biases and stereotypes can complicate and prolong women's recovery, such as when women do not seek or receive timely care for physical and mental trauma.²

Introduction

How are the social, economic and cultural notions of women and men perceived within institutions such as the state, the family and communities? What impact do such perceptions have to access to resources and knowledge and on the freedom of mobility in Sri Lanka? Socio-economic, political and cultural notions of gender relations more often than not, demarcate lines of conduct, understandings of duties and obligations, and the strategising for household survival.

This paper examines the impact of notions of gender roles on people's survival when the tsunami occurred in Sri Lanka. It looks at gender in two principal dimensions: firstly, the way gender figured significantly during the actual disaster and in the immediate aftermath of rescue and relief activity, and secondly, the incorporation of gender in the policy and programme responses.

The disaster which struck almost two thirds of the coast line of Sri Lanka on December 26, 2004, resulted not only in thousands of lives lost and trauma for the survivors, but also the destruction of homes and infrastructure worth hundreds of millions of dollars. The tsunami killed 35,322 people and displaced close to a million, and affected almost two-thirds of the country's coastal areas.³ The word "tsunami" which, until then, had been vaguely associated by Sri Lankans with sea phenomena occurring in distant countries, is now very much a part of Sri Lankan vocabulary whether it is Sinhala or Tamil.

More than two years later, the memory of the sea's fury, the indiscriminate

destruction of homes and livelihoods, and the terrifying loss of loved ones, friends and neighbours remain, especially among those who continue to live in the tsunami-stricken areas.

A significant number of victims were from low-income groups whose destroyed homes were made of low quality material and whose livelihoods were closely linked to raw materials available in coastal areas.⁴ With hindsight, we now know the repercussions of being an island nation with little or no preparations to handle such a catastrophe. There are now attempts to address these issues, to put in place early warning systems.

Much of the land hit by the tsunami has also been subjected to an ethnic conflict since the early 1980s. This conflict has led to periodic displacements of a huge number of families. It has also destroyed and seriously weakened the delivery of services in health, education, and shelter, even prior to the tsunami.⁵ In the last 18 months, the resurgence of military confrontations between the Sri Lankan Government armed forces and those of the Liberation Tigers of Tamil Eelam (LTTE), and the virtual breakdown of the Cease Fire Agreement of 2003 between these two parties, have resulted in large numbers being displaced (although many had already undergone displacement during earlier such confrontations). An alarming pattern of abductions and disappearances in the north east and the south of the country has also emerged.

Where the international development discourse has adopted the Millennium Development Goals (MDGs) as a



framework to strengthen commitments to gender equality, the tsunami's aftermath continues to pose serious questions as to which, and to what extent, existing political, economic and social structures recognise and respond effectively to the gender dimensions of disasters.

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The inequalities between women and men in accessing resources, skills, and social status was outlined more than two decades ago through the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).⁶ In 1995, the Fourth World Conference on Women and the Beijing Platform for Action (BPFA) provided a framework in which government policies may ensure the protection and promotion of gender responsive plans of action.⁷ Bringing together these Conventions and the BPFA and creating an international lobby for integrating gender into disaster responses, the Asia Pacific Women's Watch successfully advocated with the UN for this purpose. These resulted in the adoption in 2006 of a new Economic and Social Council (ECOSOC) Resolution on "Integrating Gender

Perspective in Post-Disaster Relief, especially in response to the Indian Ocean Tsunami."⁸

Sri Lanka, like many other nations, has ratified the CEDAW Convention and accepted the BPFA and the MDGs as well as the outcomes of all UN Conferences which have gender as a focal area of concern. These frameworks acknowledge that to eradicate poverty, women's limited access to productive resources and assets when compared with men need to be critically recognised. They also accept that social, cultural and economic factors mitigate against women having the same access and rights as men to obtain equal wages, to learn life skills, to livelihoods and markets and that women are also more vulnerable to violence, both societal and domestic.⁹ However, the lack of mechanisms that would respond to such phenomena was underscored by the slow response of the Sri Lankan State in the aftermath of the tsunami, and the failure to recognise the implications of existing gender gaps.

Gender Aspects of the Tsunami

The tsunami brought into sharp focus the gendered nature of the disaster's impact. More women than men lost their lives on that single day of December 26, 2004. A sample survey carried out by women's groups working in the tsunami-affected areas showed that in some districts most of the victims were children and women.¹⁰

The tsunami has also brought about a new phenomenon of households where thousands of widowers now have to look after their children without their mothers. In parts of the east, there are reports that this has often resulted in remarriages

and the prospective ill treatment of these children by their father's new wives.¹¹ Among the hundreds of orphans, often female, young and unmarried, many still face social norms which constrain young women's mobility, suppress their voices and human rights.

Gender Responsive Security Measures

Fortunately, the early calls by women's groups for gender responsive security measures in welfare camps and temporary shelters, although initially rejected, resulted in some changes in camp facilities which accommodated these concerns.¹²

Some surveys conducted over the past two years have brought to light increasing domestic violence as a critical negative impact of people's displacement.¹³ Causes include, among others, men's use of relief monies for personal rather than household needs;

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the pervasive notion of the male as head of household, which is based on the assumption that it is men who provide for the family. The latter has meant that women are not given monetary handouts and have to face the consequences of alcohol abuse by their spouses; these husbands leave little money for the purchase of food for the family. Other factors cited are mental trauma resulting from the aftermath of the tsunami, and the unemployment and insecurity experienced by men as familiar gender roles are undermined.

In 2005, the Government legislated against domestic violence with the adoption by Parliament of the Prevention of Domestic Violence Act. While this Act was the direct outcome of almost seven years of lobbying by women's groups, there is a need even today for an extended campaign to make the public as well as the judiciary aware of the redress that can be obtained in the wake of domestic violence.

State and Donor Recovery Measures

With hindsight, it is clear that almost immediately after the disaster, local and provincial government structures struggled into operations. Shelters and welfare camps were set up in schools and in places of religious worship; survivors were taken in by the thousands; hundreds of convoys from unaffected districts sent food and other essentials to affected areas. However, it was left to women's groups to draw attention to women's specific needs such as clothes, underwear, sanitary napkins, medicines, feeding bottles, and to show that these were as basic and as important as food and shelter.¹⁴





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Despite much literature urging an inclusive and gender-sensitive framework in policy processes, it took almost 24 months for State data banks such as the Department of Census and Statistics to recognise that data on disaster survivors need to be disaggregated by sex.

Much of the political discussion since the tsunami is focused on a mechanism to ensure assistance to the North East, reconstruction efforts, the effective implementation of the coastal buffer zone and relocation. To strengthen commitments by donors and bilateral agencies in identifying the “*Guiding Principles of the Recovery and Reconstruction Strategy*,” experts were sent by a consortium of donors in collaboration with the Sri Lankan Government to ascertain the extent of losses.¹⁵

These district team reports found that women were affected differently from men and that focused programmes to address women’s needs were urgent.¹⁶

However, official documents presented to the Development Forum held in May 2005, focused heavily on the economic and financial aspects of the disaster,

drawing links with the ethnic conflict which had devastated the north and the east of the country.¹⁷ Despite much rhetoric on mainstreaming gender into all development and planning processes, the key findings of the Donor-facilitated district level survey which highlighted the gendered impact of the tsunami, was articulated and reduced to only one sentence, “*More women and children died as many men were away from their homes at the time of impact.*”¹⁸ Similarly in early 2007, as the United Nations Development Programme (UNDP) office in Colombo presented its draft plans for support areas, gender was identified as a “cross-cutting” issue but was allocated less than a third of the budget of the UNDP programmes in Sri Lanka.¹⁹

In 2005, the Task Force for Rebuilding the Nation (TAFREN) advertised for the post of a Gender Coordinator. However, this position never materialised. In contrast, in May 2005, the Disaster Management Act was passed by Parliament and the Disaster Management Centre was operational in September 2005.²⁰

The State further brought into effect the Tsunami (Special Provisions) Act No. 16 of 2005 which was enacted in June 2005.²¹ At the same time, the Government approved a proposal submitted by the National Committee on Women to mainstream gender in post-tsunami recovery and reconstruction with a special focus on widows, livelihood assistance for women, appointment of women to disaster management committees at all levels, providing land rights for women in relocation to ensure joint ownership.²² By 2006, TAFREN was absorbed into a new institution, the Reconstruction and Development Agency (RADA). With the

setting up of the Ministry for Disaster Management and Human Rights, RADA is now expected to be absorbed into this Ministry.

The setting up of various institutions mandated to address post-disaster relief programmes has been moved a number of times over the past two years, indicating the lack of a clear policy framework. In this context, the advocacy to integrate gender into these institutions becomes even more urgent.

Land Rights and Relocation

The rights of women to land and property ownership is an area which is of particular importance in the formulation and implementation of policies regarding relocation. It is an important component of the MDGs which recognise that in order to eradicate poverty, to promote gender equality and empower women, women must have access to productive resources. In Sri

ownership is informed by notions of male as head of the household. The implication is that women are clearly discriminated against when State land is allocated to families; government resettlement of those who have lost their land and property will be focused on State land.

By being deprived of equal access to land ownership, women remain vulnerable to eviction from the home, and to domestic violence. Women are also constrained as they are unable to show collateral when requesting loans to improve their livelihoods.²³ Female-headship is currently recognised only in situations where there is an absence of the adult male or, if the adult male is incapacitated. Even within this limited definition, national level data indicate that 21.5% of households headed by women are poor.²⁴ The tsunami-affected southern districts of Matara, Galle, Kalutara and Colombo show a higher percentage of poverty among female-headed households compared to male heads of households. At present, no census data is available in the North and Eastern Districts of the country.²⁵

In the East, there is a custom of bestowing land received by mothers as dowry or inheritance to daughters. However, in the post-tsunami relocation programmes, the State has shown little sensitivity to these practices, relying instead purely on the Land Development Ordinance and the State Lands Ordinance where the right to state land is given to the household head, deemed to be the male.²⁶

When survey results on gender impact of the tsunami began to be analysed, it became clear by 2006 that socio-cultural barriers to women survivors' access to

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Lanka, the legal framework for ownership of private lands recognises the concept of joint ownership; this is not so in relation to the alienation of State land.

Although the Sri Lankan Constitution recognises equality of women and men, much of the policy in relation to land

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land was a major area of concern. The National Committee on Women, the Coalition for Assisting Tsunami Affected Women, Centre for Women's Research (CENWOR), Agromart Foundation and the Centre for Policy Alternatives were among the organisations which raised this. Meetings were held and appeals drafted and submitted to policy making institutions, such as the RADA and the Land Commissioners Department. These called for immediate measures to ensure that women are not discriminated against in the allocation of land or home ownership to tsunami-affected families.²⁷ Despite the many efforts of women's organisations, gender discrimination continues to be a focus of strong advocacy for equal rights to land.

Access to Livelihoods

Much of the focus of implementing recovery programmes over the past 24 months has been on large scale projects such as the provision of fishing boats, equipment and economic ventures. The policy continues to address housing, transportation, infrastructure and such issues as livelihood restoration for fishermen, small farmers and small and

micro-enterprises, but the challenge of integrating a gender responsive framework remains unaddressed.²⁸ Such prioritising of male-focused economic activities overlook those small scale but essential activities which women have long been engaged in, such as processing fish, making and selling foodstuff, traditional bobbin lace making, and coir production. Given that even in State-run poverty alleviation programmes, the burden of providing food for the household is expected to fall on women, reports of men using State assistance to satisfy their own needs, such as expenditure on cigarettes and alcohol, at the expense of family needs, ought to be critically examined.²⁹

Enabling women to access skills training also remains a key issue. It is important to stress that such skills should be those which women are able to utilise for viable economic ventures and not confined to skills which are based on gendered notions of women's capabilities.³⁰ Skills to access the more lucrative jobs in the construction industry however, has not materialised despite the construction boom that has taken place.

Conclusion

The tsunami brought to light the repercussions of not making available, on the national level, gender-disaggregated data and for not mainstreaming at all levels, gender responsive programmes. At the highest level of policy, it was shown during the negotiations between international donor agencies and the government that there is a significant gap between the rhetoric of gender mainstreaming and the identification of practical programme support areas and the allocation of funds.

The close link between women's right to property and their access to livelihoods is underscored by the fact that these issues have been repeatedly raised by women's groups at the ground level as being inadequately implemented during post-disaster relief operations. In Sri Lanka, land is distributed according to the notion that the man and not the woman is the household head. The practice impacts negatively on the ability of women to obtain the right (sole or joint) to ownership of State lands. At the same time, the recognition given primarily to men as the parties who engage in farming, effectively cancels women's economic contributions to agriculture and their right to assistance.

The above discussion shows the urgency of putting in place gender responsive policies for post disaster relief and reconstruction. Nevertheless, the advocacy on women's rights shows its impact in unexpected ways. For example, the Prevention of Domestic Violence Act has been incorporated in the

formulation of the application form of the Land Commissioner General's Department for Resettlement of Tsunami survivors. This recognises the special rights of women and children who have been subjected to domestic violence.³¹

The issues raised in this paper point to the overall international and national frameworks of State obligations to support non-discriminatory gender policies. The framework forms an important context for continued advocacy for gender responsive programmes in post-disaster situations and the elimination of gender-based discrimination. ■

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