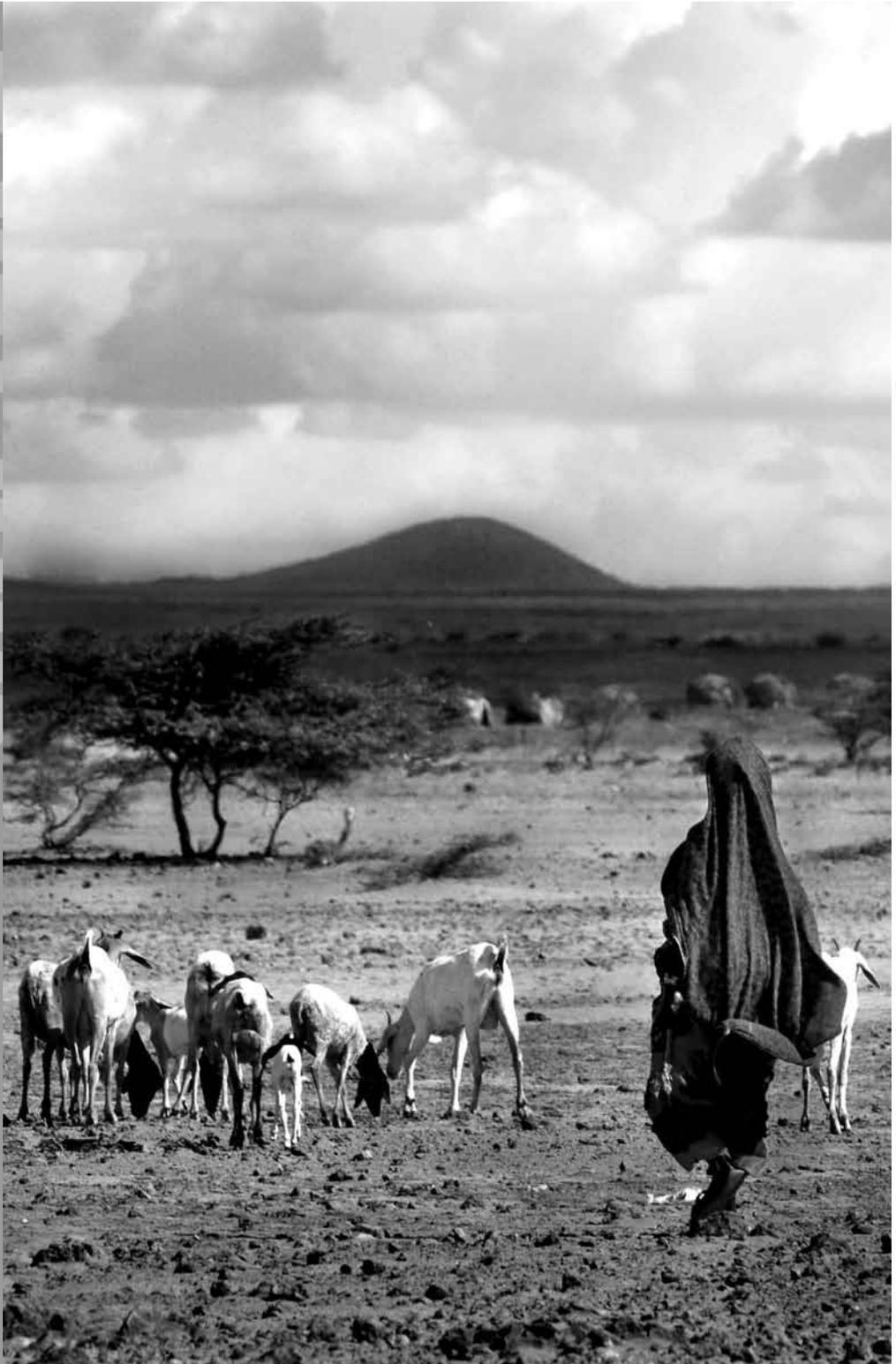# Overcoming multiple disasters: discriminating against minorities

Disasters do not discriminate. They strike indiscriminately, affecting minorities and majorities alike. However, do minorities and majorities experience the same hardships? Are minorities always treated fairly by those delivering a humanitarian response? As this chapter illustrates, there have been many reported cases of discrimination during disaster operations around the world and humanitarian workers are often faced with difficult decisions in times of emergency. Previous experience, however, has allowed humanitarian organizations to develop tools and approaches to identify social vulnerability which are then reflected in appropriate response. Before a disaster strikes, minorities are often already vulnerable people in terms of their struggle for political, social, cultural and economic rights. Both humanitarian workers and minority rights activists are working towards the elimination of discrimination and the reduction of vulnerability. It should therefore be indispensable for them to collaborate in order to develop additional disaster risk reduction strategies by analysing discrimination against minorities in natural disasters.

What is discrimination against minorities and why does it happen?

For certain groups in the international community, discrimination has mainly been discussed in the context of prejudice both in public perception as well as within institutions, particularly following the introduction of apartheid in South Africa and the civil rights movement in the United States. In both cases, the international community welcomed the ending of institutionalized segregation. The elimination of discrimination has been the primary purpose of international cooperation for the protection of human rights (see Box 2.1). The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the first enacted, modern, international human rights law, defines the term racial discrimination as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life". Therefore, even in disaster management and relief works, discrimination is a much wider concept which includes social exclusion and restrictions resulting from marginalization and vulnerability, as highlighted in the *World Disasters Report 2006*.

Photo opposite page: A woman herds what livestock still survives outside the village of Bubisa in northern Kenya.

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Box 2.1 Minority peoples and minority rights

Despite the fact that issues surrounding discrimination against minorities have been raised during discussions on the international and regional regime for the protection of human rights, there is no universally-accepted definition of the term minorities. In fact, the word is interpreted differently in each society. The United Nations (UN) has failed to agree on a definition of what constitutes a minority – as referred to in Article 27 of the International Covenant on Civil and Political Rights (ICCPR), the only international law with legal binding effect, which directly mentions the rights of minorities – or beyond that implied in the title of the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities (UN Minority Declaration). Attempting a more precise statement has been fraught with difficulty: in some cases, the motivation for a tighter definition has been to deny certain rights to certain peoples.

Numbers: Francesco Capotorti, United Nations Special Rapporteur on Minority Rights, states that "the minority is numerically inferior to the rest of the population of a state". But Patrick Thornberry, a member and rapporteur of the UN Committee on the Elimination of Racial Discrimination (CERD), rejects this definition as it excludes dominant minority groups where there is a dominant majority, i.e. the white minority and the black majority in South Africa. Felix Ermacora, who was a leading human rights expert and Austrian parliamentarian, explained them as a 'racial-political minority'. According to Thornberry, however, it can also be a matter of self-determination to enhance their political rights rather than minority rights, and points out that apartheid should be regarded somewhat differently from minority issues in general.

Nationality/citizenship: Both Capotorti and Jules Deschênes, who succeeded Capotorti as UN Special Rapporteur on Minority Rights, refer to the requirements of nationality or citizenship by describing "a group…[of] nationals of the state" (Capotorti) and "a group of citizens of a state" (Deschênes). Thornberry claims the distinction between national and non-national is hardly relevant in terms of human rights protection in modern international law. However, another CERD member, Luis Valencia-Rodriguez, states that international human rights standards are ineffective in dealing with the issue of equality between nationals and non-nationals. In view of the human rights situation of non-citizens worldwide, CERD issued General Recommendation XXX – Discrimination against Non-Citizens – which clarifies the responsibilities of states parties to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). With this general comment, non-national minorities and non-citizen minorities, including foreign residents in a country, are guaranteed their rights, including economic, social and cultural rights (Chapter VI).

Community aspects: Despite being described as rights, some minority rights cannot be claimed by individuals. But how, exactly, is membership of a minority group determined? Most countries, according to Thornberry, use subjective criteria, while the Austrian courts use both objective and subjective criteria – or they give priority to subjective factors in case of doubt. This means that, in most cases, the state party recognizes the existence of a minority community based on features such as common language and culture. However, people belonging to a minority may also exercise

their rights individually, as well as collectively with other members of their group, without discrimination. (Paragraph 53, Commentary of the UN Working Group on Minorities to the UN Minority Declaration).

Indigenous peoples: Indigenous peoples enjoy additional special rights. As a result of having been subjugated by others, indigenous peoples retain indigenous rights in addition to minority rights. Indeed, they are able to claim land rights to indigenous lands. This is reflected in the clear distinction in the nature of the solution taken by the state party. For example, after examining the situation in India, in 2007 the UN Committee on the Elimination of Racial Discrimination recommended that the Indian government ensure the land rights of tribal (indigenous) peoples in Manipur to lands that they traditionally occupied (Article 19). The committee also urged the state party to secure land access rights for Dalits, India's lowest social caste (Article 20). With regard to cultural matters, indigenous peoples assert their collective rights to decide on issues that affect them, within a framework in which all cultural groupings have a right to exist. Indigenous peoples, therefore, frequently reject the application of minority rights to their group, and demand indigenous rights and self-determination.

What kinds of rights are contained in the package of minority rights in general? Minority Rights Group International, an international non-governmental organization (INGO), believes minority rights should consist of the following elements:
- non-discrimination
- the protection of existence
- the protection and promotion of identity
- effective participation

In practice, however, these are inter-related. For example, discrimination can emerge as a form of ignorance or of inferiority/vulnerability of particular groups in disaster management, through the non-incorporation of indigenous spiritual concepts in disaster-related land management, and in the exclusion of their participation in disaster preparedness programmes (including the non-preparation of hazard maps).

Finally, what kind of institutions can be introduced in order to overcome disadvantages of minorities in general? The unique mechanism, which is quite typical for minority rights, could be the special measures undertaken for the solution of discriminatory status. These special measures are sometimes referred to as positive action or affirmative action. Article 27 of the ICCPR does not call for the mandatory introduction of special measures by states parties, but instead requires states that have accepted the covenant to ensure that all individuals under their jurisdiction enjoy their rights (Fact Sheet Number 18 of the UN Office of the High Commissioner for Human Rights). In fulfilling this requirement, the state party may be asked to take action to correct inequalities. The type of measures vary from place to place and from community to community: for instance, the provision of scholarships, quotas in higher education, the employment of civil servants, employment in private enterprises, parliament, or the launching of community development projects, including the development of infrastructures. ■

In disaster relief operations, prejudice towards specific groups is often the main cause of discrimination. When Romania suffered severe flooding in 2005 – ruining farmland and property, and driving thousands from their homes – the Roma were

doubly affected, facing not just the flood waters but also entrenched attitudes (see Box 2.2). Instead of receiving sympathy for their desperate plight, they faced censure. *The Sofia Echo*, one of Bulgaria's English-language newspapers, reported: "Floods have also brought a considerable increase in infectious diseases to the city… Health officials said that the rate of infection among Roma was higher, because of the minority's 'disregard for personal hygiene'." Such prejudiced remarks may negatively influence response activities, lead to an inadequate identification of problems, create additional trauma for survivors, and prejudice the distribution of resources in relief and recovery activities.

Box 2.2 Romania's Roma: bringing them in from the cold

The village of Rast in Romania's Dolj county was destroyed by the Danube in 2006. The worst flooding in 140 years caused much of it to simply collapse, and what was left was dangerous and irreparable. The village had to be resited.

Today, new neighbourhoods are springing up, land has been allocated and homes handed over. A large number of Roma, maybe 30 per cent of the population in the village, have been part of the relocation and, when the waters receded, some long-hidden social challenges surfaced – for the community, the authorities and for aid organizations.

Like most neighbourhoods, the Roma were located on the edge of the village and were the first area to be inundated. Evacuation occurred in the middle of the night and people got out with very little, losing what they left behind. The rest of the village followed suit and soon the whole population was sheltered under canvas.

For the Dolj branch of the Romanian Red Cross, dealing with floods all along the Danube, trust was important in helping the Roma and, with no branch in Rast, contacts there had been minimal. Early distributions were stressful. Roma crowded in on volunteers dispensing relief from the back of vehicles. When the cars moved on, the Roma moved with them and hassled for more whenever they stopped to distribute.

Such incidents give the Roma a reputation and aid agencies can become wary. As a result, some stay away. But Romanian Red Cross volunteer Camelia Voinea is quick to quash the stereotyping. "They were not trying to cheat. They were afraid of being excluded, so they put us under pressure. When they realized we were helping them in just the same way as we were helping other Romanians, they stopped reacting like that."

The director of the Dolj branch, Maria Vintila, says a young Roma man helped Romanian Red Cross operations enormously. A councillor appointed by the mayor, he established dialogue and understanding. "He asked us to let him do the talking," she says, "and from there on in we did not have problems. When people got upset he would calm them. It was so important. Trust builds when someone like that is with you, and people express themselves more openly."

Where the floods struck, the Romanian Red Cross created sub-branches. All have Roma links today and one has a Roma woman president. "She is respected within the community," Vintila says, "and we are more effective because of it. It's all about empowering people." A sub-branch is planned for Rast

as well – a mixed one of Romanians and Roma.

Reaching the Roma is one thing, bringing them in from the cold another. Some players believe local authorities just do not understand what marginalization means. "Sometimes I have the feeling," Vintila says, "that the authorities think they know what's wrong. They believe they understand and act accordingly." The floods had opened eyes, and, certainly in Rast, had brought the authorities and the marginalized closer.

Whether the problems of a 21-year-old mother of six were fully understood was doubtful. She hardly understood them herself. Libia had a new, two-roomed house because Mayor Iulian Slisteanu was doing his best. But the young woman was still in trouble. It was not just her poverty, the lack of furniture and the one bed with a mattress of protruding springs where everyone slept. She was totally outside the system. She had no idea how it worked.

Her husband had no job and they survived on casual labour – the only regular income being a modest state allowance for her youngest child. It was enough to buy beans and potatoes, but not enough for bread.

Next year, her eldest child is due to start school, aged seven. But then again, he may not. To go to school he has to be registered. None of her children has been. None of her children has documents.

Maria Vintila took the case to social services because Libia needed help and advice. Ironically, it may have taken a disaster to finally get her some.

Helping the Roma to register, to get identity cards and access to services to which they are entitled has occupied Red Cross National Societies in several European countries, before and after disaster. Unless they are on the map, they will continue to live on the margins.

Mihaela Steriu, former director general of the Romanian Red Cross, says: "We have a job to do advocating on behalf of all the marginalized. We can raise the awareness of authorities about people with special needs. Disasters and how we respond to them provide us with opportunity." ∎

In addition to this overt prejudice, indirect discrimination in the disaster relief operation and policy implementation proved to be equally crippling for the Roma. When it came to rehabilitation following the floods, the government put in place conditions that the Roma found impossible to fulfil. Marian Mandache, head of the human rights department at Romani CRISS, a non-governmental organization (NGO) in Romania, said: "After the floods, the Romanian government offered financial and material support for rebuilding houses, but it was conditional on having property papers. Most Roma don't have such papers and are excluded from the benefits of rehabilitation."

According to the European Roma Rights Centre (ERRC), the typical government response to flooding in Roma communities is to build temporary housing which then becomes permanent. ERRC adds that it is common for the authorities to refuse to legalize settlements or to provide adequate dwellings or infrastructure. Roma who previously lived in mixed communities may also find themselves rehoused in

predominantly Roma areas during the recovery process. Marian Mandache says that after the 2005 floods, his organization documented a case where Roma, whose homes were spread across a locality, were all rehoused in the same street. The Romanian government had responded to the floods in a way that effectively increased segregation.

A lack of understanding of minorities' socio-economic and cultural position can lead to discrimination. Mount Ruapehu is situated in Tongariro National Park, located in the centre of New Zealand's North Island. Mount Ruapehu is regarded as sacred by the Maori, who make up 40 per cent of the population in Ruapehu district. The mountain is the largest cone volcano in the country and has been active for many years. Approximately 60 lahars (volcanic mudslides) have occurred over the past 150 years. The volcanic activities of the late 1990s and the first years of the 21st century raised the crater lake's water level and created a seven-metre-high barrier of debris which blocked the lake's outlet.

By 2001, the need to be prepared for a lahar – a major occurrence is expected in the next few years – had increased significantly. One option, to reduce the risk of a lahar, was to dig through the volcanic ash dam on the rock lip of the crater and to drain water from the crater lake – the easiest option, with an estimated cost of between NZ$ 150,000 and NZ$ 200,000. The New Zealand government, however, decided not to proceed with this course of action and, instead, to implement an electronic early warning system – the Eastern Ruapehu Lahar Alarm and Warning System (ERLAWS) – at a cost of about NZ$ 300,000.

Even though Mount Ruapehu poses a significant risk, its location within a world heritage national park means that interference in the volcano's natural processes is restricted by law, even when human life and property are at risk. In addition to these legal limitations, human intervention would also be limited out of respect for Maori spiritual values. The government's decision, however, was much criticized for compromising public safety. The government was accused of playing Russian roulette with people's lives by investing in an early warning system and by abandoning risk prevention measures around the crater lake. The National Party conservation spokesman, Nick Smith, accused the government of placing environmental sensitivities and the mountain's spiritual significance for the Maori before public safety. On 18 March 2007, a moderate lahar broke, but there were no reports of any injuries as ERLAWS worked effectively, thanks to the efforts of staff from the central government, the regional council, the district council and scientists.

Even when disaster management work is able to save human lives and property, it is not necessarily an option free from controversy.

In the cases described above, discrimination against minority groups can, in itself, spell disaster for minorities, and the effects of an actual disaster can be doubled or

multiplied with the structural discrimination in disaster management as well as in society. In addition, the difference between discrimination against Roma during the Romanian floods and Maori-related issues in the lahar response in New Zealand demonstrates the different ways in which discrimination against minority groups in disaster management manifests itself. In the case of the Roma, the main demands from the discriminated community might be to be treated fairly and to be offered the same benefits as other affected communities. On the other hand, the Maori in New Zealand might ask to be treated differently, as far as their beliefs are concerned, and for special priority to be given to their spiritual values.

To respect minorities, it is clear that simple equality is not enough. Discrimination is so much more than just about treatment or attitude, and should also be considered from a structural and contextual point of view.

Who are the perpetrators of discrimination against minorities?

Governments often discriminate against minorities, especially when government bodies identify and meet the needs of the majority. Minorities may simply be excluded. Governments may also discriminate through their administrative processes, as well as through government institutions, which may be inaccessible to minority communities. Launching disaster preparedness education in schools, for example, can exclude minority communities when their children are unable to attend school, whether it be for reasons of poverty, language or something else. Similarly, humanitarian organizations can become perpetrators of discrimination when launching disaster preparedness initiatives, distributing aid and in their recovery programmes. International agencies, as outsiders, might be considered to be in the best position to sidestep prejudice and negative attitudes and ensure equitable distribution of help and support. However, various key factors militate against this. These are: a lack of priority given to discrimination issues; a lack of knowledge of the context in which they are operating; the sensitivity of relations between national governments and international aid organizations, especially where there is confrontation between majority and minority groups. In addition, international agencies are also in a delicate position in that they depend on government permission to carry out their work and are, therefore, reluctant to be drawn into criticizing them over issues such as the treatment of minority groups.

The perpetration of discrimination, however, is not just restricted to governments, organizations or institutions. In times of emergency, tensions between communities can erupt. A notable example from history are the events that followed the Kanto earthquake of 1923, which hit Tokyo and the surrounding cities, including Yokohama. The *Asahi Shimbun* newspaper described the widespread discriminatory

attitude towards the Korean minority – as well as the atrocities committed against them – as follows:

"The day after the earthquake, a rumour that Koreans had become violent spread through Yokohama. In retribution, vigilantes killed Koreans in Hodogaya, Totsuka and Tsurumi. There was another rumour that Koreans had poisoned wells. The chief of the Tsurumi police station, Tsunekichi Okawa, took more than 300 Koreans and Chinese into protective custody at the station. An armed mob demanded the Koreans be handed over."

The media can also play a very important role in spreading rumours – even false or discriminatory ones. Of course, when it comes to disaster management, it is widely accepted that the media has an important role to play by publicizing information as well as by raising public awareness. Following the Kanto earthquake, however, the media, particularly the non-Tokyo-based newspapers, effectively spread false rumours regarding the Korean minority, with a report in the *Hokkai Times* claiming: "Ferocious Koreans mix poison and petrol in food. They carry bombs disguised as tin cans."

The truth is, however, that everyone has the potential to discriminate against specific minority groups. This can even apply to members of minority groups themselves. Although being unlikely to discriminate against other members of the same group, due to a shared ethnicity, an individual of the group can discriminate against other members for other reasons. Solidaritas Perempuan, an Acehenese women's NGO, noted that a camp for internally displaced persons (IDPs) established in the aftermath of the 2004 Indian Ocean tsunami had a lack of washing, bathing and latrine facilities. Men and women had to use the same bathing area, while sexual harassment and violence against women was commonplace. Although male IDPs at the camp belonged to a minority group – and therefore ran the risk of being oppressed by non-IDPs – they also committed violations against fellow minority members. In general, minority women are one of the most vulnerable groups, being discriminated against because of their ethnicity, status, and their gender. Vulnerability to discrimination is not simply a distinction between majority and minority, but a multi-layered vulnerability within the social structure.

The grounds, or reasons, for discrimination can vary. As has already been shown, discrimination can occur unintentionally. Therefore, every action taken by disaster management specialists should be critically assessed; failure to carry out reviews can develop into a root cause of discrimination. However, disaster managers can take steps to prevent discrimination. As is the case with indigenous peoples, the real roots of discrimination towards them are the deprivation of land rights, which results in a struggle for indigenous rights. For minority women who suffer multi-layered discrimination, the root causes can be found in a combination of patriarchy (in culture and social ideology) and a perceived inferior social status.

What is the impact of discrimination against minorities?

When disaster strikes a region, the effects can be much more serious than anticipated, and the form of the effects is variable. The vast desert and semi-desert region in northern Kenya is home to 3 million people – most of whom are pastoralists. It is the most underdeveloped part of the country – a stark illustration of this is in a 2007 Christian Aid report which says that "there are only ten kilometres of tarmac road in the entire region. Much of the remaining road network is only passable in the dry season". The population lives on the edge. It has, according to the World Food Programme (WFP), one of the highest levels of poverty and vulnerability to food insecurity in Kenya.

By 2006, there had been a three-year drought in the region. In Wajir in north-eastern Kenya, visiting journalists reported that many grazing cattle had died by March and that two-thirds of the people were dependent on food aid. The crippling drought was then followed by floods. The appalling infrastructure seriously hampered the food and medical aid distribution programme, as the only road to the worst-affected area had reportedly been washed away. Health kits were stuck in the largest town in the region, Garissa. Clean water shortages meant humans and cattle were forced to drink from polluted sources. Diarrhoea and malaria increased, and an outbreak of Rift Valley Fever (RVF) began, decimating livestock.

While the scale of the floods in the area may not have been foreseen, the drought certainly could have been. The United Nations now has a sophisticated early warning system in place, based on factors such as expected rainfall and crop yield, which can forecast when critical food shortages are likely to arise well in advance. A representative of an INGO in Nairobi accused the government of not putting the infrastructure in place to ensure that people do not suffer, despite the fact that droughts can now be predicted.

Why then, does the Kenyan government not act? One answer lies in the attitude of the government towards the pastoralist community. As in many other countries in Africa, Kenya's political elite regard the pastoralist way of life as an anachronism. Ali Wario – an MP from a Kenyan pastoralist community – summed up the quandary facing his community in comments reported in the respected *East African* newspaper in 2006. He said: "Most governments and policy planners view pastoralism as a way of life that is not viable." According to Wario, there are only two legally-recognized land systems in Kenya – farming and town planning. Despite the fact that 80 per cent of Kenya is arid and semi-arid, pastoralism is not recognized as a land-use system.

Often geographically distant from the capital cities, pastoralists are also sidelined politically, lacking the influence to press their case in the corridors of power. But with

the effects of climate change already being felt in desert areas across Africa, it is clear that the consequences of long-term neglect are going to be increasingly catastrophic. Without the effective participation of pastoralists themselves in the policy-making process, the organization of effective preparedness activities, and the recognition by governments of the urgent need for preventative measures, these communities are likely to become ever more dependent on disaster relief assistance, delivered by international aid agencies, to survive from season to season.

In addition to the issue of 'territorial exclusion' (see *World Disasters Report 2006*), preparedness work on discrimination is indispensable when it comes to dealing with cultural sensitivity. Discrimination against specific groups means that there is often a lack of information about the very communities likely to be affected by natural disaster. In 2005, Hurricane Stan struck south-west Guatemala, a region containing the country's highest concentration of indigenous populations. More than 650 people were killed in the mudslide triggered by the storm. The Economic Commission for Latin America and the Caribbean (ECLAC) illustrated, regarding Guatemala, the "evident lack of information disaggregated by gender and ethnicity" of the area severely affected by the hurricane. Ramiro Batzin, a spokesman for Sotz'il, a

Minority women are one of the most vulnerable groups and often suffer multiple discrimination because of their ethnicity, status and gender.

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British Red Cross

Guatemalan indigenous organization that works with the Guatemalan Red Cross, claims the tragedy would not have had such an impact if plans had existed that considered the particularity of indigenous communities and cultures. The *World Disasters Report 2006* also describes the shortage of disaggregated information as crucial, as the region most seriously affected by the hurricane is populated by many indigenous communities from which many of the men have emigrated to the United States, leaving behind a high proportion of households headed by women.

Discrimination also prevents participants in response work from conducting appropriate activities when problems arise. Stereotypical views of a specific group can overwhelm the scientific methods employed to prioritize the order of relief works, even if some of those involved are professionally trained, such as disaster managers and relief workers. New Orleans City Councilman Oliver Thomas says, about Hurricane Katrina which struck Louisiana in 2005, that people were too afraid of black people to go in and save them. He claimed rumours of shooting and riots were making people afraid to take in those who were being portrayed as alleged looters. In the name of security, these rumours and stereotypical views of specific communities can be rationalized, and frequently hamper relief efforts.

Discrimination can also be reflected in every single action carried out by relief workers at the shelters or camps. Shocking examples continue to come to light in India – disaster after disaster. Following the earthquake in Gujarat in 2001, camps were organized on the basis of caste, and camps of lower caste peoples were marginalized from the relief support. After the Indian Ocean tsunami Dalits, who are treated as 'untouchables' in the Hindu caste system, were forbidden by other castes from drinking water from UNICEF water tanks because sharing with Dalits would, in their view, pollute it. Minority Rights Group International reported that in other camps, members of the Fisher community excluded Dalits altogether and much of the relief materials – such as family relief kits, rice packets and donated clothes – failed to reach them. The report of the National Campaign on Dalit Human Rights (NCDHR) quoted Father Gunalan, a local pastor of the Asian Protestant Church in Tamil Nadu, as saying it was "appalling to see the Fisher people stopping relief trucks on the road and diverting them to their own community".

Following the tsunami, the Tamil Nadu state government provided segregated facilities and camps for Dalit victims on the grounds that it was the only way that it could ensure Dalits were not abused. *The Indian Express* reported that, when asked how the government could possibly endorse the segregation of relief work by caste and communal affiliation, the Nagapattinam senior officer, Dr Umanath, said that having segregated camps was a conscious and practical decision. "There are real divisions and distrust between communities. A crisis like this is no time to experiment with casteist and religious amity." Some Dalits wanted to be housed separately because they feared attack from dominant communities. But in at least one reported incident in

Tarangambadi in Tamil Nadu, 513 Dalits in a separate camp found they received less help than other tsunami victims.

Discrimination can be deep-rooted, not just for operational relief work but also for recovery and further rehabilitation work. For Dalits, discrimination also affected their involvement in the relief efforts. One told a researcher from ActionAid, the international anti-poverty agency: "I was employed as a scavenger [to carry out the manual cleaning of drains and toilets, and all such work considered as dirty] by the local authority. When the tsunami hit, they told us to go pick up the dead bodies on the shore, but they wouldn't give us protective gloves and masks." Other NGOs confirmed this treatment was common. Of course, collecting dead bodies is work that needs to be carried out by someone, but despite maintaining a caste-neutral approach in other areas of the operation, the government employed Dalits to collect the bodies.

Moreover, their working conditions were poor. The Dalits were not even offered enough money to buy a cup of tea and they were repeatedly threatened by higher caste survivors, who saw it as dirty work. Those carrying out this distressing task also failed to receive any counselling.

But problems with resource distribution during rehabilitation affect many minority groups around the world – not just Dalits (see Box 2.3). The treatment of the Dalits

Box 2.3 Guest workers in the Lebanese crisis

For a month in July-August 2006, the conflict between Israeli and Hezbollah forces in Lebanon destroyed much of the country's infrastructure and resulted in around 1,000 civilian deaths; some 1,000 were wounded and half a million displaced. The Israeli invasion also created a crisis for guest workers in the country. Around 60 foreigners were reported to have been killed or injured, including nationals from Argentina, Australia, Brazil, Canada, Germany, India, Indonesia, Iraq, Jordan, Kuwait, Nigeria, the Philippines, Sri Lanka, Syria, Ukraine and the United States. Some 17 Syrians were killed by Israeli air attacks – mostly agricultural workers and truck drivers in the Bekaa Valley.

The number of migrant domestic workers in Lebanon varied between 120,000 and 200,000, serving a population of 4 million prior to the recent crisis. By far the largest groups of domestic workers were Sri Lankan women (80,000–120,000), followed by Filipinas (20,000–25,000) and Ethiopians (20,000–30,000). The key to understanding the plight of these particular guest workers is their lack of access to information and social services, partly because of language problems and partly because they are secreted in homes and in apartment buildings that were targeted in southern Lebanon and in the heart of the Shia suburbs of Beirut.

The governments of Sri Lanka, the Philippines and Ethiopia had neither the financial means nor the organizational capacity to arrange for evacuations of their citizens. They relied heavily on the collaboration of

the Catholic non-governmental organization, Caritas Lebanon Migrant Center, and the International Organization for Migration (IOM) to pay for and arrange relief, accommodation and repatriation. A trilingual booklet in Sinhalese, Amharic and Tagalog was produced by the Ministry of Justice and Caritas Lebanon, which warned domestic workers about possible traffickers as they tried to leave.

Under a sponsorship system, Lebanese employers withhold the passports of migrant domestic workers as security against them absconding and the loss of their payment to the agencies. While many employers delivered their employees to their respective embassies for safety and repatriation, many also refused to let them leave. Many simply ran away, claiming they were escaping from abusive employers and left without papers or money. Others chose to stay because they did not want to lose their income, because they had not been paid or because they did not consider their situation back home to be any better. Reports indicate that around five or six women died, while others were injured while attempting to escape from high-rise apartment buildings.

Several hundred Sri Lankans camped around their embassy in the foothills of Beirut (many feared to go there because it is near a major Lebanese military post that came under Israeli air attack). The many that arrived at the embassy without travel documents were issued with an emergency *laissez-passer*, which was then ratified by General Security, the body responsible for all foreigners in Lebanon. Playing a crucial role in addressing the situation, General Security also released hundreds of migrant domestic workers from prisons and a detention centre, declaring an amnesty for all illegal migrant workers on the condition that they leave the country and not return for at least five years.

The IOM received around US$ 11 million earmarked for the evacuation of migrants from developing countries, in part as a security issue. Facilitating the repatriation directly to their home countries would ensure that they did not seek safety in Europe. More than 13,000 foreign nationals were evacuated by the IOM – mostly Asian and African domestic workers. Bus convoys transported them on a three-hour journey to Damascus, where they were given 48-hour visas, housed and placed on charter flights to their respective countries. By contrast, Spain and Italy provided ships and the British government provided navy ships and helicopters. The United States government provided a number of warships and helicopters for its citizens, levying a charge on evacuees; although, after intense criticism, the charge was later rescinded, the tardiness of the US to act prompted a number of Americans to take a 500-dollar taxi ride to Damascus. Some 5,000 Swedish nationals in Lebanon were the first to be evacuated, with the precise arrangements sent to them by mobile phone text messages.

The relief and evacuation arrangements during the Lebanese crisis were, for the most part, ad hoc and largely left to citizens' and foreigners' own resources. Despite the fact that more Lebanese and those of Lebanese descent live outside the country, Lebanon has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Nor has it signed the 1951 Refugee Convention. It requires all embassies of foreign nationals in countries under risk of conflict or invasion to have evacuation plans in hand at all times. In this case, the sophistication of the IOM meant being able to move thousands with relative safety because of their coordination with the Israeli military. Evacuees in other circumstances may not be so fortunate. ■

in the aftermath of the tsunami illustrates the dilemma of rehabilitation professionals. In a 2005 Human Rights Watch report, *After the Deluge*, a local official for the state government of Tamil Nadu, C.V. Shankar, reportedly addressed a Tsunami Relief Rehabilitation Coordination meeting in Chennai, on 26 January 2005. He admitted that Dalits were not immediately included on lists of those eligible for aid. But he said: "We are conscious of the fact that the calamity has affected other communities. But 70 to 80 per cent were from the fishing communities, so naturally, initially more attention was given to them." When interviewed earlier this year, he added that "Dalits are poor not only because of disaster, but for other reasons". The policy-makers try to distinguish vulnerability caused by calamity from other types of vulnerability. The reality, however, is that vulnerability is well structured in each community. It is impossible to separate one from the other; rather, social vulnerability can also be a factor in vulnerability resulting from a disaster during the rehabilitation process. Just as it is important to incorporate a vulnerability assessment in the disaster preparedness process, disaster managers should also include a social vulnerability assessment in the rehabilitation programme by combining disaster recovery programmes and rehabilitation programmes with other social projects.

The cases discussed earlier in this section also highlight the misery that results when minority peoples and minority residents are excluded from response activities. These stories are, however, quite passive stories. Any disaster relief operation involves a variety of stakeholders; namely, administrators, experts and, of course, the communities themselves. There are also three types of help: public help provided by the government, mutual help conducted in the community and self-help executed by the residents themselves. The activities by the Buraku community in the aftermath of the 1995 Kobe earthquake provide a positive example of mutual help carried out in and around the community (see Box 2.4). The Buraku could be successfully empowered to participate in additional disaster relief works with the mutual support of the community. The mutual help provided by the Buraku could also extend beyond work with minorities. Thanks to special measures introduced, some Buraku communities acquired public human rights centres, which were mainly dedicated to working to eliminate discrimination against the Buraku, as well as acting as multi-purpose community halls. While rarely accommodating people from outside, the centres also offered temporary shelter for all. Cooperation between the Buraku and non-Burakus provided a good opportunity to get to know each other, as well as furthering emancipation on human rights issues in the region. Similarly, the promotion of community resilience through the operation can surely contribute to the elimination of discrimination. A greater awareness of discrimination issues by all the stakeholders, including, of course, resident peoples, should be the key for minority-friendly disaster management.

Box 2.4 Japan: Buraku discrimination and resilience during the 1995 Kobe earthquake

On 17 January 1995, at 5.46 am, a huge earthquake struck the Kansai area of Japan, killing 6,434 people. The modern city of Kobe, home to over 1 million people, suffered significant damage. As the images broadcast around the world illustrated, even the most modern, developed and well-coordinated countries in the world are vulnerable when faced with disasters. The earthquake is, so far, the costliest natural disaster ever to befall a single country. Kansai, the area most affected by the earthquake, is an area that had experienced radical redevelopment for the Buraku minority based on the 1969 Law on Special Measures for Dowa Projects.

The Buraku people – or Burakumin – are discriminated against on the basis of their social status and lineage. They are the most discriminated-against population in Japan. They are not a minority based on either race or nationality, but a caste-like minority among the ethnic Japanese. The discrimination faced by today's Burakumin is the result of a rigid social stratification created in 17th-century Japan, when the Buraku were segregated and given menial labour as leather workers, slaughterers and executioners. They were effectively placed on the bottom rung of society's ladder, classed as either *eta* (extreme filth) or *hinin* (non-human). In 1871, the Meiji government promulgated the Emancipation Edict, which abolished the feudal caste system. However, in modern-day Japan, ongoing discrimination against Buraku, particularly in marriage and employment, still exists and discriminatory remarks made by non-Burakumin, including public officials, are not uncommon.

According to a 1993 government survey, there were about 1.2 million Buraku living in 4,442 Buraku communities across Japan.

These figures, however, only cover those areas classified as *dowa* assimilation districts by government administration. The actual figures are estimated to be much higher. According to the Buraku Liberation League, one of the biggest Buraku non-governmental organizations, there are as many as 6,000 Buraku communities and a total Buraku population of over 3 million.

Historically, Buraku communities were formed as a result of enforced migration to the wetlands, to the intersection of rivers. In fact, to anywhere isolated from the rest of society. As a result, Buraku communities have always been vulnerable to natural disasters. To compound the geographical isolation, there has always been a wide socio-economic gap between Buraku and non-Buraku. To close this gap, the government introduced projects to improve standards of living, education and to resolve unemployment problems in *dowa* districts.

In the town of Akiko, the Buraku were once housed in wooden barracks. Just one year before the earthquake, however, the housing projects were completed. The wooden dwellings were replaced with reinforced concrete apartment blocks. A journalist, Hiroshi Yano, mentions that Buraku communities, particularly in Kobe, Nishinomiya and Takarazuka, where *dowa* projects had not been well implemented, were severely affected. Ashiya, located between Osaka and Kobe, was at the epicentre of the earthquake, with 400 deaths and half the buildings either totally destroyed or damaged. Buraku communities in Ashiya suffered no deaths and little damage to buildings. Non-Buraku communities were affected significantly more than the Buraku.

Surviving the earthquake did not leave the Buraku worry free. The Kami Miyagawa Cultural Centre was established for Buraku people. The director, Yukio Nakao, admits he was concerned about discrimination after the earthquake. The centre was opened as a shelter: 200 Buraku and 200 non-Buraku shared it but it was rare to have non-Buraku in the centre. Yukio felt anxious; there was not enough food to go round.

As relief materials from Buraku communities throughout Japan started to arrive, one woman from the Buraku community said: "Don't exclude non-Buraku people. Distribute the relief equally. If there is a shortage, give priority to the non-Buraku." She explained that after years of exclusion from classmates and teachers, she had learnt the need to be kind to others. In return, the Buraku community could expect greater kindness from non-Buraku volunteers. Buraku survivors, non-Buraku survivors and volunteers talked and got to know each other better. The recovery programmes may have long finished, but the centre remains a place for interaction between Buraku and non-Buraku people.

Mutual cooperation between two disparate groups does not always result in a positive outcome, as one university student discovered. Before the earthquake, he had been offered a position in a large company. After the earthquake, he was subjected to discrimination because of his lineage. Staff members from the company were sent to Kobe to volunteer in the disaster operation. They discovered that their future colleague's mother belonged to the Buraku community. This piece of information was quickly relayed back to headquarters and the new recruit was advised to limit contact with his home town. He decided to withdraw his application and now works as a labourer.

These two examples show the light and dark side of mutual cooperation in a disaster operation. The great earthquake highlighted the two faces of discrimination: the solution and the problem. ■

Identifying and addressing discrimination against minorities

Meanwhile, how can we detect the potential of discrimination or the signs of it during the disaster management process? There are no specific methods for detecting discrimination. While some institutions are developing indicators to measure discrimination, or the impact of anti-discrimination – such as UNESCO's initiatives for organizing indicators for racism and discrimination in cities – it can vary from one community to the next. This is because it has a variety of forms, perpetrators and victims. But, at least, its occurrence can be presumed with the analysis of background information on discrimination. The UN Committee on the Elimination of Racial Discrimination (CERD) examined reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) submitted by the governments that ratified ICERD. The report from governments, as well making recommendations, also includes important information for understanding discrimination issues. There are also regional and domestic bodies whose role is to combat racial discrimination,

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such as the European Commission against Racism and Intolerance (ECRI), as well as human rights institutions in many countries. As for multiple discrimination, that is, the intersectionality of ethnicity, gender, age and disability, reports on each of these areas from UN institutions – such as the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) – could also provide useful resources.

Despite the existence of a large number of documents and instruments on human rights and discrimination, it is vital to identify any signs of discrimination on site. In order to do so, it is important to incorporate strategies to prevent and mitigate discrimination into disaster management work. To correct discriminatory situations, governments are encouraged to adopt special measures when dealing with target communities, such as providing scholarships, introducing quotas in employment and launching community development projects. For disaster management professionals, it might be sufficient to include staff from minority communities in the team (see Box 2.5). Even when it is not easy to identify such experts, there might be an alternative option: for instance, calling for the participation of or asking for independent consultancy from human rights specialists. As well as including human rights specialists in the team of disaster relief workers, it is also crucial for humanitarian workers to commit to human rights work in order to redress any situations of injustice based on ethnicity.

In addition, what is more important is to target minority peoples or regions affected by racial tension in the work of a vulnerability and capacity assessment (VCA). As discrimination is strongly linked to vulnerability, VCA may be useful in helping to identify discrimination against minority groups. For example, the Canadian Red Cross Society discovered that its existing VCA was not meeting the needs of all the at-risk groups in the region including aboriginal (indigenous) peoples and refugees. The Canadian Red Cross Society has, therefore, introduced training on social justice aimed at volunteers, staff members and organizations that conduct similar activities. By being made aware of cases of discrimination affecting communities in the region, staff can be well prepared to deal with any sudden occurrences. The social justice workshops should also take statistics on social vulnerability based on ethnicity – or any other factor. Despite the lack of common indicators for measuring the impact of anti-discrimination, these statistics can provide a clearer picture of vulnerability and the needs of minority peoples.

Further challenges

In addition to conducting a VCA, it is important to provide disaster education for children from vulnerable minority communities. As well as being the potential disaster management experts of the future, these children can also act as teachers on disaster management within the family. In the event that the minorities concerned use a different language from the rest of the population, this would then result in a

Box 2.5 Paradise lost: migrant workers in the Maldives

Paradise: blue skies, beautiful beaches and azure waters. Hundreds of thousands of tourists every year take back treasured memories of their time in the Maldives but, for migrant workers sent to post-tsunami reconstruction sites around the Maldives, it is a paradise lost.

The construction industry in the Maldives employs low-cost migrant labour from Asia due to a shortage of Maldivian nationals willing to work in construction. The low status and pay of construction work in the Maldives deters local workers, whose higher socio-economic status affords them greater choice.

The magnitude of assistance and goodwill to assist those affected by the 2004 tsunami was great, as was the pressure for humanitarian agencies to respond quickly. In the early stages, the Red Cross Red Crescent focused on assisting tsunami-affected populations. Initially, little attention was given to the highly vulnerable position of migrant labourers who would undertake reconstruction work, as it was assumed contractors would enforce adequate standards.

Red Cross Red Crescent-funded programmes in the Maldives have successfully implemented Sphere standards in transitional shelters for beneficiaries, and the new houses being constructed are of very high quality. However, migrant workers building Red Cross Red Crescent-funded houses were not initially afforded the same standards to safeguard their dignity, health and security as those affected by the tsunami. Sphere standards quantify what it means to live with dignity, outlining minimum requirements in health, security, shelter, food and non-food items, as well as access to water and sanitation facilities. The contractors paid to manage post-tsunami

reconstruction work are driven by profit and not by humanitarian imperatives. On the ground, this can result in beneficiaries being treated without dignity, and the migrant workers building houses for the beneficiaries living in sub-standard conditions.

Mindful of this, and in response to the sub-standard conditions, the British Red Cross and the French Red Cross initiated a set of labour/living standards (adapted from Sphere standards) for inclusion in all current and future contracts to ensure that Sphere standards should apply, without discrimination, to safeguard the dignity of those involved in Red Cross Red Crescent-funded programmes. Jill Clements, head of mission for the British Red Cross, said the initiative stems from a belief that: "The use of labour for any humanitarian endeavour, whether it is distributing food packages or rebuilding houses, must respect and protect the safety, health and dignity of staff, volunteers and contracted workers – wherever we work."

Another initiative to address health and safety concerns has been to conduct first-aid training on Red Cross Red Crescent-funded construction sites, in order to improve the capacity of construction site supervisors to respond to workplace injuries.

As highlighted by *In support of the Millennium Development Goals: Activities of the International Federation of Red Cross and Red Crescent Societies*, protecting and enhancing livelihoods directly addresses income poverty. Ensuring workers on reconstruction projects are paid appropriately and on time, ensuring that they are protected from the likelihood of worksite injury or disability, and that they are provided with dignified living conditions all contributes to the Millennium

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Development Goals in the eradication of extreme poverty.

Concerns for migrant workers are known, discussed and recognized by governments and non-governmental organizations in South Asia. Much of this discussion focuses on wages, terms and conditions, and appropriate housing and medical facilities. Providing basic rights at work, reducing discrimination and providing a healthy and safe working environment for workers and/or migrant workers is considered a means of reducing poverty.

"The situation for Bangladeshi workers in the Maldives, well, it is sad news for humanity," says Mr Abul, a site engineer working on a French Red Cross-funded reconstruction site in Laamu Gan. He explains how many workers sell their land or their wives' jewellery and borrow from moneylenders to pay brokers who facilitate their employment in the Maldives.

Turning from the interpreter, Jamaal Hussain spoke of his feelings in English: "I do not feel very well here, how can one under these conditions?" Jamaal is a 23-year-old Bangladeshi migrant worker working on a Red Cross Red Crescent-funded, post-tsunami reconstruction site in the Maldives. He explains nervously, but with a certain pride, that he is a carpenter trained in fine cabinet making. He is the major income earner for his family and, as the eldest, he is responsible for providing for his siblings, including saving enough money for his sister to marry. What causes him great stress and worry is the money he owes to the moneylender he used in order to pay the employment broker who came to his village, offering lucrative work abroad.

The fee he paid the broker was US$ 2,000 before interest. In return, the broker advised that he would earn US$ 300 a month. However, on arrival in the Maldives, he learnt that as a skilled worker his salary would be US$ 140 a month. Jamaal explains that the big company man is in Malé and he does not always come with the money on time. When the end-of-month pay is late or does not come his family has nothing to eat, and his five other younger siblings have no money to buy rice or cloth.

Although not technically bonded Jamaal, by his very circumstances, is not free to return to his country of origin. Due to his socio-economic dependence there are limited opportunities for him to make choices about his tenure. Jamaal says that he feels isolated and unhappy in the Maldives but must stay to pay his debt.

Jamaal's situation illustrates how migrant construction workers can be victimized by unregulated and dishonest recruitment practices and how this impacts on the worker and the worker's family. These practices prevent migrant workers from the poorest countries from breaking their cycle of poverty. Among foreign workers – who often arrive without any knowledge of their new environment, local customs or language – there is often a very poor understanding regarding the contracts or agreements they have signed and confusion over visa status. This limits the worker's ability to seek redress or to negotiate terms and conditions.

Issues related to the recruitment processes of foreign workers and their onsite management are a complex, global issue. Global advocacy and cooperation is required to address issues of exploitation and discrimination of migrant construction workers. Humanitarian and development organizations can work to raise awareness of these issues and find practical measures within their respect-

ive mandates to improve the health, safety and living conditions of migrant workers.

By applying Sphere standards to the living conditions of construction workers, the Red Cross Red Crescent has brought improvement to the health and well-being of workers on Red Cross Red Crescent-funded construction sites. This practical experience needs to be captured and made part of future reconstruction procedures to protect construction workers' rights in disaster relief and recovery operations. Further advocacy and research is required to ensure that the lessons learnt in the Maldives recovery operation are incorporated into future programming. ■

shortage of awareness-raising materials. It is, therefore, crucial to develop ways of involving families and communities in disaster education at school and to provide other opportunities. Disaster education can contribute greatly to the ability of minorities to help themselves in time of disaster.

When developing disaster risk reduction strategies, it is also necessary to tackle the causes of discrimination. Disaster managers, in particular, can improve the situation of some minorities – such as those who are discriminated against because of their nomadic lifestyle, or whose occupation is linked with the concept of impurity, or who are forced to live in disaster-prone areas. Their physical vulnerability should be assessed and recommendations made to the authorities concerning the introduction of special measures.

It is also important to share experiences with policy-makers and the public. Are VCA guidelines only applicable to National Red Cross and Red Crescent Societies? Is the discrimination experienced by relief workers only shared with disaster managers? Both relief workers and disaster managers should cooperate with human rights workers and activists in order to contribute to the decision-making process of higher authorities. For example, by lobbying parliament, debriefing officials, and submitting reports to UN human rights institutions.

Incidents of discrimination against minorities in disaster management around the world indicate that there are many possibilities for mitigation. In addition, the example of the New Zealand lahar response, as well as relief work conducted by Buraku and non-Buraku peoples in Japan, show that there are opportunities for disaster managers to do more to help protect the rights of minorities. As the aim of disaster relief and disaster management is to reduce and avoid losses from hazards, it might also be important for disaster managers and other stakeholders to help reduce and avoid the loss of dignity of minority peoples during disasters. If humanitarian workers take a participatory approach in their work – that is, by securing the participation of majority and minority communities – community-based strategies for preparedness against natural disaster can provide a great opportunity to eradicate discrimination against minorities.

Recommendations

For humanitarian organizations:
- Include minority peoples in the team. Ideally, the ratio of minority peoples in the organization should equal the ratio of minority peoples among the public.
- Educate minority peoples, with the aim of developing community resilience as well as obtaining professionals from the communities.
- Develop at least a basic understanding of discrimination against minorities in each country. Using VCA to identify vulnerability, which is often linked to discrimination, and collecting data by ethnicity could be useful in reviewing humanitarian work in the light of discrimination towards minorities.
- Be aware of discrimination against minorities in humanitarian work, by self-examination as well as through consultations with people from the community and human rights specialists.
- Participate in advocacy in domestic, regional and international forums. Humanitarian organizations can also play a vital role in human rights advocacy.
- Develop indicators on the impact of discrimination against minorities in disaster management with the cooperation of human rights specialists.

For human rights organizations:
- Try to collaborate with humanitarian organizations by providing the whole picture on the minority (or minorities) of the country concerned.
- Learn more about the disaster management process by participating in the process – not just at the time of response and recovery, but also during the preparedness phase.
- Develop indicators on the impact of discrimination against minorities in disaster management with the cooperation of disaster management experts and humanitarian organizations.

For governments and donors:
- Put more value on the issue of discrimination in humanitarian operations. Disaster relief and discrimination are inseparable issues.
- Examine the possibility of introducing special measures for minority groups, particularly those who do not have access to basic materials.
- Understand the vulnerability of minorities, especially those who are prone to being affected by disasters. If the region has a history of disasters, then there is an absolute need for disaster preparedness.

For the media:
- Be more sensitive to minority issues. Discriminatory remarks from the media can have a seriously negative impact on minorities.
- Try to share disaster-related information with minority communities – ideally in their own language.

- Try to include members of minorities in the team.
- If available, check minority-oriented media outlets as well.

For communities:
- Know that you are the stakeholder for the disaster operation.
- Without mutual help, you cannot survive.
- Cooperation in disaster relief can broaden networks among peoples, which could be valuable for further disaster resilience as well as for community harmony.
- Learn about the background of minority peoples and understand the need for special measures.

This chapter was contributed by Preti Taneja, a journalist working with Minority Rights Group International, which works to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples worldwide; Hayato Nakamura, a researcher at the Crisis and Environment Management Policy Institute, Tokyo, and international assistant for the Tamil Nadu Women's Forum in Chennai, India, who also contributed Boxes 2.1 and 2.4. John Sparrow, an independent writer and communications consultant who is currently working on disaster risk reduction issues, contributed Box 2.2. Dr Ray Jureidini, Associate Director of the Forced Migration and Refugee Studies programme at The American University in Cairo, contributed Box 2.3. Elizabeth Loeber, Regional Advocacy Delegate for the South Asia Regional Delegation of the International Federation of Red Cross and Red Crescent Societies, contributed Box 2.5.

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Humanitarian Accountability Partnership (HAP) International
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International Work Group for Indigenous Affairs (IWGIA) **www.iwgia.org**
Minority Rights Group International **www.minorityrights.org**
National Campaign on Dalit Human Rights (NCDHR) **www.dalits.org**
Office of the United Nations High Commissioner for Human Rights (OHCHR)
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The Sphere Project **www.sphereproject.org**
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CHAPTER 2