

DRR DYNAMICS

Housing, disasters & LGBTQIA+ people.

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ABOUT DRR DYNAMICS

DRR Dynamics is a research and advocacy organisation formed in June 2014. Its primary goal is ensuring marginalised groups are better included in disaster risk reduction (DRR), disaster risk management (DRM) and humanitarian policy and practice.

Evidence repeatedly shows that groups outside of mainstream society or with limited social/ economic or educational capital (women and girls, older people, those with disabilities, ethnic minorities/ indigenous populations and LGBTQIA+ groups) are more likely to be impacted by a disaster or emergency event. Indeed, numerous recent events have shown these groups often experience higher rates of mortality, injuries or economic disruption.

The groups most marginalised within disasters often have the least input to the development of DRR policy and practice at local, national, regional and international levels. This can create a policy or programme devoid of marginalised groups representation and without proper recognition of the needs and specific requirements of these groups.

DRR Dynamics advocates that marginalised groups should be seen as agents of change who are not only able to contribute to DRR policy and practice but in turn, make it more efficient, inclusive and fair.

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Last month the world celebrated the 75th anniversary of the Universal Declaration of Human Rights, 1948.

NON DIS ASTERS AND LGBTQIA+ PEOPLE

The Declaration has been monumental in bringing nations together to establish fundamental human rights and their universal nature to be enjoyed and protected. The Declaration also led the path for the formation of internationally binding human rights treaties such as the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights, 1966.

The hard won treaties above form a fundamental part of our day to day lives, ensuring we are free from discrimination, abuse and injustice. However, in an emergency situation, these rights become even more important.

Crisis and emergency situations provide ample opportunities for exploitation of these rights and usual, day-to-day processes and systems are often interrupted. This can often be seen in access to emergency shelter, especially when a disaster has impacted people's normal dwellings (1).

In the emergency, reconstruction and rehabilitation phases of a disaster, many citizens turn to temporary shelters which provide essential lifelines to personal safety and critical aid.

However, this is not the case for all of society. In time of crisis, LGBTQIA+(2) people and communities face profound prejudice, discrimination, exclusion and human rights abuses.

1. As highlighted by the Dupraz-Dobias, it is key to recognise that around the world millions of people remain in makeshift housing long after a disaster has struck. Dupraz-Dobias (2022).

2. Lesbian, gay, bi-sexual, transgender, queer, intersex, asexual and other non-binary and non-heterosexual people.

Though research is limited, reports indicate how in temporary shelters LGBTQIA+ people have been denied access to shelter or access to aid, split from their partners, faced risks to their personal safety and harassment, and suffered abuse in all forms including verbal, physical and sexual.

There are certain organisations who explicitly recognise the enhanced vulnerability of LGBTQIA+ people in shelter environments and who are striving to ensure their rights are upheld in an equitable manner (3). However, to truly ensure the human rights of all are protected in disasters, broader and more inclusive DRR policy must be developed.

This brief examines the documented realities of LGBTQIA+ people in facing temporary shelters and the basis for an adequate standard of living in disaster settings. As at present, the right to an adequate standard of living is referenced in brief within DRR policy, with limited detail or elaboration on the meaning of the right beyond the tangible aspects of the provision of housing (the physical structures) (4).

Three critical questions will be considered here i) what are the unique shelter-related experiences of LGBTQIA+ people? ii) what are the varying impacts of the loss of home within the LGBTQIA+ community? iii) what are the international human rights obligations upon states to uphold the right to an adequate standard of living in disasters?

Finally, this brief calls for an increased awareness of the unique vulnerabilities of LGBTQIA+ individuals in disaster space and for a human rights-based approach to DRR policy and planning which ensures the inclusion of all LGBTQIA+ people.

3. Such as Shelterbox, see Black (2022).

4. Report of the Special Rapporteur (2011) On adequate housing as a component of the right to an adequate standard of living. A/66/270. Para 6 and 50.

Human rights are universal and continue to be applied in disasters.

The right to an adequate standard of living, including food, clothing and housing, is embodied in several international and regional human rights instruments (5). However, the exclusion of vulnerable groups, such as LGBTQIA+ people from DRR is having a detrimental impact on their right to adequate housing (6).

Although there is limited DRR and LGBTQIA+ literature, common themes arise in the experiences of LGBTQIA+ people, with accounts indicating that LGBTQIA+ people face heightened vulnerabilities, harassment, discrimination, violence and abuse in temporary shelters during disasters (Seglah and Blanchard, 2021).

Such accounts include those investigated by Pincha (2008) who found that in India, during the 2004 Indian Ocean Tsunami, a third gender group called the aravanis of Tamil Nadu were exposed to physical harm, physical and sexual abuse and psychological harm in shelters (7). Likewise, in the wake of Hurricane Katrina, in New Orleans it was reported that a transwoman was arrested and detained for four days for using facilities designated for women only, even though she had received permission to use them (D'Ooge, 2008).

5. Art 11 ICESCR reads “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”; UNGA, Res 217A: Universal Declaration of Human Rights (1948) art 25; Convention on the Rights of Persons with Disabilities (2008), art 28; Convention on the Elimination of All Forms of Discrimination against Women (1981) art 14(2) (h); Regional instruments include the European Social Charter (1965), art 31; the American Convention on Human Rights (1978) art 21; and the African Charter on Human and Peoples’ Rights (1986), art 14.

6. The Human Rights Council (HRC) states that “vulnerable persons are disproportionately susceptible to recurring displacement, evictions without adequate remedies and exclusion from meaningful consultation and participation during disaster risk reduction, prevention and preparedness, as well as in all phases of disaster response and recovery, to the detriment of their enjoyment of the right to adequate housing”.HRC, Res 19/4: Adequate Housing as a Component of the Right to Adequate Standard of Living in the Context of Disaster Settings, UN Doc. A/HRC/RES/19/4 (3 April 2012). Page 2.


7. “These individuals may be born intersex or apparently male, dress in feminine clothes and generally see themselves as neither women nor men”. See Pincha (2008b).

In 2011, following the Haitian earthquake, lesbians, bisexual women, trans and intersex people suffered gender-based violence and “corrective rape” in temporary shelters (International Gay and Lesbian Human Rights Commission/SEROVie 2011).

LGBTQIA+ people face heightened harassment in temporary shelters. For example, after the 2011 earthquake and tsunami in Japan, a transwoman was verbally abused by a shelter volunteer (Yamashita, 2012). Also in Japan, Yamashita et al., (2017) highlight how a transman, who had not yet gone through sex reassignment surgery, had to wear a chest compression shirt for several days without accessing a change of clothes or a shower and he also experienced mis-gendering.

The vulnerability of LGBTQIA+ people is exacerbated by relief policies which excludes their needs. Such as not recognising LGBTQIA+ families as being a “nuclear family” leading to families being separated in resettlement (Leap et al., 2007). Those with diverse sexual orientations, gender identities, gender expressions and sex characteristics (SOGIESC) have also been denied access to emergency shelters and aid. Such individuals have been unable to access food and finance due to exclusionary relief policies which employ a binary gender split (only operating two categories of ‘man’ or ‘women’) for which those with diverse SOGIESC could not fall into (Gorman-Murray, McKinnon & Dominey-Howes, 2014).

LGBTQIA+ people have also reported fearing the use of temporary shelters due to forced coming-outs, the public shaming, the personal discomfort and encountering discriminatory attitudes (Yamashita, Gomez and Dombroski 2017).



These can be so severe that LGBTQIA+ people will actively avoid official post-disaster temporary shelters, despite being in need of safe housing just like the rest of society.

It is critical to understand the impact of the loss of home for LGBTQIA+ individuals (8) so that adequate standards for living can be provided in disaster contexts.

The impact of the loss of a home varies across LGBTQIA+ populations (9). However, literature indicates that a heightened loss may be experienced by those who identify as trans, whose home “is a heightened site of investment for emotional health, wellbeing, recognition, safety and privacy vis-à-vis wider cisgendered spaces and the threat of transphobia” (Gorman-Murray et al., 2018, p178) (10). Trans individuals have also reported facing greater vulnerabilities and risks to personal safety in temporary shelters as evidenced above.

The loss of a home for trans individuals also disrupts access to resources that help maintain gender legibility (which is vital to their identity and sense of self), such as clothes, cosmetics and medicines such as hormone replacements (Gorman-Murray et al., 2018; Gorman-Murray, McKinnon & Dominey-Howes, 2014). Disruption of access to essential medicines can be physiologically disruptive and exacerbate emotional trauma already experienced from losing a home (Gorman-Murray et al., 2018). The mental health impacts on LGBTQIA+ people and the support provided in disasters is in need of further research (11).


Likewise, houses and neighbourhoods operate “as a site, source, and process of resilience in heteronormative societies that are routinely discriminatory and

8. The loss of home may lead to the forced return to unsupportive and hostile families or the relocation to evacuation centres with facilities, such as bathrooms, which abide by strict binary gender lines. See Simm (2021).

9. Intersectionality is a key factor to consider here as experiences of home loss and post-disaster housing vary greatly across LGBTQIA+ populations. For example, D’Ooge highlights how, in the wake of Hurricane Katrina, recovery and rebuilding plans in New Orleans targeted certain localities, to boost the return of tourism. As a result, the French Quarter, which had a high gay male population, was targeted for rebuilding efforts. However, this rendered “invisible the suffering of LGBT New Orleanians living elsewhere, consistently predominantly of lesbians and African Americans”. See D’Ooge, (2008).

10. Temporary forms of shelter, such as tents, can also be accompanied by little privacy. However, alternative forms of shelter come with high costs. See Dupraz-Dobias (2022).

11. See Haworth, B. T. (2022); Gorman-Murray et al (2017).



potentially violent” (Gorman-Murray, McKinnon & Dominey-Howes, 2014, p238; Gorman-Murray, 2007).

As such, the home is further recognised to be an “important protected space beyond the public sphere for self-affirmation and identity-support” (Gorman-Murray, McKinnon & Dominey-Howes, 2014, p243; Gorman-Murray, 2007).

The disruption and “unmaking” of households caused by disasters result in both material and emotional impacts and have been argued to further exacerbate the vulnerabilities of LGBTQIA+ people from social stigma and policy neglect (Gorman-Murray, McKinnon & Dominey-Howes, 2014). In disasters, such neglect is driven by heteronormative response and recovery policies (Dominey-Howes, Gorman-Murray and McKinnon., 2013).

Ensuring a Human Rights-Based Approach (HRBA) and being gender-sensitive in disaster contexts has been urged by the Special Rapporteur on Adequate Housing.

The right to an adequate standard of living is set out in Article 11 of the ICESCR (12). It is important to note that this right entails more than just “a roof over one's head” but instead it should be seen as the right to live in security, peace and dignity (CESCR, 1991, Para 4; Rolnik, 2018).

The right to an adequate standard of living cannot be read in isolation from other rights such as the right to non-discrimination (13), with Article 2 of the ICESCR stipulating that rights within the Covenant shall be “exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.

The essential need to take a HRBA towards adequate housing in post-disaster spaces has been recognised elsewhere (14).

“Disaster prevention and post-disaster reconstruction processes must be designed within a human rights-based approach. These processes must be carried out with consultation and participation of concerned communities, be gender-sensitive... Special attention must be given to vulnerable groups and those who may face discrimination and exclusion” (UNGA, 2010)

12. In defining ‘adequate’ the ICESCR General Comment 12 established that to a large extent, adequacy is determined by prevailing social, economic, cultural, climatic, ecological and other conditions.

13. Note: the direct applicability of international binding treaties on a state can vary depending on the monists or dualist legal systems in place.

14. A HRBA is based on the United Nations Sustainable Development Group's Human Rights Working Group definition of a HRBA to guide programming as defined by six principles: a) universality and inalienability, b) indivisibility, c) inter-dependence and inter-relatedness, d) equality and non-discrimination e) participation and inclusion and (f) accountability and the rule of law. See further UNSDG (2003).


Similarly, the Committee on the Economic, Social, and Cultural Rights (CESCR), in General Comment 4, set out the interpretation of adequate housing (CESCR, 1991, para 8). In doing so, the CESCR identified that the right to adequate housing should be interpreted broadly, recognising the destruction of housing as a social asset.

As such, the CESCR sets out that to respect, protect and fulfil this right states must progressively realise seven underpinning factors. These include the legal security of tenure; availability of services, materials, facilities, and infrastructure; affordability; habitability; accessibility; location; cultural adequacy. The CESCR further notes the importance of this right in conjunction with others such as the right to freedom of expression and the freedom of association (CESCR, 1991, para 8 - 9).

DRR plays a critical role in adequate housing. This has been highlighted by the Human Rights Committee (HRC) which encourages

“States and relevant actors to respect, protect and fulfil the right to adequate housing as a component of the right to an adequate standard of living in their broader disaster risk reduction, prevention and preparedness initiatives, as well as in all phases of disaster response and recovery” (HRC, 2012, p2).

Further, the HRC urges States



“to give due priority to the realisation of the right to adequate housing for the most disadvantaged and vulnerable persons...especially by respecting the principles of non-discrimination and gender equality, and by integrating a gender perspective into policies, strategies and programmes for disaster risk reduction, prevention and preparedness, as well as into all phases of disaster response and recovery“ (HRC, 2012, para 4.c).

The narrow interpretation of the right in disaster contexts has led to violations of the right (Rolnik, 2018). Given the heightened vulnerabilities and experiences of harassment, discrimination and abuse faced by LGBTQIA+ people in temporary shelters. It is thereby paramount that DRR policy and practice embodies an inclusive and HRBA to all matters relating to housing.

Disaster policy and practice linked to shelter and housing must recognise the unique needs and capacities of the LGBTQIA+ community. The failure to do so excludes a section of our society which already experiences a number of vulnerabilities and discriminatory practices particular to their lived experience.

Exclusion within this specific section of disaster risk management is often unintentional, with many policy makers and practitioners being unaware of specific challenges of sheltering people with diverse sexual and gender identities. This lack of knowledge is often a result of the poor data and research landscape with little in the way of precedent or guidance currently within the public domain. This hinders adoption and creates a policy and practice desert.

The shortage of data and policy on this topic aside, the requirement of policy officials and practitioners to provide assistance and support to all in a disaster should provide the impetus to develop a more inclusive process that actively seeks to fill the gaps in knowledge and policy. These actions and their work needed to prepare should, as with all marginalised groups, be in full consultation with the community and individual sections of that community (through direct outreach as well as via and in collaboration with the work of community groups).

The role of the policy makers and practitioners should be to ensure as comprehensive a response as possible.

As highlighted in Rolnik (2018) *"... States are called to implement, inter alia, gender-sensitive project designs and culturally adequate policies, the recognition of local knowledge and the adoption of measures attentive to the necessities of marginalised groups and those who face discrimination and exclusion."*

They go on to explain that


"Consequently, States should adopt an approach to disasters deliberately and comprehensively integrating the right to adequate housing both at a legal and policy level".

This paper should therefore act as a call to action.

A manifesto for more inclusive housing policy that adequately reflects the needs of a population that has largely remained excluded in every stage of the disaster reduction and preparedness process.

To achieve this, policy makers and practitioners can take a number of high-level steps to ensure at the very least a more inclusive process, that recognises the specific challenges detailed above;

Develop a policy and practise that **at the very least recognises that this community exists**. Disaster practitioners and policy makers should seek to **uphold human rights to provide a basic level of service**.



There needs to be a process of **learning and listening** to ensure the views and needs of that community are integrated within the policy and practice developed. This process needs to include and listen to the community in question and build capacity & knowledge over the long term.

Recognising the **specific challenges** that come with engagement and integration within that community, including historic instances of discrimination and abuse which may lead to **mistrust within the community** towards those officials meant to provide support.

Completing these steps in isolation will not provide the fully inclusive and representative disaster housing process that is needed to ensure a wider process of inclusive DRR. It will however, at least provide a greater level of recognition of the communities needs and capacities as well as set the stage for further engagement on the topic, which is sorely needed.

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