

Falling through the cracks: women and vulnerability in urban housing reconstruction post earthquake 2015, Kathmandu Valley, Nepal

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Key words:

Gender, vulnerability, post-earthquake urban reconstruction, Nepal

Reconstruction support is not reaching vulnerable groups such as low-income single women in the Kathmandu Valley, despite government policy acknowledging their needs. Nearly four years after the earthquakes of 2015, vulnerable groups are living in a worse situation than before the disaster; they have not been able to rebuild their homes and will not be able to do so without support.

Introduction

This policy brief is based on the initial findings of a research study on women's perspectives of shelter self-recovery⁴ in a peri urban ward of the Kathmandu Valley. The study was done with women in vulnerable situations who lost their homes during the earthquakes of April 2015.

Policy Pointers¹

- **Improve the National Reconstruction Authority vulnerability list:** Identify vulnerable groups, such as low-income single women in the Kathmandu Valley, overlooked by reconstruction support, with no formal land ownership or means, and include them on the National Reconstruction Authority (NRA) vulnerability list.²
- **Conduct further research and direct consultation with these women:** Understand how being in a vulnerable situation limits women's access to resources and institutions, and impedes their recovery.
- **Initiate reconstruction programmes with accessible legal and technical support:** Fund programmes to specifically support these women in the reconstruction of their homes. Create diversity-friendly³ legal and technical support units at the ward and municipal levels to inform women in vulnerable situations on their legal rights and accompany them through the process of accessing subsidies, formalising land ownership and completing other key paperwork.
- **Recognise and enable the agency and capacity of local collectives:** Women's associations were effective first responders and supported many of the women in the most vulnerable situations with food, materials and the construction of temporary shelters. Include local collectives as equal and active participants in long-term reconstruction stages.
- **Increase representation across reconstruction actors and empower the NRA's GESI and Livelihood Section:** Attract a more diverse, gender-balanced staff, and include more women in leadership positions. Make increased funding available to the NRA's Gender Equality, Social Inclusion and Livelihood Section to enhance their potential and continue their drive of change from within.

Context

Recent figures show that while 86% of the 104,493 eligible households in the three urban districts of the Kathmandu Valley have received the first tranche of the housing subsidy⁵, only 23% have accessed the third tranche⁶.

Complexities of urban reconstruction

Post-earthquake reconstruction in urban settings is generally slow and difficult. Technical factors such as narrow roads in historical areas impede access for demolition and clearance of rubble, or for provision of materials. Rebuilding multi-storey, mixed-use buildings with high resident density and multi-family ownership is expensive and complex. Land prices increase because of rapid urban growth.

NGO rural focus

In the response, there was a reduced presence of NGOs supporting reconstruction in the Kathmandu Valley relative to the rest of Nepal, as most NGOs focused on other - mainly rural - most affected districts⁷.

Systemic social inequalities

In a developing and highly diverse country such as Nepal⁸, socially constructed inequalities and deeply ingrained social norms result in discrimination against certain social groups while others are favoured. This leads to earthquake-affected households having unequal access to reconstruction⁹.

Gender inequality and recovery

Disaster literature documents many cases where women are not only more affected by a disaster, but also find it more difficult to recover afterwards¹⁰. In Nepal, women's position in society puts them at a disadvantage in reaching the right resources for recovery.

Method

The main researcher, with two local research associates, collected data for this study from September to November of 2018 in ward number nine of the Chandragiri Municipality of the Metropolitan City of Kathmandu. The ward was identified for study because the earthquakes had caused heavy damage to housing; reconstruction was underway, by individual households and through a community land-pooling project; and the ward had three distinct settlement typologies. Local NGO Lumanti had an ongoing project supporting housing reconstruction and provided access to the community through their staff and contacts, and through their long-standing relationship with Bishnudevi Women's Cooperative. The research used a qualitative methodology that included six focus group discussions, 37 semi-structured household interviews and 20 key informant interviews. This policy brief is informed by the initial findings of the study upon return from the fieldwork; detailed analysis of the data collected is ongoing and will be published later.

Reconstruction policy

Technical focus and representation

The NRA housing subsidy policy to support owner-driven reconstruction has enabled households to be the main decision-makers throughout the process. The subsidy has also encouraged safer building through the conditions attached to the tranches of funding¹¹.

The NRA has rightly recognised the need to prioritise marginalised and vulnerable groups¹² and rolled out social policies to address this. However, the implementation of the owner-driven approach has been mainly technical and not representative of the diversity and inequality prevalent in Nepal¹³.

This is evidenced, for example, in the World Bank's Earthquake Reconstruction Project page for Nepal where there is no mention of diversity or inequality amongst the affected population¹⁴. Another example is how the GESI Section within the NRA has been established and funded. The NRA identified a financial requirement of 4,642 million NPR (46 million USD) for gender and social inclusion¹⁵ and committed to creating the Section. Interviews undertaken as part of this research revealed there was a delay in the creation of the Section¹⁶ and a reduced allocation of funds to only 3 million NPR (26,700 USD) per year, a reduction of 97%¹⁷.

Flexibility and feedback loops

The NRA and other government institutions have shown flexibility and continue to pursue ways to address the needs of the most vulnerable. Areas where the reconstruction approach needs to be adjusted are identified through regular meetings between NRA, local government officials, and different ministries. The Housing Recovery Reconstruction Platform (HRRP) has been supporting this process. Civil society organisations such as Community Self Reliance Centre (CSRC) and local NGOs such as Lumanti have been lobbying for their findings from the field to be integrated into policy. Allowing affected households to access the housing grant without formal land ownership has been a positive change in policy that responded to the reality of households. This allowed more households to be included in the Partnership Agreement with government and to start rebuilding. However other cases of changes in policy are not always having the desired effect on women in vulnerable situations. Some examples women mentioned in the interviews are:

- Women in the Kathmandu Valley rarely benefit from the joint ownership registration policy when land for resettlement is being allocated to households, as there are few resettlements in this area.
- The grant of 200,000 NPR (1,780 USD) for landless households to buy land is insufficient given land prices in the Kathmandu Valley¹⁸. Moreover, the paperwork is too complex for illiterate, socially isolated elderly women to complete without help.

- The provision of 300,000 NPR loan¹⁹ at lower interest is in practice inaccessible to women and men as banks are reticent to grant these and instead offer other products at much higher “market level” interest rates.
- The Birta²⁰ provision that allows people who have been living on government land to claim 50% of that land is a long process that needs to be supported by the ward and neighbours, involving extended paperwork.
- Many women in vulnerable situations do not fall within the NRA's vulnerability category. This policy is based on a vulnerability list compiled by the NRA which can be inaccurate²¹.
- **Lack of skills to engage with the system:** Not receiving answers in relation to unresolved grievances at local level, not knowing how to follow up to central administration.
- **Language barriers:** Not being able to communicate with officials in Nepali as they only spoke other languages such as Newari.
- **Exclusion/ bias:** Being dismissed for being uneducated (this was reported by women and men alike).
- **Inaccessibility of loans:** Not being able to access loans because they were low-income daily wage workers and did not have any formal land ownership to use as collateral.

Advocacy and flexibility at the local level

This research study found that while the coincidence in time of reconstruction and local elections had some negative impacts on reconstruction²², new local government bodies provided tangible support to women in vulnerable situations. In household interviews, women explained how the municipality had made concessions such as charging lower fees for permits and engineering plans for the most vulnerable. Local government bodies also responded to the needs of their constituents. Lumanti²³ while supporting the reconstruction of 115 homes, identified barriers that were delaying the reconstruction process. They lobbied ward and municipal officials, proposing changes to codes and bylaws. Exceptions were then made for houses that were replacing those damaged by the earthquake. For example, permits were enabled to rebuild on land that was smaller than the original minimum plot, or coverage of 100% of the land was authorised. There are, however, further barriers that need to be overcome as owners were not allowed to register those properties and not entitled to use it as collateral.

Women's accounts: how being in a vulnerable situation impacted their recovery

Policies need to consider how being in a vulnerable situation affects women's access to resources and institutions. Some reasons women cited in interviews for not being able to rebuild include:

- **Land tenure:** Not being allowed by extended family members to rebuild on the land where their house used to be. Despite having a legal right, because they were elderly and uneducated they could not do the paperwork for formalise that right. They did not have money to pay land registration taxes.
- **Communication / information:** Not being able to access information at the ward due to illiteracy. For example, not knowing there had been an increase to a road width that restricted where they could build on their land and building with the risk of having their house demolished later.

- **Livelihoods:** Not being able to access jobs due to social norms which prevent women being outside the home at certain times of day.

These examples show how difficult it is for women to access information about the subsidy and to use it towards the reconstruction of their homes.

Policy recommendations

Recommendations for all reconstruction actors

- Pay specific attention to supporting and funding targeted housing-reconstruction programmes for women and other vulnerable groups in the Kathmandu Valley.
- Collaborate to establish diversity-friendly support units that are women- and illiterate-friendly at ward and municipal level. This should include a legal unit to support elderly women who been left landless after the earthquake to make their land and property rights effective, and to not only access the subsidy but be supported throughout reconstruction. Links should be created between the most vulnerable and central departments such as the Land Registration.
- Acknowledge that reconstruction takes time and has different time frames for different stakeholders. Support needs to be staggered so that funding is available when households can reconstruct permanent homes.

Recommendations for donors

- Acknowledge the continued and urgent housing reconstruction needs of women in the most vulnerable situations, such as low-income single women in the Kathmandu Valley that the research study has identified.
- Support housing reconstruction initiatives for women in vulnerable situations. This brief provides specific initiatives that can have a strong longer-term impact and could lead to systemic change.

- Support further research into gender and vulnerability in the urban context. Direct consultation with women to better understand how being in a vulnerable situation limits their access to resources and institutions, and impedes their recovery is vital to build a body of knowledge that can be drawn on for this and future responses.
- Encourage initiatives that measure success in terms of number of women who have accessed socio technical and legal support that puts them on the path to recovery, as well as in terms of number of housing units built. Increased flexibility in funding conditions can support a necessary change of paradigm on how aid is delivered.
- Be proactive about funding smaller organisations and initiatives directly.

Recommendations for Government

- Diversify the way they identify those in the most vulnerable situations in the Kathmandu Valley. This should not be limited to the criteria on the NRA vulnerability policy but be extended to reflect the reality on the ground. Elected ward members who have accurate knowledge of the needs and resources of their constituents should be supported to do this.
- Work with existing networks such as single women groups or poor farmer groups in their area. These groups have already identified the most vulnerable and are able to mobilise effectively to provide relief to those most in need. Even the most vulnerable are part of a collective or network with agency and capacity.
- Review standards and codes to ensure they relate better to the experiences and needs on the ground. Local officials should be empowered to make the necessary local adjustments to practice to leave no-one behind.

Recommendations for NRA

- Ensure that their recruitment and promotion strategy attracts a more diverse and gender balanced staff, and includes more women in leadership positions.
- Build on the work and expertise of the Gender Equality and Social Inclusion and Livelihood Section, and make more funds made available for:
 1. leading on further research and consultation with women and other vulnerable groups in the Kathmandu Valley to understand how being in vulnerable situations affects their capacity to recover.

In this study women responded very well to consultation in familiar local settings. Larger fora were not considered adequate as some of them felt shy around speaking in public.

“if someone had sat down with us to ask us what we needed we would already have recovered”.

2. developing and implementing policy to support the recovery of the most vulnerable based on consultation with women.
3. continued gender and diversity training of NRA staff both in central and municipal locations

Recommendations for NGOs

- Initiate programmes to better support reconstruction of the houses of the most vulnerable women, such as low-income single women in the Kathmandu Valley, in collaboration with the NRA.
- Promote peer-to-peer learning on their urban interventions and proactively advocate for new bylaws and codes that respond to the needs on the ground and can be adopted at ward, municipal and eventually national level.
- Be proactive about working with smaller grass roots organisations to ensure better localisation of their efforts, funds and impact. They should also carry out capacity assessments to identify self-recovery efforts to be supported and encouraged. They should also lobby donors to facilitate funding flexibility.

Acknowledgments

We are grateful to all the research participants and to those who have provided feedback on early drafts. This research was conducted with funding from USAR, the UCL Centre for Urban Sustainability and Resilience and the Engineering and Physical Sciences Research Council.

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NOTES

1. The research on which this brief is based on was conducted in a peri urban ward of the Kathmandu Valley. The findings are likely to apply across the Kathmandu Valley and Nepal.
2. In order to address the needs of the most vulnerable, the NRA works with a list of 18,000 vulnerable people identified across the most affected districts (NRA vulnerability criteria: single women above 65 years (recently change to 60), elderly above 70 years, orphans below 16 years and people with disability as long as there is not one or more able-bodied person between the age of 16 to 70 in the single family). This list includes 1,380 people in the Kathmandu Valley. This study found that the list was not accurate in the ward of research: only one of the 19 people included in the ward list where the study was conducted were known to ward information officers. None of the 37 most vulnerable women who participated in the study, however, were on the list.
3. Providing equal access across gender, ethnicity, caste, literacy level, age, disability and income level.
4. Shelter self-recovery is a relatively new term used by humanitarians to describe the material, technical and economic support. This study and brief, however, looks at the collective aspects of shelter self-recovery such as those initiated and led by grass-roots and women's networks.
5. The subsidy consists of providing 300,000 NPR (2,670 USD) in three tranches to households with severe damage.
6. HRRP, 'HRRP Housing Recovery and Reconstruction Platform Bulletin 4 February 2019'.
7. Only 609 households in the Kathmandu Valley have been supported by NGOs; source HRRP
8. Nepal has a Human Development Index (HDI) of 0.574 for 2017, making it number 149 of 189 countries. When adjusted for inequality, the IHDI is 0.427, a loss of 25.6%
9. Amnesty International, "Building Inequality" The Failure of the Nepali Government to Protect the Marginalised in Post Earthquake Reconstruction Efforts'.
10. See for example Irshad, Mumtaz, and Levay, 'Long-Term Gendered Consequences of Permanent Disabilities Caused by the 2005 Pakistan Earthquake'; Juran, 'The Gendered Nature of Disasters'; Enarson and Meyreles, 'International Perspectives on Gender and Disaster: Differences and Possibilities'; Ni Aolain, 'Women, Vulnerability and Humanitarian Emergencies'.
11. The subsidy consists of providing 300,000 NPR (2,670 USD) in three tranches to households with severe damage.
12. See the The Post Disaster Needs Assessment (PDNA) and the Post Disaster Recovery Framework (PDRF).
13. Nepal has a Human Development Index (HDI) of 0.574 for 2017, making it number 149 of 189 countries. When adjusted for inequality, the IHDI is 0.427, a loss of 25.6%
14. See <http://projects.worldbank.org/P155969?lang=en> where the following objective is stated: "The development objective of the Earthquake Reconstruction Project for Nepal is to restore affected houses with multi-hazard resistant core housing units in targeted areas and to enhance the government's ability to improve long-term disaster resilience" World Bank, 'Earthquake Housing Reconstruction Project'.
15. PDRF, p.45
16. Created in July 2017, the Advisor leading the Section being seconded by USAID rather than being NRA permanent staff.
17. Calculated on the basis the initial requirement was for 5 years and would be equally divided throughout.
18. A reference price for an 80m² plot, the minimum size to build on, in the Machhegaun area, would be 12 times more, around 22,000 USD.
19. NRA Reconstruction Policy, p.27
20. See Nepal Law Commission 2018 , Birta Abolition Act <http://www.lawcommission.gov.np/en/archives/17103>
21. This study found the list was not accurate: nd there could be good reasons for the inaccuracies, such as the recent change in administrative boundaries, with the re-delineation of wards leading to individuals being accounted for in the wrong ward, this was problematic.
22. The peri-urban area where the community is based has recently (2 Dec 2014) changed from Village Development Committee to Municipality. Officials were elected on May 14 2017, since then the Municipality is requesting increased documentation such as building permits and compliance with building codes for new houses. This was reported by research participants to complicate reconstruction making the process lengthier and more expensive.
23. A local NGO with a long trajectory of working with the urban poor and housing in Kathmandu.