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PAKISTAN

Returns continue in some areas but comprehensive IDP policy needed

The population of north-west Pakistan has suffered conflict-induced displacement for the past seven years, with the phenomenon reaching its peak in 2009 when there were more than three million internally displaced people (IDPs) in the region. By May 2010, the figure was down to one million, but returns since then have been offset by new displacements. As of May 2011, ongoing military operations and militant activities were causing new displacements in the Federally Administered Tribal Areas (FATA).

The official criteria for registration as an IDP have barred many displaced people from assistance. A multi-agency IDP vulnerability assessment profiling (IVAP) found that only around half of all IDPs were registered, but that hundreds of thousands of ineligible people were.

Protecting IDPs presents both security and a humanitarian challenges. People have faced a clearly heightened risk of human rights violations, and in areas where national authorities are unable to protect them, IDPs have been forced to seek security from other parties.

The government has started the process of returns which is a unilateral decision. However, various humanitarian agencies are now assisting in the process to ensure returns are taking place effectively.

Recommendations:

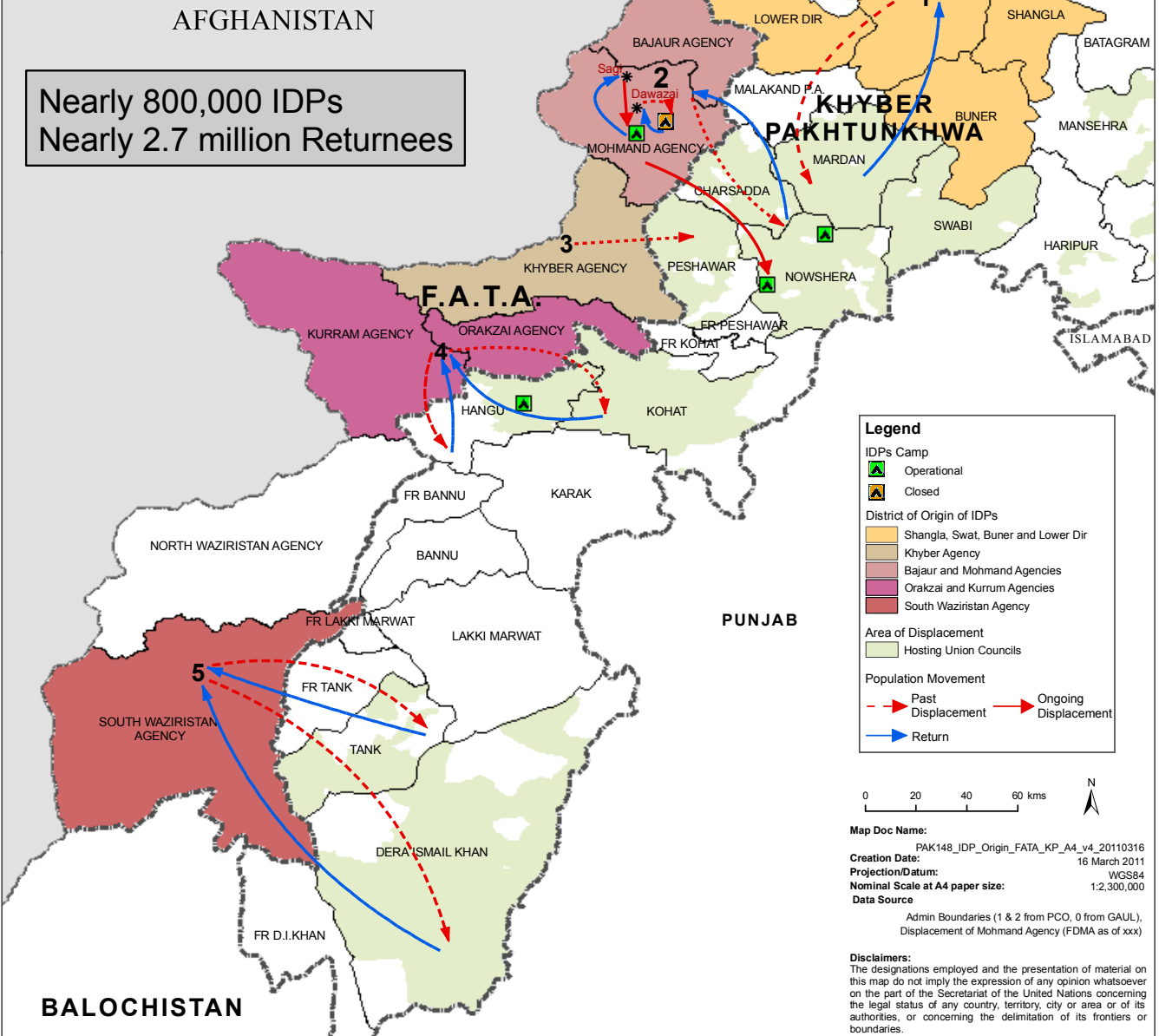
- The national government should develop a comprehensive framework for its IDP response and assign resources to match its obligations to its displaced citizens. The criteria for the registration of IDPs should also be revised.
- Military operations to secure FATA should not compromise IDPs' protection or their right to return in conditions of safety and dignity. Victims whose house have been damaged and destroyed should be adequately compensated.
- Humanitarian agencies that respect the principles of independence, impartiality and neutrality should be granted access to FATA.
- National and international entities involved in the IDP response should base all their interventions on data provided by the 2011 IDP vulnerability assessment profiling, which is the best available. The selection of beneficiaries based on joint vulnerability criteria should be upheld in the 2011 IDP response.

Displacement and Return - F.A.T.A. and Khyber Pakhtunkhwa 2009 - 16 March 2011



This map illustrates the internal displacement of population from areas affected by military operations in Khyber Pakhtunkhwa and F.A.T.A. between February 2009 and March 2011.

1. Swat, Buner, Lower Dir and Shangla: Between April and May 2009, more than two million people took refuge in the southern districts of Malakand Division. The majority (99.9%) of those IDPs have returned.
2. Bajaur and Mohmand Agencies: Between August 2008 and June 2010, 105,000 families were displaced to Malakand Division. By February 2011, 54,600 families had returned to both agencies. On 29 January 2011, renewed military operations in Mohmand Agency sparked fresh displacements of 6,275 families. 5,875 of these families stayed in two camps within Mohmand while 400 IDP families went to Jalozaï in Nowshera District. By 16 March 2011, 3,973 families had returned to their homes.
3. Khyber Agency: In September 2009, military operations were launched in Bara area leading to displacement of about 4,679 families.
4. Kurram and Orakzai Agencies: Since December 2009, around 60,000 families from Kurram and Orakzai Agencies have fled to the hosting districts of Kohat and Hangu. So far, 18,648 families have returned to Orakzai Agency.
5. South Waziristan Agency: In October 2009, 41,489 families fled to the districts of Tank and D.I. Khan. So far, 1,100 families have returned.



Background

Pakistan comprises five broadly distinct regions: Punjab in the north-east, Gilgit-Baltistan and Azad Kashmir in the north, Sindh in the south-east, Balochistan in the south-west and the Pashtun-dominated north-west. The latter is divided into Khyber-Pakhtunkhwa (KPK) and the Federally Administered Tribal Areas (FATA). KPK is part of the national legal framework, while FATA, the current focus of conflict and displacement, comes under the special jurisdiction of the 1901 Frontier Crimes Regulation (FCR). This prioritises collective over individual rights and makes tribal governance structures administered by councils, or *jirgas*, responsible for the maintenance of peace, law and order. If they fail in their obligations, the Political Agent (PA), who represents the president of Pakistan in each agency, has powers to undertake justice.

There are in mid-2011 two main and ongoing causes of displacement in FATA – the “Talibanisation” effort to overthrow the region’s tribal governance structures; and government military operations to weaken militant structures that threaten the national interest.

Talibanisation

Taliban activities have triggered displacements throughout FATA since 2007. Larger displacements have recently taken place in the Kurram, Orakzai, Khyber and FR Kohat areas.

In Kurram, two tribes, one Shia and the other Sunni, have disputed the right to valuable forest and land for decades. The conflicts has led to further divisions between the Shia and Sunni sects and the Taliban supporting the Sunni sect. In late 2010, the Shia *lashkar* (tribal militia) responded by attacking Sunni villages. By the time a *jirga* put an end to the violence, five villages had been set on fire, some 700 homes destroyed and 5,000 people displaced (EN, 29 September 2010; LWJ, 22 October 2010).

In Khyber, displacements increased in April 2011 when the army gave local tribes an ultimatum to fight the Taliban or flee the area. One tribe chose to stay and fight, but thousands of unarmed members, mainly women and children, fled in fear of militant attacks. Given the importance of the area as a supply route for western troops in Afghanistan and the Taliban’s determination to disrupt it, the fighting in Khyber has been particularly intense (Dawn, 10 April 2011; RFE, 12 April 2011).

In FR Kohat, the Taliban began threatening the population in early 2010 in a drive to take over fertile land and extend territorial control towards KPK. By April 2010, some 45,000 people had fled. The PA, however, wanted the IDPs to return and organised meetings with tribal leaders to encourage return movements. A number of men complied with the administration’s demands, but a Taliban offensive in April 2011 forced a further 24,500 people to flee (IDMC interviews with IRC, April 2011).

Military operations

In areas where the security forces have clashed with militant groups, the main cause of displacement has been the army’s issuing of evacuation orders that aim to clear the Afghan border of its civilian population and separate non-combatants from enemy fighters. The aerial bombardment of populated areas, the arrest of men from militant strongholds and the demolition of houses in those areas have triggered further population movements. A significant number of people have also fled other military tactics that has affected their livelihoods.

As of May 2011, military operations, both direct and by proxy, continued to cause displacements in South Waziristan, Kurram, Orakzai and Mohmand agencies.

In Mohmand, where military operations began in November 2008, an ongoing offensive launched in December 2010 has displaced more than

60,000 people to date (ET, 29 December 2010; TN, 8 February 2011; FDMA, May 2011). Local leaders urged residents to evacuate in anticipation of air strikes and abuses by militants, but some were nevertheless caught up in the fighting. The army blocked others from fleeing to KPK, and instead instructed the population to seek assistance in two IDP camps set up inside Mohmand. As many as 80 per cent of the IDPs obeyed the army's instructions, including a high number of women and children (IRIN, 10 and 23 February 2011; Dawn, 4 February 2011). According to tribal elders, others were reluctant to seek shelter in crowded camps and instead moved in with relatives in nearby villages. Some fled across the border into Afghanistan, (PT, 8 February 2011; TN, 8 February 2011).

Figures and registration

The scale of displacement reached its peak in 2009 when there were more than three million IDPs. By May 2010, the figure was down to one million, but returns since then have been offset by new displacements.

One million people from FATA were officially registered as IDPs as of May 15, 2011. The largest groups were from Bajaur (350,000), South Waziristan (273,000) and Mohmand (245,000), but large numbers of unregistered IDPs from Khyber, Kurram, Orakzai, FR Kohat and FR Peshawar were also living either in KPK or other parts of Pakistan (FDMA, May 2011; IVAP, April 2011).

Registration criteria

Inclusion on the official register is dependent on the government declaring IDPs' places of origin an "area of calamity". All residents of such areas who hold a computerised national identity card (CNIC) can register as IDPs and are entitled to support.

This method has been used since 2005 in an effort to address the needs of those displaced by both

conflict and natural disasters. It is likely to continue to be employed in the future, and as such it is important that its strengths and weaknesses are recognised and addressed.

One of its strengths lies in determining quickly who should benefit from assistance, including groups not easily identifiable, such as IDPs living outside camps. The main concern is the assumption that everyone holds a valid CNIC. This is not the case in Pakistan generally, and particularly not in FATA. A further concern is that registration and thus access to assistance is linked to the ongoing government status of an area. As such, people from an "area of calamity" are able to register as IDPs whether they have fled or not, while other genuine IDPs are deprived of assistance (IDMC interviews with OCHA and UNHCR, December 2010).

The April 2011 IDP vulnerability assessment profiling (IVAP), a multi-agency survey of displaced households in KPK, clearly highlighted these challenges of both inclusion and exclusion. It was found that a large number of people who had never fled the conflict were registered, while at the same time many genuine IDPs were not because they did not have a CNIC. This was particularly the case for poor and female-headed households. Others, most notably in FATA, were unable to apply because registration desks were no longer operating by the time they arrived in their place of refuge, or were inaccessible due to insecurity. Others still had their applications turned down, either because they attempted to apply at multiple registration points or because their area of origin had not been declared an "area of calamity" despite suffering the effects of conflict (IDMC interview with IVAP, April 2011). Areas affected by Taliban activities, such as FR Peshawar, are often not formally notified as conflict areas, so the IDPs from there are not counted.

According to IVAP's analysis, only around 50 per cent of eligible IDPs are registered, and they are outnumbered by ineligible people who have reg-

istered. In the Peshawar Valley, 40 per cent of IDPs living outside camps have never been registered. Of 28,000 people registered as IDPs, IVAP identified only 12,000 as such (IVAP, April 2011).

Criteria for selecting beneficiaries

With the backing of the UN, the Pakistani government decided in early 2010 that assistance should be provided not only to registered IDPs, but rather to registered and vulnerable IDPs.

IVAP found that around 70 per cent of them – 700,000 people in KPK – fell well below Pakistan's national poverty line and were too vulnerable to survive without assistance (IVAP, April 2011). When these figures were published in early 2011, the Pakistani government declared that assistance should only be given to those IDPs who were both vulnerable and from areas it had declared unsafe. This position could reduce the number of IDPs receiving support.

Protection issues

Violence and coercion

Conflict and resulting displacement has continued unabated in parts of FATA – ICRC's hospital in Peshawar admitted an average of three patients a day with injuries caused by weapons during 2010 (ICRC, 20 February 2011). Some IDPs from central FATA interviewed by IDMC were forced to flee on foot and by night and then hide in caves or other natural shelters. Some were shot and killed. In other cases, children and older people reportedly died from exhaustion en route.

IDPs' final destinations are generally much safer than their escape routes, but can still be dangerous. Displaced Shia people have been targeted by sectarian groups, while displaced tribal leaders opposed to government or militant policies have been intimidated, in some cases to prevent IDPs from returning. Some leaders have been killed during displacement (DT, 15 January 2011).

It has also been common for the police to arrest IDPs, though they have almost always been released upon payment of a bribe. The Taliban sometimes travel posing as civilians, some of them as IDPs, making both groups targets for the security forces. On the one hand, the army has made efforts to control the movement of people and so distinguish between combatants and civilian IDPs, but on the other government officials have sometimes served to blur the distinction by accusing IDPs of causing law and order problems in their places of refuge (Dawn, 5 March 2011).

Income and access to basic necessities

Two-thirds of the families surveyed by IVAP in the Peshawar Valley earned less than \$59 a month and so were eligible for Pakistan's poverty assistance programmes. Income is a particular concern for IDPs living in camps, who make up the most vulnerable sector of the displaced population (IVAP, April 2011). All internally displaced households were better off before displacement.

The situation is clearly worse for those recently displaced – an indication that IDPs are able to improve their living conditions somewhat over time – and among families with vulnerable members. According to IVAP, there is a chronically-ill member in every fifth family, an orphan in every seventh, a person with physical or mental disability in every tenth and a widow in every fifteenth. Family bonds tend to remain strong though, with only two separated children per 1,000 households.

Secure access to food is the main concern for IDPs and their host families. One in every five internally displaced families is unable to afford three meals a day. In January 2011, UNICEF reported an increase in child labour and begging as a result of conflict-induced displacement. The majority of the families surveyed by IVAP receive food assistance from the UN World Food Programme (WFP) (UNICEF, 19 January 2011; IVAP, April 2011).

Adequate shelter, which is often unavailable during the initial phase of displacement, is the second biggest concern for IDPs from FATA. Some are forced to live in extremely crowded conditions, a particular burden for women with a cultural need for privacy (PT, 8 February 2011). The arrival of displaced populations from FATA has doubled rents in areas such as FR Kohat, putting them beyond the means of many internally displaced tenants. Some families report that they have been evicted from their rented homes for non-payment, while others say that their landlords allow them to make payments when funds become available.

Durable solutions

Local integration

From five to ten per cent of IDPs from FATA want to settle in their current locations in KPK, and many of them have shown a capacity for integration (IVAP, April 2011). Poverty is widespread, but most internally displaced households have found work and are able to support their families. Better-off families have even bought land and built a house.

This relative success is explained by a number of factors. The IDPs speak the same language as their hosts, and many have relatives who live permanently in their places of refuge and who provide temporary shelter and loans. As they charge low wages, many IDPs have been able to find work. They also tend to arrive from FATA as cohesive communities. They rely on their leaders to help them negotiate living conditions and access to basic services, and they consult them before making important decisions.

Host communities are still affected by the IDPs' arrival, and policies aimed at integration need to reflect this. Unskilled workers find their wages reduced as a result of the influx of labour willing to work for less money. Other effects include overcrowding, rising property prices, overburdened

water and electricity supplies and increased traffic (Dawn, 20 March 2011). Host families interviewed by IDMC also expressed their frustration at IDPs' failure to understand the management of collective goods such as grazing land and firewood.

Return to place of origin

More than 90 per cent of IDPs aspire to return to their places of origin. Pakistani authorities, keen to demonstrate that their military operations have improved security, also want them to return, as do donor agencies.

In June 2010, the authorities in FATA and the UN signed a framework for return which states that the government is responsible for establishing the conditions that would allow IDPs to do so—voluntarily, in safety and with dignity (FDMA, May 2011). To that end, the government has set out a series of steps towards sustainable return and has appointed a task force to oversee the process.

As of May 2011, 329,000 IDPs from FATA had gone home, 19 per cent of the total number registered since 2008 (FDMA, May 2011). The success of returns has varied across the FATA agencies.

In Orakzai, 126,000 IDPs had gone home as of May 2011. In Mohmand and Bajaur, as many as 95 per cent of the 105,000 IDPs have expressed their intention to do so, the situation is less promising. Almost half of those displaced inside Mohmand in early 2011 have gone home, but those displaced to KPK between 2008 and 2010 have remained there. Some 350 people returned from Jalozaï camp in April 2011.

In South Waziristan, the return process has stalled. Despite protracted negotiations between the displaced Mehsud tribal leadership and the announcement by the PA and the UN High Commissioner for Refugees (UNHCR) that they would support the process, only 9,800 (or four per cent) of a total of 290,000 IDPs had returned as of May 2011 (IDMC interview with FDMA, 30 April

2011). Among the families who did decide to return, only one or two members did so. The others remained in their places of refuge in order to keep their jobs and look after their property in case the returnees were displaced again (IDMC interview with FATA Research Centre, December 2010).

Thus returns are clearly progressing in some areas, but the following barriers still remain:

- There has been a lack of information and consultation. In most cases, little is known about conditions in the return areas, and IDPs' own assessment of the security situation often differs from that of the security forces. As return processes depend on negotiations with tribal elders, who sometimes have their own personal agendas, the needs of vulnerable groups can be ignored.
- Removing the cause of displacement is generally a precondition for a durable solution, but returns have not always been accompanied by the cessation of militant activities or the dismantling of their structures. Indeed, insecurity has been a problem before, during and after return. In Orakzai, returnees interviewed by IDMC said they felt relatively safe while the army was present, but that they feared for the future as the security forces had only killed local collaborators who could have been dealt with by *jirgas*, rather than more threatening, non-local commanders. Some 3,500 returnees to Orakzai were displaced a second time to Hangu and Kohat in March 2011. Displaced leaders from Mohmand said in April 2011 that almost half of the IDPs were from places currently suffering conflict and that so-called safe areas were under strict curfew, making trade and the rebuilding of livelihoods all but impossible (IDMC interview with IRC, April 2011).
- The restoration of basic services is often slow. Orakzai IDPs reported that conditions in the return areas were terrible and that schools and health facilities were shambolic. As a result, they said, those who had the resources to remain in their areas of refuge did so (ICRC, 20 January 2011; IDMC interview with NRC, April 2011). In South Waziristan, returnees lacked water, food and electricity, and access to markets, schools, health facilities and roads (IDMC interviews with FATA Research Institute, December 2010; and with FDMA, April 2011).
- The implementation of effective remedies for displacement-related violations varies from agency to agency. In April 2011, returnees to Mohmand were promised food rations for six months and up to \$4,700 to rebuild homes destroyed during military operations (IDMC interview with FDMA, April 2011). Orakzai IDPs, however, were not offered the same support.
- Reparations for the destruction of infrastructure and private property will be extremely costly and represent a serious obstacle to return. Thousands of houses are demolished in Bajaur and Mohmand, mainly in militant strongholds. In other areas, Taliban forces have destroyed IDPs' properties.
- The government has sought to increase security through outsourcing security services to internally displaced communities and tribes in displacement-affected areas. This has put IDPs at extreme risk.
- The military operations and the assistance provided to IDPs have not addressed widespread poverty, which along with an outdated legal and institutional framework and lack of effective political participation are factors conducive to radicalisation and support for insurgent groups. These can only be eliminated through political and legal reform. A number of limited reforms have been tested, but despite promises to bring FATA into the national constitutional framework, the FCR has not been completely repealed. The justice system must improve if it is to win the confidence of the people.

National and international responses

The government has, since late 2008, provided support to a high number of IDPs in partnership with international agencies. This provision in FATA is currently coordinated by the army in conjunction with the National Disaster Management Authorities' FATA section.

Their achievements include the registration of almost 200,000 internally displaced households from FATA; the provision of food and non-food items to the majority of those households; the issuing of CNICs to thousands of women affected by displacement; the provision of health services to many of those residing in host communities; and the arrangement of accommodation for many of the most vulnerable IDPs in tolerable conditions at IDP camps. A cash support scheme has proved an efficient way of reaching IDPs outside camps.

The response has, however, had some significant limitations. There have been major flaws in the registration process; the national government has not developed a comprehensive policy on IDPs but has instead allowed humanitarian objectives to be overridden by security concerns (FA, 24 March 2010); and the government's budget allocation for IDPs does not match its obligations to them, meaning that the response relies almost entirely on external funding (Dawn, 28 October 2010 *and* 2 March 2011; DT, 27 February 2011).

The UN country team has since 2005 coordinated the international humanitarian response, including the activities of a number of international NGOs, through the cluster approach.

Access to FATA has been continuously restricted since 2004 although, as of April 2011, humanitarian agencies had a limited presence in Mohmand, Bajaur and Kurram.

In light of the government's 2011 decision to give assistance only to those IDPs who were both vulnerable *and* from areas it had declared unsafe, international donors and agencies will have to decide whether they will use the official registry of beneficiaries, which is proven to be flawed, or IVAP's data as the basis for their interventions.

Note: This is a summary of IDMC's internal displacement profile on Pakistan. The full profile is available online [here](#).

Sources:

This overview is based on a review of publically available sources and interviews with 120 internally displaced households as well as 12 focus group discussions with internally displaced elders from Mohmand, Kurram, Orakzai and Khyber agencies in July and December 2010 and February and April 2011.

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people.

In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

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