

Some reflections on the return of IDPs in Pakistan

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In this short essay, I draw attention to the situation of internally displaced persons (IDPs) in Pakistan, focusing specifically on the difficulties faced by them from the moment they decide to return their homes. Given the complexities of the socio-political and economic situation in the country, some of the issues raised here may also be extended to other contexts. To focus this proposal, I shall deal with the concepts and definitions of the United Nations (UN) Guiding Principles on Internal Displacements (henceforth simply *Principles*) and restrict the analysis to the Swat Valley region, where conflicts have caused the largest displacement of persons in Asia in 2007 (IDMC, 2008).

On principles and concepts

First, however, let me address a few conceptual issues. From the readings of Frederico et al. (2007), I shall treat the displacement of persons simultaneously as a consequence of armed conflicts (albeit not only) and as a *process*, which begins at the moment people are forced to leave their homes. Thus, the issue of IDPs cannot be thoroughly understood merely in terms of artificial stages of displa-

cement, but as a whole process. Although the Principles (UN, 1998) adopt a sequential approach, I deem it useful to the objectives of this essay for the document highlights the problems most commonly faced by IDPs during the process of displacement and due to its broad acceptance by the international community.

Conceptually, the document considers internally displaced

persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border (UN, 1998).

I stress two main ideas from this concept: the involuntary nature of displacement and its circumscription to states borders. Involuntary nature because these persons have not left their homes due to free will, but they were forced to do so as a consequence of natural disasters, generalised violence or armed conflicts – to mention but the few causes explicitly stated in the aforementioned definition.

Since they were forced to leave their homes and they can rarely take more than their own clothes, these persons inevitably need some form of protection, as they cannot ensure their livelihood by themselves. Such responsibili-

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ty falls upon the state in which they are, once they have not “crossed an internationally recognized State border” – which would, therefore, turn them refugees. Hence, there is a clear influence of the traditional concept of state sovereignty in this working definition, and thus IDPs become a legitimate concern for the international community when that state refuses or is unable to guarantee such protection (Mooney, 2005).

The internal conflicts of Pakistan

For decades, Pakistan has suffered from corruption, institutional inefficiency and recurrent autocratic military regimes. More recently, the country has experienced a relative increase in internal fighting when the then President Pervez Musharraf ceased support for the Taliban regime, becoming one of the main Washington allies in the Middle East – albeit this is a rather dubious relationship (The Economist, 2008). Since then, in addition to supporting actions of intelligence, Islamabad has sent troops to combat Taliban in the large border with Afghanistan, especially in the Federally Administered Tribal Areas (FATA) and the North West Frontier Province (NWFP) – wherein the Swat Valley is located.

In the 1990s, the inhabitants of the province witnessed the emergence of the *Tehreek-e-Nafaz-e-Shariat-e-Mohammadi* (TNSM), an extremist Sunni group who, inspired by the Taliban, has sought to impose the Sharia in the region. Such attempt, however, were not much successful due to the counterweight of slightly more secular groups and parties (ICG, 2005). In 2001, following the US-led intervention in Afghanistan, the TNSM started recruiting

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combatants to fight alongside their allies. Although weakened by several deaths and arrests, the remaining militants rallied as a pro-Taliban armed movement and, from July 2007, they started combating the Pakistani government. In one of their first actions, the militants launched offensives in several cities in the Swat Valley in an attempt to create an Islamic state (ICG, 2006b).

In October, when TNSM has already gained control over about 60 towns in the region, the central government started responding with air bombings and military ground actions. These operations produced the largest displacement of persons in Asia in 2007, with estimates ranging from 400,000 to 900,000 persons – the official figures are not reliable and the Pakistani government hampers the access of international organisations for further investiga-

tions (IDMC, 2008, HRC, 2008).

The geographical limits with the FATA also contribute to the turbulence and instability of the NWFP for two reasons. First, because the Taliban who seek for shelter in the mountains of the tribal areas eventually reach the NWFP. Furthermore, there is an important flow of displaced persons from the FATA to the province: at least 80,000 people were forced to leave their homes towards the NWFP due to violent clashes in the tribal areas (IDMC, 2008).

The arduous return

There are several causes for displacement in Pakistan: earthquakes, cyclones, floods, armed conflicts and development projects in some areas (IDMC, 2008). Following the proposal stated in the first section, however, I have restricted this analysis to only one of these causes – armed conflicts – and to a single region – the Swat Valley, in the NWFP. They are now analysed in the light of the last section of the Principles, related to the return, resettlement and reintegration of IDPs (principles 28 to 30).

According to the Principles, the competent authorities are responsible for establishing the conditions and means for the voluntary return of IDPs or their resettlement in another part of the country, and for facilitating the process of reintegration (Principle 28.1). To achieve the objectives of this essay, I shall treat security as one of the conditions and the programmes and strategies aiming the return of IDPs as one of the means.

Since displaced persons have been forced or obliged to leave their homes “in particular as a result of or in order to avoid the effects” (see definition above) of widespread

violence and armed conflicts (among others), the ability of the competent authorities to provide them security becomes a crucial factor for their return. The perception of recurrent fighting or the feeling of insecurity in the Swat Valley, which have been reinforced by the failure of the

peace agreements signed between the central government and local forces (ICG, 2006a, 2006b), clearly discourages the return of displaced persons – or at least causes some delay. The lack of security (or the perception of insecurity) also affects the IDPs camps established by international organisations such as the UNHCR (IDMC, 2008, IRIN, 2008, HRC, 2008).

Islamabad, however, cannot guarantee such security to the displaced persons due to the lack of both economic resources and political capability. The prospects for the cessation of hostilities seem even less encouraging if we remember that the political turmoil in the country reflects, partially, inter-tribal tensions and, especially in the NWFP, tensions between the provincial and the federal authorities (UNHCR, 2007).

The programmes and strategies directed to the displaced persons are the means used to ensure their return “in safety and with dignity”. In this sense, authorities have to provide, amongst others, the safety of displaced persons in their journey back; the basic services in their place of origin, such as schools, roads, and health centres; and the reconstruction of local infrastructure, usually destroyed by the fightings. However, Islamabad does not promote any of these actions in the NWFP and the few ongoing initiatives – which are clearly inadequate – were initially proposed by the provincial governments (IDMC, 2008). Besides the differences in political interests that undermine the implementation of such actions, it is noteworthy to stress that

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the financial resources needed to establish and sustain those programs are scarce in an economy with inflation rates at about 30 percent – and in talks with the IMF to obtain emergency financial aids (The Economist, 2008b).

Attaining success in the return of those persons also requires the effective participation of IDPs in the planning and development of the actions and programmes aiming their return and reintegration (Principle 28.2). Including IDPs is an important step for undermining possible feelings of exclusion and for giving them a sense of dignity, frequently lost as a result of displacement (Frederick, 2007). Moreover, the interests of the IDPs can be very different, depending on the hardships suffered during the displacement and on the reality they face after returning home (IRIN, 2008, HRCP, 2008). Therefore, who is in a better position than the IDPs themselves, the target audience of those actions, to assert their needs? In the Swat Valley, however, the dialogue between local authorities and militants and the central government is precarious due to political and religious differences – even the peace agreements signed between Islamabad and the local forces have failed (ICG, 2006b, 2007).

Also according to the Principles, it is crucial that the returnees do not suffer any discrimination after their return (Principle 29.1). However, the Pakistani government has just incipient capabilities to address such issue, especially if we take into account the aspects of religion, gender and resentment. TNSM religious fundamentalism too often leads to bombings against music and video shops, Internet access local stations and schools for girls (IDMC, 2008). It is also possible that people who remained resent the return of those who have left their homes, a situation that can hamper the sharing of the already limited resources and

may proportionate discrimination regarding the use of the existing infrastructure. Finally, it is necessary to consider the role of women in the strategies of return, since they often assume new social roles when other family members die (Shoemaker, 2002) – too often, men remain in the Valley to guarantee their homes, but it is not infrequent that they become victims of the conflict before the return of their families (IDMC, 2008).

In regard to Principle 29.2, Islamabad is not able to ensure the recovery of IDPs’ property. In the Valley, after the first levy of displacement, many persons returned and found their homes destroyed as a result of the bombings carried out by the government troops (IDMC, 2008).

The virtual collapse of Pakistan’s economy makes any financial assistance or economic compensation for the returnees almost impossible. Moreover, with the weakened rule of law, Islamabad cannot even enforce the very right of property, hampering the conditions of those persons

who, after returning, find their homes occupied by others (IDMC, 2008) – who, in turn, pledge the right not to leave, since they have not “abandoned” the place.

With the clear debility of the central government, other states or organisations sought to assume the responsibility to protect the displaced. Humanitarian organisations, however, have been granted a restricted access to the Swat Valley, in a clear contrast to the last principle of the document in reference. Such access is limited or even inexistent due to both the precarious security conditions and to the Taliban militants, who threaten to attack the camps of displaced persons established by humanitarian organisations (IDMC, 2008). In the Swat Valley, whilst not completely impeding the access of those organisations – as in other regions of the country (IDMC, 2008) – the central government has limited the freedom of press, preventing some facts – such as the number of displaced persons – from being accurately assessed and published.

Final remark

In this brief essay, I sought to point out some of the difficulties faced by IDPs in their return to the Swat Valley. The case study was chosen due to the large number of displacements in 2007, but the difficulties in the region can be generalised to the entire country as the Pakistani state is unable to comply with one of its most basic functions: to ensure the safety of its citizens.

The analysis has found that the solution to the return of IDPs to the Swat Valley – just as in other regions or countries in similar situation – requires deep and long-lasting measures that tackle the root-causes of the conflict. Accordingly, any strategy that neglects the restoration of the Pakistani state, including strengthening the rule of law

and the economic activity, will be incomplete. Moreover, if displacement is to be understood as a process, it is also necessary to adopt simultaneously bottom-up and top-down strategies of action to the protection of IDPs, especially through their inclusion in the creation and development of such strategies and through the cooperation between the IDPs and civil society, provincial governments, international organisations and the central government.

However, if the circumscription of displaced persons to states border means that their protection is under the responsibility of the state in which they are, on the other hand, the absolute respect for territorial sovereignty prevents greater involvement of the international community in situations where the state is unable to meet such responsibility. It is therefore urgent to forge, within the international community, a better understanding on the serious limitations and implications of the absolute respect for the principle of state sovereignty (which clearly is reflected in the Principles), some of which I have sought to point out in this essay.

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