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**FRAMEWORK AND OPERATIONAL PROCESS FOR THE  
RETURN OR RESETTLEMENT OF PERSONS DISPLACED BY  
THE OCTOBER EARTHQUAKE**

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Returns Task Force  
Islamabad  
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## Introduction

The objective of this document is to outline the policy framework and operational process that will guide the support to be provided by United Nations (UN) agencies and humanitarian partners to the Federal and Provincial authorities in facilitating the voluntary, safe and dignified return or resettlement of persons internally displaced by the earthquake of 8 October 2005. It should be read in conjunction with and used to inform future revisions of the return strategies developed in each of the Hubs.

The *Framework* is based on international standards governing the return or resettlement of internally displaced persons, in particular the *Guiding Principles on Internal Displacement*. It also reflects the findings of consultations undertaken by the Returns Task Force in Islamabad and the four Hubs with representatives of the Federal and Provincial authorities, the Pakistani military, UN agencies and humanitarian partners, and the affected population.

The central tenet of the *Framework* is that the UN and its partners are ready to support the authorities in facilitating the return or resettlement of the displaced, in particular by providing transport assistance to returnees. However, while partner agencies have begun planning the logistics of movement, in order to meet the requirements of voluntary, safe and dignified return, the assisted movement of the displaced must be seen as the last stage of a process and one that is preceded by:

- the provision by the authorities (with the support of the UN agencies and partners) of accurate and reliable information to the displaced in order to enable them to make a free and informed choice; and
- the establishment by the Protection Cluster in each Hub of a mechanism for comprehensive monitoring and reporting on all aspects of the return process in order to anticipate and identify problems early-on, and to ensure that return is voluntary and takes place under conditions of safety and dignity.

In the absence of sufficient information for the displaced, including on alternatives to return, the involvement of the UN and its partners in the returns process should be limited to monitoring and reporting on the process only.

### 1. Background and Context

Approximately 3.5 million people have been affected by the earthquake that struck northern areas of Pakistan and India on 8 October 2005, with some 73,000 people losing their lives. Available statistics indicate that over 297,000 displaced persons are currently living in camps in NWFP and PAK and other areas of Pakistan.

OVERALL IDP FIGURES BY LOCATION <sup>1</sup>		
Location	Hub	Individuals
NWFP	Mansehra	134,716
	Batagram	25,178
PAK	Muzaffarabad	111,369
	Bagh	5,846
ISLAMABAD	--	14,903
CHAKWAL	--	2,362
ATTOCK	--	2,846
Total		297,220

<sup>1</sup> Figures for NWFP and PAK are based on information provided in the four Hub-based return strategies. Figures for Islamabad, Chakwal and Attock are based on the preliminary findings of the UNICEF and UNFPA sponsored *Earthquake Vulnerability Assessment Pakistan 2005-06*.

As the end of winter approaches and the emergency phase of the humanitarian operation begins to wind down, the attention of the Federal and Provincial authorities and the response community has shifted to the return of the internally displaced and to the reconstruction and rehabilitation of their areas of origin. In this connection, the authorities in NWFP and PAK intend to begin the process of return and camp closure and consolidation (for those unable to return, pending a more durable solution) as of 10 March and 31 March respectively.

There is an understandable desire and, in the case of the less well-served spontaneous camps, a pressing need (in the absence of improved service delivery) for the displaced to leave the limbo of camp life and return to their areas of origin in order to re-start their lives and benefit from reconstruction and rehabilitation activities in those areas. At the same time, however, it is incumbent upon the Federal and Provincial authorities, the Pakistani military and the broader response community to ensure that any such return is undertaken in a manner that fully meets the requirements of voluntary, safe and dignified return or resettlement.

## 2. Key Elements of the Return Process

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Based on existing international standards, particularly those contained in the *Guiding Principles on Internal Displacement*, there are a number of key elements that must be taken into account by the authorities and the response community in the planning and implementation of the return process in order to ensure that the return or resettlement of the internally displaced is voluntary, safe and dignified as well as sustainable:

- **Awareness** - Ensure that the displaced are informed of their rights as provided for in the *Guiding Principles on Internal Displacement*.
- **Participation** - Ensure that the views of the displaced, particularly women and children, are actively and continually integrated into the planning and management of the return or resettlement process. The displaced will often possess the most accurate information on conditions affecting their return and will be in the best position to judge their needs.
- **Information** - Establish mechanisms for the assessment and dissemination of accurate information on conditions in areas of return, the modalities of the return process and support to which the displaced are entitled, such as for housing reconstruction.
- **Protection** - Ensure monitoring and tracking of the return and resettlement process, including ensuring that the principle of voluntary, safe and dignified return and other rights provided for in the *Guiding Principles* are upheld and addressed if necessary, including that no one is deprived of shelter during the return or resettlement process.
- **Women, Children and Vulnerable Groups** - Ensure throughout the return or resettlement and reintegration process that specific attention is paid to the protection of vulnerable groups among the displaced population, including but not limited to women and children, in particular pregnant women, female-headed households, unaccompanied minors, older persons and the disabled.
- **Recovery and Rehabilitation** - Ensure that the return and resettlement planning process is supported by longer-term recovery and rehabilitation plans to ensure the sustainability of the return.
- **Supporting Return Not Creating It** - Consideration must be given to the manner in which and the extent to which the distribution of assistance influences decision-making by the displaced and return movement (particularly in the absence of key information messages).

## 3. Ensuring Voluntary, Safe and Dignified Return in the Post-Earthquake Context

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Applying these key elements to the specific context of post-earthquake Pakistan, and taking into consideration consultations undertaken by the Returns Task Force in Islamabad and the Hubs, the central tenet of this *Framework* is that that UN and its partners are ready to support the authorities in facilitating the return or resettlement of the displaced and in particular by providing transport assistance to returnees. However, while partner agencies have begun planning the logistics of movement, in order to meet the requirements of voluntary, safe and dignified return, the assisted movement of the displaced must be seen as the last stage of a process and one that is preceded by:

- the provision by the authorities (with the support of the UN agencies and partners) of accurate and reliable information to the displaced in order to enable them to make a free and informed choice; and
- the establishment by the Protection Cluster in each Hub of a mechanism for comprehensive monitoring and reporting on all aspects of the return process in order to anticipate and identify problems early on, and to ensure that return is voluntary and takes place under conditions of safety and dignity.

In the absence of sufficient information for the displaced, including on alternatives to return, the involvement of the UN and its partners in the returns process should be limited to monitoring and reporting on the process only.

#### **Provision of accurate and reliable information**

- The relevant authorities (in particular the Federal Relief Commission (FRC) and the Earthquake Rehabilitation and Construction Authority (ERRA)) must provide clear and consistent information to the displaced on all aspects of the return process, notably:
  - What is the situation in the area I am returning to?
  - How and when can I return?
  - What are my options if I am vulnerable or someone in my family is vulnerable?
  - What support can I expect for shelter reconstruction?
  - What are my options if I cannot or do not want to return?
- Included in this will be the need to ensure that IDPs residing in NWFP and returning to PAK (and vice versa) are provided with information specific to the province to which they will return which will in turn require coordination between the Hubs, in particular between Mansehra and Muzaffarabad.
- It will be essential that OCHA-Islamabad provide clear guidance to the Hubs on the precise content of the key messages for the return and that will provide the basis for the mass information efforts in the Hubs.

#### **Protection monitoring and reporting**

- As in any return situation in which the UN is involved, the establishment of an independent mechanism for monitoring and reporting on the return process will be critical for anticipating or identifying problems early on, and for ensuring that return or resettlement takes place voluntarily and under conditions of safety and dignity.
- Under the cluster arrangement, responsibility for monitoring and reporting lies with the members of the Protection Cluster, under the leadership of UNICEF. Steps are being taken in each of the four Hubs to establish the required mechanisms. The Protection Cluster in Islamabad must be kept informed of such developments in order to ensure that it can provide additional support and guidance as required.
- Monitoring and reporting mechanisms should be comprehensive in scope and cover:
  - pre-departure period, including monitoring mass information efforts to ensure that the information provided is correct and consistent;
  - departures from the camps, to ensure the voluntary nature of the return, family unity;
  - routes of return, to ensure safety of returnees;
  - areas of return, particularly with regard to land and property issues, including access of widows to land and property belonging to deceased husbands; integration of returning vulnerable persons, including orphaned and separated children.
  - residual caseload of those unable to return (vulnerable persons, the landless, the urban displaced).
- Provision must be made for information sharing between the Hubs, both within and across provinces; and for regular reporting on the return from the Protection Clusters in the Hubs to the Protection Cluster in Islamabad. The latter should refer specific concerns that cannot be addressed at the local level to relevant members of the Cluster for appropriate response or the Deputy Humanitarian Coordination (DHC) and, if necessary, the Humanitarian Coordinator (HC).
- Connected to this is the need to monitor and report on movement of displaced persons from camps in Islamabad and other locations outside the earthquake affected area (see below).

### Transportation assistance

- The physical environment to which many of the displaced will return poses a considerable challenge and indeed, risk to the safety of returnees. The conditions of many of the routes of return are poor and in many cases unpredictable due to frequent landslides in some areas, particularly during periods of rain.
- Concerns also exist as to the roadworthiness of private vehicles that will be used to facilitate the return of the displaced, as well as the risk that the principal interest of private contractors will be to complete the job as quickly as possible rather than the safety of those they are transporting.
- Against this backdrop, and following a request from the authorities for assistance, the response community has agreed to provide transportation assistance. It must be understood, however, that ensuring the safety of the returnees has a number of implications, including for actors beyond the immediate response community:
  - Roads will need to be assessed in terms of their safety for transport of the displaced. To the extent that UN staff will be travelling on the roads in order to undertake monitoring, roads will need to be cleared by UNDSS and staff given appropriate security clearances. All of this needs to be factored into the planning process.
  - Medical screening of vulnerable persons will need to be undertaken prior to transportation and medical assistance available along routes of return.
  - Vehicle maintenance points will need to be established and vehicles checked regularly.

### 4. Additional Issues

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As well as these more immediate concerns, there are additional issues connected to the return process that have arisen and in regard to which the Heads of Cluster have agreed the following, based on the recommendations of the Task Force.

#### Intentions survey

- There has been discussion in the Hubs of the need to undertake an intentions survey among the displaced in both official and spontaneous camps.
- Such an initiative has obvious value. However, given that returns have already commenced in NWFP and will begin in PAK at the end of March, insufficient time exists to undertake such an initiative. Moreover, given that the displaced lack sufficient information on their return options it is not clear to what extent such an exercise would be really reflective of the intentions of the displaced.
- Instead it is recommended that a “constraints” survey be undertaken of the residual caseload (in both spontaneous and planned camps) once the initial phase of returns has stabilised in both NWFP and PAK. The survey would seek to ascertain why the displaced remain in the camps and their intentions for the future, so as to help facilitate future return and assistance planning and the search for durable solutions.
- This exercise should be jointly undertaken with a registration of the residual population in all camps, planned and spontaneous.

#### Return assistance (beyond transportation)

- There is a need for guidance to the Hubs on the precise support that will be provided to returnees in terms of non-food items, including whether such support is genuinely required.
- There is no consistency between Hubs on the support that will be provided to returnees in terms of non-food items. This risks raising expectations among displaced persons residing within the operational vicinity of one hub (where assistance will be provided to returnees) but returning to another (where assistance will not be provided). In addition, agencies in some Hubs lack sufficient supplies of certain items to ensure uniform distribution among returnees.
- Given the widespread view that the displaced have been provided with sufficient non-food items, the Heads of Cluster agreed that return assistance packages should not be provided to individual returnees and that any distributions that are in process should cease. To the extent that individual agencies and NGOs would like to distribute excess stocks of NFIs, this should be considered on a community-basis following the return movement or in advance of next winter.

### Monitoring food needs

- Final food distributions will take place in the camps in March. It is widely anticipated that the return process will take longer than envisaged by the authorities. As such, it is reasonable to expect that there will still be displaced populations in camps in NWFP and PAK for the coming three to six months.
- Food needs of this group will need to be monitored during this time and additional assistance provided as required.

### Residual caseload

- It is widely acknowledged that there will be a significant residual population in the camps, both official/planned and spontaneous, composed of persons who are unable (or unwilling) to return to their homes. They may for instance be landless or urban displaced, vulnerable (while recognising that being vulnerable is not an automatic barrier to return), or may be unwilling to return due to concerns about conditions in areas of return, such as the possibility of future earthquakes, landslides etc.
- Although the extent of this caseload and their needs remain unknown for the time being, there will be a need to revisit the level and type of support to be provided to this caseload, including in terms of meeting their food and shelter needs, particularly during next winter.

### Monitoring camps outside the earthquake affected area

- Approximately 20,000 displaced persons reside in official camps around Islamabad and elsewhere outside the earthquake affected area. It will be essential to ensure systematic monitoring and reporting to track movements from these camps with a view to providing information to the Hubs on the arrival of possibly large numbers of displaced persons, many of whom, in the case of the urban displaced, will not be able to return to their homes but will become part of the residual caseload.
- It will be essential to ensure that movement of these populations should be preceded by an analysis of the absorption capacity in areas of return.
- The Protection Cluster in Islamabad will incorporate this caseload into its monitoring activities.

### Security

- With regard to Mansehra only, there is an urgent need to review current security arrangements concerning police escorts. This will impose serious constraints on operations during the return process when international presence at the camps, along routes of return and in areas of return will be essential.

## 5. Implementation and Follow-Up

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- The Returns Task Force in Islamabad will continue to act as focal point for returns issues and report to the Heads of Clusters. It will provide guidance and support to the Hubs on the implementation of their respective return strategies. Membership of the Task Force will be expanded to include representatives of UNICEF, WFP and UNDSS.
- The *Framework* will be disseminated to the Hubs by the DHC. The Hubs are requested to review their existing return strategy documents and ensure that they reflect the *Framework*, making revisions as necessary.
- The Return Task Forces in each of the hubs will draw up operational return plans (using the *Operational Process for Returns* in Annex 1 as a guide) based on the *Framework* and their respective (and revised) return strategies which should be submitted to the Returns Task Force in Islamabad.
- OCHA Field Coordinators will provide daily updates on the return process (including on issues of camp consolidation and relocation, and residual caseloads) to OCHA-Islamabad, highlighting issues of concern and recommended actions. OCHA Islamabad to ensure regular dissemination of information and briefings to the authorities and the wider humanitarian community on the return process.
- The Protection Cluster in Islamabad will prepare an *aide memoire* to assist the Protection Clusters in the Hub in establishing the required monitoring and reporting mechanisms.

**ANNEX 1 - OPERATIONAL PROCESS FOR RETURNS**

Process	Details	Activities	Agency/Cluster
Information	<ul style="list-style-type: none"> <li>■ All stakeholders, same messages</li> </ul>	<ul style="list-style-type: none"> <li>■ Messages Pak Gov (who, what, where, when and how, including but not limited to compensation)</li> <li>■ Timeline for release of information</li> <li>■ Public information campaign</li> </ul>	ERRA, FRC, CMO/RRC, PAKMIL PROTECTION, UNHCR
Registration	<ul style="list-style-type: none"> <li>■ Update registration information</li> </ul>	<ul style="list-style-type: none"> <li>■ Formal and Planned Camps                             <ul style="list-style-type: none"> <li>○ Confirm all registration information on all formal and planned camps create an exit form for tracking</li> </ul> </li> <li>■ Spontaneous Camps                             <ul style="list-style-type: none"> <li>○ Assign a Provincial focal point (RRC or CMO) for those who request assisted return create an exit form for tracking</li> </ul> </li> <li>■ Identify vulnerable(s) in all camp settings</li> <li>■ Identify areas, routes of return</li> </ul>	CMO/RRC UNHCR PROTECTION OCHA
Monitoring	<ul style="list-style-type: none"> <li>■ Pre-departure, departure, en route, and areas of return</li> </ul>	<ul style="list-style-type: none"> <li>■ Identify (as per protection advice) vulnerable and their families that are willing and able to travel</li> <li>■ Protection Cluster monitoring pre-departure</li> <li>■ Assess (sampling) of voluntariness of return</li> <li>■ Record any complaints upon arrival (lost belongings etc)</li> <li>■ Community based monitoring in village of return (coordinated by the Protection Cluster)</li> <li>■ Report concerns and take appropriate action</li> <li>■ Identify and contact health services along the route</li> </ul>	PROTECTION CBO UNHCR IOM HEALTH
Pre-departure process	<ul style="list-style-type: none"> <li>■ Medical screenings, manifest, vulnerable(s)</li> </ul>	<ul style="list-style-type: none"> <li>■ Determine who needs transport (establish distance limitation)</li> <li>■ Simple medical screening required for all - at point of departure (short process integrated with manifesting of passengers)</li> <li>■ Make arrangements for tents (female/male) to be used for medical screening</li> <li>■ Coordinate (pre-departure) with Protection Cluster to ensure that social service or other support required is provided in the area of return</li> </ul>	PROTECTION CBO Local Gov IOM

Transportation	<ul style="list-style-type: none"> <li>■ Vehicles and maintenance</li> <li>▪ Belonginings</li> </ul>	<ul style="list-style-type: none"> <li>■ Driver training</li> <li>■ Ensure that the drivers have rest periods</li> <li>■ Establish maintenance schedule</li> <li>■ The Task Force recommends that vehicles be hired on total movement contracts and not daily contracts</li> <li>■ Protection lead vehicle</li> <li>■ Special arrangements to transport vulnerable(s)</li> <li>■ Extra passenger vehicle for breakdowns</li> <li>■ Considerations: <ul style="list-style-type: none"> <li>○ Live stock will not be transported</li> <li>○ Safety considerations (no fuel/kerosene to be transported)</li> </ul> </li> </ul>	IOM PROTECTION
Safety	<ul style="list-style-type: none"> <li>■ Route safety, road security and security clearances for UN staff (where required)</li> </ul>	<ul style="list-style-type: none"> <li>■ Assess and establish which routes are safe for return</li> <li>■ Provide continuous route monitoring and confirmation that the route is safe on day of departure</li> <li>■ Set up and establish a process with UNDSS to provide UN staff with security clearances when applicable</li> <li>■ Establish a safe number of vehicles that can move without further route deterioration</li> <li>■ Arrange for one way traffic control on narrow routes when necessary with the local police</li> <li>■ Establish a movement schedule based on safest routes/community readiness to return</li> <li>■ Create a process of UN Security clearances which ensures delays are minimal</li> </ul>	UNJLC UNDSS IOM Pak Gov/Police
Inter-Hub Coordination	<ul style="list-style-type: none"> <li>■ Returning case loads dispersed between hubs and regions</li> </ul>	<ul style="list-style-type: none"> <li>■ Cross hub coordination meetings - additional case loads</li> <li>■ Exchange registration information</li> <li>■ Coordinate movements based on the readiness of receiving communities</li> <li>■ Discuss and agree to an NFI approach that treats all as equal (spontaneous and planned)</li> </ul>	All stakeholders