



THE WAR AGAINST TERROR AND THE ISSUE OF INTERNALLY DISPLACED PEOPLE IN PAKISTAN IN THE POST9/1 PERIOD

Saira Bano Orakzai

Abstract

The War against terror has placed a heavy cost on Pakistan's social, economic and political sectors. This war, which continues since September 11, 2001, has not only changed lives of those who suffered the attacks of September 11 but also millions of people in Pakistan who had no direct role to play in this war. The issue of internally displaced people (IDPs) is acute in Pakistan in the wake of war against terror despite the claims by the government of that they have settled this issue. The displacement has been aggravated by the floods and ongoing military operations in affected areas. This paper analyses the issue of displacement in Pakistan from both the humanitarian and political/ social aspects. It also examines the impact of displacement on these communities and the war against terror in general by considering the peace building theories for ideas for the possible end of this conflict.

Keywords: *militancy, Taliban, displacement, war against terror, peace-building*

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Subscription: JID is a Free Open Access Journal

Archives: <http://journalinternaldisplacement.webs.com/archives.htm>

Submission (January 2012 Edition): <http://journalinternaldisplacement.webs.com/announcements.htm>

JID is produced and published by EV Research Inc. – www.evresearch.ca

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THE WAR AGAINST TERROR AND THE ISSUE OF INTERNALLY DISPLACED PEOPLE IN PAKISTAN IN THE POST9/11 PERIOD

Saira Bano Orakzai

Introduction

The issue of internal displacement has become one of the most acute problems facing Pakistan in the post September 11, 2001 era. This paper considers the end of internal displacement in Pakistan and emphasizes the challenges faced by internally displaced people (IDPs) after the displacement, which is becoming protracted due to the ambiguous nature of the possible ending of the war against terror. It examines two options for the displaced people: integration in the area of displacement or a return to their place of origin. The paper highlights the possibility of ending protracted displacement of people by the government of Pakistan and humanitarian organisations by proposing application of peace-building theories for a solution to the problem.

The Talibanisation and military operations that prevailed in Pakistan since 2001 have caused the massive numbers of these IDPs to move. The forced displacement of people during the military operations launched by the government of Pakistan since 2007 led many people to flee the rural areas and move to the urban areas. These terrorist attacks have gravely affected Pakistan's stability and internal security along with social, political and economic challenges, which the government faces. The most important challenge the government faces is the resettlement of 1.7 million (2009), now in 2011 2.7 million IDPs in both the Tribal Areas and the settled areas of Swat and Dir. There is also stiff pressure from neighbouring countries as this crisis is having a severe spill over effect in the form of a rise of militancy and terrorist activities from the movements, which had been docile for some time.

The statistics of May 2011 show that almost one million people from the Federally Administered Tribal Agencies (FATA) were registered as IDPs composed of 350,000 from Bajur, 273,000 from Waziristan, 245,000 from Mohmand while there were thousands of unregistered IDPs from other tribal agencies.¹ There has been some confusion concerning the counting of IDPs, due to the fact that most of the IDPs preferred to stay with host families and in rented places due to lack of immediate facilities for the IDPs in the camps. The inability of government to deal with such crisis on emergency basis along with financial constraints and the lack of infrastructure to support such massive number of IDPS has put pressure on international agencies and donor countries to play an active part in the solution of this issue.

¹ Profile: Pakistan: Return Continue in some areas but Comprehensive IDP Policy needed", Internal Displacement Monitoring Center, Norwegian Refugee Council, 4. <http://www.internal-displacement.org/countries/pakistan>, Accessed April 23, 2011.

Although it was to be a short-term displacement, the inability of the government to handle the problems faced by IDPs and the lack of recognition of their status is creating a long-term problem. This has also resulted in a complicated situation between the IDPs and the host communities as the people of the North Western Pakistan have hosted millions of Afghan refugees since 1979 and now the flow of IDPs is again creating economic, social and political problem. The lack of resources and the political climate of the region create more problems for the IDPs. Moreover, return requires a precondition of reconstruction and reconciliation initiatives for the conflict zones in order to have peaceful resettlements.

Displacement, whether protracted or short term, poses several challenges in the lives of the displaced people with political, social and economic dimensions. Furthermore, other issues like state mechanism of protection, humanitarian intervention by the international community and IDP-host relations also create many issues for the displaced people. This region has hosted Afghan refugees since 1979, so it is important to make a distinction between refugees and IDPs as during the initial days of the conflict, these IDPs were referred to in blanket term as refugees. The definition of refugee is different from IDPs as a refugee is a person who crosses international borders and seeks refuge in another country while the definition of Internally Displaced Persons is derived from the UN Guiding Principles on Internal Displaced introduced in 1998 which defines IDPs as

persons or groups of persons who have been forced to flee or obliged to flee or 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 generalised violence, violations of human rights or natural or manmade disasters, who have not crossed an internationally recognised State border.²

Both refugees and IDPs fall under the protection of UNHCR. According to Zard, the Guiding principles for IDPs “articulate a normative framework within which to coordinate the efforts of various governmental, intergovernmental, and nongovernmental actors engaged in providing protection and assistance to the internally displaced. They identify the rights and guarantees relevant the protection of IDPs in all phases of displacement. While it is not a binding legal instrument, the document reiterates established principles of international human rights and humanitarian law”.³

IDPs have some advantages when compared to refugees as they are nationals of their own state, which puts certain obligations on the state to protect them as it does for all its citizens. But internally displaced people are vulnerable to violence, violations of human rights, security and discrimination due to a lack of documentation and harassment by the host community.⁴ Conditions become problematic when the insurgent group shares the same identity as that of IDPs as is in the case of Pakistan. One

² United Nations Guiding Principles on Internal Displacement, 1998, Para 2,3 (1) and 4. <http://www.unhcr.org/refworld/docid/3d4f95e11.html>, Accessed May 2, 2011.

³ Zard, Monette, “Towards a Comprehensive Approach to Protecting Refugees and Internally Displaced”: in *Human Rights and Refugees, Internally Displaced Persons and Migrant Workers: Essay in Memory of Joan Fitzpatrick and Arthur Helton* by Anne F. Bayefsky (ED), Leiden : Martinus Nijhoff, 2006, 17.

⁴ Ibid; 6.

of the serious problem IDPs face pertains to the challenges to accessing protective mechanisms as the international community's mandate in regard to IDPs is unclear.⁵

Therefore, this paper focuses on two important aspects of displacement, that is, question of return and integration with the host community. In order to address the needs of IDPs, a strong emphasis on durable solutions is important. This needs to be supported by the end of conflict and violence in the area to make condition easy for them. Beyond ending the conflict violence and improvements in security situation better livelihood opportunities for the returnees are also necessary. Thus post conflict reconstruction is one of the vital aspects of durable solutions.

There are numerous reasons for the lingering of the IDPs problem in the area. It needs an understanding of the issue of the conflict, which this area has faced since 2001 in order to have a meaningful solution for a post conflict scenario. During the military operations, the IDPs left their homes for security reasons. Due to a lack of trust in the government, many of the IDPs are living with host families who are their relatives, or have purchased land or rented a place instead of living in the poorly equipped IDP camps. Furthermore, there is no political will on part of the government to acknowledge the problems of IDPs.

The question of durable solutions cannot be addressed due to the historical context, political-social and economic conditions until the role of the IDPs in seeking the solutions are also included. Thus, this paper will first explore the conflict which generated the problem of IDPs, then the problems facing them and lastly the application of peace-building theories to settle this problem in the context of Pakistan.

The Background of the Conflict

The Federal Administrated Tribal Areas (FATA) is located on the border of Pakistan's North West Frontier Province and Afghanistan. The border with Afghanistan is 600 km long (known as the Durand Line) and the area of FATA is 27,500 square miles. ⁶This region is the centre of war against terror as it is considered as the sanctuary for the *Talibans* and Al Qaeda members due to its difficult terrain - the 'tribal belt is a tangle of difficult mountains intersected by long narrow valleys, innumerable gorges and torrent beds interspersed with patches of cultivable land'.⁷ Tribal customs, especially the code of honour *Pukhtunwali*, that is, hospitality (*Melmastia*) and not handing over the guest under their protection (*Nanawati*), retaliation (*Badal*), honour (*Nang*) and one who shares the same shadow (*Hamsaya*) are the basis on which these people obtained refuge in this area.⁸ The local people are called *Pushtuns* or *Pukhtuns* and are divided into many tribes. The entire region consists of seven tribal agencies, that is, Bajur, Khyber agency, Kurram, Mohmand, Orakzai, South Waziristan, North Waziristan and federal regions.

⁵ Adelman, H, 'Protracted displacement', in :*Protracted Displacement in Asia: No Place to call Home*, Ashgate Publishing Limited, 2008, 1-2.

⁶ Shuja .N, "FATA The Most Dangerous Place: Meeting The Challenge of Militancy and Terror in the Federally Administered Tribal Areas of Pakistan", Centre for Strategic and International Studies ,Washington D.C: 2009, 1. Accessed September 15, 2011

http://csis.org/files/media/isis/pubs/081218_nawaz_fata_web.pdf ,1.

⁷ Noor ul Haq, Rashid A. K, and Maqsoodul H.N, "Federally Administered Tribal Areas of Pakistan", *IPRI Papers*, Islamabad, March 2005, 1. www.ipripak.org/papers/federally.shtml, Accessed June 12, 2011.

⁸ Shahid .A, Chris .S, Thomas. W, "The *Talibans* : Organisational Analysis", *Military Review* , May- June 2008 , 61

This is the most under developed area of Pakistan with a literacy rate of 17 percent with female literacy as low as 3 per cent.⁹ This region had an independent status as at the time of partition in 1947, and an agreement with the government of Pakistan assured its continuing special status. During the time of British, rule it served as a strategic zone against the Russian Empire, which led to its administrative management under indirect British control. This system has been maintained till now under the Federal Crime Regulation Act and the national political processes are not completely practiced in the area, though some political reform have been made to include the area into the mainstream political process.

This entire region borders Afghanistan and has continuing historical, ethnic, religious and linguistic links. It was a part of Afghanistan before the Durand Line agreement was signed between the British and Afghan government in 1893. As reported in the International Crisis Group report of December 2006, after the US led attack in Spinghar near Tora Bora in 2001 and operation Anaconda in Shahikot valley in Paktia in 2002, some 500-600 Arabs, Uzbeks and Chechens took refuge in these areas.¹⁰ These people were given refuge and protection under the *Puhktun* custom of *Melmastia* (hospitality), which calls for protection and hospitality of anyone who seeks shelter in the house of a Puhktun irrespective of any condition or relationships.¹¹ The control of *Talibans* over this entire belt has created problems for US and NATO forces in Afghanistan as they frequently disrupt their supply route, which is mostly through Pakistan.

The tribal areas of Pakistan's North West region are the flash point of the war against terror as it has become the safe haven to all those who fled Afghanistan after US and coalition forces attacks post 11 September 2001. The military operations by Pakistan's security forces and drone attacks by coalition forces have resulted in a backlash in the form of a massive upsurge of suicide bombing in Pakistan and attacks on civilian and military installations which has put doubts on Pakistan's ability to handle these militants and the safety of its nuclear arsenals. The US government is pushing Pakistan for more efforts to tackle these militants by giving economic aid and anti-terrorist aid.

Brief History of Talibatisation and Its spread to Pakistan

During the Afghan *Jihad* 1979, not only *Jihadi* (Holy warrior) culture armed with sophisticated weaponry flourished, with the funding and support of USA and Saudi Arabia but the opium trade became a source of income for these *Jihadis* to support their activities along with smuggled and illegal good which made these areas a safe haven for smugglers and drug barons.¹² It was in this period that Muslims from all over the world came to participate in the *Jihad*, and were trained in the *Madrassas* (religious seminaries), the curriculum of which was prepared with the help of CIA and USAID in

⁹ "Pakistan's Tribal Areas: Appeasing The Militants", *Asia Report* No 125, International Crisis Group, December 11, 2006, 9.

. <http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan/125-pakistans-tribal-areas-appeasing-the-militants.aspx>, Accessed May 10, 2011.

¹⁰ International Crisis Group Report, 2006

¹¹ Shahid .A, Chris. S, Thomas. W, op:cit, 61

¹² Hamza Alavi, "Pakistan Between Afghanistan and India", *Middle East Report*, no 222 (spring 2002),25. <http://www.jstor.org/stable/pdfplus/1559267.pdf?acceptTC=true>, Accessed April 10, 2011.

order to prepare people for *Jihad*.¹³ This not only led to the rise of religious based militancy but also a massive influx of refugees in Pakistan. Rahimullah Yosafzai observes that the ‘ the roots of Islamic militancy lie in the regional and international patronage of religious extremist during anti Soviet *Jihad*, during the Afghan civil war and Taliban rule which radicalised the area’.¹⁴

Talibanization, which appeared in Afghanistan in post civil war era in 1995-96, started as a religious/ political movement by the students (*talibs*) of seminaries in Afghan refugee camps based in Pakistan with the chief aim of improving law and order, bringing peace and giving security to people through the application of Islamic rule in the country. Pakistan was the force behind creation of this movement, for strategic reasons aimed against her archrival India and also for economic reasons of getting safe passage to Central Asia, which obtained independence in 1990s and was considered an important economic market for Pakistan.

In this policy, other actors like Saudi Arabia and USA played an important role as the *Talibans* were Sunni Muslims following Wahabi/ Deobandi version of strict Islam while USA had its own economic /political interests in pursuing this policy. This gave all these actors political leverage against their rivals like Iran, Russia and India and served their economic and strategic purposes. But in this scenario, *Talibans* gave refuge to those movements and leaders who were either struggling against their governments or western countries, and were also former *Jihadis* of Afghan–Soviet *Jihad* of 1979. These included Osama bin Ladin and other Al Qaeda leadership; the Islamic movement of Uzbekistan (IMU); Chechnyan Muslims fighting against Russians; Uyghur Muslims struggling against Chinese rule and Kashmiris against Indian rule. Ahrari observes that this ‘phenomenon is based on the notion of *Ummah* . It de-emphasizes such exclusivist characteristics of a modern day nation state as nationality, ethnicity and tribal identity’ and provides a binding force to all these movements.¹⁵ While Ahmad Rashid observes that the ‘state breakdown in Afghanistan offered militants from Pakistan, Iran, Central Asian republics and China’s predominantly Muslim Xinjiang province a tempting package deal: sanctuary and financial support through smuggling’.¹⁶

Stephen Blank considers that after so many years of wars, ‘Afghanistan is nowhere close to a level of stability and security due to warlords and terrorist penetration that can allow the United States to withdraw from there. And without stability in Afghanistan, Central Asia comes under immediate and direct risk’.¹⁷ FATA has been now considered to be the breeding ground of many Islamist who came to this region during the Afghan war of 1979 and the supporters of Al Qaeda from different regions of the world including Central Asia, the Far East, the Arab world, and Europe for the purpose of getting training in order to continue their struggle back home against either the repressive regimes or trying to change the system of government to Islam.

¹³ The Story of *Jihadi* Curriculum in Pakistan”, Research Report, Centre for Research and Security studies, Islamabad, www.crss.pk/rreports/php, Accessed July 3, 2011.

¹⁴ International Crisis Group, Rahimullah Yusafzai, 23 May 2006. Cited in “Pakistan Tribal Areas ; Appeasing the Militants” , *Asia Report* N 125- 11 December 2006 .

¹⁵ M.E.Ahrari, “China, Pakistan and The Taliban Syndrome”, *Asian Survey*, Vol, XL No 4, July –August 2000,666.

¹⁶ Ahmad Rashid , “The Taliban: Exporting Extremism”, *Foreign Affairs*, November/December 1999, 2.

¹⁷ Stephen J.Blank, “Strategic Effects of Conflict with Iraq: Post Soviet States”.

www.strategicstudiesinstitute.army.mil/pdffiles/PUB181.pdf , Accessed June 15, 2011.

September 11 and spread of Conflict to FATA and Swat valley

Since September 11, the Tribal areas have been declared a war zone due to frequent US drone attacks which are greatly resented by the local people as they result in the killing of innocent civilian in order to target the foreigners. According to Dr Maleeha Lodhi (former ambassador of Pakistan to UK and foreign policy analyst), this strategy of increasing drone attacks, an additional 21,000 troops in Afghanistan and funds for anti-terrorism will 'unite the militants on both sides of the border'.¹⁸ The revival of the Tehrik-e-Nifaz-e-Sharait Mohammadi (TNSM, the religious organisation of Swat region responsible for militancy and violence) happened On October 31, 2006 when a *Madrassah* in Bajaur Agency (FATA) was attacked by US missiles killing eighty students, who mostly were below the age of twelve. Among the victims were Maulana Liaqat Ali (leader of TNSM) and the brother of Maulana Fazulullah (son-in-law of Sufi Mohammad, founder of TNSM) who declared revenge and formed the militant faction of TNSM.¹⁹

The regional strategic fallout coupled with the domestic problems of suicide bombing, internally displaced people, lack of effective strategy for military operations has created domestic unrest and the flare up of ethnic tensions in the country. The impact of the conflict in tribal areas and Swat will be felt in coming years not only in an economic sense but socially, politically and culturally also . This has badly affected the economic growth of the country, which has fallen from 6% in 2008 to 2.5% in 2009. The Wall Street journal reports that the conflict has costs Pakistan \$35 billion. Along with this, the new US AfPak (Afghanistan /Pakistan) policy presented by President Obama on 27 March 2009²⁰ rests on the approach to counter terror missions and nation building agenda in order to save Pakistan from becoming a '*Jihadi state*'.²¹

The economy of Pakistan has suffered much due to this conflict. The estimates of the Finance Ministry show that Pakistan has suffered indirect losses of \$678 billion in 2008/09. The direct cost of war for Pakistan in 2008-09 reached \$114.03 billion. Indirect costs include the loss of exports export and foreign investment, tax collection, human displacement, unemployment, loss of agricultural production in conflict zones along with industrial / business losses. Sarhad Chamber of Commerce requested the government to declare the province as a war affected zone due to heavy loss to its economy due to conflict and the displacement of people.²²

The Displacement of People from the Conflict Zones

In the post 9/11 era, the large scale displacement of 2.7 million people occurred in the Swat and the Tribal areas of Pakistan. This displacement was triggered by the capture of Swat Valley by the Taliban in 2007 followed by military operations by the government forces in 2009. It is considered as the largest displacement in the country's history since the partition of the subcontinent in 1947. This was followed by displacement of 7 million

¹⁸ Maleeha Lodi, Obama Strategy: Risks and Opportunity, *The News*, April 04, 2009.

<http://www.opfblog.com/7323/the-obama-strategy-risks-and-opportunity/>, accessed May 20, 2011.

¹⁹ 80 die in Air Attack on Bajaur Seminary, *The News International*, October 31, 2006.

<http://www.thenews.com.pk/Default.aspx>, Accessed May 21, 2011.

²⁰ Daniel Markey, "From AfPak to PakAf: A Response to the New US Strategy for South Asia", Policy Option Papers, April 2009, Council on Foreign Relations, www.cfr.org/content/publications/attachments/POP_AfPak_to_PakAf.pdf, Accessed May 23, 2011.

²¹ "Pakistan's 'Existential Threat' Comes From Within", Interview of Bruce O. Riedel, May 6, 2009,

<http://www.cfr.org/pakistan/pakistans-existential-threat-comes-within/p19321>, Accessed May 29, 2011.

²² "Estimating Conflict Cost: The Case of North West Frontier Province and Pakistan (Draft for Discussion)", 8-9.

August 20, 2009. www.cpr.edu.pk/.../Estimating%20Conflict%20Cost%20-2009-08-20.pdf, Accessed July 24, 2011.

people during the floods of 2010 but these people went back to their homes soon after the water receded. The ongoing military operations since 2009 in the Tribal Areas have further increased the number of IDPs.²³

One of the important problem concerning the issue of IDPs in Pakistan is the absence of any domestic legislation concerning the protection of rights of IDPs. Instruments of the international human rights regimes to which Pakistan is a signatory and the constitution of Pakistan provide the basic framework for protection of rights of the displaced people. Though, there is no specific mention of 'internally displaced people' in the domestic frameworks, their rights generate from the human rights clauses. There is also a lack of recognition of the status and problems of IDPs as a separate problem. The fundamental rights under the Constitution of Pakistan 1973 are available to all the people of Pakistan, including the tribal people. However, the enforcement of the fundamental rights is the jurisdiction of the High Court and Supreme Court under Articles 199 and 184(3) of the Constitution. Since the jurisdiction of the two courts has expressly been excluded from the tribal areas under article 247 of the Constitution, therefore, the tribal people have no forum to implement/enforce their fundamental rights. This has seriously hampered their access to their rights as displaced people from FATA region.

The crisis of displacements during war against terror was triggered by human rights abuses especially concerning the abuse of minority rights, women's rights and the destruction of schools by the Taliban. This was coupled with counter insurgency operations and sectarian problems between the tribes, which triggered massive displacement. This conflict induced displacement created more displaced people after the May 2011 military operations, though the total had been down to one million people in 2010 after the end of military operation in Swat valley and rehabilitation of IDPs.²⁴

The United Nations made an appeal for \$543 million for aid of IDPs but only 26%, (i.e., \$140 million) has been contributed by donors during 2009, while further \$43 has been pledged. The government of USA has pledged \$110 million with \$200 million approved by Congress as additional aid in 2009.²⁵ Difficulties are due to the failure of government to respond to the previous crisis of earthquake in Kashmir in 2008, and to massive allegations of corruption against the government. The lack of government credibility has been a major impediment in gaining aid from donors. Though the government of Pakistan had established the National Disaster Management Authority after the 2008 earthquake, the involvement of the military in this emergency situation to help the IDPs, along with their involvement in the military operation in the conflict zone has become a thorny issue. Another issue, which has gained prime importance, is of those people of the conflict zone who are still staying in the area and refuse to move to another location. The military and the International Red Cross are providing them with supplies but their security and provision of facilities have been an important issue due to limited access to these people.²⁶

²⁴ Internal Displacement Monitoring Centre, "Profile: Pakistan: Return Continue in some areas but Comprehensive IDP policy needed", Norwegian Refugee Council, 4. <http://www.internal-displacement.org/countries/pakistan>, Accessed April 23, 2011.

²⁵ Elizabeth Ferris, "Pakistan Displacement: Lessons Learned from Other Mass Displacement Situations", June 11, 2009, 2. www.brookings.edu/speeches/2009/0611_pakistan_ferris.aspx, Accessed June 13, 2011.

²⁶ Ibid;2.

The Social- Political and Economic Problems Faced by the IDPs

The displacement of people in a conflict zone not only generates a humanitarian crisis but also creates many socio-economic and political problem associated with such displacement. These include the provision of food, shelter, sanitation, protection of women and children and the issues of resettlement. The political problems, which are of prime importance are of the role of civilian- military in camps and resettlement and the role of political organisations in the provision of help to the IDPs.

An important social issue faced by internally displaced people is the threats faced by children and women in the IDP camps concerning forced marriage, forced labour and sexual exploitation. Another problem facing the conflict zone and internally displaced people is the shortage of food and food insecurity, which is graver for people who do not wish to leave their homes. Social problems like the religious-cultural issues, for example *Purdah* (veil) for women, their access to sanitary facilities, the issue of honour related to women especially girls is a serious problem in wake of absence or death of male members of the family.²⁷

The relations between host communities and IDPs also create many social-economic problems. As the IDPs moved to other places due to military operations and the activities of the Taliban, the members of the host communities' relations with IDPs became strained due to the pressure for sharing resources and the provision of temporary employment and provision of food and other facilities to IDPs.²⁸ This issue was more serious for people who were staying with the host families or chose to stay in host communities on a permanent basis due no foreseeable end to war against terror.

One of the major issues for IDPs is the short-term availability of humanitarian assistance coupled with the long-term need for assistance and coordination for the settlement of the IDPs. Though most of the IDPs have chosen to go back to their areas, their resettlement has been taken for granted as no major effort has been made to bring life to normalcy. The fear of militants in the area, though cleared by military operation, and arrival of new IDPs due to military operations in 2011 has hampered the resettlement of IDPs. One example is the state of schools in Swat valley, which were either destroyed by the militants or used as temporary shelters for the IDPs, this needs immediate action by the government for the provision of education facilities for the people.²⁹

One of the problems, which affected the status of the IDPs, is the method of registration. There are two basic criteria. First, computerised identity cards were compulsory for receiving IDP status and assistance and second, the government declaring that area as the "area of calamity".³⁰ The main problem, which was faced by IDPs was that most of those from the FATA did not get the identity cards or their area was not declared as the conflict area by the government. Another issue faced by the government was the multiple registrations by the people who were from the conflict zone but had not fled the area. They are enjoying the benefits of IDPs while the

²⁷ Internal Displacement : Global Overview of Trends and development in 2010, Internal Displacement Monitoring centre, 2010, 92-93. www.nrc.no/arch/img/9551909.pdf, Accessed July 25, 2011.

²⁸ Ibid; 93.

²⁹ Elizabeth Ferris, op:cit, 3.

³⁰ Internal Displacement Monitoring Centre, op:cit, 4.

deserving people are denied these facilities due to the criteria used in the registration process. According to the IDP Vulnerability Assessment and Profiling (IVAP) report, in 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.³¹

The issue of the role of political parties and banned organisations in the IDP camps is very critical. These organisations, which had affiliations with Taliban and associated religious parties, played an important role in the provision of assistance to the IDPs as they did for the earthquake affected in 2008 and flood affected in 2010. This has caused alarm in government circles as the social wings of these organisations pursue a policy of winning the hearts and minds of people uprooted by the military operation in the conflict zone of Swat and the Tribal Areas.

Durable Solutions: Return or Integration

The displacement of people from Swat and the Tribal Areas has been considered as a temporary issue with a short-term solution and the return or resettlement of displaced people as the priority of the government. There has been no encouragement to integrate with the host communities as these areas of Khyber Pukhtunkhawa province has already faced the brunt of Afghan refugees for the last twenty-five years. There are selected cases of integration where IDPs have chosen to stay by either renting or buying houses or lands. But mostly IDPs who had no economic resources had to go back to their home areas.

According to the Geneva-based Internal Displacement Monitoring Centre, there are currently 980,000 displaced people in Pakistan. Among these, 80,000 are from the North Waziristan agency of FATA .³² Due to the lack of permanent peace in the wake of the war against terror and the fear of the reappearance of Taliban, many IDPs have chosen to stay in cities where they have taken temporary shelter. Many factors are helpful in the integration process like common ethnicity, language, religion and the presence of relatives and families to support them. Return has been termed a better option for the IDPs due to the fact that bad economic condition of the country, rising inflation, and lack of employment has generated numerous problems. Secondly, the joint land system in FATA and Swat valley is another factor for the IDPs to return due to land ownership problems.

Under the framework signed by the FATA authorities and UN , it was necessary for the government to make suitable conditions for safe return of the IDPs. The return process has started and till May 2011, 19 per cent have left for their homes³³ mainly to Orakzai and Mohmand agency. The process of return is largely unsuccessful in Bajur and South Waziristan agency due to drone attacks and militancy. In South Waziristan 9,800 (4 percent) of 290,000 IDPs have returned.

An important reason for the return policy was the refusal of the provincial governments of Sindh and Punjab to accept IDPs as they feared that the they will also bring the issue of terrorism with them to their provinces. This is not only the violation of

³¹ Internal Displacement Monitoring Centre, op:cit, 5.

³² "Pakistan: Reluctant to Return", IRIN, October 21, 2011. www.irinnews.org/report.aspx?ReportId=94030, Accessed April 27, 2011.

³³ Internal Displacement Monitoring Centre, op:cit, 6.

fundamental rights guaranteed by the Constitution of Pakistan and also a violation of Article 12 and the *International Covenant on Civil and Political Rights* (ICCPR) to which Pakistan is a signatory. This also sparked the issue of demographic imbalance in the provinces with other ethnic groups as the nationalist parties refused to accept the IDPs on these grounds also.³⁴

Though return is an option for most of the IDPs, for minorities the issue became very complicated. After the control of Orakzai and Khyber agencies and Battagram district by the Taliban in April 2009, they imposed Islamic tax *Jaziya* on minorities. The large Sikh community in the Orakzai area, Christians in Khyber agency and the Hindu community in Battagram were allowed to live only on the precondition of paying *Jaziya*, which guaranteed protection by Taliban. Eventually, they had to flee the area due to the security situation. Return is not an option for them till the security situation is normal.³⁵

One of the main problem the IDPs faced on whether to return to the Swat valley is that their main source of income is based on agriculture and the military operations and militancy have severely damaged crops, orchards, with the ban on the cultivation of maize (as the militants use it for hiding) and complete collapse of tourism in the area. There has also been a ban on fertilizers as militants have used them in bomb making.³⁶ Although some normalcy has returned to the area, the ongoing military operations in FATA and fear of Taliban, is still affecting the tourism trade.

Farhat Taj considers the major dilemma of IDPs from Orakzai and Mehsud tribes of FATA to be the false claims by the authorities of clearing the area from Taliban. The returning IDPs fear carnage and killing, which will be over looked by the authorities. The military authorities in Orakzai agency want the IDPs to come back to show them to national and international media. As independent journalists are not allowed to visit FATA, the same fate was faced by the Mehsud tribes while returning to South Waziristan. Upper Orakzai is in the hands of the Taliban, and military operation has not been successful in wiping out the leaders from the area. On return, IDPs will be responsible for the security of their villages with their houses destroyed. They have to live in tents as no adequate housing facilities or security is provided to them.³⁷

The military operation, which started in Bara Tehsil of the Khyber Agency in 2008, followed by three more military operations to wipe out terrorists, has resulted in a continuous flow of IDPs from Bara Tehsil to Jalozaï camp in Peshawar, once a refugee camp for the Afghan refugees. The Provincial Disaster Management Authority handled the issue of IDPs, which they expected would not be more than 1000 families (Daily Tribune, October 2011).³⁸ The Human rights commission of Pakistan urged the government of Pakistan to take action to stop the forced eviction of people from the

³⁴ Najam U Din, "Internal Displacement in Pakistan: Contemporary Challenges, Human Rights Commission of Pakistan, October, 2010,, 11. www.hrcp-web.org/.../Internal%20Displacement%20in%20P... - Pakistan, Accessed August 3, 2011.

³⁵ Najam U Din, "Internal Displacement in Pakistan: Contemporary Challenges, Human Rights Commission of Pakistan, op; cit, 27.

³⁶ Ibid;29.

³⁷ Farhat Taj, " Is the Military Cheating Orakzais?", Daily Times, Pakistan, September 25, 2010.

http://www.dailytimes.com.pk/default.asp?page=2010/09/25/story_25-9-2010_pg3_4, Accessed August 10, 2011.

³⁸ Manzoor Ali, " Unrest in Khyber Agency: Fifth Operation in Bara on the Cards", The Express Tribune, October 22, 2011. <http://tribune.com.pk/story/279047/khyber-agency-clashes-army-poised-to-conduct-operation-against-lashkar-e-islam/>, Accessed August 15, 2011.

tribal areas in wake of military operations. Almost 40,000 people left their area from the Kurram agency in FATA in wake of military operations in July 2011.³⁹ FATA Disaster Management Authority has asked international donor agencies to provide fast relief and assistance to IDPs from Kurram Agency. But as international agencies like UN and WFO cannot work directly in the FATA region, they are dependent on the FATA secretariat to provide assistance.⁴⁰

Peace building Theories and the Issue of The settlement of IDPs

FATA is one of the most under-developed regions of Pakistan. There have been many reasons for this but it is mainly 'due to government neglect, legal barriers and structural impediments to investment and private enterprise. With no economic regulation or proper courts, a black economy has flourished, notably a pervasive arms and drug trade. Violence is now contributing to poverty, with lack of jobs making FATA's residents vulnerable to militant recruits'.⁴¹ It needs serious peace building efforts by the entire world community as this crisis has the potential for spreading across the region due to the interconnections of geography, past relations and ideological affiliation of these organisations. This has affected the economy of Pakistan very badly but also threatens the emerging economic powers such as China and India with the same internal disturbances. As Murdoch and Sandler observes that 'having a neighbour at war reduces the annual growth rate by around 0.5% and affects the growth rate of entire region'.⁴²

Peace building theories assume that the people in the society should not consider diversity as the basis of differences and should be tolerant of each other. This diversity can be of religious, ethnic, racial or any type. Tolerance within society should be of such a level so as to accommodate all the divergent views. The concept of peace-building subscribes to the notion of collaboration for providing solution to problems rather than garnering individual efforts based on isolated competition. The aim is to create future bonds and relationships through collective efforts. All peace building strategies (nonviolent mobilization methods, conflict analysis, negotiation, mediation, and reconciliation aim for constructive social change in society with an aim of making individuals responsible for pursuing not only their own interests but also those of the communities. The stress is on 'addressing structural issues and long term relationships between conflicting parties...to overcome the contradictions (structural, relational and cultural) which lie at the root of the conflict'.⁴³

John Lederach maintains that violent conflicts are mostly followed by negotiation and violence in a cyclic process leading to a humanitarian crisis which obscures the long term view of conflict and focuses just on the disaster management process, which does not include working for a sustainable peace process between conflicting parties. He supports frameworks which not only includes disaster management but also peace

³⁹ " HRCP asks Government to Assist People Displaced by unrest in tribal Areas, Karachi, Daily Times, Pakistan, July 13, 2011. http://www.dailytimes.com.pk/default.asp?page=2011%5C07%5C13%5Cstory_13-7-2011_pg7_20, Accessed August 12, 2011.

⁴⁰ Khalid Kheshgi, " Donor's help sought to meet mass Kurram exodus", The News International , July 15, 2011. <http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=57761&Cat=7&dt=7/15/2011>, Accessed August 17, 2011.

⁴¹ "Pakistan: Countering Militancy in FATA", International Crisis Group Report No 178, 21 ,October 2009, 3. http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/178_pakistan_countering_militancy_in_fata.pdf, 3, Accessed August 19, 2011.

⁴² Fatamata Lovetta Sesay, "Conflict in Neighbouring (Developing) Countries: Direct and Indirect Effects on Economic Growth", *Tiger Working Paper Series* No 68, Warsaw : November 2004, 2-3.

⁴³ Mail, H. Ramsbotham, O. Woodhouse, *T Contemporary Conflict Resolution* ,Cambridge: Polity Press, 1999, 22.

building efforts. For this he suggests transformation from violent conflict to peaceful relationships, that is, a virtuous spiral of peace and development within a clear framework and time frame in-order to have a sustainable transformation.⁴⁴ The integrated framework which he suggest has five vital steps , for peace building in war torn societies. It consists of a structural analysis of root causes, crisis management, crisis prevention, long term vision or generational perspective and finally transformation.⁴⁵ His stress is mainly on social change for transformation by developing an infrastructure for peace building as a 'process structure' to transform the war system to the 'peace system' as the main emphasis is not on ending conflict but 'building relationships with new patterns, process and structures'.⁴⁶

This process of peace-building if applied to the tribal areas will produce durable result as the emphasis of the government and the international community is on crisis prevention and rehabilitation of internally displaced people who fled the war zone. The original problem emerged due to the lack of respect for religious diversity and tolerance of each others' views and had deeply imbedded structural issues concerning the social / economic disparity and the justice system within the area. It should involve adopting a design for social change in which both moderates and extremist could accommodate their views and change the war system to a peace system. One of the problems associated with *Puhktun* society is the belief that violence and force can solve all issues more effectively than peaceful efforts. With the military operations, government has succeeded in putting down the violence in one part and partially cleansed the area from violent extremists but this problem is now emerging again in the tribal areas of Pakistan due to the fact that government did not adopt the generational perspective for the solution of this crisis . They only relied on ending the militancy and returning the IDPs with little socio-economic change or provision of speedy justice, which they demanded. The adoption of the peace building approach suggested by Lederach can help in solution of this conflict in the long run.

Conclusion

The issue of conflict-induced internal displacement in Northern Pakistan has triggered not only an immediate need for solving the issue but also for ending the conflict itself. Internally displaced people crisis, which started with the capture of Swat valley by the Taliban, followed by the different agencies in FATA is a never-ending crisis. It is closely connected to the end of the use of drone attacks in the area and cleaning the area from Taliban militancy. The need is to form a comprehensive plan for tackling future displacements due to the ongoing nature of the conflict. Furthermore, peace-building efforts must accompany a strong emphasis on the return and rehabilitation of IDPs with adequate guarantees of rehabilitation in a safe environment and the protection of human rights. This is important, as, along with other causes of militancy, poverty, and unemployment are major factors which can trigger future militancy in the conflict ridden areas. It is incumbent on the government of Pakistan to make a sustained policy for the assistance of IDPs and their safe return matched with due acknowledgement of their status.

⁴⁴ J.P.Lederach. *Building Peace: Sustainable Reconciliation in Divided Societies* , Washington: United States Institute of Peace, 1997, 74-75.

⁴⁵Ibid; 76-77.

⁴⁶Ibid; 84.