

# HRCP demands role in decision-making for quake survivors

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LAHORE: The exclusion of quake survivors from decision-making, the concentration of policy planning in military hands, the lack of transparency in distributing aid and the rapidly worsening conditions in all affected areas due to cold weather are matters of grave concern to HRCP.

HRCP has completed a detailed report on the post-earthquake situation, based on the assessments of four teams led by HRCP council members, which visited earthquake-affected areas including Mansehra district, Battagram district, Muzzafrabad district, Bagh district, Rawlakot district, Shangla district and Kohistan district from November 18<sup>th</sup> to November 20<sup>th</sup>.

The report will be released within a few days. A summary of some of its findings follow:

**Background:** Since the earthquake of October 8<sup>th</sup> hit northern Pakistan, HRCP has been engaged in a sustained process of monitoring and needs assessment in terms of protection issues. Before this mission, HRCP office-holders, staff and members had within the first two weeks of the quake visited some of the worst affected areas to gain first-hand knowledge of the situation. HRCP has remained engaged in very limited relief work and on behalf of SAHR has organized the delivery of drugs worth Rs 25 lakh from India. A set of guidelines on safeguarding rights in disaster situations have been published, while HRCP base offices have been operating in Muzzafrabad and Mansehra for the past few weeks to monitor the protection needs of people and advise HRCP on its future actions.

During its fact-finding mission, HRCP has been greatly encouraged to find some improvement in terms of coordination and relief delivery as compared to the chaos seen in the early days of the quake. However, the onset of winter and reports of new deaths give rise to acute concerns regarding the welfare of survivors over the coming weeks and months.

In terms of relief, the efforts of ordinary people and civil society organizations were particularly commendable in the immediate aftermath of the catastrophe. HRCP can also only express admiration for the remarkable fortitude of people that have survived, despite the extremely trying conditions they have faced since the quake.

It is however obvious that there are many problems linked to compensation policies. The exclusion of people from decision-making and the sidelining of local administrations have added to these. These difficulties can only become worse as winter closes in, making the very task of survival a still bigger challenge in all quake affected areas.

Conclusions: On the basis of its assessments and meetings in affected areas, HRCP noted there were several important factors, relevant to the conduct of the relief effort and to future policy planning.

In the first place, it is clear that the delayed start to rescue efforts by the military had caused the loss of many lives that could have been saved. This has meant that people are understandably extremely bitter against the military, and also the government. The credibility of authorities has as such suffered, and they lack the trust and support of local people.

HRCP fears the situation may worsen further in the coming days due to the winter conditions now prevailing in all quake-hit areas. The increased hardships, sickness and new deaths caused by this are unforgivable given that winter was never an unforeseen event, and quite obviously, planning for it needed to be put in place well before the first snows and rains of the season.

During its visit, HRCP noted that while relief efforts have improved considerably over the early days of the quake, and planning by the military in some locations at least is impressive in terms of organization, people themselves are not being involved in decision-making. They also have little information about the policies being put in place or on future plans for affected areas.

No where is this more obvious than in the issue of the sum set as compensation. The Rs. 25,000 initially allocated has been increased to Rs 200,000, but, as with the previous sum, it is unclear on what criteria this amount has been determined. The views of local people, who believe allocation per roof is unjust as several families often live under a single shelter, have not been taken into account. The rules set for the grant of compensation are also unfair, with the amount given only in cases where the roof has fallen. This excludes people living in badly damaged houses, which will need to be pulled down - and creates a deep sense of unfair play among victims. Local people have been neither consulted nor informed about the decisions regarding compensation, while a lack of transparency adds to the problems.

The lack of accountability and transparency means people are not confident about the fairness of the relief work. The new donations announced for the quake relief effort for the international community after the donor's conference on November 19<sup>th</sup>, during HRCP's mission to affected areas, makes the need for transparency doubly irrefutable.

There is also a need to streamline and standardize data collection. Local people have refuted figures compiled by the military in various

cases, while different NGOs and relief agencies have sometimes come up with contradictory statistics.

### **Recommendations:**

HRCP has made a set of recommendations, based on its findings, which are intended for the international community including the UN, donors, regional neighbours and relief organizations; the government of Pakistan; the government of Azad Kashmir, NGOs; the population of affected areas and military teams engaged in relief.

1. The widespread allegations of corruption, pilferage and hoarding are extremely worrying. It is essential to put in place an independent system to track distribution of aid and compensation. The government of Pakistan, in cooperation with donor countries, must find a monitoring mechanism which is not solely in the hands of the military but representative of the people of affected areas. Placing all data on a web-site would also be enormously beneficial, making relief more transparent and enabling errors to be pointed out quickly.
2. The local community must not be excluded from processes of decision making, and must be kept informed about the steps being taken. While international relief agencies are attempting to ensure this happens, through regular meetings and discussions, the effort needs to be improved and made more effective. Information centres must be set up in affected areas along with monitoring cells where complaints can be reviewed by persons not affiliated to a state agency. Many survivors are unaware about free medical services, schools or tent camps available just a few kilometers away from their area. Setting up community-managed FM radio stations would be one way to disseminate information widely and quickly.
3. Given the almost uniform perception among both affected people and agencies working on the ground that the distribution of compensation on a per roof is deeply flawed given ground realities, the policy in this regard needs to be urgently reviewed. [The compensation amount has been raised to Rs 200,000 from the original sum of Rs 25,000 since the fact-finding mission]. Several affected families frequently live under a single roof, and per family distribution of the amount would be more equitable. Compensation payments should not be restricted only to men. Longer-term schemes, including loans, initially without interest, and then with nominal interest, may be considered. Tenants, and other affected people who do not own property, must not be excluded from compensation. In some cases landlords are not willing to rebuild houses occupied by tenants. Pending payments need to be made immediately, so people can begin reconstructing homes.
4. Registration and documentation of parentless children, single women and others who have become vulnerable to abuse is urgently required. Rehabilitation centres for orphans and women left on their own should be located near their home areas. The government should facilitate victims in the replacement of personal documents that have

been lost. Greater efforts must be made to reunite displaced people, especially children, with their families. The media can be utilized for this to a greater extent than is currently happening. Children who have lost families in the disaster must have full rights to claim inheritable property and receive compensation.

5. The government must ensure free movement of people in affected areas. People must not be put on the ECL, or intimidated through other means, because of their political views. The freedom to express opinions of all shades must be available to everyone.

6. The State must initiate public work schemes and other projects aimed at creating unemployment. Compensation for destroyed shops, lost livestock and agricultural land must be a part of any package. Enabling people to resume work and earn income is crucial to the rehabilitation effort.

7. It is essential aid be taken to women, the injured and the elderly who are unable to themselves reach distribution centres or make their needs known. Arrangements also need to be made to take aid to people living away from main roads, and distribution must be equitable and adequate.

8. Information about human rights violations must be widely circulated, so all organizations can plan efforts to alleviate the situation. The information must not be restricted only to the Government of Pakistan. When incidents are reported, they must not be covered up. Police and other agencies must be sensitized to existing issues, particularly those of women and children. They must also be trained to cooperate with local administrations.

9. Human rights bodies need to be urgently established in Azad Jammu and Kashmir and in the NWFP, with the participation of local people.

10. A policy must be put in place to ensure new construction is safer, and does not use the same technologies that caused so many deaths in the first place. The reason for the collapse of a large number of public buildings, especially schools, must be ascertained and anyone responsible for corruption penalized under the law.

11. International standards must be adhered to by all groups in the running of camps. Where possible, communities should be housed together.

12. Coercion must not be used to force people down from high altitude areas. This is all the more crucial in situations where there are apprehensions land is being cleared to serve vested military or political interests. The opinions of local communities must be sought regarding all resettlement and housing issues, and given due respect by decision-makers.

13. Trauma centres are needed in affected areas, as well as more female doctors to address the needs of women.

14. Donations coming in for the quake relief effort must also be utilized to strengthen civil society organizations, the physical infrastructure and services such as health, education and sanitation in all affected areas.

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**P.S.**

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