

# Principles and operational guidelines for the voluntary and sustainable return of affected communities

## 8<sup>th</sup> October earthquake in Pakistan

When these principles and operational guidelines are implemented, priority should be given to the most vulnerable.<sup>1</sup>

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### PRINCIPLES

1. **Return should be voluntary;**
2. **Voluntary return should take place in conditions of safety and dignity to original homes or places of habitual residence;**
3. **Ensure access to complete, objective and reliable information regarding return or relocation options; and project initiatives in places of origin, to enable people to make a free and informed decision.**
4. **Ensure participation of affected communities in decisions regarding return options, including relocation plans and housing schemes;**
5. **Freedom of movement and of expression, and the freedom to choose place of residence;**
6. **Recover housing, land and property, including through fair and just compensation for land and property that cannot be restored, and land, property and livelihoods lost in the course of the return;**
7. **During the process of return or relocation , affected communities in both urban and rural areas should not be discriminated against on the ground of sex, age, disability, ethnicity, geographical location, religious or social origins;**
8. **Ensure family unity during return or relocation and family reunification for families who are separated during return; and**
9. **The return of affected communities to their original homes and property, or places of habitual residence, should be the preferred solution.**

### OPERATIONAL GUIDELINES

- Inform all government and law enforcement officials that return or relocation of affected communities should be voluntary and that under no circumstances should coercion or force be used;
- Section 17.4 of Land Acquisition Act that allows for forcible acquisition of land should not be invoked for the return or resettlement of affected communities;
- Intervene and engage in advocacy on behalf of the persons concerned if those affected by the earthquake are forced to return to or resettle in any place where their life, safety, liberty and/or health would be at risk;

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<sup>1</sup> This includes widows, female heads of household, orphans, people living with mental or/and physical disabilities, the homeless/landless, refugees and ethnic minorities. Special attention should also be given to the following situations faced by groups of people as they will impair conditions of a voluntary and sustainable return: those who did not receive compensation for the reconstruction of their housing (i.e., those excluded by the criteria for compensation); people in rural area where there is no titling system in place, people in rural area where agricultural lands they cultivate disappeared as a result of landslide; and Kashmiri refugees coming from Indian side of the Line of Control who were allocated land by the Pakistani government before the earthquake.

- Organize “Go and see”-visits for displaced victims, including, where feasible, participation of women and children or victims who are being required to relocate elsewhere;
- Ensure that information is easily accessible to affected communities about return and resettlement options. To this end, encourage the establishment of comprehensive mass information campaigns on the closing of camps and return options available and provide communities with complete, objective and reliable information on the conditions in their area of origin to enable people to make a free and informed decision. Information could also be provided through a variety of grassroots communication strategies, as well as individual counseling;
- Ensure effective flow of information with affected communities regarding the closing of camps, voluntary return and relocation options. Ensure that they are fully consulted and their views and opinions are respected. This may entail consulting separately with individuals or holding separate meetings and discussions with members of these groups;
- People who have mobility problems, including people with disabilities should be provided with free transportation;
- Compensation for property lost as a result of improved town planning should reflect the market value through objective and transparent criteria;
- Sites for return and relocation are assessed as stable and safe by the competent authorities;
- New construction are culturally acceptable and in accordance with building safety codes and international standards on adequate housing;
- Sites for return and relocation have ready access to all basic services, as well as to employment, education and appropriate livelihood opportunities and markets;
- Monitor the return to ensure it is not used as a mean to clear populations through relocation or resettlement in order to further broaden economic or political ends;
- Monitor human rights violations that occurred during the conduct of the return or relocation.

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#### Definition: Voluntary and Sustainable Return

Voluntary return can be defined as a clear and open choice by informed communities to return or resettle without manifesting disagreement and in absence of pressure of any forms. Return will be sustainable if returnees' socio-economic conditions and fear of any forms of violence is no worse, relative to the population in place of origin, one year after the return.