

CITIZENS' CHARTER

For Sustainable Rehabilitation of Flood Affectees

Adopted by
**Civil Society Organisations of Pakistan and National Humanitarian
Network (NHN)**

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Released on and adopted by Flood Affectees Representatives
On Wednesday 2nd March 2011, at Islamabad Hotel, Islamabad

Introduction:

This document is intended to highlight issues which the Government of Pakistan must address if its citizens are to make a full recovery from the devastating 2010 floods and avoid repetition of this disaster. Civil Society Organisations (CSOs) working alongside flood affectees have identified a range of failures of national political management which heightened people's vulnerability to the surge of water passing through the country's river system. The paper collates concerns which CSOs have raised in multiple forums and presents a draft charter of demands for improvements to disaster management in Pakistan.

Events at which CSOs have highlighted the political causes of the disaster include the consultative meeting held by PILER, SAP PK, Sungi, Pakistan Fisher Folk Forum, and CPCS in Karachi on the 11th and 12th of November 2010. PATTAN, in collaboration with Tehreek-e-Bahali-e-Sailabzadgan, Madni Welfare Organisation, SYCOP, and Women Councillors' Network held an assembly of flood affectees in Muzaffargarh on the 26th of October 2010. PODA held a workshop on women and floods in Islamabad on the 15th of October. On 1st January Tehreek Bahali-e- Sailabzadgan held a rally and marched to the camp office of Prime Minister in Multan. Along with these examples many CSOs and political parties have issued a charter of demands. Some of us who attended the Pakistan Development Forum raised issues regarding flood-affected people and later held a press conference in Islamabad. On the 3rd of December a large number of CSOs (including SAP-PK, Shirkat Gah, PATTAN, Sungi, PFF, IEWS, PILER, Sahara, PODA, Awaz CDS, DASE, EHD, PPC, SANGTANI, Omar Asghar Khan Foundation, Khwando Kor, WRA, MLF, Campaign for Cancellation of Third World Debt, and B-LLF) met in Lahore and later held a press conference. In the meeting it was agreed that the group would prepare a charter of demands.

Our observations from the flood affected areas show that there was nothing inevitable about the pattern of devastation. The authorities had ample warning of the impending flooding. In the short term, the Pakistan Meteorological Office forecast the onset of the severe monsoon rains. In the longer term there is an established pattern of riverine flooding, with Pakistan having experienced at least one high intensity flood per decade over the past forty years. Nevertheless authorities in the affected areas were woefully ill prepared and the response has repeatedly been found wanting. The lack of effective public action in dealing with the floods is a direct consequence of the dominance of unresponsive military and civilian elites over national institutions.

Causes of flood disaster:

The best way to understand a disaster is as a product of the inter-action between hazards and risk. Many hazards such as Pakistan's monsoon rain are natural and cannot be eliminated. But risk refers to human action which exposes communities to danger. The distinction between hazard and risk is accepted internationally. The Hyogo Framework for Action on disasters 2005-2015 acknowledges governments' responsibility to take the lead in reducing disaster risks. However in Pakistan, not only have governments failed to combat the risk of damage from flooding, their flawed management of the flood plains has helped to undermine the coping mechanisms developed by riverine communities over the decades. CSOs have identified the following

areas of public action through which governments have heightened the vulnerability of communities to flood disaster:

- Deforestation
- Encroachment of land in the riverine belt
- Population pressure
- Development of physical infrastructure
- Management of riverine and canal embankments
- Poverty and marginalisation.

Deforestation:

Failure to adopt realistic policies or to pursue existing policy on land use has resulted in Pakistan being badly denuded. In the last two decades, Pakistan has lost a quarter of its natural forest cover and currently the deforestation rate is 2 percent a year — one of the highest in the world. Between 1990 and 2005 the country lost 24.7 percent of its forest and now is left with about 4 million hectares of forest. This is equivalent to 4.8 percent of the total land area of the country, while the global average of forest cover is around 27 percent for developed and 26 percent for the developing countries. Feudal politicians have grabbed more than 2 million hectares of land in the riverine *kutcha* areas of Sindh and south Punjab. This encroachment has violated state policies, pushed population into the active riverbed and contributed to deforestation in the riverine belt.

Poor Quality Designing, Planning and Construction of Physical Infrastructure:

There are multiple examples where inadequate risk assessment has led to major items of national infrastructure exacerbating risks in flood prone areas. The M2 Motorway created havoc in the wake of 1997 flooding in Sargodha district by disrupting the natural flow of the rivers Jhelum and Chenab. Similarly, the new M1 Motorway helped to funnel the floodwaters of the heavy downpour in the catchment areas of river Kabul on 29th July 2010. It contributed to destruction of bridges and settlements and loss of life in the Charsadda area. In Swat and Malakand, over 50 bridges and hotels built in the active riverbed of the river Swat were destroyed. The high levels of damage to public infrastructure echo the pattern of the 2005 earthquake, in which shoddily constructed public buildings collapsed with heavy loss of life in areas where privately constructed buildings survived.

Maintenance and the Politics of Dykes:

The Department of Irrigation is responsible for the maintenance of dykes and embankments. Funding is allocated for this purpose in annual provincial budgets. Due to corruption in the department, maintenance work tends to be superficial. Department officials have connived in the illegal felling of trees planted along the dykes and embankments and have failed to organise replanting. This makes the dykes vulnerable. Consequently when floodwater hits the dykes, they collapse at these weak-points. There is a long history of links between irrigation department officials and the big landlord-

politicians. These politicians use their influence in number of ways. At many locations along the rivers these landlords have influenced the placement and design of dykes in order to protect their lands over others. In August 2010, when rivers swelled, some feudal politicians succeeded in diverting the floodwater in order to save their own land. The Supreme Court of Pakistan has constituted a commission to investigate the causes of breaches and the mismanagement of floodwater. We appeal to the Supreme Court to instruct this commission to hold a series of public hearings in the areas where these breaches occurred.

Marginalisation and Pauperisation:

The failure of public policy on poverty alleviation is one of the most profound ways in which government action has helped leave people vulnerable. Most of the worst hit districts are at the bottom of various economic, social, political indices. For instance, Muzaffargarh, Dera Ghazi Khan, Jaffarabad, Larkana, Kashmore, Shikarpur, Jacobabad and Rajanpur all fall at the bottom of the Human Development Index¹. Interestingly, all these districts are ruled by feudal chieftains. It is no wonder that the populations of these districts also have a very high rate of deprivation². Furthermore, data sets of 1998 Census show that on average as high as 80% housing units in these districts were *kutchas* and they could not withstand to floodwater. According to some estimates,³ nearly 80 percent of all housing structures in the affected areas have been completely damaged or have become uninhabitable.

Disaster Cycle:

There has been little improvement in the coordination of government action despite the establishment of the National Disaster Management Authority (NDMA). The central and provincial governments obstructed NDMA and its provincial counterpart PDMA from performing their prescribed roles. According to NDMA Annual Report 2009, the central government withheld a total of 300 million Pak-Rupees, which had been allocated to NDMA. Secondly, the government failed to establish required coordination structures at district and community levels. Thirdly, the civilian government in the provinces rolled back local councils whose role was envisaged as pivotal in the NDMA Disaster Management Plan 2010.

The Politics of Disaster:

As in the past, the ruling parties capitalised on the flood disaster 2010 as an opportunity rather than a humanitarian crisis. Politicians sought to consolidate their vote bank through relief assistance. Elected officials appropriated assistance for their own voters regardless of whether they met entitlement criteria. Communities have been deprived of or granted Watan Cards for cash assistance based on their proximity to local politicians. Politicising humanitarian assistance is a clear violation of UN-Guiding Principles on Displaced Persons, Sphere Standards, and the Constitution of Pakistan, as all of them guarantee relief assistance without any discrimination

¹ UNDP Human Development Index 2003

² Jamal H, KHAN A J, TOOR I A and AMIR, "Mapping the Spatial Deprivation of Pakistan" in *The Pakistan Development Review* 42: 2 (Summer 2003) pp. 91–111

³ Damage and Need Assessment conducted by the World Bank and various district administrations.

Women and Watan Card:

The issuance policy of the Watan Card to the head of household was flawed as it provided for only men as head of household. This immediately excluded all women-headed households and children without parents. A growing number of woman-headed households are a part of contemporary Pakistani reality and they tend to be poorer than the average male-headed household. The issuance policy also excluded hundreds of thousands of women and men who had migrated to flood affected areas before the floods and still possessed CNICs from other districts.

The Farmers' Package:

The decision to support farmers with wheat seed and fertilizers was positive. However the effectiveness of the planned assistance was compromised by poor implementation and information dissemination. Eligibility and entitlement were inadequately publicised. Many farmers complained about the poor quality of the wheat seed. Inefficiency in distribution resulted in farmers having to pay a number of visits to collect seed and fertilizers from distant centres. Sadly, three months after the wheat-sowing season, the government of Sindh is distributing wheat seed in the month of February. This is scandalous.

Construction of Model Villages:

Government plans to support the construction of "model villages" have had unintended adverse consequences. It has slowed down the reconstruction, while affectees wait to see if they will receive model village status, although a relatively small percentage of affectees will actually benefit from the programme.

Issuance of 2nd Tranche of Watan Card:

There has been a delay in disbursement of the second tranche of the Watan Card scheme, at a time when there is about 15 billion Pak-Rupees balance in the Prime Minister and Chief Ministers' relief funds. This delay has deprived 200,000 families of the timely assistance which could have helped them cope with severe winter conditions.

Impact on the Millennium Development Goals (MDGs):

We are extremely concerned about poor performance of the successive government on the Millennium Development Goals. There have been hardly any gains. The 2010 disaster has further plunged the country in deeper crisis. The UNDP report distributed at the Pakistan Development Forum 2010, states that floods have caused a reduction of 1% to 3% of progress towards most MDGs.

Political Uncertainty and Recovery:

The continuous power-struggles among the national political and military leadership, at a time when 20 million Pakistani are without proper shelter and the national economy is disintegrating indicates a disturbing lack of vision. The focus of the national and provincial governments on their political survival distracts them from paying attention to the real priority which is that of ensuring the population's physical survival.

Based on the above discussion, we demand of the government to take steps to implement the following charter:

Reform Agenda

As both the successive military and civilian governments have failed the public in so many ways and the current disaster has profoundly exposed the failings of the ruling elite and the state, we hereby strive to make those parties accountable and simultaneously seek to broaden the political base of our democracy in order to improve governance in this country.

- 1. End Monopoly:** We urge social movements and CSOs to join hands for the implementation of the article 38 of the Constitution of Pakistan which not only prohibits the monopoly of a few families over the means of productive resources but also guarantees housing, employment, and social services to the people without any discrimination. Therefore, we urge the government to introduce comprehensive reform package that eliminate monopoly of feudal/tribal chiefs and cartels. As a first step, agrarian reforms must be introduced in order to liberate 70% of the population from the clutches of the feudal chieftains.
- 2. End Disparities:** Civil society members note with concern that social/gender and regional disparities already existing have worsened due to the floods. Civil society is of the strong opinion that these deepening gaps should be bridged by the state through a new social contract with the citizens that highlights the rights and entitlements of its citizens and the responsibilities of the state. Civil society members demand that the state revisit its exclusionary national policies that lie at the root of the existing social and economic gaps, the burden of which has been borne by the poor and the deprived of Pakistan. The country's social, economic, commercial, foreign, and national security policies are all exclusionary in nature and need to be redeveloped through incorporating a pro-people agenda of development and progress.
- 3. Announce Rehabilitation Plan:** The governments should make the rehabilitation plan public and invite broader consultation for rehabilitation.
- 4. Decentralise Relief/Rehabilitation:** We are extremely concerned that the state-run relief response is flawed and extremely partisan. We note with concern that the over-centralized disaster management structures and dismantling of the local government bodies worsened the damage caused by floods. The state needs to restore these structures and decentralize disaster management to enable a quick state response to disasters.
- 5. Cancel Foreign Debt:** We demand the immediate implementation of the Senate resolution on debt write off. Rather than continuing with its unproductive spending, the state should introduce public austerity measures and control defence spending.

6. Disburse 2nd Tranche of the Watan Cards Now:

- The amount promised by the state under the Watan Cards system should be released immediately. The state must announce a date by which time the second instalment of the Watan Cards is released.
- The criterion for issuing of Watan Card is highly exclusionary and riddled with systemic flaws. It blatantly excludes people with no ID cards and widowed women by way of the provision for 'head of the family'. The state should redevelop the criteria for issuing the CNIC for flood affectees. They should either be given temporary ID cards or be issued new ID cards based on community evidence and other flexible criteria.
- The current administration regulating Watan Cards is inadequate. In many parts of the country, the ATM machines are not operating. The government should set up mobile ATMs for the Watan Cards. Moreover, there should be a complaint centre to deal with the issues relating to Watan Cards.

7. Improve Farmers' Package: There is substantial information gap with regards to the Farmers Package, its content and the mechanism concerning its distribution. Due to lack of information, farmers are unable to access the package. The state should address the issue of duplication of channels of distribution for the Farmers package as currently multiple government agencies are simultaneously implementing the Farmers Package.

The quality of fertilizers and seeds in the Farmers Package were highly compromised. The government should not give inappropriate hybrid and poor quality seeds in the Farmer's Package.

In addition to these, the flood affectees have made a strong demand for land revenue record to be modernised and mainstreamed. The state must respond to these demands and establish structures to upgrade the systems of land revenues.

8. Restoration of Infrastructure: The means of communication destroyed during the course of floods must be restored and their construction quality and design should incorporate risk reduction.

9. Restore Social Services Immediately: Schools and health units destroyed should be immediately reconstructed. The new reconstructed structures should be accessible to women. In this regard, mobile health units for areas with inadequate health facilities need to be initiated.

10. Rehabilitation of Women:

- State land should be distributed among flood affectees, especially to women involved in farming. As a starting point, women should be given two acres to initiate small-scale agriculture activities on their own. Women should also be given assistance with seeds, water, access to training and seed-funding to cultivate their land.

- Full compensation for livestock losses should be given to the women directly since women are primary caretakers of household animals.
- Women artisans (home based handicrafts workers) should be provided tools and compensation on urgent basis to resume livelihoods.
- Vocational training centres for women, with emphasis on linking the trainings with employment opportunities need to be pursued. There is also strong demand for establishing of adult literacy centres for women, especially in smaller towns and cities to facilitate learning opportunities for women.
- The health needs of women and children should be prioritized and traditional birth attendants should be re-recruited to assist women.
- Gender Discriminations Complaint Cells should be established at District or Tehsil levels to allow women to register complaints of sexual harassment, gender discrimination and denial of services.
- Women should be included in decision-making processes at all levels in disaster mitigation efforts. Women's seats should be ensured in camp management teams, DDMA's, PDMA's and NDMA in a sincere manner. Women's recommendations should be taken seriously and implemented so that a different approach is tried in disaster mitigation

11. Protection of Children's Rights:

- Children's education should be resumed in all locations so that children can start normal life in order to lessen their trauma and stress. Since those who lost all their assets in the floods are in no position to continue the education of their children, the government should respond to the demands of the flood affectees to provide free education and stipend to the affectee's children. Furthermore, school fee for flood affectee children during the course of floods and displacement must be waived off by private education entities.
- Children have not only faced great mental and physical trauma during the course of the floods, the continuous phase of displacement and sluggish pace of rehabilitation exposes them to a number of risks and vulnerabilities including physical and sexual abuse and child labour, threatening their security and future. There is need for Child Rights Complaint Cells at district level that should be linked to facilities offering protection to children. This is to ensure that children have easy access to means of protection in case of threat to their well-being.

12. Vocational Training: There should be specific focus on youth of effected areas.

A series of educational, vocational, and social programmes aimed at flood affectees youth need to be developed to add to their skills and their future prospects for employment and productive citizenship. In this regard, the Benazir Youth Support Programme should create special provision for programmes directed specifically at youth.

13. Cancellation of Outstanding Debts of *Haris*: The damage caused to the cultivated land and the missed crops cycle resulting from floods have already pushed *haris* further down the poverty spiral. It is therefore important that state itself takes up and leads the initiative to cancel all outstanding debts of the *haris* from the affected areas. The *haris* should also be provided assistance to start self employment initiatives.

14. Social Security for Flood Affectees and Agriculture Workers: Flood affectees should be registered for social security without delay. Workers who have lost their livelihood during the course of floods must be immediately provided unemployment allowance. Furthermore, the state should initiate specific social security schemes directed at agriculture workers. The ambit of the recently launched self-registration scheme for social security services need to be expanded to rural and agriculture workers too. Related offices of all federal and provincial social security programmes should be established in smaller towns and central villages.

15. Land Reforms

Of the few stark realities characterising economic inequality in Pakistan, the most important is income inequality. An Asian Development Bank report on social protection points out that 58 per cent of the country's 6.6 million rural landowners hold less than five acres of farming land. Rural poverty is persistent, rising and higher than urban poverty as the largest proportion of the poor of Pakistan resides in rural areas. Overcoming poverty requires physical or social assets. As rural areas continue to lag behind in education and health, with little or no assets, the rural poor have become food-insecure. They are the worst hit by economic disasters such as inflation and the most vulnerable to natural and man-made disasters, as is evident from recent floods. As the guardians of family food, heads of households of men are mostly pushed to migrate and frequently disinherited, leaving women to face the burden of rural poverty.

There have been repeated demands for land reforms to facilitate equitable distribution of resources to the rural poor and also to enhance agricultural productivity and raise prospects for financial independence. To address poverty, the poor need assets to sustain their livelihoods, which, in case of rural areas, are titles to land. The government must set up a commission to explore options for land reforms including the purchase of excess land holdings from landlords to distribute to the landless. It is important that state itself demonstrates political will and commitment to take up land reforms as equitable distribution and ownership of resources is key to addressing the issue of poverty.

16. Pay Special Attention on Doubly Affected Areas: The damage caused by floods in vulnerable areas such as Swat, Kohistan, Dir and Jaffarabad which have been

the target of recent military operations has aggravated the situation of people already facing economic and social marginalization and deprivation. These areas should be paid special attention for relief operations while their rehabilitation should also incorporate a broad-based agenda of improving the economies, social service delivery and rebuilding state society relations.

17. Build on Existing Structures: Instead of creating new structures during emergencies, it is always better to work through existing social networks, as it is tested, effective and efficient. The donor agencies instead of working with their respective local partners created new system that had delayed the crucial period of the emergency period. Donors' reluctance to work with local non-governmental bodies is highly objectionable since local NGOs, are in a better position to identify needy communities and deliver assistance than external agencies. The civil society organisations have also expressed their displeasure with the UN mechanism for poor disaster response, which was ill conceived and slow in implementation and failed to use local capacity.

18. Continue Relief Camps. The provincial governments should not dismantle the relief camps, as the displaced people have no place to go. Furthermore, it is state's responsibility to provide them shelter, food and clothes under Article 38 of the Constitution. The state should also provide transportation for returning displaced persons.

19. Implement Hyogo Framework for Action: In order to reduce risks and damages in the future, the government must make disaster risk reduction as an integral part of development planning and implementation.

20. Respect UN- Guiding Principles: All humanitarian interventions should incorporate UN-Guiding Principles, the Sphere Standards and the relevant articles of the Constitution of Pakistan.

21. Reinstate Local Councillors: Elected local councils provide the best structures to cope with any disaster. All over the world local councils are responsible for disaster management. The NDMA Disaster Management Plan 2010 is also heavily dependent on elected local councillors. Therefore, we demand immediate reinstatement of the local councils.

22. Census: The forthcoming census should be inclusive, broad-based and represent the diversity in language, ethnicity, religious backgrounds, professional occupation and other aspects, that characterise Pakistan's population. The flood affectees have demanded that the union councils should register the village level population. This demand should be taken seriously by the executing structure of the Census Authority.

23. Peace and Security: State should make efforts to curb extremism and militancy that has crippled the social, economic and political progress of the country. Fast track action is needed to stop the recruitment drive by the extremists to lure children and youth into furthering their destructive causes. This is particularly a threat for displaced communities as state's failure to resolve their issues might push them to fall into the trap of extremists who have so far blatantly exploited the void left by state's incapacity to deliver on citizens' rights.

24. Safeguard Minorities Rights: For Pakistan's minorities, life in general is difficult and insecure, and this is not helped by a state that has shown little inclination to safeguard their rights and interests. During the recent floods, there have been host of complaints regarding discriminatory treatment meted out to the minorities in the course of the relief phase. The post floods rehabilitation order must outline minorities' rights as a priority agenda. There is ample space to incorporate minorities communities into mainstream and addressing the culture of fear and discrimination is an important step in this regard. Laws that violate minorities' rights, protections and freedoms must be revised. In addition, the state should form adequate structures to monitor progress on addressing minorities' issues and their access to state institutions be facilitated.