

## Compensating Civilian Victims of Conflict & Terrorism: Policy and Practice in Sindh

Since 2006, Sindh, and especially its capital Karachi, has been rife with incidents of terrorism and turf wars, apart from a long-standing sectarian violence and political conflict. Occasional terrorist incidents occurred even prior to 2006, like the one in 2002 when a suicide attack resulted in the death of nine French and five Pakistani nationals. The data indicates a significant rise in the frequency of conflict and terror related incidents after 2006. In most of these instances, the number of civilians losing their lives or getting injured is considerably higher than the personnel of Law Enforcement

### Conflict and Terrorism: Civilian Harm in Sindh 2006-2016<sup>1</sup>

Year	Number of Incidents	Civilians Killed	Injured
2006	29	81	157
2007	28	145	478
2008	19	26	95
2009	48	66	39
2010	438	418	391
2011	86	57	212
2012	111	51	313
2013	230	153	773
2014	225	63	365
2015	131	159	229

Agencies (LEA).

Nonetheless, the first major response from Government of Sindh on redressing the loss of civilian lives through compensation can be traced back to 1996<sup>2</sup>. It was spurred by increasing sectarian conflict in 1994-95 and later the Karachi Operation in 1995-96. The present regime for award of compensation to the civilian victims of conflict and violence was notified in August 2010. The revised standards increased the compensation grants for civilian victims of terrorist attacks and bomb blasts, with effect from July 1, 2010<sup>3</sup>. The key-feature of the present regime for award of compensation in Sindh is the distinction between the civilian victims of targeted killings, terrorist activities, and victims of crossfire.

*Since 2006, a total of 2,035 civilians have become victims of terrorism, sectarian violence and political conflict in Sindh.*

### Process for Award of Compensation

The award of compensation to the civilian victims is a protracted process and involves a number of government departments. At local level, it includes Police Department, Office of the District Coordination Officer (DCO), and Health Department. At the provincial level, the process includes the Departments of Home and Finance, and the Chief Minister's (CM) office. The process initiates with registration of FIR by the Police Department. A list of deceased and injured is prepared by the DCO office in coordination with the Police Department and verified by the Health Department. A summary for award of compensation is then initiated at the Home Department, routed to the CM through the Finance Department and office of the Chief Secretary. The sanction order or "Advice" is issued by the Finance Department following approval of the summary by the CM. The Home Department then prepares an Audit Copy and sends it to the Finance Department to authenticate the expenditure and to the Accountant General Sindh for cheque clearance in pursuance of this order. The disbursement is usually done by the DCOs however, sometimes the compensation amount is placed at the disposal of the Home Department.

### Compensation for Civilian Victims of Conflict and Terrorism<sup>4</sup>

No.	Nature	Compensation	
1	Loss of life due to terrorist activities (irrespective of bread earner or non-bread earner)	a. Loss of life due to terrorist act	Rs. 500,000/-
		b. Innocent victims of cross fire	Rs. 200,000/-
		c. Victims of target killing subject to verification by a Committee headed by Home Secretary that it was target killing and not a personal dispute.	Rs. 200,000/-
2	Injured due to terrorist activities (irrespective of bread earner or non-bread earner)	a. Injured due to terrorist activities.	Rs. 100,000/-
		b. Permanent disability due to terrorist act.	Rs. 200,000/-

<sup>1</sup> NCMC, Ministry of Interior, Government of Pakistan

<sup>2</sup> An important point which ought to be noted is the fact that this notification came into force with retrospective effect, i.e., from 15th June 1995

<sup>3</sup> Notification number FD (B&E-XIV) Comp-I(10)/2009-10 dated 30<sup>th</sup> Aug 2010

<sup>4</sup> Notification number FD (B&E-XIV) Comp-I(10)/2009-10 dated 30<sup>th</sup> Aug 2010

## Key Challenges

- The existing policy is based on administrative notifications by the Government of Sindh, and a comprehensive policy and legislation for compensating civilian victims of conflict and terrorism has yet to be formulated.
- The present legal and administrative framework does not elaborate on definition of civilian victims, categories of injured, process of identification and verification of victims, roles and responsibilities of different departments, and time for dispensing the award to victims and their families.
- Having no dedicated budget line for compensation grants in the provincial budget of the Government of Sindh, all awards fall under the head of “other”, making it mandatory to seek the approval of the Chief Minister for each and every disbursement.
- Complicated nature of the existing compensation process prevents effective and timely provision of compensations to victims.
- The process of disbursement lacks predictability and consistency. At times the compensation is paid by the Home Department, which prepares the cheques, while at other times the Home Department places the amount at the disposal of the DCOs for disbursement.
- The existing framework does not facilitate public access to information and mechanisms to track and monitor compensation.
- There are also no mechanisms for victims to file a complaint

about irregularities or issues in the processing of claims.

## Looking Ahead

Following proposed policy measures can help strengthen the existing framework for compensating civilian victims of conflict and terrorism in Sindh:

- The Government of Sindh needs to formulate a law that would ensure compensation to civilian victims of terrorism and conflict in a systematic manner. The proposed legal framework may address the key issues in existing regime, such as timely provision of compensation, simplifying the process, redress for grievances of the civilian victims etc.
- Rehabilitation of civilian victims is a significant component of the compensation process. The government must guarantee free healthcare and education, and provision of livelihood to civilian victims and their families.
- A separate budget line needs to be created within the Provincial Consolidated Fund for civilian victims of conflict and terrorism to facilitate timely payments of compensation grants.
- The amount of grant awarded to civilian victims should be enhanced from the prescribed amount, and the compensation rules should also cater to material losses of a civilian as a result of a terrorist act.
- There should be a mechanism that would allow civilian victims to track the status of compensation being awarded to them.