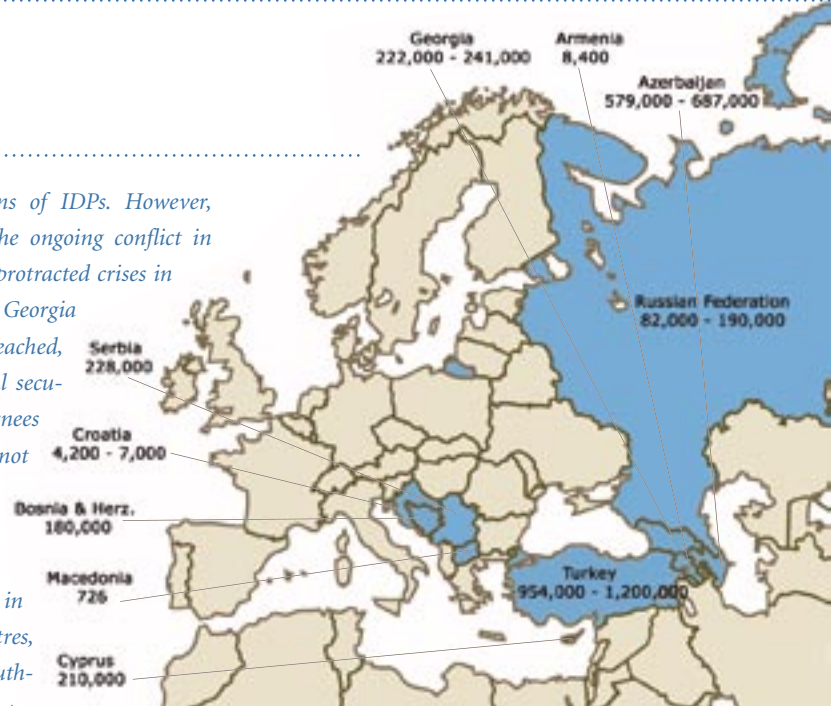


Europe

In Europe, where internal displacement situations exist in the Balkans, the Caucasus, Turkey and Cyprus, the number of IDPs has been slowly falling over the past several years. However, during 2006, the number of IDPs remained virtually unchanged at approximately 2.8 million. There were several positive developments with regard to the situation of IDPs in Europe in 2006, although many challenges remain. Some governments demonstrated an increased political will to address the IDP situations in their countries. Turkey and Georgia elaborated national strategies to better the situation of IDPs, while Azerbaijan continued implementing its programme to improve the living and socio-economic

conditions of IDPs. However, resolutions to the ongoing conflict in Russia and the protracted crises in Azerbaijan and Georgia have not been reached, and the physical security of returnees therefore cannot be guaranteed. IDPs continue to face poor living conditions in collective centres, especially in south-eastern Europe, Azerbaijan, Georgia and Russia. IDPs also face significant obstacles to return and local integration, such as

discrimination, lack of livelihood opportunities, poor infrastructure and segregated education.



Characteristics and causes

Displacement in the region tends to be protracted and to have its origin in conflict. The average duration of displacement is 14 years, with the exception being Cyprus, where displacement has continued for more than 30 years. Despite the fact that peace and ceasefire agreements have taken effect in some countries, displacement persists. Causes are multiple: in some cases, violence continues in spite of the agreements; in others, it is a matter of lingering inter-ethnic hostility and physical insecurity. For these reasons, as well as the fact that in many areas the conditions for return do not exist, remaining IDPs are reluctant or unable to return to their places of origin. Sometimes those who have managed to return have later been displaced again after new hostilities have broken out. One consequence of this protracted displacement is that IDPs in Europe have found a broad range of coping mechanisms, rendering IDP populations in any given country far from homogenous.

While the total number of IDPs in the region remained unchanged in 2006, the figure grew in some areas, while shrinking in others. For example, the num-

ber of IDPs increased in Azerbaijan due to inherited IDP status and in Turkey the government figure went up due to the collection of updated data. But at the same time, the IDP numbers in Russia decreased due to a deregistration exercise by the authorities. In other countries, such as Cyprus, Georgia and Armenia, no significant change in IDP numbers took place, and in Bosnia and Herzegovina, Croatia, Macedonia, and Serbia there was a slight decrease. The region has about three times as many IDPs as it does refugees originating from the area (close to 1 million in 2005)³³.

Causes of displacement in the region include independence claims, territorial disputes, inter-ethnic violence and struggles for political recognition. Following the dissolution of the Soviet Union, a number of national minority groups – including the Abkhaz and Ossetians in Georgia and the Chechens in Russia – claimed their right to self-determination. Rejection of these independence claims by central governments led to internal armed conflicts and subsequent major displacement. The struggle of the Kurds to obtain political recognition and rights in Turkey since the 1980s has also



Displaced man with a bomb shell that destroyed his village in southeastern Turkey. (Photo: Ali Rizat Kutlu)

caused large-scale internal displacement as a result of armed conflict between government forces and the Kurdistan Workers' Party (PKK) in the southeastern part of the country. Massive displacement was also the result of territorial disputes between Armenia and Azerbaijan over Nagorno-Karabakh in 1988, and between Turkey and Cyprus over northern Cyprus in 1974, both of which quickly escalated into armed conflict with a strong ethnic basis. Inter-ethnic violence also erupted in the former Yugoslav republics of Bosnia and Herzegovina, Croatia, Serbia and Macedonia during the break-up of Yugoslavia, at times taking the form of inter-ethnic cleansing, displacing millions of people.

National responses to internal displacement

Georgia and Turkey demonstrated significant political will to address their respective internal displacement situations in 2006. In Georgia, the government drafted a National Strategy for Internally Displaced Persons, a framework that aims to improve the current living

conditions of IDPs while at the same time reaffirming the right of IDPs to return to their original homes. This was done in consultation with local and international actors, including IDPs themselves. The Turkish government also issued a national framework aimed at improving the situation of IDPs, as well as the findings of a survey by Hacettepe University on migration and displacement. The survey found that up to 1.2 million people had been displaced during the conflict. The government in the eastern Turkish province of Van adopted an action plan to address the internal displacement situation in the province. Van is one of the 14 provinces affected by the armed conflict between the PKK and the government security forces.

Commenting on the Georgian National Strategy for IDPs, the UN Representative on the Human Rights of IDPs, Walter Kälin, welcomed the fact that although the implementation plan for the strategy had not yet been completed, the strategy adheres to international human rights law as well as to the Guiding Principles on Internal Displacement. The Representative also remarked positively on the action plan for IDPs in Van province in Turkey, since all stakeholders were involved in the development of the plan, activities and results are clearly set out according to a calculated timeframe, and responsible agencies are identified together with their corresponding budgets. But the Turkish government has not yet developed a national IDP action plan, nor has it established a governmental IDP structure with adequate resources and staff to coordinate its national response.

Several other countries demonstrated the political will to address their IDP situations. In Azerbaijan, the government continued with the implementation of its 2004 State Programme on the Improvement of Living Conditions and Employment of Refugees and Displaced Persons by resettling IDPs to purpose-built settlements. In Serbia, a Protocol on Return to Kosovo was signed in June 2006 by the UN Mission in Kosovo and the governments of Serbia and Kosovo. The protocol emphasizes the voluntary nature of return and outlines procedures to ensure a durable return in safety and dignity. In Bosnia and Herzegovina, the relevant government ministries and UNHCR agreed on guidelines for determining the status of displaced persons to facilitate a consistent approach in the review of IDP cases. And in Russia the federal government identified the return of IDPs to the Chechen Republic as one of its priorities, and also issued an order that the conflict in North Ossetia be resolved and the resulting IDP situation be addressed. However, by the end of 2006, Russia had not realised this goal.

IDPs in southeastern Turkey live in tents next to their ruined village, to which they return temporarily every summer. (Photo: Ali Rizat Kutlu)



National efforts for property restitution and compensation for displaced persons was also a significant issue in Europe in 2006 (see Housing, Land and Property chapter). In March, a property commission was established by the Turkish authorities in northern Cyprus as ordered by the European Court of Human Rights (ECHR). After reviewing one of the decisions of this commission, the ECHR concluded that, in principle, the requirements of its decision had been fulfilled³⁴. In Turkey, the government extended the deadline for submitting compensation applications to January 2007, but NGOs have called for at least an additional year. While Turkey's compensation law is a significant step in addressing property loss among displaced people, IDPs have not yet widely benefited from the law³⁵.

The government of Chechnya in Russia also took measures to address property loss among IDPs. Residents of temporary accommodation centres were listed as priority recipients of compensation for lost housing and property, and displaced families who had never owned property were put first in line for land plots. However, only those with fully destroyed property could apply for compensation. Furthermore, the processing of compensation payments for IDPs in Russia was on hold for all of 2006 while the compensation commission awaited approval of the final list of recipients and the provision of additional federal funds. From 2003 to the end of 2006, approximately 46,000 citizens – some of them IDPs, some of them not – received compensation for lost housing and property, though recipients often

did not receive the full entitlement, and compensation levels are not commensurate with the actual cost of construction materials.

Significant political changes affecting European IDPs occurred in 2006, most notably in June when the parliament of Montenegro declared independence from Serbia following a referendum. The status of Montenegro's IDPs, who originate from Kosovo, formally a part of Serbia, remained ill-defined by the end of the year, as they could no longer be considered internally displaced within the same country. Referendums on the issue of independence were also held in the secessionist territories of South Ossetia, Georgia and Nagorno-Karabakh, Azerbaijan, the results of which showed the population's desire for independence, though the international community did not recognise these referendums as legitimate. Discussions on the political status of Kosovo also continued in 2006, and it was feared that the decision scheduled for early 2007 might induce further displacement.

While a peaceful resolution to conflicts in the Balkans was eventually found, such has not been true in the Caucasus. Negotiations between Azerbaijan and Armenia on resolving the conflict over Nagorno Karabakh continued in 2006, and although the two parties appear to have come closer to an agreement on some issues, a number of impasses remain more than a decade after the ceasefire. Resolutions to the conflicts in Georgia and Russia also have yet to be worked

Settlement of Roma who have been displaced from Kosovo to Montenegro. (Photo: Carlos Cazorro, UNHCR)



out. The Caucasus currently has no prospect for accession to the European Union and the international and regional communities are divided over what the political future of the area should be. This is in contrast to the Balkans, where the prospect of EU accession was a motivating factor in improving IDP situations.

Another political development in Russia was the passage of a law requiring non-governmental organisations to re-register with the government and report on activities and sources of funding. One of the results of the NGO re-registration exercise was the interruption of assistance to some IDPs, such as regular medical examinations and garbage pick-up at collective centres.

The year 2006 also saw significant developments in the area of shelter for IDPs. In Georgia, the ongoing process of privatisation of state property has increasingly created difficult situations for the many IDPs residing in newly privatised buildings. The compensation provided by private investors has on several occasions proven to be insufficient to secure adequate alternative accommodation. In some cases, those who refused to move were forcibly evicted. A campaign by the Russian government to promote return to Chechnya continued targeting temporary settlements and did not always respect the principle of voluntary return. Several temporary settlements were closed down, and IDPs deemed to own habitable housing in Chechnya were de-registered. According to the UN Office for the Coordination of Humanitarian Affairs in Russia, initial implementation of this plan was “imperfect” in that verification of original housing was not accurate and

the wishes of IDPs unwilling to return were disregarded (although these problems were later addressed by the government)³⁶.

Similarly, the government in Macedonia announced its plan to close collective IDP centres and to relocate the residents to subsidised private accommodation. But many IDPs refused this offer, saying that they would prefer to receive compensation for their destroyed homes.

Durable solutions

In late 2004, a process aimed at ending displacement in the Balkans by 2006 was launched by UNHCR, the EU, the Organisation for Security and Co-operation in Europe together with the governments of Bosnia and Herzegovina, Croatia and Serbia-Montenegro. This initial objective was not reached, but the regular decline of return in the area implies the process is now mostly residual (with the exception of Kosovo, where large numbers of people are still displaced and security remains one of the main obstacles to return).

In Serbia, return figures declined from 2,100 in 2005 to 1,350 in 2006, while only 6 per cent of those displaced from or within Kosovo have returned to their place of origin. Impunity for war crimes and ethnically motivated crimes, including house looting, is widespread and threatens to push returnees and ethnic minorities who never left into displacement. Numbers of returns to Kosovo will likely remain low until its political future is determined in 2007. While more than half of IDPs



Internally displaced Chechen family living in a box-tent built with international support. (Photo: T. Makeeva, UNHCR)

and refugees have returned to their homes in Bosnia and Herzegovina since the end of the conflict in 1995, the number of returns has decreased substantially over the past several years. Between 2004 and 2005, the number of returns dropped from 18,000 to 5,100; and the number decreased even further in 2006 with some 3,000 displaced persons returning to their place of origin. A property repossession scheme was the catalyst for return in Bosnia and Herzegovina, where, by early 2006, the restitution process was nearly complete. In Croatia, house looting and devastation of repossessed properties combined with long delays in reconnecting houses to water and electricity made living conditions particularly harsh for returnees. However, one incentive for return to Croatia has been the government reconstruction of homes damaged by the war. At the beginning of 2006 the Croatian government had reconstructed 138,000 of 200,000 damaged homes.

Returns were also under way in other areas of Europe in 2006. The impetus for return in Russia was a vigorous government promotional campaign, as well as signs of reconstruction in the Chechen Republic. Approximately 3,300 IDPs returned from Ingushetia to the Chechen Republic and more than 700 from Dagestan to the Chechen Republic. In Azerbaijan, in the absence of a political solution to the conflict with Armenia, return has not been an option for the majority of IDPs. There have been only individual instances of families returning to “liberated” areas. These returnees have maintained their IDP status since the government is unable to guarantee their physical security. An estimated 45,000 IDPs are believed to have permanently or semi-permanently returned to Gali district of Abkhazia during the past few years.

Return of IDPs to areas where they constitute an ethnic minority is also an issue in Europe. In Bosnia and Herzegovina, the majority of returnees in 2006 settled in areas where they were an ethnic minority. Serbia witnessed a continuing decline in returns of minority Serbs and Roma to Kosovo, due to the March 2004 violence directed against Kosovo Serbs and Roma which displaced approximately 4,200 persons. Those who returned settled almost exclusively in Serb majority areas in Kosovo and in rural municipalities. In Russia, ethnic Ingush IDPs from North Ossetia pushed the authorities to facilitate their return, resorting to a hunger strike and a demand for a meeting with the presidential envoy for the region, among other activities. Despite measures taken by the North Ossetian authorities to address the IDPs’ concerns, the return of these IDPs to their areas of origin is still a contentious issue.

While some governments have taken initiatives to promote the local integration of IDPs, others have discouraged this. In the case of Serbia, the Protocol on Return to Kosovo mentions the possibility of IDPs settling in a place different from either their area of origin or their area of displacement. This provision appears to reflect the authorities’ increased acceptance that return to Kosovo may be unlikely and, further, the belief that IDPs’ desire to resettle elsewhere within Kosovo should be respected and supported financially.

Although the Ingush government in Russia has zoned several areas for new village developments and allo-

Azeri IDPs living in abandoned train wagons.
(Photo: Andy Johnstone, Panos)



cated plots of land to individual families, it has not announced any plans to build a road to these villages or install basic infrastructure. As a result, the remaining IDPs in Ingushetia are without land, a permanent home, assets or any traditional safety net.

With return as the only durable solution under discussion in Azerbaijan, the authorities have prevented IDPs from integrating locally by requiring them to register at both their original and current place of residence, an exercise that proves to be extremely difficult. The result is that IDPs are often unable to obtain employment, education and health care on equal terms with the local population.

Internal resettlement of IDPs was the approach of only one government in 2006. The Azeri government continued to demonstrate the political will to address its internal displacement situation and resettled IDPs to purpose-built settlements, a programme that will be complete by the end of 2008. In 2006, the government allocated approximately \$210 million for this programme, in addition to funds from the Asian Development Bank and the Islamic Development Bank. Although this programme has the potential to be a durable solution, it cannot be considered one right now since the government presents it as a temporary remedy. Additionally, IDPs are not given current and objective information about the settlement area, they are not given full property rights to the dwellings to which they are resettled, and the voluntary nature of the resettlement has repeatedly been questioned.

Gaps in national responses

Despite considerable positive developments in the national response to internal displacement in Europe in 2006, gaps remain. Living conditions of IDPs in all collective centres in Europe remain deplorable. Often lacking proper sanitation, running water, regular electricity, adequate insulation and proper maintenance, living conditions in these centres render IDPs more vulnerable to infectious diseases and other health risks such as depression and social isolation. Many IDPs are also denied personal documentation, which prevents them from accessing the benefits to which they are entitled. For example, Roma IDPs in Bosnia and Herzegovina and Serbia, living in improvised settlements and lacking any official address, are often unable to obtain an IDP card, which is needed to obtain social assistance. Information on the situation of IDPs in some countries, such as Armenia, is completely lacking.

Another issue in some countries is that displaced children are educated separately from others, thus hindering their local integration and the reconciliation process. While in some cases, such as in rural IDP settlements, other options may not be feasible, segregated classes remain problematic where children are separated based on their IDP status, as in Azerbaijan and Georgia, or their language, as in some parts of Bosnia and Herzegovina, Croatia, Serbia and Kosovo.

An additional limitation on IDP protection is the weak rule of law in most countries in the region, which

denies IDPs their right to an effective judicial remedy for disputes. The most serious situation is in Chechnya, where the High Commissioner for Human Rights, Ms. Louise Arbour, in her visit of February 2006 concluded that the Chechen Republic is ruled by force and not by law³⁷. According to the UN Office for the Coordination of Humanitarian Affairs, the Russian authorities have recognised the weakness of the rule of law in the Chechen Republic³⁸. In addition to these gaps in the national response to internal displacement, several other obstacles stand in the way of durable solutions for IDPs in Europe.

The absence of peaceful resolutions to ongoing conflicts poses a major challenge to return and local integration in the Caucasus, Turkey and Cyprus, as does the presence of landmines and, in the case of the Caucasus and Turkey, the continuation of armed hostilities.

Another major obstacle to sustainable return is inadequate property restitution and compensation. Greek Cypriots are not allowed to hand down property if their heirs are not resident in the north, while IDPs in Turkey face practical and legal obstacles in applications for property compensation.

Continued ethnically based hostility is also an obstacle to return in some European countries. In Croatia, the rate of return has been much lower among ethnic Serbs because legislation and assistance has discriminated against them in areas such as property repossession, reconstruction, access to citizenship and pensions. It is only after most reconstruction was completed for ethnic Croats that the government started including a majority of Croatian Serbs into their house reconstruction programmes, targeting returning IDPs and refugees. Many of the displaced, an overwhelming majority of them Serbs whose occupancy rights were terminated during the war, still have no way to repossess their homes or to be compensated. Up until now, return to North Ossetia in Russia has been virtually individual, and the authorities have been trying to completely close some areas for return, declaring them to be environmental reserves.

The lack of adequate living conditions in return areas is also a major obstacle. In Bosnia and Herzegovina, the access of returnees to employment, education, social and economic rights and justice remains dependent on their ethnicity since there is a lack of inter-ethnic cooperation on these issues. The poor economic situation and/or absence of basic infrastructure in the Croatia Danube region, the north Caucasus in Russia, and return areas in Georgia and Turkey are also strong disincentives for return.

International response

European organisations and institutions such as the European Union and the European Commission, the Council of Europe, the European Court of Human Rights and the Organization for Security and Cooperation in Europe have all played a significant role in monitoring the rights of displaced people and minority groups in Europe. The European Union continues to provide recommendations on governance practices and to be one of the main donors in the region. The UN and international donors also contribute significant financial support to address internal displacement situations in Europe.

The European Court of Human Rights issued decisions on various IDP property-related cases in Europe in 2006. In the controversial *Blecic v. Croatia* decision of 8 March 2006, it ruled out an attempt to challenge the termination of occupancy rights in Croatia, reasoning that the terminations occurred before Croatia accepted the court's jurisdiction. Regarding Turkey, the ECHR found that the compensation law provided an effective legal remedy that applicants must exhaust before filing a case with the European Court.

The Council of Europe issued several documents related to IDPs in 2006. It set forth recommendations for Azerbaijan, Armenia and Georgia regarding their displaced communities; these included the need to reach a peaceful settlement of conflicts, pursue local integration and refrain from using IDPs for political aims. The Council of Europe also passed a resolution on the implementation of the Framework Convention for the Protection of National Minorities in Kosovo, stating the need to take into account the rights of national minorities and to respect the right to return. The Council also published a Stability Pact for the South Caucasus that addressed the issue of conflict resolution.

While the UN led the international community's efforts at finding a peaceful resolution to the Georgian-Abkhaz conflict, the OSCE played a mediator role in negotiations toward the resolution of the Georgian-South Ossetian conflict and other conflicts in the South Caucasus.

For internally displaced people in Europe, 2006 was a year of mixed developments. While some governments took significant measures to improve the situations of IDPs, these efforts have yet to be fully implemented. In the end, durable solutions in the region depend on conflict resolution. Since many obstacles litter the road to long-lasting solutions – especially with respect to the unresolved conflicts in Azerbaijan, Georgia and Russia – internal displacement for the most part continues, with limited opportunities for IDPs to return home, integrate locally or settle elsewhere.