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Permanent temporality: In search of solutions for Internally Displaced People in Europe

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Abstract:

Around two and a half million internally displaced people in Europe are still unable to lead normal lives. Most fled their homes more than 15 years ago as a result of violence and conflict and continue to face problems related to their displacement. Governments have overwhelmingly supported the return of IDPs to their homes over other solutions, even where peace agreements have yet to be concluded. However, only about 25 per cent of IDPs have returned while others receive little or no support to integrate locally or settle elsewhere in the country. These IDPs are neglected and marginalised in a situation of protracted displacement, while the situation of those who returned is largely unknown. To bring an end to displacement, the government's focus on return must be broadened to include support and assistance for local integration and settlement elsewhere in the country as well as monitoring of the achievement of durable solutions.

Some 2.5 million people are internally displaced in the Balkans (Bosnia and Herzegovina, Croatia, Kosovo, Macedonia and Serbia), the Caucasus (Armenia, Azerbaijan, Georgia and the Russian Federation), Cyprus and Turkey. Most of them fled their homes in the 1990s as a result of violence and armed conflict

arising from territorial disputes and rejection of independence claims, and are living in situations of protracted displacement.

Protracted internal displacement is a situation in which the process for finding durable solutions for IDPs is stalled and/or IDPs are marginalised as a consequence of the lack of protection of their human rights. Factors such as the amount of time in displacement or the number of people affected are not a primary consideration in determining whether a situation is protracted.

Characteristics of internal displacement in Europe

There are several characteristics of protracted internal displacement in Europe. Most remaining IDPs struggle to enjoy their rights and survive on the margins of society. As those IDPs able to do so have returned to their areas of origin, resettled or integrated in another area, those who remain displaced tend to be particularly vulnerable, and typically poor, unemployed, without assets and living in inadequate temporary shelter with little to no support.

IDPs have increasingly moved to urban areas, and the majority of IDPs in the region now live in towns and cities. Some initially took refuge in urban areas, while others gradually moved there in search of jobs and better living conditions and services. The influx of IDPs into urban areas has put pressure on services and infrastructure, which have not always been able to meet the increase in demand. Nevertheless, experience has shown that these IDPs are unlikely to return to predominantly agricultural areas when they have a chance to do so.

Many governments (in Azerbaijan, Cyprus, Georgia, Kosovo and Serbia¹) still do not exercise effective control over their entire territory in the absence of a political solution to their conflicts. The resulting parallel legal systems, as well as slow peace negotiations, continued insecurity and absence of organised reconciliation mechanisms, limit IDPs' access to their rights during displacement and stall their integration and return.

¹ The United Nations Interim Administration Mission in Kosovo (UNMIK) was established in 1999 with a mandate to encourage provisional democratic self-government institutions in Kosovo until a final settlement is found. Since that time, Serbia has not had effective control of Kosovo. In February 2008, Kosovo proclaimed its independence which was rejected by Serbia. In practice, the Government of Kosovo controls the part of Kosovo south of the river Ibar while Serbia controls the part of Kosovo north of the river Ibar.

Governments in the region have usually either maintained the visibility of IDPs or played down the situation for political reasons. Some have promoted the return of IDPs in order to support claims to territory not currently under their control or to reverse the demographic impact of conflict and accompanying “ethnic cleansing” (in Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo and Serbia). Meanwhile, the governments of Armenia and Russia have diminished the scale of displacement in an effort to portray the situation as resolved and to divert international attention.

Many IDPs have still not secured justice for human rights violations they suffered. As a result of corrupt officials, ineffective investigations and biased trials, perpetrators of human rights violations and crimes committed during the armed conflicts have mostly remained at large, courts have ruled disproportionately against IDPs of certain ethnicities, and many IDPs continue to seek information on the fate and whereabouts of their disappeared relatives.

The decreasing interest of donors and the media in internal displacement in Europe has also contributed to the neglect of the remaining IDPs. International response to internal displacement remains focused on life-saving needs during emergencies without following up with sufficient resources for early recovery and durable solutions. The plight of IDPs has therefore been overshadowed by new and high profile crises. Over time, some IDPs have become dependent on assistance and diminished donor and government support increases their vulnerability.

IDPs do not fully enjoy their rights as a result of their displacement

IDPs in Europe have been living in inadequate and precarious conditions for more than 15 years. As a result of the lack of affordable housing, many continue to live in the *temporary housing* granted to them at the onset of the crisis, though such housing was not designed to be permanent. This includes makeshift shelter, illegally occupied dwellings, collective centres and apartments with relatives. It is often rundown and crowded with little protection from the heat and cold, and some IDPs are at risk of eviction because of their lack of security of tenure. These inadequate living conditions interfere with the normal development of children and the health of all residents. Assistance for the improvement of living conditions has often been avoided because authorities perceived it as encouraging IDPs to locally integrate which does not always serve their political agenda. Such

living conditions are unacceptable especially in Europe where citizens generally enjoy a high standard of housing.

Unemployment rates remain high in most areas of displacement in the region, as the local economies continue to recover from conflict. Some IDPs live in places where there are few jobs, or in remote locations far from cities and jobs. Where there are jobs, many IDPs face obstacles in gaining official employment because of ethnic or social prejudice, because they are unable to register as local residents or because they have lost the required skills since being displaced. As a result, many displaced families still depend on government benefits and food assistance. Many displaced elderly people do not receive their full pension entitlement, because they lost or left behind pension documents when fleeing their homes, because their pension documents are not recognised by the local authorities or because they could not meet the short deadline to claim for validation of working years. Poverty and social inequality has put internally displaced women and children at increased risk of sexual exploitation and trafficking.

IDPs in the region also continue to struggle to acquire the **documents needed to access their rights**. IDP cards were issued in several countries to facilitate access to certain benefits by substituting lost documents, but some IDPs face difficulty accessing rights not covered by the IDP card, as well as the IDP card itself. People who never possessed ownership titles for their property have not been eligible for property restitution, compensation or other assistance and this is particularly the case for Roma living in informal settlements and for women whose houses were registered under the name of their husband. Roma IDPs are disproportionately affected by the lack of documentation since many never had identification documents or a legal residence and so cannot apply for an IDP card, register new births, apply for citizenship or access social benefits, employment and education. The lack of mutual recognition of documents between entities within the same country also prevents many IDPs from claiming their properties, obtaining their full pension and unemployment benefits.

The **disruption of education** for internally displaced children remains an issue mostly in the Caucasus and Turkey, and primarily for financial reasons. The access of displaced children to schools in all countries is ensured, but attendance is not effectively free as parents must pay for supplies, transport and school fees, which can be considerable expenses. Some families cannot afford these expenses and so their children stay home rather than go to school. The quality of education

also remains a concern. Some children are being educated in schools damaged by conflict that have yet to be repaired. Many teachers have been displaced themselves, some of whom are in need of psychosocial support. Low teacher salaries and the general shortage of teachers aggravate their situation. In Georgia and Azerbaijan it was a deliberate policy to educate displaced children separately from other children, though both governments have recently modified their policy. Displaced parents in Azerbaijan can send their children to mixed or segregated schools, while the Georgian State Strategy for IDPs calls for the integration of displaced children into the national education system.

While many IDPs have benefited from property restitution and compensation mechanisms, others continue to encounter *problems in repossessing or being compensated for their property*. IDPs in Armenia, Azerbaijan, Cyprus and Georgia are still unable to claim their properties due to the absence of political solutions to the conflicts in those countries. In the Balkans the focus has been on property restitution. IDPs there face heavily looted properties, secondary occupants who stall the repossession process, contested ownership as a result of fraudulent sales and authorities who block the restitution process. Contrary to other countries in the region, Croatia has denied the right to restitution or compensation for wartime termination of occupancy rights, which leaves many Croatian Serbs without a remedy for property they lived in before the war. Russia and Turkey have opted for property compensation schemes, though they have not resulted in widespread reconstruction of private housing by IDPs. This is mainly due to slow assessments and payments, insufficient and inconsistent amounts of compensation and corruption. The lack of an effective remedy for lost property prevents IDPs from securing permanent housing solutions.

IDPs who are ethnic minorities at their current residence face *discrimination*. In the Balkans, Roma suffer from widespread discrimination in various sectors of public life. It is also difficult for ethnic Chechens and Kurds to lead a normal life in displacement in Russia and Turkey respectively. People who fled areas where they were an ethnic minority and went to areas where they were part of the ethnic majority face more subtle discrimination as they are often viewed as non-locals even years after their arrival as they continue to struggle to access employment, services and benefits on par with the local population. This treatment of IDPs highlights the outstanding need for reconciliation in the region.

IDPs require support and assistance to end displacement

Return of IDPs to their place of origin has taken place in the majority of countries in the region. Some 1.3 million IDPs have returned home, which accounts for about 25 per cent of IDPs originally displaced. Most returns have taken place in the Balkans, with Macedonia having achieved the fastest and highest percentage return of IDPs. Return has largely been blocked in Azerbaijan, Cyprus and Georgia due to the absence of resolutions to the conflicts. The sustainability of return is a challenge throughout the region mainly due to the lack of adequate housing, jobs and infrastructure, limited access to social services, ethnic prejudice, continued insecurity, insufficient reconstruction and unresolved property issues. These factors promote further internal migration of returnees.

The remaining IDPs who cannot or do not want to return receive little or no support to help them integrate locally or settle elsewhere in the country. States have seemingly limited the self-reliance of IDPs in areas of displacement and simultaneously offered assistance in return areas in an effort to push them to return. The apparent lack of political will to address the remaining problems of IDPs where they are on a permanent basis hampers local integration processes and reinforces the situation of IDPs as marginalised, dependent on aid and feeling out of place. Some IDPs have managed to integrate locally or settle elsewhere independently at their own expense, while the remaining IDPs require assistance to do so. The main challenges to their local integration remain political priorities, the lack of jobs and affordable housing, registration requirements and the vulnerabilities of some IDPs.

To their credit, some governments have acknowledged local integration as a durable solution for IDPs. Georgia acknowledged the right of IDPs to local integration in its National IDP Strategy and Turkey did the same in a national strategy framework document issued in 2005. In the case of Cyprus, living conditions and access to services of IDPs in areas under the control of the Republic of Cyprus appear to be the same as the non-displaced population. A governmental housing programme for IDPs as well as an equal allocation of burden scheme facilitated this integration, though some IDPs are only receiving titles to the property given to them now, 35 years after being displaced with still no possibility of return in the absence of a peace agreement.

The governments of Azerbaijan, Georgia, Russia and Turkey have settled IDPs in purpose-built villages elsewhere in their country. While this improved the housing conditions of some IDPs, houses were sometimes constructed poorly and the lack of jobs, isolated locations of villages and temporary nature of settlement challenge the sustainability of this solution. Settlement has in many cases led to further marginalisation of some IDPs and many have left the settlements to search for jobs elsewhere.

Local integration in the area of displacement and **settlement elsewhere** in the countries concerned should be more actively pursued by governments in the region. Given the political obstacles to return, the slow nature of return processes, the profile of those still displaced and the emergence of a second generation that has often never visited their parents' place of origin, it is high time for governments to shift their exclusive support for return to include other durable solutions. This would be in line with their responsibilities under international law as restated in the *Guiding Principles on Internal Displacement*. Support to local integration and settlement elsewhere in the country will strengthen the ability of IDPs to return on a sustainable basis once political obstacles are removed if they so wish. IDPs are entitled to enjoy their rights on an equal footing with the rest of the population regardless of whether they are able or willing to return home. IDPs will be more able to make a truly voluntary choice about whether to return if they are able to live a normal life now.

The lack of basic knowledge about IDPs seeking durable solutions other than return in protracted situations is a serious impediment to resolving protracted internal displacement situations in Europe. As protracted situations of displacement are usually characterised by a relatively stable IDP population in terms of numbers and locations, efforts should be made to monitor their achievement of durable solutions. National authorities should also more consistently consult and involve IDPs in the design of policies and programmes addressing their needs and preferences for durable solutions, as well as in peace processes and transitional justice mechanisms. Internal displacement in Europe is a large-scale problem that requires further discussion, analysis and action, and involving IDPs would help move the search for solutions in the right direction.

Conclusion

Governments in the region have mainly prioritised return over other durable

solutions. After an average of 15 years of displacement, only about 25 per cent of IDPs returned to their homes. The majority of the remaining IDPs still require assistance to achieve durable solutions as they continue to struggle to improve their housing conditions, access documents and related rights, earn a regular income, gain a quality education and reposess or receive compensation for their lost properties. Many also face discrimination in their daily life. A shift in governments' focus away from return and towards local integration and settlement in other areas of the country is therefore needed.

Governments and the international community are generally better at quickly ensuring that people access the basic necessities of life after they are displaced, and arguably not so good at helping them over a longer period to recover a home, a livelihood and equal access to social and cultural rights and political and civil participation. International response to internal displacement remains focused on life-saving needs during the worst of the emergency without following up with sufficient resources for early recovery and durable solutions. Partly as a result, IDPs in Europe are neglected and marginalised into protracted displacement.

*This article is an abridged version of the paper *Protracted Internal Displacement in Europe: Current Trends and Ways Forward*, which can be accessed at: www.internal-displacement.org/europe/protracted.*

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