

North Caucasus: upholding IDPs' right to 'voluntary' return

by Tullio Santini

Upholding the right of IDPs to be protected against forcible return or resettlement has been at the forefront of the humanitarian community's activities in the North Caucasus.

The resumption of hostilities in Chechnya in September 1999 led to the displacement of over 240,000 Chechen civilians, mainly into neighbouring Ingushetia. Shortly afterwards, Russian authorities – namely through the Federal and Ingush Migration Service (MS) – started urging IDPs to return to Chechnya. Pressure intensified in 2001, when the authorities reduced the provision of basic humanitarian assistance, stopped registering those newly displaced from Chechnya and intermittently cut off gas, water and electricity to camps in Ingushetia.

In May 2002 the government announced a plan to close all camps and return all IDPs to Chechnya by the end of September. The abrupt closure of two camps, hosting more than 2,000 IDPs, in July 2002 sparked strong protests from the UN, NGOs and human rights organisations. The UN's Emergency Relief Coordinator in New York added his voice to those who had expressed concern over the circumstances surrounding the closure of the two camps and called upon the Russian authorities to ensure that all actions would be taken to ensure the right of the internally displaced to a voluntary return, in safety and dignity.

Advocacy efforts were intensified when the authorities announced that another camp in Ingushetia (Aki-Yurt) would be closed by 1 December 2002. Despite representations from the UN and the EU and simultaneous press releases by UNHCR, Human Rights Watch and Amnesty International, the camp was dismantled and emptied as planned. No representatives from the UN or other humanitarian agencies were allowed to witness the closure process. The vigorous reaction of the international community, however, may well have contributed to the authorities'

subsequent decision to postpone to spring of 2003 their original plan to 'liquidate' all other five camps by the end of 2002.

Pressure on the remaining camps (hosting over 19,000 IDPs) resumed during the summer of 2003. The announcement of the closure of Bella camp coincided with a visit to Russia by the Representative of the UN Secretary-General on IDPs, Dr Francis Deng. In his end-of-visit press release, Dr Deng stated that he had been impressed by the positive policy statements made by the authorities but noted that his field visits had "revealed significant discrepancies between the positive official policy statements and the perspectives of the displaced" who remained "acutely apprehensive that the camps might be closed and that they might be forced to return to a situation in Chechnya which they regarded to be unsafe".

By the end of September the last IDPs living in Bella camp moved out. Once again, dismantling of a tent camp was preceded by intermittent cuts of essential utilities and occasional denial of access to humanitarian agencies. The number and intensity of search operations and arrests conducted by security forces (including in and around IDP camps and settlements) reached unprecedented levels, contributing to a heightened feeling of insecurity for Chechen IDPs.

While raising strong concerns at the pressure exerted on IDPs in Bella, the international community seemed to progressively recognise that the closure of the remaining camps was inevitable; it focused its efforts on obtaining the authorisation for IDPs to relocate to other camps or have access to alternative accommodation in Ingushetia and also on ensuring

that IDPs would be informed about the possibility of relocating to alternative shelters. Consequently, when Alina camp was closed at the end of 2003, UN agencies concentrated on monitoring the nature of the process and assisting with the preparation of alternative accommodation for the IDPs.

Bart and Sputnik camps were closed in March/April 2004. Ingushetia's last camp, Satsita, was closed in June. UNHCR staff who visited the camp daily reported that the authorities maintained utilities until the last of the 1,300 residents had left. All the families interviewed acknowledged that they were aware of alternative shelter options in Ingushetia.

The role of the international community

Some might argue that the humanitarian community has failed in its efforts to safeguard the existence of the camps and that what the authorities have implemented should be regarded, if not as a 'forced' return, as a 'strongly induced' one at least. However, it can also be argued that the continued and coordinated involvement of a range of international actors has, at least, led the authorities to:

- progressively refrain from overt intimidation, coercion and pressure
- slow down of the pace of a camp 'liquidation' policy that was, in all likelihood, irreversible: had the aid community failed to voice its concern and alarm, inhabitants of remaining camps may have been abruptly expelled in harsh winter conditions
- increasingly provide some advance notice of their closure plans
- let IDPs remain in Ingushetia and have access to adequate alternative shelter – a key benchmark to assess the voluntary nature of the return process



IDP women
talking to a
journalist in
Sputnik Camp,
Ingushetia

- allow humanitarian agencies the “rapid and unimpeded access” to the camps and the IDPs set out in principle 30 of the Guiding Principles on Internal Displacement – albeit with occasional obstacles.

Conclusion

The case of IDPs from Chechnya has helped define the meaning of ‘voluntary’ return. Humanitarian actors, in particular, have consistently reiterated that the notion of ‘voluntary return’ implies much more than the lack of physical coercion or overt intimidation but must also include:

- the consultation/participation of displaced people in the process of making decisions about their return, resettlement and reintegration
- provision of alternative options (including the possibility of remaining in their place of current sojourn) and assistance to make those options possible (including access to alternative shelter)
- provision of reliable information about the situation in the areas of origin.

The wide and flexible range of advocacy tools and tones utilised by the international community appears to

have had relative success. The UN and its partners sustained a certain degree of pressure on the Russian authorities, while reaffirming the international community’s readiness to assist the authorities and acknowledging their progress in addressing the complex IDP situation. The constructive tone used in official statements and correspondence seems to have effectively complemented the more vocal statements and reports issued by various relief and human rights NGOs.

Some have argued that this constant attention to the issue of IDPs in camps has been at the expense of other key issues, such as the protection of all conflict-affected civilians in Chechnya. This collective ‘protection gap’, however, should be realistically assessed in the context of the very limited degree of access, information and ‘leverage’ available to the humanitarian community and the impact of the 9/11 events on the international community’s attitude towards crises such as the one in Chechnya.

Although all camps have gone, in the North Caucasus the humanitarian community is still confronted with major challenges:

- preserving a ‘safe haven’ for the 49,000 IDPs who remain in Ingushetia
- reintegrating those IDPs who have returned (or will return) to Chechnya
- determining the future of those IDPs (about 20,000, mostly of Ingush origin) who plan to resettle in Ingushetia
- assisting the large number of people who remain displaced within Chechnya.

The humanitarian community’s mission to uphold the fundamental rights of the IDPs from Chechnya is far from over.

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The views expressed in this article are purely personal.

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