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The situation of IDPs and returnees in the North Caucasus region

Report[1]
Committee on Migration, Refugees and Displaced Persons
Rapporteur: Mr Nikolaos DENDIAS, Greece, Group of the European People's Party

Summary

The aim of this report is to improve the humanitarian situation of internally displaced persons (IDPs), returned IDPs and refugees in the North Caucasus.

The authorities of the Russian Federation have undertaken significant efforts to assist those forcibly displaced in the North Caucasus. While these efforts have improved the lives of a substantial number of displaced persons, an important number still do not fully enjoy their rights after up to twenty years in displacement. Access to adequate housing, jobs, documentation as well as ongoing insecurity, ineffective property compensation mechanisms and the limited choice of residence remain persistent concerns. Some of the displaced persons have become more vulnerable over time as a result.

Stronger efforts are necessary to ensure that durable solutions can be achieved for the remaining displaced persons. This entails improved data and information collection, targeted programmes to address their specific needs, monitoring of the achievement of durable solutions as well as strengthened efforts towards achieving peace in the region. The relative wealth of the Russian Federation should allow it to build on the positive results it has already achieved and further improve the situation of displaced persons.

[1] Reference to committee: Doc. 12398, Reference 3725 of 12 November 2010.

A. Draft resolution[2]

1. The Parliamentary Assembly stresses the continuing importance of addressing the humanitarian aspects of protracted displacement in the North Caucasus. Towards the end of 2011, there were at least 19 000 internally displaced persons (IDPs), 350 000 returned IDPs and 30 000 refugees in the region. Ongoing problems with security (terrorist threats) in some parts of the region remain a major obstacle to obtaining durable solutions for everyone.

2. The Assembly recognises the remarkable efforts undertaken by the federal, regional and local authorities since the Assembly's previous report leading to Resolution 1404 (2004) on the humanitarian situation of the Chechen displaced population. The authorities in Moscow, North Ossetia-Alania and Ingushetia appear to have an increasingly practical and realistic approach to normalising the living conditions of people internally displaced by conflict.

3. However, the governmental response to internal displacement still needs to be improved. The pervasive problem of lack of accountability and control over spending mentioned in previous reports remains. There has mostly been a narrow focus on housing assistance, which has not always been adequate or consistent.

4. The Assembly acknowledges that the lack of authoritative data on the number and situation of IDPs and returned IDPs poses a major challenge to resolving internal displacement in the North Caucasus. Durable solutions cannot be achieved until accurate data is collected, according to the international definition of IDP, to determine whether the specific needs and vulnerabilities from displacement persist. Defining, counting and monitoring IDPs is essential to ensuring the response addresses all remaining displacement-related assistance and protection needs.

5. The Assembly remains seriously concerned about the difficulties still faced by people displaced by conflicts in the region. Many have had government support rejected or discontinued. Some also continue to struggle to register at their current residence, which is in practice needed to access certain rights. Many depend on government benefits as their main source of income. Limited income coupled with mostly ineffective property compensation mechanisms and inadequate government housing support has meant that most continue to live in substandard housing conditions.

6. The Assembly is concerned that the living standards of these people may continue to worsen if the government response does not improve. United Nations agencies left the North Caucasus at the end of 2011 and will not be initiating any new projects for IDPs there. With the Russian authorities not entirely replacing the work of the United Nations or the funding of exiting donors, IDPs will have fewer organisations to turn to for assistance, and it will be more difficult to monitor the humanitarian situation of IDPs, returned IDPs and refugees.

7. The Assembly notes with optimism that the Russian Federation is wealthy and capable and is in a position to resolve its remaining internal displacement situations. Resolving the protracted displacement situations in the North Caucasus will demand sustained political will and allocation of resources, and may require capacity strengthening of some State institutions. It will also require a rights-based process with more transparent procedures, improved communication with IDPs and increased participation of the latter.

8. In light of the above considerations, the Assembly calls on:

8.1 the Russian Federal Government to:

8.1.1. align legislation relating to internal displacement with the United Nations Guiding Principles on Internal Displacement and Committee of Ministers Recommendation Rec(2006)6 on internally displaced persons, including by using the definition of internally displaced person contained in the Guiding Principles and removing the requirement that to be considered as such they have to have crossed an internal border;

8.1.2. conduct a survey, using the definition of internally displaced person in the Guiding Principles, to determine the current number and location of people internally displaced from and within Chechnya and North Ossetia-Alania as a result of conflict, as well as the outstanding issues which they face;

[2] Draft resolution adopted unanimously by the committee on 24 January 2012.

8.1.3. take measures to address all the outstanding displacement-related issues of displaced persons, as determined by the national survey mentioned above, and ensure that the needs and rights of IDPs guide all policies and decisions;

8.1.4. ensure that the amount of compensation for destroyed property is sufficient to purchase, build or rebuild housing, including by taking measures to eliminate demands for kickbacks;

8.1.5. make job creation and construction of social housing a priority within the *Strategy for the Socio-Economic Development of the North Caucasus Federal District to 2025* and ensure that people internally displaced as a result of the conflicts in Chechnya and North Ossetia-Alania have facilitated access to these initiatives as well as to professional retraining opportunities and micro credits for income-generating projects;

8.1.6. abolish residence registration in policy and practice, in accordance with the Russian Federation's accession commitments to the Council of Europe (Assembly Opinion 193 (1996) on Russia's request for membership of the Council of Europe and Recommendation 1544 (2001) "The *propiska* system applied to migrants, asylum-seekers and refugees in Council of Europe member states: effects and remedies");

8.1.7. increase oversight and transparency of budgetary spending in the republics of the North Caucasus by making federal transfers on the basis of meeting and reporting on benchmarks published in development plans; make particular efforts to eradicate corruption along the lines of the recommendations of the Group of States against Corruption (GRECO);

8.1.8. stabilise the security situation in the region in a manner that is in line with international human rights standards and ensure that the conflicts are effectively resolved;

8.1.9. facilitate the work of non-governmental organisations (NGOs) and other organisations working on IDP-related issues in the region;

8.2. the Government of the Chechen Republic to:

8.2.1. where it cannot be avoided, close gradually the hostels accommodating people who were internally displaced by conflict, and rigorously apply a procedure that adheres to international norms;

8.2.2. consider purchasing housing on the real estate market or facilitating access to municipal housing with secure tenure for people with no permanent housing as a result of the conflicts and no possibility to return to their original residence;

8.2.3. speed up the process of paying compensation for destroyed property;

8.2.4. increase and diversify the range of stable jobs available and consider local companies and workers for jobs rather than hiring foreign companies to work locally;

8.2.5. ensure that the non-governmental organisations working on human rights and humanitarian issues in the Republic, including on the rights of IDPs, can work freely and without intimidation or impediments;

8.3. the Government of the Republic of Ingushetia to:

8.3.1. ensure that the socio-economic development programme for 2012-2016 effectively addresses the housing issues facing IDPs, including by offering varied solutions in line with the settlement wishes of IDPs;

8.3.2. facilitate access to municipal housing with secure tenure for people internally displaced from Chechen and North Ossetia-Alania Republics who have no permanent housing or forced migrant status, in areas determined according to their settlement wishes;

8.3.3. ensure that temporary settlements housing those displaced are not closed before alternative accommodation and resettlement support have been made available to residents, and ensure that the latter are clearly informed about the process and have the opportunity to participate in the decision-making process;

8.4. the Government of the Republic of North Ossetia-Alania to:

8.4.1. pursue the process of reconciliation more vigorously, especially in the areas of return or settlement of people displaced by the 1992 conflict, by fostering a political and cultural climate of respect, tolerance and non-discrimination;

8.4.2. implement a mechanism to resolve the secondary occupation of the homes of people who were internally displaced by the 1992 conflict and wish to return;

8.4.3. speed up the process of paying housing support for properties destroyed during the conflict;

8.4.4. facilitate access to documentation for people internally displaced by the 1992 conflict and refugees, in particular for the residents of the new settlement areas in Novy and Maïskiy;

8.4.5. make every effort to resolve the critical housing situation of the ethnic Ossetian refugees from the early 1990s conflicts in Georgia, either through federal or regional funding or international donors.

9. The Assembly acknowledges the extensive work done by local and international agencies and NGOs in the region over the years. This has contributed to the protection of forcibly displaced groups in the North Caucasus and to some degree eased the pain of protracted displacement. The Assembly encourages these organisations to keep their offices in the region open, continue improving the lives of displaced persons and support the government in meeting its primary responsibility, which is to protect and assist displaced persons.

10. The Assembly invites the member States to provide expertise and assistance to the Russian Federation in conducting a comprehensive survey on the current number, location and displacement-related assistance and protection needs of the IDPs from and within the Chechen and North Ossetia-Alania Republics as well as to co-sponsor possible projects to improve the housing situation of IDPs in the region through the Council of Europe Development Bank.

B. Explanatory memorandum by Mr Dendias, rapporteur

Contents

1. Introduction

1. With some 2.5 million[3] people displaced in the North Caucasus region, internal displacement remains a key human right and humanitarian challenge. The main cause of internal displacement in the Russian Federation has been the conflicts in the Chechen Republic (Chechnya) and the Republic of North Ossetia-Alania (North Ossetia). More than 800 000 people have fled their homes in Chechnya since 1994, the result of generalised violence and two rounds of armed conflict between rebels and government forces. A brief armed conflict in North Ossetia over the Prigorodny district displaced up to 64 000 ethnic Ingush people in 1992. Many people were displaced more than once.

2. The Parliamentary Assembly, and in particular its Committee on Migration, Refugees and Displaced Persons, has been following the humanitarian situation in the North Caucasus since 1997 and it has prepared numerous reports, opinions, resolutions and recommendations. In April 2004, the Assembly adopted Recommendation 1667 (2004) on the situation of refugees and displaced persons in the Russian Federation and some other CIS countries, and Resolution 1404 (2004) on the humanitarian situation of the Chechen displaced population. [4]

3. Seven years later, the Committee on Migration, Refugees and Displaced Persons decided to return to the issue of internal displacement in North Caucasus. It tasked your rapporteur with examining the current humanitarian situation of internally displaced persons (IDPs) and returned IDPs in the region, and formulating new recommendations. The present memorandum is based on numerous sources, but in particular on information he gathered during a fact-finding visit to the Russian Federation from 18 to 24 September 2011. In this context, your rapporteur is grateful to the parliamentary delegation of the Russian

[3] Internal Displacement Monitoring Centre, "Internal Displacement: Global Overview of Trends and Developments in 2010" (23 March 2011).

[4] See Doc. 10118 and Doc. 10282, prepared by the Committee on Migration, Refugees and Displaced Persons (Rapporteur: Mr Tadeusz Iwinski).

Federation as well as representatives of the Federation Council for their hospitality and assistance. He also extends his gratitude to the Danish Refugee Council (DRC) who facilitated the selection of temporary IDP settlements and hostels to visit and who arranged meetings with IDP representatives and non-governmental organisation (NGO) in the three republics. Finally, your rapporteur wishes to thank Ms Nadine Walicki from the Internal Displacement Monitoring Centre (IDMC), who travelled to the North Caucasus in parallel with your rapporteur's visit and has acted as a consultant in the preparation of the present report.

4. Your rapporteur wishes to underline that, in accordance with his mandate, this memorandum concentrates primarily on the humanitarian and human rights issues pertaining to the subject matter of this report. General political and human rights aspects are only touched upon insomuch as it is necessary to explain the background context. Your rapporteur's intention is to present a balanced overview of the various issues at stake and the complex tasks facing the authorities at federal, regional and local level. He hopes that this report will help contribute to the establishment of a road map towards finding durable solutions for the many families still displaced in the North Caucasus region.

2. General context

2.1. Security

5. The North Caucasus remains a dangerous place. The years 2006-2008 saw some stabilisation; however, more recently, the overall number of security incidents has increased. Suicide bombings and other attacks occur regularly on military, law enforcement and other targets in Chechnya, Ingushetia, Dagestan and more recently Kabardino-Balkaria.[5] While the security situation in Chechnya has improved considerably, the most violent republic is currently Dagestan, where attacks have also targeted high-ranking government officials and religious figures.[6] In 2009, the Russian President, Dmitry Medvedev, called insecurity in the region his country's "most serious domestic political problem",[7] and acknowledged that it was fuelled by economic woes, unemployment, abuses of power, embezzlement of government funds and corruption among the ruling elites.[8]

6. At a meeting with the rapporteur on 19 September 2011, the Deputy Prime Minister and Special Envoy of the President of the Russian Federation to the North Caucasus Federal District, Alexander Khloponin, characterised the security situation in the region as "stably tense". Government-led "counter-terrorist" measures continue throughout the region, and, in Mr Khloponin's words, some 80% of the "terrorists", despite using Islamist slogans, are in fact ethnic mafia groups fighting for the redistribution of property. There are also groups of radical Islamists in the region, which often recruit unemployed youth and are fighting for the establishment of an Islamic State and sharia law in the North Caucasus. Dominating the situation, however, is the complex system of clans, with the executive power and entire segments of the economy being concentrated in the hands of one or another ethnic clan.

7. On the positive side, relations between North Ossetia and Ingushetia have normalised with the coming into power of the new Ingush government in 2009 under the leadership of Yunus-Bek Evkurov. In December 2009, the Presidents of North Ossetia and Ingushetia signed a Joint Programme on Establishing Good-Neighbourly Relations, which is intended to facilitate, *inter alia,* the return of people with forced migrant status to their places of origin in the Prigorodny district of North Ossetia. The conflict over the Prigorodny district, however, remains unresolved.

2.2. Reconstruction

8. Today, the Chechen capital of Grozny shows few signs of having suffered nearly 15 years of war. Large-scale hostilities have long ceased, the military maintain a lower profile and the city has been rebuilt from charred ruins. Companies from Turkey and the United Arab Emirates are constructing new parks, broad avenues, clusters of high-rise flats and sports stadiums. Damaged infrastructure such as roads, water mains, schools and medical facilities have been rebuilt. Other areas of Chechnya have also benefited from the

[5] PONARS Eurasia, "The Kabardino-Balkaria Insurgency", Policy Memo No. 156 (May 2011), www.gwu.edu/~ieresgwu/assets/docs/ponars/pepm_156.pdf.
[6] Memorial, "Situation in the North Caucasus Conflict Zone: Assessment of Human Rights Activists" (14 October 2011), www.memo.ru/2011/10/14/1410112.pdf; UN DSS North Caucasus, "Security Update" (12 September 2011).
[7] President of Russia, "Presidential Address to the Federal Assembly of the Russian Federation" (12 November 2009), http://eng.kremlin.ru/transcripts/297.
[8] Ibid. President of Russia, "Speech at Meeting of Council for Civil Society Institutions" (19 May 2010), http://eng.kremlin.ru/transcripts/206.

reconstruction effort, though these plans have been more modest.[9] This is a considerable achievement on behalf of the Chechen government. However, it appears that much funding has gone to grandiose "showcase" projects.

2.3. Socio-economic environment

9. The transformation brought about by the reconstruction effort indicates prosperity, but appearances may be misleading. The economy of the North Caucasus, including Chechnya, remains underdeveloped and is largely subsidised by Moscow. Productivity is below the average for the Russian Federation, wages are low and unemployment high. There are also major obstacles to investment, including ongoing low-level violence, mined land and rampant corruption.

10. Despite efforts to improve essential infrastructure, most ordinary citizens have failed to benefit from the reconstruction effort in Chechnya. Foreign workers and companies have been hired to rebuild infrastructure, and factories or other initiatives that could create jobs on a large scale have not been restored. As a result, many ordinary citizens continue to depend on social benefits as their main source of income. Quality of life remains poor with a lack of affordable housing, limited access to water, sanitation and other utilities, inadequate transport infrastructure and a shortage of medical facilities. Where education is available, standards are low.[10]

11. Nevertheless, there is reason for optimism. As explained by Mr Khloponin, it has taken the Russian Federal Government more than ten years to improve the security situation in Chechnya, reconstruct infrastructure and residential areas, search for missing persons and make efforts to bring ethnic groups together, among other initiatives. To continue this effort, the *Strategy for Socio-Economic Development of the North Caucasus Federal District to 2025*[11] was adopted in 2010. The strategy provides for major investment in agriculture, food processing, building materials, tourism, industrial parks and logistics for the coming years. However, more time will be needed to improve the situation for everyone.

12. Tackling unemployment is a major priority for federal and regional governments alike: overall unemployment in the North Caucasus Federal District dropped from 438 000 to 300 000 unemployed between July 2010 and July 2011.[12] In Chechnya alone, unemployment decreased from 45% in 2010 to 30% in August 2011.[13]

2.4. Human rights

13. Human rights abuses continue to be reported in the context of government-led "counterterrorist" operations. Lawyers, journalists and human rights workers report the use of abductions, arbitrary detention, torture, enforced disappearances and unlawful killings.[14] Such abuses have spread beyond Chechnya to Ingushetia and Dagestan, and as far as Kabardino-Balkaria.[15] The Russian Commissioner for Human Rights (Ombudsman) has repeatedly reported violations in the North Caucasus, as have the Assembly's Committee on Legal Affairs and Human Rights and the Council of Europe Commissioner for Human Rights. Such reports, however, appear to have had little affect on the ground.

14. Impunity for human rights violations continues despite nearly 200 related rulings from the European Court of Human Rights ("the Court"). The Court has repeatedly found the Russian Federation to be in violation of Article 2 and/or Article 3 of the European Convention on Human Rights (STE No. 5, "the

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[9] Jamestown Foundation, "The Year in Chechnya: Reconstruction Marred by Lingering Insurgency and Inter-Chechen Conflict" (21 January 2011), *Eurasia Daily Monitor*, Volume 8, Issue 15.

[10] Government of the Russian Federation, "Strategy of socio-economic development of the North Caucasus Federal District to 2025" (6 September 2010), http://krskfo.ru/strat_skao_2025.html.

[11] The North Caucasus Federal District is one of eight in the Russian Federation and includes Ingushetia, Chechnya, Dagestan, Karachaevo-Cherkessia, Kabardino-Balkaria, Stavropol Krai and North Ossetia. It was created in January 2010.

[12] Mr Khloponin, meeting in Moscow on 19 September 2011.

[13] Ministry of Labour and Social Affairs of the Chechen Republic, meeting on 23 September 2011. It should be noted that unemployment figures vary considerably from one source to another. For example, on 1 November 2011, the Ministry of Regional Development website reported 59% of the population registered as unemployed in Chechnya.

[14] Amnesty International, "Justice for the Disappeared in the North Caucasus" (4 August 2010), www.amnesty.org/en/library/asset/EUR46/010/2010/en/e9a63fb4-c843-473d-971f-b936f0ca277d/eur460102010en.pdf; Human Rights Watch, "World Report 2011: Russia" (24 January 2011), www.hrw.org/sites/default/files/related_material/Russia.pdf.

[15] Memorial, "Situation in the North Caucasus conflict zone: Assessment of human rights activists" (14 October 2011), www.memo.ru/2011/10/14/1410112.pdf.

Convention"). The violations relate to unlawful killings, disappearances, torture and ill-treatment, and the failure to investigate such crimes effectively. Moscow has paid compensation to the victims as required, but has failed to hold the perpetrators accountable.

15. Human rights defenders continue to be targeted for their work. Increased pressure and intimidation combined with a lack of independent media[16] serve to reduce human rights monitoring and reporting in the region. Pressure and intimidation emanates even from high-level government officials. The Chechen leader, Ramzan Kadyrov, for example, has described those from the NGO Memorial as "enemies of the State, enemies of the people, enemies of the law". Regrettably, the Ombudsman of Chechnya, Nurdi Nukhazhiev, appears to share a similar view. He did little to hide his dislike for international and local human rights organisations at our meeting. Your rapporteur has serious doubts as to the Chechen Ombudsman's understanding of his role as an independent institution protecting human rights in the republic. In significant contrast, the Ombudsman of Ingushetia, Dzhambulat Ozdoev, has created an office that is welcoming complainants and NGOs alike, which inspires confidence towards the ombudsman's institution.

3. Displacement

3.1. Internally displaced persons

16. There are no authoritative numbers of IDPs in the North Caucasus. Your rapporteur was unable to receive concordant figures, even from different branches of the Federal Migration Service. It is also a matter of definition. While international organisations use the definition of the United Nations Guiding Principles on Internal Displacement to count IDPs, the Russian Government counts "forced migrants" according to the definition in the 1995 *Law of the Russian Federation on Forced Migrants*. This definition of "forced migrant" differs in several ways from the definition of IDP in the Guiding Principles on Internal Displacement.[17]

17. The Russian definition of a forced migrant is simultaneously more and less restrictive than the definition of an IDP in the Guiding Principles. It is more restrictive in that a person displaced within a subject of the Russian Federation, say Chechnya, would not qualify for forced migrant status, but would be considered an IDP according to the Guiding Principles. The justification for this is unclear. At the same time, a person who fled to the Russian Federation from another country or former Soviet republic and managed to acquire Russian citizenship might qualify for forced migrant status, but would not be considered an IDP according to the Guiding Principles.

18. Given the definition of forced migrant, government figures for displacement in the North Caucasus might be expected to be higher than those provided by international organisations. The reverse, however, tends to be true. While many of those who fled the first conflict in Chechnya were granted forced migrant status, only a minority of those who fled the second conflict in Chechnya were granted the status.[18] Government figures are also low because of those who were deemed forced migrants, many have lost their status either because they failed to reapply for it, have it extended or regain it after the required five-year period or because they received housing assistance or compensation for their destroyed property.

19. In October 2011, the Federal Migration Service reported 19 136 people with forced migrant status in the North Caucasus Federal District. This included 5 633 people from Chechnya and 2 864 people from North Ossetia. In the same month, international organisations reported at least 52 748 IDPs in the whole of the North Caucasus.[19] As there has been no formal assessment of the achievement of durable solutions, it is likely that some people no longer counted as IDPs or forced migrants still have unresolved issues relating to their displacement.

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[16] Jamestown Foundation, "New Details Emerge on the Repression of Journalists and Rights Activists in the North Caucasus" (19 September 2011), North Caucasus Analysis, Volume 12, Issue 18, www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=38423&tx_ttnews%5BbackPid%5D=514; Reporters without Borders, "Russian Caucasus: Report of Fact-Finding Visit to Chechnya and Dagestan" (October 2011), http://en.rsf.org/IMG/pdf/mission_report_north_caucasus_rwb_oct._2011-2.pdf.

[17] Appendix 2 contains these two definitions. The Guiding Principles on Internal Displacement were endorsed by the Council of Europe in Committee of Ministers Recommendation Rec(2006)6 on internally displaced persons, adopted on 5 April 2006. The Guiding Principles are available at www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/A2D4116C222EB1F18025709E00419430/$file/GPsEnglish.pdf.

[18] Office of the United Nations High Commissioner for Refugees (UNHCR), "On Asylum Seekers from the Russian Federation in the context of the situation in Chechnya" (February 2003). The justification for this differential treatment was that the first conflict was considered a "mass violation of public order", as per the definition of forced migrant, while the second conflict was not.

[19] UNHCR data include 16 634 IDPs in Ingushetia; 33 209 in Chechnya and 2 905 in Dagestan. In addition, the UNHCR counts 22 473 persons who remain in displacement from the conflicts in Georgia between 1991 and 2008.

3.2. Returned internally displaced persons

20. Data on returnees also differs according to the source. According to government sources, 323 000[20] people returned to Chechnya between 2001 and 2009, and more than 26 000[21] returned to North Ossetia between 1994 and 2010. The Federal Migration Service reported that all IDPs who wished to return to Chechnya had voluntarily done so by 1 April 2009.[22] In both Chechnya and North Ossetia, some went back to their former homes, while others received housing support from the government, moved in with relatives or ended up living in temporary accommodation in their second or third places of displacement.[23]

21. Clear figures of the number of people who have returned to Chechnya from abroad are also lacking. The branch office of the Federal Migration Service in Chechnya reported 87 families having returned from Europe, mostly from Austria. NGOs mentioned 300 Chechens having returned from the Pankisi Gorge in Georgia. During a recent visit to Jordan, the Chechen Leader, Ramzan Kadyrov, encouraged Chechen nationals to return; reportedly some families returned as a result. However, your rapporteur did not manage to obtain more precise figures. He received no indication of any large-scale campaign encouraging Chechens to return, nor was he informed of any cases of unwelcomed return. However, some authorities voiced concern over the fact that, without former residents (notably the former *intelligentsia*) returning from abroad or from other parts of the Russian Federation, modern republics could not be built.[24]

3.3. Refugees

22. The total number of refugees in the North Caucasus is unknown to your rapporteur. However, it was brought to his attention that some 30 000 ethnic Ossetian refugees from Georgia still remain in North Ossetia from the conflicts in the early 1990s, of whom 10 000 persons (4 000 families) were in dire need of adequate housing 20 years later.

23. Your rapporteur had the possibility to visit the temporary accommodation centre “Ossetia” (former “Pervomaïsky” sovkhoz) where 40 Ossetian refugee families from Georgia have been living for 22 years in degrading conditions, without any sanitation or gas supplies and suffering from a strong “refugee syndrome”. According to the local authorities, 39 similar temporary centres existed in North Ossetia. Six billion roubles were required to solve the housing situation of these ethnic Ossetian refugees. They could not benefit from the federal housing programme in the foreseeable future, for most of them had only acquired Russian citizenship in 2000, thereby coming in a very low position on the federal list. At the same time, the local government officials claimed that no funding was possible from their budget. Your rapporteur therefore encourages the local authorities to seek foreign donors through partnership programmes to solve the critical housing situation of these refugee families.

4. Government assistance

24. A number of legal acts and regulations for the protection of IDPs exist. Government assistance to IDPs, outlined in the 1995 law on forced migrants, is conditional on claimants having forced migrant status. The law outlines entitlements including special allowances, temporary housing, job placements, loans, school and university places, training, free medical care and help in recovering lost documents and property. Further measures are set out for older people, the disabled and orphans. The legislation also emphasises voluntary and assisted return. Recent amendments allow for payments for the purchase of homes.[25] Other acts and regulations were put in place to provide assistance to people displaced within and from Chechnya independent of forced migrant status.[26] Although no longer issued, this assistance included food, transport, maintenance of temporary shelter and cash allowances to returnees.

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[20] Figure quoted by Mr Valery Fedorov, MP, at the meeting of the Committee on Migration, Refugees and Population on 13 September 2011 on the basis of notes received from the Federal Migration Service (FMS) in September 2011. This figure conflicts with the figure of 175 000 IDPs having returned to Chechnya in the FMS reply to your rapporteur’s enquiry, received on 3 November 2011.

[21] Ibid. The same figure was quoted by the Speaker of the North Ossetian Parliament at our meeting on 20 September 2011.

[22] Russian Federation, reply to request for information from the Council of Europe (3 November 2011).

[23] European Commission, “Commission Decision on the financing of humanitarian actions in the Northern Caucasus from the general budget of the European Union” (9 December 2010).

[24] Meeting with Mr Gusmanov, Vice-Speaker of the Chechen Parliament, on 23 September 2011.

[25] President of Russia, “Amendments to the Law on Displaced Persons” (18 October 2010), http://eng.kremlin.ru/news/1154.

[26] Russian Federation, Resolution No. 163 On financing the expenses for the maintenance of food support to citizens who temporarily left their permanent residence on the territory of the Chechen Republic and located in temporary

4.1. Compensation for destroyed property

25. People whose homes were destroyed during the conflicts in Chechnya are eligible to apply for compensation, and they are not obliged to have forced migrant status to do so. Those who fled the first conflict and settled outside Chechnya may receive up to 120 000 roubles (€2 900),[27] while those who fled the first or second conflict and have settled within Chechnya may receive a fixed amount of 350 000 roubles (€8 400).[28] Recipients who settle outside of Chechnya must give up former titles to housing and land, while those who settle in Chechnya retain theirs. Deadlines for applications have not been set for either scheme. Towards the end of 2011, there were 22 800 applications pending from people who have settled inside Chechnya, but none from people who have settled outside the republic. The Ministry of Regional Development together with other authorities, including the Federal Migration Service, are reportedly preparing a new programme of State support for citizens who have lost their housing as a result of the conflict in Chechnya and do not want to return.

26. Similarly, people whose housing was destroyed during the conflict in North Ossetia are eligible to apply for compensation ranging from 700 000 to two million roubles (€16 800 to €48 100).[29] It is not clear why the amount of compensation is higher for those dispossessed as a result of conflict in North Ossetia than in Chechnya. Recipients must agree to return to their places of origin or, in the case of some villages where authorities are unable to guarantee security for returnees, to settle elsewhere within the republic. Compensation is granted to permanent Prigorodny residents, those living in dormitories in the district and those without titles to property but who can prove in court that they were permanent residents in Prigorodny before the conflict. The deadline for applications was 1 December 2006 and for the submission of essential documents 1 July 2008. The government has reviewed all applications and decisions are pending.[30]

4.2. Housing support

27. The federal government has provided temporary accommodation to many people with forced migrant status for years, and it has established other programmes intended to meet the housing needs of forced migrants in the North Caucasus. These include long-term, interest-free loans[31] or, under a programme in place since 2002 and recently extended until 2015,[32] various categories of citizens including people with forced migrant status are eligible to apply for housing certificates. Housing certificates are vouchers that can be used to buy housing and the amount is calculated based on the number of family members and current market housing prices.

28. Three further federal programmes – South Russia (2008-2013),[33] Socio-Economic Development of the Chechen Republic for 2008-2012[34] and Socio-Economic Development of the Republic of Ingushetia for 2010-2016[35] – aim to increase the standard of living, including housing conditions, in the North Caucasus. Another 5.5 trillion roubles (€132 billion) Socio-Economic Development Plan for the North Caucasus Federal District to 2025 also aims to resolve housing and other problems for the region's displaced people.[36]

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accommodation premises on the territory of the Russian Federation, and also on covering the expenditures for the transportation of citizens and their assets to their place of residence on the territory of the Chechen Republic in 2001 (3 March 2001).

[27] Russian Federation, Resolution No. 510 On the procedure for compensation payments for lost housing and/or property of citizens who were victimised as a result of the resolution of the crisis in the Chechen Republic and have left it permanently (30 April 1997).

[28] Russian Federation, Resolution No. 404 On the procedure for compensation payments for lost housing and property of permanent residents of the Chechen Republic who were victimised as a result of the resolution of the crisis in the Chechen Republic (4 July 2003).

[29] Russian Federation, Resolution No. 274 On provision of State housing support to forcibly displaced persons who lost their homes as a result of the Ossetian-Ingush conflict in October – November 1992 (6 March 1998).

[30] Federal Migration Service, reply to request for information from the Council of Europe (3 November 2011).

[31] Russian Federation, *Order on the housing arrangement of forcibly displaced people in the Russian Federation*, No. 845 (8 November 2000), http://law.kodeks.ru/egov/index?tid=0&nd=901774952&prevDoc=901774952.

[32] Russian Federation, Federal Targeted Programme "Housing" for 2011-2015, http://fcp.economy.gov.ru/cgi-bin/cis/fcp.cgi/Fcp/ViewFcp/View/2011/324/.

[33] Russian Federation, Federal Targeted Programme "South Russia" for 2008-2013, http://fcp.economy.gov.ru/cgi-bin/cis/fcp.cgi/Fcp/ViewFcp/View/2011/248/.

[34] Russian Federation, Federal Targeted Programme "Socio-Economic Development of the Chechen Republic for 2008-2012", http://fcp.economy.gov.ru/cgi-bin/cis/fcp.cgi/Fcp/ViewFcp/View/2012/249/.

[35] Russian Federation, Federal Targeted Programme "Socio-Economic Development of the Republic of Ingushetia for 2010 to 2016", http://fcp.economy.gov.ru/cgi-bin/cis/fcp.cgi/Fcp/ViewFcp/View/2011/301/.

[36] *Eurasia Daily Monitor*, "Plans to Build North Caucasus Ski Resorts: Why Paint The Fence If The House Is Burning?" (29 September 2011).

Chechnya's programme "Social Housing" also includes measures to increase the municipal housing stock in the republic to ensure adequate housing is available for the most vulnerable people in the republic including those who lost their housing during the conflicts.[37]

4.3. Social support

29. The IDPs in Chechnya and North Ossetia who are not eligible for forced migrant status may benefit from other measures. President Kadyrov has established the Akhmat Khadji Kadyrov Fund, named after his late father, which is intended to help meet the needs of vulnerable people. The government has also set up social service centres in the region, with the largest number in Chechnya. They provide information on legal entitlements, social and psychological services, including to IDPs and returnees, and help them meet their basic food and hygiene needs. The Chechen authorities also provide a pension top-up to residents who lost their labour record during the conflicts, but no other republic of the Russian Federation has followed suit. For their part, the authorities in North Ossetia are implementing a socio-economic development programme in the Prigorodny district to encourage Ingush and Ossetian communities to return and live peacefully together. According to the information obtained from the Ministry of Foreign Affairs in North Ossetia, in the academic year 2011-2012, 2 112 Ingush students were enrolled in school in North Ossetia, where they could elect to take Ingush language classes.

4.4. Legal advice and assistance

30. IDPs with or without forced migrant status may appeal to the Ombudsman of the Russian Federation and his offices. The Ombudsman has raised the ongoing issue of some IDPs outside of Chechnya not being able to receive their full pension as a result of the archives being lost during the conflicts, concluding that the result is a violation of their right to social security. In Ingushetia, the Ombudsman has recently suggested amendments to the Law on Forced Migrants, hosted a round-table discussion on the problems facing IDPs,[38] publicly advocated for IDPs and received their complaints and concerns.[39] For his part, the Chechen Ombudsman has highlighted some inadequacies in the property compensation schemes[40] and the process of evictions of IDPs from hostels. Your rapporteur nevertheless reiterates his concern that the Chechen Ombudsman does not fully protect human rights.

31. Additionally, the Chechen Presidential Decree No. 451 of 6 December 2007 "On additional measures to ensure rights and freedoms of people and citizens in the Chechen Republic" sets out a number of measures relating to human rights. For example, Public Councils on the Safeguarding of the Rights and Freedoms of the People and Citizens of the Chechen Republic were established at municipal and district administration levels and have reportedly taken up the complaints of numerous IDP hostel residents and other vulnerable citizens on violations of their housing, land and property rights.

5. Achievements and challenges

5.1. Chechnya

5.1.1. Achievements

32. The return of IDPs was made possible by the efforts of federal and Chechen authorities, who ended the bombing and shelling of inhabited areas, rebuilt towns and re-established social payments and services.[41] The Chechen authorities have provided housing support to some returned IDPs whose homes had been destroyed, including plots of land, rental subsidies, apartments, houses or placement in municipal housing.[42] Some hostels for IDPs have also been renovated. International humanitarian organisations, such

[37] Government of the Chechen Republic, "V Chechenskoi Respublikt v sotsialnom zhilye nuzhdayutsya bole 62 tisyach grazhdan" (14 October 2009), http://chechnya.gov.ru/page.php?r=126&id=6161.
[38] *Caucasian Knot*, "In Ingushetia, roundtable States systematic violations of IDPs' human rights" (3 May 2011), www.eng.kavkaz-uzel.ru/articles/16971/.
[39] *Caucasian Knot*, "Ingush authorities offer refugees to rent housing; migrants complain of pressure" (27 September 2011), www.eng.kavkaz-uzel.ru/articles/18495/.
[40] Overseas Development Institute, "A review of DRC's protection and livelihoods programme in Chechnya" (28 February 2009).
[41] Assembly Resolution 1738 (2010) on legal remedies for human rights violations in the North Caucasus region.
[42] Government of the Chechen Republic, "31 semya poluchila novie kvartiri v Groznom" (5 June 2009), http://chechnya.gov.ru/page.php?r=126&id=5446; and "O merakh po podgotovke tsentrov vremennogo razmesheniya peremeschennikh lits na territorii Chechenskoi Respubliki (26 February 2001), http://refugee.memo.ru/For_All/law.nsf/c06a9e3057c0ab7bc3256b8a007e9efc/531bc7882b785036c3256a8e0068fe8e!OpenDocument.

as DRC and UNHCR have supported construction of housing for IDPs and returned IDPs.[43] Your rapporteur visited one such housing project financed by the DRC in Assinovskaya Usadba, and was considerably impressed.

33. Many IDPs who lost their property have also benefited from property compensation programmes. Around 75 000 families (124 745 people) who resettled in Chechnya have received compensation for destroyed property under Decree No. 404; and some 38 000 families who resettled outside the republic – of whom 22 819 live in the North Caucasus Federal District – have received compensation under Decree No. 510.[44] As of 2008, applicants no longer need to include proof of their registration as a resident at the destroyed property when they apply for compensation.[45]

5.1.2. Challenges

34. Unemployment among IDPs remains a serious challenge. More than 60% of able-bodied IDPs are out of work in Ingushetia and Chechnya.[46] IDPs report obstacles to finding work specific to their displaced status, including their lack of registration as a temporary resident, gaps in schooling, disability and the need to care for children and elderly or sick relatives. Youth are particularly affected as many missed up to seven years of education during the conflict, had poor access to bridging courses and now face poor quality of education, due to the lack of teachers and teacher training and the (illegal) sums of money frequently demanded in exchange for issuing diplomas. In common with the rest of the population, IDPs also suffer from a shortage of employment opportunities, inadequate qualifications and kickbacks demanded in return for a job. Some IDPs in Grozny pointed out that major construction projects in the city did not offer skilled labour opportunities for local unemployed people as foreign investors mostly brought their skilled staff with them. Internally displaced women told your rapporteur that although they had higher education degrees from before the war, they could not find qualified work. The result is that most IDPs depend on State pensions, social allowances and help from relatives.

35. Government housing support has not always led to a durable solution. Settlement assistance from the Chechen government is only available in IDPs' area of origin, and those who were not registered as permanent residents before the conflicts are unable to claim. Municipal authorities have not always provided this support, for budgetary reasons. Plots of land offered to some IDPs were in remote areas with no access to water, electricity or transport. Others found the apartments and houses offered to be in inadequate condition or that ownership was contested. Letters of guarantee for future receipt of housing have not been honoured by the municipal administration of Grozny.[47] Housing offers have usually been calculated for families based on the number of internally displaced parents and their children in the family. Calculations have not included grandchildren or daughters-in law, who usually also live with the family since they have been unable to secure housing on their own as a result of poverty of displacement. As a result, the housing offered has often been too small and inadequate living conditions persist even when a housing solution is found.

36. The government's focus on return restricts IDPs' right to make a free and voluntary choice of settlement, whether it be to return, locally integrate in their area of displacement or resettle elsewhere. The law does not prevent the Chechen government from providing alternative housing in such cases, but, in practice, those not registered as permanent residents of the locality prior to the second conflict have been unable to apply for help. This runs counter to Article 3 of Russian Federation Law No. 5242-1 of 25 June 1993 that States that registration as a permanent resident cannot be a condition for the realisation of citizens' rights and freedoms, and a 1995 Constitutional Court ruling that to make housing assistance conditional on registration as a permanent resident was unconstitutional.[48] In addition, registration as a resident in a new locality is difficult to obtain, and without it access to services, jobs and entitlements is limited.

37. Compensation schemes for destroyed property have also not always enabled IDPs to secure adequate housing. A 2011 survey of IDPs living in private accommodation[49] revealed that 33% of households

[43] The UNHCR reported having constructed 20 000 houses through its shelter programmes in Chechnya.
[44] Russian Federation, reply to request for information from Council of Europe (3 November 2011).
[45] Russian Constitutional Court (6 October 2008).
[46] Danish Refugee Council, "The DG ECHO-Funded Survey of Internally Displaced Persons/Recent Returnees in Private Accommodation in the Chechen Republic" (November 2011); Danish Refugee Council, "Report on the Danish Refugee Council's 2010 Census of Internally Displaced Persons (IDPs) from the Chechen Republic of the Russian Federation Residing in Collective Centers in Ingushetia and Chechnya" (September 2010).
[47] *Chechen Republic Today*, "Territoria, svobodnaya ot etnokonfliktov" (10 October 2011), www.chechnyatoday.com/content/view/16776/426/.
[48] Russian Federation, 1995 Constitutional court ruling.
[49] See appendix for definitions.

had received compensation, but were still waiting for a durable housing solution. Among the reasons given were that the amount awarded had not been indexed to inflation and so was not enough to buy or build a new property; and that kickbacks demanded by government officials meant families did not receive their full entitlement.[50] These factors have discouraged many eligible IDPs from applying for compensation. Others are simply not eligible. Families whose housing was less than 80% destroyed, or who lost their homes in the violence that led up to the official start of the first conflict are not able to apply, and nor are tenants or occupiers of property other than their own.[51]

38. The combination of ineffective compensation schemes, inadequate government housing support and widespread unemployment means that many IDPs continue to live in substandard housing conditions. Some 20 000 vulnerable households affected by the war were still without a permanent home and in need of housing assistance in 2009.[52] Their housing was inadequate in terms of living conditions, location, availability of services, facilities and infrastructure and legal security of tenure. Many IDPs continue to live in dilapidated hostels, the homes of relatives and friends, box tents they received as long ago as 2003 and other makeshift premises. They live in more crowded conditions and have less protection from the elements than the general population.[53] Your rapporteur witnesses deplorable conditions in some hostels.

39. The number of evictions of IDPs from hostels increased in 2011. Most IDPs living in hostels in 2010 lacked any kind of proper ownership or tenancy contract or residence registration at the hostel.[54] This put them at risk of unlawful eviction which they could not legally contest. In carrying out evictions, the government observed some procedural norms but ignored others. Court orders were issued, government officials were present, those carrying out the procedure were properly identified and evictions were put on hold in the case of bad weather. There was, however, no opportunity for consultation, the informed consent of the affected group was never sought or given, notice was mostly very short (sometimes only 48 hours), and evictions were carried out regardless of whether those affected had access to a legal remedy or assistance.

40. Not all IDPs living in hostels were without alternative accommodation or the means to rent. Upon eviction, some were able to fall back on other options. IDPs for whom living in hostels was not a matter of choice, however, were even more vulnerable once evicted. Without an offer of alternative accommodation, it is not clear how this group will cope. These cases clearly need special attention, but the government has not adopted a case-by-case approach or monitored the situation of evicted IDPs and so is unaware of their continuing housing needs. Some IDPs who have received eviction orders have appealed collectively to President Kadyrov and the Mayor of Grozny, requesting the order be withdrawn or alternative accommodation provided.

41. Lack of security remains a problem for IDPs and returned IDPs in Chechnya. Like their neighbours they are in the midst of ongoing violence and exposed to the risks associated with landmines and unexploded ordnance, which are still present in rural areas.[55] President Medvedev had instructed the defence and emergencies ministries to complete the demining process in Chechnya, but lack of funding appears to be delaying the process.[56]

5.2. North Ossetia

5.2.1. Achievements

42. Return has been facilitated in North Ossetia. Schools, kindergartens, health clinics and sports complexes have been renovated in several villages and hundreds of events have been organised since 2003 to bring Ossetian and Ingush people together at all levels of society.[57] Over 4 000 Ingush families (21 823

[50] Commissioner for Human Rights, Álvaro Gil-Robles' report of 20 April 2005 on human rights in Russia, Committee of Ministers, point 350; Danish Refugee Council, report of September 2010, op. cit.; Danish Refugee Council, report of November 2011, op. cit.
[51] UNHCR, "Information Notes on the Decree of the Russian Federation Government on Compensations for the Victims of the Conflict in the Chechen Republic" (7 August 2003), www.unhcr.org/refworld/pdfid/410f7d874.pdf.
[52] UNHCR survey.
[53] Danish Refugee Council, report of November 2011, op. cit.
[54] Nizam (2010).
[55] ICRC, "Annual report 2010" (26 May 2011), www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-2010-moscow.pdf.
[56] Government of the Chechen Republic, "Zadachu razminirovaniya Chechni neobkhodimo vipolnit do kontsa – Medvedev" (17 August 2010), http://chechnya.gov.ru/page.php?r=126&id=7985.
[57] Government of North Ossetia, "Information on the issue of settlement of citizens of Ingush nationality" (23 September 2011).

people) were assisted in their return[58]. By 2005, 19 530 people had received housing support totalling more than 1.35 billion roubles (€32.5 million).

43. IDPs unable to return have been helped to settle elsewhere in North Ossetia.[59] More than 5 000 IDPs received State assistance to do so regardless of forced migrant status. Two villages were built for this group in the Prigorodny district towns of Maïskoye and Novy. Plots of land were allocated, farms established and help provided for small businesses. Your rapporteur was able to visit both these villages and observed that construction was indeed underway, as was the building of infrastructure and gas pipelines. Although these villages are currently predominantly Ingush, the authorities plan to encourage ethnic Ossetians and Russians to settle in Maïskoye, which is a welcome step. On the other hand, your rapporteur has some reservations regarding the way some of the federal funds are being used. For example, an enormous modern school complex is being built in Novy for 560 pupils, whereas there are currently only about 100 school-aged children in the village.

5.2.2. Challenges

44. IDPs face various challenges in securing durable housing solutions. They report that their original homes have been destroyed or illegally occupied and/or sold, that they have lost their title documents or that they do not have the means to rebuild their homes.[60] Some IDPs from the Prigorodny district have struggled to obtain a new passport with registration as permanent residents in their place of origin – an important process to complete if they wish to claim help with housing upon return. IDPs without forced migrant status or only temporary registration in North Ossetia are not eligible for assistance under the Prigorodny district's social development programme.[61] IDPs also report that there are few jobs, which does not help them to improve their housing and general situation.[62]

45. The prospect of return for some IDPs has been limited by continuing tensions between Ingush and Ossetian communities. Such tensions are particularly prevalent following events such as the 2010 bombing of the market in the republic's capital of Vladikavkaz.[63] As a result, the government has taken legal measures to restrict return to some ethnically mixed villages in the Prigorodny district, including by the declaration of some areas as conservation zones. IDPs affected by such measures were offered plots of land in other villages in the district, but some refused and insist on their right to return to their homes. Some local administrations have also prevented return by ruling that housing assistance cannot be used to buy or build property in their jurisdiction.

5.3. Ingushetia

5.3.1. Achievements

46. Ingushetia was for a long time the only safe place of refuge for IDPs. They were initially settled in tent camps and temporary settlements, but the camps were closed in 2004 and most IDPs now live in private accommodation or temporary settlements administered by the government or private landlords. The Ingush authorities have in recent years encouraged the local integration of IDPs from Chechnya and North Ossetia. Internally displaced and local children used to be taught separately, but now go to school together.[64]

47. Your rapporteur wishes to commend the Ingush government for their particularly clear understanding and down-to-earth approach in trying to find durable housing solutions for IDPs from Chechnya and North Ossetia. Today, there remain 608 internally displaced families from North Ossetia and 1 400 internally displaced families from Chechnya who would like to settle there. By the end of 2011, the government will close the temporary settlements which have served as temporary accommodation for IDPs for many years. Your rapporteur visited two of these centres, the sanitary conditions of which he found deplorable. He agrees that these settlements need to be phased out; however, he also hears the concerns of the residents fearing forcible evictions with nowhere else to go. The Head of the Ingush Government, Mr Musa Tchiliev, confirmed at the meeting with the rapporteur on 23 September 2011 that some will be offered apartments in Magas

[58] Federal Migration Service, reply to request for information from the Council of Europe (3 November 2011).
[59] Oktyabrsky, Redant and Redant-2 are villages closed for return.
[60] Vesta, "Analytical review of the results of individual survey and registration of the forced migrants from the Republic of North Ossetia-Alania residing in TSs and the private sector of the Republic of Ingushetia" (December 2009).
[61] Ibid.
[62] Ibid.
[63] BBC, "Suicide bomber kills 16 in busy Russian market" (9 September 2010), www.bbc.co.uk/news/world-europe-11242588.
[64] UN Office for the Coordination of Humanitarian Affairs (OCHA), "Inter-Agency Transitional Workplan for the North Caucasus 2007" (12 December 2006), http://reliefweb.int/node/221068.

while others will be assisted with renting private housing. The small republic is already subsidising 107 million roubles in 2011 for the cost of rent and the new socio-economic development programme 2012-2016 will ensure that the issue is addressed. Your rapporteur nevertheless remains concerned that three months prior to the scheduled closure of the temporary settlements, the government did not seem to have a clear resettlement plan. He would also echo the Ingush Ombudsman and encourage the authorities to better communicate their plans to those concerned, and with sufficient notice.

5.3.2. Challenges

48. As is the case in Chechnya, IDPs in Ingushetia continue to experience poor living conditions because of unemployment and ineffective compensation schemes for destroyed property. More than 50% of IDPs are out of work and report reasons for their unemployment similar to their counterparts in Chechnya.[65] IDPs in temporary settlements live in far worse conditions than those living in the private sector, and arguably the worst conditions of all IDPs in the region. Some with forced migrant status may benefit from Ingushetia's 2010-2016 socio-economic development programme, but the construction of housing is not due to begin until 2013.

6. The role of non-governmental organisations

49. Several NGOs in the North Caucasus offer legal counselling to IDPs, returned IDPs and refugees. Most consultations relate to social welfare, housing, documentation and registration, and assistance is provided for pursuing administrative procedures or court cases. Some of the NGOs, such as Memorial and Vesta, are doing laudable work in offering legal assistance and intervening in evictions, sometimes operating in very difficult circumstances, most notably in Chechnya. Financing from abroad remains critical for local humanitarian and human rights NGOs as Russian donors do not fund their work on the basis that it is potentially political.

50. The United Nations will have left the North Caucasus completely by the end of 2011 and will initiate no further projects for IDPs there. As a result, the Danish Refugee Council will be the only international body specialised in forced displacement with an office in the region. It co-ordinates small-scale housing, legal assistance and income generation projects in Chechnya, Ingushetia and North Ossetia. The European Commission's humanitarian aid department (ECHO), the largest donor in the region for many years, issued its final round of funding for the North Caucasus in 2010.

7. Conclusions and the way forward

51. Despite the significant efforts of the Russian authorities, IDPs and returnees in the North Caucasus continue to face numerous obstacles to achieving a durable solution, defined as being when they have returned, integrated locally or resettled elsewhere in the country, no longer need assistance or protection and can exercise their human rights without discrimination. The main obstacles are the inadequacy of their housing, the ineffectiveness of compensation schemes for destroyed property, difficulty in obtaining documentation, limited choice of residence, unemployment and continuing insecurity.

52. Although substantial progress has been achieved in reviving the region, the process of finding durable solutions is hampered by flourishing corruption, insufficient political will to deal with ordinary citizens and the expectation at the local government level that the central government should provide all solutions. In addition, there is a lack of monitoring of IDPs, a lack of targeted measures for particularly vulnerable IDPs, and a lack of participation of IDPs in the planning and management of durable solutions.

53. There is a need for an improved government response at all levels to address these issues:

54. First, Russian legislation on internal displacement is not in line with international standards and is not applied consistently. Some IDPs have therefore been excluded from government assistance. Legislation on internal displacement should be aligned with international standards and applied consistently.

55. Second, there is no comprehensive information on the outstanding displacement-related challenges facing IDPs. Domestic legislation and policy does not call for such surveys and there has been a lack of political will to monitor the situation of IDPs and ensure durable solutions are achieved. An assessment of the achievement of durable solutions should be conducted using the definition of IDP in the Guiding Principles on Internal Displacement. The outstanding displacement-related challenges that IDPs face should be addressed through existing or new development programmes, with the most vulnerable IDPs prioritised.

[65] Danish Refugee Council, report of November 2011, op. cit.

56. Third, government housing support has been insufficient and inadequate. Property compensation schemes have also been ineffective since the compensation amount is insufficient to rebuild or buy housing, the schemes are riddled with corruption, and not all those persons dispossessed of their property are eligible to apply. The result is that many IDPs continue to live in substandard conditions. A survey of the housing needs of IDPs should be conducted using the definition of IDP in the Guiding Principles on Internal Displacement. Those in need of permanent housing should be given priority placement in programmes such as municipal housing, rental subsidies and the federal “Housing” programme.

57. Fourth, employment opportunities are scarce in the region and some IDPs have difficulties in obtaining residence registration, which is needed to apply for jobs in the formal sector. Others cannot work because of family care obligations, disabilities, limited education and mined land. The result is that IDPs are not self-reliant and depend on government benefits as their main source of income. An assessment of livelihood opportunities should be carried out and the inclusion of IDPs in vocational training and other job creation initiatives should be prioritised within current development projects.

58. Fifth, settlement options of IDPs are limited, including return options. Some IDPs do not have titles to their original homes or cannot afford to rebuild them. The lack of infrastructure and secondary occupation of their homes are also obstacles to return. For IDPs who wish to integrate locally, they have difficulties acquiring residence registration at their current residence, and in Chechnya IDPs are not eligible for housing assistance outside their place of origin. Federal and local governments should establish conditions and provide the means for IDPs to choose meaningfully between return, local integration and settlement elsewhere. The Grozny Municipal Administration’s exclusion of IDPs originating elsewhere from durable housing aid in the city should be discouraged.

59. Finally, insecurity continues to reign in the North Caucasus. The insurgency is undefeated and unexploded ordnance and landmines remain uncleared. This is a major obstacle to the achievement of durable solutions for IDPs. Measures should be taken to ensure the physical security of IDPs and to ensure that return, local integration and settlement elsewhere are sustainable, including through guaranteeing rule of law.

Appendix 1

IDPs in the North Caucasus – Statistics

Place of origin	Current place of residence	Number of IDPs	People in TS/Hostels/PA*	Date	Source
Chechnya	Chechnya	19 293	4 293 hostels 15 000 PA 30 000 PA	01.06.2010 25.07.2011 01.06.2010	Vesta/UNHCR Danish Refugee Council UNHCR
Chechnya	Ingushetia	6 147 4 607	854 TS 5 293 PA	30.09.2011 31.12.2010	Danish Refugee Council Migration Service of Ingushetia
Chechnya	Dagestan	2 598	2 598 PA	31.10.2010	Vesta/UNHCR
North Ossetia	North Ossetia	Unknown			
North Ossetia	Ingushetia	9 938 (3 441 with forced migrant status, 6 606 without) 1 882 1 525		31.12.2010 31.12.2010 30.11.2010	Vesta/UNHCR Migration Service of Ingushetia Federal Migration Service in North Ossetia-Alania
UNHCR reported on 22 June 2011 that there were 75 400 IDPs in the Russian Federation.[66]					

*

TS: temporary settlement, a government or privately-owned settlement where IDPs have been given temporary accommodation;
Hostel: former temporary accommodation centre for IDPs;
PA: accommodation in individual private housing (including box tents and trailers) that is owned, rented, shared or otherwise occupied.

[66] www.unhcr.org/4dfdbf58b.html.

Appendix 2

Definitions of "forced migrant"

– Articles 1.1 to 1.4 of the 1995 Law on Forced Migrants:

"Article 1. Notion of a 'forced migrant'

1. A forced migrant shall be a citizen of the Russian Federation, who was forced to leave his/her place of permanent residence due to violence committed against him/her or members of his/her family or persecution in other forms, or due to a real danger of being subjected to persecution for reasons of race, nationality, religion, language or membership of some particular social group or political opinion following hostile campaigns with regard to individual persons or groups of persons, mass violations of public order.

2. The following persons shall be recognised as forced migrants:

1) any citizen of the Russian Federation who was forced to leave the place of his/her permanent residence on the territory of a foreign State and came to the Russian Federation;

2) any citizen of the Russian Federation who was forced to leave the place of his/her permanent residence on the territory of one subject of the Russian Federation and came to the territory of another subject of the Russian Federation.

3. Recognition of a forced migrant shall be also extended to a foreign citizen or a stateless person, permanently staying on legal grounds on the territory of the Russian Federation, who left the place of his/her permanent residence on the territory of the Russian Federation for reasons set forth in Point 1 of the present article.

4. Recognition of a forced migrant shall be also extended to a citizen of the former USSR, who used to reside on the territory of a former constituent republic of the USSR, who received refugee status in the Russian Federation and lost it, as he had acquired Russian citizenship, upon availability of factors which prevented him/her from settling down on the territory of the Russian Federation during the time when his/her refugee status was in force. *[Unofficial translation]*

– The United Nations Guiding Principles on Internal Displacement:

"… internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border."