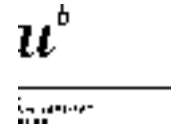




Brookings Institution-University of Bern Project on Internal Displacement



IDPs in the Balkans - the challenges of sustainable return

In June, Walter Kälin, the Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons, visited Croatia, Bosnia-Herzegovina and Serbia and Montenegro including Kosovo. Throughout the region he found that, several years after the armed conflicts of the 1990s, much has been achieved in addressing the needs and problems of the displaced population. The number of IDPs has been significantly reduced as many displaced persons have been able to return to their original places of residence. A large number of property disputes have been resolved and houses and apartments have been repossessed by, or at least re-allocated to, their previous owners.

However, the Representative also concluded that more efforts are needed to remove remaining obstacles to the IDPs' full enjoyment of their rights.

Of particular concern were the abysmal living conditions of the thousands of IDPs in collective centres or irregular settlements, which often lack sanitation facilities, water or electricity. The majority of these IDPs belong to particularly vulnerable groups, such as the elderly, the disabled, female-headed households and severely traumatised individuals. There is an urgent need to find durable solutions for these people who will not be able to return or locally integrate on their own. The international community should provide the necessary assistance to the national and local authorities concerned. In Kosovo's Northern Mitrovica, Roma families have been living for years in a camp adjacent to a former mine and their health has been gravely affected by lead poisoning. The Representative appealed for their

immediate evacuation and for the international community and donors to make funds available to allow these people to live with dignity.

A major challenge throughout the region is the sustainability of return, in particular of minorities, who face discrimination, harassment and severe poverty. Even when returnees have been able to repossess their houses, funding for repairs and reconstruction are often unavailable. In some cases, reconnection to water and electricity has been unjustifiably delayed. In many communities, police have been unwilling to investigate incidents of looting and harassment and the judiciary is weak, overburdened and incapable of processing cases speedily. Continuing impunity for war crimes and crimes against humanity forces returnees to live side by side with perpetrators of the most serious human rights violations.

Minority returnees are also discriminated against in their access to employment as well as to education in their own language. In some localities, the authorities' provocative use of national and religious symbols makes returnees feel at risk, unwelcome and discriminated against. All of these factors constitute obstacles to IDPs from minority groups returning to their homes and have caused many returnees to leave again.

The Representative urged the responsible authorities to remedy the above problems as a matter of priority. The removal of some of these obstacles requires hardly any additional resources. For example, removing cumbersome administrative procedures and complex requirements on documentation and registration would enable IDPs to

regain access to health care, pension entitlements, social security benefits, education and the labour market.

The Representative took note of the concerns expressed to him by many interlocutors that the massive return of former refugees or rejected asylum seekers from certain Western European countries would add to the burden caused by internal displacement in the different parts of the region, particularly if they were not able to return to their homes. He appealed to the governments concerned to implement such returns cautiously and urged them to refrain from returning members of particularly vulnerable persons to situations where they would risk remaining in internal displacement and be left without the necessary assistance and protection of their rights.

Finally, whatever the outcomes of forthcoming political decisions for the region, including the future status of Kosovo and the continuation of the State Union of Serbia and Montenegro, these arrangements must not be allowed to negatively affect the rights of IDPs or create new IDPs or stateless persons. Moreover, negotiations on the accession to the European Union of Croatia and of Bosnia-Herzegovina provide an opportunity to press for durable solutions for returnees and IDPs.

Walter Kälin is Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons and also Co-Director of the Brookings-Bern Project. His full country mission reports will be presented to the UN Commission on Human Rights in spring 2006, available at www.ohchr.org/english/bodies/chr/sessions/62/documents.