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AZERBAIJAN

After some 20 years, IDPs still face barriers to self-reliance

Over 586,000 people remain internally displaced in Azerbaijan after the Nagorno-Karabakh war ended with a ceasefire in 1994. The figure includes approximately 230,000 children born to internally displaced people (IDPs) since they fled their homes. Insecurity near the line of contact with Armenia continues to disrupt the livelihoods of IDPs and others who live nearby.

IDPs' main concern, however, is their inadequate living conditions. Many still live in dilapidated public buildings and makeshift accommodation, some with poor security of tenure. The government has resettled some IDPs into new, purpose-built settlements, but while these offer better conditions, they are often far from neighbouring towns and offer insufficient access to services, jobs or livelihoods. Most IDPs have yet to benefit from this scheme and there is increasing disparity in the living conditions of IDPs.

IDPs are more often unemployed than their non-displaced neighbours and the majority continue to depend on government benefits as their main source of income. Limited finances prevent some from accessing health care services and education despite provisions ensuring their free access. IDPs continue to suffer mental health issues relating to their displacement and experiences during the war, and there is a lack of appropriate and affordable support. Specific and expanded measures are required to improve their self-reliance and decrease the pattern of dependency.

Return remains the preferred settlement option for many IDPs and for the government. Some younger IDPs, however, say they would prefer to stay in their current places of residence even if return were a viable option. While the government has allocated significant attention and resources to improving the lives of IDPs, a better national response would entail efforts to engage IDPs on issues that affect them and to amend regulations and practices that prevent IDPs from enjoying a normal life at their current residence.

General Map of Azerbaijan



Source: IDMC

More maps are available at www.internal-displacement.org

Background

Internal displacement in Azerbaijan is mainly a consequence of the ethnic conflict over the territory of Nagorno-Karabakh. The roots of the conflict go back to early Soviet times, when Nagorno-Karabakh was declared an autonomous region within Azerbaijan. Ethnic conflict erupted in 1988 when the soviet government of Armenia agreed with Nagorno-Karabakh to incorporate it into Armenia. Nagorno-Karabakh declared its own independence in 1992, leading to war between Karabakh Armenian and Azerbaijani forces. Active hostilities ended with a ceasefire agreement in 1994, but Nagorno-Karabakh's independence claim has not been recognised by Azerbaijan, Armenia or any other state, and a final resolution to the conflict is still pending. Nagorno-Karabakh and seven surrounding districts have been wholly or partially occupied by ethnic Armenian forces ever since.

By the time of the ceasefire, an estimated 700,000 people had been forcibly displaced within Azerbaijan, while a further 30,000 people, mainly ethnic Armenians, had been displaced within Nagorno-Karabakh itself (NRC, 30 April 2008; ICG, 11 October 2005). An estimated 22,000 to 25,000 people were killed during the conflict, and an unknown number were injured or disappeared (ICG, 14 November 2007). More than 4,500 people are still missing (ICRC, 30 August 2010). Violations of the ceasefire escalated during 2010 and included fatal exchanges of fire across the line of contact (RFE/RL, 24 June 2010; OSCE, 5 July 2010; Jamestown Foundation, 14 July 2010; Reuters, 1 September 2010; OSCE, 6 September 2010).

Azerbaijan and Armenia have agreed on the basic principles for negotiations, facilitated by the Minsk Group of the Organisation for Security and Cooperation in Europe (OSCE), but the key sticking points remain the status of Nagorno-Karabakh and the return of IDPs to the territory. Their positions are radically different and both

parties lack the will to comprehensively resolve the conflict, preferring instead to take an un-compromising stance before their respective populations (ICG, 12 April 2010; Refugee Survey Quarterly, 2009). International pressure to resolve the conflict has increased since the 2008 conflict between Georgia and Russia over South Ossetia (Jamestown Foundation, 14 July 2010).

IDP figures

The State Committee for Refugees and IDPs is the sole source of statistics on internal displacement. In early 2010, the committee put the number of IDPs at 586,013 (Government of Azerbaijan, 1 January 2010). The vast majority are ethnic Azeri, though there are also ethnic Kurdish, Russian and Turkish IDPs (CoE, 24 May 2007; UN Commission for Human Rights 25 January 1999, para. 31). Prior to the conflict, ethnic Azeris were a minority in Nagorno-Karabakh but made up the overwhelming majority of the population of 425,000 in seven adjacent districts. More than 400,000 were displaced from these areas during the conflict (Refugee Survey Quarterly, 2009).

Government data is broken down by age and sex. The total number of IDPs includes more than 230,000 children up to the age of 17 who have acquired the IDP status of their fathers. However, the children of internally displaced women and non-displaced men do not acquire IDP status, and so they are not entitled to state benefits including monthly food allowances. As such, these children are discriminated against in law on the basis of the sex of their IDP parent.

Patterns of displacement

IDPs were initially settled mainly in rural areas in various types of accommodation. According to the World Bank, today 86 per cent live in urban areas, mainly in Baku and Sumgait (World Bank, 1 March

2010). Some have also migrated within rural areas, as those living in the worst conditions are moved to new, purpose-built settlements. Some 2,375 families were resettled in this way in 2009 (Government of Azerbaijan, 30 November 2009). Some 54,000 IDPs have returned to their homes in Fizuli district since 1994, when the Armenian army started to withdraw from some of the territory it had occupied (NRC, 29 February 2008).

Physical security

The Azerbaijan National Agency for Mine Action has cleared some areas of landmines and other ordnance, but accidents involving mines have continued, with 18 injuries and four deaths reported in 2009 despite mine risk education activities in schools and communities (Landmine and Cluster Munition Monitor, 18 June 2010; UNDP, 2009). There have also been ceasefire violations along the 175 kilometre line of contact, an area which is home to 150,000 villagers (PRIF, 2009; RFE/RL, 9 June 2009; RFE/RL, 4 September 2010; OSCE, 6 September 2010; Conciliation Resources, 30 November 2009; IWPR, 6 December 2007). The situation hinders IDPs and others from using their arable land, and disrupts their efforts to become self-reliant, as does the reported lack of water in the area (UNHCR, October 2009; IWPR, 24 September 2010). People have been killed or injured while working in their fields, collecting firewood or tending livestock (ICRC, 30 September 2008). There is a real potential for further violence along the line of contact, as the 30,000 or more troops on either side have gradually acquired more sophisticated weaponry and Azerbaijan has significantly increased its defence budget (Conciliation Resources, 30 November 2009; PRIF, 28 December 2009).

Sexual and gender-based violence (SGBV) persists in Azerbaijan. Women and girls, including IDPs, are subject to early marriage, sexual violence and physical as well as psychological abuse (UNICEF,

2009; WARD, 2009; DHS, 2008). Perpetrators of physical violence are mainly current or former husbands or partners, and mothers or stepmothers (DHS, 2008). A 2009 survey of 90 representatives of local NGOs, international organisations and UN agencies with experience of working with IDPs and refugees revealed that 81 per cent of respondents considered SGBV a common problem among these groups, with psychological and physical violence the most widespread manifestation (WARD, 2009). In line with a 2009 UNICEF report that early marriages were widespread in Azerbaijan among displaced and non-displaced people, 63 per cent also responded that early marriages were common. The incidence of SGBV may be higher than studies reveal, as cases are rarely discussed, reported or brought to justice in Azerbaijan (UNIFEM, 2006; WARD, 2009). The government has acknowledged combating violence against women as a priority issue and adopted a law on prevention of domestic violence in 2010 (Government of Azerbaijan, 2008; OSCE, 14 October 2010).

Housing and property rights

IDPs' main concern remains their inadequate living conditions (UNHCR, October 2009; IDMC, November 2009). In 2008, over 188,000 were living in collective centres (such as former public buildings, hostels, schools, kindergartens and sanatoriums) and some 117,000 were in makeshift accommodation (such as rail wagons, so-called Finnish houses and mud houses) (Government of Azerbaijan, 3 April 2008). The remainder were living in housing built by the government or international organisations, with relatives or in accommodation they occupied or built themselves, and where many have only limited security of tenure. A World Bank assessment found that IDPs lived in housing that was more crowded and with lower rates of access to electricity and sewerage than the local population (World Bank, 1 March 2010).

Collective centres

Many collective centres are in urgent need of refurbishment and some may be beyond repair. Housing is run-down and overcrowded, electricity supplies are limited and sanitation facilities, potable water supply and waste disposal are insufficient. Much of the housing does not offer adequate protection from the elements. Roofs leak, wiring is dangerous and vermin is present. Displaced children have grown up, married and established families of their own in these circumstances, often living in little privacy with the parents of the spouse as they cannot afford their own home (UNHCR, October 2009; BBC, 18 February 2009). In such crowded conditions, children often lack places to play or study. The government has carried out repairs to more than 115 public buildings that house IDPs, and it plans to continue to address the issue of poor living conditions (Government of Azerbaijan, 24 November 2009).

New IDP settlements

The government has resettled some 90,000 in more than 65 new settlements (Government of Azerbaijan, 8 November 2010). In 2009, 369 families were moved into new high-rise apartments in the Binagadi district of Baku – the first time IDPs have been resettled by the government in an urban area (Trend, 17 November 2009). This policy continued in other urban areas in 2010 with the allocation of land plots for new settlements in Mingachevir and the construction of multi-storey buildings in areas such as Qabala, Yevlakh and Goranboy (Trend, 12 March 2010; News.Az, 13 November 2009; IWPR, 29 October 2010).

Not all IDPs have been satisfied with conditions in the new settlements. Although an acknowledged improvement on their previous accommodation, houses do not always have electricity and water supplies. Local health care provision is poor and the settlements are most often in remote locations with few or no public transport links to the nearest towns. This isolation causes problems for IDPs with limited budgets and hinders their access

to jobs, services and information (IWPR, 13 March 2009; Amnesty International, 28 June 2007; IWPR, 8 October 2010).

Evictions

IDPs have been evicted from public buildings purchased by private businessmen in the past, but the continuing privatisation of property and increased public construction coupled with European Court of Human Rights (ECtHR) decisions on property in Azerbaijan has made their plight more precarious, particularly in the main cities of Baku and Sumgait. The court upheld a claim by the owner of an apartment occupied by a displaced family, ruling that the applicant had been denied her right to peaceful enjoyment of her property (ECtHR, 27 December 2007). Prior to the ECtHR ruling, Azerbaijani legislation from 1999 prohibited the eviction of IDPs living in public or private property, unless they were offered alternative accommodation under adequate conditions.

More recently, however, the courts in Azerbaijan have been using the ECtHR decision as a precedent to evict IDPs from private property whether they had occupied it illegally or not. The government stated in 2010 that about 6,000 IDPs were occupying apartments illegally, and that the properties would soon be vacated (Trend, 19 January 2010; IWPR, 10 March 2010). IDPs have been evicted in only a small number of cases and in most instances the judgments have not been enforced. While IDPs may challenge eviction orders, the government should ensure that any decision to evict is necessary and proportional, and that evictions are carried out with full respect for the human rights of owners and IDPs, including the provision of adequate alternative housing in accordance with international guidelines.

Employment and livelihoods

Unemployment and inadequate livelihood opportunities continue to be a problem for IDPs.

A recent World Bank poverty assessment for Azerbaijan found that about half of the IDPs surveyed were not working or were seeking work, compared with 36 per cent of the general population (World Bank, 1 March 2010). While the government and international organisations have implemented programmes to improve the self-reliance of IDPs with some success, opportunities for jobs and livelihoods remain particularly scarce for IDPs in rural communities. The World Bank assessment also found that government benefits were the main source of income for 71 per cent of IDPs, while only 15 per cent were able to make do with their own earnings. The continued payment of benefits to IDPs also poses a large fiscal drain. The monthly food allowance of \$18 is paid to over 542,000 IDPs (Government of Azerbaijan, 8 November 2010). IDPs' inadequate access to economic opportunities and dependence on state benefits prevents them from realising their full economic and social potential.

Government assistance has cushioned many IDPs from poverty, though some are still affected. According to the government, the poverty rate among IDPs decreased from 75 per cent to 25 per cent from 2003 to 2009 due to measures taken in the framework of the State Programme for IDPs (Government of Azerbaijan, 30 November 2009). IDPs in rural areas now face the highest poverty rate, with those living in private accommodation or with relatives the group next most at risk of poverty (World Bank, 1 March 2010). Poverty has meant that some internally displaced children have taken up agricultural or construction work in order to supplement family income; their school attendance has often suffered as a result (IDMC, October 2008). Further and expanded support is required to create, improve and expand income-generating activities in rural and urban areas according to the interests of IDPs and demands of the market.

Documentation

Some IDPs continue to struggle to get the documents they need in order to access assistance, entitlements, jobs and services. They have to travel long distances to submit applications, they often lack knowledge of administrative and judicial procedures, and the processes are prone to corruption and long delays. In some cases this has led to family members being excluded from government registration and assistance lists (UNHCR, 2009), elderly IDPs receiving minimum pensions that do not reflect the number of years they worked and even veterans of the Nagorno-Karabakh conflict not always receiving their entitlements (Praxis, 2009). The fact that the government archives for Nagorno-Karabakh are incomplete and inaccessible has made it more difficult for local authorities in exile to provide documentation (UNHCR, October 2009).

Citizens of Azerbaijan must register their residence as part of an internal registration system, the so-called *propiska* regime. Many IDPs who move away from where they settled at the beginning of displacement struggle to register their residence due to overly bureaucratic processes, corruption, or because they lost documents during displacement. Without registration, IDPs struggle to access employment, housing, medical services, education, pensions, bank loans and government assistance for IDPs. In 2008, the government was reportedly reforming legislation relating to registration requirements to improve IDPs' right to freedom of movement and choice of residence (UN HRC, 15 April 2008). In 2009, the UN Committee on Civil and Political Rights called on it to simplify the procedure (UN CCPR, 13 August 2009).

Education

Policies and laws are in place to help ensure access to education for displaced and returned children, but barriers still prevent children from

attending school. In theory their studies should be free of charge, but in reality this is often not the case. Internally displaced students are supposed to benefit from free books, but their parents report that they do not always receive them and so must pay for them out of their own pockets, which they cannot always afford. Attendance rates in primary and secondary school are lower for low income families than for well-off families (UNICEF, July 2008; UNICEF, December 2008). Lack of finances also affects access to higher education; it is the main reason cited for young people not continuing their studies beyond compulsory schooling (World Bank, 1 March 2010).

Some young IDPs have dropped out of school because their families moved in search of employment or, in the case of girls, in order to get married (UNHCR, October 2009). A study on early marriage in Azerbaijan found that only two per cent of girls continued their studies after marriage (UNICEF, 2009). Government policy does not hinder internally displaced children with disabilities from attending school, but in practice they are often unable to because the necessary facilities and support are not in place (UNHCR, October 2009; UNICEF, 10 June 2010).

Quality of education is also an issue. IDPs cite inadequate buildings and infrastructure, and lack of furniture, computers, supplies, safe playgrounds and qualified teachers, especially in rural settlements (Eurasianet, 22 September 2010; UNHCR, 2009; UN HRC, 15 April 2008). Some children are educated in dormitory rooms in the collective centres they live in. Overcrowded living conditions in their homes also contribute to internally displaced children's lower performance at school (UNHCR, 2009 AGDM assessment). Low teacher salaries and continued use of outdated teaching methods also negatively affect the quality of education (UNICEF, July 2008; UNICEF, December 2008). Students in some schools revealed that they sometimes felt unsafe because some teachers used corporal punishment and threatened

them, though the extent of the problem was unclear (UNHCR, 2009). The government has initiated a number of reforms to improve the quality of education, but recent investments have not been significant (World Bank, 1 March 2010; UNICEF, December 2008).

Internally displaced parents can choose to send their children to local schools or schools specifically for displaced children, though their choice may be limited due to distance or lack of funds. As of 2004, 60 per cent of internally displaced children were attending separate schools (World Bank, 2004). More recent data is unavailable, but internally displaced children are generally still educated separately from local children. There is little information on how the quality of their education compares with that of non-displaced students; in some areas non-displaced children have outscored their displaced peers in most subjects (Eurasianet, 22 September 2010; UNHCR, October 2009). IDPs do not view the separate education of their children as discriminatory, although conditions were generally perceived to be better in local schools. Some students said that they would prefer to go to the same school as local children (UNHCR, October 2009).

Health care

IDPs' health continues to suffer as a result of their displacement. A World Health Organization-led study on IDPs' mental health found that 40 per cent of respondents had mental health disorders, of whom almost half had severe disorders. The study found that IDPs' poor mental health was directly associated with exposure to war trauma, crowded and run-down living spaces, poor education, low income, living alone, poor physical health and SGBV. Women were twice as likely as men to have a mental health disorder, and children were also affected via the traumatic experience of their parents and their poor living conditions. Insufficient support has left many IDPs with men-

tal illnesses isolated, marginalised and dependent. A national mental health policy and an accompanying strategic action plan were put in place in 2008, but services have remained underfunded and underdeveloped (WHO, UNHCR, OHCHR, UNFPA and Ministry of Health, August 2009).

General health care provision in rural areas, including the new settlements, is compromised by limited personnel, equipment and supplies. Reproductive health services for displaced women are largely absent. Inadequate public transport means IDPs are obliged to pay taxis to shuttle them to the nearest clinic or hospital, sometimes up to 20 kilometres away. Like all citizens, they are subject to informal fees for medical services and medication, even though they are legally exempt from official fees in most cases. District medical centres do not always have the appropriate specialists and IDPs with complicated disorders must travel further to access treatment. As few can afford the transport and consultation, conditions often go untreated. Lack of finances is a key obstacle to accessing health services for the poor in Azerbaijan, where out-of-pocket expenditures constitute 73 per cent of total spending on health care (WHO, 2010; World Bank, 1 March 2010). The government has put in place an action plan to introduce health financing reforms and an incentives programme to attract qualified medical staff to rural areas (UN, 11 August 2010; WHO, 2010).

Settlement options

IDPs' settlement preferences vary. In theory they should be able to choose between returning to their place of origin, remaining in their area of displacement, or settling elsewhere in the country. A 2008 survey found that some IDPs wished to return, others did not and others were still to make up their mind (CIPDD, 12 December 2008). Elderly IDPs generally said that their only wish was to return, while some of their younger counterparts in both rural and urban areas expressed a prefer-

ence for staying at their current place of residence (UNHCR, October 2009). Having built their lives in their area of displacement they may be more likely to view return as a disruption rather than a return to normality.

The government would prefer to see IDPs return to their places of origin. It has prepared a framework for a "great return" (APA, 28 July 2009). While the framework upholds the principle of voluntary return, the government has clearly stated that any efforts to improve the living conditions of IDPs are temporary measures pending return. This stance that is increasingly at odds with the protracted nature of displacement. Although significant, these temporary efforts are not sustainable and so IDPs will not be able to achieve durable solutions until there is a resolution to the conflict.

Given that return is dependent on a seemingly elusive resolution to the conflict, the government should continue to remove barriers preventing IDPs from enjoying a normal life. Such measures would not preclude their eventual return. Removing barriers that are currently preventing IDPs from becoming self-reliant and enjoying a normal life will ensure they are skilled and strong upon return if they so choose.

There has been no monitoring of IDPs' achievement of durable solutions in accordance with the 2010 IASC framework. In 2008, however, the Caucasus Institute for Peace, Democracy and Development found that 33 per cent of IDPs had been assimilated into the local population, 30 per cent were relatively integrated, 36 per cent had not integrated and one per cent were marginalised (Caucasus Institute for Peace, Democracy and Development, 2008).

National response

The government has made considerable efforts to improve the situation of IDPs in recent years.

In addition to assuming full responsibility for the internally displaced population and developing an extensive legal framework to regulate their rights and duties and improve their situation, it established the State Committee on Issues of Refugees and IDPs, trained government officials on IDP rights, raised national awareness of the issue of internal displacement, collected data on the numbers and location of IDPs, settled some 90,000 in new villages and cooperated with international and regional organisations. It has also devoted significant financial resources to assisting IDPs. The \$1 million allocated in 1995 rose to \$348 million by 2010, of which \$100 million came from the state oil fund.

Despite these impressive efforts, significant challenges still remain. The provisions of the government's 2004 IDP programme and its amendments appear either not to have been fully implemented or not to have had the intended effect. The government did not consult IDPs during the development of the programme, and their meaningful participation in peace negotiations has thus far been lacking. Although people with disabilities, older people and those with other special needs are included in other national programmes, there are few targeted measures to identify and respond to their particular situations.

International response

As the government's capacity to protect IDPs has increased and the conflict has become protracted, donor support has decreased. Current donors include the EU, the American, Japanese, German and Norwegian governments and the Norwegian oil company Statoil, as part of their corporate social responsibility programme. In 2008, the international community allocated \$31m to humanitarian and development programmes focusing on IDPs (UNHCR, October 2009).

UN High Commissioner for Refugees (UNHCR) leads UN assistance for IDPs in Azerbaijan. The

organisation focuses on advocacy on IDP rights, vocational training programmes and legal assistance. Other UN agencies that assist IDPs include Unicef, UNDP, UNFPA and WHO. International NGOs such as Oxfam and World Vision also provide assistance, including income generation opportunities, health care services and housing improvements. International organisations are also helping to rebuild water infrastructure (ICRC, 16 Dec 2008; ICRC, 1 July 2008; ADB, 23 September 2009). The World Bank has committed additional support for infrastructure, services and livelihoods.

In 2009, UN bodies issued several conclusions and recommendations on Azerbaijan. The UN Committee on the Elimination of Racial Discrimination (CERD) and the UN Committee on the Elimination of Discrimination against Women (CEDAW) both voiced concern that internally displaced women and children were particularly vulnerable and marginalised. CERD recommended that IDPs be ensured equal opportunities and participation in processes that affect them, while CEDAW recommended that measures be taken to improve the access of women, including internally displaced women, to general and reproductive health care services.

The Council of Europe's Committee on Migration, Refugees and Population visited Azerbaijan in 2009 and in a report on internal displacement in Europe called on relevant authorities in the region, including Azerbaijan, to support the integration of IDPs; to involve them in the search for durable solutions; to pursue the process of reconciliation more vigorously; and to find adequate solutions for the most vulnerable IDPs (CoE, 9 June 2009).

The EU Special Representative for the South Caucasus and the EU Commissioner for Enlargement met IDPs in Azerbaijan in 2010, and the European Parliament issued a report on the need for an EU strategy for the South Caucasus, to

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cover areas such as the rule of law, economic cooperation, social development, security and conflict resolution (European Parliament, 23 April 2010).

Note: This is a summary of IDMC's internal displacement profile on Azerbaijan. The full profile is available online [here](#).

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people.

In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

Contact:

Nina M. Birkeland

Head of Monitoring and Advocacy

Tel.: +41 (0)22 795 07 34

Email: nina.birkeland@nrc.ch

Nadine Walicki

Country Analyst

Email: nadine.walicki@nrc.ch

IDMC

Norwegian Refugee Council

Chemin de Balexert 7-9

1219 Geneva, Switzerland

www.internal-displacement.org

Tel: +41 (0)22 799 0700

Fax: +41 (0)22 799 0701