



## **United States Mission to the OSCE**

### **MIGRATION, REFUGEES AND DISPLACED PERSONS**

**Statement of Dr. Roberta Cohen  
U.S. Delegation to the OSCE Implementation Meeting  
October 10, 2003**

The United States repeatedly has urged the OSCE to address the issue of refugees and internally displaced persons (IDPs). OSCE commitments have been slow to develop with regard to IDPs. In many countries, IDPs exist in refugee-like situations, having fled violence en masse and relocated to camps or temporary shelters within their countries, unable to return. Not having crossed an international border, IDPs are afforded no protection by the UN Refugee Convention, despite having similar needs to those of refugees. The UN Guiding Principles on Internal Displacement, while not a binding document, are a useful framework for the protection of IDPs. The United States therefore supports an OSCE Ministerial Commitment that welcomes the UN Guiding Principles as a useful framework for guiding increased OSCE work, and OSCE participating States' actions in dealing with internal displacement. We look forward to further discussion of such a possibility, including at the informal briefing of the Permanent Council later this month.

Last year, Mr. Moderator, we highlighted the need to improve the lives of refugees and IDPs. Southeast Europe continues to move forward after a decade of conflict, but the forced displacement of approximately 4 million people has been a challenge. Approximately 2 ½ million have found a durable solution, and we are working hard to ensure that the remaining numbers have the right to return home – an important priority of the U.S. Government. Because we believe that providing real opportunities for returns, and other sustainable solutions for vulnerable returnee populations, is important for long-term stability and integration into Europe, we continue to work hard to encourage progress on this issue. We believe that unresolved refugee/IDP issues will constitute a long-term irritant between these countries, undermining their ability to integrate with Euro-Atlantic institutions. While there has been progress, there is still much work to be done, and the international community, including the OSCE participating States, should continue to expand efforts to assist all refugees and displaced persons.

In Bosnia, the total number of minority returns has reached approximately 420,000 (out of one million total displacements) since the Dayton Peace Agreement. Minority returns reached record numbers last year when over 100,000 refugees returned to their pre-war homes, but the pace of returns has declined this year, in part a result of several incidents of violence and intimidation.

This year is proving to be a turning point for returns in Kosovo, as we have seen the first significant increases since the end of hostilities in 1999. We welcomed the July statement of 11 Kosovo political leaders encouraging the return of non-ethnic Albanians. Last year, for the first time since the conflict, minority returns to Kosovo exceeded minority departures. As of the end of August, overall minority returns have increased 22 percent over figures for the same time period last year. While several incidents of violence in Kosovo this summer may deter further returns this year, overall ethnic violence in Kosovo is not epidemic – and overall returns continue at a steady pace.

We urge Kosovar political leaders to actively encourage Kosovars to respect the rights of IDPs and refugees who wish to return home.

As the most recent joint assessment of the OSCE and UNHCR in Kosovo reported in March of this year: “security, freedom of movement, property, essential services, participation in civil and political structures, and inter-ethnic dialogue” are the essential factors that need to be addressed to encourage returns. The assessment concluded, however, that the changes that have taken place “are not yet fundamental enough to conclude that conditions would exist for large-scale return of ethnic minorities in the near future....” We must continue to work together to ensure that regional political will continues to develop so that minority communities are included within Kosovo’s economic, social and political life.

Croatia’s progress on returns over the past two years has been disappointing. While we applauded the government’s approval in June of measures to recognize and compensate refugee “tenancy rights” (rights to socialized housing under the old Yugoslav system), and PM Racan’s public call for all refugees to return, the government has not begun implementation and is unlikely to achieve its property return and reconstruction deadlines, for the second time. Given dwindling international resources to support refugee returns, we urge the OSCE to continue to monitor the situation and hold the Croatian government to its commitments on this issue.

Notably, the North Caucasus region of the Russian Federation, Georgia, Azerbaijan, Armenia and Turkey represent another significant concentration of IDPs fleeing conflicts in the OSCE region. We applaud Russia and Turkey for most recently allowing the Representative of the UN Secretary General on Internally Displaced Persons Francis Deng to visit their countries.

Turkey represents the greatest potential for large-scale returns in the near future. Now that the internal conflict with the PKK organization is largely concluded after the capture of its commander in 1999, the time is ripe for the government to give all Kurdish villagers who desire to do so the opportunity to return. Allowing IDPs to return to southeastern Turkey would further normalize the area. A program to demobilize and disarm the village guard and re-train its members for tasks appropriate to a “post war” environment is also a critical step for large-scale returns. The United States would welcome an international conference sponsored by the Turkish Government to discuss plans for a new return program and for the effective integration of those IDPs who do not wish to return.

In the Russian Federation, however, reports continue of authorities’ pressure on IDPs to return to war-torn Chechnya, despite continuous violence there. The government often restricts access to camps by humanitarian aid workers, limiting their ability to provide assistance. According to recent UNHCR figures, there are 77,000 IDPs from Chechnya living in the neighboring republic of Ingushetia. Threatened camp closures place thousands in a precarious position. Principles of voluntary return should be respected and humanitarian access be provided.

Azerbaijan’s IDP population is an unfortunate by-product of the 10-year struggle over the Nagorno-Karabakh region. Considering that IDPs constitute close to 10 percent of Azerbaijan’s population, the government policy of limiting resettlement and integration of IDPs is surprising. The tens of thousands of Azeri IDPs who are not allowed to relocate outside of camps are held hostage as political pawns in the stalemate over Nagorno-Karabakh. The Government of Azerbaijan should permit the free movement of IDPs, thereby allowing integration into local communities of those

who wish to leave the camps and begin to build a new life. It should also lend support to the many IDPs outside of camps who live in inadequate shelters. Such steps would not signify a resignation to the status of Nagorno-Karabakh, but rather, an investment in the future of the country's people.

The more than 264,000 IDPs in the Republic of Georgia, victims of the unresolved conflicts over the regions of Abkhazia and South Ossetia, are similarly pawns of the political process. UN-sponsored negotiations have failed to bring the contending parties to agreement in either of these cases. We therefore urge the Government of Georgia to increase its aid to IDPs on its territory and promote their self-reliance. We also encourage the concerned parties to work towards immediate goals of returning IDPs to Gali and promoting their safety and security.

The OSCE, ODIHR and OSCE field Missions should also be aware of other rights often not enjoyed by IDPs. As part of its election monitoring activities, the OSCE and its institutions should urge governments to ensure that IDPs enjoy the right to vote. In its technical assistance programs, the OSCE should also promote national institutions protecting IDPs and work with governments to improve the legal situation of IDPs. The OSCE and its institutions should urge governments to ensure that IDPs have the right to vote as a part of its election monitoring activities, promote national institutions protecting IDPs within its technical assistance programs, and work with governments to improve the legal situation of IDPs with the assistance of OSCE/ODIHR projects. A Supplementary Human Dimension Meeting next year on IDPs would offer an opportunity to further explore these issues. We also call on the OSCE High Commissioner on National Minorities to focus on IDPs belonging to marginalized national minority groups within the framework of his mandate.

In closing, Mr. Moderator, hundreds of thousands of people in Europe are internally displaced and suffering. More must be done to find just, realistic and durable solutions. We must address this problem now.