



## **“CAN YOU BE AN IDP FOR TWENTY YEARS?”**

A COMPARATIVE FIELD STUDY ON THE  
PROTECTION NEEDS AND ATTITUDES  
TOWARDS DISPLACEMENT AMONG  
IDPs AND HOST COMMUNITIES IN  
AZERBAIJAN

The Brookings Institution-London  
School of Economics Project  
on Internal Displacement

Baku, December 2011

BROOKINGS

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Front cover: Baku: Internally displaced woman in area of displacement. Photo: Iva Zimova.

Back cover: Left – Fizuli: A returnee in front of the house she fled. Photo: Norwegian Refugee Council, Azerbaijan.

Right – Baku: A school for internally displaced children. Photo: Danish Refugee Council, Azerbaijan.

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## EXECUTIVE SUMMARY

Azerbaijan has one of the highest rates of displaced persons per capita in the world and has been grappling with internal displacement for nearly two decades. These facts raise questions regarding how the vulnerabilities and protection needs of the internally displaced persons (IDPs) have changed over time and how their needs compare with those of the general Azerbaijani population.

This study examines the vulnerabilities and protection needs of IDPs and their neighbors in both urban and rural contexts. The findings of the study are largely based on field research and numerous interviews with IDPs and host communities in two urban contexts (Baku and Ganja) and two rural areas (Tartar and Agdam districts), as well as with state officials and relief organizations.

The study finds that the vulnerabilities and protection needs of IDPs in Azerbaijan are highly situation- and case-specific. In the last two decades some, but not all IDPs in urban settings—and to a lesser extent in rural areas—have carved out livelihoods in their places of displacement. As a result, the experience of IDP communities in Azerbaijan has not been homogeneous, nor have outcomes been the same for host communities. In some instances, IDPs may be faring better than members of host communities on certain criteria (such as access to social benefits, preferential treatment when applying for state controlled jobs), yet remain vulnerable on other criteria (such as housing). In some areas visited during this study IDP communities had better access to water than host communities or were benefitting from land belonging to others that they had occupied. In other instances the improvement of one protection need, such as housing, caused deterioration in other needs, such as access to land or livelihood opportunities. For example, one IDP settlement was built on open land previously used by IDPs' livestock for grazing.

Another important finding of the study is that smaller IDP communities who live in remote villages and have no access to land are the most vulnerable and in need of protection. These are the communities which are often off the radar screen of both the government—including on the local and national levels—and relief organizations. They consistently fare worse in comparisons with local host communities, particularly in housing, access to livelihoods and land, and access to healthcare and documentation.

The government has taken demonstrable steps in recent years to improve the living conditions of IDPs. One major success was the elimination of the notorious IDP “tent camps” by the end of 2007. Today the Azerbaijani government spends a greater portion of its national wealth on IDP needs than any other country dealing with a displacement crisis. However, the government still has much to do to relocate the bulk of the IDP population to better housing conditions from the public buildings they currently live in, which are often dilapi-

dated and characterized by overcrowded conditions. Furthermore, the government’s IDP assistance strategies do not facilitate the alleviation of the social marginalization suffered by IDPs and at the same time create resentment among the local population. Due to widespread socio-economic problems, local communities largely view the government’s support policies towards IDPs as unfair. They believe their own livelihoods are not significantly better than those of the IDPs.

There is considerable ambiguity over the concrete vulnerabilities of IDPs in comparison with host communities. In many instances, IDP protection needs have been satisfied at the expense of the local non-IDP population’s rights. This is particularly true in the context of property rights. At the time of displacement many IDPs in urban and rural areas arbitrarily seized houses and land, which belonged (or were assigned later) to local residents. According to executive decrees, IDPs cannot be evicted from their places of residence—even those which they do not legally own—unless they are provided with alternative living arrangements. This has led some homeowners to take their cases all the way to the European Court of Human Rights, which questioned the existing government practices as a violation of property rights. To avoid similar cases in the future, the government needs to accelerate the process of finding alternative housing solutions for IDPs occupying the lawfully-owned properties of local residents, or alternatively, compensate the latter for their unused property.

Some rural communities living near the frontline, which marks the dividing line between Armenian and Azerbaijani controlled territory, include both IDP and non-IDP communities. Both groups have special assistance needs that should be addressed by the government and international relief agencies. Due to their proximity to the frontline, these populations are particularly vulnerable to escalations in confrontations along the frontline and indiscriminate firing from almost daily cease-fire violations. The government recently responded to these needs by building protective walls to shield the civilian population from stray bullets.

The frontline communities also have to take risks to maintain their livelihoods. Because of land scarcity, people in these frontline areas—IDPs and locals alike—graze their cattle in areas close to “no-man’s-land” exposing themselves to the deadly risks of landmines and enemy fire.

Due to their location near the frontline and because a large part of their cultivation and grazing lands are under occupation, land privatization efforts carried out elsewhere by the Azerbaijani government have not been conducted in these frontline villages. Land has been divided provisionally among the local population and IDPs instead, essentially putting the local population on the same footing with the IDPs in that without formal deeds, bank loans and other credit mechanisms remain out of reach.

The government lacks a consistent assistance policy towards these frontline communities. For example, in one frontline village (Ahmadagali) the government responded to local needs by extending IDP status—with all the corresponding benefits—to the non-displaced

population. The government however did not extend the same benefits to another front-line village in a similar situation (Gapanly). The lack of consistency could be an additional cause of frustration among the villagers in the frontline areas.

The examples above, as elaborated in the study, show that the old blanket approach of the government, in which all IDPs are treated the same, does not allow for the efficient use of limited state funds. Over their twenty years of displacement IDPs have become quite a diverse group with various degrees of well-being. Therefore, government policy should change to better target IDPs based on their individual vulnerabilities in the context of a general policy for combating poverty.

## **Recommendations:**

- There is a need to further study the narrowing differences between the IDPs and the general poor population and carry out regular surveys in order to better assess their vulnerabilities. This would facilitate a more informed policy aimed at designing tailored strategies to address the protection needs of both communities.
- The government should recognize the differences within the various IDP communities and employ a differential policy approach targeting the most vulnerable groups of IDPs and local residents. Integrated assistance to IDPs and host communities, particularly in impoverished rural areas, such as access to irrigation and potable water for these communities, could improve livelihoods among these communities and increase the self-reliance of IDPs, thus easing the financial burden on the government.
- There is room for improvement in the performance of the targeted social assistance program for IDPs through ensuring transparency at all stages and providing clear documentation and guidance to vulnerable households irrespective of their status.
- The government, international donors and civil society need to closely monitor the effectiveness of state programs aimed at improving livelihoods throughout Azerbaijan and enact changes to ensure that both groups—IDPs and local residents—equally benefit from them.
- The government should refrain from the resettlement of IDPs in close proximity of the frontline and should develop an emergency evacuation plan for the population living in these risk-affected areas.
- The government also needs to establish clear consultation procedures on resettlement that would ensure that IDPs' voices are heard and taken into account when constructing new settlements. This should not be limited to the physical location of the residence but should also include the conditions of the housing provided.

## INTRODUCTION

Forced displacement has been one of the defining characteristics of Azerbaijan in the twenty years since it became independent. Ongoing conflict with neighbouring Armenia over Azerbaijan's predominantly Armenian-populated region of Nagorno-Karabakh produced one of the largest flows of refugees and internally displaced persons in the deterioration process of the former Soviet Union.

The conflict started in 1988 as Armenians demanded incorporation of Nagorno-Karabakh into Armenia as a result of nationalist polarization. As a result of the Soviet Union collapsing in 1991, a huge power vacuum was left behind and inter-communal clashes escalated into a full-scale undeclared war between newly independent Armenia and Azerbaijan a year later. As a result of the fighting, which left some 25,000-30,000 people dead on both sides, Armenian forces gained control over Nagorno-Karabakh and seven surrounding districts that together make up 13.6 percent of Azerbaijan's territory. A cease-fire was signed in 1994, which has largely held until today, although the parties have been unable to resolve the dispute revolving around Nagorno-Karabakh's status.

The refugee and IDP influx hit Azerbaijan in three successive waves. First, in 1988-1989, when the conflict was in its early stages, some 200,000 ethnic Azerbaijani refugees arrived from Armenia. When full-scale war erupted in Nagorno-Karabakh in 1992, some 40,000 IDPs fled the region, mostly from Shusha. An additional 60,000 IDPs left the adjacent Lachin district, which separates Nagorno-Karabakh from Armenia. The last and largest forced displacement occurred in 1993 and 1994, when over 500,000 Azeris (and some Muslim Kurds) living in six other districts around Nagorno-Karabakh were forced to flee in the wake of an Armenian military offensive.<sup>1</sup> By the time of cease-fire agreement was in place in May 1994, Azerbaijan had succeeded in retaking small patches of land in now half-occupied Fizuli and Agdam districts. In subsequent years many displaced persons from the frontline areas—both along the Nagorno-Karabakh "line of contact" and the de jure Armenian-Azerbaijani international border—returned.

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<sup>1</sup> These six districts are Kelbajar, Agdam, Fizuli, Gubatly, Jabrayil and Zangelan. Of these, Azerbaijan retains control over some one-third of the Agdam and Fizuli districts. By end-1993, when Armenian advances deep into Azerbaijani territory were at their height, some 780,000 Azeris were internally displaced. Arif Yunusov and Laura Bagdasarian, "War, social change and 'no war, no peace' syndromes in Azerbaijani and Armenian societies," *The Limits of Leadership: Elites and Societies in the Nagorny Karabakh Peace Process*, 2005, p.53. In addition to that, some 350,000 Armenians, mostly urban population living in Baku and other big cities, also fled Azerbaijan. Thomas de Waal, Tabib Huseynov, Julia Kharashvili, "The situation of refugees and internally displaced persons (IDPs) in Armenia, Azerbaijan and Georgia," briefing paper requested by the European Parliament's Committee on Foreign Affairs, November 2007.

Today, some 595,000 people—or roughly seven percent of the total population—remain internally displaced in Azerbaijan.<sup>2</sup> Accordingly, it has one of the world’s highest per capita concentrations of displaced populations in the world.

The government took a differential policy approach towards the Azerbaijani refugees from Armenia and IDPs from the occupied territories. To date the vast majority of the refugees from Armenia have been properly settled and integrated among the local population, acquiring full Azerbaijani citizenship and full property rights for the houses in which they have been settled.<sup>3</sup> By contrast, the government’s policies towards IDPs have been aimed at providing temporary solutions to their needs because the government is still calling for IDPs to return to the territories from which they have been displaced once they have been restored to Azerbaijani control. Considering that unlike most Azeri refugees, IDPs have not achieved durable solutions to their displacement, this paper looks at the displacement problem in the context and through the eyes of IDPs and compares their needs and perceptions of displacement to those of the host communities they live among and alongside.

As they fled the conflict areas IDPs were temporarily settled throughout the country. Some of them settled in administrative buildings, schools, unfinished buildings, dormitories and sanatoria. Others were placed in IDP camps, railway cars, dugout shelters and other sub-standard emergency shelters in rural areas.

In the first years of displacement, governmental and international relief efforts were primarily aimed at the provision of emergency humanitarian aid, such as the distribution of food, clothing, blankets and basic construction materials. By the late 1990s, as the economy began to stabilize, the Azerbaijani government assumed more proactive policies towards the Azerbaijani refugees from Armenia and IDPs from the occupied territories and shifted its focus from strictly humanitarian assistance to improving living conditions.

Since 2001 the government has been addressing the housing conditions of the IDPs living in the most precarious conditions. By the end of 2007 Azerbaijan had closed the last of its IDP camps, and completed the relocation of some 100,000 IDPs living in the most deplorable conditions to specially designated settlements.<sup>4</sup>

Today, according to official statistics, 86 percent of IDPs in Azerbaijan live in urban areas, mainly in Baku and Sumgait.<sup>5</sup> Some 35 percent of IDPs live in newly built settlements and less than 10

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<sup>2</sup> The World Bank Report No. AAA64-Az, *Azerbaijan: Building Assets and Promoting Self-Reliance: The Livelihoods of Internally Displaced Persons*, October 2011. The numbers of IDPs are disputed. Azerbaijani government says in addition to this number, which reflects IDPs from Nagorno-Karabakh and adjacent areas, there are over 100,000 people displaced near border with Armenia and along the Nagorno-Karabakh frontline, which brings a total number to nearly 700,000 people. Interview, State Committee for Refugees and IDP Affairs (State committee), Baku, October 2011.

<sup>3</sup> “There are no unsettled Azerbaijani refugees from Armenia any more”, (Official at the State Committee in an interview, Baku, October 2011).

<sup>4</sup> Natalie Tagwerker, “Azerbaijan closes last of emergency camps,” 7 February, 2008 (:<http://www.unhcr.org/47aaf6734.html>).

<sup>5</sup> The World Bank Report No. 52801-AZ, *Azerbaijan Living Condition Assessment Report*, March 2010.

percent live in a house or apartment, which they may or may not own. The vast majority of the displaced population continues to live in sub-temporary shelters, administrative buildings, dormitories and hostels.<sup>6</sup>

At the same time, as the displacement situation has become a protracted phenomenon, questions have arisen regarding how the vulnerabilities and protection needs of the IDPs have changed over time and how their needs compare with those of the general population as the displacement situation in Azerbaijan passes the twenty year mark.

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<sup>6</sup> The World Bank Report No. 52801-AZ, *Azerbaijan Living Condition Assessment Report*, Figure 3.12 on p. 33.

## OVERVIEW OF GOVERNMENT POLICIES

The government has carried out a policy of preferential treatment towards IDPs and made genuine and largely successful efforts to accommodate the emergency subsistence needs of this vulnerable group. Major IDP benefits, which set them apart from the rest of the population, include consumption-quota based exemptions from utility payments<sup>7</sup> and monthly allocations of the equivalent of roughly 20 USD per person for the purchase of basic foodstuffs (commonly known as “bread money”). By law, IDPs are also eligible for a reduced income tax rate (which is a rather insignificant amount), preferential loan terms, free medicine and healthcare, and IDP school children receive free education supplies, including textbooks. However, in practice, these benefits are irregularly applied and many IDPs report not benefiting from them.

Unlike its policy of naturalization and integration of the refugees from Armenia, who had no realistic prospects for return, the Azerbaijani government has been reluctant to promote local integration as a long-term solution for IDPs. The government’s concern is that IDP integration into local communities may render their return to their original homes in and around Nagorno-Karabakh as less likely in the future, thereby weakening Azerbaijan’s claim to sovereignty over these territories. Due to such considerations, the return of IDPs to Nagorno-Karabakh and the adjacent occupied territories has been viewed by the government, and largely by the IDPs themselves, as the preferred long-term solution.<sup>8</sup>

In terms of political representation, the government has retained the same structure of the local authorities “in-exile” that existed prior to displacement. These authorities continue to be responsible for the needs of their communities despite them now being scattered across the country. For example, the executive committee of the Gubadli district is based in Sumgayit because most of the IDPs from Gubadli settled there. However, the committee also oversees the Gubadli community of 34,000 people settled in 43 other districts in Azerbaijan.<sup>9</sup> These local authorities in exile keep records on the number of community members, their living conditions and serve as a liaison between various governmental agencies to resolve the problems of community members.

Together with local authorities, the state also maintains the parallel social infrastructure that existed in the occupied territories. Thus, IDPs retain their own schools, clinics, police stations and military commissariats. They can vote and stand as candidates in parliamen-

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<sup>7</sup> Equal to 150 kilowatts of electricity per household member or an unrestricted exemption, if not provided with a meter.

<sup>8</sup> For more, see, Tabib Huseynov, “Return and its alternatives: a case study on the Armenian-Azerbaijani conflict” in *Forced Displacement in the Nagorny Karabakh Conflict: Return and its Alternatives*, London, August 2011.

<sup>9</sup> Interview with a local official of the Gubadli authorities in exile, Sumgayit, October 2011.

tary elections, though not where they currently live, only in their original places of residence where they are registered. This creates significant logistical problems for candidates running from the IDP districts, because unlike candidates running from non-IDP districts, they have to cover territories of numerous election districts from across the country to meet with the relevant constituents due to scattered settlement patterns of the displaced.<sup>10</sup> It should be noted, however, that IDP communities prefer to retain their separate election districts as part of their desire to preserve their community and also in order to have a separate voice and representation in parliament.

Because they are registered in their districts of origin, which are currently occupied, IDPs cannot vote or run as candidates in municipal elections, as they are based on territorial units. Some human rights organizations consider this state of affairs as discriminatory towards IDPs and have requested that the government enact changes to the current legislation.<sup>11</sup>

Since the early 2000s, as the economy stabilized and the country began to receive increasing revenues from oil exports, the government started making considerable investments to improve the living conditions of IDPs. After coming to power in 2003, President Ilham Aliyev made a campaign pledge to resettle all remaining IDPs from the so-called “tent camps” to new settlements by the end of his first five-year-term, a pledge the government fulfilled by the end of 2007. Today, Azerbaijan spends nearly 3 percent of its GDP annually on assistance programs for IDPs.<sup>12</sup> This is the highest share of GDP spent by any government on its displaced population, which the World Bank recently praised as an “unprecedented level of commitment shown by a government to its displaced population.”<sup>13</sup> In 2010 the government spent 123.3 million AZN (157 million USD), mostly from the State Oil Fund, to improve the living conditions of IDPs. This is six times more than was spent in 2003.<sup>14</sup> Between 2001 and October 2011 the state oil fund allocated 807 million AZN (1 billion USD) for building housing and social facilities for Azerbaijani refugees and IDPs in various parts of the country, including 47.2 million AZN (60.1 million USD) in the first ten months

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<sup>10</sup> Amnesty International, *Azerbaijan: Displaced then Discriminated Against – the Plight of the Internally Displaced Population*, June 2007.

<sup>11</sup> APA News agency “Bələdiyyələrin formalaşdırılmasında məcburi köçkünlərin iştirakı problemi” mövzusunda dəyirmi masa keçirilib, [A roundtable held on the issue of IDP participation in formation of the municipalities – in Azerbaijani], November 12, 2011, <http://www.apa.az/az/news.php?id=240892>

<sup>12</sup> World Bank, *Azerbaijan Living Conditions Assessment Report*, March 2010; ([http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2011/02/04/000003596\\_20110207151220/Rendered/PDF/Project0Inform1nt1Revised0after0PCN.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2011/02/04/000003596_20110207151220/Rendered/PDF/Project0Inform1nt1Revised0after0PCN.pdf))

<sup>13</sup> The World Bank Report No. AAA64-Az, *Azerbaijan: Building Assets and Promoting Self-Reliance: The Livelihoods of Internally Displaced Persons*, October 2011, p. 10.

<sup>14</sup> Ali Hasanov, Deputy prime-minister and head of the State Committee for Refugee and IDP Affairs, *Məcburi köçkünlərin sosial problemləri uğurla həll olunur* [The social problems of the IDPs are being successfully dealt with - in Azerbaijani], *Azərbaycan* newspaper, 22 May 2011.

of 2011.<sup>15</sup> The oil fund transfers the money to the State Committee for Refugee and IDP Affairs and the Social Development Fund for Refugees and IDPs—an agency overseen by the Cabinet of Ministers—based on written, substantiated requests. Those two bodies subsequently disbursed the funds to the implementing agencies and oversee the construction projects.

According to the World Bank, the incidence of poverty among IDPs in Azerbaijan is roughly equal to the poverty rate of the rest of the population. However, IDPs rely on government transfers for more than half of their income; in comparison, the non-displaced population has more diversified sources of income, including wage labor and self-employment in agriculture. This dependence on government assistance makes IDPs particularly vulnerable to changes in governmental policies.<sup>16</sup>

The government's present policy towards IDPs does not distinguish between different degrees of poverty among individual IDPs, but rather categorizes them as a single group. As an international relief representative said, "People are not used to being supported by individual criteria. Economic and social criteria applied individually are a bit more difficult to be understood and accepted."<sup>17</sup>

However, this old approach ignores the fact that during twenty years of displacement, some IDPs have succeeded in integrating into mainstream society and have improved their living standards. As a result, the blanket approach towards IDPs means that limited state funds are not being efficiently utilized. There is a need to improve welfare diagnostics of IDPs by carrying out regular surveys, and to fine-tune state assistance to better target poor IDPs, as well as other poor populations living in similar situations.

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<sup>15</sup> World Bank, "Settlement of the problems of refugees and internally displaced persons," Azerbaijan's State Oil Fund's official website ([http://www.oilfund.az/en\\_US/layiheler/mecburi-koeckuenlerin-meskunlasdirilmesi.asp](http://www.oilfund.az/en_US/layiheler/mecburi-koeckuenlerin-meskunlasdirilmesi.asp))

<sup>16</sup> *Azerbaijan Living Condition Assessment Report*, March 2010, p. 37.

<sup>17</sup> Interview with ICRC representatives, Barda, September 2011.

# IDP LIVING CONDITIONS IN COMPARISON WITH HOST COMMUNITIES

## Housing conditions

In general, IDP communities in both rural and urban areas fare significantly worse than host communities with regard to their housing conditions. However, not all IDPs experience the same hardships and the housing conditions of IDPs vary significantly.

The largest group, perhaps as many as 400,000 IDPs, remains in old Soviet-era public buildings, such as schools, kindergartens, dormitories, sanatoria, hostels and administrative buildings.<sup>18</sup> The housing situation of the majority of IDPs, who live in such facilities in both rural and urban areas, is the single most immediately visible factor that differentiates IDPs from host communities. According to a recent World Bank study, 42.5 percent of IDPs live in one-room accommodations compared to only 9.1 percent of non-IDPs.<sup>19</sup> IDP families have an average of 36 square meters of living space compared to 74 square meters for local families.<sup>20</sup>

As of October 2011, the second largest group of IDPs in Azerbaijan consists of 21,600 families (107,000 people), who have been relocated in recent years to special purpose-built houses, mainly in rural areas, which some have described as remote or isolated.<sup>21</sup> Since 2001 the government has built some one million square meters of housing and has established 70 settlements for IDPs, which provide improved housing conditions.<sup>22</sup> The housing conditions of IDPs in this group are similar to the average conditions of the local population. IDPs, however, complain that these new houses in the remote settlements also lack bathrooms, adding with sarcasm, it was “as if [those who ordered the construction think] IDPs do not need to bathe.”<sup>23</sup>

IDPs do not enjoy full property rights over their houses in the newly constructed settlements. The government has provided them with the houses for “temporary use,” pending their return to their places of origin, which restricts IDPs in terms of their rights to inherit and sell this property.

<sup>18</sup> Ali Hasanov, head of the State Committee for IDPs said the government relocated 100,000 refugees and IDPs to new flats and houses, adding that some 400,000 continue to live in “hard conditions” and government *will* continue to relocate them gradually. Speaking November 2010. (<http://en.apa.az/news.php?id=135109>)

<sup>19</sup> The World Bank Report No. AAA64-Az, *Azerbaijan: Building assets and promoting self-reliance: The livelihoods of Internally displaced persons*, October 2011, p. 42.

<sup>20</sup> Ibid. p. 43.

<sup>21</sup> Interview with the official of the State Committee for Refugee and IDP Affairs, Baku, October 2011.

<sup>22</sup> Interview with the official of the State Committee, Baku, October 2011.

<sup>23</sup> Focus group interview with IDP women living in Pirshagy town near Baku, September 2011.

Some 6,000 IDP and refugee families, mostly in Baku, live in normal houses and flats, which they have occupied since the beginning of their displacement.<sup>24</sup> Many of the dwellings IDPs occupied were previously owned by ethnic Armenians who fled during the conflict and others were simply new apartment buildings that did not yet have occupants. However, some of these apartments do have local owners, a fact that raises legitimate security of tenure concerns for the IDPs living there. Overall, the housing conditions of IDPs living in such apartments do not significantly differ from those of the host community. Other IDPs have managed to build houses for themselves, but many have registered local relatives as the owners in order to retain their official IDP registration status in the dormitories and all social benefits associated with it.

Having completed the relocation of IDPs from camps, the government is now targeting assistance to IDPs living in public buildings across the country. Officials maintain that IDPs are being consulted before relocation decisions are made. "Without a general agreement with the IDPs [concerning the relocation destination] it is impossible to relocate them," an official said.<sup>25</sup> An official interviewed provided examples of instances when due to lack of an agreement with IDPs, the State Committee had to change its decision and provide another relocation option more satisfactory to IDPs.<sup>26</sup> In Tazakend, a new IDP settlement, the IDPs interviewed said they were not consulted about their preferred destination for relocation, but they did not seem to be unhappy with their new homes. Their satisfaction stemmed from the fact that they enjoyed improved housing conditions in comparison with the IDP camps they previously lived in. It appears that because of their poor housing conditions, many IDPs living in public buildings are eager for news from the government about relocation possibilities elsewhere. IDPs residing in Baku however, said they preferred to remain within the boundaries of the city: "We would go anywhere the government relocates us. But we already have some jobs and contacts here, so we would prefer the government to build houses here [near the city]," said one IDP. Another IDP from the same group flatly rejected the idea of relocating from the Baku suburbs to the provinces, arguing that she would not have the same job if relocated from Baku.<sup>27</sup>

Many public buildings settled by IDPs visited during the field research in both urban and rural areas shared common characteristics. Most of these buildings have seen little to no reconstruction since the time they were built, most of which date back to the Soviet era. Predictably, IDPs living in these buildings are extremely unhappy with their housing condi-

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<sup>24</sup> 'В Азербайджане около шести тысяч семей беженцев поселились в пустовавших домах', December 23, 2010 (<http://news.day.az/politics/art244927.html>)

<sup>25</sup> Interview with the official from the State Committee, Baku, October 2011.

<sup>26</sup> Interview with the official from the State Committee, Baku, October 2011. During field trips to Agdam and Tartar districts, the researchers also found evidence supporting this claim. For example, IDPs from Kelbajar district who now live in "Dordyol-1," a new settlement in Agdam district, initially protested the plans to resettle them in the vicinity of the frontline, and sent delegations to lobby the administration. As a result, their new settlement was built further away from the frontline in relative security.

<sup>27</sup> Focus group interview with IDP women living in Pirshagy town near Baku.

tions. As an IDP man in Baku living in a dormitory building said: “We live in a family prison here and we have nowhere else to go.”<sup>28</sup>

IDPs live in dilapidated and overcrowded conditions in both Baku and the provinces. However, the housing conditions for IDPs living in public buildings and makeshift huts in remote rural areas require more urgent attention. Many of these IDPs live in small communities of a few dozen families in isolated villages, which can create many problems. As such, these small communities of IDPs are often overlooked by policy makers and aid agencies, and as a result they appear to be the ones most vulnerable in terms of not only housing, but also access to livelihoods and social services. As an ICRC representative said:

*“Smaller [rural] communities of 10-15 families are the most vulnerable and forgotten. There are hundreds of such communities. When the government plans resettlement of IDPs to new settlements, they are usually bunched together in big and medium-sized communities and smaller communities are often overlooked.”*<sup>29</sup>

During the field research for this report, a number of such small, rural IDP communities were visited. For example, in Garagadji, a village located close to the frontline in Tartar district, a small community of IDPs lives in extremely poor conditions in a part of the local village authority building and makeshift constructions attached to it. The living quarters are very overcrowded. Six to seven people live to a room of about six to ten square meters. These rooms serve as bedrooms, sitting rooms, kitchens and bathrooms all in one. Nor are they structurally sound. An IDP woman complained, “If the wind blows a bit stronger, the slates on our roof and the stones [used to keep them on the roof] will fall on our heads.”<sup>30</sup> Unlike their local neighbors, these IDPs have neither land nor animals, and were among the most vulnerable seen during the field visits. The local officials who share the building with the IDPs said they report each year to the Tartar district authority and the State Committee about these IDPs and request to have them relocated, but so far there has been no decision made to relocate them to better conditions.

In an IDP-populated old farm building outside of Askipara village in Tartar, another small community of IDPs lives in self-made mud-brick houses and a half-destroyed old farm building. “These houses have no proper floor and no proper roof,” an IDP resident said, “When it rains, it becomes muddy inside the house. The width of the walls is only 10 centimeters thick [so it does not protect from cold]. The children and the young are all sick. There are [also] a lot of rats.”<sup>31</sup>

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<sup>28</sup> Interview with IDPs living in a dormitory in Baku, October 2011.

<sup>29</sup> Interview with an ICRC representative, Barda, September 2011.

<sup>30</sup> Interview with IDPs living in Garagadji village, Tartar district, September 2011.

<sup>31</sup> Interview with IDPs living in “old farm area” near Askipara village, Tartar district, September 2011. IDPs complained of rat attacks in Sahlabad and Ismayilbeyli roadside IDP settlement. In Sahlabad an IDP child was bitten by a rat not long before the interview.

In Ahmadagali village, Agdam district, IDPs live in dire and overcrowded conditions in a building that was previously used as a community hall ("village club") in Soviet times. They have covered and shielded their windows from wind and the cold with transparent cellophane sheets or pieces of plastic bags, which do little to keep in the much needed heat inside the house. They have unsuccessfully requested linoleum to cover their concrete floors and glass to cover the windows. They complained that the national or local governments do not care about them even in terms of their smallest and most immediate needs. Similarly, in Tazakend village, Tartar district, an IDP family living in an old village bus station building asked for 30-40 roof slates to shield themselves from rain.

During the field interviews, one of the most common complaints was lack of space in the public buildings occupied by IDPs. Two or even three families often have to live in one or two small-sized rooms, which function as bedrooms and kitchens. Because these buildings lack functioning bathrooms, those living there must bathe inside their rooms as well. Some of these buildings have only two toilets on each floor serving some 25 families.

Because of the lack of living space in both urban and rural areas, many IDPs complained about the lack of privacy and inability of their male children to marry, as it is a cultural norm that a man should provide a living space for his wife. As an IDP woman interviewed in Baku said:

*"Marrying off one's child is a big problem. With girls it is easier, because they leave and free up some space. But young men who want to marry have difficulties doing so because there is no space in the home to make room for the bride."*

Another added:

*"I am preparing to marry off my son but where am I supposed to put the bride? I think I will have to move to the kitchen [itself a tiny corridor in the entrance] to make room for the newlyweds."<sup>32</sup>*

When it comes to housing conditions, a single major advantage of IDPs over the local population is their virtual exemption from paying utility fees. During the focus groups some locals expressed envy towards the IDPs and believed that the exemption from utilities payment helps IDPs to secure income and spend it on durable goods such as cars and other items.

That being said, some IDPs still lack access to basic utility provisions. For example, in Baku, IDPs living in a nine-story university dormitory had no access to natural gas and complained of frequent power outages, particularly in winter, even though the neighboring buildings—including some populated by IDPs—had regular electricity and gas.<sup>33</sup>

<sup>32</sup> Focus group interview with IDP women living in Pirshagy town near Baku, September 2011.

<sup>33</sup> Interviews with IDPs living at the dormitory of the Pedagogical Institute, Baku, October 2011. The IDPs said that government did not want to provide gas service to the building because it plans to resettle them elsewhere at some uncertain time in the future.

IDPs who do not have natural gas access at home have to rely almost entirely on electricity for cooking and heating. In public buildings with dilapidated infrastructure this causes frequent power outages, particularly in winter, when electricity consumption increases because people use electric heaters to warm up their rooms.

*“We have no access to natural gas. Because people rely entirely on electricity for heating in winter we frequently have power outages. When our electricity is gone, life freezes.”<sup>34</sup>*

In rural areas there seemed to be less difference between access to electricity, natural gas and water between IDPs and non-IDP populations. Both local and IDP populations in rural areas had equal access to electricity and reported that unlike the situation in recent years, they now enjoy regular access to electricity. The villages visited in Agdam and Tartar districts had no natural gas at the time of the visit but the installation process was ongoing, which will cover both the local and IDP populations.<sup>35</sup>

Villagers and IDPs alike said they had to burn wood and dried cow dung to heat their homes in winter. Unfortunately, heavy reliance on wood negatively affects the environment. Local communities in Ganja were angered by IDPs destroying the forest in the mountainous Agjakand, an area that is a popular resort destination in the summer. In Askipara villagers complained:

*“Before, when you entered the village it looked like a forest, but now we have cut down most of the trees in the area. What could we do? We had to heat our homes.”<sup>36</sup>*

The government provides IDPs with 40 liters of gasoline per person, per month every winter (the five months from October to February). Yet despite this assistance IDPs still say they have to buy wood to heat their houses during the winter. A small community of extremely poor IDPs in Garagadji, for example, said they had to spend some 70-80 AZN during the winter for wood. IDPs living on the roadside near Ismayilbeyli, who lived in poor housing conditions but who benefited from access to land and owned some animals—and therefore were better off—said they spent some 200 AZN (over 250 USD) each winter on wood for heating their homes. Local villagers in Ismayilbeyli, who do not receive the same benefits as IDPs, complained that the lack of natural gas was a huge drain on their family budgets and that they had to spend as much as 400 AZN (over 500 USD) each winter on heating costs.

Poor housing conditions were cited as a reason for poor health among IDPs. In several instances, both in Baku and in rural areas, IDPs complained that because their living spaces

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<sup>34</sup> Focus group interview with IDP women living in Pirshagy town near Baku, September 2011

<sup>35</sup> At the time of the visit in September 2011 most of the villages had gas pipes and some were expected to receive gas in the winter of 2012.

<sup>36</sup> Interviews, local villagers in Askipara village, Tartar district, September 2011.

had concrete floors, their homes get very cold in winter and many of them suffer from rheumatism. As one IDP exclaimed:

*"Our children's kidneys get infected [referring to nephritis that children get from the cold]. We all frequently get sick. We spend the little money that we are given on medicine."<sup>37</sup>*

In Garagadji, a young IDP mother showed her six-month-old child complaining that because of substandard, cold and humid conditions in the house, her baby developed movement disorders. "My baby is sick and the doctors said he needs clean and dry conditions. But our place is cold and humid and we have nowhere to go," she said.<sup>38</sup> In Sahlabad (*Səhlabad*) village, Tartar district, another young IDP woman, who lives in a decaying school building, said she had lost her several-months-old baby this summer because of excessive sweating, which she said was caused by the housing conditions they live in.

## Livelihoods and access to water

Donor and relief organizations operating in Azerbaijan, such as UNHCR, the ICRC and Oxfam, believe that the condition of displacement by itself should no longer be viewed as the sole determinant of vulnerability and that the socio-economic situation of IDPs is not very different from that of the general population.<sup>39</sup> Whereas in terms of their housing conditions most IDPs are clearly in a disadvantaged position, the picture is more complex and highly situation-specific when it comes to other criteria.

Many IDPs depend heavily on government assistance and remittances from relatives in Baku or abroad. According to the World Bank, compared to local communities, who mainly rely on income from wage labor or self-employment in agriculture, government assistance is the main source of income for 73 percent of IDP households. Only 15 percent of IDP households claim to rely primarily on income from informal, public or private employment.<sup>40</sup>

At the same time, with the notable exception of the extremely vulnerable, poor and small IDP communities in rural areas, the situation of IDPs does not seem to be fundamentally different from those of the non-IDP poor population. Field research shows that in rural areas IDPs and the local population suffer nearly equally from unemployment or underemployment; lack of access to irrigation and potable water; poor infrastructure, primarily poor roads and lack of natural gas; and access to social services.

<sup>37</sup> Interview with IDPs living in the old farm area near Askipara village, Tartar, district, September 2011.

<sup>38</sup> Interview, Garagadji village, September 2011.

<sup>39</sup> Interviews with ICRC and Oxfam representatives in Baku, September and October 2011. Also, see "Assessment of the IDP situation in Azerbaijan and cooperation mechanisms in place to address their needs," UNHCR, Geneva, 2005, pp. 16-18; (<http://www.unhcr.org/refworld/docid/442d369d4.html>)

<sup>40</sup> The remaining 12 percent rely on non-governmental forms of assistance. World Bank. World Bank. *Azerbaijan Living Condition Assessment Report*, March 2010.

Overall, IDPs living in Baku appear relatively better off than their rural counterparts in terms of access to formal and informal labor markets. In fact, in Baku and Ganja most of the male IDPs confided that they are involved in the informal labor market. Many work as small traders, or if they own a car, provide unlicensed taxi services. Others serve as a low-paid construction workers in the informal market popularly referred to as the “slave market” (*qul bazarı*). Female IDPs interviewed said that unlike men, most of the women stay at home unemployed. A few IDP women work in public sector jobs, mainly as teachers and nurses, or occasionally as doctors, and others work informally (without contracts) as cleaning ladies, bakers, or sell goods in market stalls. An IDP woman who works part-time in a bakery described her job as such:

*“I go to work at the bakery at three a.m. and return home at four p.m. the next afternoon. I earn 5 AZN [6.30 USD] a day. And I have to share this job with two other neighbors [including another IDP woman]. Even this [low-paid] job is seen as too much for us [and we have to share].”<sup>41</sup>*

Still some local people, who similarly suffer from poverty and unemployment, express dissatisfaction with this fact and think that IDPs exploit their status to receive special treatment and occupy the jobs that would otherwise be available for locals:

*“They [IDPs] live better [than the locals]. They are pushy. [Using their status] they demand and get the jobs at the communal services, clinics. They take up every job. But we [locals] are shy and not as desperate.”* – Local woman in Baku

It is also believed by the host communities that the years of hardship have taught IDPs to take more pro-active positions in comparison with locals, which helps them to benefit more from available opportunities in the informal labor market:

*“Refugees are very industrious. They are well known at the so called ‘slave-market’. They work when there is work available to them. But they still manage to get good income and are preferred over the locals for being more industrious.”* – Local woman in Ganja

In rural areas, there are IDPs who have occupied land to live on and more vulnerable IDPs without land, who usually live in provincial towns and villages. Many of the landless IDPs in rural areas work in the fields of local farmers. They earn only 3-5 AZN (4-6 USD) for a day’s work during the brief harvesting season.

In the small settlement of Pirshagy, outside of Baku, IDPs living in an old sanatorium complained that in spite of being displaced for almost twenty years they were not given land like their former neighbors were. Azeri refugees from Armenia, who lived in the same sana-

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<sup>41</sup> Focus group interview, IDPs living in a dormitory in Baku, October 2011.

torium have been resettled in new housing and provided with their own plots of land.<sup>42</sup> The IDPs said if they were provided with small plots of land for subsistence farming, it would greatly improve their living conditions.

IDPs living in recently built settlement of Tazakend in Agdam district said their settlement was built on land that they had been using as pastures for grazing their sheep. As a consequence, their improved housing conditions came at the expense of access to land to provide for their livelihoods.

In many instances, IDPs took matters into their own hands and occupied empty land. Twenty families occupying an administrative building in the suburb of Ganja had cleaned up the 3.5 hectares of land attached to the building and divided it into small plots. They are currently cultivating agricultural products for their own consumption and raising poultry, which helps them secure additional income.

Access to irrigation and potable water was one of the major problems of IDPs and local population alike in villages visited in Tartar and Agdam districts. In Tartar, people complained that the Armenian side restricts water from the Tartarchay River and that the limited water that does come downstream is taken by a few wealthy local farmers who are well connected politically with local officials.

Due to the lack of river water for irrigation the IDP population relies heavily on a few waterholes, which cannot meet the demand of their communities and quickly wear out. In all rural areas, the government subsidizes 90 percent of the electricity used by the waterholes, while the villagers pay for the remaining 10 percent. But to avoid over-usage of resources and overspending while providing a subsidy, the government has also imposed a limit on the electricity consumption of these waterholes. Because of over-usage, the waterholes' energy consumption levels reach the government-imposed limits in the middle of the summer before the irrigation season ends, which leaves people working the land without sufficient water.

There are some projects underway to help supply the population with drinking water. For example, the ICRC drilled boreholes for drinking water in seven villages in Fizuli, Agdam and Tartar.<sup>43</sup>

In some rural areas IDP communities who possessed land seemed relatively better off than the local poor population. For example, the IDPs living in Dordyol settlement on the border of Agdam and Tartar districts live in collapsing mud-brick houses, but they have occupied sizeable tracts of land from the nearby villages and thanks to a UK-based charity Oxfam, have better access to water, including potable water. Ironically, not far from them, in the local village of Ismayilbeyli of Tartar district, the local villagers complained they had unre-

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<sup>42</sup> Focus group interview with IDP women living in Pirshagy town near Baku, September 2011.

<sup>43</sup> Interview with ICRC staff, Barda, September 2011.

stricted access to water and gas in Soviet times, but now they had none and suffered from the quotas imposed on their artesian wells and waterholes. As a villager said:

*“Our village has 1,200 hectares of land. Of this, people outside the village and from neighboring villages have bought about 400 hectares. In other words, one-third of the villagers have already sold their land.”*

*“Two-thirds of our youth are in Baku working as construction workers. But if there was water, they would stay here to work on the land.”<sup>44</sup>*

While some said their land was seized by IDPs, others said they leased their lands to IDPs in the Ismayilbeyli roadside IDP settlement. The IDPs claimed they paid 50 AZN per hectare, per year to the villagers in Ismayilbeyli.

In a neighboring Askipara village, villagers similarly complained of lack of water as a reason for poor living conditions. They said their village has 1,200 hectares of land, but due to the lack of water, they could only cultivate about 50 hectares. A villager said:

*“Our family has six hectares of land, but for 10 years we have not been using it. We are not the only ones; 80 percent of the village is in the same situation.”<sup>45</sup>*

Another added:

*“I have seven hectares of land, but I cannot use it. I grew cotton on two hectares and wheat on another two, but because of the lack of water, my cotton harvest died.”<sup>46</sup>*

Similarly to Ismayilbeyli, the villagers said that due to their dire economic situation they had to sell all or part of their land to wealthy businessmen or landowners, who were the relatives or proxies of local officials.

Overall, the cases of the villages of Ismayilbeyli and Askipara compared to IDPs in the Ismayilbeyli roadside IDP settlement show that except for housing conditions, the differences between the livelihoods of the IDPs and local poor population are more nuanced. Considering the utility exemptions and better access to water, the IDPs in fact seemed better off in terms of their access to livelihoods than the local villagers.

## Health and education

In general, education and health care remain areas of major concern in Azerbaijan for everyone. Both sectors are under-funded, poorly managed and do not provide quality services. Teachers and doctors rely on informal payments to cope with low wages and lack

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<sup>44</sup> Focus group interviews with villagers, Ismayilbeyli, Tartar district, September 2011.

<sup>45</sup> Focus group interview, Askipara village, Tartar district, September 2011.

<sup>46</sup> Focus group interview, Askipara village, Tartar district, September 2011.

incentives to provide appropriate education and care.

There is no significant difference between the IDPs and non-IDP population in terms of their formal access to health care and education. The data provided in the World Bank report indicates that "[o]n average, IDPs took equal or less time and paid less to get to school, the rayon (regional center) and health centers than did non-IDPs."<sup>47</sup> According to the same report, the IDP participants of the survey were more likely than the local population to evaluate the level of services as 'satisfactory.' During the focus group discussions, the local population expressed greater dissatisfaction with the level of services at medical facilities and educational institutions in comparison with the IDP groups.

Similar to all other local-level institutions, IDPs living in large IDP-majority communities retain the institutional frameworks of the clinics and schools that existed in their places of origin.<sup>48</sup> These clinics and schools often operate in a distinct section of local clinics or schools. In other cases they are located in separate buildings specially built for this purpose. In newly built IDP settlements, the government has provided new buildings, similar to other social facilities.

Overall, the existence of the separate institutions that serve the needs of IDPs was evaluated positively during the interviews and focus groups with IDPs. They view them as important instruments in preserving community ties and networks. At the same time, there are no restrictions for IDPs to attend the schools and hospitals for the local population on terms similar to those enjoyed by the local community.

The vast majority of the employees in these institutions are IDPs themselves because they enjoy the right of preferential treatment when applying for employment. Preservation of the separate educational and health facilities that serve the needs of IDPs is part of the governmental policy to ensure their smooth relocation once return is a possibility. An official confided: "We are striving hard to preserve the structure that existed prior to occupation to make the return easy. Otherwise, [once return is possible] we would have to build up everything from scratch."<sup>49</sup>

### ***Health and health care***

In general, levels of access to health care and the quality health services in the country are very low. According to a 2005 World Bank study, only half of the population utilized health services when experiencing an illness, indicating that people either cannot or will not pay

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<sup>47</sup> The World Bank Report No. AAA64-Az, *Azerbaijan: Building assets and promoting self-reliance: The livelihoods of Internally displaced persons*, October 2011, p. 43.

<sup>48</sup> For example, there are 32 IDP schools for children from the occupied Gubadli district in Sumgayit. Of them 11 have separate buildings, with the rest operating in parallel to the local schools and within their premises. Interview with the Gubadli local authority in-exile, Sumgayit, October 2011.

<sup>49</sup> Interview with official of the State Committee, Baku, October 2011.

for poor-quality services.<sup>50</sup>

According to a 2010 World Bank study,

*“There is strong evidence that the poor are much less likely to use health services than the non-poor. The richest quintile accounts for about one-third of total utilization, while the poorest quintile accounts for just over 10 percent. And these figures understate the extent of inequality, since in view of the generally better state of health of the better off, an “equal” pattern of healthcare utilization conditional on need would entail significantly higher rates of utilization by the poorest.”<sup>51</sup>*

According to Article 6 of the 1999 Law on the Status of IDPs, certain categories of IDPs, such as the elderly, children, disabled, low-income individuals and families who have lost their main breadwinner are entitled to free medical treatment and free medicine.<sup>52</sup> In practice, all IDPs—including the poorest and most vulnerable small communities living in rural areas—confided that they have to pay for medicine and doctors visits nonetheless, often in the form of informal payments, just like everyone else. There are no restrictions for IDPs to use the services of the other health facilities in the country; in this respect they enjoy the same access as the non-displaced population. IDPs evaluated the level of services provided to them in the medical facilities for IDPs as satisfactory. However, many complained that they cannot afford to visit medical facilities or buy all the medicines prescribed by their doctors. Some visit private doctors from IDP communities, who charge less or provide their services for free. “If I didn’t live here, the majority of the residents [of the administrative building they occupy] would have probably passed away,” confessed an IDP physician, who lost his job in 1997 and is now practicing in his IDP community in Ganja.

Many IDPs in both rural and urban settings complained that poor housing conditions and emotional stress negatively affect their health. Common complaints include the concrete walls and floors in the public buildings in which many IDPs live, along with inadequate protection from cold and rain in many housing structures that cause widespread rheumatism among IDPs.

In Gapanli, a few hundred meters away from Armenian frontline positions, local villagers spoke of the negative effects of the dangerous neighborhood on their health:

*“In the last 5 to 10 years 40 to 50 people [in the village] died from cancer. We never had such diseases before. All of this is because of the stress and fear that we live in [due to their location on the frontline]. Neurosis is widely spread in the village.”<sup>53</sup>*

<sup>50</sup> The World Bank, *Azerbaijan Health Sector Review Note*, 2005, p. 2; ([http://siteresources.worldbank.org/INTAZERBAIJAN/Resources/HealthSectorNote\\_Vol.1.pdf](http://siteresources.worldbank.org/INTAZERBAIJAN/Resources/HealthSectorNote_Vol.1.pdf))

<sup>51</sup> World Bank, *Azerbaijan Living Condition Assessment Report*, March 2010, p. xvii.

<sup>52</sup> Crucially, the law does not clarify on the criteria of being considered an IDP from “low-income” family.

<sup>53</sup> Interview with a male resident, Gapanli village, September 2011.

Some of the households in the dormitories visited during the interview process included disabled family members in need of special care. Their current places of residence do not meet their special needs. They are living in overcrowded rooms; as their relatives need to make special arrangements every time they leave a room, they are socially isolated. In both cases people with disabilities were receiving social assistance, which, according to the estimates of their family members, hardly covers their expenses on medical services.

In terms of access to health care facilities, IDPs and local residents in urban areas are clearly better off than those living in villages and in smaller IDP communities or other remote areas. Due to a lack of proper facilities and doctors, rural IDPs and locals alike have to spend money not only on doctors and medicines, but also on transportation to reach clinics and facilities in Baku or other urban centers.

### ***Education***

Unchanged from the Soviet period, the enrollment rate for nine-year compulsory education (six to fifteen) is high, and the literacy rate is almost universal. But similar to health care, the education sector has seen significant setbacks since independence. Inequities in accessing postsecondary education is increasingly becoming an issue, as poor families find it difficult to provide for their children's studies at universities. Furthermore, disparities in accessing quality education are widening due to the lack of access to learning materials, poorly qualified teachers and deteriorating physical conditions of schools, particularly in the rural areas.

That being said, most IDPs expressed satisfaction with the level of their children's education. Some even contended that the level of education in their schools was better than that in the local schools. Thus, for example, a local IDP official of the Gubadli authority in-exile stationed in Sumgayit said the acceptance rate for universities from Gubadli schools was 41 percent in 2011, and there was an IDP school with an 80 percent acceptance rate.<sup>54</sup> The chief of the State Students Admissions Commission in her interview admitted that the number of IDP students applying to the universities is growing and their entrance scores have improved in recent years.<sup>55</sup>

There are no restrictions on IDP attendance in the local schools. Smaller communities of IDPs living in rural areas usually go to local schools, because the number of children in these communities does not allow for the establishment of a separate school. But in larger communities the majority of IDPs prefer separate schools for their children. The participants of the focus groups in Pirshagy and Ganja agree that the teachers in IDP schools are more attentive to the students and collaborative in comparison with the teachers at local schools.

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<sup>54</sup> Interview, Gubadli local authority in-exile, Sumgayit, October 2011.

<sup>55</sup> "Məleykə Abbaszadə: Məcburi Köçkün Məzunların Qəbul İmtahanlarındakı Nəticələri İldən-İlə Yüksəlir", [Maleyka Abbaszade: The results of the university entrance tests of the IDP graduates improves on a yearly basis] *525-ci qəzet [newspaper]*, 22 December, 2010.

It is hard to generalize from these examples and make a definitive statement on the quality of the education received by IDPs in comparison with the quality received by host community children. Perceived better performance of the IDP teachers can be attributed to their wish to serve the interests of their community. Another likely reason for IDPs' preference of their own schools over the local ones is that the economic status of the IDP households residing in a given area is generally similar, helping to ensure somewhat equal conditions for their school children. Greater disparities in terms of parents' income may be found in the local schools, which can cause psychological distress and sometimes become a source of discrimination for those coming from poor households. Some of the focus group participants were teachers themselves, which may have affected their responses. But perceptions and also some facts on the ground support the conclusion that on the whole, access to education and the quality of teaching among IDPs is not worse than among the general population.

In some remote areas populated by small IDP communities, access to education as well as other social services is more limited. For example, IDPs living in an old farm area outside of Askipara said their school children had to travel some seven kilometers to attend the Askipara village school.<sup>56</sup> But this case was an exception rather than the rule.

While some IDPs did report being less satisfied with the level of education their children receive, a larger complaint was about the poor physical conditions in the school buildings. Many IDP schools were established in sub-standard buildings where a major issue is heating during the winter. In cold months teachers and students do not take off their coats or hats and classrooms require the use of multiple heaters (electric or gasoline) to stay warm. Classrooms in some of the school buildings are small, including the one in Pirshagy. In these instances teachers have to divide the classes into groups and work in shifts, which negatively affects the learning environment.

Another point of concern for IDP parents is the lack of the physical space in their homes where schoolchildren can do homework without distractions:

*"There are eight of us living in two tiny rooms with just one normal table. When our two daughters sit to do their homework, first in comes my husband and I ask them to free the space because I need to serve him dinner. Then my nephew comes in, then I need to iron, then someone has the TV on, and people are passing through the room at all hours... How are they supposed to study in such conditions?"*<sup>57</sup>

Local people expressed more dissatisfaction with the quality of education in their communities. Frequent complaints were heard that teachers do not fulfill their professional obligations properly, they lack professional skills and are not interested in the performance

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<sup>56</sup> Interviews with IDP community, September 2011.

<sup>57</sup> Interviews with IDP from Kelbadjar resettled at a dormitory in Ganja, October 2011.

of their students. Bribery for good grades and numerous in-kind contributions to the school budget are omnipresent. School supplies are very expensive and many poor households cannot afford to send their children to school. The issue of heating classrooms during the winter is also an issue in the local schools that is usually solved with financial contributions from the parents. Both groups—IDPs and host communities—consider the lack of the modern educational facilities to be a serious issue negatively affecting the quality of education of their children. University admissions are another source of competition for resources. IDP students are exempt from paying tuition fees in state-run universities,<sup>58</sup> which means that other students compete for scarce merit-based tuition reductions at the state universities. Private universities, however, do not offer reduced fees to IDPs.

## Documentation

IDPs as well as host communities gave mixed responses about their access to documentation. IDPs interviewed in Baku and Ganja said they received identification documents and certificates attesting to their IDP status. In the districts of Agdam and Tartar, however, it appeared that a lack of IDP certification was more widespread.

Even within a given region the situation is highly case-specific. For example, the IDPs living in Pirshagy and the Ismayilbeyli roadside settlement said the representatives of their local governments in-exile came and collected their applications for submission to the State Committee and later provided them with the IDP certificates. Other IDPs in Baku, as well as in the villages of Garagadji, Ahmadagali and Tazakend reported bureaucratic problems and even corruption in getting IDP and birth certificates. An IDP interviewed in Huseynli village said:

*"They asked my relative for 20 AZN [25 USD] for a birth certificate. His child was born six or seven months ago, but we still can't get his 'bread money.'"*<sup>59</sup>

There is also ambiguity in practice as to whether IDPs should receive "bread money" for their newborn children from the date of their birth or from the date of the child's registration.<sup>60</sup>

The IDP certificates issued by the State Committee had no practical significance until recently. IDPs reported that in 2011 the government introduced new rules, according to which IDP certification has to be provided for any new application for "bread money" to be

<sup>58</sup> It should be noted that the state universities mostly provide education for free in any case and allocate some space for paid education. Free education rule applies if an IDP is admitted to the paid seats in state universities, which is usually the case when an applicant gets fewer points during tests.

<sup>59</sup> Interview, IDPs from Tazakend IDP settlement interviewed in Huseynli, September 2011.

<sup>60</sup> An IDP parent in Tartar district asked: "I have not been receiving my child's bread money for 10 months. But they told me I will get it soon. Will I get bread money for 10 months or from the time I get my child registered?" Local officials in our presence said they did not know. Observation, village in Tartar, September 2011.

successful. Such rules are significant because these payments (15 AZN or 20 USD per person) are the only government-provided subsidy that all IDPs said they received. Even though the official of the State Committee denied any new rule was introduced, the new requirement created problems on the ground for some parents to get “bread money” for their children born in 2011 in spite of the fact that they continued to receive this assistance for themselves.

Although the nature of the problem remains unclear, and the change in policy is denied by central officials, it may have to do with the performance of the local authorities and branches of the State Committee in charge of the registration and issuance of the certificates for IDPs. An official of the State Committee said they prepared to move to a new electronic system of registration, which would allow IDPs to circumvent local authorities and register directly through the Committee’s website.<sup>61</sup>

Another ambiguity surrounds the granting of IDP status in some villages in the immediate proximity of the frontline. The population of some of these villages, such as Chiragli, Orta Garvand, Ahmadagali (Aghdam district) and Alkhanli (Fizuli district) have been granted IDP status with all the corresponding benefits. Except for Ahmadagali, parts of these villages remain destroyed and part of their population has been displaced to nearby villages, so the government’s decision seems justified. In Ahmadagali, however, the decision to grant IDP status is more awkward, because the village itself is relatively removed from the Armenian forward positions, some 1700-1800 meters away. By comparison, Gapanli village in Tartar district is located just 150-500 meters away from Armenian positions and was even occupied for a day in May 1994, but its population has never been granted IDP status. The case of Ahmadagali and Gapanli villages demonstrate that in some instances, government policy of granting IDP status is unclear and inconsistent.

Documentation of IDP status is another important issue. In some cases IDP status can be inherited by the next generation of a family. If an IDP man marries a local woman, his IDP status will be inherited by their children. However, if an IDP woman marries a local man, her children will not be entitled to any IDP social benefits, although she can retain them for herself. The rationale behind this approach is that usually children are registered at their father’s place of residence. Therefore, children registered in the IDP districts become eligible for IDP status and benefits.

IDPs and local residents in rural areas often complained of corruption when accessing certain state-provided benefits, such as unemployment or disability benefits as well as targeted state assistance. IDPs and locals alike interviewed in both Baku and rural areas said that when they applied for targeted social assistance they were asked for bribes. Local officials reportedly only offered to enroll IDPs for the financial assistance they were entitled

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<sup>61</sup> Interview with the official from the State Committee, October 2011. He seemed non-committal however, concerning the time when this system will be operational. It also remains unclear how widely IDPs would use this online system should it come to fruition.

to in exchange for the first six months worth of yearly benefit payments. As a result, few IDPs who are eligible actually receive the targeted social assistance. For example, out of 34,000 IDPs from Gubadly, only 291 IDP families receive targeted social assistance as of now, a figure which even government officials agree is too low.<sup>62</sup>

As a result of poverty and a lack of confidence in the state court system, both IDPs and local rural residents often displayed reluctance to spend money for the necessary transportation costs to pursue justice through the appropriate government agencies. "We receive only 15 AZN (20 USD) a month from the state as 'bread money.' Now, how can we take 1-2 AZN's worth of food from our children's mouths in order to pay to go to the local executive authority?" asked one IDP in Ahmadagali.

In some villages of Agdam, Tartar and Fizuli districts near the frontline, land privatization has not been carried out because the land in these villages is partly occupied by Armenian troops or remains in no-man's land in the immediate line of contact between the Armenian and Azerbaijani forces. The government, therefore, has divided the remaining land informally among the local villagers and some IDPs. Except for the population of a few villages (Ahmadagali, Chiragli, Orta Garvand, Gapanly, Garagadji and a few others) most of the rural resident population confirmed that they had deeds for the plots of land they used. This essentially puts the local residents in these particular villages without deeds for their land in the same conditions as the IDPs, particularly when it comes to accessing lines of credit.

Almost everyone interviewed said he or she lacked deeds for their family's house. Lack of deeds for property (both houses and land), hinders access to credit, because the IDPs and villagers near the frontline often lack collateral for bank loans.<sup>63</sup>

*"IDPs have grown up on the land and they are hard workers, but what is more important, they know how to approach land and maximize the output. They know that they are using the land of the local residents, but admit that they will not relinquish the land even if local residents decide they want their land back. At the same time, the lack of the legal documents prevents IDPs from participating in the aid and micro-credit programs that require having legal documents in place as a primary condition for participation."*<sup>64</sup>

By law when a new family is established, the village municipality should allocate 0.1 hectare of land from the existing reserves for the new family's house. However, villagers have not been able to make this promise a reality for three reasons. First, they are required to pay 18 AZN (23 USD) per 0.01 hectare to the municipality. Second, they are then required to travel to Baku to get official approval from the Land Committee. Villagers complained this

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<sup>62</sup> Interview with representative of the Gubadly local authority in exile, Sumgayit, October 2011.

<sup>63</sup> As a local resident of Ahmadagali (who also had an IDP status) said, "we have difficulties accessing credit, because the banks tell we live in a frontline and high-risk area", Interview, Ahmadagali, September 2011.

<sup>64</sup> Interview with Shovket Alizadeh, a representative of OXFAM, Baku, October 20, 2011.

procedure is expensive, cumbersome and ripe with corruption. As one villager commented, “It is not right to go to Baku to deal with this local-level issue.” However, the villagers confided that none of them had actually gone to Baku to follow the procedure envisaged in the law. They believed it was too costly an effort without a guarantee of positive results. Third, and perhaps most importantly, the villagers also the lack money to build new homes on the land that would be given to them.

## Relations between IDP and host communities

### *Experiences of displacement*

In the focus groups many locals recalled hardships that IDPs faced in the immediate aftermath of their displacement. The majority of them left everything behind and arrived at their new places of residence “naked” – having nothing but the clothes on their backs. The spirit of solidarity at that time was high and locals voluntarily provided IDP families with basics—clothes, cookware, mattresses, pillows, etc. Some locals established community mobilization groups and tried to help IDPs by providing them with food and clothes. People recall instances, for example, when IDP families found temporary accommodations not only in the homes of their relatives, but also with local people that were complete strangers to them.

One IDP man from Kelbadjar says he can hardly recall the first five days of his displacement because of the psychological stress:

*“It was as if a wolf had rushed into the herd. You completely lose your mind; you don’t know where to run, what to do, or even how to live your life from now on and raise your children...”*

He remembers how locals helped out his family and one director of the kindergarten supplied them with mattresses and blankets for his kids when they had to sleep on the floor: “They were treating us with respect and were of a great assistance to us.”

However, some IDPs noted that not all of the locals welcomed the newcomers. They think that the relations with locals were more tense in the immediate aftermath of the displacement than today. In the words of an IDP woman from Khojaly:

*“They used to tell us: “Why have you left your homes and run away? Why you didn’t stay and fight for your land?” Now the relations are good. Local shop owners lend food to IDPs for later payment (nisyə). We are one nation after all...”*<sup>65</sup>

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<sup>65</sup> Focus group interview with IDP women living in Pirshagy town near Baku, September 2011.

### ***Social interactions today***

The fact that IDPs and host communities share the same ethnicity, language and national culture facilitates the dialogue between the two communities. All IDP participants in the focus groups said that they have friends and co-workers among the host community. They commonly congregate together for marriages and funerals. There are no statistics on the number of intermarriages, but there were examples in all the communities visited. Some IDPs consider the number of such intermarriages as growing:

*"At the beginning they were a bit suspicious of us. But now they see that young IDPs are lively and hardworking and prefer marrying IDPs. When compared to locals girls from Baku ours are more active and they start their housework early in the morning."* – IDP woman from Khojaly in Pirshagy.

At the same time some IDPs, particularly those living in urban areas, feel themselves socially marginalized. They evaluate the relationships with the local community as normal, but distant. Some have shared the stories about instances when they were insulted for being IDPs.

*"We do not feel like full-fledged members of the society. We are 'non-tenured' members of the society. As they say, 'Away from the eyes, away from the heart.'"* – IDP women from Khojaly in Pirshagy.

*"Once I heard a mother threatening her child by saying, 'Don't cry or I will show you the refugee.'"* – IDP woman from Agdam living in a dormitory in Baku.

*"I had a dispute with one local and he told me: I give thanks to the Armenians for what they have done to you, you deserve even more than that."* – IDP man from Kelbadjar living in a dormitory in Ganja.

Local urban residents also consider that despite the long history of displacement, IDPs have remained 'alien,' not fully integrated into the host community. Largely from rural areas, they could not adjust to the urban conditions and are thirsty for agricultural land. In particular, local residents in Baku believe IDPs and migrants from other provinces who came in increasing numbers in search of jobs have brought some village practices to the urban spaces. Local residents living in the immediate neighborhoods of the dormitories populated by IDPs complained about the noise, untidiness and poor sanitary conditions. In order to improve living conditions the majority of IDPs there have outfitted their balconies with running tap water and self-made sewage systems that run openly in the streets into the city drainage system.

At the same time some local residents claim that safety in the districts occupied by the IDPs has generally improved.

*"I feel safer in the late hours. There are people in the streets until midnight. The rooms occupied by IDPs are tiny and the families are large, so men stay in the*

*streets until very late. Since I live alone, I feel more comfortable seeing people walking and talking to each other in the street after dark.*” – local resident in Baku

The host community understands the hardships that IDPs lived through and continue to experience and the need to build bridges given the circumstances which have brought them to live in the same small neighborhood:

*“They did not come here by their own will. They could not find here everything they have left behind...”* – local woman from Ganja.

*“They are good people; I always buy my groceries from them. They are fair and never cheat on the scales. I am not dissatisfied with them. After all, we are all humans...”* – local woman from Baku.

### ***Perceptions on IDP vulnerability and integrated assistance approaches***

The image of IDPs as ‘pitiful,’ ‘miserable’ and in need of a special assistance dominates official discourse. IDPs anticipate that the government expects them to look vulnerable when visited by “outsiders”: delegations representing various aid organizations, foreign offices or the media.

Any mismatch between the public image of IDPs and their everyday reality causes discontent and a somewhat envious reaction by some local residents who resent the benefits received by IDPs regardless of their economic well-being.

*“They think that if you are an IDP you should be wearing rubbish. When you dress nicely and have something new on, they wonder: ‘How come you have new dress, where did you get money for that?’”* – IDP woman from Khojaly in Pirshagy.

*“Many people visit us and say: ‘How come you are an IDP and have an air conditioner?’ They don’t think that it is impossible to deal with 40 degree heat in a house without proper windows.”* – IDP woman from Khojaly in Pirshagy.

In terms of their overall well-being, local residents find the situation of IDPs in the country to be similar to that of the host communities. Many locals in both urban and rural settings displayed remarkably similar attitudes towards IDPs, claiming that the IDPs actually lived better than they did. The fact that IDPs are exempt from paying utility bills and receive “bread money,” in the words of the non-IDP respondents, puts IDPs in advantageous position in relation to the local residents.

*“Once I was on a bus and one IDP woman told the driver, ‘I cannot pay the fee because I don’t have money with me now. I am just going to pick my ‘bread money.’ And everyone in the bus was outraged: ‘How is she different from us? Why we are paying our fees while she avoids it? She is in much better situation than we are – she at least gets ‘bread money’ from the state.”* – local woman from Ganja.

Local residents accuse IDPs of using their status to claim benefits or preferential treatment

to which they are not entitled as, for example, when seeking employment or managing disputes in the local courts or municipalities.

The similarities between the problems of IDPs and those of the non-displaced poor population in terms of poverty, unemployment and access to social services, have prompted international donors to reduce assistance designed exclusively for IDPs, focusing instead on long-term development programs for the wider population. For example, since 1997 Oxfam has changed its strategy from direct assistance to IDP communities to a more general approach of poverty reduction and integration of the two communities. This year the organization launched a project that aims to develop a business model that will benefit small-scale farmers and their employees from the south-central Azerbaijan, targeting both IDP and host communities.

The ICRC similarly conducts projects in the territories close to the Nagorno-Karabakh line of contact to address the needs of the conflict-affected communities, among both the local population and IDPs. It has drilled boreholes for drinking water in seven villages in Fizuli, Aghdam and Tartar districts and identified one thousand vulnerable families, both IDPs and locals, who would receive modest financial assistance to improve their livelihoods.<sup>66</sup> In line with this approach, the international community has increasingly urged the Azerbaijani authorities to allocate more funds for improving the socio-economic situation of IDPs and to provide for long term and sustainable income generating solutions for them as part of a general strategy to combat poverty.

### ***Property issues***

Some IDPs have occupied building and houses that belong to locals. For example, participants in one of the focus groups, IDPs from Kelbadjar in Ganja, confess that they occupy an administrative building that was privatized back in 1993 and is the property of a local resident. However, the owner has not attempted to evict them and only uses three hectares of the land attached to the building for storage. IDPs agree: "We are quite happy with him. He has never treated us badly."

However, in a number of cases, property disputes became a matter of judicial consideration, including in the European Court of Human Rights.

The Azerbaijani government attempted to provide a legal backing to arbitrary seizures of empty flats and houses in the early 1990s, as displaced populations flooded into Baku and other urban centers. Thus, according to a 1999 decision by the Cabinet of Ministers, in order to prevent the eviction of IDPs from dwellings in which they had settled between 1992 and 1994, the legal force of occupancy vouchers issued for these dwellings to other (non-IDP) citizens was temporarily suspended. A presidential decree of 2004 further ordered

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<sup>66</sup> As part of the project, ICRC disburses 750AZN (955USD) in two installments for each vulnerable family, which come up with a project that suits their interest the best. Usually, these projects involve buying cattle for improving self-subsistence. Interview, ICRC team, Barda, September 2011.

that IDPs should not be evicted from any premises they occupy, regardless of ownership of the property that they had settled in between 1992 and 1998.<sup>67</sup>

These decrees conflicted with domestic laws guaranteeing property rights as well as with the law on social protection of IDPs, which says that in case IDP settlement options infringe upon the property rights of other citizens, the government should resettle the IDPs in alternative accommodations.<sup>68</sup> As a result, the domestic courts who heard property owners' complaints against IDPs confirmed the owners' property titles, but ruled that the eviction of IDPs must be postponed until the occupied territories are liberated or until the government can resettle them in a new location.<sup>69</sup> This decision left both the lawful owners and IDPs frustrated, because the former did not know when his or her property would be vacated, and the latter continued to live in uncertainty.

In its landmark 2007 ruling *Akimova v. Azerbaijan* and subsequent similar rulings, the European Court of Human Rights upheld a claim by the owner of an apartment in Baku occupied by an IDP family, ruling that the Azerbaijani government practice was in violation of its citizens' property rights and established that the government should restore the property rights of the legal owners and provide IDPs with an alternative residence.<sup>70</sup> Since this and similar rulings were handed down the government has either settled these disputes in a friendly manner with the legal owners (as in the case of *Akimova v. Azerbaijan*, for example), or has not yet enforced the judgment. These cases have set up a precedent and underlined the lack of security of tenure for IDPs living in urban flats.

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<sup>67</sup> Order of the President of the Republic of Azerbaijan of 1 July 2004 on Approval of the State Program for Improvement of Living Conditions and Increase of Employment of Refugees and Internally Displaced Persons.

<sup>68</sup> Article 5 of the Law on Social Protection of Forcibly Displaced Persons and Persons Equated with Them, 21 May 1999.

<sup>69</sup> Gunel Guliyeva, Jdan Yazdani, *IDPs in Azerbaijan*, 17 December 2009 (<http://www.balcanicaucaso.org/eng/Regions-and-countries/Azerbaijan/IDPs-in-Azerbaijan><http://www.balcanicaucaso.org/eng/Regions-and-countries/Azerbaijan/IDPs-in-Azerbaijan>).

<sup>70</sup> These cases include case of *Akimova v. Azerbaijan*, 27 September 2007; case of *Mirzayev v. Azerbaijan*, 3 December 2009; case of *Jafarov v Azerbaijan*, 11 February 2010; case of *Gulmammadova v. Azerbaijan*, 22 April 2010; case of *Hasanov v. Azerbaijan*, 22 April 2010; case of *Hajiyeva and others v. Azerbaijan*, 8 July 2010; case of *Isgandarov and others v. Azerbaijan*; 8 July 2010, case of *Ismayilova v. Azerbaijan*, 9 December 2010. The Court also questioned the legality of the 2004 presidential decree forbidding removal of IDPs from the premises they occupy regardless whether the property has a lawful owner: "...this Presidential Order did not contain any specific provisions on civil procedure vesting the domestic courts with the competence to postpone indefinitely the execution of judicial eviction orders, which is what happened in the present case. Moreover, the Law of 21 May 1999 provided that if the settlement of the IDPs of their own accord infringed the rights and lawful interests of other persons, the domestic authorities must ensure the resettlement of the IDPs in other accommodation. Accordingly, the relevant presidential order appeared to be contradictory to the legislative act possessing superior force; in such circumstances, a question arises as to the lawfulness of the postponement order based on this Presidential Order." Case of *Gulmammadova v. Azerbaijan*, Application no. 38798/07, 22 April 2010.

There are also numerous cases of illegal occupation by IDPs of agricultural lands owned by local residents. In 1999 the government administered a land reform program and distributed equal land shares to all rural dwellers across the country. IDPs and some villagers living in the proximity of the frontline did not benefit from the distribution of the agricultural lands because their land remains occupied by Armenian forces. It is believed that the major tensions between local residents and IDPs in rural areas date back to this land reform process. Some IDPs began cultivating land owned by local residents either through 'gentlemen's agreements' with them and paying symbolical annual rental fee of 60-100 AZN per hectare or in-kind payments with agricultural products. Others occupied plots of land and managed to get the usage rights from the local administration for an indefinite time.

## SECURITY CONCERNS OF IDPS AND LOCAL COMMUNITIES LIVING NEAR THE FRONTLINE

Unlike the relatively stable official border between Armenia and Azerbaijan where there are villages of both communities located close to one another, the more volatile Nagorno-Karabakh segment of the frontline is mostly populated by Azerbaijani civilians. Some of these villages are extremely exposed as they are in the immediate line of contact and have Azerbaijani troops dug in just outside their perimeter. Major Karabakh Armenian settlements, on the other hand, are deeper within the Armenian-controlled territory, while their troops are mostly deployed in depopulated or sparsely populated areas bordering Azerbaijani villages. Close proximity to the frontline makes Azerbaijani civilians living in these areas extremely vulnerable to any deterioration of the security situation.

Field research and interviews were conducted in September 2011 in three villages close to the frontline: Gapanly (also known as Garadagly-Gapanly) and Garagadji in Tartar district and Ahmadagali in partially-occupied Agdam district. In addition, the analysis was also based on previous research conducted by one of the authors independently in March 2011 in the frontline villages of Orta Garvand and Chiragli in Agdam district, as well as Alkhanli, Mirzanagili villages and the new IDP settlement in Zobudjuk in Fizuli district.

With the exception of Ahmadagali and Zobudjuk, which are situated further from the frontline, all of these villages visited during this study are said to routinely come under direct fire from the Armenian positions.

In one particularly glaring example, Gapanly is surrounded by Armenian-controlled territory on three sides. The distance between the village and Armenian frontline positions ranges between 150 and 500 meters. Most of the houses in the village bear traces of gunshots. In Gapanly we were shown the bullet-marked wall of a house, which the ICRC had recently helped to repair. In Garagadji a local resident said:

*"We took out a loan, bought roof slates and wood to repair parts of the house. Two months ago they shot at our home and made new holes in the walls. And we still have to pay back the loan."*

One-third of Chiragly and Alkhanly villages are in ruins and are depopulated due to their proximity to the line of contact. Part of the population of Chiragly has been displaced to neighboring Ahmadagali village and has lived in shabby public buildings there since 1993. People in the frontline villages inhabit only the first floors of their homes, because the upper floors are more exposed to the risk of shooting. In Gapanly, the ICRC also helped to close off the exposed windows, move the doors and make windows on safer rear walls on one of the most exposed houses.

These villagers complain about the lack of adequate protective barriers to shield them from gunfire. The protective mud embankments made years ago have eroded over time or in some places disappeared altogether, exposing people to random shootings and sniper fire. The killing of a nine-year-old Azerbaijani boy by a sniper in March 2011 in Orta Garvand village, which is located in an exposed flat area some 800-1000 meters away from the Armenian forward positions, underscored the fragility of human life in these frontline villages. Prior to this incident, in January and February 2011, two women from the same village were wounded in indiscriminate shooting incidents.

Following the deadly incident in Orta Garvand, which resonated strongly in Azerbaijani society, the government started building protective walls in the most exposed villages. Currently, protective walls are being constructed in Orta Garvand and Chiragly. The government further plans to construct protective walls with a total length of 2,700 meters in frontline villages in Tartar and Goranboy districts.<sup>71</sup>

Due to their location near the frontline and because a large part of their cultivation and grazing lands are under Armenian control, land privatization has not been conducted in these villages. Lands have been divided provisionally among the local population and IDPs. Because of land scarcity, people in these frontline areas, IDPs and locals alike, graze their cattle in areas close to 'no-man's-land' exposing themselves to the deadly risks of landmines and enemy fire. An Azerbaijani shepherd was killed by a landmine in April 2011 in the Goranboy region, north of Nagorno-Karabakh. For many families, grazing lands near the frontline provide their only source of income and they say they have no other choice but to earn their living by taking this risk. As an IDP shepherd in Ahmadagali said, "I have two little children. Why would I go to expose myself to a[n Armenian] bullet? I simply have no choice."

Understanding that many families depend on pasture lands on the frontline for their livelihoods, the Azerbaijani military has adopted a somewhat laissez-faire approach and generally allows local cattle-breeders to pass through the first echelons of its defense lines without restrictions. In a similar manner, Armenian forces do not feel threatened and usually do not prevent this practice, although some local shepherds said they have been shot at as a form of intimidation.

Since most of the cultivated land is in flat areas and therefore are exposed to fire from the opposite side, most of the work on the land is done at night. Villagers confided that Armenian troops rarely target them while they work in the fields, but that they are still afraid because of their vulnerability. Revealing a sense of insecurity and exposure to threat, a villager in Gapanli said, "If Armenians wanted, we would not be able to live here for a day.

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<sup>71</sup> K. Mammadova, "Azərbaycan cəbhə xəttində mühafizə divarı tikir" [Azerbaijan is constructing a protective wall in the frontline], ANSPress.com, October 11, 2011, (<http://anspress.com/index.php?a=2&lng=az&nid=121041>)

They can target and kill any kid or adult walking on the street. There are no Armenian settlements on the other side, but there are plenty of settlements on our side.”

Since 2005 the government has built 19 new IDP settlements in Agdam and relocated some 25,000 people, living mostly in IDP camps in central lowland areas in the east to these settlements.<sup>72</sup> Similarly, the government has built 17 new IDP settlements in Fizuli, in addition to 22 original settlements that remained under Azerbaijan’s control.<sup>73</sup> According to a local official, some 65,000 people currently live in the unoccupied parts of the Fizuli district (with the center at Horadiz). Before the displacement, only 28,000 people lived in that area. By 2013 the government plans to build five more IDP settlements and relocate 2,000 families there.<sup>74</sup>

Almost all of the IDPs relocated to the new settlements in Agdam and Fizuli are from the occupied parts of these districts. This settlement policy reflects the Azerbaijani government’s desire to maintain social cohesion within the IDP communities by ensuring that they do not assimilate within the host population and that they stay closer to their original homes, and thus, remain committed to eventual return. This is a sentiment supported generally by both IDPs and the local population. These new settlements provide better housing conditions; however, as discussed above, their proximity to the frontline is a potential risk factor.

The Azerbaijani government has not done enough yet to provide for adequate security for the population who live or who are being settled in these areas. A local official confided that the government does not have a clear evacuation plan in case of large scale hostilities and that the local government had a formal letter from the Ministry of Defense saying that the latter was not responsible for the security of the civilian population living in the close proximity of the frontline.<sup>75</sup> The government needs to ensure that it has an emergency evacuation plan for these populations and refrain from settling more IDPs in the proximity of the frontline in the absence of adequate security guarantees.

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<sup>72</sup> Interview with a local official, Agdam district, March 2011.

<sup>73</sup> Interview with local official, Fizuli district, March 2011.

<sup>74</sup> Interview with local official, Fizuli district, March 2011.

<sup>75</sup> Interview with local official near the frontline, March 2011.

## PERCEPTIONS OF LONG-TERM SOLUTIONS TO DISPLACEMENT

The Guiding Principles on Internal Displacement recognize the rights of IDPs to freely choose from three options: the right to return, in safety and with dignity, to their homes or places of habitual residence; local integration at the site of displacement or resettlement in another part of the country. According to the IASC Framework on Durable Solutions for IDPs, a durable solution is achieved when IDPs no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement.<sup>76</sup>

Azerbaijani domestic legislation appears to be in line with these provisions, but there remains a strong proclivity towards the return option in practice. According to the 1999 Law on Refugees and IDPs, IDP status ceases to exist if an IDP returns home or is provided with another adequate living space in the area of origin or where the government provides adequate living space by special decision. On the latter point, the law does not elaborate on the nature of such a decision, which would provide for cessation of IDP status in the absence of return, nor does this condition require IDPs to be provided with legal ownership of the living space given to them. In reality, providing provisional housing for IDPs has not brought them a durable solution.

Practically all IDPs interviewed in both rural and urban contexts expressed a strong desire to return to their original homes and return is clearly the most preferred durable solution. As an IDP from Kelbajar district now living in Ganja said, “If I were told that it was now possible to return to my village—I would be the first one to relocate, even if I knew that I would be blown up by a mine.” Some IDPs said that if return was possible, they would likely choose to combine various settlement options in the short term, leaving some family members in the location of displacement and others going to reclaim their property on their original land.

Twenty years of living in displacement, however, has shaken the confidence of many that they will be able to return any time soon. The rhetorical exclamation “Can you be an IDP for twenty years?” was a recurrent motif heard from IDPs in both Baku and in remote rural areas. This sentiment perhaps best reflects the limbo situation in which many IDPs find themselves. It reflects frustration with their inability to return to their place of origin due to the unresolved conflict, but also apprehension with their difficult living conditions in their place of displacement.

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<sup>76</sup> Brookings-Bern Project on Internal Displacement, *IASC Framework on Durable Solutions for Internally Displaced Persons*, April 2010.

An IDP woman from Khojaly now living on the outskirts of Baku expressed this feeling:

*"We've been living here for twenty years. Maybe we have only five years left to live on this earth. Why is the government keeping us in these conditions? How can someone live on nothing but hope for twenty years? We want to live a decent life here too."*

Lack of proper housing and security of tenure are the biggest obstacles for IDPs to more assertively pursue self-reliance strategies, which is a prerequisite for any durable solution.

Because they do not own the property they live in and have no confidence as to whether they will remain on the land or in the homes they presently occupy, they do not invest in their future livelihoods. This is particularly true for IDPs who live in public buildings and makeshift houses.

As another IDP woman from Khojaly interviewed during a focus group confided:

*"The conditions of the poor are similar. We all suffer from unemployment. There is big social inequality in our society. However, a local person has a home, maybe a backyard. But we do not know whether we will stay here or whether we are going to be moved away. We rely on hope."*

An IDP from Agdam's Shotlanly village living in displacement in the Ismayilbeyli roadside settlement just a few dozen kilometers away from his native village in the territory of Tartar district said:

*"If the [government] would build us a house, if we knew that it was ours, we would build ourselves a life. We would take out loans and buy solid building materials for a house. But we do not know if they are going to resettle us tomorrow and we do not want to lose what we would build. [Because of uncertainty we] have been living here for 18 years and only have been patching up the crumbling walls [of mud brick houses] from time to time."*

This feeling is echoed by another IDP from Khojaly living in Baku:

*"We do not have a certainty in our lives. They [the government] keep telling us that we will be relocated. People live with hope that they will either return or will be relocated to better housing conditions. And as we wait, life passes by."*

One option to address these concerns would be to complete relocating IDPs from public buildings to new purpose-built dwellings and settlements and provide them with legal ownership of the houses and in rural contexts the plots of land provisionally given to them. This practice was implemented in Georgia, where the government sold housing it provided for IDPs for a symbolic fee. To alleviate popular concerns and make such a decision politically palatable, it is important to stress that such measures aimed at improving the living

conditions of the IDPs do not prejudice their right to return if they wish to do so once the opportunity presents itself.

Interestingly, while expressing frustration with their social marginalization and feeling a lack of dignity for having to live in their country as IDPs, most of the displaced we spoke with nonetheless want to retain their IDP status and their public institutions, such as schools, health care facilities and local authorities “in-exile.” On the one hand, these preservationist interests are linked to emotional attachment to their original homeland, which defines the local identity of all IDPs, including of younger generations born in displacement. On the other hand, IDPs are interested in retaining their distinctiveness due to pragmatic calculations based on the fact that the status provides some financial benefits, exemptions, and potentially a free allocation of housing. Furthermore, the IDP public offices provide them with a degree of employment and access to public services.

Local integration should not be implemented to the detriment of the IDPs right to return. In a similar fashion, return should not be viewed as the only viable option for IDPs. It should be recalled that return is not a collective, but an individual right derived from several fundamental human rights, including the right to return home and the right to personal property. On an individual level, IDPs may have differing perceptions and preferences about the range of durable solutions to which they are entitled, including return, local integration or resettlement elsewhere within the country. Therefore, state policy should seek to make all three options available to IDPs in accord with their individual desires.

## CONCLUSION

Peaceful coexistence and mutual support are the major narratives that describe the relationships between host-communities and IDPs in Azerbaijan, both in their interactions through state institutions, as well as on a personal level. During the course of the study both groups confirmed that there were no serious conflicts or tensions between them and that their shared language and cultural values promote social cohesion and mutual understanding. However, more careful insight reveals that social stigmatization and isolation are specific challenges that IDPs still face. Stigmatization is most prevalent in urban settings where local people consider IDPs to be “peasants” who simply have not adjusted to life in the city. Isolation is more obvious in newly constructed settlements built far away from the regional centers, cities and towns populated by non-IDPs, thus weakening ties and interactions between the two groups.

The host communities’ largest dissatisfaction with IDPs stems from governmental policies that for twenty years have treated IDPs as a vulnerable group in need of special protection. The host communities consider that some of the IDPs are taking advantage the benefits provided to them or abusing their status in disputes with locals. Host communities consider that the steady and even increased assistance from the government for IDPs and the genuine efforts to meet the subsistence needs of the displaced has overshadowed the needs of the general poor population.

Hence, twenty years after their displacement began there is a need to critically review existing policies in line with the changed and evolving circumstances and needs of IDPs. The government should finally recognize that a blanket approach to IDPs is no longer an effective assistance strategy, because it effectively ignores the fact that IDPs are an increasingly less homogenous group, experiencing varying degrees of economic hardship and facing different protection needs.

Moreover, although some IDP concerns—such as poor housing conditions and a lack of security of tenure—are specifically linked to their displacement, other concerns—for example, access to water or livelihoods—are not exclusively linked to displacement and are common problems throughout Azerbaijan. Therefore, there is a need for more integrated assistance targeting both IDPs and non-displaced communities, particularly in impoverished rural areas. Such integrated approaches would help remove tensions between the IDPs and host communities, while also facilitating greater self-reliance among IDPs.

One significant obstacle that prevents the government from pursuing a more proactive policy aimed at improving IDP self-reliance is a popular concern—shared by many IDPs themselves—that by improving IDPs’ self-reliance, the government would undermine the chances of the displaced to return to their places of origin. As a result, the existing govern-

ment assistance strategies have focused on subsistence aid, and have thus increased IDPs' dependence on such aid and undermined their self-reliance.

It remains a challenge to convince the Azerbaijani government, general public and IDPs in particular that local integration and return do not have to be zero-sum options. Protection and assistance policies certainly affect IDP decisions on which durable solution to seek over time. However, activities aimed at improving self-reliance of IDPs do not necessarily have to prejudice their right to return. On the contrary, self-reliant IDPs would be better positioned to make a conscious choice to return and to face the challenge of slowly rebuilding their lives in their places of origin than dependent and insecure individuals who would be unable to stand up for their interests independently from the government.

Last but not least, a major conclusion of the study is that the government should pay greater attention to the rural communities—including IDPs and non-IDPs—living near the front-line. Because of their location these communities are particularly vulnerable to escalations in armed confrontation, indiscriminate fire and landmines. The government has undertaken some measures to improve their security and livelihoods, including by initiating the ongoing construction of protective walls against stray bullets and extending IDP privileges to some frontline communities. However, government policies still lack consistency, as some of these communities—including non-IDPs—enjoy greater privileges and benefits than other communities facing similar conditions. For this reason, there is a need to further study the frontline communities in Azerbaijan and design strategies to address their specific needs and vulnerabilities.

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## METHODOLOGY

This report is mainly based on qualitative data derived from individual and group interviews, as well as field observations held in September and October 2011 in urban and rural areas of Azerbaijan. The interviews involved IDPs and non-IDP residents, state officials and representatives of international non-governmental relief organizations.

The interviews were conducted to provide insights to the following questions:

- What are the main protection needs and vulnerabilities of the IDPs and how are these needs different from those of the local communities?
- How do the protection needs differ in the urban and rural contexts, including areas close to the frontline?
- What is the nature of relationship between IDPs and host communities?
- What are IDPs' and host communities' thoughts on durable solutions to the IDPs' problems?

The interviews were semi-structured, which allowed the interviewees to elaborate on issues that concerned them the most. To support the field research, the authors conducted a literature review of the laws and documents concerning IDPs in Azerbaijan, including official statistics and prior assessments.

Field research was mainly conducted in two urban and two rural areas, including:

- Baku, the capital city and place of the highest concentration of IDPs (33 percent): Individual and group interviews were held with IDPs living in the dormitory building of the Azerbaijan Pedagogical University. These interviews were complemented by individual interviews with the local residents living in the neighborhood. A separate group interview was also held with IDPs settled at what once used to be a hostel/sanatorium in Pirshagy settlement on the outskirts of Baku;
- Ganja, the country's second-largest city: focus group interviews were held separately with IDPs living in the dormitory of the Pedagogical University, administrative building and two groups of local residents;
- Agdam district (Azerbaijan-controlled territory): Individual and group interviews were held separately with IDP and host communities living near the frontline in the villages of Ahmadagali (*Əhmədağalı*) and Tazakend (*Təzəkənd*). In addition to this, interviews were held with the officials of the local authorities;
- Tartar district: individual and group interviews were held with IDPs and local residents living near the frontline in the villages of Gapanly (*Qapanlı*), Garagadji (*Qarağacı*), Askipara (*Əskipara*), İsmayilbeyli (*İsmayılbəyli*), Sahlabad (*Səhlabad*), Hüseynli (*Hüseynli*).

Field visits to Agdam and Tartar districts were facilitated by the ICRC. Separate interviews were also held with ICRC staff in Barda, Oxfam staff in Baku and an IDP official from the Armenian-occupied Gubadly district’s local executive authority, which is now based in Sumgayit, a city located not far from Baku, which hosts the second-largest community of IDPs after the capital city.

The individual and focus group interviews with the IDP communities and local residents were held spontaneously by random selection of households or improvised meetings in small groups of around five to ten people. Such spontaneity, without direct interference from the authorities and without prior facilitated selection process, allowed for more frank discussions with ordinary people about local problems both individually and within groups. The interviewees were informed that their names would not be noted, to preserve anonymity. Showing signs of desperation, some IDPs, however, specifically wanted to have their names marked down in the hope that this would help solution to their individual problems. While most of the IDPs were open to talk about their problems, some displayed a skeptical attitude because in twenty years of displacement—in very difficult conditions—they have talked to a number of visitors and have seen little practical benefit to themselves as a result of such conversations.

Because of the time constraints and the nature of this rapid qualitative research, the study targets only certain limited areas and communities in selected rural and urban settings. It does not provide statistical evidence to verify the magnitude of the various protection concerns of both IDP and host communities in urban and rural settings. The responses, however, provided by both local and IDP communities from across the different parts of the country reveal some common problems and vulnerabilities. This suggests that some problems are similar across the country and require further research on IDPs and host communities alike.



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