

Displaced and Disenfranchised: Internally Displaced Persons and Elections in the OSCE Region

ERIN MOONEY & BALKEES JARRAH

Brookings Institution, Washington, DC, USA

ABSTRACT In Europe and Central Asia today there are some three million people who have been forcibly uprooted from their homes and communities as a result of ethnic conflict and tensions, but who, unlike refugees, remain within their own countries. Safeguarding the security and welfare of these internally displaced persons (IDPs) is the responsibility first and foremost of their own government. IDPs are entitled to the same set of rights as non-displaced nationals, and for all citizens this includes the right to political participation. Around the world, however, internally displaced persons face a number of obstacles to exercising their right to vote. The disenfranchisement of the internally displaced not only infringes their rights, it exacerbates the social, political and economic marginalization that they typically experience. Most significantly, it deprives them of the ability to exercise democratic levers of influence over the decisions affecting their lives and thereby to press national and local authorities to effectively address their plight. This article examines the extent to which IDPs in the region covered by the Organization for Security and Cooperation in Europe (OSCE), which extends across Europe, Central Asia and North America, are able to exercise their right to vote. Following a brief overview of the problem of internal displacement in the OSCE region, it lays out the normative framework guaranteeing for IDPs the right to vote. On the basis of an extensive study of elections in the OSCE, various obstacles that IDPs face in exercising their right to vote are then identified, explained, and illustrated by reference to particular country examples. Institutional approaches of the OSCE, which plays a leading role in election observation, to the issue of IDP voting rights are also reviewed. In conclusion, a set of recommendations is put forth for overcoming these obstacles and ensuring that the principle of universal suffrage extends to the internally displaced.

Around the world today there are some 25 million people who have been forced to flee their homes and communities as a result of armed conflict, inter-communal tensions and systematic violations of human rights but who, unlike refugees, remain within their own countries. Providing protection and assistance to these internally displaced persons (IDPs) is first and foremost the responsibility of their own governments. As nationals of the countries in which they are uprooted, the internally displaced are

Correspondence Address: Erin Mooney, The Brookings Institution, 1775 Massachusetts Avenue, NW, Washington, DC 20036, USA. Email: emooney@brookings.edu

entitled to the same set of rights as non-displaced nationals, and for all citizens this includes the right to political participation. In practice, however, the internally displaced often face a number of particular obstacles to exercising their right to vote, which are additional to any difficulties experienced by the electorate in general. Among these obstacles are factors such as a lack of documentation, restrictive residency requirements, discriminatory practices and a lack of absentee voting procedures enabling IDPs to vote in elections in their places of origin without having to return to unsafe areas.

The disenfranchisement of the internally displaced not only violates their right to vote, it also heightens their marginalization and impedes their reintegration into society, whether in the areas to which they are displaced or upon return to their places of origin or resettlement elsewhere. Most significantly, it deprives IDPs of the ability to exercise democratic levers of influence over the political, economic and social decisions affecting their lives and thereby to press national and local authorities to effectively address their plight. The exclusion of IDPs from electoral participation can also have significant repercussions for the legitimacy of the political process and national stability overall. Particularly considering the magnitude of most crises of internal displacement, at issue is the disenfranchisement of a significant portion of the electorate, and one that tends to be disproportionately comprised of minority groups. The ability of displaced persons to engage in the political process therefore is an important measure of the inclusiveness and legitimacy of a national electoral process and of the resulting governing structures. Moreover, because the holding of free and fair elections is one of the most fundamental components of rebuilding divided post-conflict societies, an electoral process that includes the internally displaced is critical to effective reconciliation efforts and, therefore, also to sustainable peace and stability (Lacy, 2004). Indeed, especially in countries with sizeable internally displaced populations, the disenfranchisement of IDPs could potentially have a destabilizing effect nationally and even regionally. Ensuring that IDPs are able freely and fully to exercise their right to vote is thus critically important to address, both from the perspective of the human rights of the displaced as well as for reasons of national and regional stability.

In a significant development the Organization for Security and Cooperation in Europe (OSCE), a regional body for Europe, Central Asia and North America that plays a leading role in conflict resolution and in supporting the holding of free and fair elections, has come to recognize that the voting rights of IDPs should be a matter of 'special scrutiny'. This article examines the extent to which the internally displaced in the OSCE region, who number some three million, are in fact able to exercise their right to vote. After a brief overview of internal displacement in the OSCE region, the normative framework guaranteeing for IDPs the right to vote is summarized. Drawing on extensive empirical research reviewing some 60 elections, the obstacles that IDPs frequently face in exercising their right to vote are then identified and explained, with reference to particular country examples (Mooney & Jarrah, 2004).¹ An examination and assessment of the role of the OSCE in monitoring and promoting respect for voting rights for the internally displaced follows. By way of conclusion, a series of recommendations is put forth for promoting more systematic attention by the OSCE to the issue of IDP voting rights and to overcoming the obstacles that IDPs so often face in exercising their right to political participation.

Internal Displacement in the OSCE Region

Internal displacement is a phenomenon of significant magnitude and scope in the region covered by the OSCE, which encompasses all the countries of Western and Eastern Europe as well as Turkey, all the republics of the former Soviet Union, the USA and Canada. Currently in the region, some three million persons are internally displaced as a result of ethnic conflict and tensions or the systematic violations of human rights. To put this figure into global perspective, the IDP population in the OSCE is higher than that in the Middle East, where there are an estimated 2.1 million IDPs, and on a par with that in Asia, where there are some 2.9 million, as well as with the Americas, where estimates range at over three million IDPs (Norwegian Refugee Council, 2004c). In other words, with the exception of Africa, which with more than 14 million IDPs bears a truly staggering and disproportionate toll of the global crisis of internal displacement, the OSCE region suffers at least as much internal displacement as every other region of the world.

Within the OSCE region, internal displacement is a problem of broad geographic reach, extending to nearly a quarter of the OSCE's participating states. Thirteen different countries in Europe and Central Asia are directly affected: Armenia, Azerbaijan, Bosnia and Herzegovina, Croatia, Cyprus, Georgia, the Former Yugoslav Republic of Macedonia, Moldova, Serbia and Montenegro, the Russian Federation, Turkey, Turkmenistan and Uzbekistan. The largest concentration of the internally displaced in the OSCE is found in Turkey, which has upwards of one million IDPs, the same number as in Iraq. Sizeable IDP populations are also found in Azerbaijan (575 000), the Russian Federation (360 000), Bosnia and Herzegovina (313 000), Georgia (260 000) and Serbia and Montenegro (248 000). To put these figures into global context, the number of IDPs in Azerbaijan, for example, far surpasses that now in Liberia or in Cote d'Ivoire, while that in the Russian Federation is on a par with the number of conflict-induced IDPs in Sri Lanka. In many of these countries the internally displaced constitute a significant percentage of the population and, therefore, the electorate. Conflict in Bosnia and Herzegovina in the early 1990s displaced half the country's population, either within the country or across borders as refugees. While the number of displaced has decreased in the years since the Dayton Peace Agreement, as significant numbers of them have returned or resettled, it remains the case that Bosnia and Herzegovina today has more IDPs than Afghanistan and roughly the same number as Zimbabwe and Burundi combined (Norwegian Refugee Council, 2004c).

Overwhelmingly, internal displacement in the OSCE region has occurred along ethnic lines and is the result of ethnic conflict and tensions or of the systematic violation of minority rights. In some cases, most notably the conflicts in Bosnia and Herzegovina, Croatia and Kosovo, the displacement of particular ethnic groups was not simply a consequence of conflict but a specific war aim. And while most internal displacement in the OSCE region has occurred in the context of violent ethnic conflict, Turkmenistan represents an example where internal displacement has taken place in the absence of conflict but as part of a context of systematic infringement of minority rights. The ethnic Uzbek population and other minority communities have been targeted in recent years by an intensified pattern of discrimination that has included the threat of eviction and indeed has uprooted 2000 Uzbeks the victims of a forced relocation policy imposed by the regime. In several cases in the OSCE, the internally displaced continue to suffer ethnic discrimination

once displaced, which can also be a factor impeding their exercise of the right to political participation, in particular the right to vote.

Moreover, it has now been several years, even decades, since most of the internally displaced were forced to flee their homes. The plight of internally displaced in the OSCE is often therefore a long-protracted one. In the absence of political settlements to the conflicts causing displacement, as well as of meaningful strategies to support IDPs' self-reliance, the insecurity, vulnerabilities and deprivations suffered by the displaced can persist for years on end, while durable solutions to their plight remain elusive. In the case of the so-called 'frozen conflicts' in Azerbaijan and Georgia, IDPs' situation is exacerbated by their having become pawns in the conflict and hostages to the political imperatives of their own governments (as well as of neighbouring states with a stake in the conflict). This has had the effect of impeding efforts to support development-oriented strategies enabling IDPs' temporary integration in their places of refuge until such time that return to their places of origin becomes a safe and feasible option. Instead, they are left largely in a state of limbo and dependency, with no durable solution in sight; in Azerbaijan large numbers of IDPs still live in the most temporary shelter—tents and railway cars—more than a dozen years after they were displaced. By contrast, for IDPs displaced from Chechnya in the Russian Federation, the concern in recent years has been that return is occurring too soon and possibly contrary to international standards of voluntary return in safety, with adequate conditions to support sustainable returns. In still other cases, including in the Balkans and Moldova, where displaced persons have returned to areas where they are in the minority ethnic group, they have frequently found that in the post-conflict period they have continued to face discrimination and threats to their physical security. These are among the contexts in which IDPs in the OSCE region must struggle to exercise their right to vote.

Throughout the OSCE, governments' approaches to the issue of IDP voting rights have tended to be heavily influenced by, and strongly linked to, the question of IDPs' return. In the Balkans, the national and international imperative of reversing 'ethnic cleansing' and safeguarding the right to return has assured a strong emphasis in peace agreements as well as in electoral procedures on enabling IDPs as well as refugees to vote in elections in their places of origin. In only some of these cases have IDPs at the same time been entitled to choose instead to have their vote counted in the area in which they were residing while displaced; even then, it is not uncommon for them to have encountered difficulties in exercising this option. In Georgia, by contrast, overemphasis on return has undermined IDP voting rights. Until only very recently the emphasis on IDPs' eventual return to the breakaway region of Abkhazia was so overriding as to result in restrictions, enshrined in national legislation, on IDPs voting in the parliamentary and local elections in the localities where they continued to live while the possibility of safe return remained elusive. Although IDPs were technically permitted to vote in these localities, by doing so they would lose their 'IDP status' and the benefits this afforded, such that participating in these elections, and thereby exerting some influence over the elected officials with influence over how IDP needs were addressed in these localities, was not a real option for IDPs. Government officials also promoted the view, though erroneous and contrary to international law, that IDPs who voted according to their place of temporary residence while displaced would also forfeit their right eventually to return to their place of origin as well as the right to reclaim their property. A similar dynamic remains at work in Azerbaijan. There IDPs, who are impeded from integrating locally and whose plight is

actively highlighted as a means of reinforcing Azeri territorial claims in the conflict with Armenia over Nagorno-Karabakh, continue to be unable to vote in the localities in which they have resided for more than a dozen years. For IDPs displaced from Chechnya to other parts of the Russian Federation, voting, even by absentee ballot, in elections in Chechnya first requires returning to their place of origin, despite the precarious security situation. However, this furthers the Russian government's goal in recent years of encouraging, even compelling, IDPs' return to Chechnya in order to create the impression of a return to 'normalcy'.

Even in cases when conflict has ended and the return of displaced populations should begin to be possible, resistance to the return of minority populations can result in restrictions on IDPs' voting rights. This tendency is illustrated, for instance, in the case of Croatia *vis-à-vis* displaced Serbs. A similar strain is at work in the decades-long frozen conflict in Cyprus, where Turkish minorities in the Greek Cypriot south and, conversely, Greek minorities in the Turkish Cypriot north are barred from participating in the electoral process. Not only does this restriction signal an inhospitable environment for minority returns to both regions, it also has the effect of disenfranchising all members of these minorities, and thus is a flagrant violation of minority rights.²

As these examples illustrate, a government's vision of how to end a particular situation of displacement can be a significant factor, and often the overriding influence, shaping the authorities' decisions over whether, where and how IDPs can exercise their right to vote. However, it must be underscored that the right of an IDP to vote cannot be tied to any one solution, including that of return. Indeed, and as especially evident in situations of protracted displacement, it is critical that the right of IDPs to vote not be tied to the issue of solutions at all, but rather simply be a function of the exercise of IDPs' rights as citizens, regardless of where they are in the country. It is therefore tremendously important that, in promoting the voting rights of IDPs, the different possible options they have for exercising this right are preserved. In particular, there is a need to ensure that IDPs have a choice whether to have their vote counted in their place of current residence or, by absentee ballot, in their place of origin. In no way should IDPs' exercise of their right to vote undermine their ability to exercise other rights, including their freedom of movement, the right to return to their place of origin or, alternatively, to resettle in another part of the country, and their right to restitution of or compensation for property lost in the course of displacement.

Internally Displaced Persons and the Right to Vote

The Universal Declaration of Human Rights (1948) stipulates in Article 21 that "everyone has the right to take part in the government of his country, directly or through freely chosen representatives" and through "periodic and genuine elections which shall be by universal suffrage". This right has been codified in a range of international and regional human rights instruments.³ In particular, the International Covenant on Civil and Political Rights (ICCPR) provides in Article 25 that "every citizen shall have the right and the opportunity . . . to vote and be elected at genuine periodic elections which shall be by universal and equal suffrage". No distinctions are permitted on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Nor are "unreasonable restrictions" permitted. The United Nations Human Rights Committee, the body that interprets application of and monitors state

compliance with the ICCPR, has specified that any residence requirements for voter registration must be reasonable and must not be imposed in such a way as to exclude the homeless from the right to vote. Indeed, the Committee has emphasized that “states must take effective measures to ensure that all persons entitled to vote are able to exercise that right” (United Nations, 1996).

The Guiding Principles on Internal Displacement (United Nations, 1998) which, based on established norms of international law, set forth the rights and guarantees for internally displaced persons in all phases of displacement, expressly affirm the right of the internally displaced to vote.⁴ The Representative of the United Nations Secretary-General on Internally Displaced Persons, who developed the Guiding Principles in collaboration with a team of international legal experts, has explained that it was important to include provisions protecting the voting rights of IDPs because it had been found that these rights were routinely at risk of being violated in situations of internal displacement (United Nations, 2000). Guiding Principle 22(1)(d) provides that:

Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of . . . the right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right.

Principle 29 (1) reaffirms IDPs’ right “to participate fully and equally in public affairs at all levels” also upon IDPs’ return to their home areas or their resettlement in other parts of the country. In other words, IDPs, as citizens, have the right to vote regardless of whether they choose to return to their place of origin, resettle to another part of the country or permanently settle in the localities where they reside while displaced. Indeed, an overarching principle to all of the rights and guarantees articulated in the Guiding Principles is Principle 1(1), affirming that IDPs “shall enjoy in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced”.

Since their presentation by the Representative of the UN Secretary-General in 1998, the Guiding Principles have been recognized as an important standard and useful tool for addressing internal displacement, and UN bodies have encouraged their wide dissemination, promotion and application by states, regional bodies and other actors. OSCE states have committed to “take into account the UN Guiding Principles on Internal Displacement as a useful framework for the work of the OSCE and the endeavors of participating states in dealing with internal displacement” (OSCE, 2003). Indeed, a number of OSCE countries are finding the Guiding Principles to be a useful framework for addressing situations of internal displacement. To give just some examples, the government of Armenia has translated the Guiding Principles into Armenian and disseminated this document to all relevant officials. The government of Croatia has expressed its “full support” for the Principles, while that of Serbia-Montenegro has undertaken to develop a national policy on internal displacement using the Principles. Authorities in the Russian Federation conveyed to the Representative of the UN Secretary-General, during his mission to the country in September 2003, the importance they attach to the Guiding Principles. Specifically on the issue of IDPs’ political participation, the government of Georgia announced in the UN Commission on Human Rights in 2002 that it would bring its

electoral laws into compliance with the Guiding Principles so that IDPs could fully and fairly exercise their right to vote in all elections, and it has since done so.

Obstacles to IDP Voting

In practice, however, IDPs in the OSCE region have frequently faced difficulties in participating in the electoral process. An assessment of some 60 elections held in recent years in the 13 different countries of the OSCE where there are internally displaced populations reveals a range of obstacles—legal, political and practical—that have stood in the way of electoral participation of the internally displaced (Mooney & Jarrah, 2004). Six main types of obstacles to IDP voting commonly arise: lack of documentation; discriminatory practices; obsolete and restrictive residence requirements, i.e. *propiska*; inadequate arrangements for absentee voting; lack of timely, adequate and clear information about IDP voting arrangements provided to IDPs and to election officials; and insecurity and acts of intimidation.

Lack of Documentation

Voter registration as well as the receipt of a ballot on polling day typically requires the prospective elector to produce documentary evidence of citizenship or civil registration and residency. This is a requirement, however, that displaced persons can have particular difficulty in fulfilling, as personal papers and documentation are often lost, or even confiscated, in the course of displacement. Obtaining replacement documentation can be very difficult. In some countries it may require that IDPs travel back to their area of origin, even if the area remains unsafe. Such requirements, however, are contrary to international standards affirming the right of IDPs to obtain reissued copies of documents lost in the course of displacement, and without having to return to their area of origin (United Nations, 1998).

In a number of cases in the Balkans, issues of documentation have been a specific impediment to displaced persons' participation in the electoral process. For example, in the September 1997 municipal elections held in Bosnia and Herzegovina, to be eligible to vote in their places of current residence displaced persons were required to prove that they had been resident there since before 31 July 1996. Establishing proof of residency required presentation either of a receipt showing registration in the municipality or of a displaced persons' card issued by the authorities on or before that date (Bagshaw, 2000). Although provisions were made so that displaced voters who lacked these identity documents had access to appeals procedures to prove their residence eligibility, the programme was unable to accommodate the high number of IDPs unable to furnish documentation and it eventually collapsed. Many IDPs were disenfranchised as a result.

In Croatia, displaced persons from the Serb minority have repeatedly encountered discrimination in their efforts to obtain the documentation required to vote (Bagshaw, 2000). Lack of documentation has also been a significant barrier to displaced persons' participation in municipal elections held in Kosovo, as many IDPs' identity papers were destroyed during the conflict (International Organization for Migration, 2003a). For displaced Roma in Serbia and Montenegro the problem is less of documentation being lost or destroyed but rather one of documentation never having been obtained in the first place, including for reasons of discrimination; it is estimated that more than

50% of Roma in Serbia-Montenegro lack identity documents (Norwegian Refugee Council, 2004b).

Discriminatory Practices

Exacerbating their plight, IDPs, especially those from minority groups, often suffer ethnic or other discrimination in accessing assistance and public services, as well as in the enjoyment of their rights, and this includes the right to vote. Discriminatory practices have hindered the political participation of IDPs in a number of countries in the OSCE. In Croatia, for instance, discrimination against electors from the displaced ethnic Serb minority has been “a notable feature of elections” (Bagshaw, 2000). In addition to the above-mentioned difficulties in obtaining the required documentation to vote, discriminatory practices against displaced Serbs have also marred voter registration. In the January 2000 parliamentary elections, voting lists in a number of locations were faulty and Serb IDPs had to undergo a particularly complex administrative process to ensure that their names were included. The discrimination hindering the voting rights, and indeed other rights, of displaced Serbs, was systematic, rooted in a legal distinction between ‘expellees’, who were mostly Croats, and ‘displaced persons’, who were almost always Serbs. The two categories of displaced electors were required to vote at separate polling stations. As there were only two polling stations where they were permitted to vote, Serb IDP voters sometimes had to travel considerable distances and endure long delays in order to vote. Minority Serb IDP voters also faced discrimination in the form of hostility from polling station staff who, in some instances, denied them the right to vote outright (Bagshaw, 2000).

Although the legal distinction between ‘expellee’ and ‘displaced’ voters was deleted from national legislation in 1999, in practice, discriminatory practices stemming from this distinction persisted for several years. The 2003 parliamentary election was the first in which no such differentiation between Serb and Croat IDP electors was reported. Serb voters, however, continue to experience difficulties in accessing documentation, with repercussions for their electoral participation.

Obsolete and Restrictive Residency Requirements

In the independent states to emerge from the former Soviet Union, a particular legal obstacle impeding the ability of IDPs to exercise their right to vote are the restrictions on freedom of movement emanating from the *propiska* system of residency permits. According to this system, citizens could only establish residency or change their place of residence with permission from the authorities – a clear violation of the right to freedom of movement. The exercise of many of an individual’s rights, including the right to vote, was tied to the approved place of residence. The *propiska* system remains in place in a number of countries. Moreover, even in those countries that have officially abolished the *propiska*, its influence continues to shape legal and administrative regulations (Council of Europe, 2004).

Indeed, throughout the former Soviet Union, vestiges of *propiska* are evident in electoral laws and policies that hinder IDPs’ ability to vote in places other than their permanent area of residence. For example, in Armenia, it is very difficult for IDPs to register their relocation officially and therefore to be able to register as a voter in their current place

of residence. In order to register a new residence, one must either be the owner of the property or be immediately related to the owner. For a non-immediate family member to register temporary or permanent residence requires written notice by the owner of the residence, notarized by a lawyer. In Azerbaijan and the Russian Federation carry-over from the *propiska* regime also continues to limit IDPs' freedom of movement and, by extension, the full and free exercise of their voting rights. The situation is particularly severe in Uzbekistan, where citizens' movement is highly controlled by the authorities. IDPs are prohibited from relocating to areas other than their current locations and, under threat of imprisonment, are forced to live and work only in approved locations (Norwegian Refugee Council, 2004a), to which their right to vote also is tied.

The case of Georgia is particularly illustrative of how the *propiska* system, though officially abolished, has influenced national approaches to IDP voting rights which, until recently in Georgia, were expressly restricted in national legislation. While IDPs, the overwhelming majority of whom are ethnic Georgians displaced from the breakaway region of Abkhazia,⁵ were entitled to participate in presidential elections and the proportional component of parliamentary elections, national legislation prescribed that they could not participate in local elections or in the parliamentary elections selecting the deputy representing the district where they were residing while displaced. For an IDP to take part in elections in the area where s/he was residing while displaced, s/he would have to re-register in that locality, declaring this as the new permanent place of residence. However, according to national legislation in Georgia, if an IDP were to obtain permanent registration in a place other than the place of origin, s/he would automatically lose IDP status as well as the benefits that this entailed. In addition, government representatives promoted the view that IDPs who voted in their current place of residence would forfeit their right to return home. This view, which the OSCE and others pointed out to be erroneous and contrary to international human rights law, in particular the right to freedom of movement, corresponded with the government's overriding emphasis, for larger political and strategic objectives, on eventual return to Abkhazia as the only long-term solution for IDPs. Under the misinformed view that voting in the current place of residence would negate their right to return, IDPs were naturally not eager to participate in the municipal and local parliamentary elections. Moreover, IDPs appealed to the Constitutional Court of Georgia to have these provisions declared unconstitutional and void. In so doing, they launched a national and international advocacy campaign to remove the restrictions on IDP voting rights in Georgia that eventually succeeded in pushing forward the necessary reform of national electoral legislation to guarantee the full voting rights of IDPs. This is a significant development that, it is to be hoped, will be replicated in other countries in the region where the legacy of *propiska* works to restrict IDPs' ability to exercise their right to vote.

Inadequate Arrangements for Absentee Voting

In cases where IDPs are required, for instance because of the *propiska* system, to vote in elections occurring in their places of permanent residence, or when they have the option (as indeed they should) of doing so, practical difficulties, in particular safety concerns and distance, can constrain their ability to travel to these areas to cast their vote. Ensuring that displaced voters have access to absentee voting arrangements can therefore be essential to enabling them to exercise their right to vote.

In some situations of internal displacement, however, absentee voting arrangements are simply not available. This is the case, for instance, in Armenia, where IDPs are required to return to their places of permanent residence, in the heavily land-mined and still unsafe areas along the border with Azerbaijan, in order to cast a ballot in elections in these districts (OSCE/ODIHR, 1996). A lack of absentee voting arrangements for IDPs, combined with continued security concerns in their place of origin, has similarly hindered IDPs displaced from Kosovo to the Republic of Montenegro from casting their vote in the presidential elections in Serbia. At the same time, these IDPs are ineligible to participate in elections in their current place of residence in Montenegro, unless they have been registered as permanent residents in Montenegro for a minimum of 24 months (OSCE/ODIHR, 2003b). These IDPs are thus doubly disenfranchised.

In other countries, such as Azerbaijan, absentee voting is generally available but the lack of clear procedural provisions has frustrated IDPs' ability to utilize these arrangements (OSCE/ODIHR, 2001a). Elsewhere IDPs have been negatively affected by ambiguous provisions for absentee voting. For instance, in municipal elections held in Bosnia in 1996, absentee voting was only available for refugees, i.e. persons displaced outside the country. Internally displaced voters, by contrast, were compelled to travel back to their municipality to cast their ballot there; those who were unable to return were effectively excluded from taking part in the election (Bagshaw, 2000).

Lack of Timely and Adequate Information

A critical ingredient for a free and fair electoral process is ensuring that the electorate has access to timely and accurate information, in particular regarding the voting arrangements in place. Also essential is access to campaign information so that voters can make an informed decision. Special efforts need to be made to ensure that this information reaches displaced voters, including those in camps, for whom access to sources of information tends to be diminished. The information provided should expressly affirm the right of IDPs to vote and should clearly spell out the procedures, including voter registration and the different options that displaced persons may have as to the location—their place of origin or of temporary residence—where their vote is to be counted.

First and foremost, of course, electoral officials themselves need to be clear and consistent about the arrangements for IDP voting. They then must accurately and unambiguously convey this information to IDP voters. In the presidential elections held in Chechnya in 2003 dramatically conflicting information from electoral officials in the days leading up to the election about the voting arrangements for IDPs in Ingushetia created such confusion as to effectively lead to IDPs' *de facto* disenfranchisement. While authorities at the Russian Central Election Commission announced that polls would be set up for displaced voters at their places of temporary residence in Ingushetia, other statements by officials indicated that IDPs would only be able to vote by returning to their place of permanent residence in Chechnya, which remained unsafe (*Moscow Times*, 2003a; 2003b). The resulting confusion about the arrangements for IDP voting deterred many from heading to the polls and, moreover, diminished confidence in the transparency of the electoral process. In Georgia, when important electoral reforms were introduced in national legislation that would enable IDPs to vote in all types of elections, these significant developments at first were not adequately

communicated to or understood by local electoral officials, who in some cases continued to turn IDP voters away.

In cases where timely and accurate voter information is made available, language barriers or problems of low literacy may nonetheless stand in the way of IDPs being able to access this information. In Serbia, OSCE observers pinpointed the lack of voter information provided in the Roma language as one of the main reasons for low turnout by Roma IDPs at the polls (OSCE/ODIHR, 2003b). In Azerbaijan, the government's use and promotion of the Latin alphabet has acted as a barrier to IDP voting. Before their displacement IDPs in Azerbaijan were only exposed to the Cyrillic alphabet, which at the time was widely and officially used. Since their displacement, however, IDPs have had little opportunity to adapt to the official change to the Latin alphabet and as a result have experienced difficulties comprehending public information about elections from the government and the media (International Organization for Migration, 2003b). In Turkey, the prohibition of languages other than Turkish in political campaigning, coupled with low literacy levels among portions of the Kurdish population in the southeast of the country, are believed to act as barriers to voting by Kurds (OSCE/ODIHR, 2002).⁶

Insecurity and Acts of Intimidation

To be free and fair, it is fundamental that elections are conducted in an environment of safety, where voters can cast their ballots without risk or threat of harm. The absence of such conditions seriously calls into question the legitimacy of the electoral process. In a number of cases, internally displaced voters in countries in the OSCE region have faced insufficient guarantees of security when casting their ballot at the polls.

In the Russian Federation, for IDPs to exercise the option of absentee voting requires that they first obtain an absentee voting certificate. To do so, IDPs must travel across military checkpoints, where they risk harassment, to their place of permanent residence in Chechnya, despite it remaining unsafe. The risks to physical safety that this process entails have meant that absentee voting is not a safe or realistic option for the displaced. This requirement is therefore all the more a concern following a recent decision by the authorities stipulating that IDPs can no longer choose between voting in their permanent or current residences, but can *only* vote as absentee voters according to their permanent places of residence (OSCE/ODIHR, 2004b).

Even when conflict officially has ended on the ground, its embers often still simmer for some time, such that risks to physical security remain a concern. In Bosnia, for instance, elections in the immediate post-conflict period, in particular the Mostar municipal election of June 1996 and the parliamentary election in September 1996, took place in a climate of fear and intimidation for many voters from minority communities. In Serbia, during parliamentary elections in 2000, Kosovar IDPs displaced to and temporarily resident in Montenegro were effectively disenfranchised as the security situation did not allow them to return to Kosovo on polling day and the Election Commission had rejected requests to establish absentee polling stations in Montenegro (OSCE/ODIHR, 2001b). In Moldova, insurgents in the Transdniestrian region of Moldova have prevented buses carrying voters, which would include IDPs who had returned to Transdniestra, from travelling to polling stations in Moldova and have subjected passengers to acts of physical harassment and intimidation (OSCE/ODIHR, 1998).

To varying degrees, all these restrictions have hampered voting by IDPs in recent elections within the OSCE. For the most part, these problems arise in situations of protracted displacement, in which IDPs may be denied the right to political participation for years on end. At the same time, unlike in emergency situations, there also exists the opportunity to take corrective measures. However, there may be limited national capacity, including technical expertise, or even a lack of political will, to institute special measures to enable IDPs to vote, thereby suggesting an important role for the international community.

The Role of the OSCE

The OSCE's Copenhagen Document of 1990 affirms that every person who has the right to vote must be allowed to exercise this right without distinction of any kind. Further, recognizing that "pluralistic democracy and the rule of law are essential for ensuring respect for all human rights and fundamental freedoms", OSCE states have committed to build democratic societies based on free elections and the rule of law. They have declared "that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government". Accordingly, they have committed themselves to "respect the right of their citizens to take part in the governing of their country, either directly or through representatives freely chosen by them through fair electoral processes" and to "guarantee universal and equal suffrage to adult citizens" (OSCE, 1990).

Towards translating the principle of universal and equal suffrage into practice, in 1990 the OSCE established the Office for Free Elections to promote and support OSCE states in meeting their commitments in this regard. To reflect its expanded mandate, in 1992 this institution was renamed the Office for Democratic Institutions and Human Rights (ODIHR). ODIHR plays a leading role throughout the OSCE, particularly in Eastern Europe and Central Asia, in the field of election observation and assistance. It coordinates and organizes the deployment of several observation missions every year, with thousands of election observers, to assess whether elections in the OSCE area are in line with national legislation and international standards. It can also provide OSCE states with technical assistance to improve their national electoral framework and processes.

With some three million IDPs in 13 different countries across the OSCE region, the internally displaced represent a sizeable group of electors whose voting rights should therefore be a strong area of focus for the OSCE. To be sure, there are several cases where OSCE field missions have been actively engaged in monitoring and reporting on the voting rights of IDPs. Particularly noteworthy in this regard are the cases of Bosnia-Herzegovina and Kosovo, where, exceptionally, the international community was mandated with primary responsibility for organizing and conducting the electoral process. Overall, however, the OSCE's attention to IDP voting rights has been largely *ad hoc* and inconsistent from one country to the next. The principle of universal and equal suffrage, however, requires a comprehensive and systematic approach.

In recent years the OSCE has begun to recognize the need to devote greater and more systematic attention to the issue of IDPs' voting rights. At the OSCE's Supplementary Human Dimension Meeting on Migration and Internal Displacement in 2000, where an initial study highlighting the obstacles to political participation faced by IDPs in selected countries of the OSCE (Bagshaw, 2000) was distributed, it was agreed that the OSCE should, as part of its reporting and monitoring activities, regularly review the situation

of IDPs. Further, “during election observation, it should be a matter of special scrutiny whether IDPs can freely exercise their right to vote” (OSCE, 2000).

Because the subject of internal displacement has not yet been adequately mainstreamed into the organization so as to ensure systematic attention to IDP issues, however, attention by the OSCE to IDP voting rights has not always been evident. Although there are several OSCE field missions, especially in the Balkans, which have been actively engaged in monitoring and reporting on the voting rights of IDPs, the OSCE’s overall attention to IDP voting rights in the field, as mentioned above, has been largely *ad hoc* and inconsistent from one country to the next. In addition, inadequate attention has been paid to internal displacement in relevant policy discussions and forums that present important opportunities to introduce a more systematic organization-wide approach to the issue. Noteworthy in this regard is a recent progress report by the OSCE secretariat providing an inventory of existing election-related norms, commitments, principles and best practices of the OSCE as regards democratic elections (OSCE/ODIHR, 2003a). This important document made no mention of IDPs and the difficulties they face in exercising their right to vote. This was despite the fact that a number of issues relevant to IDP voting were raised. For instance, the report emphasized that:

Secure mechanisms should be implemented to permit absentee voting by persons who are temporarily away from their area of residence, especially if such persons are residing internally. The absence of a permanent residence should not prevent an otherwise qualified person from being registered as a voter (OSCE/ODIHR, 2003a).

It was underscored that arrangements for absentee voting were particularly important to enabling the enfranchisement of voters “who are away from their home areas, especially if they are located elsewhere on national territory” (OSCE/ODIHR, 2003a). Although they would fall into this category of persons, no mention was made of IDPs, for whom absentee voting arrangements are often the only safe and practical means of enabling them to vote.

The lack of attention to IDP voting rights was also evident at a recent meeting of the OSCE devoted to electoral standards and practices. A discussion paper on future challenges for democratic elections in the OSCE region and the possible need for additional commitments (OSCE/ODIHR, 2004a) did not contain any reference to IDPs or the challenges they face in exercising their right to vote. In its discussion of the right to universal and equal suffrage, for example, the paper emphasized the need for states to take positive action to “facilitate the participation of women, inclusion of minorities, access for disabled persons, and other groups that experience barriers to participation in elections”. The particular problems experienced by IDPs would have warranted mention in this context. In addition, given that the electoral registration of displaced voters has repeatedly proven problematic in past elections in the OSCE, the paper’s discussion of voter registration would also have benefited from a clear reference to displaced persons. The lack of attention paid in these policy documents to the difficulties faced by IDPs in exercising their right to vote appears starkly out of step with the OSCE’s earlier call for the voting rights of IDPs to be a matter of “special scrutiny”.

At the same time it is most encouraging that once these oversights were pointed out, along with a summary of the obstacles that IDPs in the OSCE experience in exercising their right to vote (Brookings–SAIS Project on Internal Displacement, 2004), the

OSCE readily agreed that the issue of IDPs' voting rights should be mainstreamed into its electoral work. The government of Austria, which was among those countries that particularly welcomed the attention drawn to the issue of IDP voting rights, remarked that "even though one might think that the Organization has amassed sufficient experience in this field, there is still a lot that remains to be done in the conceptual and practical area" (Austrian Delegation to the OSCE, 2004).

Indeed, gaps in the integration of displacement issues in the OSCE election-related activities are also evident in the OSCE *Election Observation Handbook*, which outlines the general methodology of OSCE election observation and lays out a set of practical guidelines for the conduct of election observation missions (OSCE/ODIHR, 1999). In the context of voter identification and registration, the *Handbook* merely mentions that large-scale displacement "can cause significant population shifts between elections" and notes that "identifying and registering large numbers of voters who have moved is a substantial technical undertaking" (OSCE/ODIHR, 1999). No guidance is provided, however, on the need or specific ways to assess the opportunities for electoral participation that are open to displaced populations.

In its discussion of special voting arrangements the *Handbook* points out that:

Providing mobile ballot boxes and absentee voting broadens the participation of the electorate. However, these are provisions that can be open to abuse and therefore jeopardize confidence in the election process (OSCE/ODIHR, 1999).

The emphasis therefore appears to be more on the risks than the benefits that special voting arrangements can pose to the electoral process. For IDPs, however, mobile ballot boxes and absentee voting arrangements are often the safest and most practical means of enabling them to exercise the right to vote. Furthermore, a set of suggested questions to use in monitoring absentee voting arrangements focuses on doing so in military barracks, prisons and hospitals (OSCE/ODIHR, 1999) and fails to make mention of the importance of such provisions in situations of displacement. Election monitors must be made aware that absentee voting arrangements are important tools to ensure the inclusion not only of military personnel, prisoners and the sick but also of IDPs in the electoral process. Revising the *Election Observation Handbook* to devote attention to the particular obstacles that IDPs often face in voting and, just as importantly, to include spelling out strategies for addressing these problems, would be one important step towards systematically implementing the OSCE's commitment to ensure a greater focus on the issue.

The fact that the OSCE/ODIHR's attention to the voting rights of IDPs in particular situations varies, often significantly, from case to case further underscores the need for a more systematic approach. Whereas in some cases OSCE/ODIHR has been at the forefront of efforts promoting and working to ensure protection of IDP voting rights, in other cases it appears not to have taken up the issue at all. The cases of Bosnia and Herzegovina, Serbia and Montenegro, the Former Yugoslav Republic of Macedonia, Georgia and Azerbaijan provide examples in which IDP voting has received significant attention in OSCE monitoring reports, with the case of Bosnia and Herzegovina being particularly noteworthy in this regard. Even so, a review of some 60 elections occurring in situations of internal displacement revealed that attention was given to IDPs' electoral participation in less than half the elections where there

have been internally displaced voters (Mooney & Jarrah, 2004). To be sure, in some cases restrictions on OSCE or other international election monitoring activities may have been an obstacle in particular cases. However, it is also true that the mere deployment of an OSCE election observation mission by no means guarantees attention to the issue of IDP voting rights.

Moreover, a review of OSCE election reports that do reference the electoral participation of IDPs reveals that this issue is not given consistent attention from one country or one election to the next. There is no standard format in OSCE election monitoring reports for discussing the voting rights of IDPs. This is in marked contrast, for example, to reporting on gender-related issues and the participation of minorities, which each tend to be addressed under a specific heading in monitoring reports. Requiring election monitors to comment, under a specific heading in their reports, on IDPs' ability to exercise their right to vote would be one way of helping to direct their attention to this issue.

Even in the cases of countries where there has been reporting on difficulties that IDPs have faced in voting, the lack of consistent attention in election reports to voting rights for IDPs means that there is not necessarily follow-up on previously identified concerns. Reports on different elections in the same country do not always reference earlier reports and revisit issues of concern to IDPs, therefore leaving it unclear whether obstacles to IDP voting no longer exist or are merely not being monitored. Moreover, some monitoring reports simply describe the official arrangements for IDP voting, but contain little information on their actual implementation. A partial explanation for these lacunae in analysis may lie in the evolution of ODIHR's election observation, which initially was approached as essentially a 'one-day event', with little analysis of pre-election events or various specific aspects of the electoral process. Although ODIHR's mandate was broadened in December 1994 to encompass a longer-term and more wide-ranging approach that takes into account the entire election cycle and process, from voter registration to the instalment of elected officials, it was only in 1996 that the office was provided with the means to begin to implement this approach, and this has been a gradual process (Bagshaw, 2000).

In addition to its role in election monitoring, the OSCE also provides technical assistance to its member states in redrafting national electoral legislation. In a positive development in Bosnia and Herzegovina, for example, the OSCE introduced amendments ensuring the ability of IDPs to participate in elections. Similarly in Kosovo, where the international community requested the OSCE to supervise the electoral process, the OSCE devoted considerable effort to establishing provisions to facilitate IDP voting, in particular absentee voting procedures. In both these cases the special role mandated to international organizations in the post-conflict legislative process and in providing support to newly established governance structures was undoubtedly a significant enabling factor driving forward these legislative and administrative initiatives. Generally, however, the OSCE has valuable insight and technical expertise to offer governments so as to ensure that any concerns regarding IDPs' ability to vote are addressed in electoral legislation and procedures. The case of Georgia provides a particularly good example of how the OSCE's combined efforts of monitoring the ability of IDPs to exercise their voting rights in elections, together with its work in promoting amendments to national electoral legislation to remove obstacles to IDP voting, can reinforce one another.

In summary, while there now exists recognition within the OSCE of the need to devote attention to the particular situation of IDP voters because of the specific obstacles they often face, this awareness has not yet permeated the organization to such an extent as to ensure systematic attention to the issue. Training material for election observers as well as recent OSCE policy documents on new or remaining challenges in its elections work make little or no reference to the particular difficulties faced by IDP voters and how these might be addressed. As a result, coverage of IDP voting rights by OSCE election observation missions, though significant in some cases, has not been consistent, and in more than half of cases the issue has received no mention at all. Much greater effort therefore needs to be undertaken to integrate the issue of IDP voting into the work of the OSCE as well as into the electoral legislation, policy and practice of its participating states.

Conclusions and Recommendations

The OSCE's Copenhagen Document stipulates that every person who has the right to vote must be allowed to exercise this right without distinction of any kind. Needless to say, individuals do not lose this right because they are internally displaced. And yet many IDPs in the OSCE region experience particular obstacles to exercising their right to vote. A review of numerous elections in the OSCE region reveals that IDPs commonly experience a number of specific legal, political and practical obstacles to voting, including:

- lack of documentation;
- discriminatory practices;
- obsolete and restrictive residence requirements, i.e. *propiska*;
- inadequate arrangements for absentee voting;
- lack of timely, adequate and clear information about voting arrangements provided to IDPs, in a language they understand, as well as to election officials; and
- insecurity and acts of intimidation.

In some cases the difficulties that IDPs face in voting have been well documented by the OSCE. However, in others, an absence of monitoring and reporting on their particular situation has meant that problems experienced by IDP voters go unreported and unaddressed. In some cases, such as that of Turkey and now also the Russian Federation, the fact that the OSCE is not permitted to deploy international election monitors to the country inevitably impedes the collection, first-hand at least, of such information. Yet even where the OSCE has undertaken election observation activities, these have not necessarily included a focus on the voting rights of IDPs. In an encouraging development, however, the OSCE has increasingly begun to pay attention to this important issue, in particular at the field level. In a number of places, most notably in the Former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Kosovo, and Serbia and Montenegro, and Georgia, OSCE election observation field missions have actively engaged in monitoring and reporting on the voting rights of IDPs. In some cases, they have also succeeded in pressing governments to amend electoral legislation and practices to remove restrictions impeding IDPs from freely and fully exercising their right to vote. Such efforts, however, have tended to be *ad hoc*, whereas the principle of universal and equal suffrage requires a comprehensive and systematic approach.

It is therefore critically important for the OSCE—both the organization as well as its individual participating states, which bear primary responsibility for safeguarding the rights of their internally displaced populations—to devote greater attention to overcoming these obstacles and ensuring that IDPs are able fully and freely to exercise their right to vote. To this end, the following 10 recommendations are put forth.

First, the OSCE, both at the policy level and in the field, should devote greater and more systematic attention to the voting rights of IDPs. Particular priority should be given to mainstreaming IDP voting rights into the work of election observation missions and to ensuring that there is systematic monitoring and reporting on the extent to which IDPs are in fact able to vote.

Second, OSCE election monitors deployed to countries with internal displacement must be sensitized to the particular challenges that IDPs often face in exercising their voting rights and should receive training on best practices for addressing these problems. Their work of course requires that once deployed to the country they are granted full and safe access to all polling stations.

Third, OSCE participating states should take all necessary measures to ensure that IDPs are able fully and freely to exercise their right to vote. Where national electoral legislation has the effect of restricting IDPs' voting rights, legislative reform must be undertaken to bring electoral laws into line with international human rights standards and the Guiding Principles on Internal Displacement.

Fourth, in countries with internal displacement, national and local authorities with responsibility for the administration of elections should be sensitized to the particular challenges that IDPs often face and receive guidance on how best to address these challenges. Capacity-building support and technical assistance from ODIHR, particularly in regard to voter registration, the administration of absentee polling stations as well as public awareness and voter education, would be valuable in this regard.

Fifth, voter registration processes must reach and systematically register internally displaced voters. Weaknesses in registration systems have been shown to affect the ability of IDPs to participate in elections. Special measures will be required to address problems such as the loss or destruction of personal identity documents. In addition, the *propiska* system of residency certification, though in most cases officially abolished, continues to impose practical obstacles to IDPs' participation in elections in a number of countries, and must be addressed. Working with national governments, ODIHR could provide assistance in overcoming these obstacles.

Sixth, special polling arrangements such as absentee voting facilities and transportation will need to be put in place to enable IDPs to cast their ballot in the electoral constituencies of their original places of residence, should they so choose. If, on the other hand, IDPs prefer to cast their ballots in the districts where they temporarily reside, they must be permitted to do so, and without any penalty such as loss of benefits or forfeit of their right to return. It must be emphasized that participation by IDPs in elections in their place of temporary residence in no way abrogates their right to return.

Seventh, wherever they vote, IDPs, and indeed all electors, must be able to cast their ballots in a secure environment. Adequate measures must be in place to ensure safety at polling sites. Under no circumstances should displaced voters be required to return to or traverse unsafe areas to exercise their right to vote.

Eighth, IDPs should be given a say in the design of any special electoral procedures to address their particular situation and should receive clear and accurate information about

the procedures for exercising their right to vote. This information should expressly affirm the right of IDPs to vote and should expressly address issues including voter registration, absentee voting provisions and polling day procedures. Special measures may be required to ensure that IDP voters also have full and equal access to campaign information, and thereby the means to make an informed decision.

Ninth, information on voting arrangements as well as campaign material should be available to IDPs in a language they can understand. It should also be presented in a format accessible to those with low literacy.

Tenth, civil society can play a valuable role in promoting awareness among IDPs of their voting rights as well as in monitoring and reporting on the extent to which they are able to exercise these rights. Efforts by civil society organizations on behalf of IDPs should be welcomed and supported, both by governments in the country concerned and by the OSCE's Office for Democratic Institutions and Human Rights.

If implemented, these recommendations will go a long way to assisting governments to effectively discharge their national responsibility to safeguard the right of their internally displaced populations to vote. They will also encourage and further the work of the OSCE, as well as of other organizations active in monitoring elections, to promote and protect respect for the voting rights of the internally displaced. The findings and recommendations to emerge from the OSCE experience may also prove instructive in other parts of the world, in particular in encouraging electoral monitoring for IDPs and in highlighting ways of improving national laws, policies and practices to enable the displaced freely and fully to exercise their right to vote, and thereby to have a greater voice and means of holding their government accountable to addressing their plight effectively.

Notes

1. Unless otherwise stated, the findings presented in this article are drawn from this larger study, comprised of 13 case studies assessing IDP voting rights in each of the OSCE countries with internally displaced populations.
2. In 2003 Greek Cypriot authorities pledged to endorse legislation allowing Turkish Cypriots living in the south to participate in local elections. However, it is unclear whether this pledge was fulfilled. It is nonetheless significant that the Greek Cypriot parliament passed a law on 29 January 2004 giving all Turkish Cypriots, regardless of whether they lived in the north or the south, the right to vote in European parliamentary elections as long as they formally registered with the recognized Cypriot authorities.
3. For a compilation of international and regional standards, applicable in situations of internal displacement, that codify the right to vote, see Kälin (2000, p. 57). See also United Nations (1995, paras 350–358).
4. The *Guiding Principles on Internal Displacement* were developed by the Representative of the United Nations Secretary-General on Internally Displaced Persons, Francis M. Deng, at the request of the United Nations Commission on Human Rights and the United Nations General Assembly. They were presented to the Commission on Human Rights in 1998 and have since gained broad international standing and recognition as a tool and standard for addressing situations of internal displacement.
5. In addition to the roughly 247 000 internally displaced persons from Abkhazia, another 13 000 remain displaced as a result of the secessionist conflict in the region of South Ossetia during 1991 and 1992, which also has yet to be resolved with a lasting political settlement. The Meskhetian Turks and other groups, including ethnic Germans, who were deported en masse from Georgia during the Stalin era to other parts of the USSR that have since become independent states, are outside their country of origin and therefore do not fall within the IDP definition or the scope of this article. To be sure, the situation of these deported peoples, many of whom are now living as stateless persons in Ukraine, Azerbaijan and elsewhere in the Commonwealth of Independent States nonetheless needs to be addressed.
6. An email correspondence of the authors with the Washington Kurdish Institute, 27 October 2004.

References

- Austrian Delegation to the Organization for Security and Cooperation in Europe (2004) Statement on IDPs' Voting Rights to the OSCE Supplementary Human Dimension Meeting on Electoral Standards and Commitments, Vienna, 15–16 July.
- Bagshaw, S. (2000) *Internally Displaced Persons and Political Participation: The OSCE Region* (Washington, DC: Brookings Institution Project on Internal Displacement).
- Brookings–SAIS Project on Internal Displacement (2004) The Voting Rights of Internally Displaced Persons, Statement to the OSCE Supplementary Human Dimension Meeting, Vienna, 15–16 July, OSCE Doc. PC.SHDM.NGO/12/04.
- Conference for Security and Cooperation in Europe (CSCE) (1990) Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference for Security and Cooperation in Europe, 29 June.
- Council of Europe, Parliamentary Assembly (2004) The Situation of Refugees and Displaced Persons in the Russian Federation and some other CIS Countries, Doc. 10118, 25 March.
- International Organization for Migration, Participatory Elections Project (2003a) *Case Studies on the Participation of Conflict Forced Migrants in Elections*, available online at: http://www.iom.int/pep/Master_Case.pdf.
- International Organization for Migration (2003b) *Electoral Displacement in the Caucasus: Georgia and Azerbaijan, Action Plan II*, available online at: http://www.iom.int/pep/Electoral_Displacement_in_the_Caucasus1.pdf.
- Kälin, W. (2000) *Guiding Principles on Internal Displacement. Annotations* (Washington, DC: American Society of International Law and Brookings Institution Project on Internal Displacement).
- Lacy, B. (2004) Building accountability, legitimacy, and peace: refugees, internally displaced persons, and the right to political participation, paper prepared for the International Foundation for Elections Systems, Washington, DC.
- Mooney, E. & Jarrah, B. (2004) *The Voting Rights of Internally Displaced Persons: The OSCE Region* (Washington, DC: Brookings Institution–Johns Hopkins University School of Advanced International Studies (SAIS) Project on Internal Displacement).
- Moscow Times* (2003a) “Chechen refugees may vote”, says Sultygov, 11 September.
- Moscow Times* (2003b) Refugees to vote in Chechen election by referendum voting rules, 5 September.
- Norwegian Refugee Council (2004a) *Trapped in Displacement: Internally Displaced People in the OSCE Area* (Geneva: Norwegian Refugee Council Global IDP Project).
- Norwegian Refugee Council (2004b) Serbia and Montenegro: as prospects for return to Kosovo remain slim, authorities must increase assistance to the displaced, Global IDP Project, available online at: www.idpproject.org.
- Norwegian Refugee Council (2004c) IDP estimates, Global IDP Project, available online at: www.idpproject.org.
- Organization for Security and Cooperation in Europe (OSCE) (2000) *Final Report, OSCE Supplementary Human Dimension Meeting on Migration and Internal Displacement*, Vienna, 25 September.
- OSCE (2003) Ministerial Council, Maastricht Meeting, Decision No. 4/03: Tolerance and Discrimination, OSCE Doc. MC.DEC/4/03, 2 December.
- Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR) (1996) *Armenia Presidential Election September 24, 1996: Final Report*.
- OSCE/ODIHR (1998) *Preliminary Statement, Parliamentary Elections, 22 March 1998, Republic of Moldova*, 23 March.
- OSCE/ODIHR (1999) *The ODIHR Election Observation Handbook* (Warsaw: OSCE Office for Democratic Institutions and Human Rights).
- OSCE/ODIHR (2001a) *Republic of Azerbaijan: Parliamentary Elections 5 November 2000 and 7 January 2001: Final Report*.
- OSCE/ODIHR (2001b) *Republic of Serbia, Federal Republic of Yugoslavia, Parliamentary Election, 23 December 2000: Final Report*, 20 February.
- OSCE/ODIHR (2002) *Assessment Report: Republic of Turkey, Parliamentary Elections, 3 November 2002*, 4 December.
- OSCE/ODIHR (2003a) *Existing Commitments for Democratic Elections in OSCE Participating States* (Warsaw: OSCE Office for Democratic Institutions and Human Rights).
- OSCE/ODIHR (2003b) *Republic of Serbia (Federal Republic of Yugoslavia), Presidential Elections, 29 September and 13 October 2002, and Repeat Presidential Election, 8 December 2002, Final Report*, 18 February.

- OSCE/ODIHR (2004a) *Election Principles and Existing OSCE Commitments for Democratic Elections*, OSCE Office for Democratic Institutions and Human Rights Discussion Paper (OSCE Supplementary Human Dimension Meeting, Vienna, 15–16 July).
- OSCE/ODIHR (2004c) *Russian Federation: Election to the State Duma, 7 December 2003, Final Report*, 27 January 2004.
- United Nations (1995) *Internally Displaced Persons: Compilation and Analysis of Legal Norms*, Report of the Representative of the Secretary-General on Internally Displaced Persons, Francis M. Deng, submitted pursuant to Commission on Human Rights Resolution 1995/77, UN Doc. E/CN.4/1996/52/Add.2, 5 December.
- United Nations (1996) Human Rights Committee, General Comment 25: the right to participate in public affairs, voting rights and the right of equal access to public service (Article 25), reproduced in *Report of the Human Rights Committee*, Vol. I, UN Doc. A/51/540.
- United Nations (1998) *Guiding Principles on Internal Displacement*, Report of the Representative of the Secretary-General on Internally Displaced Persons, Francis M. Deng, to the Commission on Human Rights, UN Doc. E/CN.4/1998/53/Add.2, Geneva.
- United Nations (2000) Commission on Human Rights, Report of the Representative of the Secretary-General on Internally Displaced Persons, Francis M. Deng, para. 73, UN Doc. E/CN.4/2000/83.