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Policy Dilemma

According to the definition put forth by the United Nations High Commission on Refugees (UNHCR), refugee reintegration is "equated with the achievement of a sustainable return—in other words, the ability of returning refugees to secure the political, economic, [legal], and social conditions needed to maintain life, livelihood, and dignity."[1] Examining the issue of refugee reintegration in Eastern Europe from a United Nations Human Rights Council (UNHRC) perspective in particular, the problem is simply and firmly this: today, the thousands of refugees and internally-displaced persons (IDPs) who have repatriated—or returned to their place of origin—now face obstructions on their legal rights as citizens as well as a denial of their human rights as people. Violence, persecution, an unsupportive legal framework, and economic instability continually confront repatriated refugees in Eastern Europe. Though there are still thousands of refugees waiting to repatriate to the region, the primary focus of the UNHRC must be on returnees in the region who have not effectively integrated and continue to live in untenable conditions.

In their attempts to reintegrate, refugees in Eastern Europe must often take temporary residence, waiting for the government to give back their ancestral or original homes because their property rights were lost once they fled. Jobs are scarce, either due to discrimination in hiring processes or a general lack of economic productivity in once prosperous regions. Tasks like procuring property, maintaining a job, finding a constant source of food, addressing health concerns, and enrolling in education become exceedingly difficult, if not impossible, for refugees and IDPs--a fact that has severely discouraged voluntary repatriation and placed forced repatriated refugees in an even worse position, and more importantly, made the process of integration a dismal failure in

[1] "Handbook for Repatriation and Reintegration Activities," UNHCR, www.unhcr.org/home/PARTN#S/411786694.pdf (accessed 08 December 2008)

many states.[2] Just a short list of rights that refugees in Eastern Europe currently struggle to claim as their own includes: access to legal processes, legal support for ownership of property, protection from state persecution, full participation in political processes, access to productive resources and viable jobs, access to security, and an absence of discrimination.[3] The human rights challenge is how to ensure that states are giving repatriated refugees the civil, social, and economic rights that are their due, along with maximizing the opportunities for self-reliance among the refugee populations[4]

Some solutions that have been proposed to this end are setting up repatriation and reintegration commissions all across the region, providing job options and shelters for many refugees still waiting to recapture the lives they had prior to their emigration, and legal recourse for all refugees in terms of re-appropriating property. Efforts to alleviate ethnic tension have also characterized some of these reintegration solutions, but the road has been slow in light of continuing resentments from the wars as well as poor economic conditions leaving stagnant markets.

Ultimately, the ability to feed, clothe, educate, and shelter oneself--the basic rights afforded to all human beings-- is significantly more difficult for a refugee struggling to reintegrate; in fact, the life afforded to repatriated returnees is vastly unequal to the lives of their compatriots, a fact that has made one thing glaringly clear: the failings of state involvement in refugee reintegration have made UNHRC intervention necessary in the 21st century.

Chronology

10 December, 1948: Universal Declaration of Human Rights

The UN General Assembly adopted and proclaimed the Universal Declaration of Human Rights on 10 December 1948. This document listed universal and unalienable

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2 *Ibid.*
3 *Ibid.*
4 UNHCR Global Appeal: 2009, UNHCR, http://www.unhcr.org/ga09/index.html (accessed 08 December 2008)

rights of all human beings, recognized and meant to be upheld by the international community. Of its Articles, numbers thirteen, fourteen, and fifteen are particularly relevant. Article thirteen gives everyone the right to move freely within and outside their home country, and then to return. Article fourteen gives everyone the "…right to seek and to enjoy in other countries asylum from persecution."[5] Article fifteen forbids the arbitrary deprivation of nationality. These three Articles represent the rights of individuals as dictated in an international document, and as such, they also represent the binding agreement made by the international community to uphold humanitarian efforts especially in matters of refugees. The interpretation of these Articles makes the problem of refugee reintegration a human rights problem, to be recognized in terms of how to make sure the basic human right of moving within or outside of a country and then returning is upheld.

28 July 1951: Convention Relating to the Status of Refugees

Following the Second World War, the Convention Relating to the Status of Refugees was drafted to protect the refugees created by the war and to provide legal recourse for those seeking asylum. A 1967 Protocol removed geographical and time limits, expanding the scope of the Convention. The definition of a refugee is also explained in Article one of the Convention:

> A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.[6]

Under this definition, it is clear that the populations that are attempting reintegration are refugees in search for a better life, or who have fled bad conditions only to return home for a new beginning. The goal becomes to repatriate and reintegrate these refugees in

[5] Wasserstein, Bernard. "European Refugee Movements After World War Two," BBC UK, http://www.bbc.co.uk/history/worldwars/wwtwo/refugees_05.shtml (accessed 08 December 2008)
[6] "Convention Relating to the Status of Refugees," UNHCR, http://www.unhcr.org/cgi-bin/texis/vtx/protect?id=3c0762ea4 (accessed 08 December 2008)

order to strike the definition and eliminate the need to call these individuals refugees any longer. The Convention set forth these ideas and definitions, and in the years since, has provided a basis of understanding for the international community to label and thus address problems of refugees in particular.

1991: Dissolution of the Soviet Union

The dissolution of the Soviet Union in 1991 resulted in an increased focus on the desire of many states in Eastern Europe to be more autonomous. Following economic collapse and a Communist regime, the fragmentation of the Soviet Union into independent states led to individual governments to be guided more by nationalist tendencies, as well as the ethnic history and interests of each state's population. With the dissolution of the Soviet Union, challenges such as state building and transitioning to new political and economic systems made the efforts to reaffirm national identity, safeguard territorial integrity, and redefine political borders even more important.[7] This attitude ultimately made it easier for governments to be single-minded in their pursuits for more power territorially in the region, and in being so singe-minded, neglect the rights of refugees once they come home. Without the dissolution of the Soviet Union, there might not be such a diverse and obvious breakdown of different ethnicities, religions, and backgrounds as there is now among populations in the area.

1991-2001: Breakup of Former Yugoslav Republic (FYR) and Subsequent Third Balkan Wars

One high profile and specific example of Eastern Europe's refugee reintegration crisis can be found in the Balkans, most specifically with the conflicts in that area that resulted from the negative intersection of nationalistic interests and ethnocentricity. Sometimes known as the Third Balkan Wars, the violence that swept the area throughout the nineties resulted in, among other things, widespread casualties and widespread

[7] "Population Displacement in the Former Soviet Union," Refugee Magazine 98, UNHCR, http://www.unhcr.org/publ/PUBL/3b540eae4.html (accessed 08 December 2008)

displacement. The large-scale nature of the problem in the Balkans makes this region one of the most focused-upon in cases of refugee reintegration. By better understanding this region and the concerns, individuals, and cases within, the overall process of reintegration can be improved.

Amidst the breakdown of the FRY (prompted by the 1991 war in Slovenia) the Third Balkan Wars were propelled mainly by ethnic and nationalist motivations on all sides. In a series of two successive wars involving all six former Yugoslav republics, ethnic Serbs fought on one side with Croats, Bosnians, or Albanians on the other; in other battles, Bosniaks (Bosnian Muslims) fought with Croats in Bosnia and Albanians fought with Macedonians in Macedonia.[8] Much of the fighting prompted entire ethnic groups to flee their homes, and the same ethnic tensions (as well as nationalist motivations) that served as incentive for these wars continue to dominate the ways in which refugees are (or are not) reintegrated in the region today.

Prior to 1991, the Federal Republic of Yugoslavia (FRY) was made up of unitarian Serb interests and federalist Croats and Slovenes, who argued for greater autonomy rather than the federal authority that Serbia sought to strengthen. In 1991, Slovenia made the decision to secede from the federation. Shortly thereafter, Croatia also decided to follow. The Serb Croatians, however, threw in their lot with the Yugoslav People's Army rather than support the Croats (prompted by a history of ethnic tension between the two) and war then engulfed both Croatia and Slovenia. In 1992, the fighting moved to another breakaway region--Bosnia and Herzegovina, where the most high-profile and bloodiest violence occurred. Typified by the siege of Srebenica and Sarajevo, the Bosnia war engaged Bosniaks and Croats against Serb forces (and occasionally saw Muslim and Croat allies turn against one another over territorial disputes until the Muslim-Croat federation was formed) and much of the fighting was motivated by Serb desire to unite the republics under a Serb majority. To link the areas claimed by Serbs, a rigorous

[8] *Ibid.*

campaign of ethnic cleansing began, a campaign which characterized the Yugoslavian civil wars as some of the most horrific conflicts of the latter twentieth century and saw the massacres of entire ethnic Muslim and Croat population as a result of the Serb campaign.[9] The war came to an end in 1995 with the Dayton Agreement, and with more than 2.5 million displaced people waiting to come home.

In 1998, fighting between ethnic Albanians and Serbs in Kosovo broke out. Fighting for an independent Kosovo from Serbia, the ethnic cleansing continued in this area with a systematic destruction of all vestiges indicating the presence of ethnic Albanians. The violence escalated into 1999, until NATO forces intervened. After a bombing campaign, control of Kosovo was handed to the United Nations Interim Administration Mission in Kosovo (UNAMIK). Political unrest ignited in 2004, and again when Kosovo declared its independence (which Serbia refuses to recognize) in 2008, but much of the violence in the area roots from the late nineties. Refugees from that time are still extremely prevalent in Serbia and other neighboring states, and Kosovo remains the most volatile of all the areas from these conflicts, especially in terms of refugee reintegration.[10] Though the wars have since ended in this region, the aftereffects are still felt, and many people see the fragmentation of the FRY as the precursor to the modern refugee movement.

August 2008: Rising Violence in South Ossetia

Rising violence in South Ossetia characterized the summer of 2008, continuing a decades-long conflict between Georgia and the unrecognized republic, having last fought in 1991-1992 and then again in 2004. This conflict was different because it involved Russia directly, however, and was representative of two sides claiming humanitarian catastrophes on both ends. South Ossetia and Abkhazia, Refugees from South Ossetia

[9] Mestrovic, Stjepan G. 1996. Genocide After Emotion: The postemotional Balkan War. London and New York: Routledge

[10] "Ethnic Cleansing in Kosovo: An Accounting," US State Department, 2002, http://www.state.gov/www/global/human_rights/kosovoii/homepage.html (accessed 08 December 2008)

fled to both North Ossetia (part of Russia), Georgia proper, and were displaced within South Ossetia itself. These numbers just add to the number of refugees that had already been displaced within South Ossetia from fighting previously, and amidst conflict, leaders in South Ossetia have no means or incentive to remedy the refugee problem--reintegration of these refugees into society cannot happen until South Ossetia is stable enough to dictate its own future, and so for now, this region and conflict remains representative of the human rights abuses that come from war.[11]

Actors & Interests

Refugees Returning to Balkan States

Refugees in the Balkans face concerns that are characteristic of their individual struggles. The six Balkan states facing long-standing refugee problems (Albania, Bosnia-Herzogovina, Croatia, FRY Macedonia, Serbia, and Macedonia) [12] have different but intersecting backgrounds which prompted the initial displacement of people from their homelands, and now many similar concerns face repatriated refugees and IDPs in the region. (Though IDPs are unique from repatriated refugees in that they oftentimes cannot return to their home villages/cities/towns, they are still displaced within the borders of FRY, thereby making them internally-displaced and technically, still in their homeland. Today, Serbia deals with the largest IDP problem, most of them who are ethnic Serbs and RAE—Roma, Ashkali, and Egyptian—who were forced to flee from Kosovo when NATO forces took control of the territory in 1999.[13]) Systematic discrimination—indirect and direct—faces these IDPs and their returned refugee counterparts at every turn.

First is the issue of documentation, which leads to other issues such as lack of shelter, lack of aid, and lack of education. Many IDPs and refugees are left without

[11] "Russia Ends Georgia Conflict," Al-Jazeera, 2008, http://www.unhcr.org/refworld/country,,USCRI,,GEO,4562d8cf2,3eddc4984,0.html (accessed 08 December 2008)
[12] Nation, Craig D, "War in Balkans," http://www.strategicstudiesinstitute.army.mil/pdffiles/00117.pdf (accessed 08 December 2008)
[13] "Refugees: Problems and Concerns," Balkan Refugee Voice, 2007,

recourse for help due to issues of registration of identity and proof of identity. Whether identification papers were lost or destroyed in the process of initial departure, without almost fifteen to sixteen of the necessary documents proving their residency or identity, repatriated refugees and IDPs in Serbia cannot access even the minimal financial assistance that the government provides.[14] Lacking political will to expedite or simplify this process, governments make it so families cannot register their children for school, sign up for refugee camps, or apply for jobs without identification. Refugees who fled Croatia and Bosnia and Herzegovina were given refugee cards upon their departure that declared their status and enabled them access to basic resources, but since then, many returning families have simply disappeared from the system. IDPs were never even afforded this resource. In all these states, identification necessitates a place of residency. These refugees and IDPs cease to exist because so often of them have no permanent home, and often have to take up camp in informal refugee settlements on the street or provided for by non-governmental and aid organizations. One solution has been to allow refugees to apply for identification using the address of community centers or the Red Cross in order to allow for a wide swath of people to regularize their status. Processes such as these, however, can take from six months to a year or even longer, and many refugees find they cannot sustain themselves while waiting.[15]

Second is the issue of shelter and daily resources. Without a steady place to live, refugees also have no access to jobs, health care, or adequate food. Many refugees live on one piece of bread and a can of soup, and almost ninety *per* cent of Serb refugees currently live beneath the poverty line.[16] Post-conflict rising unemployment has both rooted from and contributed to an instable economy, and refugees are the ones who suffer deepest from their inability to procure a job, especially in light of having no steady location from which to search. Refugee camps, a common go-to location for many

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http://freedomfight.net/cms/uploads/BalkanRefugeeVoice_web.pdf (accessed 08 December 2008)

[14] *Ibid.*

[15] *Ibid.*

refugees upon their initial return, have been slowly closing and forcing residents to find other shelter, especially in Serbia. Yet there is a housing shortage region-wide—many people are left homeless or living in makeshift housing (abandoned hospitals, crumbling churches, unsanitary conditions and dangerous areas) because of a lack of available shelter. When one camp closes, families either shift to another, overcrowding that area, or live on the street. Property restitution has thus become a huge issue to repatriates, both for morale and for the rehabilitation of the community.[17] Many refugees believe that with a return in property, other improvements will follow. Some call this a "small-home" approach versus the "big-home" approach: though governments are slow to work out property restitution, they are even slow in establishing a larger solution to the socio-economic structures that contribute to a refugee's poor condition. In a culture that is widespread suspicion and fear after decades of ethnic cleansing and violence, many refugees and IDPs in the Balkans view property restitution and the implementation of property-redistribution laws as a precondition for return.[18] Yet the refugees who have yet to be recognized by the government have nowhere to live nor have their rights been recognized, and as such, much of the ethnic tension that exists in these post-conflict areas continues due to resentment and the continued presence of other ethnic groups still occupying ancestral homes of refugees.

Related to this tension is the final and largest issue, which is the widespread racism and ethnocentricity that dictates majority/minority interaction and subsequent government voice. In Kosovo particularly, the Kosovo-Albanian majority now holds almost absolute power over the region, leaving the Kosovo-Serb minority either fighting for their rights in small collectives or kept at a severe disadvantage both socially and by legislative initiatives that afford them little rights. Refugee camps full of Serbs are kept out of sight, adhering to the "out of sight, out of mind" concept and contributing to an

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[16] *Ibid.*

[17] Stefansson, Anders, H. "Homes in the Making: Property Restitution, Refugee Return, and Senses of Belonging in a Post-War Bosnian Town," *International Migration,* Volume 44, Issue 3, 2006, 1-25.

overall sense of disappearance into the system for refugees.[19] The aftereffects of the wars still loom large overhead many refugees in all six Balkan states that were involved in the conflicts throughout the nineties. Repatriated refugees fear living next to neighbors who persecuted them once, burning down houses and property and perpetuating horrific violence against them without reprisal.[20] Security issues still characterize Bosnia and Herzegovina, where refugees from other Balkans states have settled, creating hostile multiethnic environments for the repatriated refugees who are struggling to occupy their old spaces without wartime memories.[21] Returns have been calculated along ethnic lines, and the polarity between the two sides persists, shaking the stability of the Dayton Accords influence and state alike. Croatia is less consumed by issues of security, though property concerns show blatant ethnic favoritism—Croats have been allocated more funds and restitution since their returns compared to Croatian Serbs.[22] Threats, harassment, inaction by police and legal institutions, and a lack of political will to address the problem has characterized the experience of many repatriated refugees in these areas dealing with ethnic tension.

While the most high-profile cause of concern is the fact that many refugees are still living in neighboring states rather than the place of their origin (i.e. the 97, 000 refugees from Bosnia-Herzegovina and Croatia still living in Serbia[23]), for refugees that have already repatriated, home governments should have an extra incentive and motivation to make the transition of those refugees as seamless as possible. In the Balkan states, especially, post-conflict and reconciliation efforts characterize the continuing struggle to reintegrate repatriated refugees. Housing, job creation, social and civil rights,

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[18] *Ibid.*
[19] "Independence Without Standards?" European Yearbook of Minority Issues, Vol 5, 2005, http://www.uni-graz.at/opv1www_marko.kosovo.eymi.doc (accessed 08 December 2008)
[20] *Ibid.*
[21] "Balkan Returns: an Overview of Refugee Returns and Minority Repatriations," USIP, 1999, http://www.usip.org/pubs/specialreports/sr991221.html (accessed 08 December 2008)
[22] *Ibid.*
[23] "Join Effort Needed to Solve Refugee Problem," UNHCR, October 2008, http://www.reliefweb.int/rw/rwb.nsf/db900sid/CJAL-7KVQPN?OpenDocument (accessed 08 December 2008)

and strengthened legal representation characterize the areas that all Balkan states still need to improve.

The Roma

As a further representative of people who are persecuted due to their ethnicity, religion, or culture, the Roma are particularly singular in the tribulations they face. While many ethnic or religion minorities share in being discriminated against by their home and host governments, the Roma have been historically and are being presently pushed aside by all parties. Characterized as "gypsies," or wanderers, Roma refugees travel across South and Eastern Europe to seek asylum from their home states, where worsening conditions of treatment mean they must stay on the move.[24] Accusations against the Roma for seeking asylum in countries where the conditions are most favorable to refugees have prompted EU member states to reclassify refugee status as individuals under specific threat of persecution. This has not abated Roma movement in search for safety and better conditions, however, and demonstrates the fact that other states should reconsider the fact that in their home region of Eastern Europe, the Roma do in fact suffer from discrimination against them as a people.[25] In the Czech Republic, over the past eight years more than eighteen hundred racially motivated attacks have occurred against the Roma people, where thirty-two have died. Prominent public figures such as a 2001 representative of the Slovak National Party have expressed disdainful opinions of the Roma. Viewed as lazy and criminal, the Roma often find no recourse but crime, as they are often not afforded employment nor property rights. Bulgaria and Romania have the worst problems with Roma people committing twenty times more crimes than non-Roma.[26] Unemployment rates also swell because as a result of public perception of the Roma, they are not given opportunity to work. This increases their dependence on state

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[24] "OSCE to Address Controversial Issue of Roma and Asylum-Seekers," OSCE, 2000, http://www.osce.org/item/5403.html (accessed 08 December 2008)
[25] "Refugees or Migrants? The Roma of Eastern Europe," Harvard International Review, Spring 2002, http://findarticles.com/p/articles/mi_hb137/is_/ai_n28905709 (accessed 08 December 2008)

aid, which in turn increases anti-Roma sentiment. It is no wonder, then, that the Roma who flee conditions of persecution are wary of returning. For this reason, the reintegration of Roma poses a particular problem to human rights organizations.

The Roma have historical precedent of moving along with other minority groups during periods of ethnic cleansing throughout the European region, but they also have the unique position of being further marginalized by other minority groups once becoming refugees. During the Second World War, Roma populations were among those that were shipped to concentration camps and targeted for death. During the turmoil raging through former Yugoslavia in the nineties, almost 120, 000 Roma left Kosovo alone and the overall number across the region is unknown.[27] For many Roma, there is no permanent home allowed to them, so the term repatriated is problematic. Prolonged settlement, however, has become a residency claim of sorts, and many Roma find themselves unceremoniously removed or harassed away from regions they would like to call home. One of the largest problems of Roma reintegration is that some states are not equipped either legislatively or within the social structure to accommodate the Roma productively and address their needs, yet host countries have increased efforts to force repatriation on the Roma over the years. In Kosovo particularly, the question of Roma repatriation and reintegration has occupied many discussions held by policymakers. Following its declaration of independence earlier in 2008, the Swiss Foreign Minister addressed a letter to Kosovo officials stating that they would begin the process of sending Roma refugees back to Kosovo immediately. Applications of asylum from Roma refugees have been rejected from other host countries as well, under the claim that the Roma are no longer under threat in Kosovo. In neighboring Macedonia, only 28 out of two thousand three hundred refugees who applied for asylum were accepted.[28] Meanwhile, conditions in

[26] *Ibid.*
[27] Rusila, Ari. "Refugees and IDPs in Western Balkans," Peace and Collaborative Development Network, 10 November 2008, http://internationalpeaceandconflict.ning.com/profiles/blogs/refugees-and-idps-in-western (accessed 08 December 2008)
[28] *Ibid.*

home states remain the same or deteriorate, further negatively affecting the quality of life for the Roma people. Even aside from security concerns, widespread poverty (cardboard cities and makeshift shelters, no jobs and no food, lack of education for children, etc.) and discrimination make conditions for the Roma less than optimal. Reintegration for these people remains impossible, not because there are inherently racist laws, but because there is a significant dearth of laws addressing the human rights abuses surrounding their situation. The presence of the Roma ultimately should remind the world that even within a specific marginalized group (refugees) there is an even more marginalized group that must be factored into the debate of how to better the process of reintegration.

Non-State Agencies that Foster Reintegration

International organizations and non-governmental organizations remain the largest proponents of change for refugee reintegration, examining the processes of repatriation and attempting to give aid for those refugees who are living in squalid conditions. The UNHCR has been particularly influential international organizations, while Amnesty International has a particular vestment in the issue, in addition to the Red Cross's significant presence in the region.

The UNHCR is one of the most influential in the area of refugee reintegration, as refugee matters are its primary mandate. Programs, initiatives, studies, and aid have fallen under its efforts to better the conditions of refugees in Eastern Europe, though the UNHCR's focus is more the facilitation of reintegration and repatriation, rather than strictly examining the human rights angle of the problem and attempting to remedy those specific problems and conditions. The UNHCR does provide temporary housing, health care, and education, but it looks at the bigger picture rather than individual cases, currently aiding the world's refugee population and running operations everywhere from Europe to Africa to Iraq. The UNHCR would ideally like to prompt governments to remedy their current practices and become proactive in aid for refugees, while aiding in small ways like constructing houses, providing salary subsidies, and guiding business

start-up initiatives.[29]

Amnesty International and Red Cross extend efforts that are closer to individuals, in that they provide aid and shelter to the refugees. The Red Cross is a significant presence in Serbia, although its influence and efforts have declined in recent years as a result of being unsustainable for the amount of refugees still needing help even once they have repatriated. Amnesty International works on improving legal status of refugees, as well as working on shelter, jobs, and health care for them. These organizations persist primarily because the state has neglected its responsibility in forming a proper plan to care for refugees in a sustainable way. In order to help supplement state efforts and to provide a substantial support to refugees, non-state agencies employ their own funds and resources. This is not a lasting solution, however, and in recent years, there has been a renewed focus on engaging states in a collaborative effort to better and more productively provide support for their refugee populations.

Possible Causes

Breakup of the FRY

The dissolution of the Soviet Union and other political upheavals in Eastern Europe in the early nineties saw the breakup of several former republics, a fragmentation that led to a rise in clashes between regional, religious, and ethnic interests in newly independent states.[30] The subsequent oppression of entire populations and the economic and social breakdowns that followed in the face of such conflicts fueled one of the most pressing issues facing Eastern Europe today: the refugee crisis. Coming to special prominence in the 1990s and continuing to plague humanitarian workers even now is the question of how to aid the legions of Eastern European refugees and internally-displaced

[29] "Proposals and Models to an Integrated Approach of Reintegration of Refugees of Ethnic Minorities," Reintegration.net, 2005, http://www.reintegration.net/europa/download/Final_Report.pdf (accessed 08 December 2008)

[30] Kohan, John. "Hastening the End." *Time*.com, 1991, http://www.time.com/time/magazine/article/0,9171,972214,00.html (accessed 08 December 2008)

people (IDPs) who once fled their homes due to dangerous or instable conditions and who are unable (or made unwilling) under threat of persecution, violence, or lack of economic stability to return.[31] Once returnees do come back, they face the additional hurdles of reintegration.

The situation of refugees and IDPs all across the region of the FRY differs yet remains essentially the same. Some states have suffered from spates of intense ethnically-based violence and war, necessitating the emigration of millions based on persecution of their ethnic origins. This prejudice not only caused widespread death and devastation throughout the course of war, but it also keeps humanitarian agencies from effectively facilitating refugee reintegration. Wartime resentments (which often root back much farther) persist, and as such, development and sustainability for the returnee populations halts even long after post-conflict reconstruction has begun.[32] Other states face continuing violence that is not ethnically motivated but nationally motivated--some would argue that much of the Serb motivation throughout the Yugoslav wars was not because they felt ethnically superior to Muslims, but because they felt nationally superior to Bosniaks, Croats, and Albanians. This attitude motivates much of the resentment that continues now as, for example, Kosovo Serbs struggle to relearn how to live alongside Kosovo Albanians, who are an ethnic majority and who many feel have a score to settle owing to the treatment they faced during the war. Because of this fragmentation of states along ethnic and political lines, there exists confusion among multiethnic populations, and this confusion ultimately hinders the possibility of smooth reintegration for refugees.

Forced Repatriation

Refugees increasingly have found themselves forcibly repatriated, denied refugee status by host governments and essentially ordered back to their place of origin to receive

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[31] "Who is an IDP?" IDMC, http://www.internal-displacement.org/8025708F004CE90B/(httpPages)/985E40F60D95A6DF802570BB005EE131?OpenDocument&count=1000 (accessed 08 December 2008)

[32] "Post-conflict Reintegration and Reconstruction," Georgetown, 2003,

any benefits or chance of a life. This forced repatriation throws numbers in a flux, making a disparately large amount of repatriated refugees in a concentrated area and increasing competition for resources such as shelter, food, and assistance. Some host states renege on original deals to house refugees because home states express a willingness to take on more of their previous citizens. Some host states express an interest in sending refugees back because it alleviates a social and economic burden. Germany is a particular example of this, expressing concern over rising welfare costs and turning "temporary migration" into a tool of permanent residence for refugees.[33]

Many humanitarians criticize forced repatriation by saying that it expresses complicity in the ethnic cleansing that first causes people to leave in fear of their lives and attain a refugee status. By sending refugees to be repatriated without ensuring that ethnic violence would not occur once again, Germany was not committing an illegal act, but was enforcing the negative role host countries often have on the reintegration process of repatriated refugees. Engaging in reintegration too soon or forcing repatriation on a refugee destabilizes the community to which they come. For the upwards of one hundred fifty thousand refugees sent back to Bosnia by Germany between 1996 and 1998, their life was just as bad as it had been when they left. Property was still either taken by those who had stayed in Bosnia or it was burned down, there were no jobs, and post-war resentment was still very fresh.[34] It is situations such as this that highlight why forced repatriation contributes more so than voluntary repatriation to overflow of refugees who cannot reintegrate into society.

Governments Do Not Have the Will to Facilitate Repatriated Refugees

When governments themselves still inherently discriminate against the returning population, the returnees become minorities in their own land. Government will,

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isim.georgetown.edu/Publications/PatPubs/PostConflict**Reintegration**.PDF (accessed 08 December 2008)
[33] Belloni, Roberto, "State Building and International Intervention in Bosnia," Routledge Press, New York, 2007.
[34] *Ibid.*

however, is often dictated by the moods and whims of the population. If the majority of the state is one ethnic group, then the policies crafted by government officials reflect the concerns of the majority. Not to say that the minority is oppressed through legislation; rather, by ignoring the social oppression and persecution of the minority, the government enforces the negative treatment of those refugees, thereby making reintegration into society doubly difficult. There is no incentive for governments to foster the reintegration process, many times--the ethnic groups needing integrated are often viewed as having no positive impact on society anyway, and as a result, are not given a chance. For example, in the case of the Roma, Kosovo officials have not sped up the process of reintegrating them into society despite international pressure, perhaps because there has been no internal pressure to do so.[35]

Another issue is that oftentimes, refugees are forced to return back to their state of origin simply because life has become unsustainable in the host state from where they came. One such example is the Chechens in Azerbaijan, where almost eighty *per cent* of the refugees left the state and came back to a war-torn and dangerous Chechnya because the Azerbaijan government would not recognize them as refugees.[36] In cases such as these, the home government feels no special obligation to reassess the conditions of the refugees who left in the first place, and indeed, in cases of internal conflict and economic ruin, many government officials are too preoccupied to properly address the ways in which they can ensure that refugees reintegrate into society. If a society is already crumbling, refugees simply fall deeper through the cracks as they struggle to readjust to the home that they once knew. This cause is especially characteristic of cases where refugees leave conflict-torn states and return to states still wracked by violence, such as Russia and Georgia.

Governments Do Not Have Means in Place to Facilitate

[35] Rusila, Ari.
[36] "Refugees and Diaspora," Chechnya Advocacy Network, http://www.chechnyaadvocacy.org/refugees.html (accessed 08 December 2008)

Repatriated Refugees

Rather than will, sometimes governments simply do not have the resources or means to properly help refugees reintegrate. In post-conflict areas especially, reconciliation and reconstruction efforts are such a drain on economic and monetary resources that the government is often hesitant to allocate extra money to refugee reintegration supplements such as welfare and assistance. Not only should people look to financial means, though, however large that it counts as a part of why governments cannot reintegrate refugees in the most optimal fashion, but the question should also be whether governments have the developmental means or the material resources needed to foster reintegration. Many governments need outside assistance to form shelters and refugee camps, let alone getting homes built and restitution given to refugees. Not only that, but governments need assistance in developing programs that will truly address all facets of the refugee reintegration experience. In the UNHRC handbook, the organization details ways in which legal assistance can be given through various channels in order to help refugees; if more states followed the model instead of developing their own, a standardized approach to reintegration may cost less and be more effective.

Projections and Implications

With more than half a million refugees still left to repatriate to their homes in Europe, the efforts to bring them home can only truly be successful when refugees who have already come home are truly reintegrated into society. The possibility of more refugees and IDPs being added to the existing number who face problems reintegrating is daunting, and as such, it is best to currently address the quality of life for repatriated refugees in order to improve quality of life for future returnees. Studies have shown that successful reintegration (meaning recognition as a citizen and all its accompanying rights and amenities) yields higher amounts of voluntary returnees, which increases social

stability as minorities thus find their numbers more equalized with the majority.[37] Without proper reintegration policies, forced repatriation might become the only way to see refugees brought back to their place of origin, and under those conditions, neither the host state nor the refugees can maintain a healthy balance of rights. Approximately one hundred and one refugees still need to return to Albania as of 2008, and in Bosnia-Herzegovina, Croatia, Former Yugoslav Republic (FRY) Macedonia, Serbia, and Montenegro, the numbers are collectively almost 610, 000 refugees who have yet to return to their homes, let alone slip back into comfortable lives. One part of these numbers is made up of refugees, who are forced outside the borders of their state of origin.[38] The other part of these numbers is IDPs, those who had to leave their immediate surroundings but who found a place elsewhere in the state, unable to return to their home town/city/village.[39] Today, as can be seen by these statistics, almost seven hundred thousand refugees and IDPs still await to return to their places of origin. With nothing substantial in place to foster the reintegration process, these refugee and IDPs have no incentive to repatriate voluntarily, however much they desire to, and if they are forced by host countries to return home, the conditions facing them and the refugees who have already repatriated remain dismal.

Leaving aside the question of repatriation, if the question of reintegration is not properly addressed, those refugees who have already returned home will remain in a state of limbo regarding legal status and rights. Continued inability to get or keep jobs will contribute to an overall decline of economic well-being, while the unbalance between age groups who have returned (elderly returnees often see no other options and so return to conditions such as they are now, while younger generations stay abroad in search of work and a viable future) ensure an unequal and unmixed community. Fostering the return of refugees and IDPs to their place of origin is not enough; if, according to the UNHCR, the

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[37] "Return Migration: Policies and Practices," International Organization for Migration, 2004, http://books.google.com/books?id=bEgdJKkShfwC (accessed 08 December 2008)
[38] Rusila, Ari.

end state of reintegration is the "universal enjoyment of full political, civic, economic, social, and cultural rights"[40] then it is obvious that the end state has not even been glimpsed by Eastern Europe.

Conclusion

In the past, policymakers have failed to adequately address and ameliorate the refugee reintegration problem, and in doing so, have failed to uphold their primary responsibility of protecting the stability and well-being of the state as a whole. The failure to address the problem of refugee reintegration speaks to the aborted hopes of democratization and true prosperity in Eastern Europe, and also speaks negatively to the probability of returning home the thousands of refugees still waiting to repatriate. As basic rights are being denied to those refugees already repatriated, the world will be faced with a bigger problem once the refugee population in host countries reaches untenable amounts as a result of no one wanting to go back home. The UNHRC is especially committed to upholding the rights of individuals, and as such, must examine the issue of refugee reintegration immediately.

[39] *Ibid.*
[40] *Ibid.*

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