



**NORWEGIAN
REFUGEE COUNCIL**
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Chechen Refugees in Baku, Azerbaijan

A needs assessment

April 2006

Anna Mørck

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PREFACE

In late 2005, the Norwegian Refugee Council (NRC) and other agencies providing assistance to Chechen refugees in Azerbaijan decided that there was a need for an assessment of the refugees' living conditions, as the impression had been that refugees' personal coping resources were becoming increasingly depleted.

The purpose of the assessment was threefold:

- To increase the understanding of the problems and needs of the Chechen refugees in order to provide more adequate assistance;
- To identify potential areas where further assessment and evaluation was needed;
- To present donors with more reliable documentation.

The study was conducted, the data analysed and the report written in the period between January 28 and April 7, 2006. The author of this report has previously worked with Chechen refugees in Georgia and Chechen asylum seekers in Norway. She has extensive experience in humanitarian aid and development project management and holds a degree in social anthropology.

The author would like to thank the Baku office of the UN High Commissioner for Refugees (UNHCR), United Methodist Committee on Relief (UMCOR) and local NGOs Hayat and "Network of Lawyers" for their assistance and cooperation. Their experience and support has been invaluable in conducting this study. The Chechen centres and the refugees themselves have generously shared information and told me about their lives in displacement. They have received me with great warmth and hospitality notwithstanding their difficult situation.

This survey was funded by the Norwegian Ministry of Foreign Affairs.

Anna Mørck
Baku, April 2006

Executive summary in Azerbaijani language

ÖN SÖZ

Azərbaycan Respublikasında məskunlaşan Rusiya Federasiyasından olan Çeçen qaçqınlarına yardım göstərən təşkilatlar arasında əldə edilmiş razılaşmaya əsasən Norveç Qaçqınlar Şurası (NQS) Çeçen qaçqınlarının yaşayış şəraitinin qiymətləndirilməsi məqsədilə beynəlxalq ekspert dəvət etmişdir. Bu təşəbbüs bütövlükdə qeyd edilən qaçqın qrupu haqda məlumat materiallarının qıtlığı və müştərək informasiya bazası çatışmazlığı, eləcə də çeçen qaçqınlarına ayrılan resursların sürətlə tükənməsi səbəbindən irəli sürülmüşdür. Tədqiqat işi 2006-cı ilin yanvarın 28-dən aprelin 7-nə qədər olan müddət ərzində həyata keçirilmişdir.

Bu tədqiqat işi başlıca olaraq aşağıdakı üç məqsədi müəyyən etmişdir:

- Çeçen qaçqınlarının problem və ehtiyaclarının daha yaxından öyrənilməsi və təqdim edilməsi, müvafiq yardımın göstərilməsi;
- Araşdırma və tədqiqat işlərinə ehtiyac duyulan digər potensial sahələrin müəyyən edilməsi;
- Donorlara daha etibarlı və dəqiq sənədlərin təqdim edilməsi.

2005-ci ilin sonuna qədər olan müddət ərzində 2,828 Çeçen qaçqını BMT QAK-ın Azərbaycandakı Nümayəndəliyində qeydiyyatdan keçmişdir. Sığınacaq axtaran digər millətlərin nümayəndələrindən fərqli olaraq Rusiya Federasiyasının vətəndaşları Azərbaycanın dövlət orqanlarına sığınacaq üçün müraciət etmək hüququndan məhrumdurlar. Onların yaşayış şəraitləri acınacaqlı vəziyyətdədir və yaxın gələcəkdə Çeçenistana dönmək perspektivləri yoxdur. Çeçen qaçqınlarını qəbul etmək istəyən üçüncü ölkənin olmaması səbəbindən onların üçüncü ölkəyə köçürülməsi faktiki olaraq mümkün deyil. Hüquqi statuslarının olmaması səbəbindən isə Çeçen qaçqınlarının qanun çərçivəsində işlə təmin olunma, səhiyyə və digər sosial xidmətlərə çıxışları məhduddur.

Bir çox Çeçen qaçqınları Azərbaycan cəmiyyətində təcrid edilmiş və bütövlüklə digərlərinin, məsələn ailə, qohumlar və ya beynəlxalq humanitar və yardım təşkilatlarının yardım və dəstəyindən asılı vəziyyətdə yaşayırlar. Bu asılılıq onların sağlam inkişaf və müstəqil həyat qurmaları üçün maneə yaradır.

Qaçqınların həyat və yaşayış tərzini acınacaqlı olduğundan onlar daha çox ümitsizliyə qapılırlar. Maddi resurslarının çatışmazlığı (ağır həyat şəraiti) və s. kimi çıxılmaz vəziyyətlərdə qaçqınların stress və əsəb gərginliyi artır, psixoloji durumları gərginləşir, bu səbəbdən daha sonra onların sağlamlıqla bağlı problemləri pisləşməyə doğru gedir və bu da öz növbəsində qaçqınların iş tapmaq, çalışmaq bacarıqlarına ciddi maneələr törədir.

Azərbaycanda olan Çeçen qaçqınları demək olar ki, unudulmuşlar. BMT QAK-ın qaçqınları müvafiq həyat şəraiti ilə təmin etmək üçün göstərdiyi maddi yardımın kifayət qədər olmadığı vaxtda BMT QAK donor və maddi vəsait çatışmazlığı ilə üzləşmişdir. Azərbaycanda məskunlaşan Çeçen qaçqınları kövrək təbəqə hesab edilir və onların humanitar yardıma ehtiyacları vardır. BMT QAK daha acınacaqlı vəziyyətdə olanları tibbi xidmət və minimal maddi yardımla təmin edir. Çeçen qaçqınlarına dövlət ibtidai və orta məktəblərində təhsil almaq hüququ 2003-cü ildə verilmişdir, amma hələ də məktəb yaşlı çeçen uşaqlarının cəmi 60 %-i dövlət orta və ibtidai məktəblərində qeydiyyatdan keçmişlər. Onların 19 %-ə yaxını

ümumiyyətlə heç bir məktəbə gedə bilmirlər. Digərləri isə, çeçenlər tərəfindən idarə edilən və NQŞ də daxil olmaqla humanitar yardım təşkilatları və beynəlxalq donorlar tərəfindən maliyyələşdirilən təlim mərkəzlərində təhsil alırlar. Çeçen qaçqınlarına bundan başqa ərzaq malları ilə də yardım göstərilir, lakin bu da bütün qaçqınları tam olaraq qida ilə təmin etmək üçün kifayət deyildir. Qaçqınların humanitar sağlamlıq poliklinikasının məlumatına əsasən yetkinlik yaşına çatmış çeçenlərin 90%-i anemiya və pis qidalanmadan əziyyət çəkirlər.

Təqdim edilən araşdırma qısa və uzun müddətli ehtiyacların dayanıqlı və davamlı təmin edilməsi zərurətlərini aşkar edir. Qısa müddət ərzində təmin edilməsi vacib olan ehtiyaclar bunlardır:

- Qanuni iş əldə etmək imkanları;
- Yaşayış şəraitinin yaxşılaşdırılması;
- Psixoloji qayğı və yardımın təkmilləşdirilməsi;
- Uyğun və keyfiyyətli təhsil imkanlarının yaradılması, həmçinin bunu təmin etmək üçün müəllim və valideynlər arasında bilik və bacarıqların artırılması;
- Məlumat mübadiləsinin təkmilləşdirilməsi və genişləndirilməsi vasitəsilə qarşılıqlı etibar və anlaşma mühitinin inkişaf etdirilməsi, eləcə də qaçqınların və xüsusi qrupların problemlərinin həllində qaçqınların özlərinin iştirakının artırılması.

Anna Mørck
Bakı, Aprel 2006

Executive summary in Russian language

ОБЩИЕ СВЕДЕНИЯ

По договорённости между различными агентствами, оказывающими помощь беженцам из Чечни, находящимся в Азербайджане, Норвежский совет по делам беженцев пригласил независимого консультанта для оценки социальных условий проживания беженцев.

Одной из причин вышеуказанного исследования, которое проводилось в период с 28 января по 7 апреля 2006 года, послужило отсутствие полноценной информации, указывающей на факт истощения экономических ресурсов, которыми беженцы из Чечни обладали прежде.

Исследование преследовало три основных цели:

- Определить проблемы и нужды беженцев из Чечни для обеспечения их более полноценной помощью.
- Определить проблемные области, в которых необходимы дополнительные исследования.
- Обладать достоверной информацией для предоставления её донорам.

В конце 2005 года УВКБ ООН в Азербайджане насчитывало 2,828 регистраций беженцев из Чечни. В отличие от беженцев из других стран, граждане Российской Федерации не правомочны обращаться в государственные структуры Азербайджана в поисках убежища.

Несмотря на плачевные жилищные условия, беженцы из Чечни не имеют возможности вернуться на родину, по крайней мере в обозримом будущем.

Переселение в третьи страны практически невозможно в связи с нежеланием стран принимать беженцев.

В связи с отсутствием юридического статуса, обеспечение беженцев из Чечни работой на законных основаниях, так же, как и обеспечение медицинской и социальной помощью не представляются возможными.

Основная масса чеченских беженцев изолирована от азербайджанского общества и полностью зависит от помощи, предоставляемой извне, будь то семья, или различные гуманитарные организации. Эта социальная зависимость в корне препятствует развитию полноценного самостоятельного образа жизни.

Во многих случаях беженцы доведены до отчаяния в связи с истощением социальных ресурсов.

Сложившаяся ситуация может быть определена как замкнутый круг, в котором отсутствие материальной базы и тяжёлые жилищные условия провоцируют стрессовое психо-социальное состояние, которое, в свою очередь, вызывает развитие различных соматических жалоб, препятствующих возможности найти работу для обеспечения доходов.

На сегодняшний день чеченские беженцы относятся к наиболее уязвимой категории, так как в связи с затянувшейся проблемой отмечается явное нежелание доноров обеспечивать их ресурсами, в то время, как финансовой помощи, предоставляемой УВКБ ООН, едва хватает на оплату аренды жилых помещений.

Также необходимо отметить, что все чеченские беженцы, проживающие на территории Азербайджана, нуждаются в гуманитарной помощи.

УВКБ ООН способно обеспечить лишь минимальную медицинскую и финансовую помощь наиболее уязвимым категориям.

Право на школьное образование стало доступным для беженцев только в 2003 году. По настоящее время только 60% чеченских детей обучаются в государственных школах, около 19% не получают образования вообще, остальная часть детей обучается в Чеченских образовательных центрах, организованных самими чеченцами, и поддерживаемыми гуманитарными организациями и такими донорами, как, например, Норвежский совет по делам беженцев.

Проводится программа обеспечения дополнительными продуктами питания, которой, однако, недостаточно для соблюдения необходимого пищевого рациона. По данным врачей клиники УВКБ ООН 90% беженцев страдает анемией и различного рода истощением.

Данное исследование выявило необходимость в принятии как краткосрочных, так и долгосрочных решений, направленных на обеспечение следующих жизненных потребностей:

- Возможность получения работы на законных основаниях;
- Улучшение условий проживания;
- Увеличение размеров психологической и социальной помощи;
- Доступ к полноценному квалифицированному образованию, включающему улучшение знаний педагогов и родителей для вовлечения их в образовательный процесс;
- Обеспечении обстановки доверия и понимания между беженцами и сторонами, предоставляющими помощь, при условии должной координации сторон и обмена информацией, а также повышение участия самих беженцев в решении проблем.

Анна Морк
Баку, апрель 2006 г.

INTRODUCTION

SUMMARY OF FINDINGS

As of the end of 2005, 2828 Chechen refugees were registered with UNHCR in Azerbaijan. Contrary to other nationalities seeking refuge in the country, citizens of the Russian Federation do not enjoy legal protection of the state of Azerbaijan. Their living conditions are deplorable and there is no prospect of return to Chechnya in the near future. Resettlement is becoming virtually impossible, as there are almost no receiving third countries. Chechen refugees are denied access to legal employment, public health care and social services.

Most of the Chechen refugees live isolated from the Azerbaijani community and are totally dependent on assistance and support from others, be it family, social network or external humanitarian or charity organizations. This dependency is strongly impeding their ability to develop healthy and self-sufficient lives.

The refugees are growing desperate as their means of survival are overstretched. This situation can spiral into a vicious circle where the lack of financial resources (and poor living conditions), increases stress and deteriorates psycho-social conditions, further aggravating wide spread health problems, which in turn impair the refugees' capacity to find work and income.

The Chechen refugees in Azerbaijan seem to be almost forgotten. UNHCR experiences donor fatigue and reduced funding while the financial assistance provided by UNHCR to the refugees is already insufficient to secure adequate living conditions. The Chechen refugees who remain in Azerbaijan are all considered to be vulnerable and in need of humanitarian assistance. UNHCR provides basic health care and minimal financial assistance to the most susceptible groups. The right to public primary and secondary education was secured only in 2003, and still only 60 % of school age Chechen children are registered in public schools. As many as 19 % of them may not be enrolled in any school at all. The rest attend self-help Chechen educational centres, run by Chechens themselves and supported by humanitarian organizations and external donors including NRC. Supplementary food assistance is provided but has not been sufficient to ensure a nutritious diet for all refugees. According to the humanitarian health clinic for refugees, operated by UMCOR, 90 % of all adults suffer from anaemia and malnutrition.

This assessment reveals the necessity of addressing critical short-term as well as long-term needs for sustainable and durable solutions. The urgent needs that must be addressed are:

- Access to legal work opportunities;
- Improved housing situation;
- Enhanced psychosocial care and assistance;
- Improved access to adequate and quality education, including increasing knowledge and capacity among teachers and parents to ensure this;
- Promotion and enhancement of an environment of mutual trust and understanding between refugees and the aid providers by improved information sharing and coordination as well as increased participation in problem solving and awareness-

raising with the refugee population as a whole as well as diverse groups of refugees separately.

New interventions should build on the commendable initiatives, activities and services already in place.

THE SITUATION IN CHECHNYA¹

Nearly six years after the resumption of hostilities in what is frequently referred to as ‘the second war’, the republic of Chechnya is still extremely unstable and violence is widespread. Small scale confrontations between state security forces and non-state combatants occur frequently, as do abductions of civilians, summary executions and torture. The republic is still ruled by force and not law². In addition, violence in neighbouring republics, such as killings of law enforcement officers in Dagestan and confrontations with Islamic groups in Kabardino-Balkaria, increased in 2005.

Instability continues to hamper economic recovery in Chechnya – some 80% of the population capable of working is reported to be unemployed. Despite this, the large number of internally displaced persons (IDPs) that were residing in Ingushetia, returned to Chechnya in 2004 and 2005. These returning IDPs continue to rely on humanitarian aid, thus increasing humanitarian needs inside Chechnya. In total, the humanitarian community estimated that in 2005 over 850,000 people in Chechnya, Ingushetia and Dagestan were in need of humanitarian assistance.

The Russian federal government has undertaken measures to stabilize the region and rebuild the largely destroyed infrastructure. The programme of compensation for destroyed housing and lost property has made some progress despite accusations of impropriety and mismanagement. The Chechen government has also sought to begin development projects aimed at restoring the republic’s economy.

Protection activities in Chechnya continue to be hampered by lack of access, usually for security reasons. Return and reintegration monitoring is facilitated by UNHCR implementing partners, while direct monitoring by UNHCR staff is limited due to security restrictions. In this regard, access to returnees and monitoring of the protection situation in Chechnya remain areas in need of urgent improvement.

POPULATION PROFILE

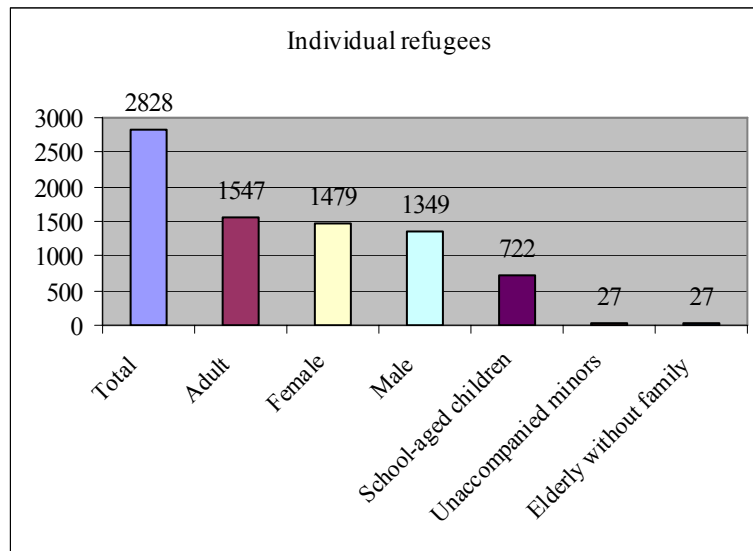
It is assumed that the Chechen refugee population remaining in Azerbaijan presently constitutes the most vulnerable group in the country.

Refugees are registered with UNHCR, who in their new database compiles basic information on each individual case (family) that is important for assistance and protection needs.

¹ The following information is mostly taken from the 2005 North Caucasus Briefing Kit prepared by the UN Office for Coordination of Humanitarian Affairs (OCHA). The general situation has not changed significantly after the briefing kit was written.

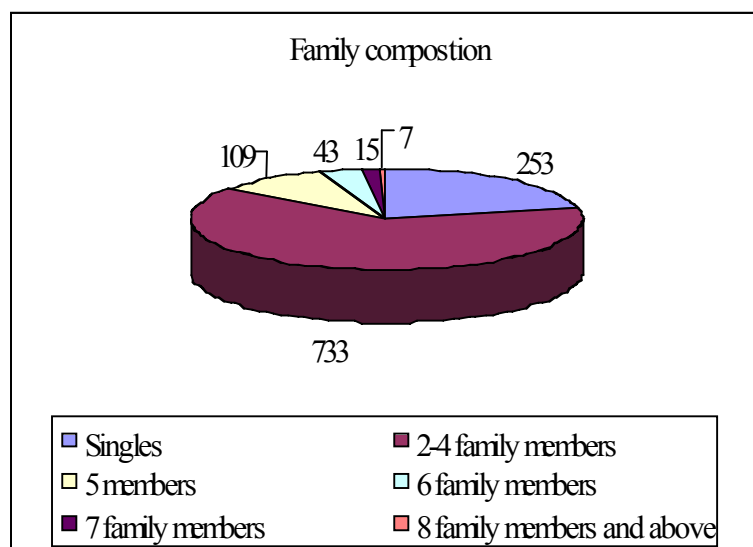
² This is confirmed among others by the UN High Commissioner for Human Rights, upon her visit to Chechnya in February 2006.

The Chechen population registered with UNHCR at the end of 2005 numbered 2,828 individuals. Chechen community leaders believe the figure to be somewhat lower. In mid-2005 UNHCR conducted a re-registration of the refugees, clearing their database of inactive cases. At the beginning of the year the figure had been 8,367 refugees, thus the number dropped by 5,539 during the year. The relatively high number before re-registration represents a cumulative figure of registered refugees as UNHCR had not been able to de-register those who returned to Chechnya, only registering the newly arrived. Some Chechens living in Azerbaijan are not registered with UNHCR. These are mostly business people or others not in need of protection, but also individuals who do not want to make their presence known either to other Chechens or any official authority.



Figures from UNHCR as of 31 December 2005

Most of the refugees arrived in Azerbaijan during the so called 'second war' that started in 1999. Some had been displaced in Ingushetia as well as in Chechnya before coming to Azerbaijan. Almost all reside in or around Baku. Most live in extended family households, but many also share households with persons not related to them (41 % of those applying for or receiving financial assistance).



METHODOLOGY

A desk study was conducted collecting and analysing data from reports, studies and other written material concerning Chechens in Azerbaijan, as well as regional studies relevant to the understanding of the refugee situation in Azerbaijan. The most important material was gathered from UNHCR, NRC and UMCOR. Two surveys mapping the situation for Chechen internally displaced persons (IDPs) in Chechnya and Ingushetia were also useful: one conducted by Médecins Sans Frontières (MSF) on IDPs' medical situation, and one household economy survey by the Danish Refugee Council (DRC). Focus groups, interviews with individual refugees and refugee groups as well as interviews with experts and leaders in the Chechen community were conducted. Key individuals, possessing particular knowledge or who are central in the support networks were interviewed several times. Observations were made during several home visits, food distribution, in the Chechen Cultural Centres and the Refugee Women Centre. Altogether more than 100 refugees were interviewed or participated in focus groups. Interviews and meetings were also conducted with representatives of aid organizations, Chechen educational centres and the Azerbaijani implementing NGO partners of UNHCR such as Hayat and Network of Lawyers. This study was made in close collaboration with NRC and UNHCR, whose experts and experienced staff contributed significantly with their knowledge and information.

As part of UNHCR's monitoring and assessment of Chechen families applying for and receiving financial assistance, social workers conduct unannounced home visits during which they fill out a form including basic information about the household and its living conditions. Data from the most recent 500 visits made by the social workers in March and February were entered into a Microsoft Access program. The information generated from this was used throughout the report. The data should be interpreted with caution, as they are only representative of the refugee population as a whole, but not necessarily valid in regards to individual refugees and families.

The findings have been presented to refugees and aid workers in a separate workshop. Comments, suggestions and corrections have been incorporated into the final report. Invaluable feedback and comments to preliminary findings have been provided by Mr. Petr Kostohryz, who has worked in the region for NGOs and UN agencies (including UNHCR) for the last four years.

The report is divided into chapters according to the refugees' main protection needs.

It was a conscious choice to put an emphasis on the refugees' own perception of their situation, as this is believed to be of crucial importance for understanding their needs and ways of meeting them. Focus has thus not been placed on assessing the quality of the currently provided assistance, but rather on access to services and refugees' possibilities to exercise their rights.

LEGAL RIGHTS

All persons have the right to seek and enjoy asylum, recognition as a person before the law, freedom from arbitrary arrest and detention and the right to be educated.

(1948 Universal Declaration of Human Rights)

Refugees have the right of admission to (at least) temporary asylum, to be protected against forcible return (*refoulement*) and to be treated according to basic human rights standards such as free access to the courts of law, the right to work, housing, education, public relief and assistance.

(The United Nations 1951 Refugee Convention)

BACKGROUND

Concerns

All Chechens state that their basic concern is that the conflict and massive human rights abuses continue in their home country, denying them the possibility of safe and dignified return. The perception of lack of international political support in terms of the international community not forcing Russia to fulfil its human-rights obligations in Chechnya, makes many refugees feel abandoned and let down.

Regarding their situation in Azerbaijan, the Chechens are concerned with their legal status. Most wish to receive what they refer to as “international status”. They are convinced that obtaining a mandate refugee status through individual recognition will enhance their physical security in Azerbaijan, improve their access to better living conditions and create a possibility for resettlement to a third country. Echoing many others one refugee woman expressed the general feeling that “maybe 70 or 80 % want to stay in Azerbaijan, because it is close to our home, but we need international status!” They perceive that a *prima facie* refugee status that the majority of Chechen refugees currently enjoy provides less protection than status as an individually recognized 1951-Convention refugee.



Pic 1: Chechen refugee accommodation – common yard

Legal status

In 1993, Azerbaijan signed the UN 1951 Refugee Convention (herein after ‘the Convention’) and in 1999 adopted a national refugee law that established a legal basis for receiving asylum seekers and refugees from outside the former Soviet Union. The definition of article 1 of the Convention, reaffirming the right to *non-refoulement* and listing the rights of refugees, are positive steps towards implementing international commitments. According to UNHCR all Chechens deserve international protection if they have left their country fleeing the conflict in

Chechnya. Due to the high likelihood that a large proportion of Chechens in Azerbaijan are refugees, UNHCR considers them *prima facie* refugees. As such, they fall under the extended mandate for victims of conflict³. However, due to the “difficult geo-political situation” in the region, Chechens are denied access to asylum procedures or individual refugee status determination in Azerbaijan⁴. There are regrettably no provisions in Azerbaijani law for protection of victims of conflict under temporary protection regimes. There are also no provisions for persons who may fall outside the refugee definition in the Convention, but who nevertheless require international protection.

Though Azerbaijan does not recognize the Chechens need for protection as refugees, the authorities have so far pursued a policy of tolerance towards them. They have also provided ad hoc material assistance to this formally non-existent caseload. In 2003, after UNHCR and Azerbaijani authorities reached an agreement, Chechens were given access to state primary and secondary schools.

UNHCR provides all registered Chechens in Azerbaijan with so-called “protection letters” calling upon the authorities not to return the refugees to the Russian Federation. The letters are written in English, Russian, and Azerbaijani, and explain to authorities that the person holding the letter is considered a refugee under the UNHCR mandate and, as such, a person of concern to UNHCR.

UNHCR conducts individual refugee status determination of some Chechens that after registration are considered to qualify for a mandate refugee status according to the Convention criteria and/or to be in need of resettlement to a third country. Out of the 2,858 individuals registered at the end 2005, 383 (13.5%) were individually recognized and 2,445 (86.5%) were *prima facie* refugees. A big problem however remains as few countries currently receive refugees for resettlement.

Lacking legal protection in Azerbaijan, Chechens have no formal access to state social services, public health care and legal employment.

FINDINGS

Refoulement and return

According to UNHCR, Chechen refugees registered with UNHCR are allowed to stay, are not subject to *refoulement*, and are not prosecuted for staying unlawfully in Azerbaijan. There is a fear among refugees, though, of potential deportation and information sharing between Russian and Azerbaijani authorities on the place of residence of the refugees, many of whom are stern supporters of the Chechen independence. This has to be understood in the context of the two states’ politically unstable relations.

According to UNHCR, inadequate assistance and unbearable social conditions have compelled many refugees to return. Regrettably refugees are largely unaware that UNHCR can offer assistance for return, and advice after return. Almost all returnees do so spontaneously. Monitoring of returnees is apparently possible through UNHCR’s local partners, but is obviously dependent on notification from refugees returning. Every family that returned to Chechnya and informed UNHCR, was visited repeatedly and linked to NGO

³ UNHCR Information Regarding the Status of Russian Nationals from the Chechen Republic in Azerbaijan. May 2005.

⁴ Op. cit

assistance programs. Still, the situation in Chechnya is not stable enough to allow for voluntary return in safety and dignity, a fact which is also confirmed by refugees themselves.

Refugees compelled to return or who have opted to return do not inform UNHCR, making monitoring of the return process virtually impossible.

Chechens as ‘refugees’ (mandate vs. *prima facie* refugee)

According to the UNHCR, there is no difference, on the territory of Azerbaijan, whether you are a core mandate refugee or extended mandate (*prima facie*) refugee. For this reason there is no need for individual status determination. However, it may become an issue once international protection for Chechens on humanitarian grounds is lifted. In the case of an imminent and evident threat in Azerbaijan, either in terms of medical conditions or political risks of persecution or deportation, status determination would be necessary prior to possible resettlement to a third country. Many refugees have approached UNHCR and the legal aid centre, asking for individual status determination.

UNHCR’s approach has changed over the past eighteen months or so. Many more Chechens have been screened for eligibility and gone through refugee status determination procedures with consequent resettlement. It may seem meaningless, however, to continue status determination as this only increases the refugees’ hopes of resettlement, an option that is now becoming less and less likely. Hardly any Chechens have been offered this option recently as it is very difficult to find receiving countries for resettlement.

The major frustrations of refugees today, as voiced in meetings and interviews during the assessment, can be described as follows:

- We keep applying for additional interviews with the aim of receiving individual status determination, but we are not invited, do not receive any explanations for why we do not qualify, or even no response at all;
- We believe we qualify as mandate refugees, but nobody wants to listen to us;
- Many others, whose claims we think were weaker or even not justified at all, received the mandate refugee status, but we cannot get the same treatment.

Refugees express a lack of understanding of the procedures and the criteria for going through individual status determination as well as what mandate and *prima facie* status implies in terms of protection and assistance.

Chechens as ‘foreigners’

Since Chechens in Azerbaijan are denied temporary asylum and access to asylum procedures by the state, they are formerly considered as ‘foreigners’ (citizens of the Russian Federation) by the Azerbaijani authorities. At the same time the government accepts UNHCR’s responsibility for the Chechens registered with UNHCR, and the fact that they are recognized by UNHCR as refugees and persons of concern. The protection letter is generally accepted when Chechens are asked for identification papers by police.

However, as with all foreigners, Chechens are required to register with the police and get a temporary ID-card. UNHCR has an agreement with the Azerbaijani authorities to waive the official registration fee to the police. In order to obtain the ID-card, however, the refugees need to produce a formal lease agreement with their landlords to prove their place of temporary residence.

Very few Chechen refugees actually do register with the police, citing several reasons:

Reasons for not registering with the police

- Despite the official agreement, district police request money for issuing the ID-cards;
- Refugees often change their place of residence due to increasing rent and find it difficult and expensive to re-register with the police every time;
- Refugees do not conclude formal lease agreements with their landlords;
- Refugees refuse to register as they suspect that the police may share information with Russian authorities, and fear that they may be at risk of deportation;
- Refugees do not see the benefit of having the ID-card issued.

In most cases, it is a combination of several reasons that makes individual refugees refrain from registering. It is however very unlikely that registering with the Azerbaijani police represents any additional risks as it is generally assumed that the whereabouts of the Chechen refugees are well known to the authorities, regardless of their choosing to register their residence or not.

In order to have their social and economic rights as foreigners in Azerbaijan recognized the refugees need to possess an ID-card. Without it, they are technically speaking illegally residing in the country and, as such, at risk of deportation. Without the ID-card they cannot seek legal employment, start businesses, open bank accounts, access legal redress, or receive social or public health benefits.

Access to education and social and health services

Education, social and economic rights are of great concern to refugees in their daily lives.

Although there has been an agreement between UNHCR and the Azerbaijani authorities since 2003 to grant school-aged Chechen refugees formal access to public schools, perhaps as many as 40% still do not attend, mostly receiving schooling at the self-help Chechen Educational and Cultural Centres with as many as 19% unlikely to attend either of those⁵. Although the agreement is a very positive step by the Azerbaijani authorities, there are still many obstacles to obtaining real access to public schooling, many of which also affect Azerbaijani students. Regrettably, Chechens, as other foreigners and a great number of Azerbaijani nationals themselves, must pay for higher education.

Medical services to the refugees also rely heavily on a sub-structure supported by the humanitarian community. UNHCR and US BPRM fund UMCOR to provide primary health care through a separate unit within a regular Azerbaijani polyclinic. Although public state social and health services are free of charge, they are understaffed, under-equipped and underfinanced and Azerbaijanis are expected to pay. The service provided through UMCOR, however, is free of charge and the quality, according to UMCOR, comparable to that provided to ordinary Azerbaijanis in public medical institutions.

Chechen refugees are provided basic primary and secondary health care through humanitarian assistance. Although formally primary and secondary schooling is available, up to 19 % of school-aged children may not have real access to education.

⁵ Information taken from financial assistance forms, filled out by Hayat social workers during home visits

Legal aid

UNHCR's implementing partner, the Network of Lawyers (NoL), provides legal aid free of charge, counselling and information to refugees and asylum seekers. Their office receives clients every day. They also assist in cases of detention and arrest and visit prisons, detention centres and police stations to provide legal assistance.

The legal aid centre provided consultations on the following issues in 2005:

Topic	# of Chechen clients	%
Birth certificates for newborn children	54	30%
Financial aid	36	20%
Resettlement in third country	24	13%
Marriage registration	17	9%
Residence registration	12	7%
Family-based and other social problems	7	4%
UNHCR registration	4	2%
Preparation, restoration, retrieval of legal documents	4	2%
Other issues	22	12%
Total number of cases	180	

As is evident, the most burning legal issue has been the impossibility for the Chechen refugees to register births of newborn babies and receive birth certificates. The legal centre has, for a long time, been trying to convince the State Registry to change their position, but so far to no avail. If this is not rectified, it will constitute a serious future problem in the form of stateless children.

The NoL lawyers are also frequently approached with cases stemming from the refugees' lack of financial resources, but are unable to solve them. The issue of resettlement is also high on the NoL agenda and can be interpreted as a need for a durable solution to the current problem of hardship and/or perceived need for individual status determination. The lawyers at NoL regard the discrimination of Chechens, lack of trust in the Azerbaijani authorities, and lack of knowledge and information (among refugees, local neighbours and officials) to be the major obstacles to the refugees' awareness and understanding of their rights.

The majority of refugees express their feeling that UNHCR is not doing enough to help them realize their rights. Again, this may be based on their lack of knowledge of what their rights are and to what extent they can be fulfilled and facilitated by UNHCR.

UNHCR has frequent contacts with the Azerbaijani authorities in order to ensure that their obligations to offer protection to Chechens as well as other refugee groups are met. Judging by NoL's experience, however, it is clear that quite some time will be needed for the agreements concluded on a governmental level to filter down to the local level of administration, law enforcement and civil service. It is also clear that in the current situation with several hundred thousand displaced persons from the Karabakh conflict, the issues pertaining to a politically sensitive caseload of less than 3,000 Chechens are unlikely to become a priority for the authorities at any time soon.

Documentation of birth, identity, marriage and residence represents the refugees' biggest legal concerns (83 %) together with financial assistance and resettlement.

CONCLUSION

The main issue for refugees is the fact that they are denied the right to return to Chechnya in safety and dignity. Many refugees are believed to have returned because they have not been able to cope in Azerbaijan. It is believed that some, who went back temporarily, got caught there when the new passport regime was implemented in March 2005, and were unable to return to Azerbaijan.

According to refugees themselves, some returnees have allegedly been subjected to torture and other serious human rights abuses upon return. UNHCR also confirms that many were compelled to travel back to Chechnya due to insufficient material assistance in Azerbaijan. UNHCR confirms that its position is that the current security situation in Chechnya does not allow for safe and dignified return.

Due to the lack of legal protection from Azerbaijani authorities, Chechen refugees have no legal status, including appropriate identity documents, no formal access to health and social services and to work. Given their status as regular “foreigners” (without due residence permit), refugees are required to register with the police and obtain a temporary ID-card. This has proved quite difficult so far. Access has been limited for practical, financial and psychological reasons.

Chechen refugees are denied the right to individual status determination as well as a temporary protection regime by the Azerbaijani state. Given the fact that UNHCR recognize the Chechens as prima facie refugees, they enjoy a certain form of protection in Azerbaijan. Solving the problem of sustainable legal protection is complicated in the current geo-political context, but the need for a more durable solution to the plight of the Chechen refugees in Azerbaijan is evident.

RECOMMENDATIONS

1. Access to basic rights must be ensured, so as not to compel refugees to return to Chechnya. Refugees should be informed about the assistance available from UNHCR with regards to return, so they can make an informed decision;
2. UNHCR should consider reviewing the current practices in terms of information on, and the actual processing of applications for individual status determination, regardless of the individual’s prospects for inclusion in resettlement (or any other durable solution scheme);
3. Efforts to secure solutions to provide Chechen refugees with increased legal protection in terms of identity documentation and employment opportunities must continue and be strengthened;
4. Acknowledging the lack of possibilities for return or resettlement to a third country, long-term protection solutions must be found jointly with the refugees in terms of support given to local integration programs.

3

HOUSING

Everyone has the right to a standard of living which is adequate for health and wellbeing including food, clothing, housing, medical care and necessary social services.

(Article 25 (1) of Universal Declaration of Human Rights)

Adequacy is determined by many factors, such as privacy, space, security, lighting, ventilation and basic infrastructure. Legal security of tenure, affordability and health threats are also factors to consider.

UN Committee on Economic, Social and Cultural Rights (ESCR): General Comment 4 The right to adequate housing (Art. 11(1)). 1991

BACKGROUND

The refugees in Baku live scattered around the city, renting apartments and rooms which are, most often, overcrowded. Newly arrived refugees usually meet other Chechens at the market by the airport or in a mosque, who assist with finding rooms to live in. The majority used to live in the city centre, close to the Chechen Cultural Centres and other service providers, such as the polyclinic and the UNHCR Refugee Women's Centre. According to many refugees, the steadily increasing rents in Baku force them to move out of the centre and into worse housing conditions on the outskirts of the city. Poor living conditions may represent a serious health risk, prevent the recovery of or, potentially, worsen existing health problems and increase or cause psycho-social problems.

Inability to pay the rent is one of the most important factors impeding adequate shelter.

FINDINGS

Recent deterioration of housing situation

The opinion of the UNHCR and others working with the Chechen refugees is that their housing conditions have deteriorated during the past year, due to a combination of factors. The increased and anticipated oil revenues (from the Baku-Tbilisi-Ceyhan oil pipe line) resulted in 13 % inflation in 2005, increasing general costs for rent, food and clothing. Most refugees have been in displacement for up to five years and have spent all their savings. Access to Chechnya is virtually closed to refugees because of the new regulations requiring Russian Federation external passports. This means that the small-scale trade previously conducted by many refugee women has been cut off, as has the support from relatives in Chechnya. As the refugees have become compelled to move to the outskirts of the city, the need for transportation has increased leaving fewer funds available for nutritious food.

Many refugees now live in dwellings further away from schools, clinic and cheap transport. Several families often share premises and facilities such as bathrooms and toilets. While one year ago it was possible to rent a two-room apartment for 100 USD in the city centre, the refugees now rent rooms in sub-standard conditions for which they have to pay more than previously.

However, contrary to what the refugees themselves state, and contrary to the assumptions made by aid workers, only 21 % of the households visited by UNHCR social workers pay more than 100 USD in rent per month.

Refugees claim that with the present financial situation and increased prices for ‘everything’, they risk falling into debt with their landlords. Unable to pay, they see moving to a new place as the only ‘solution’, thus dodging the rent. It has not been possible to quantify to what extent refugees change residence, but problems faced by NRC and Hayat in updating refugees’ addresses confirm that it happens quite frequently.



Pic 2: One room is a home to a refugee family of seven

Relatively recently, eviction cases seem to have become more common, with various desperate ‘solutions’: Some refugees have moved in with their extended families; one case was reported of a refugee living in an abandoned water pipe; According to social workers, another family used to live in a cave outside the city, and one family of five lives in an abandoned railway carriage on the Baku outskirts.

Many refugees have been forced to opt for worse housing conditions in order to be able to pay the same rents. Some refugees claim that they move to new dwellings as a way of escaping debts for rent. The insecurity of tenure represents an added disturbing factor in refugees’ lives.

Main characteristics of refugee shelter

The social workers from the local NGO Hayat (funded and supervised by UNHCR), conduct approximately 300 unannounced visits per month to families applying for financial assistance. Information gained from the most recent 500 visits confirms that most refugee families live in conditions that are far below standards for a healthy housing environment. The social workers consider that 97 % of the visited households are in a very poor condition.

Chechen refugee dwellings according to social workers

- 43 % of households have five or more members and almost all comprise extended families;
- 41 % of families live with persons who are not related;
- 46% of households live in one room and 43% in two rooms;
- 15 % of households share kitchen facilities;
- 28 % of households share toilet;
- 39 % of dwellings are evaluated as very damp;
- 42 % of dwellings are evaluated as unclean.

The conclusions drawn from these findings reveal several issues:

- Inadequate space for privacy;

- Inadequate space for children to do homework;
- Unhealthy physical conditions, caused by damp rooms and mouldy walls;
- Unsanitary conditions.

The lack of adequate furniture means that many homes do not have enough beds for everyone. Sleeping on the floor in a damp apartment contributes to health problems. At the time of writing most of the refugees suffered from influenza. Housing conditions make the virus spread quickly while recovery is made more difficult for the same reason.

Most refugees live in dwellings which represent potential health risks.

CONCLUSION

The deteriorating housing condition for Chechen refugees is not addressed by the aid community. The financial assistance provided by UNHCR is crucial for survival, but does not keep pace with inflation rates and is insufficient to secure adequate housing. As is shown more elaborately in the chapter on coping mechanisms, most of the refugees' low income is spent on rent. The lack of financial resources forces them to live in sub-standard conditions. This causes health problems, including the risk of spreading infections and respiratory diseases, and hampers recovery. Rehabilitation from psychological problems caused by the war and present conflict in Chechnya is extremely difficult under such living conditions. The lack of security of tenure and the increasing isolation from vital arenas for communication and services contribute to this problem.

RECOMMENDATION

1. The housing situation should be assessed more thoroughly with a view to securing both sustainable and legal tenure, as well as more adequate housing conditions.

4

HEALTH

The right to health is closely related to, and dependent upon, the realization of other human rights, including the rights to food, housing, work, education, human dignity, privacy, and access to information. These and other rights and freedoms address integral components of the right to health.

UN Economic and Social Council, Committee on Economic, Social and Cultural Rights (ESCR): General Comments No 14
The right to the highest attainable standard of health (Art. 12 of the Covenant on ESCR) 2000).

Every person also has a fundamental right to freedom from hunger and malnutrition. The human right to adequate food is of crucial importance for the enjoyment of all rights.

UN Economic and Social Council, Committee on ESCR: General Comments No 12. The Right to adequate food (Art. 11 of the Covenant on ESCR) 1999)

BACKGROUND

Health risks and general living conditions

According to the international SPHERE standards⁶, health risk factors are:

- Unfamiliar environment;
- Poverty;
- Insecurity;
- Overcrowding;
- Inadequate quantities and quality of water;
- Poor environmental sanitation;
- Inadequate shelter;
- Inadequate food supply.

The majority of Chechen refugees in Baku are subject to several of the above-mentioned risk factors in relation to shelter, food, poverty, environment, living space, sanitation and security.

The quality of the recovery environment has a direct bearing on the refugees' health, *both physical and mental*. 66 % of families visited by Hayat social workers have a family member with a medical condition, which is also confirmed by the refugee polyclinic.

The general living conditions of the vast majority of the Chechen refugees are bad. The lack of privacy and furniture, unsanitary and crowded conditions and the physical quality of their dwellings are, to an alarming degree, influencing the general health situation of refugees.

The high percentage of respiratory diseases diagnosed is linked to the sub-standard housing conditions. Crowded and unsanitary conditions at home also contribute to the spread of viruses and are not conducive to convalescence for persons with illnesses.

⁶ Humanitarian Charter and Minimum Standards in Disaster Response

FINDINGS

Providing free health care services to the Chechen refugees is crucial in meeting their most urgent needs, given the general poor state of public health care in Azerbaijan. According to the Ministry of Health, all refugees officially have free-of-charge access to state medical care. But lack of legal recognition by Azerbaijani authorities deprives Chechens of formal access to social and health services. Through its implementing partner UMCOR, UNHCR operates a refugee polyclinic providing free of charge primary health care and health education. Due to the limited resources, longer term sustainability and effective prevention cannot be integrated into the program, according to UNHCR. The most vulnerable are prioritised, as are emergency needs. For life saving and emergency cases, refugees are hospitalised in specialised hospitals set aside for emergencies, surgeries and deliveries, paid for by UNHCR.

A total 2,939 patients made 15,407 visits to the refugee clinic throughout 2005. 2,122 cases were registered in the database (some of the 2,939 were not registered as they entered the hospitals as an emergency, bypassing the database registration). This means that on average every person made five visits. 1,345 referrals to contracted clinical services were made and, of these, 917 patients received in-patient hospital services.

The refugee polyclinic is multi functional and includes services such as x-ray examination, lab tests, ultra sound, psycho-therapy, dental care and a tuberculosis (TB) program. The Clinic is a sub-structure within the State Polyclinic # 8. It is staffed by a manager, six doctors (two general practitioners, two paediatricians, one reproductive health doctor/medical dispenser and one psychologist), and a guard. Whenever necessary, the Clinic doctors refer the patient to the State Polyclinic # 8 for specialised treatment, diagnoses or other services. The polyclinic # 8 charges UMCOR/UNHCR for these services.

In 2005 NRC started providing monthly supplementary food packages to selected categories of Chechen refugees, as a part of their educational program. Families with school-aged children were targeted as a priority. NRC has since been increasing its food distribution, reaching more vulnerable groups and complementing the financial assistance provided by UNHCR. NRC also conducted clothing distributions to refugee children in 2005.

Although the number of Chechen refugees in Azerbaijan has dropped, the number of patients attending the polyclinic remains the same. Their health profile is not improving. This may indicate that it is the most vulnerable refugees with no resources that have remained in Baku.

Physical health and nutrition

The health profile of the Chechen refugees is characterized by widespread malnutrition, first and foremost causing anaemia.

Expensive food products such as meat, fruit and most vegetables are, too often, rare components of their diet. According to the polyclinic this is the main reason for malnutrition and anaemia. Basic food consists of bread, potatoes, onions and tea. According to the information given to social workers, less than 10 % of the refugees visited eat meat, fruit and vegetables regularly. These food items are central in their traditional diet. Many refugee families come from rural areas in Chechnya (or have close family in the countryside), and are used to being self sufficient with meat, fruit and vegetables. The urban environment, denying them this possibility, has consequences for their diet, which does not provide sufficient nutritional value. Their dire financial situation makes individual purchase of such items

virtually impossible. The refugees lack knowledge of how to replace these products to compensate for the nutrients that they lack.

The widespread anaemia and vitamin deficiency suggests that in time dental problems, conditions such as *parodontosis*, *gingivitis* and *stomatitis*, will develop and in extreme cases, lead to loosening of teeth. Good dental care, however, may counter this development. Previously UMCOR hired a dental team to provide each child with a check up and treatment. As the refugees could benefit from dental care through referral to a private clinic, it was later decided that keeping the dental team proved inefficient. Dental care is currently limited, but all refugee children attending Chechen and Azerbaijani schools are screened and receive a dental check up if necessary. Adult refugees, with the clinics' referral, also get examination and treatment if their dental problems affect their health state, i.e. if a person cannot digest properly. Educational leaflets concerning dental care have been distributed.



Pic 3: Combined bathroom and kitchen used by a family of six

Other prominent health problems are stomach ulcers, bronchitis and other respiratory illnesses as well as mental health problems (41% of patients). Bronchitis and other respiratory illnesses are, to a high degree, linked to housing conditions. There is a relatively high number of TB cases, constituting 2.9% of the refugee population, but it is now under control according to UNHCR. The refugee polyclinic has an agreement with a TB clinic in Baku to which TB patients are referred. According to the refugee polyclinic, 90% of their patients have chronic medical problems, i.e. diseases that are not life threatening, but for which neither the refugees nor the polyclinic have the resources to tackle.

At the time of writing approximately 150 persons received individual medication treatment. The polyclinic has a dispensary, but does not always have a stable stock of all medicines. Some of the medication is received as kind donations to UMCOR, but the main stock is procured according to need. Resources for procuring basic medication for primary care are available.

According to polyclinic statistics, 99% of refugee children suffer from anaemia and 90% from vitamin deficiency.

Mental health

Médecins Sans Frontières (MSF) has conducted a comprehensive health survey among Chechen IDPs in Ingushetia and Chechnya⁷. It would be safe to assume that many of the findings in this survey would also apply to the refugee population in Azerbaijan⁸. Some of the refugees here had been IDPs prior to their arrival in Azerbaijan. As IDPs, having stayed

⁷ MSF: The Trauma of ongoing War in Chechnya. Quantitative assessment of living conditions, and psychosocial and general health status among war displaced in Chechnya and Ingushetia. August 2004

⁸ This is confirmed by UNHCR medical staff in Azerbaijan and UNHCR protection staff who previously worked in Ingushetia and Chechnya.

in their own country, in some respects they enjoy better living conditions than refugees in Azerbaijan⁹ (although the security situation is considered worse in Ingushetia).

The MSF survey shows that:

- The majority have been displaced 2-5 times, over at least five years;
- Almost all are entirely dependent on aid;
- Almost all have been exposed to violence and more than 1 in 5 has witnessed extreme violence (killings);
- 35 % have personally experienced violence;
- The majority has suffered from starvation;
- 70 % have heard of rape;
- 98% are considered at risk of ill health, and 80 % suffer general health problems;
- Over 50 % said they knew somebody suffering from mental illness and 80 % said that one of their family members would benefit from counselling;
- Nearly all have lost houses and/or possessions.

MSF concludes that the pervasiveness of traumatic stress complaints is worrying and that the coping mechanisms¹⁰ are of limited effect. A number of studies have shown that frequent exposure to traumatic events is associated with higher levels of mental health problems and poorer physical health. The length of exposure to temporary living circumstances is associated with a higher likelihood of developing symptoms of psychological distress. The survey also notes that sexual violence is most likely underreported. The pervasiveness of (traumatic) stress complaints requires special attention from the health structures.

According to the refugee polyclinic, many of the problems and patients' complaints, such as stomach pain, headaches and muscle and joint pains¹¹, are linked to the refugees' mental health. The high number of cases with stomach ulcers may be connected with a generally high level of psychological stress. Lack of influence on one's living conditions, sub-standard housing, and, last but not least, years spent in displacement on top of the war experience, cause great stress. The refugee polyclinic employs one psychotherapist to provide counselling and assistance to patients suffering from psychological problems and post traumatic stress disorder. She can only take on those patients with the most acute problems. She treats both children and adults and deals, on average, with fifty active cases at any given time. According to her, most patients coming to the clinic have some kind of problem related to depression or nervousness.

Other doctors and nurses describe the same pattern. Symptoms of post traumatic stress disorder such as problems with sleep, nightmares, depression, anxiety and headache are common. These cannot be treated in a comprehensive way, as the clinic lacks resources.

⁹ The IDPs in Ingushetia, as all citizens of the Russian Federation, are entitled to a range of social benefits, issued at the place of permanent residence, even if not always regularly. Although the IDPs have in principle the same rights as other Russian Federation citizens, the registration at the place of temporary residence (*propiska*) is often denied in Ingushetia. The IDPs would pick up their pensions in Chechnya individually or through relatives, and the latter is also increasingly the routine of some refugees in Azerbaijan. During the past two years all IDPs have received their medical insurance cards and are admitted for treatment in Ingushetia without need for special provisions any longer. They, too, are often required to give payments, but this is mostly due to the corrupt system, rather than the fact of them being IDPs.

¹⁰ MSF identified strategies for coping with stress: "Turning their head" (50 %), keeping busy, aggressive behaviour, praying.

¹¹ It is presumed that that some of the muscle and joints pains as well as prostatic problems among men are related to the time they spent in detention and /or in participation in armed formations.

Some cases of more serious psychiatric illnesses such as schizophrenia and psychosis are referred to specialists. Although many patients suffer from depression, there are few cases of suicide attempts. This may also be linked to the very strong taboo attached to suicide within Islam.

All persons interviewed for this assessment had one or more medical cases in their family. All mentioned emotional and psychological stress, either because of their experiences in Chechnya or the living conditions in displacement. One mother claimed that her oldest son still suffered from memories of the war. Her youngest child was born while in internal displacement in Ingushetia, but had never seen her father who had ‘disappeared’. Almost all parents mentioned similar concerns regarding their children. In particular they were worried about their sons. Partly due to gender roles, boys are more likely to cope through aggression, not having adequate arenas on which to learn and play out a constructive male identity. Young men are also more at risk of being lured into criminal activities. In Di-Di, a children’s theatre run by a Chechen woman, children play different games through which they learn to be creative and use their imagination¹². Otherwise, when the Chechen refugee children are asked to think about who they want to be when they grow up, fighter or sniper is not an uncommonly preferred profession.

The Chechen patients all show signs of psychological stress. Their behaviour is characterized by short attention span, they frequently forget information and instructions and some tend to get aggressive when they do not get immediate attention.

Special needs

The Chechen refugee association SALAM registers 121 Chechens with disabilities, approximately 60% of those related to war injuries. Many lack prostheses and are in need of rehabilitation. The International Committee of the Red Cross (ICRC) previously had an agreement with the Ministry of Health which provides free prostheses. Together with UNHCR, they are now investigating the options of providing prostheses to those who need new ones and to those who have not received any in the past. The SALAM association is dedicated to promoting the interests of the disabled and advocating their rights. They run a centre for the disabled, supported by NRC. In this centre they offer computer classes and a place to meet, and hope to include more activities such as sports or vocational training for selected disabled refugees in order to reduce their dependency on external assistance.

The disabled have special needs for support, and have fewer possibilities of realizing their rights as they get no rehabilitation and their access to regular assistance and general social services is impaired. A special category within this group are disabled children who are an extremely difficult burden for their families due to the level of necessary daily assistance. This topic has been brought up by both the refugees themselves and the medical staff at the polyclinic, as well as the social workers visiting refugee families.

Disabled and traumatized refugees are in an urgent need of rehabilitation, without which they cannot develop and improve their life skills.

¹² The theatre offers mostly Chechen children – but also children of other nationalities – a place to conduct theatrical activities in a multicultural context, effectively contributing to rehabilitation of children with behavioural and psychological problems.

Health care service

In general there is much frustration, fear and myth related to health issues and medical care. Scepticism of medicines, prescribed treatments and the Azerbaijani health system in general is widespread. There are several reasons for this. During the Soviet period it was common to approach medical services with even minor problems and free medication was prescribed liberally. It may be the legacy of the Soviet medical system that cures are associated with medication and the quality of a doctor is measured against the quantity of medicines, s/he prescribes. Rampant corruption in all sectors of Azerbaijani society may also fuel scepticism. Given the scale of psycho-social problems among the refugees, being rejected or failing to receive expected assistance can cause enormous frustration. Poverty, insecurity and dependency are probably important factors influencing the way they perceive the health care service.

On a more positive note, many express gratitude for the good work that has been done by the refugee polyclinic, despite their limited resources. In particular, the psychotherapist's work is highly appreciated. Many of the refugees interviewed have praised the work she does and pointed out the need for increased capacity. So far the medical staff has been working under heavy pressure and the clinical psychological services have been poorly resourced. There is much one can do to improve the psycho-social environment and the interface between refugees and those providing assistance in order to empower refugees and alleviate and prevent mental problems.

UMCOR, with funding from the US Bureau of Population, Refugees and Migration (BPRM), has set up a special TB program that includes an information and education component. The polyclinic conducts regular information sessions on topics such as HIV/AIDS, sexually transmitted diseases, domestic violence and reproductive health. In 2003 and 2004 UNHCR published information brochures that were distributed to schools and the refugee women and youth centre. Preventive care through health education is an important aspect of long term health and welfare. Using experts in the Chechen community in planning public health information in an interactive way is very important. This is being done to some extent in the refugee centre, but does not yet have a wide outreach.

<p>Doctors at the clinic are tasked to confirm diagnoses supporting financial assistance applications. If confirmed by doctors, refugees will be put on a permanent list for financial assistance. The doctors are also instrumental in verifying needs for resettlement to a third country.</p>
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CONCLUSION

Linked to the overall economic situation, the refugees' living conditions are extremely bad, resulting in poor nutrition, increasing health problems and an inadequate psycho social environment. The medical assistance is elementary and not sufficiently directed toward prevention. In particular the psychological and psycho-social needs are not met by the services available.

Anything beyond primary care is expensive and thus inaccessible to the refugees. The care provided is insufficient to persons with special needs, in particular disabled and those with psychological problems, both in regards to quantity and quality,

The refugee population has little knowledge of the criteria for health care and this contributes towards the lack of confidence in the medical services. The pressure on the clinic and the social workers to receive a medical diagnosis in order to qualify for financial assistance is not conducive to a constructive and trusting environment.

Improving housing conditions, diet and psycho social environment would have a direct bearing on the health profile of the refugees. This will also improve their ability to resist and recuperate from other diseases. Better living conditions facilitate an improved psycho social environment, and can alleviate many stress factors that prevent refugees from healing.

RECOMMENDATIONS

1. Assistance to refugees with mental health problems should be increased and expanded;
2. Assessment should be conducted of the healthcare service with a more holistic view incorporating also a psycho social environment, including housing and coping strategies;
3. Psycho-social work should be enhanced and expanded towards counselling and assistance. Social workers should be trained and their terms of reference re-assessed in order to expand their capacity and obligations beyond financial assistance, namely to provide social counselling.

EDUCATION

The education to which every child has a right is one designed to provide the child with life skills, to strengthen the child's capacity to enjoy the full range of human rights and to promote a culture which is infused by appropriate human rights values. The goal is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence.

(The Convention on the Rights of the Child (CRC) Article 29)

Not just access and the content, but also the educational processes, the pedagogical methods and the environment within which education takes place are important when assessing the realization of these rights

(UN Committee on the Rights of the Child: General Comment No 1. The aims of education. 2001)

BACKGROUND

Due to the situation in Chechnya during the past decade education has often been available only ad hoc. Most refugee children and youth have gaps in their schooling, and illiteracy is not uncommon. Health, psycho-social environment, housing conditions and poverty are important factors that influence the current educational situation for Chechen refugee children. Until 2003, when UNHCR succeeded in reaching an agreement with the Ministry of Education,¹³ the Chechen refugee children were not granted the right to attend public schools in Azerbaijan. Before that, schooling was organized by the Chechen community themselves in six different self-help centres, partially supported by UNHCR and NRC. Far from all children attended classes, and as this was an informal arrangement, they did not receive official certification¹⁴.

Refugees' concerns

For Chechen children to be able to have their educational rights fulfilled, access to the official school system is the only realistic sustainable solution. However, the environment in which the schooling takes place has many shortcomings. These have been pointed out in almost all interviews with refugee youth, parents, teachers and others, for whom education is one of the biggest concerns.

Chechen refugees' education concerns
<ul style="list-style-type: none"> • Lack of facilitation of learning for conflict-affected children; • Lack of funds for paying school fees (both official and unofficial); • Pupils are not adequately prepared; • Harassment and bullying from local classmates;

¹³ Azerbaijan has been a state party to the CRC since 1992 and in 1998 the government of Azerbaijan passed the Law on the Rights of the Child guaranteeing the access to basic education for all children irrespective of nationality. However, due to the sensitivity of the issues related to the status of Chechens in Azerbaijan, the government failed to grant this right to Chechen children (UNHCR Education Projects Overview 2006)

¹⁴ Some Chechen refugee children were still able to enrol in the Russian-language section of Azerbaijani schools, depending on the particular school director.

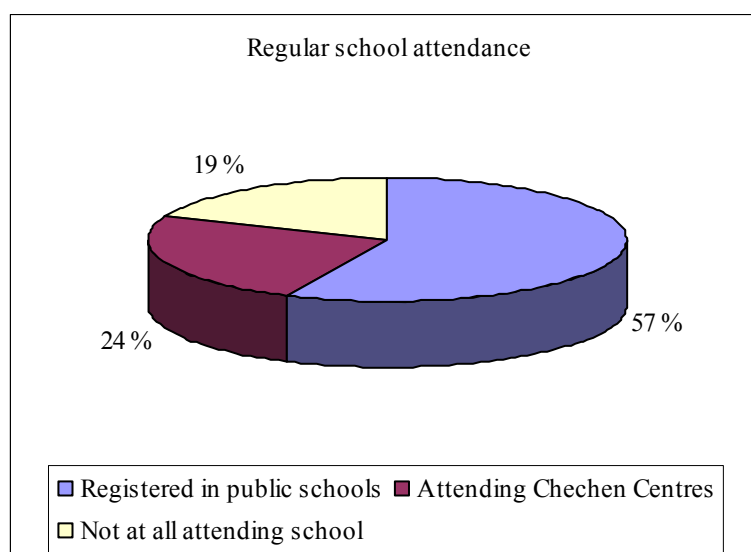
- Teachers lack sensitivity to the fact that some subjects and certain interpretation of facts can be difficult for a Chechen child to be exposed to;
- Lack of finances for transport to school;
- Dire financial situation forces many families to change their place of residence frequently, which means children changing schools, which further impedes their learning abilities;
- The Chechen refugee children often lag behind and need special assistance; some children cannot read or write properly and some do not speak sufficient Russian to be able to follow formal education;
- Chechen children are deprived of the possibility to learn about their own culture and traditions.

It is nevertheless the explicit aim of UNHCR and its partner in the education sector, NRC, to promote enrolment in Azerbaijani public schools (Russian language sector) because that is the only way Chechen refugees can get their education certified. The schooling they have been provided with in the Chechen centres is not officially recognized.

The particular background and patchy schooling of the refugee children constitute a challenge for those designing education for them. The needs and gaps in their education are very individual.

CURRENT SITUATION

At the end of 2005, 722 school-aged children between the age of 6 and 18 were registered with UNHCR¹⁵. At the time of writing, 409 children were registered in Azerbaijani schools¹⁶. Chechen pupils were attending 66 different schools, of which three are in Sumgayit and the rest in Baku. 12 schools host 10 or more Chechen pupils with the maximum number of Chechen children in Azerbaijani schools reaching 39.



¹⁵ UNHCR database, as of 31 December 2005

¹⁶ NRC school database

For various reasons there are many Chechens without adequate schooling, and with different needs. Characteristic features of the Chechen pupils are as follows:

- Some have practically no schooling and cannot read or write;
- Some have gaps in their schooling, but attend public school with assistance from the Chechen centres;
- Some attend school on and off;
- Some receive formal education in one of the Chechen centres;
- Some have gaps in some subjects, but not in others;
- Most live in inadequate housing, hampering a positive learning environment;
- Some have insufficient knowledge of the Russian language, required for attending public schools.

According to information from families visited by social workers, 56.6 % of the school-aged children attend public primary or secondary school. Up to 19% of all school aged children do not attend any school at all. The rest receive schooling in the Chechen centres.

The Chechen centres

Today there are five so-called Chechen centres where educational and cultural activities take place. One centre offers only vocational training. Two centres offer various Chechen cultural and rehabilitation activities for school-aged children. In addition they organize support catch-up classes for children in Azerbaijani schools, assisting them with homework. Special preparatory classes for Chechen children to bridge the gap between their current education level and the qualifications required in Azerbaijani schools are also offered. Two of the centres have been focusing on basic primary education up (grades one through five). According to these schools, they have approximately 200 pupils registered. One of the centres is funded by the German based organization “Kaukasus Mannheim”¹⁷. The other centre has been supported by a Norwegian Islamic organization “Rahman Islamic Relief”.

Below is an overview of centres providing some educational courses:

Centre name	Leader	Teachers	Courses/activities	Users	Funding
“Imran/ Khava”	Imran Gaziye v and Khava Zakayeva	17	<ul style="list-style-type: none"> • Preparatory tuition in basic subjects to prepare children for entering Azerbaijani public schools; • Supplementary tuition to support children in Azerbaijani public schools; • Extracurricular activities, e.g. languages, Chechen folk traditions, sewing, computer literacy etc. 	63	NRC
“Raduga”	Tatyana Edilkhanova	6	<ul style="list-style-type: none"> • Pre-school social centre with plays and games for children; • Extracurricular activities such as Chechen folk songs and dances, languages. 	67	NRC

¹⁷ At the time of writing, the organization also provided monthly financial assistance of 25 Euro to 200 children and their families.

“Daymokhk”	Zaman Bisultanova	9	<ul style="list-style-type: none"> • Primary school subjects; • Islamic traditions. 	100	Rahman Islamic Relief (Norway)
“Ilmadi”	Malika Aliyeva	5	<ul style="list-style-type: none"> • Primary school subjects. 	65	Kaukasus Manheim (Germany)
Vocational Centre	Ruslan Zelimkhanov	12	<ul style="list-style-type: none"> • Various vocational courses in computer programming, business management, mobile phone and computer repair; • Courses in languages and Human Rights. 	120	NRC

The environment and service that is provided in the Chechen centres are dependent on the leader and teachers, as well as on resources. In one or two of the centres, religion and religious discourse is prominent, and for some parents this is not acceptable. For others, it may not be of great importance, as long as the children receive quality schooling. Since these centres have been founded by the community on a voluntary basis, the teachers have been found within the community. All courses and classes are conducted in the Chechen language. Many children and their parents perceive the centres as a place for recuperation and support, where they can speak Chechen, receive new impulses and discuss problems in a safe and supportive environment. These centres provide opportunities for children to learn about Chechen culture, language and traditions. Not only is this part of children’s rights, it is also part of their families’ identity. In the centres their feelings and problems are acknowledged and they are among their own.

The Chechen centres provide a safe and supportive environment for learning about Chechen traditions and culture. The centres are also partners of UNHCR and NRC in activities aiming at improving the educational situation for the Chechen refugee children.

Public schooling

The general situation with regards to primary and secondary education in Azerbaijan has improved somewhat in the last few years, most notably in Baku. School buildings have been renovated, but schools have limited budgets for maintenance and services, and teachers receive very low salaries¹⁸. For this reason it is necessary to have so-called class funds, to which all parents are expected to contribute. These funds cover basic maintenance, cleaning, tea and expenses for special occasions such as celebrations. This represents a huge problem for the Chechen families.

According to figures from the refugee polyclinic, 90% of all refugee children suffer from anaemia and malnourishment¹⁹. This naturally also affects the children’s ability to learn. Combined with the psycho-social problems that most children have, the environment for many children is not conducive to learning. These children would require extra support, but most families struggle with inadequate housing and lack of furniture, space or privacy to provide children with adequate conditions for doing their homework. Older siblings or parents are often unable to assist their youngest as they lack schooling themselves or suffer from health problems.

¹⁸ According to the State Statistical Committee of Azerbaijan, the average monthly salary in the education sector in 2005 was ca. 65 new manat (some USD 70)

http://www.azstat.org/publications/azfigures/2006/en/006.shtml#t6_2

¹⁹ UMCOR-operated refugee polyclinic database

Another issue is the varying competencies of teachers in public schools. The classrooms are overcrowded and the teachers have little training in modern teaching techniques and methodologies. To have conflict-affected refugee children in a classroom usually represents a particular challenge, as their learning ability is weaker than that of other children. In order to be able to facilitate and provide adequate tuition for traumatized children, specific competences are required that these teachers have not had the opportunity to acquire. Refugee parents often describe their children as nervous because of traumatic experiences and the family situation in displacement. The polyclinic confirms that many children are affected both psychosomatically and mentally. Some children have serious behavioural problems and disorders. The common symptoms are short attention span, headaches, stomach pain, problems with remembering and concentration. Some children tend to become aggressive. For teachers this may represent a huge challenge if they have no knowledge or understanding of why the refugee children behave the way they do, and if they lack training in dealing with children with special needs.

Some parents have, in interviews, also raised the issue of insensitive teachers who emphasize some aspects or interpretations of Russian history that can be painful or disturbing for Chechens. It is not unlikely that this situation can occur, but perhaps more out of ignorance than by intent. There are also parents who complain about their children being bullied and harassed in school because of being Chechen. The Russian media receive wide audience in Azerbaijan, and the negative stereotyping of Chechens probably has had some effect on society. Already, the Chechen children enter school where the language is new for many (Russian) and where classmates come from a different culture and background, which in itself may feel disturbing and even threatening.



Pic 4: Traditional dancing classes are organized at the Chechen “Raduga” centre

Transport to and from school has become an increasing problem influencing public school attendance. Many families have been forced to move out from the expensive centre of Baku to the outskirts where housing is cheaper, but often a long way from schools with Russian sector education. Apparently this has even forced some parents to take their children out of school. It is certainly affecting the possibilities they have for attending extra courses and support groups in the Chechen centres or at the UNHCR refugee centre before or after school. Refugees claim that the poorest families do not send their children to school because they are ashamed of not having adequate clothing for their children.

The two main concerns regarding public schools are:

- Teachers in public schools are not prepared to cope with children with special needs;
- Lack of financial resources for transport, contributions to class funds and adequate clothing.

Learning environment

Apart from formal education, cultural extracurricular activities are essential in the creation of an adequate, child-friendly, pluralistic and inclusive environment in which the children can grow and learn. The Committee on The Rights of the Child emphasises in its comments that

the child's right to education is not only a matter of access, but also of content. Every child and adolescent should be enabled to respond adequately to the challenges posed by the fundamental changes in today's world, driven by globalization and new technologies. Such challenges include: tensions between the global and the local; the individual and the collective; tradition and modernity; long- and short-term considerations; competition and equality of opportunity; the expansion of knowledge and the capacity to assimilate it; and the tension between the spiritual and the material²⁰. The Convention on the Rights of the Child also recognizes the need for a balanced approach to education and one which succeeds in reconciling diverse values through dialogue and respect for difference. In the particular context of growing up as a Chechen refugee in a post-soviet and conflict-ridden region, these issues seem to be particularly apt. Excessive violence, poverty, corruption and lack of rule of law are factors that influence the political instability in the Caucasus. Efforts to improve the overall educational environment for Chechen refugee children are very important in this regard.

Chechen children and adolescents are growing up as refugees in a politically unstable and conflict-ridden region. This requires a holistic and pluralistic approach to education and learning.

CONCLUSION

Adequate and quality basic education is a powerful and important way of protecting children affected by conflict and war and giving them future means of living decent lives. It can protect children and young people from being recruited into armed groups and criminal activity, from prostitution and various kinds of abuse. It is therefore vital that all refugee children attend school and that the schools are assisted in providing adequate and quality tuition and positive learning environment for them. Parents increasingly fear that their children will turn to crime or fundamentalist groupings, enmity towards Russians and seeing violence as the only coping mechanism in their lives.

Parents and teachers of children in one Chechen centre said that their greatest wish was for one big school to be established for all Chechen children. Offering primary and secondary education as well as cultural activities, this school should also be able to provide certificates. More realistically, perhaps, they mentioned some issues that in their opinion need to improve:

- The learning environment for the children in Azerbaijani schools;
- Resources for school books, transport, extra courses, school funds and similar;
- Access to higher education (scholarships).

²⁰ UN Convention of the Rights of the Child, General Comment No 1.: The Aims of Education. Article 29 (1). 2001

RECOMMENDATIONS

1. In principle, public schooling is now available. Urgent measures must however be taken in order to bring to school children who sit at home.
2. Factors influencing children's learning situation such as poverty, housing conditions, physical and mental health, should be handled in order to facilitate better schooling.
3. Building the capacity of teachers and parents²¹ to tackle children with special needs is strongly recommended.

²¹ The staff at the polyclinic regularly sees children being handled with excessive force by parents. They often explain that they don't know how else to handle children with behaviour problems.

COPING MECHANISMS

Refugees lawfully staying on the territory are entitled to benefit from national social assistance and welfare schemes on the same basis as nationals, without requiring that they meet particular conditions of local residence or affiliation which may be requested of nationals.

(The 1951 Refugee Convention)

Refugees lawfully staying on the territory are entitled to the same treatment as that accorded to nationals with respect to both the basic labour rights of legally employed workers and State benefits such as unemployment, old-age or disability benefits covered by social security systems.

(The 1951 Refugee Convention)

BACKGROUND

In spite the rapidly growing economy in Azerbaijan, the general living conditions for a significant segment of the population are low. According to governmental figures, 41% of the population lives under the poverty line of USD 2 a day²². Unemployment is widespread and vulnerable groups, including the many displaced by the conflict with Armenia, are in a precarious situation.

The Azerbaijani government has effectively employed restrictions on welfare benefits by denying Chechens refugee status or access to the refugee status determination procedures, which would make them fit the criteria of “lawfully staying” refugees within the 1951 Convention. This policy influences the subsistence capacity of refugees, as they have no right to employment, social or health benefits. The means of survival has been assistance from external organizations, petty trade, savings, support from family and from within the Chechen community.

The Chechen refugees used to receive substantial external assistance from, among others, Arab sources, but due to the Azerbaijani government’s quest to control international funding in order to fight terrorism, these sources were mostly cut. Support had been given to cover rent, provide monthly food distribution and free of charge health care. It is unclear what the criteria were for receiving this assistance.

Almost all Chechen refugees are totally dependent on humanitarian assistance, as they have no access to legal employment in Azerbaijan.

²² Government of Azerbaijan: Azerbaijan State Programme on Poverty Reduction and Economic Development (SPPRED) 2003-2005

FINDINGS

Some data from a comprehensive household survey among internally displaced in Ingushetia, conducted by the Danish Refugee Council (DRC) in 2005²³ are relevant in the case of Chechen refugees in Azerbaijan. DRC's findings showed that even if more than 67% families had some kind of income, they were still dependent on external support. The earnings were insufficient to cover even the most basic needs. State allowance, pensions, humanitarian aid and buying on credit were the main means of coping. Over 50% of the surveyed households also had debts. Close to half of the households lived in inadequate conditions.

As the Chechen refugees in Azerbaijan have fewer sources of income, they are far more dependent on humanitarian aid. It is also likely that the level of borrowings has been steadily increasing. Even if the situation is different in an urban setting (such as Baku) and in principle should be much better than in Ingushetia²⁴, local NGO Hayat social workers characterize 97% of the households they have assessed lately as being very poor. Looking at the limited possibilities in Azerbaijan for income, and the high prices, it is fair to assume that more people live in sub-standard conditions in Azerbaijan than in Ingushetia. The poverty line of USD 2.15 for daily subsistence suggested by the World Bank²⁵ requires an income of more than USD 60 a month for one person. A refugee who receives financial assistance from UNHCR receives on average USD 37 a month.

Means of survival

- Financial assistance from UNHCR;
- Support from Chechen community network;
- Loans;
- Credit;
- Employment;
- Supplementary food packages for vulnerable groups from NRC.

Petty trade, help from Chechnya and savings were limited in 2005.

Through financial assistance, Chechen refugees receive on average 57.4 % of income required to live above the poverty line.

Work

Only a few Chechen refugees hold a job, most of them illegally. There are many new buildings under construction in Baku and some Chechens have found work there. Some have even been able to find dwelling at the construction site as a form of payment. When the lower floors are completed in an apartment block, Chechens have been known to "work for rent". The pay however is very low and the conditions are often hazardous. The refugees are frequently cheated due to their lack of legal status. One man stated that his sons had worked

²³ DRC Household Economy Survey of Internally Displaced Persons from Chechnya, residing in Ingushetia. April 2005

²⁴ This assumption has actually proven untrue in Chechnya proper, where DRC household economy surveys or ICRC Vulnerability Needs Assessment concluded that Grozny and other urban areas are economically less stable mainly due to the lack of access to own land.

²⁵ World Bank (2005): Growth, Poverty, and Inequality. Eastern Europe and the Former Soviet Union.

for a month at a construction site in Baku. They had been promised USD 150, but at the end of the month they received only USD 50.

Some women have worked in restaurants, but the pay is so low and the working hours so long that it often does not make much of a difference for their overall situation. The women claim that they get paid as little as 10.000 manat a day (approximately USD 2).

Some Chechens have been involved in trade, buying foodstuffs and selling them at the markets. Finding places to sell their products is often problematic as local vendors often press them out of the market premises. As Chechens have no right to open businesses without local registration, they are easily targeted by police who can shut their enterprises down or demand bribes.

A few female refugees earn small incomes from selling beaded jewellery at the UNHCR Refugee women and youth centre. The customers are mostly members of the expatriate community, visiting the centre during bazaars.

The Chechen centres employ 49 teachers who receive salaries from NRC and other donors.

Before March 2005 when crossing the border without an external passport was still possible, some refugees, mainly women, would travel to Chechnya to sell goods bought in Azerbaijan. This was done on a rather regular basis, although the Russian Federation border guards subjected them to special procedures that caused some risk and included lengthy and humiliating checks²⁶. Since an external passport regime was introduced, based on a bilateral agreement between Azerbaijan and Russia, almost all Chechens have been barred from travel to Chechnya. This means that the sources both for receiving help from family and for income from petty trade decreased significantly.

Apart from the difficulties with finding work, many refugees have difficulties keeping jobs for longer periods of time because of the health situation in their family or their own health.

Assistance from external organizations

UNHCR (who conducted a re-registration of refugees in 2005), social workers as well as others working closely with the refugees assume that the majority of Chechens still in Azerbaijan are the most vulnerable of all those who have been in the country. The number of patients who visit the polyclinic and their health profile has not changed despite the decrease in total numbers of registered Chechen refugees, which is a significant indicator supporting this assumption. It, also, is yet further proof of their total dependence on external assistance.

According to the Chechens and representatives of organizations working with them, the assistance provided is not even sufficient for meeting basic needs. Financial assistance from UNHCR is mostly used to pay the rent. A small survey of ten households conducted by UNHCR²⁷ indicates that most families borrow money for food or buy on credit. This conclusion is also corroborated by general field monitoring.

²⁶ Male refugees mentioned these check procedures on the border as very humiliating for them to endure. They referred to this by the Russian term 'filtration' - '*filtratsiya*'.

²⁷ UNHCR survey on 10 Chechen households. 2005

It is assumed that refugees receive financial assistance from other sources as well. In the assessment made by the social workers, 40% of the families admitted having some kind of income from sources other than UNHCR. The German organization Kaukasus Mannheim supports one of the Chechen schools and provides financial assistance to 200 children and their families to the amount of Euro 25 per month. A committee comprised of refugees assesses the needs and decides who should be included in the beneficiary list. This has so far not been coordinated with the UNHCR financial assistance, although some initiatives have been implemented lately²⁸.

Overview of assistance offered to Chechen refugees in 2005²⁹:

Organization	Activity	Donor
NRC	<ul style="list-style-type: none"> ✓ Financial and material support to Chechen centres; ✓ Food distribution to school children and vulnerable refugees; ✓ Training for teachers. 	Norwegian Ministry of Foreign Affairs
UNHCR	<ul style="list-style-type: none"> ✓ Overall coordination of refugee assistance; ✓ Legal protection and assistance; ✓ Overall responsibility for education, health care service and financial assistance sectors; ✓ Monitoring; ✓ Coordination with authorities. 	SDC, UNHCR, Lutheran Church
UMCOR*	<ul style="list-style-type: none"> ✓ Health program; ✓ Distribution of financial assistance. 	UNHCR, US BPRM, US Ambassador's Fund, US in-kind donations
Hayat*	<ul style="list-style-type: none"> ✓ Social workers monitoring and assessing applicants for financial assistance; ✓ Running of the Refugee Women and Youth Centre. 	UNHCR
Other ³⁰	<ul style="list-style-type: none"> ✓ Support to Chechen cultural/educational centres; ✓ Small financial assistance to some families. 	Private donations

* *Implementing partners of UNHCR*

The humanitarian assistance provided includes legal aid and counselling, basic health care, supplementary food items, financial assistance and educational support.

Financial assistance

Families must make ends meet in various creative ways. For example, an above-average Chechen refugee family of two adults and four children has loans of USD 200 and credit in the food store, even if they have a teacher's salary of USD 100 and receive financial assistance. Every autumn they get some funds from Chechnya (via a contact that can cross

²⁸ According to some interviewees, there is also some assistance from other international sources, but it is apparently very small, and allegedly linked to religious organizations. Hardly anyone will talk about this and it is thus impossible to verify.

²⁹ UNHCR, UMCOR and Hayat provide assistance to vulnerable refugees and asylum seekers in general, not only Chechens. Chechens are however the biggest group, followed by Afghans.

³⁰ This includes predominantly Chechen self-help groups and organizations allegedly funded by wealthy members of the Chechen Diaspora in Europe and elsewhere, such as Kaukasus Mannheim, Rahman Islamic Relief (Norway) and IRS.

the border), as the grandmother who still lives there has some income from an orchard of fruits and nuts. The money is spent paying off debts.

UNHCR provides financial assistance to refugees with the aim of covering their most basic costs of living. According to UNHCR up to 80% refugees³¹ are in need of financial assistance, although only 23% receive it on a permanent basis. Of the 1,587 active cases (households) registered in UNHCR's database as of February 2006, 280 have never applied for financial assistance (17.6%)³². An additional 53% of those in need receive assistance on a rotational basis. This means that they receive assistance for three months, then a one month break is introduced, upon which a new assessment by a social worker takes place. The assistance is then resumed after one (or in some instances more than one) month. This break, which is the result of budget reductions that UNHCR is attempting to reverse, is an excessively disruptive element affecting all aspects of the refugees' lives.³³

The main vulnerability criteria for inclusion in the financial assistance list are the size of family (four and more children), medical conditions, single headed household, disability and families with separated children. For most cases more than one criterion applies. A one-person household receives approximately USD 70, a two-four member family receives USD 109 and a family of five members and more receives USD 142. On average this means USD 37.7 a month per individual.



Pic 5: NRC food distribution at a Chechen centre

The resources available from UNHCR reach cover all refugees. Targeting is done through social monitoring mechanisms, ensuring that the assistance is provided to those who need it the most. The local NGO Hayat hires social workers to conduct unannounced home visits to applicants in order to assess their living conditions. The teams of one female and one male social worker manage approximately 200 visits every month. They also visit those who have had a one-month break before they are included in the beneficiary list again.

It is safe to assume that up to 100% of the Chechen refugees are in need of some form of assistance. The lack of legal recognition and, consequently, employment opportunities as well as draining of external resources qualifies virtually every Chechen household as materially vulnerable.

Financial assistance cuts

Immediately after the break in financial assistance is announced, both the social workers and the refugee polyclinic experience a significant increase in refugee referrals. They want to confirm their vulnerability and ask not to extend the break till the next subsistence allowance. Since UNHCR introduced cuts in financial assistance (due to 20 % budget cuts) in March 2006, the refugees contacting the polyclinic, social workers and UNHCR staff, have grown

³¹ For the purpose of medical and financial assistance, the term “refugees” refers to all persons registered with UNHCR Azerbaijan of which Chechens make up 82% (2,828 out of 3,446 registered as of 31.December 2005)

³² UNHCR Overview Budgetary Requirements for Financial Assistance. 28.02.2006

³³ Minutes of UNHCR led meeting on Gaps Analysis for Refugees in Azerbaijan. 9 February 2006

more desperate. As the criteria have become stricter, the cuts in assistance include longer breaks and assistance to fewer beneficiaries.

Refugees have problems understanding the reasons for breaks in the assistance. Once they are deemed eligible for assistance, why must they have breaks? It is extremely disruptive as they have no savings that would cover expenses during the break, mainly rent. Given the deterioration of the refugees' living conditions, this is hard to accept, particularly for those who previously fulfilled criteria and now do not. One criterion for being on the 'permanent' list is to have a medical condition. In addition to the high number of patients, the number of persons seeking confirmation of their medical vulnerability for the purposes of financial assistance has increased.

The impression from talking to around 100 refugees and visiting some of them in their homes is that they are increasingly desperate and devastated as their sources of survival are being overstretched. This situation may spiral into a vicious circle where in addition to the already poor living conditions and lack of certainty regarding their future, lack of finances causes so much stress that their psycho social conditions worsen to a state that they increasingly have medical conditions that in turn undermine their capacity to find work and earn money.

The situation also places a lot of pressure on the social workers who visit refugees in their homes to assess their living conditions. Refugees are well aware that the social workers' evaluation and recommendations are the basis on which UNHCR decides whether or not they qualify for assistance. At the same time this is quite an embarrassing situation for the refugees, who have to show 'strangers' their poverty. The social workers are required to also inquire about what kind of amenities the refugees have (TV, furniture, fridge) and how they eat. Many of the refugees experience this as humiliating.

Refugees emphasise that they do not have enough money. Most of the money they have is spent for rent. Transport and clothing as well as expenses related to education and health are mentioned as the most important concerns following accommodation. When the announced food distribution from NRC was delayed at the beginning of 2006, many refugees approached UNHCR complaining that they did not have enough food.

Recent cuts in financial assistance represent serious threats to refugees' subsistence.

Food assistance

NRC provides monthly food packages to vulnerable groups of Chechen refugees. The packages are supposed to be supplementary and do not constitute their whole diet. The food that NRC provides is of great help to the refugees, but there seems to be some confusion and misinformation. Beneficiaries often do not understand that the food is supposed to be supplementary and they complain about the content and choice of products. In 2005 NRC provided monthly food packages to the following groups:

- Children in Azerbaijani schools;
- Disabled children;
- Big families (more than four children).

Children in all Chechen centres (except one which was supported from elsewhere) received daily breakfasts as well.

There have been some problems with the beneficiary lists, as the figures in several instances have not matched the number of refugees turning up. Many refugees could not be reached with information as they did not live at the recorded address. This is linked to the fact that lack of resources prompts many to change address frequently (either to find cheaper accommodation or to dodge rent). Aid agencies are not able to keep track and to follow up, unless the refugees self-report this. Lack of information and resources for transport to the place of distribution thus impairs access to assistance.

Due to cases of malnutrition and widespread anaemia as well as the refugees' lack of resources to provide a nutritious diet, NRC distributes supplementary food packages to the most vulnerable groups.

Informal support networks

The Chechen community in Baku seems to be closely knit and the refugees take pride in always helping and assisting those in need. This is the impression from talking both to refugees themselves and to those working with the Chechen refugees.

Although informal, resources are redistributed, help offered and collections made to people in sudden need. There are a number of Chechen businessmen in Baku, but according to UNHCR, other organizations as well as the Chechens themselves, few of them are refugees. Some of them play an important role in providing help to Chechens who are in need of funds for special occasions such as funerals, medical operations or when there is a special holiday or celebration. The Chechen centres, the mosques and the market by the airport function as information hubs, where needs are made known and help organized. The UNHCR-funded Refugee women and youth centre also serves as an information dissemination point. The moral obligation to assist and help others is deeply embedded in traditional Chechen culture. According to one refugee, it is impossible for a Chechen to eat if he knows that his neighbour has nothing. Another refugee said that helping others is a way of repenting the sin of leaving ones motherland. All refugees emphasize the solidarity aspect of the Chechen diaspora. Various Chechen solidarity groups or religious Muslim groups outside of Azerbaijan are also attempting to mobilize funds for humanitarian assistance. However, it is uncertain whether they actually reach all, and there have been suggestions that some of those providing assistance have targeted only certain beneficiary groups with specific agendas. To what extent this takes place is hard to estimate.

The traditional solidarity and cultural obligation to support extended family is expanded while in displacement to also include others. This is an extremely important support mechanism.

Psycho-social environment

The assistance and support that the refugees depend on is irregular and changes in procedures or criteria are unpredictable and not understood (e.g. UNHCR changed criteria for dividing households for financial assistance purposes). This creates a form of recurring individual emergencies, something which enforces the level of stress in the life of the refugees. Most of the adult and adolescent population have experiences from war, but have little possibility to heal their psychological wounds due to their continuously insecure life situation, lack of stable income and general unpredictability. The psychological coping mechanisms developed while living in Chechnya during war prevail.

Living conditions in Azerbaijan for Chechen refugees are merely reinforcing these negative reactions. The almost total dependency on others for survival gives them little sense of control of their own lives. Lack of control could be seen as a lack of power or empowerment. Powerlessness means a situation in which the individual cannot control elements in her surroundings that influence her life, or the effects they have on her person³⁴.

Some refugees have been exposed to abnormal situations over such a long time that their reactions, skills and motivations for daily activities in a normal life are limited. Reactions may be a high level of anxiety, irritability, massive insomnia causing reduced attention span and other reactions typical of post traumatic stress. This kind of situation can deteriorate the ability to maintain confidence in relations with others, the belief in their own ability for problem solving, reduce the ability for overview and concentration. This often creates the self image of a humiliated and ruined person³⁵. Obviously, this has to be taken into consideration when assessing refugees' ability to work and learn, and when planning assistance.

Many feel that their identity as Chechens is threatened, and thus focus on the protection of traditions, religion and the Chechen language. It is also possible that other factors influence this outlook. The alleged Arabic illegal assistance that targets only religious beneficiaries, religious radicalization of the conflict in Chechnya combined with the Russian stereotyping of Chechens as terrorists, may serve to strengthen the inward looking world view. Integration, adaptation, dialogue, peace, non-violence and pluralism do not seem to be prominent elements of discourse in the Chechen diaspora. This is also something that needs to be taken into account when addressing the need for education and culture centres. The refugee community is diverse and not everyone have the same world view or beliefs. There are refugee families who are relatively isolated from the rest. They do not share the religious and traditional outlook that, as they feel, dominates some of the Chechen centres.

Most Chechen refugees live isolated from the Azerbaijani community and are totally dependent on external support. This dependency is strongly impeding their ability to develop self-sufficient and healthy life, which is more focused on how to cope from one day to another and offers hardly any room for stability and recovery.

CONCLUSION

Refugees are growing desperate as their sources of survival are being overstretched. This situation could turn into a vicious circle where no money (in addition to the future uncertainty and poor living conditions) causes so much stress that their psycho social conditions worsen to a state in which they have more health problems that in turn impair their capacity to work and earn money.

Some refugees are 'at their wits' end', going through a crisis they do not seem to know the solution to. Available data strongly support the general claim that the situation has recently deteriorated drastically.

³⁴ For analysis of this phenomenon and psycho social health of refugees, see Brekke 2004:20

³⁵ Berg et al.: Improving mental health of asylum seekers. Assessment report. 2005

RECOMMENDATIONS

1. The financial and material assistance should be increased to improve refugees' health situation and provide them with a more stable income. The refugees will thus avoid running up debts and the frequent and disruptive changes of accommodation.
2. Long-term attention should be given to sustainable and self-reliance strategies. Efforts to promote and advocate legal employment must continue.

INFORMATION AND PARTICIPATION

Refugees have a right to be informed and participate in decisions on matters that affect their lives.

(UNHCR Agenda for Protection. 2003)

BACKGROUND

Although refugees, as any other individuals, are primarily responsible for their own lives, they often seem to lack adequate knowledge and information about the factors influencing their lives. When preliminary findings of this assessment were discussed in a workshop together with refugees and representatives of aid organizations, it was evident that in spite of the fact that UNHCR produces information and involves refugee community leaders in regular discussions, the refugees themselves had no, or incorrect, knowledge about this. Representatives from UNHCR, UMCOR, Hayat, the Refugee women and youth centre and the legal aid centre (NoL) spent a significant amount of time during the workshop clarifying to the refugee participants their legal rights, criteria for assistance, changes in procedures, plans and current concepts of the humanitarian assistance.

FINDINGS

UNHCR has produced a booklet for refugees, explaining their rights and basic procedures in Azerbaijan. This is very useful, but does not reach all concerned. The content of the booklet is also complex and not easily understood given the general poor level of literacy among the Chechen refugees. Reaching refugees with awareness raising efforts and increasing their general understanding is a very difficult task. Both refugees and the legal centre express the lack of understanding that refugees have of their rights and of the possibilities and procedures for realising them. Many of the refugees remaining in Azerbaijan do not have higher education and some are almost illiterate. For them to understand what their rights are and how they can, or cannot, realize them requires special consideration. For example, the difference between mandate and *prima facie* status is not easy to grasp. The criteria, procedure and background for determining status are also quite complicated.

Mainly due to the high level of corruption³⁶ and the perception of police-control in society, many Chechen refugees seem to lack confidence in Azerbaijani authorities. It is self-evident that refugees who have experienced the effects of war and severe human rights abuses are overly suspicious. Although information may be available, they may not trust it and will seek to have it confirmed by several sources, asking different persons the same question. Taking into account that many refugees suffer from psychological stress, characterized by problems with concentration, memory and trust building, information and communication tasks can be daunting.

³⁶ Transparency International's "Corruption Perception Index" for 2005 puts Azerbaijan on a shared 137th place together with Cameroon, Ethiopia, Indonesia, Iraq, Liberia and Uzbekistan. To compare with the neighbouring ex-USSR countries, Armenia is ranked 88, Georgia 130 and Russia 126. Two other countries bordering with Azerbaijan, Turkey and Iran, are ranked 65 and 88 respectively.
http://www.transparency.org/policy_and_research/surveys_indices/cpi/2005

There are several arenas in which information and communication take place between aid providers and beneficiaries. The Chechen culture and educational centres, the polyclinic, the NoL and the Refugee women and youth centre function as main meeting points. Posters and leaflets are distributed here as well as general information. Still, many refugees are misinformed and have little real understanding of the mechanisms influencing their lives.

In the workshop conducted at the end of this assessment, lack of confidence in the mechanisms and services in place to provide protection and assistance became evident. Even the refugees who had never visited the Refugee women and youth centre or NoL had generally quite negative impressions of their work. Attitudes, however, change when meeting the responsible persons and receiving explanations.



Pic 6: Chechen refugee children in front of their temporary home

As the situation today is perceived by many refugees as desperate, providing information and arenas where refugees feel that they are seen and heard is crucial. During this assessment many of them asked what the criteria were for assistance, be it financial, food or health care. Some also do not trust contents of any written material and seek verbal confirmation from persons they have faith in. Most have limited understanding of the rationale behind the vulnerability criteria and the way they are implemented. The different mandates of UNHCR and NRC are rarely understood. Refugees seem to think that the lack of adequate assistance is due to lack of will rather than the lack of resources. They question the priorities, as they feel that their existence is threatened.

The only formal mechanism for involving refugees in matters of concern to them is the relatively recently established regular meetings between UNHCR and representatives of the Chechen community. Although the minutes from the meeting are produced for general

distribution, the information is not disseminated back to the majority of the refugees. Refugees have also repeatedly expressed their frustration at the apparent lack of feedback to their individual and collective queries. It seems that only a few are actually aware of such meetings. The Refugee women and youth centre, where a council of refugees is elected, is also not perceived as a place for contact, information and assistance.

Many Chechens do not have knowledge of what their representatives discuss. Aid organizations see it as a problem that there are several Chechen associations and centres, but little coordination between them stemming from different understandings and notions of representation, which is often perceived as a tool for competition for funding, recognition and prestige within the refugee community. Communication and dissemination of information thus becomes more complicated. There seems to be frustration among some refugees that despite having approached aid agencies with projects and ideas, their voices have not always been heard.

Including diverse groups of refugees in assessment, problem definition, program design and monitoring of implementation is crucial to ensure adequate protection. This may also contribute to alleviating frustration and consequently become a source for empowerment³⁷.

Managing humanitarian assistance and ensuring awareness and understanding of rights among an urban, diverse and mobile group of refugees remains a challenge.

CONCLUSION

Being able to influence one's own living conditions is crucial for improving the psychosocial environment and preconditions self sustainability. Even though there is information available, it may not be accessible for most Chechen refugees. Increasing participation of more diverse groups of refugees in discussions on factors influencing their living conditions remains a challenge. Several meeting points and activities are already in place but a more systematic approach is required in order to ensure broader participation.

RECOMMENDATIONS

1. Information should be improved and transparency ensured on the criteria used in refugee status determination (mandate vis-à-vis prima facie refugee status).
2. Increased access to information, awareness raising and understanding of refugee rights, Azerbaijani regulations and the procedures and mechanisms governing assistance is needed. This is important in order to build confidence. A realistic view on their situation will empower the refugees and make them assume responsibility for their future lives.
3. Further engagement and involvement of refugees in assistance-related discussions is pertinent to reach this goal. This would also alleviate the feeling of dependency and powerlessness and may contribute to diffusing the current frustration felt among the refugees.
4. A more systematic and coordinated approach is recommended, taking into account the diversity of the refugee population whose different needs should be identified and mainstreaming within all areas of assistance and protection.

³⁷ See the UNHCR Tool for Participatory Assessment in Operations. July 2005

SUMMARY OF RECOMMENDATIONS

LEGAL RIGHTS

- 1 Access to basic rights must be ensured, so as not to compel refugees to return to Chechnya. Refugees should be informed about the assistance available from UNHCR with regards to return, so they can make an informed decision.
- 2 UNHCR should consider reviewing the current practices in terms of information on and processing the applications for individual status determination, regardless of the individual's prospects for inclusion in resettlement (or other durable solution scheme).
- 3 Efforts to secure solutions to provide Chechen refugees with increased legal protection in terms of identity documentation and employment opportunities must continue and be strengthened.
- 4 Acknowledging the lack of possibilities for return or resettlement to a third country, long-term protection solutions must be found jointly with the refugees in terms of support to local integration programs.

HOUSING

- 5 The housing situation should be assessed more thoroughly with a view to securing both sustainable and legal tenure as well as (means to) more adequate housing conditions.

HEALTH

- 6 Assistance to refugees with mental health problems should be increased and expanded.
- 7 Assessment should be conducted of the health care service with a more holistic view incorporating also psycho social environment, including housing and coping strategies. Psycho-social work should be enhanced and expanded towards counselling and assistance. Social workers should be trained and their terms of reference re-assessed in order to expand their capacity and obligations beyond the financial assistance, namely to provide social counselling.

EDUCATION

- 9 In principle, public schooling is now available. Urgent measures must however be taken in order to bring to school children who sit at home.
- 10 Factors influencing children's learning situation such as poverty, housing conditions, physical and mental health, should be handled in order to facilitate better schooling.
- 11 Building on the capacity of teachers and parents³⁸ to tackle children with special needs is strongly recommended.

COPING

- 12 The financial and material assistance should be increased to improve refugees' health situation and provide them with a more stable income. The refugees will thus avoid running up debts and the frequent and disruptive changes of accommodation.
- 13 Long-term attention should be given to sustainable and self-reliance strategies. Efforts to promote and advocate legal employment must continue.

INFORMATION AND PARTICIPATION

- 14 Information should be improved and transparency ensured on the criteria used in refugee status determination (mandate vis-à-vis prima facie refugee status).
- 15 Increased access to information, awareness raising and understanding of refugee rights,

³⁸ The staff at the polyclinic regularly sees children being handled with excessive force by parents. They often explain that they don't know how else to handle children with behaviour problems.

Azerbaijani regulations and the procedures and mechanisms governing assistance is needed. This is important in order to build confidence. A realistic view on their situation will empower the refugees and make them assume responsibility for their future lives.

- 16** Further engagement and involvement of refugees in assistance-related discussions is pertinent to reach this goal. This would also alleviate the feeling of dependency and powerlessness and may contribute to diffuse the current frustration among the refugees. A more systematic and coordinated approach is recommended, taking into account the
- 17** diversity of the refugee population whose different needs should be identified and mainstreaming within all areas of assistance and protection.

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APPENDIX 1: Focus group presentation letter

My name is Anna Mørck and I am hired by NRC to do an assessment of the problems and needs of Chechen refugees in Baku. I am a social scientist from Norway and I have worked with refugees and displaced people in Bosnia, Georgia and Norway.

NRC is a Norwegian non-governmental humanitarian organization that assists refugees and displaced people all over the world. In Azerbaijan NRC is currently assisting Chechen refugees with food packages and school material. NRC also supports vocational training and culture centres.

In Baku I have spoken with experts and community leaders; I have gathered reports and other written information on the living conditions of refugees and met with refugees in order to get acquainted with their situation.

I am now organizing group discussions here at NRC. I am inviting five different groups of people to talk about how refugees cope and what their most important needs are. It is vital for the study to collect as many views as possible and to make sure that the assessment is not just seen through the eyes of the humanitarian organizations.

The assessment will finally be presented in a report to NRC. This report will contain documentation for NRC (and other organisations) to be used when approaching donors and for making better projects that assist more people.

In the group discussion I will raise the following questions:

- 1. What does a normal day look like for you?**
- 2. What would a decent life look like?**
- 3. What are the most important things missing in your life here in Baku?**
- 4. How do you compensate for this in view of the present conditions?**

What you say in the discussion will be known only to the people participating. Your names will not be used and it will not be possible to track the information to you or any particular discussion group. The notes I take will be made on a board and you will have the possibility to discuss the notes at the end of the discussion.

You will receive a small compensation for the travel costs and we will serve tea and cookies. The discussion will take approximately one and a half hours.

APPENDIX 2: Financial assessment form

SOCIAL ASSESSMENT FOR ASSISTANCE					
<input type="checkbox"/>	3 months (initial assistance)				File no:
<input type="checkbox"/>	6 months (extension by 3 months)				Passport no:
<input type="checkbox"/>	surpassed 6 months				
No 1 name:					
Date of Visit + Duration of Visit					
Address + tel.					
Residing family members:	<i>Total</i>				
	<i>Husband</i>				
	<i>Wife</i>				
	<i>Son (age)</i>				
	<i>Daughter (age)</i>				
	<i>Other relatives</i>				
Children of School Age	<i>Total</i>				
	<i>Not Attending School</i>				
UNHCR Criteria: To be eligible for assistance for the first 3 months beneficiaries have to meet both fixed criteria and at least one of the variable criteria. To be eligible for an extension for an additional 3 months, beneficiaries have to meet an additional 2 and variable criteria.					
Fixed criteria:		Variable criteria:			
1. suburban (see annex def. suburban)	<input type="checkbox"/>	<input type="checkbox"/>	1. female headed households with children		
2. poor living conditions	<input type="checkbox"/>	<input type="checkbox"/>	2. families with more than 3 children		
		<input type="checkbox"/>	3. families where the former breadwinner is handicapped		
3. not suburban, but exceptional bad living conditions (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	4. medical cases - please specify according to medical def. (certificate from UNHCR clinic)		
		<input type="checkbox"/>	5. elderly people living by themselves		
		<input type="checkbox"/>	6. pregnant women from 7th month		(certificate from UNHCR clinic)
		<input type="checkbox"/>	7. separated children living in the family		
Number of Rooms and Living Space (m²)					
Kitchen (Individual - 1, Shared - 5)					
Toilet (Individual - 1, Shared - 5)					
Bathroom (Individual - 1, Shared - 5)					
Comfortability	<i>Furniture</i>				
	<i>TV + technical equipment</i>				
	<i>Refrigerator</i>				
Meals per Day					
Main Food Items for Consumption					
Apartment Rental (monthly rate) + common					
Source of Family Income	<i>Date of Arrival in Azerbaijan</i>				
	<i>Place of Work and Position</i>				
	<i>Total Family Income (Last Month/Source)</i>				
	<i>Total Family Income (Previous Month/Source)</i>				
	<i>Receive Subsidy from UNHCR?</i>				
Other Notes					
Conclusion:				A) Need financial assistance	<input type="checkbox"/>
				B) Exceptional case (please specify)	<input type="checkbox"/>
Signature of interviewers:					