



Recommendation 1334 (1997)¹

Refugees, asylum-seekers and displaced persons in the Commonwealth of Independent States (CIS)

Parliamentary Assembly

1. Population movements of a size and complexity unprecedented since the second world war have resulted in the displacement - mostly involuntary - of some 9 million people in the CIS region since the end of the 1980s.
2. These movements have had various causes, including economic, social and ecological problems, armed conflicts, manifestations of violent nationalism, human and minority rights violations and a general climate of insecurity and ethnic tension.
3. In addition to the serious humanitarian consequences for the victims, these displacements are such as to affect stability, security and peace not only in Europe but also in central Asia.
4. Of the twelve member states of the CIS, three have joined the Council of Europe and have therefore accepted specific human rights obligations, and four others have applied to join the Organisation, thereby showing their desire to uphold its standards and principles.
5. Consequently, the Council of Europe, and in particular the application of its legal instruments, have an important role to play both in guaranteeing observance of the rights of refugees, asylum-seekers and displaced persons, and in helping to remove the causes of displacement in the region.
6. The Council of Europe must be particularly vigilant with regard to observance of the human rights of refugees, asylum-seekers and displaced persons, who are in a more precarious position than the rest of the population and are thus more vulnerable to human rights violations.
7. The Council of Europe, while monitoring the situation and calling for remedies, must also assist the states concerned, particularly as certain violations may stem from the lack of a tradition of accepting refugees in the CIS and the difficult economic and social situation of the countries in question.
8. The Assembly welcomes the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in May 1996, which provided the opportunity to explore the main problems of displacement in the region and devise an action programme to remedy them. However, the conference is only the starting point of a process whose aim should be the implementation of specific co-operation and assistance programmes.
9. Consequently, the Assembly recommends that the Committee of Ministers, in the spirit of the historic Agreement on Co-operation between the Parliamentary Assembly of the Council of Europe and the Interparliamentary Assembly of the Commonwealth of Independent States, signed on 9 June 1997:
 - 9.1. instruct its competent bodies to launch an awareness-raising and training programme, aimed at the CIS states that are members of the Council of Europe or have applied to join, for the implementation of the undertakings concerning the protection of the rights of refugees, asylum-seekers and displaced persons deriving from the Council of Europe's legal instruments;

1. Assembly debate on 24 June 1997 (19th Sitting) (see [Doc. 7829](#), report of the Committee on Migration, Refugees and Demography, rapporteur: Mr Filimonov). Text adopted by the Assembly on 24 June 1997 (19th Sitting).



9.2. monitor closely the observance of asylum-seekers', refugees' and displaced persons' rights in the CIS states that are members of the Council of Europe or have applied to join, and especially the principles of non-refoulement or protection against refusal of entry, the right to freedom of movement, freedom to choose one's place of residence and non-discrimination;

9.3. continue the Council of Europe's participation in the work of the Geneva Conference follow-up group and instruct the Secretary General of the Council of Europe to examine, in the context of the tripartite meetings with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Organisation for Security and Co-operation in Europe (OSCE), the implementation of joint programmes for the CIS states that are members of the Council of Europe or have applied to join it;

9.4. invite the CIS states that are Council of Europe members:

a. to ratify the Council of Europe's Framework Convention for the Protection of National Minorities as soon as possible;

b. to sign and ratify the European Charter for Regional or Minority Languages as soon as possible;

9.5. invite the CIS states that are members of the Council of Europe or have applied to join:

a. to observe strictly the fundamental principles of international law concerning the protection of the rights of refugees, asylum-seekers and displaced persons and, in particular:

to observe the principle of non-refoulement;

to respect the right of freedom of movement and freedom to choose one's place of residence in one's own country and to remove legislative and administrative barriers to freedom to take up residence, in particular the registration system known as "propiska";

to ensure the de jure and de facto observance of the principle of non-discrimination in general, and with regard to refugees, asylum-seekers and displaced persons in particular;

b. to ratify, without reservation, the 1951 Geneva Convention on the Status of Refugees and its 1967 Protocol, if they have not already done so;

c. to bring their legislation and administrative practices into line with this convention and protocol and to put in place the necessary administrative structures to meet the obligations deriving from these texts;

d. to ensure the application of multilateral and bilateral agreements between CIS states concerning refugees, asylum-seekers and displaced persons and to secure the return of the refugees and internally displaced persons to the post-conflict zones;

e. to ensure strict compliance by local and regional authorities with legislation concerning refugees, asylum-seekers and displaced persons and, in particular, to ensure that administrative measures comply with constitutional instruments and laws;

f. to ensure that refugees and displaced persons have access to the labour market, health care, education, housing and social security benefits;

g. to join the Council of Europe's Social Development Fund as soon as possible so as to make full use of its resources to improve the situation of refugees, asylum-seekers and displaced persons on their territory;

h. to set up, in co-operation with the relevant international organisations, repatriation programmes for illegal immigrants and asylum-seekers whose asylum applications have been rejected;

9.6. invite the member states to contribute generously to the funding of assistance programmes for refugees, asylum-seekers and displaced persons in the CIS.