



Recommendation 1335 (1997)¹

Refugees and displaced persons in Transcaucasia

Parliamentary Assembly

1. After the former Yugoslavia, Transcaucasia is the region of Europe that is most affected at present by the problems of refugees and displaced persons, of whom there are around 900 000 in Azerbaijan, 300 000 in Armenia and 300 000 in Georgia. At the same time, hundreds of thousands of people have left the region for other countries, in particular Russia.
2. The Assembly recalls [Recommendation 1263 \(1995\)](#) and [Resolution 1059 \(1995\)](#) on the humanitarian situation of the refugees and displaced persons in Armenia and Azerbaijan and [Recommendation 1305 \(1996\)](#) on the humanitarian situation of the displaced persons in Georgia, and regrets the fact that most of the proposals contained in these texts have not been followed up in practice.
3. Eight years after the start of the mass forced population movements in the region, the number of refugees and displaced persons is not diminishing, very few of them have been able to return home and the humanitarian situation remains very difficult. We are beginning to see a whole generation of young people growing up in refugee centres which will become a lost generation. Furthermore, some persons are still deprived of their freedom as prisoners or hostages, or are missing.
4. The Assembly is worried by the reduction in humanitarian aid as a result of "donor fatigue". While recognising that it is important to avoid creating dependence on international aid, it believes that aid should only be reduced gradually and in line with increases in the resources of the countries concerned.
5. The Assembly stresses that the refugees and displaced persons will not be able to lead a normal life until they are properly housed. Aid with the construction of housing should be a priority, and the Council of Europe Social Development Fund should make a contribution in this area.
6. Even though there is no longer a direct threat of the refugees and displaced persons dying of hunger or cold, they are facing another serious problem in the form of public health. International aid for productive sectors, in the form, for example, of funding for education and job-creation schemes, is thus crucially important as a means of getting the refugees and displaced persons back into work.
7. The Assembly welcomes the implementation of integration policies, which it believes to be the only long-term solution for people who do not wish to return to their homes. Nevertheless, integration should not lead the states in question to disengage from efforts to solve the specific problems of the refugees and displaced persons, who are in a more vulnerable position than the rest of the population, in both legal and economic terms.
8. However, in the case of the 700 000 displaced persons in Azerbaijan, the 280 000 displaced persons in Georgia and other displaced persons in the region, the Assembly believes that the long-term solution should be their return to their former homes. It therefore urges all the parties concerned to do their utmost to bring about a political settlement which will enable them to return home in the near future, and to encourage them to accept their entitlement to a safe return before such a settlement, and as soon as possible.

1. Assembly debate on 24 June 1997 (19th Sitting) (see [Doc. 7837](#), report of the Committee on Migration, Refugees and Demography, rapporteur: Mrs Guirado). Text adopted by the Assembly on 24 June 1997 (19th Sitting).



9. The Assembly stresses that a political settlement is a precondition for the success of repatriation, but not the only one. If the social and economic conditions are not right, the large-scale return of refugees and displaced persons is difficult, if not impossible, to achieve. The member states and the entire international community should contribute to the economic reconstruction of the regions to which displaced persons and refugees are to return.

10. The Assembly therefore recommends that the Committee of Ministers:

10.1. urge all the parties concerned to intensify the negotiation process for the earliest possible political settlement of the conflicts in Transcaucasia that would provide ground for a comprehensive solution to the problem of refugees and displaced persons in Transcaucasia;

10.2. step up dialogue with the three states concerned and the main organisations providing aid in the region, in particular the European Union, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), with a view to making arrangements for increased involvement by the Council of Europe in aid programmes in areas that fall within its competence, as well as the International Committee of the Red Cross (ICRC) for questions related to the application of international humanitarian law in the region;

10.3. invite the Social Development Fund to focus actively on this region and for this purpose to set up a task force to consider what it can do in the region, in particular in the housing sector;

10.4. pay particular attention, when considering the applications for membership by the three Transcaucasian republics, to their track records in terms of respect for the human rights of refugees and displaced persons and to their positions as regards creating the conditions for the return of refugees and displaced persons, as well as to their respect for international humanitarian law;

10.5. invite the European Community to maintain - and, if possible, increase - its level of aid to the region, while gradually moving from humanitarian aid to development aid;

10.6. urge the member states:

a. to contribute generously, at bilateral or multilateral level, to humanitarian aid for the states in the region, as well as housing construction schemes, education and job-creation projects, paying special attention to the most vulnerable groups, in particular women;

b. to contribute generously to the funding of the programmes agreed for the states in the region at the regional conference on refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of Commonwealth of Independent States and relevant neighbouring states in Geneva in May 1996;

c. to give their technical and financial backing to the implementation of vocational training schemes, in particular for women and young people;

d. to take the initiative, at international level, of beginning preparations for an international donor conference for the economic and social reconstruction of the region;

10.7. invite Armenia, Azerbaijan and Georgia, as a part of a general political settlement:

a. to implement the principles set out in Parliamentary Assembly [Resolution 1119 \(1997\)](#) to enable, inter alia, the displaced persons in Azerbaijan and Georgia to return home as quickly as possible;

b. to strictly respect international humanitarian law and the human rights of the refugees and displaced persons and, in particular, to respect their free choice as to their place of residence and to refrain from forcibly recruiting them into the armed forces;

c. to take all necessary measures to provide the refugees with travel documents;

d. in order to facilitate the safe return of refugees and displaced persons, to take, as a matter of urgency, all necessary measures to clear the region of anti-personnel landmines;

10.8. invite Armenia and Azerbaijan:

a. to make the return of the displaced persons in Azerbaijan a priority in their negotiations so as to enable these people to return in safety, even before an overall settlement;

- b.* to recognise the right of refugees and displaced persons to return to their areas of origin and regain their property, with proper compensation for any damage suffered, or, if voluntary return cannot be implemented, to recognise the need to provide compensation for property lost or abandoned by refugees and displaced persons and to conclude an agreement enabling the persons concerned to receive compensation as quickly as possible;
- c.* to take all necessary measures to clarify the fate of missing persons and to give the International Committee of the Red Cross unrestricted access to persons protected by the Geneva Conventions, or covered by the ICRC's extra-conventional mandate;

10.9. invite Georgia:

- a.* to accede without delay to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol;
- b.* to create favourable conditions for the return of the Meshketian Turks;

10.10. invite Georgia, including Abkhazia, to make the return of the displaced persons a priority in their negotiations so as to enable these people to return safely to their former homes, even before an overall settlement;

10.11. invite the Russian Federation, in view of the imminent withdrawal of its peacekeeping force in Georgia, to facilitate the above;

10.12. recalling its [Resolution 1047 \(1994\)](#) on the conflict in Nagorno-Karabakh, urge the states bordering on the Transcaucasian countries not to hinder the passage of humanitarian aid across their territory.