



Resolution 1428 (2005)¹

The situation of the deported Meskhetian population

Parliamentary Assembly

1. The Parliamentary Assembly is concerned by the situation of Meskhetian Turks who, as a result of the Soviet regime's ethnic policy, were forcibly removed in 1944 from their homeland in south-west Georgia, now known as Samtskhe-Javakheti, to other parts of the then Soviet Union. After an outbreak of violence and riots in 1989, which included attacks against Meskhetian Turks in the Ferghana Valley in Uzbekistan, over 70 000 Meskhetian Turks left Uzbekistan and were scattered in seven different republics of the Soviet Union.
2. Today, Meskhetian Turks live dispersed in several countries : the Russian Federation, Ukraine, Uzbekistan, Kazakhstan, Kyrgyzstan, Azerbaijan, Georgia and Turkey. However, the situation of several thousand Meskhetian Turks living today in the Krasnodar region (Russian Federation) raises major concerns.
3. After the collapse of the Soviet Union, the Meskhetian Turks in the Krasnodar region were not recognised as Russian citizens and remain de facto stateless due to an arbitrary interpretation of the legislation in force at the time and contrary to the 1991 law of the Russian Federation on citizenship. Since the Meskhetian Turks are refused residence registration and are not recognised as citizens of the Russian Federation, they are deprived of basic civic, political, economic and social rights. This situation, which exists to this very day, is unacceptable. It is furthermore particularly worrying that the regional administration applies deliberately discriminatory practices with respect to Meskhetian Turks.
4. Moreover, the Assembly recalls that upon Georgia's accession to the Council of Europe in 1999, one of the commitments undertaken by this country included the adoption, within two years, of a legal framework permitting the repatriation and integration of Meshketian Turks, including the right to Georgian nationality, the launch of a repatriation process within three years and its completion within twelve years.
5. The Assembly acknowledges that some measures aimed at facilitating the return of Meskhetian Turks were taken by the Georgian authorities before Georgia joined the Council of Europe. However, the adoption of the main legal instrument, the law on repatriation of persons deported from Georgia in the 1940s by the Soviet regime, prepared with legal assistance by Council of Europe experts, is still outstanding. The Georgian authorities have made the fulfilment of this commitment conditional on the creation of appropriate conditions in the country for the return of this population.
6. The Assembly stresses that, with regard to any future repatriation of Meskhetian Turks from the Russian Federation to Georgia, the essential principle should be the free choice of those concerned. Those who wish to stay in the Russian Federation should be offered such a possibility. In any case, the Meskhetian Turks' legal status in the Russian Federation should be urgently clarified and re-established.
7. Independently from the prospect of repatriation, the Russian authorities should ensure that the question of the Meskhetian Turks' legal status is resolved and that the 1991 law on citizenship as well as the Russian Federation's Constitutional and Supreme Courts' ruling that residence registration is not a precondition for citizenship, are respected. Also, the Russian authorities should stop the regular administrative practices of discrimination against the Meskhetian Turks and bring those responsible to justice.

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 18 March 2005 (see [Doc. 10451](#), report of the Committee on Migration, Refugees and Population, rapporteur : Ms Vermot-Mangold).



8. The Assembly notes with satisfaction the commitment of the international community aimed at finding a durable solution. In particular, the efforts of the United Nations High Commissioner for Refugees (UNHCR), the Organization for Security and Co-operation in Europe (OSCE) and the International Organization for Migration (IOM), including their contribution to finding resettlement opportunities in third countries for those Meskhetian Turks living in the most precarious conditions, are highly appreciated. In this context, it calls on the international community, and in particular on the UNHCR and IOM, to ensure that any repatriation is carried out on a strictly voluntary basis.

9. The Assembly is also concerned that no reliable data on the demographic and social situation of Meskhetian Turks is available and therefore invites the international organisations to conduct special research to obtain precise data on this matter ; this would significantly facilitate the further political steps to be taken to resolve the problems of Meskhetian Turks, including their return to Georgia.

10. The Assembly calls on the Congress of Local and Regional Authorities of the Council of Europe to also keep in mind the issue of the Meskhetian population when carrying out their political dialogue with the Russian authorities following their last monitoring report on local and regional democracy in Russia.

11. It welcomes the initiative of the Council of Europe Commissioner for Human Rights to examine the situation of Meskhetian Turks in the Russian Federation and invites him to continue to follow this question.

12. Furthermore, the Assembly :

calls on the Russian authorities :

- a. *to restore all civic, political, legal, economic and social rights of the Meskhetian Turks and to ensure that the process is in accordance with the Constitution of the Russian Federation, Russia's international obligations and federal legislation, including the 1991 law on citizenship ;*
- b. *not to discriminate against the Meskhetian Turkish population as compared to other local populations and to ensure that all the relevant legislation is applied accordingly and not retroactively ;*
- c. *to refrain from any kind of pressure on the Meskhetian Turkish population to leave the Russian Federation when the repatriation process starts and to offer them the possibility to stay as fully-fledged citizens of the Russian Federation ;*
- d. *to consult the Meskhetian Turkish non-governmental organisations when taking decisions concerning this population ;*
- e. *to consider the possibility of accession to the Partial Agreement on the Council of Europe Development Bank and present concrete projects for the financing of the integration of the Meskhetian population in Krasnodar Krai ;*

calls on the Georgian authorities to :

- a. *honour their commitments undertaken upon accession and to create, without any further delay, the legal, administrative and political conditions necessary for the start of the repatriation process of those Meskhetian Turks who wish to return to their native region, with a view to its completion by 2011 ;²*
- b. *consider the possibility of accession to the Partial Agreement on the Council of Europe Development Bank and to present concrete projects for the financing of the resettlement and integration of the Meskhetian population who wish to return to Georgia ;*
- c. *take into consideration the needs of the Meskhetian Turkish population when submitting proposals to the Council of Europe regarding assistance and co-operation programmes.*

2. [Resolution 1415](#) on honouring of obligations and commitments by Georgia.