



Resolution 1497 (2006)¹

Refugees and displaced persons in Armenia, Azerbaijan and Georgia

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its [Recommendation 1570 \(2002\)](#) on the situation of refugees and displaced persons in Armenia, Azerbaijan and Georgia, believes it is necessary to resume consideration of this issue since, despite certain isolated examples of progress, it continues to be a serious obstacle to the development of countries in the region in economic, socio-political and health terms.
2. It is difficult to gauge the number of refugees and displaced persons in the region. By law or by virtue of administrative practice, the three countries tend to recognise the descendants of persons displaced in various capacities within the region as “refugees” or “displaced persons”, with the result that the total number of refugees and displaced persons never seems to decrease. The majority of refugees and displaced persons are in that situation because of the Nagorno-Karabakh conflict and deportations between Armenia and Azerbaijan. Many others were displaced as a result of the conflicts in Abkhazia and South Ossetia, not to mention the Chechens who took refuge in the Southern Caucasus because of the conflicts in Chechnya.
3. The fact remains that there are still substantial urgent humanitarian needs. The three countries are therefore obliged to make maximum use of their own capacity for providing assistance at a time when donations from the international community are waning.
4. The Assembly notes that some of the people concerned have been able to return to within Georgia’s acknowledged borders. The Assembly congratulates the Georgian Government on its efforts to find a solution to its internal conflicts and extends its support to this process. Nevertheless, security concerns still prevail in both South Ossetia and Abkhazia and there is still much to be done to increase confidence and to create preconditions for large-scale voluntary returns.
5. The Assembly is, however, bound to point out that the efforts made by Armenia and Azerbaijan to find a solution to the Nagorno-Karabakh conflict have not as yet produced results. These efforts are continuing. It deplores the frequent incidents along the ceasefire line and the border incidents, which are detrimental to refugees and displaced persons as well as to local people, and regrets the clearly insufficient co-operation between these two countries over the fate of missing persons.
6. The Assembly also draws attention to the presence of numerous landmines resulting from the Nagorno-Karabakh conflict which are still injuring and, occasionally, killing people.
7. Enabling refugees and displaced persons to return voluntarily to the regions from which they came remains one of the main objectives of conflict settlement.
8. The Assembly welcomes the fact that Azerbaijan, Armenia and, to a lesser extent, Georgia have now embarked on programmes for the local integration of their refugees and displaced persons. These programmes have the twofold advantage of enabling these communities to regain their dignity by living in decent conditions and by working, which allows them to contribute to the development of the regions that have taken them in, and of preparing them for voluntary return under the best possible social, health and psychological conditions.

1. Assembly debate on 13 April 2006 (15th Sitting) (see [Doc. 10835](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mr Cilevics). Text adopted by the Assembly on 13 April 2006 (15th Sitting).



9. There are still, however, many obstacles to the success of these programmes: poverty is endemic, particularly in rural areas, and malnutrition a cause for concern; unemployment is still very high; access to means of production and to property is problematical; the infrastructure, especially of collective centres or areas hosting larger numbers of displaced persons, is often in a deplorable condition, which is an additional obstacle to development; schools are still being used to shelter refugees and displaced persons, whereas they should be used for children's education, and the health services are still inadequate. In these circumstances, it is impossible to continue providing humanitarian assistance and to care for refugees and displaced persons without international aid.
10. International humanitarian assistance is therefore still needed and must be supplemented, and gradually replaced, by international development aid, not just to meet the urgent needs of refugees and displaced persons but also for the benefit of the local population.
11. The Assembly therefore calls on the member states of the Council of Europe:
 - 11.1. to provide financial support for the efforts of Armenia, Azerbaijan and Georgia to deal with the situation of refugees, including those who have obtained citizenship, and displaced persons, by helping to rehabilitate buildings and build roads, a water and electricity supply infrastructure, hospitals and schools, so as to enable these communities to be more effectively integrated while facilitating the development of the regions in which they live, without forgetting the local population, who are often likewise living below the poverty line, while ensuring that financial resources are allocated to support initiatives regarding the protection of human rights and reconciliation efforts in these three countries;
 - 11.2. to continue to provide humanitarian aid where needed, while working on more medium- and long-term solutions to improve the living conditions, self-reliance and integration of the displaced persons;
 - 11.3. to offer their good offices in order to try to achieve a permanent settlement of the conflicts which are still raging and which impede the development of the entire region.
12. The Assembly also calls on Armenia, Azerbaijan and Georgia:
 - 12.1. to focus all their efforts on finding a peaceful settlement of the conflicts in the region with a view to creating conditions for the voluntary return of refugees and displaced persons to their places of origin, safely and with dignity;
 - 12.2. actively to pursue their policy of locally integrating refugees and displaced persons, but not in the occupied territories, always in consultation with them, and with the understanding that these countries will guarantee their right to return voluntarily as soon as conditions permit, which, for Georgia, includes strengthening and adopting clear policies and related measures for the local integration of refugees as well as displaced persons;
 - 12.3. to refrain from the use of refugees and displaced persons for political aims;
 - 12.4. to make the return of displaced persons a priority and do everything possible in their negotiations so as to enable these people to return in safety even before an overall settlement;
 - 12.5. to co-ordinate better the efforts of the international and non-governmental organisations on the ground in alignment with governmental policies and development plans;
 - 12.6. to bring their legislation into compliance with the Geneva Convention relating to the Status of Refugees, the European Convention on Nationality (ETS No. 166), and the United Nations Convention on the Reduction of Statelessness by fully implementing their provisions;
 - 12.7. to continue their policies of encouraging international aid projects in sectors where there are needs to be met;
 - 12.8. to rapidly conclude the negotiations under way with the Council of Europe Development Bank with a view to membership of the Bank;
 - 12.9. to co-ordinate their refugee and displaced persons aid policies and development policies in order to take account of the practical, financial and other opportunities that the European Union could offer them as part of its new European Neighbourhood Policy;
 - 12.10. to step up an inter-regional dialogue by introducing confidence-building measures and arranging regular consultation between government departments responsible for the specific problems of refugees and displaced persons;

12.11. to continue their efforts to adapt their legislation in order to assure refugees and displaced persons the same political, civil, economic and social rights as the local population, without prejudicing their status;

12.12. to reconsider practices of automatically admitting the descendants of refugees and displaced persons as refugees and displaced persons themselves, so as to facilitate their local integration;

12.13. to prepare the ground, by mutual consultation and in consultation with international and non-governmental organisations, particularly the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, for the voluntary return of refugees and displaced persons by establishing what their needs will be on the spot and seeking to make an objective estimate of the actual number of people who could and would be willing to return initially;

12.14. to continue their efforts to achieve a peaceful and permanent settlement of the disputes, on the basis of norms and principles of international law, if necessary calling on the good offices of other countries, including those in the region, and international organisations;

12.15. to develop practical co-operation as regards the investigation of the fate of missing persons and to facilitate the return of identity documents and the restitution of property in particular, making use of the experience of handling similar problems in the Balkans.

13. The Assembly calls on Georgia to grant a more durable status to recognised refugees, including Chechen refugees, to provide them with greater certainty about their future and to facilitate their local integration.

14. The Assembly calls on Azerbaijan to adopt legislation to provide subsidiary protection to displaced persons fleeing war situations, or to persons in need of international protection and who do not have access to the asylum procedure.

15. The Assembly welcomes the full implementation of the 1999 Refugee Law by Armenia, providing for a complementary form of protection, and encourages legislative plans to extend the definition of "refugee" in law to include all persons in need of international protection.