

Recommendation 1667 (2004)¹

Situation of refugees and displaced persons in the Russian Federation and some other CIS countries

Parliamentary Assembly

1. The Parliamentary Assembly recalls its [Recommendation 1334 \(1997\)](#) on refugees, asylum seekers and displaced persons in the Commonwealth of Independent States (CIS), [Recommendation 1544 \(2001\)](#) on the propiska system applied to migrants, asylum seekers and refugees in Council of Europe member states: effects and remedies, [Recommendation 1455 \(2000\)](#) on the repatriation and integration of the Tatars of Crimea, and [Recommendation 1499 \(2001\)](#) on the humanitarian situation of refugees and internally displaced persons (IDPs) from Chechnya.
2. The Assembly notes with satisfaction that the numbers of refugees and displaced persons in the Russian Federation, Ukraine, Moldova and Belarus have decreased considerably over the last few years, mainly as a consequence of the naturalisation process.
3. Furthermore, all the countries concerned have made considerable progress in terms of bringing their national legislation concerning refugees, displaced persons and other migrants in line with international standards.
4. It is, however, regrettable that, although the Russian Federation, Ukraine and Moldova have signed the European Charter for Regional or Minority Languages, none of them have ratified it, despite the Assembly's recommendation to this end. Moreover, Russia and Ukraine have not ratified the European Convention on Nationality.² Yet this convention has explicit provisions concerning non-discrimination and the prevention of statelessness.
5. The Assembly notes that the Russian Federation considers the concept of internally displaced persons, as defined in the 1998 United Nations Guiding Principles on Internal Displacement, as a reference point for elaboration of its migration policy. The Assembly recalls and reiterates its [Recommendation 1631 \(2003\)](#) on internal displacement in Europe, in which it asked the member states to observe these guiding principles and incorporate them into their domestic laws.
6. At the same time, it is a matter of concern that federal or national legislation is not systematically enforced throughout the Russian Federation and the regional or local authorities adopt their own regulations which are in contradiction with national laws and do not meet international standards.
7. The propiska (obligatory residence permit), although formally outlawed in all countries concerned, can be traced in administrative regulations and practice causing undue hardship to the displaced population. It should be totally abolished in accordance with Assembly [Recommendation 1544](#).
8. Statelessness should be eliminated and, more specifically, the Meskhetians living in the Russian Federation deserve urgent regularisation of their status including their being granted Russian citizenship. In this connection the Assembly recalls the obligations of Georgia towards Meskhetians who wish to return to Georgia on a voluntary basis.

1. Assembly debate on 25 June 2004 (24th Sitting) (see [Doc. 10118](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mr Iwinski). Text adopted by the Assembly on 25 June 2004 (24th Sitting).

2. Status as of 10 March 2004.



9. There is an urgent need for clear commitment and political will to tackle migration issues in a positive way in the countries concerned. This implies the elaboration and implementation of short-, medium-and long-term solutions, the setting out of priorities, the preparation of projects on integration and repatriation and the active search for financing in co-operation with the international community.
10. The Assembly reiterates that any repatriation of refugees and displaced persons should be totally voluntary and not based on blackmailing or negative incentives. Reports of alleged pressure on Chechen refugees and Chechen internally displaced persons should be thoroughly verified and, if necessary, appropriate measures to improve the situation should be taken.
11. More efficient integration measures should be elaborated and implemented. This goes together with concrete measures undertaken with a view to combating racism and xenophobia.
12. Reliable statistics concerning well-defined categories of migrants, in accordance with generally accepted international principles, is one of the preconditions of efficient migration policies.
13. The Council of Europe Development Bank has an important role to play. It could be instrumental in improving the situation of refugees, asylum seekers and displaced persons in all the countries concerned.
14. The Assembly is concerned with the possibility of a sharp increase in the number of environmental migrants from Ukraine related to the irregular funding provided by the EBRD for the purpose of the Shelter facility and the radioactivity of the Chornobyl nuclear power plant. It reminds the EBRD of the need to comply with its commitments under the 1995 Ottawa Memorandum of Understanding between the G7, the European Union and the Government of Ukraine on decommissioning the Chornobyl plant.
15. Consequently, the Assembly recommends that the Committee of Ministers:
 - 15.1. monitor closely the observance of asylum-seekers', refugees' and displaced persons' rights in the Russian Federation, Ukraine and Moldova, and especially the principle of non-refoulement;
 - 15.2. urge the Russian Federation, Ukraine and Moldova to review the compliance of their regional regulations and administrative practices with federal or national legislation in the field of migration;
 - 15.3. continue and intensify programmes aimed at improving the situation of different categories of migrants, including awareness-raising and training programmes;
 - 15.4. invite the Russian Federation, Ukraine and Moldova to ratify the European Charter for Regional or Minority Languages as soon as possible;
 - 15.5. call on the Russian Federation, Ukraine and Moldova to:
 - a. observe strictly the fundamental principles of international law concerning the protection of the rights of refugees, asylum seekers and displaced persons;
 - b. elaborate clear migration policies including short-, medium-and long-term solutions for integration and repatriation for the people concerned and actively seek financing in co-operation with the international community;
 - c. undertake concrete measures with a view to combating racism and xenophobia in co-operation with the Council of Europe's Commission against Racism and Intolerance (ECRI);
 - d. collect reliable statistics on well-defined categories of migrants;
 - 15.6. call on the governments of the Russian Federation and Ukraine to join the Council of Europe Development Bank and present concrete projects for financing in the field of migration;
 - 15.7. call on the Government of Moldova to step up its co-operation with the Council of Europe Development Bank and present concrete projects for financing in the field of migration;
 - 15.8. call on the Government of the Russian Federation to:
 - a. respect the concept of internally displaced persons as defined in the 1998 United Nations Guiding Principles on Internal Displacement;
 - b. take appropriate measures regarding the regularisation of the status of Meskhetian Turks;
 - c. ensure that there is no pressure on the Chechen displaced population to return to Chechnya.
16. Moreover, the Assembly recommends that the Committee of Ministers launch an appeal to the Government of Belarus to fully comply with international instruments and standards concerning asylum seekers and refugees.

17. The Assembly calls on:

17.1. the Council of Europe Commissioner for Human Rights to examine existing human rights problems with regard to migrants and displaced persons in the CIS countries concerned, with a view to proposing concrete measures;

17.2. the Council of Europe Development Bank to consider in a positive way possible projects in the field of migration which could be presented by Moldova and to encourage the Russian Federation and Ukraine to become members of the bank;

17.3. the Congress of Local and Regional Authorities of the Council of Europe to step up its co-operation with local and regional authorities of the Russian Federation, Ukraine and Moldova, in particular in the regions inhabited by large numbers of migrants.

18. The Assembly underlines that the co-operation with international organisations and the development of civil society should be considered as an important element of migration policies. In this context it invites the Interparliamentary Assembly of the Commonwealth of Independent States to step up the co-operation with the Assembly in the field of migration in the framework of the agreement on co-operation.