

INTERNATIONAL CONFERENCE ON INTERNAL DISPLACEMENT IN THE RUSSIAN FEDERATION

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CONCLUDING STATEMENT

This conference has been challenged to develop strategies to promote a comprehensive approach to the problem of internal displacement in the Russian Federation. In its two days of discussions, conference participants emphasized that the situation of internal displacement in the Russian Federation represents a formidable humanitarian, human rights, and development challenge. Over the past decade, between 400,000 and 500,000 persons fled their homes in the Republics of Chechnya and Ingushetia and became forcibly displaced within the Russian Federation. Today there are an estimated 491,000 internally displaced persons, 170,000 inside Chechnya, 160,000 in Ingushetia, 20,000 in Dagestan and 20,000 elsewhere in the North Caucasus region; there are also some 106,000 persons, mostly ethnic Russians, displaced during the conflict in Chechnya between 1994-1996, and 15,000 displaced persons in Ingushetia, displaced in 1992 during the conflict over the disputed Prigorodnyi Region of North Ossetia.¹ In addition, conference participants drew attention to the plight of the Meshketian Turks who when deported by Stalin were internally displaced persons. Although no longer so categorized because of the change in state borders, those living in Krasnodar Kray and the Republic Kabardino-Balkaria, although entitled to citizenship in the Russian Federation, are being denied their rights by the local authorities.

Participants identified a broad range of urgent problems facing internally displaced persons in the Russian Federation. These included threats to and violations of their physical security; ethnic discrimination and persecution; lack of access to basic services; inadequate shelter; restrictions on freedom of movement; loss of educational opportunities for displaced children; problems in obtaining identity documents in their current places of residence; and problems in the implementation of federal law concerning property restitution and compensation. It was also noted that the starting point for many of the problems facing the displaced, in particular those who fled from the Chechen Republic after 1999, was the suspension of registration services in March 2001, which denied many and continues to deny many access to humanitarian assistance and basic services. In this connection, participants also noted that humanitarian agencies are hindered in their efforts to provide humanitarian assistance. Reference was also made to the poverty and vulnerability to which the displaced are exposed as a result of being both unable to return to their homes and unable to integrate where they are, which sets them apart from others in the population. In this respect, it was recommended that the authorities pay the same special attention to the needs of internally displaced persons that they do to other vulnerable groups and that the laws of the Russian Federation relevant to the rights of the internally displaced persons be assiduously applied.

¹ Figures, US Committee for Refugees, "Russian Federation", *World Refugee Survey* (2001). Available at: www.refugees.org/world/countryrpt/europe/russian_federation.htm

The difficulties in finding solutions for internally displaced persons were also emphasized. In particular, participants noted the need for recognition of the fundamental principles of non-discrimination and freedom of movement and choice of residence so that the internally displaced could enjoy the full range of "durable solutions" to their plight. While return to their homes of origin is generally the preferred solution to internal displacement, lack of security, lack of housing, and lack of economic opportunity in areas of return have made this solution largely impractical for many. Consequently, and depending on the wishes of the displaced themselves, it was pointed out that solutions must also include integration of internally displaced persons in the areas in which they currently reside as well as resettlement elsewhere within the country.

The proposals made for responding to the challenge of internal displacement in the Russian Federation can be grouped in terms of national, regional and international responses:

At the **national level**, it was emphasized that primary responsibility for the internally displaced rests with the Government of the Russian Federation. However, its role needs to be made far more effective. Above all, there is urgent need for the development of a coherent migration policy, which pays due regard to fundamental human rights standards, as contained in the International Covenants on Human Rights and the European Convention on Human Rights, and that balances respect for individual rights with protection of ethnic and national groups from discrimination. The policy, participants urged, should focus on a number of issues identified at the meeting. Prominent among these is whether dealing with forced migrants uniformly, as is currently the case under the law on forced migrants, is the most effective way of dealing with the problem or whether it would be more effective to distinguish between different groups of forced migrants and in particular separate out internally displaced persons from those comparable to refugees. Many participants noted the special needs and circumstances of internally displaced persons and the neglect of their needs in the overall framework for forced migrants.

A migration policy would seek to promote solutions to the many problems confronting internally displaced persons, including addressing their basic needs and alleviating the poverty they experience as well as protecting them from discrimination and threats to their personal security. A migration policy would also be expected to provide solutions to problems of internal displacement that extend beyond the safe, voluntary and dignified return of the displaced to their places of origin. Indeed, the wishes of the displaced must be taken into account and should include integration in the place in which they currently reside or resettlement elsewhere in the Russian Federation, in accordance with human rights standards of freedom of movement and choice of residence. The need to improve relationships between ethnic and national groups in areas of integration must further be a major component of the policy. The relationship between local and national authorities must also be an important element as well as ensuring that there are uniform standards governing the policies and programs of both. In this regard, the promotion of humane solutions for deported peoples such as the Meshketian Turks would be featured.

The Guiding Principles on Internal Displacement were acknowledged as providing a useful framework for the development of a migration policy. The Principles were also considered a useful tool for reviewing existing national and local legislation and administrative regulations with a view to ensuring that the provisions of these laws and regulations are in accordance with international standards, although it was acknowledged that a number of

the guarantees contained in the Principles are already provided for in existing legislation, among these the 1993 Law on Forced Migrants.

It was suggested that the Office of the Representative of the President of the Russian Federation for Human Rights in the Republic of Chechnya be given a strong role in overseeing migration policy, in particular with regard to addressing violations of the human rights of internally displaced persons.

The development of an effective migration policy as well as additional national and local legislation should involve the active participation of NGOs, civil society and academic experts, in particular in conducting research, monitoring situations, deciding on the components of the policy and in mobilizing broad public support for the contents of the policy. It was suggested that a series of roundtables should be held to bring together government officials and civil society in different regions of the country. Indeed, the need for closer consultations between local and national authorities and non-governmental organizations (NGOs) and civil society were emphasized by many participants. So too was the need to lift the restrictions on the ability of NGOs to function effectively and to gain access to areas of internal displacement. Clearly, the strengthening of civil society and increasing its access should be a key part of migration policy. The importance of the role of the media in highlighting and supporting these efforts was emphasized.

The development of a migration policy would also require the education and training of both host communities and of internally displaced persons so as to improve receptivity for displaced communities and their more effective integration. Training and education of national and local authorities, as well as lawyers and the judiciary, must also be undertaken in the rights of internally displaced persons and in the principle of non-discrimination. NGOs, it was pointed out, could play a strong role in organizing the educational seminars and workshops needed. The Guiding Principles could serve as a framework for training and education seminars.

Further, it was suggested that NGOs could establish a coordination centre to strengthen their own role in monitoring conditions of displacement, mobilizing public opinion and generating international support. In examining the laws and regulations that govern NGO activities, NGOs must seek to ensure that they have sufficient guarantees and space for their organizations to operate.

Another important aspect of a migration policy would be government cooperation with regional and international organizations in order that these organizations complement and support the efforts of national and local authorities to provide assistance, protection and reintegration support for the internally displaced. Strengthened cooperation between the government and international and regional organizations would mean unimpeded access to areas of displacement as well as expanded presence, as needed. As pointed out by one of the participants, restricted access is after all "a man-made problem." The need for more effective efforts to improve the overall security situation would improve the safety of humanitarian workers, who have been subjected in the past to killing, kidnapping as well as other serious threats to their security. While some steps have been taken to redress this problem, the arrest and prosecution of those responsible for such acts should be a government priority.

At the **regional level**, participants urged that the government actively support the efforts and the access of the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe, both of which play important roles with regard to internal displacement within the Russian Federation. In addition, the government should support, as a participating member of these organizations, the greater integration of the issue of internal displacement into the activities of these organizations and the use of the Guiding Principles as the framework for organizational policies and programs for the displaced. Participants recalled that an OSCE special meeting in 2000 recommended that internal displacement be better integrated into the work of the organization and that the Guiding Principles serve as a framework for such activities. In the case of the Council of Europe, the Committee on Migration, Refugees and Demography of the Parliamentary Assembly recently called for a decision by the Committee of Ministers to invite Member States to adopt and include the Guiding Principles on Internal Displacement in national legislation. Further It was suggested, at the regional level, that the CIS process be revisited with a stronger focus on internally displaced persons.

At the **international level**, participants urged the government to facilitate the access of and support the efforts of international organizations to respond to the assistance, protection and reintegration and development needs of the internally displaced. In particular, support should be given to the role of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), which facilitates the coordination of the international response, as well as to the various international organizations and NGOs that carry out vitally needed programs. Participants also expressed the hope that the government would take the necessary steps to facilitate a visit to the North Caucasus by the Representative of the Secretary-General on Internally Displaced Persons so that he might see the problem of internal displacement first-hand and enter into a dialogue with the authorities and other pertinent actors.

Overall, participants underscored that the problem of internal displacement requires a comprehensive approach, encompassing a joint effort by the government, regional and international organizations, NGOs and civil society. Working together, it was felt, would be the most effective way of responding to the urgent needs of internally displaced persons.