



## Resolution 1879 (2012)<sup>1</sup>

# The situation of IDPs and returnees in the North Caucasus region

Parliamentary Assembly

1. The Parliamentary Assembly stresses the continuing importance of addressing the humanitarian aspects of protracted displacement in the North Caucasus. Towards the end of 2011, there were at least 28 450 internally displaced persons (IDPs), 350 000 returned IDPs and 30 000 refugees in the region. Ongoing problems with security (terrorist threats) in some parts of the region remain a major obstacle to obtaining durable solutions for everyone.
2. The Assembly recognises the remarkable efforts undertaken by the federal, regional and local authorities since the Assembly's previous report leading to [Resolution 1404 \(2004\)](#) on the humanitarian situation of the Chechen displaced population. The authorities in Moscow, North Ossetia-Alania and Ingushetia appear to have an increasingly practical and realistic approach to normalising the living conditions of people internally displaced by conflict.
3. However, the authorities' response to internal displacement still needs to be improved. The pervasive problem of lack of accountability and control over spending mentioned in previous reports remains. There has mostly been a narrow focus on housing assistance, which has not always been adequate or consistent.
4. The Assembly acknowledges that the lack of authoritative data on the number and situation of IDPs and returned IDPs poses a major challenge to resolving internal displacement in the North Caucasus. Durable solutions cannot be achieved until accurate data is collected, according to the international definition of IDPs, to determine whether the specific needs and vulnerabilities from displacement persist. Defining, counting and monitoring IDPs is essential to ensuring the response addresses all remaining displacement-related assistance and protection needs.
5. The Assembly remains seriously concerned about the difficulties still faced by people displaced by conflicts in the region. Although 124 700 persons have been paid compensation of 26.43 billion roubles, many have had government support rejected or discontinued. Some also continue to struggle to register at their current residence, which is in practice needed to access certain rights. Many depend on government benefits as their main source of income. Limited income coupled with mostly ineffective property compensation mechanisms for loss of property and inadequate government housing support has meant that most continue to live in substandard housing conditions.
6. The Assembly is concerned that the living standards of these people may continue to worsen if the government response does not improve. United Nations agencies left the North Caucasus at the end of 2011 and will not be initiating any new projects for IDPs there. With the Russian authorities not entirely replacing the work of the United Nations or the funding of exiting donors, IDPs will have fewer organisations to turn to for assistance, and it will be more difficult to monitor the humanitarian situation of IDPs, returned IDPs and refugees.

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1. Assembly debate on 26 April 2012 (17th Sitting) (see [Doc. 12882](#), report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Mr Dendias; and [Doc. 12899](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Ms Beck). Text adopted by the Assembly on 26 April 2012 (17th Sitting).

7. The Assembly notes with optimism that the Russian Federation is wealthy and capable and is in a position to resolve its remaining internal displacement situations. Resolving the protracted displacement situations in the North Caucasus will demand sustained political will and allocation of resources, and may require capacity strengthening of some State institutions. A rights-based process with more transparent procedures, improved communication with IDPs and increased participation of the latter is also indispensable.
8. In light of the above considerations, the Assembly calls on:
  - 8.1. the Russian Federal Government to:
    - 8.1.1. align legislation relating to internal displacement with the United Nations Guiding Principles on Internal Displacement (hereafter Guiding Principles) and Committee of Ministers Recommendation Rec(2006)6 on internally displaced persons, including by using the definition of internally displaced person contained in the Guiding Principles and removing the requirement that to be considered as such they have to have crossed an internal border;
    - 8.1.2. conduct a survey, using the definition of internally displaced person in the Guiding Principles, to determine the current number, location and needs of people internally displaced from and within Chechnya and North Ossetia-Alania as a result of conflict, as well as the outstanding issues which require action to achieve durable solutions;
    - 8.1.3. prepare and implement an action plan with adequate financial resources to address all the outstanding displacement-related issues of IDPs, as determined by the national survey mentioned above, and ensure that the needs and rights of IDPs guide all policies and decisions;
    - 8.1.4. ensure that the amount of compensation for destroyed property is sufficient to purchase, build or rebuild housing, including by taking measures to eliminate demands for kickbacks;
    - 8.1.5. make job creation and construction of social housing a priority within the Strategy for Social and Economic Development of the North Caucasus Federal District through 2020 and ensure that people internally displaced as a result of the conflicts in Chechnya and North Ossetia-Alania have facilitated access to these initiatives as well as to professional retraining opportunities and micro credits for income-generating projects;
    - 8.1.6. abolish residence registration in policy and practice, in accordance with the Russian Federation's accession commitments to the Council of Europe (Assembly [Opinion 193 \(1996\)](#) on Russia's request for membership of the Council of Europe and [Recommendation 1544 \(2001\)](#) on the *propiska* system applied to migrants, asylum-seekers and refugees in Council of Europe member states: effects and remedies);
    - 8.1.7. increase oversight and transparency of budgetary spending in the republics of the North Caucasus by making federal transfers on the basis of the necessary criteria published in the development plans and by reporting on benchmarks; make particular efforts to eradicate corruption along the lines of the recommendations of the Group of States against Corruption (GRECO);
    - 8.1.8. stabilise the security situation in the region in a manner that is in line with international human rights standards and ensure that the conflicts are effectively resolved;
    - 8.1.9. put an end to the impunity of perpetrators of serious human rights violations, including murder, enforced disappearances and torture, in particular by strengthening federal oversight of the activities of regional security and law enforcement bodies and by scrupulously implementing the numerous judgments of the European Court of Human Rights;
    - 8.1.10. take adequate steps to ensure the independence of the national human rights mechanisms in the North Caucasus, and support their continuous capacity to monitor the human rights situation of IDPs and the implementation of the government's obligations and commitments towards IDPs;
    - 8.1.11. facilitate the work of non-governmental organisations (NGOs) and other organisations working on IDP-related issues in the region;
    - 8.1.12. continue availing itself of the assistance of relevant international institutions, particularly the United Nations, for the implementation of the recommendations in this report, including the survey of the situation of IDPs and the action plan;

8.2. the Government of the Chechen Republic to:

8.2.1. where closing hostels accommodating people who were internally displaced by conflict cannot be avoided, do so gradually, whilst rigorously applying a procedure that adheres to international norms;

8.2.2. consider purchasing housing on the real estate market or facilitating access to municipal housing with secure tenure for people with no permanent housing as a result of the conflicts and no possibility to return to their original residence;

8.2.3. speed up the process of paying compensation for destroyed property;

8.2.4. increase and diversify the range of stable jobs available and give priority to local companies and workers for jobs rather than hiring foreign companies to work locally;

8.2.5. ensure that the NGOs working on human rights and humanitarian issues in the republic, including on the rights of IDPs, can work freely and without intimidation or impediments; fully investigate and prosecute all criminal acts directed against such human rights defenders as well as against returnees, including former prominent representatives of previous governments;

8.2.6. refrain from intimidating or pressuring Chechen refugees living in other parts of the Russian Federation or abroad to return to the Chechen Republic and to publicly swear allegiance to the current authorities; fully investigate the circumstances of the murder of Umar Israilov in Vienna and also prosecute the instigators and organisers of this crime;

8.3. the Government of the Republic of Ingushetia to:

8.3.1. ensure that the socio-economic development programme for 2012-2016 effectively addresses the housing issues facing IDPs, including by offering varied solutions in line with the settlement wishes of IDPs;

8.3.2. facilitate access to municipal housing with secure tenure for people internally displaced from the Chechen and North Ossetia-Alania Republics who have no permanent housing or forced migrant status, in areas determined according to their settlement wishes;

8.3.3. ensure that temporary settlements housing those displaced are not closed before a solution regarding alternative accommodation and resettlement support have been made available to residents, and ensure that the latter are clearly informed about the process and have the opportunity to participate in the decision-making process;

8.4. the Government of the Republic of North Ossetia-Alania to:

8.4.1. pursue the process of reconciliation more vigorously, especially in the areas of return or settlement of people displaced by the 1992 conflict, by fostering a political and cultural climate of respect, tolerance and non-discrimination;

8.4.2. implement a mechanism to resolve the secondary occupation of the homes of people who were internally displaced by the 1992 conflict and wish to return;

8.4.3. speed up the process of payment of housing support to people whose property was destroyed during the conflict;

8.4.4. facilitate access to official documentation for people internally displaced by the 1992 conflict and refugees, in particular for the residents of the new settlement areas in Novy and Maiskii;

8.4.5. make every effort to resolve the critical housing situation of the ethnic Ossetian refugees from the conflicts in Georgia in the early 1990s, through either federal or regional funding or international donors.

9. The Assembly acknowledges the extensive work done by local and international agencies and NGOs in the region over the years. This has contributed to the protection of forcibly displaced groups in the North Caucasus and to some degree eased the pain of protracted displacement. The Assembly encourages these organisations to keep their offices in the region open, continue improving the lives of displaced persons and support the government in meeting its primary responsibility, which is to protect and assist displaced persons.

10. The Assembly invites the member States to provide expertise and assistance to the Russian Federation in conducting a comprehensive survey on the current number of people displaced from and within the Chechen and North Ossetia-Alania Republics, their location and displacement-related assistance and protection needs, and to co-sponsor possible projects to improve the housing situation of IDPs in the region through the Council of Europe Development Bank.