

PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION
PABSEC

THE NINTH PLENARY SESSION OF THE GENERAL ASSEMBLY

Doc.: GA 2917/97

RECOMMENDATION 21/1997¹

**the Rights and Social Protection of Refugees and Displaced Persons
in the Black Sea Region**

1. Recalling its Recommendation 14/1996 on Social Guarantees during the Transition Period in the PABSEC Member Countries, the Assembly notes with grave concern the dramatic social implications of refugee and migration flows that have accompanied the collapse of the totalitarian systems, the transition period and the emergence of new nation states in the Black Sea region.
2. Increased migration flows in the Black Sea region have been brought about by various causes, from violations of human rights, armed conflicts and ethnic tension to social and economic deterioration, environmental degradation and natural and technological disasters.
3. Movements of a scale unprecedented since the Second World War have been taking place within the Commonwealth of Independent States following the dissolution of the former Soviet Union into fifteen separate states and aggravated by the hardships of the transition period.
4. Illegal migration has become a serious problem for the countries of the Black Sea region. International cooperation is imperative, both at bilateral and multilateral levels, in order to combat illegal migration and international organised crime often related to it, such as trafficking in persons and illegal drugs and arms trafficking.
5. The Assembly believes that the exercise by all of human rights, fundamental freedoms, as well as of economic, social and cultural rights, will promote political and social stability and will thus remove one of the basic causes of involuntary migration flows.
6. The states should strictly observe the principle of peaceful settlement of disputes while making full use of OSCE instruments and mechanisms for conflict prevention and resolution. In this context, the Assembly welcomes the initiative of the President of Georgia 'For a Peaceful Caucasus' and other initiatives aiming to settle existing conflicts, thus contributing to the solution of the problems of refugees and displaced persons.
7. Respecting the rights of national minorities and recognising the necessity of obligatory and unconditional observance of this principle in accordance with the international obligations of the PABSEC Member Countries, the Assembly condemns separatism and the policy of discrimination of national minorities as the sources of destabilisation in the region and the

¹The Assembly debate on 19 June, 1997 (See Doc.GA 2916/97 - Report on the Rights and Social Protection of Refugees and Displaced Persons in the Black Sea Region, adopted by the Cultural, Educational and Social Affairs Committee at its Eighth Meeting in Rize on 9 April 1997; Rapporteur: Mr. Fiodor Angheli)

factors threatening the national security of each of the PABSEC Member Countries and the region as a whole, and considers unacceptable the ideology and policy abetting separatism.

8. The Assembly takes note with satisfaction of the results of the “Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States”, which was held in Geneva on 30-31 May 1996, at the request of the UN General Assembly, under the auspices the UN High Commissioner for Refugees, the International Organization for Migration and the Organisation for Security and Co-operation in Europe and which was attended by delegations of 87 States, including most of the PABSEC member countries. The Assembly expresses its support to the Programme of Action adopted by the Conference and its willingness to contribute to the Conference follow-up process which will continue until the year 2000.
9. The Assembly calls upon the Parliaments and Governments of the PABSEC Member Countries to implement in practice all necessary measures aimed at the realisation of the right of refugees and displaced persons to the return to their homes and to the restitution of their properties.
10. The Assembly appreciates the efforts of international organisations, including inter-parliamentary bodies such as the Parliamentary Assembly of the Council of Europe and the OSCE Parliamentary Assembly, making a constructive contribution to finding viable solutions to migration problems in the Black Sea region.
11. The Assembly welcomes the steps already taken by the PABSEC Member Countries in addressing problems of refugees and migration. However, it notes that these problems remain far from being resolved and warrant further comprehensive measures.
12. **Therefore, the Assembly recommends** the Parliaments and Governments of the PABSEC Member Countries:
 - i. to take steps to accede to international and European legal instruments in the field of human rights, such as:
 - the 1966 International Covenant on Civil and Political Rights;
 - the 1966 International Covenant on Economic, Social and Cultural Rights;
 - the 1950 European Convention on Human Rights (Convention for the Protection of Human Rights and Fundamental Freedoms) and its Protocols;
 - the 1951 Geneva Convention relating to the Status of Refugees and its 1967 New York Protocol;
 - the 1954 Convention relating to the status of Stateless Persons;
 - the 1961 Convention on the Reduction of Statelessness;
 - the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - the 1965 Convention on the Elimination of All Forms of Racial Discrimination;
 - ii. to speed up the process of adoption or revision of the national legislation and administrative procedures in conformity with the above mentioned legal instruments and other respective international commitments;
 - iii. in doing so, pay a particular attention to establishing refugee status determination procedures, ensuring assistance to refugees in seeking asylum and prohibiting refoulement, in keeping with the provisions of the Geneva Convention relating to the Status Refugees and its 1967 Protocol;
 - iv. to step up efforts to establish or to strengthen appropriate governmental bodies for migration management. To this end, a national-level governmental agency could be established, which in addition to operational responsibilities, would develop migration policy and coordinate all relevant governmental structures.
 - v. to take all possible measures, at the national level and in cooperation with other countries and international organisations to address the economic, legal, social and cultural needs of refugees and displaced persons; in order to ensure the social and

- economic protection to refugees and displaced persons, to lay emphasis on job-creation while providing humanitarian aid to these persons;
- vi. to develop strategies in order to prevent massive migration flows, through protection of human rights including protection of the rights of minorities, measures to reduce statelessness, prohibition of all forms discrimination, social and economic policies aiming to prevent poverty and ensure social stability, as well as measures to prevent environmental degradation;
 - vii. to promote cooperation, including the conclusion of bilateral and multilateral agreements, among the PABSEC Member Countries in the field of migration, as regards in particular providing the unimpeded transit of humanitarian aid through the Member Countries, voluntary repatriation of refugees, harmonisation of border crossing procedures, protection of rights of migrant workers, and return of formerly deported peoples;
 - viii. to coordinate measures to prevent and suppress illegal migration, trafficking in persons and other criminal activities related to illegal migration; to this end, consider concluding bilateral and multilateral agreements, particularly within the framework of the BSEC Meeting of the Ministers of Internal Affairs;
 - ix. to further develop cooperation with international organisations, first of all, with the Office of the UN High Commissioner for Refugees and the International Organization for Migration; to provide full support to the implementation of the Programme of Action adopted by the Geneva Conference on 30-31 May 1996;
 - x. to support the initiative to create a unified United Nations agency for the Caucasus, along the lines of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, with a broad mandate in the dissemination of information, social welfare and humanitarian affairs;
 - xi. to encourage and facilitate the contribution of non-governmental organisations to finding solutions to population migration problems.

13. **The Assembly invites** the BSEC Meeting of the Ministers of Foreign Affairs to consider this Recommendation.