

CIS Treaty on Support to Refugees and Forced Migrants (1993)^{1*}

24 September 1993

The States-signatories to this agreement, referred to below as Parties,

Guided by the generally accepted principles of international law and humanism,

Confirming their obligations in accordance with the international agreements aimed at the protection of human rights,

Bearing in mind the critical situation in connection with the increase in the number of migrants and refugees within the territory of the former USSR,

Acknowledging their responsibilities for the fates of people experiencing hardships and deprivations, and acknowledging the need to extend aid to refugees and forced migrants,

Have agreed to the following:

Article 1

For the purposes of this Treaty a refugee is an individual who is not a national of the Party granting asylum, who was forced to abandon the place of his permanent residence on the territory of another Party as a result of violence or persecution in various forms against himself or members of his family, or because of a real threat of persecution on the basis of his racial or national origin, religious faith, language, political convictions, or affiliation with a certain social group in connection with armed and international conflicts. An individual who has committed an offence against peace, humanity or some other premeditated criminal act cannot be recognized as a refugee.

Article 2

For the purposes of this Treaty, a forced migrant is an individual who, being a national of the Party granting asylum, was forced to abandon the place of his permanent residence on the territory of another Party as a result of violence or persecution in various forms against himself or members of his family, or because of a real threat of persecution on basis of racial or national origin, religious faith, language, political convictions or

¹ Law as found in *The Guiding Principles on Internal Displacement and the Law of the South Caucasus: Georgia, Armenia, Azerbaijan*, Roberta Cohen, Walter Kälin, and Erin Mooney, eds. In *Studies in Transnational Policy* No. 34 (American Society of International Law, June 2003)

* Georgia is the only member of the Commonwealth of Independent States which is not a party to this Treaty. The translation is by Heather F. Hurlburt. Azerbaijan ratified the CIS Treaty in October of 1993. Russia ratified the CIS Treaty on 11 November 1994. Ratifications by other parliaments were not confirmed.

affiliation with a certain social group in connection with armed and international conflicts.

Article 3

The status of a refugee or forced migrant is determined according to this Treaty, generally accepted norms or international law and the legislation of the Party which granted asylum and is confirmed by the issuance of appropriate documentation.

Article 4

States of departure, with the help of interested Parties, are to carry out the evacuation of the population from zones of armed and inter-ethnic conflicts, granting them the opportunity of unhindered and voluntary movement to the territory of one of the Parties on the grounds specified in Article 1 and Article 2 of this Treaty, to ensure the personal and property security of evacuees, to strive for a cease-fire and to observe public order during such evacuation.

Article 5

The Parties providing asylum assume the following obligations:

To ensure the availability of necessary social and household services for refugees and forced migrants with job placement, in accordance with legislation on employment of each respective Party.

Article 6

The Parties take upon themselves the following obligations:

To assist refugees and forced migrants with their demands and with acquiring documents necessary for the resolution of questions relating to citizenship;

To assist refugees and forced migrants with the acquisition of residence certificates of marriage, birth, curricula vitae and other documents at their place of former residence that are needed to resolve issues connected with pensions, confirmation of labour history, travel abroad, etc.;

To provide assistance with the acquisition of certificates on relatives residing in the state abandoned by the refugee or forced migrant, as well as on the property left behind there.

Article 7

The state of departure shall reimburse refugees and forced migrants for the value of housing and other property left behind or lost by them on its territory, and compensate

damage to health and loss of income. The amount of material compensation is determined on the basis of evaluation by the state of departure.

The procedure for personal and real property lost by refugees and forced migrants and the determination of material damage and payments of compensation is determined jointly by the interested Parties.

Article 8

The parties will create an interstate Fund for Aid to Refugees and Forced Migrants.

The conditions, order of formation, and utilisation of the Fund's assets will be determined by a statute that will become an intrinsic part of this Treaty.

Article 9

The Consultative Council for Labour, Migration, and Social Protection of the Population of Commonwealth of Independent States will provide practical assistance with the realisation of the provisions included in this agreement.

Article 10

Every refugee and forced migrant has the right to appeal to courts within the territories of the Parties.

Article 11

The Parties shall take measures to ensure their participation in international agreements on problems of refugees and forced migrants.

The Parties shall bring national legislation into accord with international norms in this sphere.

Article 12

This Treaty is subject to ratification.

This Treaty goes into effect after deposit of the third instrument of ratification with the depository. In the case of Parties that ratify the agreement later, it goes into effect on the date of deposit of ratification by these parties.

Article 13

Any Party may denounce this Treaty by means of written notification submitted to the depository. The Treaty terminates for that Party six months after the date of receipt of such application by the depository.

Article 14

This Treaty, with the consent of all Parties, is open to other states sharing its principles and goals, which may join the Treaty by submitting documents on such affiliation to the depository. Affiliation is considered to be effective on the day the depository receives notification concerning agreement to such affiliation.

This Treaty is concluded in the city of Moscow on 24 September 1993, in Russian (single original). The original is deposited in the Archive of the Government of Republic of Belarus, which shall send certified copies of the Treaty to the state-signatories.

This treaty has been signed by the heads of states of:

The Republic of Armenia
The Republic of Azerbaijan
The Republic of Belarus
The Republic of Kazakhstan
The Republic of Kyrgyzstan
The Republic of Moldova
The Russian Federation
The Republic of Tajikistan
Turkmenistan
Ukraine
The Republic of Uzbekistan