

CIS AGREEMENT ON AID TO REFUGEES AND FORCED MIGRANTS

Signed on 24 September 1993 by Azerbaijan, Armenia, Belarus, Kazakhstan, Kyrgyzstan,
Russia, Tajikistan, Turkmenistan, and Uzbekistan

The States – Parties to this Agreement, hereinafter referred to as “the Parties”.

Based on universally recognized principles of international law and humanism,

Reaffirming their commitments to the international agreements aimed at protecting human rights,

Taking into account the critical situation which has arisen in connection with the growing number of migrants and refugees on the territory of the former Union of SSR,

Being aware of the responsibility for the destinies of the people who experience hardship and privation,

Recognizing the need to render assistance to refugees and forced migrants,

Have agreed as follows:

Article 1

For the purposes of this Agreement a refugee shall be a person who, not being a citizen of the Party which has granted asylum, has been forced to leave his/her permanent place of residence on the territory of another Party because he/she or members of his/her family have been subjected to violence or persecution in other forms or a real threat of persecution on grounds of race or nationality, religion, language or political convictions as well as belonging to a certain social group in connection with armed or ethnic conflicts.

A person who has committed a crime against peace, humanity or other premeditated crime may not be regarded as a refugee.

Article 2

For the purposes of this Agreement a forced migrant shall be a person who, being a citizen of the Party which has granted asylum, has been forced to leave his/her permanent place of residence on the territory of another Party because he/she or the members of his/her family have been victims of violence or persecution in other forms or under real threat of being subjected to persecution on grounds of race or nationality, religion, language, political convictions, as well as belonging to a certain social group in connection with armed and ethnic conflicts.

Article 3

The status of refugee and forced migrant shall be determined in accordance with this Agreement, the universally recognized standards of international law and the legislation of the Party which has granted asylum, and shall be validated by the issuance of a corresponding document.

Article 4

The state which the refugee or forced migrant is leaving shall, with the assistance of interested Parties:

Evacuate the population from areas of armed and inter-ethnic conflicts, providing conditions for unimpeded voluntary exit to the territory of one of the Parties on grounds stipulated in Article 1 and Article 2 of this Agreement;

Ensure the safety of persons and property of the evacuees seeking to bring about a ceasefire and maintain law and order during the evacuation;

Issues of financial, material-technical, food, medical and transport support of evacuees shall be settled between the Parties concerned.

Article 5

The Party which grants asylum shall undertake to:

Provide the necessary social and welfare conditions for the refugees and forced migrants in places of their temporary accommodation;

Assist refugees and forced migrants in getting employment in accordance with the employment legislation of each of the Parties.

Article 6

The Parties shall undertake to:

Assist refugees and forced migrants in filing requests and obtaining the document required to resolve issues of citizenship;

Assist refugees and forced migrants in obtaining, in their former place of residence, certificates of marriage, birth, work records and other documents required to resolve the issues of the provision of pensions, to document seniority, to travel abroad, etc.;

Assist in obtaining information on relatives living on the territory of the state left by the refugee or forced migrant as well as on his/her property left there.

Article 7

The state of exit shall compensate refugees and forced migrants for the cost of the housing and other property left behind or lost on his/her territory and compensate damage to the leath and due to loss of livelihood. The size of material compensation shall be determined at the rates of the state of exit.

The procedure of evaluating the movable and immovable property which was lost by the refugees and forced migrants, the extent of material damage and size of compensation shall be determined jointly by the Parties concerned.

Article 8

The parties shall create an inter-state Fund In Aid of Refugees and Forced Migrants.

The terms, procedure of the formation and use of the Fund's assets shall be determined by a Statute which shall constitute an inseparable part of this Agreement.

Article 9

The consultative council for the employment, migration and social protection of the population of the states -- members of the Commonwealth of Independent States shall render practical assistance in the implementation of the accords reached under this Agreement.

Article 10

Each refugee or forced migrant shall have the right to appeal to law courts on the territory of the Parties.

Article 11

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

The Parties shall bring their national legislation in line with the international legal norms in this domain.

Article 12

This Agreement shall be subject to ratification.

The Agreement shall come into force upon the submission of a third instrument of ratification for custody to the depositary. For the Parties which have ratified it later, it shall come into force on the day they deposit their instruments of ratification.

Article 13

Any of the Parties may abrogate this Agreement through written notification sent to the depositary. The Agreement shall terminate for such Party 6 months after the depositary shall have received such notification.

Article 14

This Agreement, with the consent of all the Parties, shall be open for accession to other states which share its goals and principles through the submission to the depositary of documents on such accession. Accession shall be deemed valid from the day the depositary shall receive the last message of consent to such accession.

DONE in the city of Moscow on September 24, 1993, the authentic copy being in Russian. The authentic copy shall be in custody of the Government of the Republic of Belarus which shall send a certified copy thereof to the states which have signed this Agreement.