

UNHCR background note  
 Refugees in North Ossetia-Alania: Current legal status

7/7-03

1. General Information

The Republic of North Ossetia-Alania (NOA) is one of the subjects of the Russian Federation with the highest concentration of migrants. As of 1 May 2003, there are 30, 567 refugees and/or forced migrants officially registered as such by the Department of Migration Issues Ministry of Interior of North Ossetia under the Laws of the Russian Federation "On Refugees" and "On Forced Migrants".

2. Official Statistics of the Migration Department of NOA as of May 2003

No	Region	Total	Refugees	Forced Migrants
1	Georgia (South Ossetia and Abkhazia inclusive)	24 836	9 618	15 218
2	Zone of Ossetian - Ingush conflict	505	-	505
3	Chechnya	1 622	-	1 622
4	Tajikistan	2 393	568	1 825
5	Uzbekistan	451	101	350
6	Azerbaijan	206	78	128
7	Kazakhstan	194	27	167
8	Others	360	20	340
9	<b>TOTAL</b>	<b>30 567</b>	<b>10 412</b>	<b>20 155</b>

N.B.: In addition to those displaced persons from Chechnya who obtained forced migrant status (mainly from the first 1994-96 conflict), some 7,710 IDPs of the current conflict from Chechnya (since September 1999) are registered under Form # 7 (not included in the above table since they are not in possession of forced migrant status).

The vast majority of refugees and/or forced migrants from all the above-mentioned regions are ethnic Ossets from Georgia except for displaced persons from Chechnya who are mainly of Russian ethnicity.

3. Refugees from Georgia

A mass influx of refugees from Georgia, mainly South Ossetia, to the Republic of North Ossetia - Alania took place in 1991-1992 as a result of armed conflict. After the official collapse of USSR and election of Zviad Gamsakhurdia as Georgia's first president in May 1991, a serious internal strife started in Georgia. The fighting between ethnic Ossets and Georgians started in 1989-90 and continued until 1992 when a peacekeeping force of mostly Russian troops was deployed. As a result of the conflict, thousands of ethnic Ossets who lived in Georgia and predominantly Georgian villages of South Ossetia fled to North Ossetia-Alania, where the majority stayed either with relatives/ friends or in rented apartments. About 30% were accommodated in hostels, sanatoriums, hotels, pioneer camps, tourist centers etc.

The total number of recognized refugees from Georgia (who remained in North Ossetia-Alania beyond 1995) was 45,000 persons. Many of them did acquire Russian citizenship since then. According to the Department for Migration Issues of Ministry of Interior of the Republic of North Ossetia-Alania, there are 9,618 persons still holding refugee status as of May 2003.

Out of those who acquired RF citizenship, 15,218 individuals applied and were further granted forced migrant status under the Federal Law "On Forced Migrants". Despite the fact

that these persons have Russian citizenship, many of them still face integration problems, with residence registration, access to permanent housing, etc.

Within the Georgian caseload one can distinguish certain groups:

- 1) Persons who received refugee status and hold it up to date;
- 2) Refugees who further acquired Russian citizenship (some of whom applied and were granted forced migrant status under the RF Law on Forced Migrants);
- 3) Persons in a refugee-like situation, i.e. who were not granted refugee status and who did not manage either (as former USSR citizens) to acquire RF citizenship.

According to the Children's Fund (UNHCR's implementing partner), about 6,000 persons reside in some 65 collective centers. These collective centers are primarily state buildings like hostels, hotels and former recreational centers. Refugees in these centers have faced many eviction threats since 1991 and hope for implementation of durable solutions by means of local settlement.

Out of the 6,000 persons, 85 % did acquire Russian citizenship and some of them received forced migrant status. About 10 % still hold refugee status and the rest (approx. 5%) are those without refugee status and/or Russian citizenship.

Durable solutions:

Since 1997, UNHCR implements a voluntary repatriation program for refugees willing to return to the places of their former residence in Georgia. However, only 472 refugee families have opted for repatriation during these years. Some of the reasons for limited repatriation movements are the following:

- perceived lack of security;
- poor economical and social conditions;
- lack of educational establishments with teaching in Russian language.

In order to update the profile of the refugee caseload, UNHCR and the Children's Fund have conducted a survey, the results of which clearly show the desire among refugees of locally integrating in North Ossetia-Alania, Russia. Starting from 2000, when a significant number of refugees were evicted from two privatized collective centers, UNHCR, in cooperation with the Government of North Ossetia-Alania, initiated a local integration program targeting in priority refugees in collective centers.

Under this program, UNHCR is supporting the construction of individual housing for the extremely vulnerable refugees who are under threat of eviction from the collective centers. By the end of 2002, some 60 families (212 persons) received permanent housing, including registration at their place of residence. Some 70 additional families are identified as beneficiaries in the village of Komsomolskoye in Kirovsky district.

Legal issues:

- 1) Registration at the place of sojourn and/or place of residence:

Registration at the place of residence is issued by the district Departments of Internal Affairs of MoI in accordance with the Rules "On Registration and De-registration of the Citizens of RF on the Places of their Temporary and Permanent Registration within the RF" adopted by the Regulation of the Government of the RF No. 713 dated 17/07/95. The majority of refugees and/or forced migrants do have permanent registration, but one issue of concern is that most of them do not live at their place of registration, since they have obtained it without the right to reside (meaning that in the written consent to register somebody, the landlord states that one does not have a right to live or aspire to ownership). In the meantime, the

registration at the place of residence has turned out as a negative factor as refugees face the threat of eviction from collective centers on the ground that one has to reside according to the issued registration.

Those who do not have registration at the place of sojourn / residence on the territory of NOA face problems such as:

- a) No access to the regular job market without registration;
- b) Difficulties in access to social benefits (pensions, allowances etc.);
- c) Absence of registration creates difficulties with militia (since it is considered as a violation of passport-visa regime of the RF) and gives no possibility to move out of the Republic.
- d) Absence of registration creates major problems for those who do not have refugee status and wish to obtain RF citizenship.

It should be noted, however, that those who do not have registration generally have access to health services and education. The main reason why these people do not have registration is that they do not have any regular shelter or relatives where they could be registered. In this regard, the Counseling Center of the Children's Fund renders legal assistance to those facing problems in accessing the labor market and education due to the lack of registration. However, not much can be done to assist refugees in getting residence registration itself as it is linked with the availability of permanent housing.

## 2) Citizenship:

During the period of validity of the previous 1992 RF Law "On Citizenship", the Counseling Center worked out and used an efficient system of providing legal assistance to the refugees facing problem in obtaining citizenship through court proceedings. With the assistance of the Counseling Center, about 700 cases were submitted to the courts, considered positively and people were subsequently "recognized" as RF citizens.

The new RF Law "On Citizenship" entered into force in July 2002. It establishes a new procedure for obtaining citizenship, the first step of which being the obtention of a residence permit. Starting from 1 May 2003, the Passport-Visa Services departments started processing applications for acquisition of citizenship. In the coming months, one main direction of the Counseling Center's activities will be to provide legal assistance to refugees willing to obtain RF citizenship.

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