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Asylum Seekers, Refugees and Internally Displaced Persons (IDPs) in Georgia: the challenges of social cohesion

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Introduction

Since the 1990s, Georgia has been facing one of its most severe problems: the resettlement and socio-economic integration of internally displaced persons from Abkhazia and Tskhinvali region who fled as a result of internal armed conflicts. Over the past few years, the number of IDPs has increased due to the inflow of foreign nationals seeking to obtain either a refugee or a humanitarian status. These numbers have further increased following the obligation assumed by the authorities of Georgia to repatriate the Meskhetian Turks exiled in an organized way from Georgia in 1944.

Although the definition of internally displaced persons provided in the legislation of Georgia does not include ecological migrants displaced due to the natural calamities, this explanatory note will also touch upon the issues of resettlement of eco-migrants along with the complex task of resettlement of the Meskhetian Turks and IDPs from Abkhazia and Tskhinvali region as well as the unified state approach to address their problems.

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Internally Displaced Persons (IDPs)

The armed conflicts that took place in Georgia in the early 1990s were followed by a forced relocation of population from Abkhazia (in 1992-1993) and Tskhinvali region (in 1989-1992). As a result of the military aggression in August 2008, 26,000 more persons became IDPs in their own country. According to the statistics provided by the Ministry of IDPs from the Occupied Territories, Resettlement and Refugees of Georgia, over 265,000 IDPs (comprising approximately 6 percent¹ of the total number of the country's population) from the above two regions have been registered in Georgia.

The Law of Georgia on the Internally Displaced Persons from the Occupied Territories of Georgia was adopted in 1996 (#335, 28.06.1996). The same year, the Ministry of IDPs and Resettlement of Georgia that comprises two main departments, the department of the issues of IDPs and the department of migration issues, resettlement and refugees, was established.

Following the initiative of the international organizations in 1999, the approach towards the IDPs started to change, and the humanitarian aid began to be substituted gradually by the programs oriented towards development and self-sustainability. This notwithstanding, no official document was adopted until 2007, which provided a unified state approach for the solution of the problems related to the IDPs. While planning and implementing programs relevant to the IDPs, the government of Georgia, as well as international and non-governmental organizations involved in the process, lacked coordination.

On February 23, 2006, a special governmental commission was set up. The responsibilities of the commission included preparation of proposals for the purpose of elaboration of a state strategy and policy for internally displaced persons, as well as organization and coordination of the implementation of the strategy. The Ministry of Refugees and Resettlement of Georgia² was identified as the leading state agency charged with respective responsibility and coordinating functions.

¹ The number of registered IDPs as of April 2012. Available at <http://mra.gov.ge/main/GEO#section/50>, date of access September 10, 2013.

² Ministry of refugees and Resettlement was retitled the Ministry of IDPs from the Occupied Territories, Resettlement and Refugees following the Russia-Georgia war in August 2008, after Abkhazia and South Ossetia have been recognized as occupied territories by the resolution of November 17 2011 approved by the European Parliament.

The coordinated work performed by the commission resulted in the adoption of the State Strategy for Internally Displaced Persons (Governmental Decree #47, 02.02.2007). This document has identified two major goals of the state: a) Ensuring appropriate conditions for a dignified safe return and support for those IDPs, who had returned to the place of their permanent residence spontaneously; b) Ensuring the maintenance of living conditions of the displaced persons and assisting them in their integration into the public life in the country.

The Action Plan for the Implementation of the State Strategy for Internally Displaced Persons approved by the Decree N489 of the Government of Georgia on July 30, 2008 has been based on the priority needs identified as a result of the analysis of the common needs of the Organization of United Nations and the World Bank. The Action Plan is subject to an annual update, based on an independent interim evaluation.

The Action Plan has determined the creation of equal legal, political, socio-economic conditions for the IDPs and other citizens of Georgia. Despite this, the IDPs have not been fully integrated into the society. Following the armed conflicts, a certain number of IDPs settled in the compact resettlement centers, or collective centers, while the rest of IDPs have found shelter individually, including living in the apartments of their relatives, friends or in the flats either rented or purchased under the state program. Nowadays, approximately 45% of the IDPs reside in the collective centers while the remaining 55 % live in the residential spaces obtained individually. A majority of IDPs live in the territory adjacent to the zone of conflict- in Megrelia Region (34%), Gori District (6%), Imereti Region (10%) and Tbilisi (37%). The rest of the IDPs have scattered across the entire territory of Georgia.³

The IDPs residing in the compact settlements are less integrated into the local community. Around two fifth of them maintain relationships mainly with the displaced families. The situation is rather different with the IDPs living in the private settlements where only a small portion of the IDPs interact with the IDPs mainly, while the rest of IDPs interact with the local population. School-age children (96% of whom go to public schools) are well integrated⁴ throughout the entire country. There have been some cases of confrontation between the IDPs resettled on the territories inhabited by ethnic minorities and the local community because ethnic minority representatives feel threatened by the newcomers.⁵

The housing conditions for the considerable section of the IDPs are still rather poor both in terms of residential space and living conditions. The problem of unemployment has been especially severe amongst the internally displaced persons. Throughout the country, only 31% of the displaced working-age population has been employed. Respectively, displaced families have been characterized by a high intensity of labour migration.⁶ The duration of labour migration is rather long, with migrants from the displaced families remaining in migration for some 8,2 years on average.⁷

Most donors (GIZ, CARE, USAID, EU, SIDA, UNDP, DRC, UNCHR, TIKA, etc.) cooperate actively with the government of Georgia in order to achieve the goals set forth in the Action Plan. They have been engaged into several major projects, which, inter alia, include the following: the rehabilitation of collective residential centers for the IDPs; construction of individual cottages and new dwelling houses; purchase of private houses in rural areas; rehabilitation of temporary shelters; granting monetary compensations; legal consultations; strengthening of local civic organizations; awarding small grants for entrepreneurial activities; restoration of infrastructure; implementation of

³ Introduction to the State Strategy for IDPs. Ministry of IDPs from the Occupied Territories, Refugees and Resettlement of Georgia. Available at http://mra.gov.ge/UploadedFiles/strategy/State_Strategy_on_IDPs_GEO.pdf date of access September, 2013.

⁴ On the living and socio-economic conditions of internally displaced persons. SIDA-DRC, 2008. (Geo.)

⁵ Baseline Survey of the IDP Settlements and their Neighbouring Communities in Kvemo Kartli and Shida Kartli. For: Stabilization and integration of IDPs into mainstream Georgian Society Project (SIIMS). CARE, CRRC, 2009 (Geo, Eng).

⁶ *Internally Displaced Persons in the Georgian Labour Market*. Migration Research Center. Tbilisi, 2012.

⁷ *On the living and socio-economic conditions of internally displaced persons*. SIDA-DRC, 2008.(Geo.)

vocational training and retraining programs, medical programs and programs for psychological and social assistance; provision of services related to social housing; conduction of an awareness raising campaign, and the increase of the involvement of IDPs.

Despite the efforts made by the authorities of the country and the international community, only one third of the IDPs express satisfaction with the results of the long-term resettlement today. Respectively, this general disappointment is followed by social passivity, lack of initiative and dependence on the external assistance amongst the majority of the IDPs. This has been a major problem in terms of both their social integration and their prospective return to the places of permanent residence.

Eco-migrants

In 1998, the UN Guiding Principles on internal Displacement proposed a definition of IDPs that also includes individuals affected by natural calamities. The issue of persons displaced due to ecological reasons has been part of the international normative framework; however, the legislation of Georgia does not consider natural disasters to be a sufficient ground for granting the status of an IDP.

Nowadays, international donor organizations tend to pay little attention to the issue of ecological migration. Although, the UNHCR has set caring for the individuals displaced due to ecological reasons as one of its areas of activity in the future regardless of the fact that the current mandate of the UNCHR with respect to refugees and IDPs does not consider attending to the needs of the individuals displaced as a result of natural calamities. Today, only the Ministry of Internally Displaced Persons from the Occupied Territories, Resettlement and Refugees of Georgia and several non-governmental organizations, inter alia, the Union for the Development of Civic Society “Borjgalo“ and the Caucasus Environmental NGO Network (CENN)⁸ are working on the issues of ecological migration in Georgia.

In the early 1980s, the resettlement of eco-migrants used to be performed by the Soviet government in a relatively more organized manner by applying sufficient resources required for solving the problems of this category of displaced persons. In order to strike out a demographic balance, in the early 1990s eco-migrants had been resettled to the borderline territories and the regions inhabited by ethnic minorities. The issue of eco-migrants had been totally ignored in the subsequent period i.e. following the first years of independence (1992) and up to the Rose Revolution in 2003⁹, when a number of major measures had been undertaken in order to address the problems of eco-migrants. The year 2006 saw the creation of an information database for the families affected by natural disasters and facing the urgency to be resettled immediately. There has also been introduced a system for the assessment of the indemnity assistance for the eco-migrants based on the conclusions drawn by geologists. The system applied the following assessment criteria, which are applicable even today: 1. A destroyed house; 2. A damaged house; 3. A damaged house that could be repaired; 4. Only the land adjacent to the house had been damaged. Those who are placed under the first category are subject to resettlement by the state.

According to the data provided by the Ministry of Internally Displaced Persons from the Occupied Territories, Resettlement and Refugees of Georgia, 37,000 households (the residential spaces of over 11,000 amongst which belong to the first and second categories i.e. either have been destroyed or are unsuitable for living) have been registered on the list of households subject to resettlement.¹⁰ Based on

⁸ Justin Lyle. *Resettlement of Ecological Migrants in Georgia: Recent Developments and Trends in Policy, Implementation, and Perceptions*. ECMI, 2012. (Eng., Geo)

⁹ Trier T., Turashvili M. *Resettlement of Ecologically Displaced Persons Solution of a Problem or Creation of a New? Eco-Migration in Georgia 1981-2006*. ECMI, 2007. (Eng., Geo)

¹⁰ *Eco-migration – challenge for Georgia*. Elene Khachapuridze. 19.01.2012. News Portal www.netgazeti.ge Available <http://netgazeti.ge/GE/89/Life/7827/> date of access September, 2013.

the data submitted by the Department of Resettlement of the Ministry, the authorities of Georgia can afford to resettle up to 100 eco-migrant households; however, given the existing lack of financial and human resources, the resettlement activities are carried out rather spontaneously, which hinders considerably the adaptation process following the resettlement. This, in its turn, often becomes one of the factors encouraging the return to the place of original residence; due to confrontations with the local community or unbearable living conditions, the eco-migrants tend to come back frequently.

This year, the government of Georgia has prioritized on its agenda the necessity of legal regulation of problems of eco-migrants.¹¹ Together with non-governmental organizations, the Ministry has drafted a document for the resettlement policy of eco-migrants upon which to base the preparation of legislative amendments concerning the persons displaced on the ecological grounds, and the elaboration of a strategy for the resettlement of eco-migrants.

Asylum Seekers, Refugees and Humanitarian Status holders

Refugees have appeared in Georgia since 1994; however, until 1999, their number had been very small until.

After the armed conflict in Chechnya resumed in 1999, some 9,000 Chechen refugees fled from the Russian Federation to Georgia and settled in the Pankisi gorge.¹² Most refugees were ethnic Chechens and the Kists. The reason for deciding to settle in Pankisi was related to the fact that this territory had been inhabited primarily by the ethnic Kists. In addition, the IDPs were allowed to settle in Georgia only in the areas offered by the Ministry of Refugees and Resettlement of Georgia.¹³ Since requests for obtaining a refugee status had become massive in its character, the authorities of Georgia made a *Prima facie* decision on granting such status collectively. This resulted in granting some 9,000 individuals a refugee status in 1999.

The responsibility for the socio-economic provision of the refugees in Georgia was assumed by the UNCHR, which used to supply the refugees with food up until 2007. This was later substituted by monetary allowance. In 2007, the Ministry of Refugees and Resettlement set up its representative office in Duisi village (Akhmeta district) that made it easier for the refugees to communicate with the Ministry and enabled to address some problems more rapidly. In the early 2007, a temporary residence permit was issued for the refugees registered in Georgia. The year 2009 saw the issuance of travel documents for the refugees considered under the 1951 Geneva Convention on the Status of Refugees.

Under the joint program „Local Integration and Protection of Refugees and Asylum Seekers“ initiated by UNCHR and the Ministry of Georgia, residential spaces were purchased for the refugees and small grants were awarded for undertaking small-scale entrepreneurial activities. Nowadays, some 250 Chechens with a refugee status reside in Pankisi gorge, while some 600 refugees have obtained Georgian nationality, thus obtaining a freedom of movement.¹⁴

Over the past few years, Georgia saw an increase in the number of asylum seekers from Iraq, Syria, Egypt, Nigeria, Tunis and Iran (599 asylum seekers applied to the Ministry in 2012 and 469 - in 2013¹⁵). The Ministry has reviewed each application individually. During the consideration period, the

¹¹ *The problems of eco-migrants were a topic of discourse at the Supreme Council of Adjara.* 09.07.2013. Available <http://www.ajaratv.ge/ge/?page=shownews&id=49556> date of access September, 2013.

¹² *Silence kills: infringement of the rights of Chechen refugees in Georgia.* HRIDC, CORDAID-Netherland, NHC, NED-USA. 2006.(Geo.)

¹³ Only a small number of the Chechen refugees reside in Tbilisi, the capital.

¹⁴ An interview with Irakli Kokaia, the head of the unit of refugees and repatriation, department of Migration, Refugees and Resettlement, Ministry of IDPs from the Occupied Territories, Refugees and Resettlement, in the office in August 2013.

¹⁵ An interview with Irakli Kokaia, in the office in August 2013.

asylum seeker can find shelter in the Ministry-affiliated special center, which has the capacity to accommodate 60 asylum seekers. This establishment has been organized in Martkopi village, Gardabani Municipality in June 2010 under the joint project carried out by the Ministry for Internally Displaced Persons from the Occupied Territories, Resettlement and Refugees and the UNCHR.¹⁶ Based on the data provided by the Ministry, only rare applications for obtaining asylum are approved (e.g. 24 out of all the applications made in 2012 resulted in granting the status of refugee, while only 29 individuals received humanitarian status).¹⁷

The Tbilisi Mission of the International Organization for Migration (IOM) collects statistics for the applications made by the Georgian nationals for obtaining asylum. According to the 1990-2012 data of the IOM, a total number of 116,795 applications have been submitted by asylum seekers in Europe, the US, Canada and Australia (including 24,395 in Germany, 14,487 in France, 11,852 in Greece, 10,539 in Poland and 10,203 in Austria). According to the information provided by the IOM program coordinator, the applications made by asylum seekers used to be satisfied, more or less, in the early 1990s; however, the rate of satisfaction does not seem to exceed 5% over the past decade. The representatives of the Ministry of Internally Displaced Persons from the Occupied Territories, Resettlement and Refugees do not have the information on the Georgian refugees and, respectively, have not identified a mechanism for taking measures with respect to them.

Repatriation of the Meskhetian Turks to Georgia

In order to protect the state border with Turkey, over 100,000 people were resettled from the southern region of Georgia in 1944. The most numerous amongst the deported groups were the Muslim Turkish-speaking persons residing in Meskheta (Samtskhe-Javakheti). A smaller group of the deported persons consisted of Hamshenis (Armenian-speaking Muslims), Muslim Kurds from Adjara and the Karapapaks (a nomadic Turkic-speaking sub-ethnic tribe of Azerbaijanis). Nowadays, 400,000 Meskhetian Turks reside worldwide, scattered in nine countries (including former Soviet Union republics and beyond): Kazakhstan (137,000), Kyrgyzstan (33,000), Uzbekistan (20,000), Azerbaijan (100,000), the Russian Federation (75,000), the Ukraine (10,000), Turkey (35,000) and the United States (12,000).¹⁸

Having passed beyond the legal framework for repatriation in Georgia, a small number of the Meskhians (approximately 125 families¹⁹) returned on its own initiative to Georgia before 2006. Many of them have managed to obtain the Georgian nationality, thus making their residence in the country legal. Their socio-economic and political integration into the local community occurred without any confrontations.

In 1999, upon joining the Council of Europe, Georgia has assumed the obligation to provide for the repatriation of the Meskhians deported during the World War II until 2012. The Parliament of Georgia adopted the Law of Georgia (N5261, 11.07.2007.) on the Repatriation of the Persons Deported by the Former Soviet Union from the Soviet Republic of Georgia in the 1940s only in July 2007. From the theoretical point of view, the law is dealing with every person and his/her descendants deported from Georgia in the 1940s. After the adoption of the law, the gathering of applications from those deported

¹⁶ *Migration in Georgia - Overview and Recommendations*. „AENEAS“ Programme for creation reliable mechanism of migration in Georgia. ICMPD, Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, DRC, EC.2007. (Geo)

¹⁷ The Law of Georgia on the Refugees adopted in 1998 was not in compliance with the Vienna Convention of 1951 on the Status of Refugees. By the joint efforts of the Ministry and UNCHR, the law of Georgia (#5370, 06.12.2011.) on the Refugee's and Humanitarian Statuses was drafted and adopted in 2011.

¹⁸ *Supporting the Repatriation of Persons Deported from Georgia in the 1940s and their Descendants*. Available <http://www.repatriation.ge/index.php?m=30> date of access September, 2013.

¹⁹ At the same web-site http://www.repatriation.ge/uploads/ACF-ECMI_Repatriation_Support_Programme_Brochure.pdf

or their descendants has started in order to obtain the status of a repatriate. The Ministry of the Internally Displaced Persons from the Occupied Territories, Resettlement and Refugees of Georgia is responsible for this process. The Ministry has received 5,841 applications filled by families (approximately, 9,350 individuals) that wish to return to Georgia. According to the data provided by the Department of Refugees and Repatriation of the Ministry, some 1,248 applicants have been granted the status of a repatriate.²⁰

Despite the intention of the Meskhians to return to the homeland of their ancestors, the available small number of received applications refers to the fact that the number of individuals who consider returning to the country is far smaller. The final decision is heavily influenced by a number of actual obstacles they are facing, which, inter alia, include: resettlement expenses to be incurred by each family; expenses associated with submitting an application; legal impediments for obtaining the status of a repatriate; complicated access to social services (education, healthcare, social security, etc.); lack of awareness of the living conditions available in Georgia; obscure opportunities for obtaining employment or any other source of income required for decent living.

In order to facilitate the repatriation of the Meskhetians, several non-governmental organizations (“Vatan“, “Khsna“, “Ahiska“, “World Congress of the Meskhetians“, “Union of Georgian Repatriates“, “Youth Union of the Meskhetians in Georgia“, etc.) were established in the 1990s.²¹ Despite their efforts taken, there has been an extremely poor public awareness in Georgia with respect to the rights and repatriation process of the deported population. Many people in the country tend to approach rather negatively the prospective return of the Meskhetians. Similar opposing attitudes dominate especially in the Samtskhe-Javakheti region,²² where the ethnic Georgians and Armenians resettled to the former abodes of the Meskhetians and who are afraid of the possible additional pressure that could be exercised upon the local community in terms of infrastructure and land as a result of resettlement of the Meskhetians. According to them, this resettlement might lead to an increased risk of confrontations.

In order to help prevent the emergence of potential discord and ethnic disagreement over the land, in March 2011 the government of Georgia has set up an interagency governmental council for the repatriation process²³.

In cooperation with the authorities, international actors are carrying out special programs for facilitating the repatriation and raising public awareness. One of the major initiatives undertaken is the Program Supporting the Repatriation of Persons Deported from Georgia in the 1940s and their Descendants implemented jointly by Acción contra el Hambre (ACF), Spain, and the European Centre for Minority Issues – Caucasus. The activities under the program are carried out in various regions of Georgia, including, inter alia, Tbilisi, Imereti, Guria and Samtskhe-Javakheti; also in Saatli and Sabirabad regions- Azerbaijan, Turkey and other countries where the deported persons reside currently²⁴.

The Public Defender’s Office of Georgia and the appropriately planned activities by the mass media also make a considerable contribution to the formation of a positive attitude in the society of the country with respect to the repatriation of the Meskhetian Turks.

²⁰ An interview with Irakli Kokaia, head of the unit of refugees and repatriation, department of Migration, Refugees and Resettlement, Ministry of IDPs from the Occupied Territories, Refugees and Resettlement, in the office in August 2013.

²¹ Trier T., Tarkhan-Mouravi G., Kilimnik F. *Meskhetians: Homeward Bound*. ECMI, 2011 (geo.)

²² *Meskhetian Integration in Georgia and the Approach of the Society to this Issue*. ECMI-Caucasus, CRRC, EU, ACF, 2012 (Geo.)

²³ Resolution of the Government of Georgia #111 as of March 1 2011 on the Approval of the Composition and Charter of the Interagency Governmental Council for Repatriation of the Persons Deported by the Former Soviet Union from the Soviet Republic of Georgia in the 40s of the XX Century.

²⁴ *Supporting the Repatriation of Persons Deported from Georgia in the 1940s and their Descendants*. Available <http://www.repatriation.ge/index.php?m=30> date of access September, 2013.

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