

## ETHNIC RELATIONS

**DE FACTO STATELESS:  
THE MESKHETIAN TURKS**

Parikrama GUPTA

*Research Assistant, Migration Policy,  
Research & Communications International Organization  
for Migration  
(Geneva, Switzerland)*

This paper proposes to examine the present sociopolitical conditions of the Meskhetian Turks living in the Krasnodar Territory of the Russian Federation. As an ethnic minority in a country that has seen a rise in levels of xenophobia and racism against “the other,” the Meskhetian Turks have survived primarily as squatters, having been denied basic human rights in a land they have inhabited for years. By a description of their history, their unique link to the territories they occupy, and the various forms of discrimination they face, I hope to prove that the Meskhetian Turks are, in fact, a *de facto* stateless group suffering from grave violations of freedom and survival inflicted by a majority population.

The plight of the Meskhetian Turks is a topic worthy of discussion today, not only because ethno-religious conflict levels have increased significantly the world over during the past few

decades, but also because human rights abuses against vulnerable groups such as refugees, migrant workers, and “foreigners” have escalated at an alarming rate. The need for international legal and physical safeguards for the Meskhetian Turks must be emphasized—if the hardships faced by vulnerable sections of society are not examined and reported, the global community remains unaware of the gravity of such situations, and no international/national efforts can be made to intervene and prevent such abuse. One of the cornerstones of the international political framework is the belief that human rights should be protected everywhere, and that *all* humans have a right to dignity and freedom. This foundation is now being questioned, and criticism arises as to how nations and international organizations can talk of “cooperation” and “social and political advancement” if (many) such minority groups continue to be persecuted.

## Racial Discrimination in Russia

It would be useful to examine some of the ideas held by many Russians today regarding what constitutes an “ethnic Russian” and the Russian nation. In examining such beliefs, the current situation of the Meskhetian Turks can be portrayed in its proper context.

Ethnic violence has been a volatile and relatively constant problem in Russia. Foreigners whose ethnicities are visibly different from the “average” Russian are being increasingly targeted as objects of hatred. Moscow and St. Petersburg have seen an increase in the number of ethnically motivated attacks on foreigners by skinheads, anti-Semites and similar extremist groups. Even amongst average Russian citizens not members of such groups, resentment lurks close to the surface, as foreigners are viewed as “stealing” local jobs and increasing crime rates.

A wide-held belief before the break-up of the Soviet Union was that the multi-ethnic nature of the former U.S.S.R. encouraged a high degree of assimilation that acted as a safeguard against racial prejudice. In the prerevolutionary period, racist themes in nationalism were only seen in extreme right-wing groups such as the Black Hundreds,<sup>1</sup> but saw a comeback in the 1960s and 1970s at the behest of certain Russian intellectuals who believed that of all the Russian republics, the Russian Soviet Federative Socialist Republic (R.S.F.S.R.) was being the most exploited. Scholars of the time argued that nations were the result of biological rather than social phenomena, but such ideas did not really come into the public eye until the period of *glasnost*, when they resurfaced with a vengeance. Racist propaganda increased in the post-communist era, with many of its advocates claiming that Russians needed to safeguard themselves from the dangerous influences of other *ethnoses*<sup>2</sup> and elect only people with “Russian blood” to positions in government.

People from countries of Central Asia (particularly those who are Muslim) have increasingly become targets of racist hatred and are viewed by some as the greatest threat to the survival of the Russians (a position of “threat” previously occupied by the Jewish population). Ethnic violence in Chechnia has allowed Russian nationalist media to embellish a view of Asians (especially Muslims) as bitter enemies of Russia. Groble<sup>3</sup> wrote that opinion polls in 2000 indicated that 80% of Russian citizens polled viewed Islam as a “bad thing,” whereas in contrast, only 17% of Russians supported this view in 1992.

According to Tolz,<sup>4</sup> Russian identity is a largely subjective concept amongst the Russian peoples. Identification with Russia as a homeland and self-identification as a Russian are seen as key characteristics, as are linguistic and cultural affinities. Of less significance is the question of citizenship: yet practical events, as I will demonstrate, do not correspond with this view. One of the main reasons Meskhetian Turks are persecuted is because they are denied national registration, and therefore, Russian identity and citizenship.

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<sup>1</sup> Anti-revolutionary, reactionary, anti-Semitic groups formed in Russia during and after the Russian Revolution of 1905 (see: V.I. Lenin, *Collected Works*, Vol. 9, Transl. by A. Fineberg, J. Katzer, Progress Publishers, Moscow, 1972, pp. 200-204).

<sup>2</sup> Theory of Russian academic Lev Gumilev, author of *Ancient Rus and the Great Steppe*, *The Rhythms of Eurasia*, and *The Geography of Ethnos in Historical Time*, in which he calls for a distinctive Russian “ethnos” based on the geographical region that is Eurasia (see: L.N. Gumilev, *Ethnogenesis and the Biosphere*, 1978, Chapter II, Part II, available at [<http://gumilevica.kulichki.net/English/ebe2a.htm>]).

<sup>3</sup> See: P. Groble, “Idel-Ural and the Future of Russia,” *RFE/RL NewsLine*, 17 May, 2000, available at [<http://www.rferl.org/newsline/>].

<sup>4</sup> See: V. Tolz, *Russia: Inventing the Nation*, Oxford University Press, New York, 2001.

## Who are the Meskhetian Turks?

The Meskhetian Turks come from Meskhetia, a mountainous, agricultural region of Georgia located along the border with Turkey. The Ottoman Empire conquered Meskhetia in the sixteenth century, and Turkish rule lasted there for more than two centuries until Russia occupied the region in 1829 (during the reign of Nicholas I). The main administrative centre is the city of Akhaltsikhe,<sup>5</sup> which is why the Meskhetian Turks prefer to call themselves Akhaltsikhe Turks (“Akhyskha Turkleri” in Turkish). The Meskhetian Turks are Moslem Sunnites. Their native language is Turkish (one of the East Anatolian dialects), and by their specific traditional culture, they are close to the Turks of Anatolia; however, some features in lifestyle and custom show their alliance with the Trans-Caucasian peoples, primarily the Georgians.

During the second half of the twentieth century, the Meskhetian Turks have suffered the calamities of mass deportation and persecution only to become engulfed in the interethnic turbulence that resulted from the collapse of the Soviet Union. Unlike other formerly deported peoples, the Meskhetian Turks have been uprooted not once but twice since World War II. Meskhetian Turk tales of hardship and privation closely resemble those of other formerly deported peoples, including Crimean Tatars, Volga Germans, Chechens, and Ingush. However, Meskhetian Turks stand apart from most other World War II deportees in that they were never collectively accused of a treasonous act.

## Stalinist Repression, Deportation and Exile (1944)

Under Stalin’s dictatorship, the Meskhetian Turks, Kurds and Khemsils who lived in the Akhaltsikhe Territory and Ajaria (more than 95,000 altogether) were deported to Central Asia between 15 and 17 November, 1944. It is believed that Stalin’s reasoning for their exile was that there was a need to “clear” a strategically-located region on the Soviet-Turkish frontier of elements suspected of pro-Turkish sympathies, so that Soviet military operations could be extended into north-eastern Turkey. Thousands died en route and thousands more in the harsh living conditions of exile. They were resettled as special immigrants in the agricultural districts of Uzbekistan, Kazakhstan and Kirghizia. The special regime was lifted with respect to Meskhetian Turks only in 1956, following Stalin’s death. They were granted freedom of movement by subsequent government decrees, but in practice, the Meskhetian Turks remained unable to return to their homeland because it had been designated a “border zone,” off-limits to all outsiders. Special residency permits, unavailable to Meskhetian Turks, were required to enter the Meskhetia region. Attempts by Meskhetian Turks to return, even for the briefest of periods, were blocked by Soviet border guards.

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<sup>5</sup> The Akhaltsikhe area includes five administrative regions bordering the territory of Turkey—Adigheni, Akhaltsikhe, Aspidza, Akhalkalaki and Bogdanovka (Ninotsminda from 1991) (see: A. Aydingün, “Ahiska (Meskhetian) Turks: Source of Conflict in the Caucasus?” *International Journal of Human Rights*, Vol. 6, No. 2, 2002, pp. 49-64.

## Ferghana Pogrom (1989)

Post-deportation attempts made by Meskhetian Turks to rebuild their lives were shattered by a wave of pogroms targeting them in the Central Asian Republic of Uzbekistan, in 1989. Uzbekistan, specifically the populous Ferghana Valley, was the principal destination for Meskhetian Turk deportees where, by proving to be industrious agricultural producers, they had come some way in overcoming the hardships associated with their internal exile, even attaining a relative measure of prosperity.

The presence of the Meskhetian Turks in Uzbekistan, however, caused resentment amongst Uzbeks, many of whom were being increasingly attracted by nationalist propaganda. Gorbachev's economic and political liberalization policies contributed greatly to hostility against the Meskhetian Turks, and overcrowded conditions and widespread poverty in the Ferghana Valley fuelled interethnic tensions. By May 1989, tension was so volatile that a misunderstanding between an Uzbek and a Meskhetian Turk in a Ferghana market led to a row that sparked countrywide rioting that left approximately 100 people dead. Even more lives and property might have been destroyed if Soviet armies had not been sent to protect and then oversee the enforced evacuation of the Meskhetian Turks. Many of the estimated 70,000-plus Meskhetian Turk evacuees from Uzbekistan now settled in Azerbaijan. Others went to various regions of Russia, particularly the Krasnodar Territory. Still more resettled in neighboring Central Asian states, primarily Kazakhstan and Kirghizia.

Stalin's deportation and the Ferghana pogrom have both placed a great sense of urgency on the Meskhetian Turks' repatriation efforts. Most of them desperately hope to return to their mountainous homeland along Georgia's border with Turkey. However, many Meskhetian Turk leaders worry that as long as the Diaspora remains so dispersed and relatively disorganized, it will face a threat of persecution. These anxieties are exacerbated by the general economic insecurity in the former Soviet Union, where fierce competition for jobs, housing and essential services can easily heighten interethnic tensions. In addition to the physical sense of loss and estrangement from their homeland, the emotional trauma still haunts the consciousness of the Meskhetian Turks; the deportation experience and the struggles associated with it are remembered with great intensity, and stories about the homeland continue to be passed down through generations, ensuring that the drive to rectify the injustices remain strong.

## Current Problems

### Propiska

The Russian term "*propiska*" means "official residency registration by definite address"<sup>6</sup> and has been obligatory for Soviet citizens since the 1930s. The U.S.S.R. *propiska*, unlike residency permits needed by foreigners to reside in a certain country, was established and regulated not by law, but by unpublished acts of executive bodies (while permanent residence was determined by Soviet civil legislation as actual residence, without any allusions to *propiska*). The *propiska* could be permitted or

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<sup>6</sup> A. Ossipov, *The Situation and Legal Status of Meskhetian Turks in the Russian Federation*, Moscow Helsinki Group, 2003, p. 2.

refused by local executive authorities or police, thus making it a weapon used by the latter against vulnerable ethnic minorities. Between 1991 and 1992, the permissive *propiska* was found to be unconstitutional,<sup>7</sup> but is, to a certain degree, still in force because of the restrictive provisions of federal by-laws on registration, repressive regional legislation, and the more or less unchanging Soviet administrative framework.

Thus, the Meskhetian Turks (as well as other refugees from ex-Soviet republics) who settled on the territory of the region before 1992 and who have not obtained registration, are not recognized as Russian citizens. Considered as unregistered “burdens,” they have been refused registration for marriages and houses (officially required) purchased by them between 1989 and 1990. This is highly worrisome in light of the fact that in October 1994, the composition of the group of forced migrants having no registration consisted of 13.1% Russian-speaking migrants, 49.9% Armenians, and 94.8% *Turks*.

Krasnodar authorities have implemented arbitrary and onerous taxation policies that are specifically targeted at Meskhetian Turks, aiming to make their continued residency undesirable. Ossipov exemplified this practice when he wrote of how Meskhetian Turks are required to pay a special tax every 45 days (about \$30, or 5% of the average monthly wage).<sup>8</sup> In addition, Meskhetian Turks are required to renew temporary residency permits every 45 days, with the fees also costing roughly \$30.

### Unemployment

Denied *propiska* (and thus not having a “registered” place of stay), the majority of Meskhetian Turks have been denied permanent jobs. Both the public and private sectors have turned away many Meskhetian Turks looking for work for precisely this reason. This problem is only heightened by the general shortage of jobs, especially in relatively populous regions such as Krymsk and Abinsk. Some Meskhetian Turks find temporary work in the agricultural sector, but regional authorities normally decline solicitations by enterprises that ask for permits to employ unregistered persons.

In 1991, Resolution 97<sup>9</sup>—an attempt to defuse ethnic tensions in the Krasnodar Territory—was introduced to specifically address the situation of the Meskhetian Turks. The Minor Town Councils and regional Soviets of the people’s deputies were recommended to develop a procedure for issuing certificates on the actual (i.e. permanent, unregistered) domicile of the non-registered persons; Internal Affairs organs were ordered to register migrants’ personal vehicles on a temporary basis; and enterprises and organizations were authorized to conclude labor contracts with migrants lacking residence permits for a term not exceeding one year. However, Resolution 97 did not nullify the passport regime, and in some cases, the workers who did not have permanent residence permits were fired following checks by the regional authorities.<sup>10</sup> Meskhetian Turks are also barred from selling vegetables, even from land plots attached to their own houses.<sup>11</sup>

<sup>7</sup> In 1992, the Russian constitution directly guaranteed its citizens’ right to travel freely and to choose their place of residence, and in 1993, a federal law was approved on the notifying order of registration of residence and stay.

<sup>8</sup> See: A. Ossipov, “Starting Ethnic Cleansing in Krasnodar Territory: The Case of the Meskhetian Turks,” *Memorial Newsletter*, No. 1, 20 September, 1997, available at [[http://www.memo.ru/hr/discrim/ethnic/ip1e.htm#\\_VPID\\_46](http://www.memo.ru/hr/discrim/ethnic/ip1e.htm#_VPID_46)].

<sup>9</sup> See: Resolution No. 97 of the Territorial Small Soviet “On Measures to Ease Tension in Interethnic Relations in the Crimea and Some Other Districts of the Krasnodar Territory” of 12 February, 1992, Moscow Helsinki Watch, available at [<http://www.mhg.ru/english/1FD0794>].

<sup>10</sup> In early 1994, as a result of the order issued by the Apsheronsk and Krymsk regions’ administrations, scores of unregistered refugees at a number of facilities lost their jobs.

<sup>11</sup> On 23 May, 2002, dozens of Turks were detained at the fields in Anapa district and Novorossiisk, and taken into police custody (Memorial, “Annex III: The Situation of Meskhetian Turks in the Krasnodar Territory of the Russian Federation,” in: *Compliance of the Russian Federation with the Convention on the Elimination of All Forms of Racial Discrimination*, Moscow, December 2002, available at [<http://www.memo.ru/eng/hr/dscr0212e/add3.htm>]).

### Education

Information on the educational system, with respect to refugees in the Krasnodar Territory, is limited. The children of the refugees without residence registration (including a large number of Meskhetian Turks) are generally allowed into schools without problems. After graduation, they are entitled to enter vocational training schools but are often blocked access to state trade high schools or higher educational institutes, on account of not having residence registration. Extreme examples have included even denying Meskhetian Turk high school graduates their high school certificates.

Turkish children have faced serious problems in high school (especially between 1989 and 1991) due to their poor knowledge of Russian. Often, schools will segregate schoolchildren, with Slavic children being placed in normal forms while children of Meskhetian Turks, Armenians, Yezidis, Kurds, etc. placed in “correctional classes” (classes for children who have learning disabilities). School and regional authority representatives have defended this method by saying this is easier for refugee children who are not familiar with the Russian language. In addition, the terrible economic conditions of refugees such as the Meskhetian Turks in the Krasnodar Territory have forced many Turkish children to quit school to assist their families financially (especially in the agricultural sector). Some Turkish children have also been removed from schools specifically because of their ethnicity. For example, in May 2002, 18 Turkish children were expelled from a municipal kindergarten in Novoukrainskaia village in the Krymsk District.<sup>12</sup>

### Racism, Cossacks and State Complicity

As mentioned earlier in the section on general ethnic tension in Russia, it is not surprising that, as a result of the influx of ethnic minorities such as the Meskhetian Turks, there are official representatives who talk publicly of the need to guard the “ethnic purity” of the region and to resist “Caucasian colonization.” No one exemplifies this racial hatred of the foreigners in the Krasnodar Territory better than the Cossacks,<sup>13</sup> who work hard at convincing the Slavic population that *they* will soon be the minority; such attitudes are sometimes expressed by region officials as well.

The Cossack movement came into its own between 1989 and 1990, disseminating ideas that were strongly based on Russian nationalistic tendencies, the cult of strength,<sup>14</sup> and rigidity in accepting more modern laws and legislation. Cossack organizations have supported regional policies of patrolling and passport checking, most raids regarding the latter occurring illegally as well as with representatives from the Ministry of Internal Affairs—these unsanctioned searches are accompanied by beatings and threats against target minorities. According to Memorial,<sup>15</sup> the various arbitrary checks and fines are used exclusively against the Meskhetian Turks and Kurds in the Krymsk, Abinsk and Anapa districts. These groups cannot pay the administrative fines, and local courts quickly seize the property of many Turkish families (including livestock, food, and cutlery).

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<sup>12</sup> Ibidem.

<sup>13</sup> A military class that existed before 1917 and which was the subject of ruthless repression by Soviet authorities.

<sup>14</sup> See: A. Ossipov, “Krasnodar Region: Migration, Nationalism and Regional Rhetoric,” *Caucasian Regional Studies*, Vol. 1, No. 1, 1996.

<sup>15</sup> See: Memorial, “The Condition of Meskhetian Turks in the Krasnodar Territory, February 2004,” available at [<http://eng.kavkaz.memo.ru/analyticstext/enganalytics/id/653693.html>].

District authorities have given Cossacks free reign in engaging in vigilantism, with many law-securing officers also being members of Cossack organizations.<sup>16</sup> It has not gone unnoticed by the Meskhetian Turks that the Cossacks' illegal and violent actions are silently allowed by authorities. The latter often incite conflicts where Meskhetian Turks might play an active role, in order that even harsher measures can be used against them.

### **Media Contributions to Racist Attitudes**

Government monopoly on mass media indicates that it can propagate discriminatory ideas to a wide spectrum of ethnic Russians. Meskhetian Turk leaders have stated that they are denied the right to counter disinformation, and have to sit by helpless as programs are broadcast that are specially designed to incite hatred against their ethnic group and which blame the Turks for all the problems in the region. For example, the newspaper *Novorossiiskii Rabochii*<sup>17</sup> issued an article on 11 February, 2004, which had the title "You are not Welcome Here, Or Why Illegal Migrants Feel So Comfortable in the City," which blamed Meskhetian Turks for taking away local jobs. A local TV channel in Krymsk allowed Cossack activists to go on air stating that all Meskhetian Turks were thieves and criminals who did not belong in the region. Not surprisingly, local authorities did not react.

Other papers talked about Meskhetian Turks robbing and raping Russian boys, of Turk leaders dealing in drugs and illegal arms trade, of Turks evading army conscription and payment of taxes. The message was the same—ordinary Russians suffer as a result. During the resettlement negotiations for Meskhetian Turks in 2004, *Novorossiiskii Rabochii* accused the International Organization for Migration (IOM) and the U.S. of encouraging espionage and ethnic tensions in the Krasnodar Territory. Most of the regional media welcomed the emigration of many Meskhetians to the US, and some even termed it "eviction of the illegal dwellers."<sup>18</sup>

### **Social Services**

The medical insurance system that has been gradually introduced in the Krasnodar Territory since 1995 covers only permanent residents or permanent staff employed by enterprises/organizations (where insurance applications are filed by their employers). Consequently, Meskhetian Turks cannot avail of basic medical services that are free to the rest of the population. In May and June 2002, the municipal health clinics in the Krymsk District blatantly refused to grant health care to patients of Turkish origin.

Meskhetian Turks who own cars are subjected to arbitrary and unreasonable inspection requirements. They are allowed to drive for only 45 days at a time between auto inspections, according to a leader of a local Meskhetian Turk organization. This involves spending a great deal of time waiting in lines and inevitably paying bribes to pass the inspection.

<sup>16</sup> This practice was legalized by the Resolution of the Head of Administration of Krasnodar Territory No. 220, dated 19 April, 1994 On Extraordinary Measures with Respect to Struggle with Criminality.

<sup>17</sup> Krasnodar Territory city paper.

<sup>18</sup> A. Ossipov, "Meskhetians in Krasnodar in 2004," *MINELRES*, 2005, available at [<http://lists.delfi.lv/pipermail/minelres/2005-January/003781.html>].

### ***Problems in the Legal Defense of the Meskhetian Turks***

Ossipov stated that defense lawyers who defend Meskhetian Turks in the Krasnodar Territory usually face strong resistance from regional judiciaries.<sup>19</sup> Courts customarily take a biased position in such cases and disregard the testimonies of Meskhetian Turks. Take the deportation case of the Muradovs as an example: on 16 December 2003, a judge of the Anapa district court convicted two Turks—Lutfi and Ridvan Muradov—to deportation from Russia. There were a number of procedural violations during the hearings, including passing sentence in the absence of the accused, who were thus unable to defend themselves. The Anapa court decision was supported by the regional court as well. Some Krasnodar Territory courts refuse to initiate Meskhetian lawsuits, on various pretexts. Usually, they demand additional proof from the claimants at the pre-trial stage—in most cases, the claimants fail to contest these decisions. If there are any court decisions taken in favor of Meskhetian Turks, the executive (primarily the police) avoids enforcing them. For example, the Passport and Visa Service of the Belorechensk District refused to issue Russian passports to a number of local Turks in May 2004 despite all of the latter possessing court decisions confirming their compliance with the 1991 Russian citizenship law.

## **Statelessness and its Implications for the Meskhetian Turks**

Enhancing these general feelings of insecurity is the reality of the statelessness of most Meskhetian Turks. After the dissolution of the U.S.S.R., many found themselves citizens of a state that no longer existed, and lacked the ability to acquire citizenship of one of the Soviet Union's successor states. Those fleeing Uzbekistan failed to properly de-register their residency there, giving the Krasnodar Territory authorities an excuse to deny the Turk newcomers Russian citizenship (or any durable residence status). In the meantime, Uzbekistan disowned the Meskhetian Turks who had fled. As a result, there are about 20,000 of the latter living in a citizen vacuum. State intimidation and lack of help from an archaic national bureaucratic system have made many Meskhetian Turks live like fugitives in their own homes.

### ***Is Repatriation an Option?***

Given that Meskhetian Turks have practically no freedom in the Krasnodar Territory, urgent steps are needed to facilitate their humane repatriation to Georgia. At the same time, Meskhetian leaders point out that positive actions are also required to enhance protection for those who wished to integrate into the local community. The Meskhetian Turks consider both Turkey and Georgia as their homelands (both being formerly parts of the Ottoman Empire), but primarily identify themselves with Turkey. Regarding repatriation to Georgia, Aydingün<sup>20</sup> states that Meskhetian Turks were allowed to

<sup>19</sup> See: A. Ossipov, "Meskhetian Turks in Krasnodar Territory Throughout 2003," *MINELRES*, 23 January, 2004, available at [<http://lists.delfi.lv/pipermail/minelres/2004-January/003157.html>].

<sup>20</sup> See: A. Aydingün, *op. cit.*, p. 51.



return only if they expressed their willingness to adopt a Georgian cultural identity; this was at odds with the formers' ideology, who although wishing to return to their original villages, did not wish to renounce their essential "Turkishness."

Since 1993, Georgia has officially encouraged the return of the Meskhetian Turks and seemingly prepared the legal requirements, but in practice, not much has really been done and the current number of Turks in Georgia is around 800.<sup>21</sup> The Georgian government has stated that it is difficult to repatriate Meskhetian Turks in a timeframe that suits the latter, due to problems faced by the Georgian economy in light of general instabilities in the Caucasus, particularly through the consequences of the conflict in Nagorno-Karabakh. In addition, Georgia has its own conflicts over South Ossetia and Abkhazia, the civil war in Mingrelia, the fall-out from the Ingush-North Ossetian dispute over the Prigorodny District,<sup>22</sup> the Russo-Chechen conflict and its political implications for power structures in the adjacent Russian Federation Republics of Dagestan, Karachaevo-Cherkessia and Kabardino-Balkaria—all in addition to the socio-ethnic tensions in the Krasnodar Territory. With severe economic repercussions and humanitarian crises<sup>23</sup> attending each of these conflicts, disruption of gas pipelines, inability to pay for gas and dislocation of rail traffic from the north, Georgia finds itself unable to give full and urgent attention to the plight of the Meskhetian Turks.

Not wishing to upset relations with Kazakhstan, Uzbekistan, Kyrgyzstan and Georgia, Turkey has been reluctant to officially state its attitude regarding the Meskhetian Turks. The Turkish government has officially said that it aims to help all ethnic Turks outside Turkey (and especially the Meskhetian Turks) stay where they are. However, in 1990, Turkey modified the policy to welcome the Meskhetian Turks into Turkey, whether they arrived illegally or legally; while the legal measures taken for their settlement in Turkey were applied for a limited period of time only, those who migrate to Turkey by their own means are allowed to stay unofficially (that is, without receiving Turkish citizenship). Aydingün believes that the Meskhetian Turks are accepted legally as "national refugees"—since they are of Turkish descent and part of Turkish culture, they are entitled to migrate, settle and receive Turkish citizenship.<sup>24</sup> On the whole, however, the problems of the Meskhetian Turks continue as the Turkish government has shown a lack of political initiative on this matter and is keen to discourage large-scale in-migration.

### ***Resettlement as a More Immediate Alternative***

Although there are thousands of Meskhetian Turks residing in other Russian regions (such as Belgorod, Rostov, Stavropol, and Volgograd), in no location are conditions for them as difficult as in Krasnodar. A resettlement program, administered by IOM, was initiated in February-March 2004, with meetings being held between IOM officers, Meskhetian activists and local officials. The program covered the Meskhetians who lived in the Krasnodar Territory without *propiska*, allowing them to apply for refugee status and a package of social benefits once they resettled to the U.S. Representatives of the Krasnodar administration warned Meskhetians that those who continued to stay in the

<sup>21</sup> See: A. Aydingün, op. cit., p. 51.

<sup>22</sup> At the northern end of the Georgian military highway.

<sup>23</sup> Critical food shortages and corresponding high food prices; disruption of trading links; lack of foreign exchange; inadequate incomes to cover food, housing and medicine (forcing 5%-6% of the total Georgian population to leave their homes); chronic shortages of equipment, fuel and medicines in hospitals; health epidemics; and violent human rights abuses in places like Sukhumi and during the Abkhaz advance to the Inguri river.

<sup>24</sup> See: N. Sönmez, K. Kirişçi, "Report on Recent Movement of Refugees, Asylum Seekers and Illegal Immigrants into Turkey," *AWR Bulletin*, No. 4, p. 13.

Territory would permanently face trouble. By the end of July 2004, the first group of 84 Turks had been accepted by the U.S. Embassy in Moscow and were sent to Philadelphia. The number of Meskhetian Turks claiming refugee status soon reached 11,250, and the IOM office decided to end its acceptance of applications on 1 November. While it should not be supposed that all these applications will be accepted, none have been rejected so far, according to Ossipov.<sup>25</sup>

However, it was not smooth sailing for the Meskhetians who were accepted as asylum-seekers—they faced problems in selling their houses as their ownership rights were not officially recognized on account of lacking *propiska*. While officials promised to rectify this situation back in February 2004, local administrations refused to document real estate sales attributed to Meskhetian Turks, and none of them managed to sell their houses as of the end of 2004. As expected, complaints to the Territory's administration had no effect. In addition, it was found that Meskhetians going to Krasnodar for the asylum interviews were often stopped and fined arbitrarily, detained and forced to pay bribes for lacking *propiska* throughout the entire second half of the year.

## Are Meskhetian Turks Refugees?

Before the breakdown of the U.S.S.R., the very existence of refugees was not formally recognized in the country, and this term was not used in official documents. Before the Federal Migration Service was established in 1992, various Russian territories used a temporary procedure of registering and processing forced migrants. However, this was granted only to migrants from certain regions.<sup>26</sup> Thus, the Meskhetian Turks did not get similar temporary status. Decree No. 222 of the Territory Administration Chief allows the MSKK<sup>27</sup> to grant refugee or forced migrant status only to persons whose relatives have been residing permanently in the Krasnodar Territory for more than five years (for example, a spouse, parents, children, full brothers/ sisters). According to the Krasnodar Territory local Law On the Procedure for the Registration of Stay and Residence in the Krasnodar Territory, “the residential qualification for the relatives of potential refugees shall be increased to ten years.”<sup>28</sup> Since the Meskhetian Turks have been unsuccessful in acquiring local residence registration, they cannot obtain refugee or forced migrant status.

## Meskhetian-Turk Organizations

Issues of identity and lack of cohesive leadership permeate the situation of the Meskhetian Turks who have not yet been officially “rehabilitated.” In fact, there has been no official pronouncement that they *have* been historically wronged! The first organized effort to promote their repatriation came in

<sup>25</sup> See: A. Ossipov, “Meskhetians in Krasnodar in 2004,” *MINELRES*, 2005, available at [<http://lists.delfi.lv/pipermail/minelres/2005-January/003781.html>].

<sup>26</sup> Neither Uzbekistan nor Kirghizia were present in this list, which was endorsed by the Committee on Migration and International Relations of the Supreme Soviet of the Russian Federation, and iterated by GAKK Decree No. 400 of 31 December, 1992.

<sup>27</sup> Krasnodar Territory Migration Service.

<sup>28</sup> On 7 June 1995, the Territory Legislative Assembly adopted Law No. 9-KZ On the Procedure for Registering Stay and Residence in Krasnodar Territory, signed by GAKK (Krasnodar Territory Administration Chief) Ye.Ī. Kharitonov on 23 June. In general, the law reproduces the provisions of GAKK Decree No. 222 and enacts new restrictions. In particular, the law requires registration of RF citizens who are temporarily visiting the Territory, and the residential qualification has been increased from five to ten years for those permanent residents of the Territory who have the right to have their immediate relatives registered in their housing. On 6 July 1995, the law was published and, thus, came officially into force. Its implementation mechanism was specified by GAKK Decree No. 438 of 8 July, 1995.

1963 with the formation of a temporary Committee for Return, which proved to be a strong and steadfast organization in the face of official Soviet pressure. Despite KGB attempts to repress the movement, the Committee played a pivotal role in encouraging continued Meskhetian-Turk agitation for rehabilitation and return. During the 1970s and 1980s, the Committee's influence was especially strong among the highly concentrated Diaspora in Uzbekistan, organizing protests and petition campaigns to press its cause.

However, the Ferghana pogrom in 1989 shattered the Committee for Return's organizational infrastructure, dealing a drastic setback to repatriation efforts. The swift and abrupt forced migration of Meskhetian Turks from Uzbekistan to other regions of the-then Soviet Union deprived the Committee of much of its tenacity. In 1990, the Committee for Return evolved into the *Vatan*<sup>29</sup> Society in an effort to rejuvenate the repatriation process. The underlying tenet guiding Vatan's action is the belief that Meskhetian Turks possess a distinct cultural identity that is essentially Turkish in nature. Vatan has two stated goals: formal recognition that the deportation of 1944 was unjust, and official permission for Meskhetian Turks to return to their homeland in Georgia.<sup>30</sup> However, internal division and financial woes have hampered the implementation of Vatan's repatriation strategy. Today, Vatan's national leaders do not command the near-universal support of the Meskhetian-Turk community that they had pre-1989. Also, the funding shortage affected the organization's ability to restore its lost cohesion, with the result that Vatan's negotiating position is not as strong as before.

Another organization is the *Khsna*<sup>31</sup> Society, which unites those Meskhetians who are willing to identify themselves as "Muslim Georgians" and settle in different areas of Georgia, as required by the Georgian authorities, rather than just in the Akhaltsikhe Region. The *Umid*<sup>32</sup> Society was created in 1994—its officially declared objectives are to work for reconciliation, cooperation and coordination of different Meskhetian movements in order to protect the rights of the Turks and to facilitate their migration from the Krasnodar Territory. In reality, the *Umid* unites those Meskhetians who wish to emigrate to Turkey. The *Umid* operates only in the Krymsk District, mainly in Nizhnebakanskiy stl.

## “Caught between Earth and Sky...”

The Meskhetian Turks have been denied the most basic human rights and are treated inhumanely in an area where they have tried to build their homes and lives for many years. I would like to summarize the human rights violations taking place against them, thus exemplifying that the Meskhetian Turks have no home state, comfort zone, or recognition as citizens of *anywhere*.

### Civil and Political Rights

The Meskhetian Turks lack the right to freedom of movement and the right to choose a place of residence. They are not granted the right to personal safety, and are regularly subject-

<sup>29</sup> Turkic for "homeland."

<sup>30</sup> Vatan's rigid position that Meskhetian Turks are ethnically Turkish runs counter to the Georgian government's stance, which states that Meskhetian Turks are Islamicized Georgians.

<sup>31</sup> Georgian for "salvation."

<sup>32</sup> Turkic for "hope."

ed to document checks and arrests for not having *propiska*. They cannot travel outside the country unless they leave for another place of permanent residence. Out of 19,897 people (including Meskhetians) who applied to the Krymsk District passport and visa service between 1 January, 1989 and 1 October, 1994, only 11,001 obtained *propiska*. Out of 8,479 Turks who applied for *propiska* within that period, only 14 persons received it. Thus, it can be seen that Turks made up 92.5% of all people who were refused *propiska* in the Krymsk District. The same situation existed in the Abinsk District—between 1989 and 1994, out of all the people considered by local police as “forced migrants,” only Turks were refused *propiska*.<sup>33</sup> They also cannot receive/restore personal documents; their marriages go unregistered; and fatherhood is not officially recognized.

Without *propiska*, the authorities do not recognize Meskhetians’ right to own real estate. Thus, their rights to own and make arrangements regarding their dwellings and plots of land are restricted. They cannot acquire land, and can sell their plots only in extraordinary circumstances (if they are leaving the region and after receiving special permission from local authorities). They are not allowed to construct anything on their lands. Officially, they are not allowed to sell/purchase cars and other motor vehicles. Meskhetian Turks cannot participate in elections/referendums on any level, nor can they participate in local self-government or work as state or municipal servants. The only right that is not limited for them is their right to gather; the regional Department of Justice has officially registered Turkish civil associations and authorities recognize them and maintain contact with them. The sole significant advantage for Turks in not having Russian citizenship is that no district has drafted them for military service since 1994.

### ***Economic, Social and Cultural Rights***

Without *propiska*, Meskhetians cannot receive pensions, benefits or any social allowances. They have no access to medical insurance and have to pay all medical services at full cost. They are deprived of the right to receive and renew/restore drivers’ licenses. They cannot be hired for most jobs nor work on a permanent basis. Turkish children face segregation in many schools, being placed in separate classes and courses, usually where the quality of education is lower. In addition, the issue of teaching a native language/culture has not been broached by local authorities or Turkish associations.

### ***Personal Immunity and Dignity***

Since 1989, Turks have been subjected to violence and threats of violence from Cossacks. In the winter of 1991-1992, more than 30 Meskhetian families had to leave the settlement of Economicheskoye in the Krymsk District, after being heavily “leaned on” by the Chairman of the Kievsky Settlement Council. In March 1994, several Turks from the Khutor Shkolny in the Krymsk District were beaten by a group of Cossacks from Krymsk. In November 1995, a large group of Cossacks belonging to the All-Kuban Cossack Army raided Khutor Armianski in Krymsk District, ending with 15 people being

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<sup>33</sup> This statistical data was received by the Memorial Human Rights Center from the Krymsk Passport and Visa Service in October 1994 (published in: A. Ossipov, O. Cherepova, *The Violation of the Rights of Forced Migrants and Ethnic Discrimination in Krasnodar Territory. The Situation of Meskhetian Turks*, Memorial, Moscow, 1996, pp. 23-25).

flogged. In all cases, authorities refused protection to the victims and declined to pursue the guilty parties. Official authorities subject Meskhetians to regular humiliation, especially during “passport regime checks.”

### **Direct Discrimination**

On 12 February, 1992, the Minor Council<sup>34</sup> of the Krasnodar Territory issued Decision No. 97, subjecting Meskhetian Turks to a certain provisional restrictive regimen.<sup>35</sup> Decision No. 97 made Turks a special, legally identified group of the population with a specific residence regime on the territory of the region—a group to which general rules do not apply. In addition, certain circulars identified all Meskhetian Turks in Krasnodar, regardless of their residence registration, as “individuals being temporary under the patronage of the Russian Federation.”<sup>36</sup>

### **C o n c l u s i o n**

One wonders to what extent this situation is specific to the Krasnodar Territory? After all, similar xenophobic and anti-migratory policies have been seen in many other Russian regions, such as the Rostov Region, Stavropol Territory, Moscow and St. Petersburg. Similar biased attitudes have been reported not only at the level of regional authorities but also in federal government actions as well. Despite many differences in detail, the migratory policy of the Krasnodar authorities does seem to reflect the general tendencies of state building and political development in modern Russia. The loss of many basic rights has resulted in extreme psychological pressure on the group identity of the Meskhetian Turks. The encroachment on their personal and group security, implemented with the connivance and direct participation of the Russian authorities, has forced many Turks to give up the idea of a homeland, and to just go wherever they can to be safe. While before the desire to return to Georgia was strong among Meskhetian Turks, this is now no longer the case. A Vatan leader summed up—“We need fast resolutions to these [repatriation] questions ... we need to be able to tell Meskhetian Turks some good news. They are losing faith.”

*Note: There is a lack of accurate statistical data regarding the Meskhetian Turks in the Krasnodar Territory. Only general descriptions of the situations and the most approximate data can be given—the departments on labor and social problems at the local administrations do not dispose of exact figures on employment among the refugees, particularly the Turks. Most reports I read admitted they could not provide exact figures, as their attempts to acquire such information were perpetually thwarted by Russian authorities. I would not completely accept official statistics, as I am doubtful as to the extent of their accuracy.*

<sup>34</sup> The presidium of the regional legislature.

<sup>35</sup> Never made public officially; the first publication in: A. Ossipov, *Russian Experience of Ethnic Discrimination. Meskhetians in Krasnodar Region*, Zvenya Publishers, Moscow, 2000.

<sup>36</sup> Memorial, “Annex III.”