



## Recommendation 1544 (2001)<sup>1</sup>

# The propiska system applied to migrants, asylum seekers and refugees in Council of Europe member states: effects and remedies

Parliamentary Assembly

1. The Assembly reiterates that freedom of movement and the choice of a place of residence within a country constitute the basic human rights guaranteed in a number of international legal instruments, in particular in the Universal Declaration of Human Rights and the European Convention on Human Rights.
2. The Assembly notes with concern that respect for this right raises specific problems in the countries of the former Soviet Union which have inherited the old system of control over population movements by means of the propiska – an obligatory residence permit.
3. Furthermore, these countries are particularly affected by massive population displacements. Forced migrants as well as asylum-seekers and refugees are suffering more than other groups of the population from the vestiges of the propiska, which affect different areas of their everyday lives.
4. The Assembly notes with satisfaction that most of the countries concerned have made considerable progress on the way to abolishing the remains of the old propiska system and replacing it with registration of citizens' place of residence based on simple notification of the relevant authorities. However, much has still to be done as many elements of the old system are present in numerous legal regulations and administrative practices.
5. In a number of cases, the absence of registration of their place of residence in practice has led to migrants, asylum-seekers and refugees being deprived of their social, economic and political rights. In extreme cases, the very access to the status determination procedure may be dependent on the presence of the propiska.
6. The Assembly is aware of the difficulties of replacing the old system of propiska and calls for international co-operation and assistance in this field.
7. The Assembly recommends that the Committee of Ministers:
  - 7.1. draw up guidelines for member states on the principles of the registration of citizens' place of residence;
  - 7.2. provide the countries of the former Soviet Union which are members of the Council of Europe with the necessary expertise and specific technical and financial assistance with a view to accelerating the comprehensive reform of the system of registration of citizens' place of residence and developing new information systems and databases, which are essential;
  - 7.3. develop specific awareness-raising and information programmes for the countries concerned aiming at the abolition of the vestiges of the propiska system;

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1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 8 November 2001 (see [Doc. 9262](#), report of the Committee on Migration, Refugees and Demography, rapporteur: Mr Cilevičs).



- 7.4. instruct its appropriate steering committee to organise exchanges of experience and information between Council of Europe member states on possible solutions to this problem which would be adapted to each country, with the participation of the appropriate governmental agencies and non-governmental organisations, including refugees' associations;
- 7.5. step up the monitoring of member states' compliance with international legal instruments with reference to freedom of movement and the choice of the place of residence within states' internal borders;
- 7.6. encourage non-governmental human rights and refugee organisations active in this field to report any irregularities in the implementation of the relevant laws and, when necessary, to co-operate with the authorities concerned at different levels with a view to remedying the situation;
- 7.7. urge the member states concerned:
  - a. to undertake a full review of national laws and policies with a view to eliminating any provisions which might impede the right to citizens' freedom of movement and the choice of their place of residence within internal borders;
  - b. to refrain from applying and legitimising regulations and practices which might hinder fair implementation of the above-mentioned right;
  - c. to ensure that law-enforcement agencies act more effectively in this field;
  - d. to accelerate the implementation of new residence registration systems which would serve only information purposes without restricting freedom of movement, and which would not involve unnecessary disclosure of information of a private nature, in particular, private addresses;
  - e. to establish specific awareness-raising and information programmes for national, regional and local administrations with a view to the full observance of the applicable international obligations;
  - f. to foster specialised training of civil servants in public administration in order to make them more aware of the problem;
  - g. to ensure that in no case access to status determination procedure and benefits linked to refugee status be dependent on the registration of citizens' place of residence in the region, and that under no circumstances can a person's rights be violated or limited on the basis of the registration of their place of residence, in particular in the following areas:
    - acquiring of citizenship,
    - access to education,
    - access to health care,
    - right to pensions and social allowances,
    - access to employment,
    - equal access to benefits linked to privatisation and equal access to property rights,
    - the right to vote.
  - h. to solicit the support of non-governmental organisations active in this area and, in particular, to co-operate fully with them in identifying all vestiges of the propiska system in the laws and regulations in force, as well as in administrative practices.