



## RESOLUTION

### *National Council of the Balkar people in the Kabardino-Balkar Republic of the Russian Federation*

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#### **The Assembly of Delegates of the Federal Union of European Nationalities (FUEN) adopts at its meeting in Moscow, Russia, on 19 May 2012 the following resolution**

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Submitted in Russian

Already 55 years have passed by since the repressed Balkar people returned back home from exile. However, despite the full legal framework that was created meanwhile, including the Federal Law “on the rehabilitation of the repressed peoples” that has been in force in Russia since 1991, down to the present day they have not been properly rehabilitated in accordance with the abovementioned law.

In particular because of the long-time obstruction by the government of the Kabardino-Balkar Republic of the effective rehabilitation of the repressed Balkar people and the concurrent clear dissociation by the higher organs of state power of the country from this problem, four Balkar administrative districts and three separate settlements that existed before deportation are still waiting to be restored.

At the same time the Balkars were fully stripped of their previously guaranteed status of legal subject by the new constitution of Kabardino-Balkaria. As a result they were transformed from a people with equal rights living in their own home country into a nondescript and disenfranchised “part of the population” of this republic.

This state policy led to the situation that the Balkars, as they did not have territorial or electoral districts of their own, in fact had no opportunity to be represented on behalf of their own people neither in the Federal Assembly of the Russian Federation (RF), nor in the Parliament of the Kabardino-Balkar Republic (KBR), whereas, because legislation of the Republic was in breach of federal regulations, they were also deprived of local self-administration.

Hence the Balkar people lost their basic political, economic, territorial and partly also their civic rights already at the end of the nineties. The budgetary means provided by Moscow in the meantime were for a large part not used by the government of the KBR for what they were intended. More seriously, these funds were openly spent and reallocated by civil servants. And also social benefits guaranteed by federal law to all repressed citizens of the RF, were under various pretexts annulled for the Balkars in the republic.

Another real national scourge, which may bring the Balkar people to the edge of ethnic catastrophe already in the 21st century, is the adoption of two laws of the republic, namely No. 12-RZ and No. 13-RZ of 27 February 2005.

The point is that the government of the KBR, based on these laws, which breach both federal law No. 131-FZ of 6 October 2002 “on general principles of the organisation of local self-administration in the area of the Russian Federation” as well as a series of provisions of the constitution of the



RF, and which disregard the position of its population of 15 000 people, decided on its own to dissolve the electoral organs of the local self-administration of the two largest Balkar settlements of Chasanya and Belaya Rechka and joined their administrative areas to the town of Nalchik.

Moreover, their parliament ostentatiously ignored the abovementioned federal law and the applicable decree of the government of the RF once again, which both do not allow for establishing territorial units on the small territory of Kabardino-Balkaria that do not belong to a settlement (inter-settlement areas), by transferring 80% of the Balkar territories into this category, supposedly in order to transfer it subsequently into the jurisdiction of the Republic itself.

Indeed this meant that the ruling ethnic and tribal-based family community in the Republic deprived the repressed Balkar people of their most valuable asset, in order to be able to decide at its own discretion. This changed the people automatically in cast-outs on their own soil, which not only constitutes their historic home and area of living, but also their only source of existence in the near future.

Such a situation is clearly unacceptable and therefore FUEN repeatedly turned to the governments of the RF and the KBR. Unfortunately no positive results have been achieved in regard to the solution of this problem until the present day.

The only change with the previous situation is that after the intervention of the constitutional court, the government of the KBR, supported by a number of high-ranking federal officers, is trying again to define the “territories that do not belong to a settlement” (inter-settlement areas) as “grazing lands” and to take those pastures away from the Balkar people for the same reason again.

In light of the abovementioned situation it has to be emphasised that the Balkar people is hard-working and law-abiding and never revolted against their own country, as is proven by the fact that they have been living in Russia for almost 200 years, have contributed to its welfare in peaceful times and also have done their best in times of war.

That is why today it looks really paradox that their most essential and important problem is that the Balkars want to live as citizens of the RF under the rule of law and that they have had no success calling upon the government of their own country for more than 20 years not to come with feigned rehabilitation measures, but instead to start with the full implementation of applicable federal laws of that same state.

As a response they met with bitter resistance on the part of the organs of power of Kabardino-Balkaria, including the use of arms, and at most they received just basic formal letters from the federal authorities or tacit rejections.

Such a policy is inconsistent not just with generally recognised norms of international law, but also breaches the laws of the Russian Federation. What is more, it leads to a loss of confidence in the system of state power by the people unjustly punished in the past and deceived today. Furthermore it leads to the development of tensions in the region and local young people (and not only Balkars) moving towards radicalisation, by creating the potential for conflict that can be exploited by extremist and terrorist organisations of different sorts.



# FUEN

FEDERAL UNION OF EUROPEAN NATIONALITIES  
FÖDERALISTISCHE UNION EUROPÄISCHER VOLKSGRUPPEN  
ФЕДЕРАЛИСТСКИЙ СОЮЗ ЕВРОПЕЙСКИХ НАЦИОНАЛЬНЫХ МЕНЬШИНСТВ  
UNION FÉDÉRALISTE DES COMMUNAUTÉS ETHNIQUES EUROPÉENNES

*In this light the Federal Union of the European minorities of Europe calls upon the president, the parliament and the government of the Russian Federation to take the following steps:*

- Pursuant to the law of the RF “on the rehabilitation of the repressed peoples” from April 1991 urgent measures have to be taken, aimed at guaranteed factual and complete rehabilitation of the formerly repressed Balkar people, who now are on the verge of disappearing.
- The government of Kabardino-Balkaria should be urged to divide the whole territory of the republic in its entirety, in compliance with the applicable federal law No. 131-FZ of 6 November 2003, among the settlements lying in it and to allow for real local self-administration. This should preclude any attempts of legalised seizure of lands of the people under the pretext of establishing any “inter-settlement, adjoining, grazing and other territories, which are not envisaged in this law.

In conclusion FUEN deems it necessary to call upon the United Nations and the Council of Europe to support the repressed Balkar people in realising their full, legally guaranteed rehabilitation and in ensuring that their constitutionally guaranteed right to local self-administration in their ethnic settlements will be implemented.