

Country/entity	Georgia Abkhazia
Region	Europe and Eurasia
Agreement name	Communiqué on the second round of negotiations between the Georgian and Abkhaz sides
Date	13 Jan 1994
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Georgian Separatist Conflicts (1989 -)

The Abkhazia-Georgia Conflict (1992 -)

Much like other conflicts that sprung up in the wake of the collapse of the Soviet Union, the Abkhazia conflict emerged as an ethnic conflict following heightened nationalist awareness among Abkhaz and other minorities residing in the region. In 1978, protests against the Georgianization of Abkhazia emerged from Abkhaz intellectuals. Towards the end of the 1980s, both Georgian and Abkhaz nationalists demanded independence from the Soviet Union. Tensions began following clashes at Sukhumi University between pro-Unity protestors and Abkhaz nationalists in April-July 1989. However, the conflict remained a legal conflict up until August 1992 following the 1991 elections, wherein Abkhazians felt they were under-represented. War broke out between Abkhaz separatists, supported by Russian forces and hired fighters from the North Caucasus. Within Abkhazia, Abkhaz separatists were generally supported by ethnically Armenian and Russian residents. Within Georgia the conflict was exacerbated following conflict in South Ossetia from 1989 onwards in addition to political strife between the supporters of the ousted president, Zviad Gamsakurdia, and the post-coup government led by Eduard Shevardnadze.

Significant human rights abuses occurred, particularly after the capture of Sukhumi in September 1993, after which Georgian residents, which consisted of 45 per cent of the population in 1989, were faced with mass expulsion and ethnic cleansing. Russian Peacekeepers acting under the umbrella of the Commonwealth of Independent States (CIS), were deployed on the Abkhazia-Georgia line following a ceasefire in 1994. Atrocities towards ethnic Georgian's continued with over 1,500 deaths post-conflict. In 1998 fighting re-erupted following a flare up of fighting in South Ossetia. Again it was resolved with a ceasefire agreement. However, as of 2016 the conflict remains unresolved.

The Russo-Georgian War (South Ossetia) (1989 -)

Following heightened nationalist awareness among Ossetians and policies undertaken at the expense of ethnic minorities by the Georgian government led by President Gamsakurdia, calls for Ossetian Independence increased. After clashes broke out in Tskhinvali during a pro-Georgia protest, the conflict began to militarize. When President Gamsakurdia maintained his position after elections in 1990, which were boycotted by South Ossetia, Ossetians organised elections for their own parliament. The central Georgian government reacted by abolishing the autonomous status previously held by South Ossetia. The formation of ethnic militias and increased attacks on civilians escalated on both sides and in December 1990 a state of emergency and an economic blockade were declared. Fighting was haphazard as fighters on both sides were poorly equipped and disciplined. The Georgian National Guard was primarily formed of volunteers due to a lack of resources and as a result fighters often acted out of self-interest. Assaults on Tskhinvali by Georgian forces were repulsed on several occasions, and Georgian forces were also noted to expel Ossetian residents and destroy villages out of revenge and as a means to re-claim territory.

The Sochi agreement (1992) established a ceasefire and security corridor, as well as divided the territory between Georgian and Ossetian administration. Relations deteriorated drastically in April 2008, and following shelling of Georgian villages on August 1, the Georgian military responded in force retaking most of Tskhinvali by August 7. Russian forces intervened on behalf of Ossetian separatists and after retaking Tskhinvali, opened another front in the Kodori Gorge. A ceasefire was brokered on August

Stage	Pre-negotiation/process
Conflict nature	Territory
Peace process	Abkhazia peace process
Parties	For the Georgian side J. Ioseliani For the Abkhaz side S. Jinjolia
Third parties	From the UN E. Brunner From the Russian Federation B. Pastukhov From the CSCE V. Manno
Description	Noted that provisions of the last Memorandum were for the most part being implemented and reaffirmed commitment not to use force. Appealed to UN to extend mandate of UN Observer Mission in Georgia (UNOMIG) and to intensify the international civilian presence. Provided for withdrawal of armed units from lines of confrontation and complete disarmament and made provision for a Russian military contingent in a UN peacekeeping force. Agreed to continue to work out agreement on voluntary return of refugees/displaced persons, to establish special commission on refugees, and to begin implementation of phased process of their return to Abkhazia. Also agreed to continue discussion of problem of political status of Abkhazia and expressed interest in establishment of an international commission to assist economic recovery.

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Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
[Summary] A representative of the United Nations High Commissioner for Refugees (UNHCR) was a mediator.

Page 2, (2) ... The Parties appeal to the Security Council for an intensification of the international civilian presence in the conflict zone and for this purpose it would be necessary to deploy appropriate civilian experts who will assist in resolving the problems of refugees and other humanitarian issues.

Page 2, (4) The Parties will continue to work out a Quadripartite Agreement on the voluntary return and repatriation to Abkhazia of refugees and displaced persons.

The Parties have agreed to establish a special commission on refugees consisting of the Parties, the UN and the Russian Federation which will begin work on 25 January 1994. The Parties agreed to begin on 10 February 1994 the implementation of the phased process of the return of refugees and displaced persons to Abkhazia, and as a first step to the Gali region. The Parties will take necessary measures to ensure the safety of refugees, displaced persons and personnel involved in this operation. The Abkhaz side has the primary responsibility for the reception and security of the refugees and also of the above-mentioned personnel. Moreover, to render them assistance in creating a safe environment conducive to the return of refugees and displaced persons. The Parties are counting on effective assistance from UNHCR and, inter alia, on the commencement as soon as possible of operations in the zone of conflict by an interim division of UNHCR.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 2, (5) The Parties recognize that the primary objective is a comprehensive political settlement of the conflict and that all efforts are contributions to its achievement. They agreed to continue discussions of the problem of the political status of Abkhazia taking into account mutual interests. The next meeting of experts on this issue will take place in Moscow beginning on 8 February 1994. Their report will be considered at the next meeting of the parties and will be sent to the UN and the OSCE.
The UN, The OSCE and the Russian Federation call upon the parties to proceed from the need to observe the territorial integrity of Georgia and fully to ensure the interests of the entire multinational population of Abkhazia, this being the fundamental principles of a comprehensive settlement.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	6. expressed interest in establishment of an international commission to assist economic recovery

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.

Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 2-3, (6) The Parties expressed their interest in the establishment no later than 15 February of an international commission to assist in economic recovery in Abkhazia with the participation of international and national organizations. Among its highest priorities must be the restoration of vital facilities, transport, communications, airports, bridges and tunnels.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	Security sector→Ceasefire→General commitments Page 1, 1) The Parties reaffirmed their commitment not to use force or the threat of force against each other.
Police	No specific mention.
Armed forces	Page 1, untitled preamble, At the same time it was noted that hostilities took place in individual areas of the zone of conflict carried out by uncontrolled armed groups, as a result of which part of the population experienced new privations.
DDR	Security sector→DDR→Demilitarisation provisions Page 2, (2) ... There shall be complete disarmament and withdrawal of all kinds of volunteer units and individuals participating the conflict. Inspections by international observers are permitted at crossing points on the Psou River.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	Page 2, (2) ... Within five days after deployment in the zone of conflict, in accordance with a decision of the UN Security Council, of an additional number of international observers and following the arrival of peacekeeping forces the Parties shall carry out the withdrawal of all armed units, with their weapons and military equipment, from the Inguri River and other possible lines of active confrontation in the conflict zone to a distance to be determined by the officers commanding the peacekeeping forces and UNOMIC, with the agreement of the parties. Simultaneously, international observers and peacekeeping forces will enter the areas thus formed.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release Page 1, untitled preamble, An exchange of prisoners has taken place on the principle of “all for all”.

Vetting No specific mention.

Victims Page 1, untitled preamble, Work to find the missing and dead had not yet begun.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory From the UN, E. Brunner

Other international signatory From the Russian Federation B. Pastukhov
From the CSCE V. Manno

Referendum for agreement No specific mention.

International mission/force/ similar

Page 1, There had been an increase in the number of international observers in the conflict zone.

Page 1-2, (2) The Parties agreed that the establishment of favourable conditions for further progress towards a political settlement and the practical implementation of agreements will be promoted by the deployment of a full-scale peacekeeping operation in Abkhazia. They have appealed to the UN Security Council at its forthcoming consideration of the activities of the United Nations Observer Mission in Georgia (UNOMIC) for an appropriate expansion of its mandate, inter alia, to entrust it with control of the non-resumption of hostilities in the zone of conflict. The Parties continued to favour the deployment in the conflict zone of UN peacekeeping forces or other forces authorized by the United Nations. They expressed their mutual consent to the use of a Russian military contingent as part of such forces.

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Enforcement mechanism

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Page 2, (3) In the view of the Parties a resolution of the problems of a settlement would be promoted by the establishment of a special voluntary fund under the aegis of the United Nations.

Related cases No specific mention.

Source UN Peacemaker; <http://peacemaker.un.org/georgia-second-round94>
Georgian Interior Ministry; http://www.rrc.ge/law/komunike_1994_01_13_r.htm
[Russian]
