

<b>Country/entity</b>	Georgia Russia Abkhazia
<b>Region</b>	Europe and Eurasia
<b>Agreement name</b>	Agreement between the European Union and Georgia on the status of the European Monitoring Mission in Georgia
<b>Date</b>	15 Sep 2008
<b>Agreement status</b>	Unilateral document
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Interstate/intrastate conflict(s)

### **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

<b>Stage</b>	Implementation/renegotiation
<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Abkhazia peace process
<b>Parties</b>	For the Council, The President, B. KOUCHNER
<b>Third parties</b>	-
<b>Description</b>	Agreement outlines the European Monitoring Mission in Georgia including structure, financial arrangements and mission outline.
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<b>Agreement document</b>	<a href="#">GE_081103_Agreement between the European Union and Georgia on the status of the European Union Monitoring Mission in Georgia.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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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  
Page 2, Article 3, Mission tasks  
In order to achieve the Mission, the tasks of EUMM Georgia shall be to:  
... 2. Normalisation:  
Monitor, analyse and report on the situation pertaining to the normalisation process of civil governance, focusing on rule of law, effective law enforcement structures and adequate public order. The Mission will also monitor the security of transport links, energy infrastructures and utilities, as well as the political and security aspects of the return of internally displaced persons and refugees.

**Social class** No specific mention.

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## **Gender**

**Women, girls and  
gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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**State definition**

**Nature of state (general)** No specific mention.

**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.

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## **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.

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## **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.

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## **Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

<b>Treaty incorporation</b>	<p>Page 1, Untitled Preamble,  ... (2) The European Council recalled that a peaceful and lasting solution to the conflict in Georgia must be based on full respect for the principles of independence, sovereignty and territorial integrity recognised by international law, the Final Act of the Helsinki Conference on Security and Cooperation in Europe and United Nations Security Council resolutions.</p> <p>Page 2, Article 3, Mission tasks  In order to achieve the Mission, the tasks of EUMM Georgia shall be to:  1. Stabilisation:  Monitor, analyse and report on the situation pertaining to the stabilisation process, centred on full compliance with the six-point Agreement, including troop withdrawals, and on freedom of movement and actions by spoilers, as well as on violations of human rights and international humanitarian law.</p>
<b>Civil and political rights</b>	<p>Human rights and equality→Civil and political rights→Freedom of movement  Page 2, Article 3, Mission tasks  In order to achieve the Mission, the tasks of EUMM Georgia shall be to:  1. Stabilisation:  Monitor, analyse and report on the situation pertaining to the stabilisation process, centred on full compliance with the six-point Agreement, including troop withdrawals, and on freedom of movement and actions by spoilers, as well as on violations of human rights and international humanitarian law.</p>
<b>Socio-economic rights</b>	No specific mention.

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## Rights related issues

<b>Citizenship</b>	No specific mention.
<b>Democracy</b>	No specific mention.
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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## **Rights institutions**

**NHRI** No specific mention.

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

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## **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.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**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.

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## **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.

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## **Security sector**

**Security  
Guarantees** Page 2, Article 3, Mission tasks  
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**Ceasefire** No specific mention.

**Police** Page 2, Article 3, Mission tasks  
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**Armed forces** No specific mention.

**DDR** No specific mention.

**Intelligence  
services** No specific mention.

**Parastatal/rebel  
and opposition  
group forces** No specific mention.

<b>Withdrawal of foreign forces</b>	<p>Page 2, Article 3, Mission tasks</p> <p>In order to achieve the Mission, the tasks of EUMM Georgia shall be to:</p> <p>1. Stabilisation:</p> <p>Monitor, analyse and report on the situation pertaining to the stabilisation process, centred on full compliance with the six-point Agreement, including troop withdrawals, and on freedom of movement and actions by spoilers, as well as on violations of human rights and international humanitarian law.</p>
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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**Implementation**

**UN signatory**            No specific mention.

**Other international signatory**    No specific mention.

**Referendum for agreement**        No specific mention.

**International  
mission/force/  
similar**

Page 1, Untitled Preamble,

... (5) On 2 September 2008, an exploratory mission was deployed to Georgia and began operating in view of gathering relevant information and preparing a possible civilian European Security and Defence Policy (ESDP) Mission. This should take full regard of and act in complementarity with the mandates of the existing presences of the Organization for Security and Cooperation in Europe and the United Nations in Georgia.

Page 1, Untitled Preamble,

... (6) On 3 September 2008, the Council approved a preparatory measure for a possible future ESDP Mission in Georgia.

Page 1, Untitled Preamble,

... (7) In a letter dated 11 September 2008, the Government of Georgia invited the EU to deploy an ESDP civilian monitoring mission in Georgia.

Page 2, Untitled Preamble,

... (10) The Watch-Keeping Capability established within the General Secretariat of the Council should be activated for this Mission.

Page 2, HAS ADOPTED THIS JOINT ACTION:

Article 1, The Mission

1. The European Union (EU) hereby establishes a European Union Monitoring Mission in Georgia, hereinafter referred to as 'EUMM Georgia'. EUMM Georgia shall be deployed in phases, with deployment beginning in September 2008 and the operational phase beginning no later than 1 October 2008.
2. EUMM Georgia shall operate in accordance with the mission statement as set out in Article 2 and shall carry out the tasks as set out in Article 3.

Page 2, Article 2, Mission statement

1. EUMM Georgia shall provide civilian monitoring of Parties' actions, including full compliance with the six-point Agreement and subsequent implementing measures throughout Georgia, working in close coordination with partners, particularly the United Nations (UN) and the Organisation for Security and Cooperation in Europe (OSCE), and consistent with other EU activity, in order to contribute to stabilisation, normalisation and confidence building whilst also contributing to informing European policy in support of a durable political solution for Georgia.
2. The particular objectives of the Mission shall be:
  - (a) to contribute to long-term stability throughout Georgia and the surrounding region;
  - (b) in the short term, the stabilisation of the situation with a reduced risk of a resumption of hostilities, in full compliance with the six-point Agreement and the subsequent implementing measures.

Page 2, Article 4, Structure of the Mission

1. EUMM Georgia shall be structured as follows:
  - (a) Headquarters (HQ). The HQ shall consist of the Office of the Head of Mission and the HQ Staff, providing all necessary functions of command and control and mission support. The HQ shall be located in Tbilisi.
  - (b) Field Offices. Geographically distributed Field Offices shall conduct monitoring tasks and provide necessary functions of mission support.
  - (c) Support Element. The Support Element shall be located within the General Secretariat of the Council in Brussels.
2. As an initial enabling capability, monitoring teams of pre- equipped components provided by the Member States shall be established within EUMM Georgia.
3. The above elements shall be subject to further detailed arrangements in the Operation Plan (OPLAN)

<b>Enforcement mechanism</b>	No specific mention.
<b>Related cases</b>	No specific mention.
<b>Source</b>	EUR-Lex (n.d.) Council Joint Action 2008/736/CFSP of 15 September 2008 on the European Union Monitoring Mission in Georgia, EUMM Georgia, <a href="http://data.europa.eu/eli/joint_action/2008/736/oj">http://data.europa.eu/eli/joint_action/2008/736/oj</a> (Accessed 14 October 2020).

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