

Country/entity	Georgia Abkhazia
Region	Europe and Eurasia
Agreement name	Protocol of the fifth session of the Coordinating Council of the Georgian and Abkhaz sides
Date	2 Sep 1998
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	Ceasefire/related
Conflict nature	Government/territory
Peace process	Abkhazia peace process
Parties	The Georgian side was represented by a delegation headed by Mr. Vazha Lordkipanidze. The Abkhaz side was represented by a delegation headed by Mr. Sergei Bagapsh.
Third parties	UN (Chair), Russian Federation (Facilitator), OSCE, Group of Friends of the UNSG (France, Germany, Russian Federation, UK, US) as observers
Description	Agreed to take effective steps to stop violence and to establish joint group to investigate and prevent terrorist acts and other offences. Pledged to examine and respond to protests made by UNOMIG and CISCOPF about violations of Moscow Agreement, and agreed to request the UN Special Representative to resume negotiations on the elimination of consequences of May's events, return of refugees, and measures to rehabilitate Abkhazia's economy. In an Annex the Special Representative, representatives of the Russian Federation and others appealed to sides to refrain from actions that might exacerbate the situation, especially with regard to construction of military engineering installations.

Agreement document	GE_980902_Protocol of the Fifth session of the coordinating Council.pdf (opens in new tab) Download PDF
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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, The Coordinating Council adopted the following decisions:
... 4. To request the Special Representative of the Secretary-General to resume negotiations between the sides on the elimination of the consequences of the May events, the safe return of refugees and measures to rehabilitate Abkhazia's economy.

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) 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.

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.
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Socio-economic rights	No specific mention.
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Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/access	No specific mention.
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Protection measures	No specific mention.
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Other	No specific mention.
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Rights institutions

NHRI	No specific mention.
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Regional or international human rights institutions	No specific mention.
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Justice sector reform

Criminal justice and emergency law	No specific mention.
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State of emergency provisions	No specific mention.
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Judiciary and courts	No specific mention.
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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→Socio-economic development
Page 2, The Coordinating Council adopted the following decisions:
... 4. To request the Special Representative of the Secretary-General to resume negotiations between the sides on the elimination of the consequences of the May events, the safe return of refugees and measures to rehabilitate Abkhazia's economy.

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

Page 2, The agenda contained the following items:²⁸

Opening the session, Mr. Liviu Bota, the Special Representative of the Secretary-General, said that the participants in the session should focus their attention on three issues :

The Coordinating Council adopted the following decisions:

1. Considering the need to halt the dangerous escalation of tension, which threatens to lead to a resumption of armed clashes, the sides must:

... (c) The Abkhaz side shall take measures to protect civilians living in Gali district from unlawful acts involving the use of force.

Page 2, ANNEX

... This pertains, first of all, to both sides' halting construction of military- engineering installations and their destruction, within 30 days, by the forces of the sides under the supervision of UNOMIG and the CIS Collective Peacekeeping Forces.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 2, The agenda contained the following items:²⁹

Opening the session, Mr. Liviu Bota, the Special Representative of the Secretary-General, said that the participants in the session should focus their attention on three issues :

The Coordinating Council adopted the following decisions:

1. Considering the need to halt the dangerous escalation of tension, which threatens to lead to a resumption of armed clashes, the sides must:

(a) Take effective steps to halt the skirmishes that are continuing to occur after dark across the line separating the sides;

Page 2, The Coordinating Council adopted the following decisions:

... 2. The sides shall establish a joint group to investigate and prevent terrorist acts and other of fences. The group shall consist of representatives of the sides, UNOMIG and the CIS Peacekeeping Forces. Under the direction of the Special Representative of the Secretary-General, the group shall, within two weeks' time, draw up a statute on the operation of the group and transmit it to the members of the Coordinating Council for approval. The statute shall contain rules of procedure, including: composition of the group, procedure for convening meetings, directives on the conduct of investigations, and proposals on the implementation of conclusions reached by the group in the course of its work.

Page 2, The Coordinating Council adopted the following decisions:

... 3. The sides pledge to examine and respond to the protests made by UNOMIG and the CIS Collective Peacekeeping Forces concerning violations of the Moscow Agreement on a Ceasefire and Separation of Forces. If the sides continue to ignore the protests made by UNOMIG and the CIS Collective Peacekeeping Forces, the Secretary-General shall report on this matter to the Security Council.

Page 2, ANNEX

The Special Representative of the Secretary-General of the United Nations, representatives of the Russian Federation in its capacity as facilitator, the States members of the group of Friends of the Secretary-General and OSCE urgently appeal to the sides to refrain from any actions that might exacerbate the situation in the conflict zone and lead to a resumption of armed clashes.

Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	<p>Page 2, The agenda contained the following items:²⁸</p> <p>Opening the session, Mr. Liviu Bota, the Special Representative of the Secretary-General, said that the participants in the session should focus their attention on three issues :</p> <p>The Coordinating Council adopted the following decisions:</p> <p>1. Considering the need to halt the dangerous escalation of tension, which threatens to lead to a resumption of armed clashes, the sides must:</p> <p>... (b) Take measures to halt terrorist and subversive groups, armed formations and individuals from crossing the line separating the sides;</p>
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	<p>Page 2, The agenda contained the following items:²⁸</p> <p>Opening the session, Mr. Liviu Bota, the Special Representative of the Secretary-General, said that the participants in the session should focus their attention on three issues :</p> <p>The Coordinating Council adopted the following decisions:</p> <p>1. Considering the need to halt the dangerous escalation of tension, which threatens to lead to a resumption of armed clashes, the sides must:</p> <p>... (b) Take measures to halt terrorist and subversive groups, armed formations and individuals from crossing the line separating the sides;</p> <p>Page 2, The Coordinating Council adopted the following decisions:</p> <p>... 2. The sides shall establish a joint group to investigate and prevent terrorist acts and other of fences. The group shall consist of representatives of the sides, UNOMIG and the CIS Peacekeeping Forces. Under the direction of the Special Representative of the Secretary-General, the group shall, within two weeks' time, draw up a statute on the operation of the group and transmit it to the members of the Coordinating Council for approval. The statute shall contain rules of procedure, including: composition of the group, procedure for convening meetings, directives on the conduct of investigations, and proposals on the implementation of conclusions reached by the group in the course of its work.</p>

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar Page 2, ANNEX
... This pertains, first of all, to both sides' halting construction of military- engineering installations and their destruction, within 30 days, by the forces of the sides under the supervision of UNOMIG and the CIS Collective Peacekeeping Forces.

**Enforcement
mechanism**

Page 2, 2. sides to establish a joint group to investigate and prevent terrorist acts and other offences. The group shall consist of representatives of the sides, UNOMIG and CIS peacekeeping forces.

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Related cases

No specific mention.

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