

<b>Country/entity</b>	Georgia Abkhazia
<b>Region</b>	Europe and Eurasia
<b>Agreement name</b>	Declaration on Measures of a Political Settlement of the Georgia-Abkhaz Conflict
<b>Date</b>	4 Apr 1994
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	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

<b>Stage</b>	Ceasefire/related
<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Abkhazia peace process
<b>Parties</b>	Georgia (Signed) A. KAVSADZE; Abkhazia (Signed) S. JINJOLIA
<b>Third parties</b>	United Nations (Signed): E. Brunner; The Russian Federation (Signed): B. Pastuknov From the Conference on Security and Cooperation in Europe (Signed): V. MANNO;
<b>Description</b>	Commitment to a formal ceasefire and reaffirmation of commitment to non-use of force. Also reaffirmed request for development of peacekeeping operation and appealed for expansion of UNOMIG mandate. Parties agreed Abkhazia would have its own Constitution, legislation and State symbols, and reached mutual understanding on powers for joint action in various fields, including foreign policy, customs, ecology, and human rights and the rights of national minorities. Agreed to continue efforts to achieve a settlement and to intensify efforts to investigate war crimes.

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<b>Agreement document</b>	<a href="#">GE_940404_DeclarationOnMeasuresForPoliticalSettlementGeogianAbkhazConflict.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/national group</b>	Groups→Racial/ethnic/national group→Substantive Page 1-2, 7. The parties held discussions on distribution of powers on the understanding that any agreement on this issue is part of a comprehensive settlement and will be reached only once a final solution to the conflict has been found. At this stage, the parties have reached a mutual understanding regarding powers for joint action in the following fields: ... (f) Ensuring human and civic rights and freedoms and the rights of national minorities.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.

**Other groups** No specific mention.

**Refugees/displaced persons** Groups→Refugees/displaced persons→Substantive  
Page 1, 4. The parties have agreed to and signed a quadripartite agreement, a copy of which is attached to the present declaration, on the repatriation of refugees and displaced persons. The agreement provides for the return of refugees/displaced persons in accordance with existing international practice, including the practice of UNHCR. A special commission on refugees/displaced persons, which shall include representatives of the parties, UNHCR, the Russian Federation, and CSCE in an observer capacity, shall begin its work in Sochi in mid-April 1994. The implementation of the agreement will begin upon the deployment of a peace-keeping force.  
5. The parties reaffirm their request for the early deployment of a peacekeeping operation and for the participation of a Russian military contingent in the United Nations peace-keeping force, as stated in the Memorandum of Understanding of 1 December 1993 (S/26875, annex) and the communiqué of 13 January 1994. The plan for carrying out the peace-keeping operation will be agreed upon with the parties to the conflict. The realization of the peacekeeping operation should also promote the safe return of refugees/displaced persons. The parties again appeal to the United Nations Security Council to expand the mandate of the United Nations Observer Mission in Georgia (UNOMIG).

**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.

<b>State symbols</b>	Page 1, 6. Abkhazia shall have its own Constitution and legislation and appropriate State symbols, such as anthem, emblem and flag.
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<b>Independence/ secession</b>	No specific mention.
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<b>Accession/ unification</b>	No specific mention.
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<b>Border delimitation</b>	No specific mention.
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<b>Cross-border provision</b>	No specific mention.
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## **Governance**

<b>Political institutions (new or reformed)</b>	No specific mention.
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<b>Elections</b>	No specific mention.
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<b>Electoral commission</b>	No specific mention.
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<b>Political parties reform</b>	No specific mention.
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<b>Civil society</b>	No specific mention.
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<b>Traditional/ religious leaders</b>	No specific mention.
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<b>Public administration</b>	No specific mention.
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<b>Constitution</b>	No specific mention.
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## **Power sharing**

### **Political power sharing**

Power sharing→Political power sharing→General  
State level

Page 1-2, 7. The parties held discussions on distribution of powers on the understanding that any agreement on this issue is part of a comprehensive settlement and will be reached only once a final solution to the conflict has been found. At this stage, the parties have reached a mutual understanding regarding powers for joint action in the following fields:

- (a) Foreign policy and foreign economic ties;
- (b) Border guard arrangements;
- (c) Customs;
- (d) Energy, transport and communications;
- (e) Ecology and elimination of consequences of natural disasters;
- (f) Ensuring human and civic rights and freedoms and the rights of national minorities.

Power sharing→Political power sharing→Segmental autonomy  
State level  
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### **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**

Page 1-2, 7. The parties held discussions on distribution of powers on the understanding that any agreement on this issue is part of a comprehensive settlement and will be reached only once a final solution to the conflict has been found. At this stage, the parties have reached a mutual understanding regarding powers for joint action in the following fields:

... (f) Ensuring human and civic rights and freedoms and the rights of national minorities.

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

### **Treaty incorporation**

No specific mention.

### **Civil and political rights**

No specific mention.

### **Socio-economic rights**

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**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## **Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.
<b>Prisons and detention</b>	No specific mention.
<b>Traditional Laws</b>	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** Socio-economic reconstruction→Taxation→Power to tax  
Page 1-2, 7. The parties held discussions on distribution of powers on the understanding that any agreement on this issue is part of a comprehensive settlement and will be reached only once a final solution to the conflict has been found. At this stage, the parties have reached a mutual understanding regarding powers for joint action in the following fields:  
... (c) Customs;

**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** Page 1-2, 7. The parties held discussions on distribution of powers on the understanding that any agreement on this issue is part of a comprehensive settlement and will be reached only once a final solution to the conflict has been found. At this stage, the parties have reached a mutual understanding regarding powers for joint action in the following fields:  
... (e) Ecology and elimination of consequences of natural disasters;

**Water or riparian rights or access** No specific mention.



## **Security sector**

<b>Security Guarantees</b>	Page 1-2, 7. The parties held discussions on distribution of powers on the understanding that any agreement on this issue is part of a comprehensive settlement and will be reached only once a final solution to the conflict has been found. At this stage, the parties have reached a mutual understanding regarding powers for joint action in the following fields: ... (b) Border guard arrangements;
<b>Ceasefire</b>	Security sector→Ceasefire→Ceasefire provision Page 1,  3. By signing this declaration, the parties hereby commit themselves to a strict formal cease-fire from this date and also reaffirm their commitment to the non-use of force or threat of the use of force against each other as expressed in their communiqué of 13 January 1994 (see S/1994/32, annex).
<b>Police</b>	No specific mention.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<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**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

**Courts** Transitional justice→Courts→National courts  
Page 2, 10. The parties, based on the fact that there is no statute of limitations applicable to war crimes, agreed to intensify efforts to investigate war crimes, crimes against humanity and serious criminal offences as defined by international and national law and bring the perpetrators to justice.  
Inevitable punishment shall also be inflicted on persons who try or will try to undermine the peace process in Abkhazia by resorting to arms.

**Mechanism** No specific mention.

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** Article 9 provides, The parties decided to take additional measures in connection with the search for missing persons and the reburial of the dead.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

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## **Implementation**

**UN signatory** United Nations (Signed): E. Brunner;

**Other international signatory** The Russian Federation (Signed): B. Pastuknov  
From the Conference on Security and Cooperation in Europe (Signed): V. MANNO;

**Referendum for agreement** No specific mention.

**International mission/force/similar**

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5. The parties reaffirm their request for the early deployment of a peacekeeping operation and for the participation of a Russian military contingent in the United Nations peace-keeping force, as stated in the Memorandum of Understanding of 1 December 1993 (S/26875, annex) and the communiqué of 13 January 1994. The plan for carrying out the peace-keeping operation will be agreed upon with the parties to the conflict. The realization of the peacekeeping operation should also promote the safe return of refugees/displaced persons. The parties again appeal to the United Nations Security Council to expand the mandate of the United Nations Observer Mission in Georgia (UNOMIG).

**Enforcement mechanism**

5. parties reaffirm request for early development of peacekeeping force from UN and Russian Federation (as stated in 1/12/1993 MOU) and again appeal to UNSC to expand mandate of UNOMIG; 8. parties will set up an appropriate committee to work on standing basis, taking into a/c decisions of the UNSC, CSCE reps, Russian Federation, and intl experts, to devise phased action programme and proposals on the re-establishment of state and legal relations will be elaborated

**Related cases**

No specific mention.

**Source**

USIP; <http://peacemaker.un.org/georgia-measurespoliticalsettlement94>

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