

Country/entity	Georgia Russia Abkhazia
Region	Europe and Eurasia
Agreement name	Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons
Date	4 Apr 1994
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

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	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Abkhazia peace process
Parties	For the Abkhaz side (Signed) S. JINJOLIA; For the Georgian side (Signed) A. KAVSADZE;
Third parties	For the Russian Federation (Signed) B. PASTUKHOV; For the United Nations High Commissioner for Refugees (Signed) J. AMUNATEGUL;
Description	Agreed to guarantee safety of refugees/displaced persons and to respect their right to return peacefully. Also made provision for freedom of movement; return of property; role of UNHCR and establishment of a Commission to create conditions for refugee return and of a mechanism to reunify families.

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Groups

Children/youth	Groups→Children/youth→Substantive Page 3, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:(i) In accordance with the fundamental principle of preserving family unity, where it is not possible for families to repatriate as units, a mechanism shall be established for their reunification in Abkhazia. Measures shall also be taken for the identification and extra care/assistance for unaccompanied minors and other vulnerable persons during the repatriation process;
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	Groups→Racial/ethnic/national group→Anti-discrimination Page 2, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles: (a) Displaced persons/refugees have the right to return voluntarily to their places of origin or residence irrespective of their ethnic, social or political affiliation under conditions of complete safety, freedom and dignity;
Religious groups	No specific mention.

Indigenous people No specific mention.

Other groups Groups→Other groups→Anti-discrimination
Page 2, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:
(a) Displaced persons/refugees have the right to return voluntarily to their places of origin or residence irrespective of their ethnic, social or political affiliation under conditions of complete safety, freedom and dignity;

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
[Summary] Agreement deals extensively with refugees and repatriation of refugees. Applicable references are coded elsewhere, for references on refugees please refer to agreement.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family Page 3, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:(i) In accordance with the fundamental principle of preserving family unity, where it is not possible for families to repatriate as units, a mechanism shall be established for their reunification in Abkhazia. Measures shall also be taken for the identification and extra care/assistance for unaccompanied minors and other vulnerable persons during the repatriation process;

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 Page 5, THE PARTIES, THE RUSSIAN FEDERATION AND THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES FURTHER AGREE AS FOLLOWS:
... (b) Travel shall be facilitated between and within all areas where refugees and displaced persons are located and areas of return for the personnel of the United Nations and other relevant international and non-governmental agencies cooperating with the United Nations in repatriation, reintegration and rehabilitation programmes. It shall include the free use of airspace and authorized airstrips and airports for relief flights and the exemption from taxes and duties of all goods imported for use in the voluntary repatriation programme of displaced persons/refugees from Abkhazia and for the provision of relief integration and rehabilitation assistance to the Abkhazian region by the United Nations and cooperating agencies, as well as the expeditious clearance and handling of such goods;

**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 Human rights and equality→Civil and political rights→Life
Page 2, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:
...(f) The Parties shall ensure that repatriants, upon return, will be protected from harassment, including unauthorized charges or fees and threat to life or property
Human rights and equality→Civil and political rights→Freedom of movement
Page 2, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:
...(d) The Parties shall ensure that returnees, upon return, will enjoy freedom of movement and establishment including the right to return to the areas where they lived prior to leaving the conflict zone or to the area of their choice;

Socio-economic rights Human rights and equality→Socio-economic rights→Property
Page 2, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:
...(f) The Parties shall ensure that repatriants, upon return, will be protected from harassment, including unauthorized charges or fees and threat to life or property

Page 2, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following;
... (g) Returnees shall, upon return, get back movable and immovable properties they left behind and should be helped to do so, or to receive whenever possible an appropriate compensation for their lost properties if return of property appears not feasible.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Media logistics
Page 3, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:
... (j) The Parties agree that refugees and displaced persons will be guaranteed unimpeded access to all available information on the situation in the areas where repatriation will take place. Such an information should be provided in the framework of a campaign to be launched by the Commission as mentioned in paragraph 9 (b) below.

Page 4, 9. During its first meeting, the Commission will set out the modalities of the assessment mentioned in paragraph 5 above and will establish a plan concerning:
.. (b) The implementation of an information campaign among the displaced person/ refugee population to encourage voluntary return;

Mobility/access Page 2, 1. The Parties agree to cooperate and to interact in planning and conducting the activities aimed to safeguard and guarantee the safe, secure and dignified return of people who have fled from areas of the conflict zone to the areas of their previous permanent residence.

Page 5, THE PARTIES, THE RUSSIAN FEDERATION AND THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES FURTHER AGREE AS FOLLOWS:
(a) UNHCR shall have direct and unhindered access to all displaced persons/refugees from Abkhazia in order to undertake activities essential to the discharge of its mandate and operational and monitoring responsibilities;

Page 5, THE PARTIES, THE RUSSIAN FEDERATION AND THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES FURTHER AGREE AS FOLLOWS:
(c) The Russian Federation will guarantee unimpeded transit of humanitarian supplies through its territory for the purposes of the present Agreement;

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions Rights institutions→Regional or international human rights institutions→Monitoring calls
Page 5, THE PARTIES, THE RUSSIAN FEDERATION AND THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES FURTHER AGREE AS FOLLOWS:
(d) UNHCR shall establish local offices, as deemed appropriate, at locations to be approved by the Parties concerned, to facilitate voluntary repatriation, reintegration and rehabilitation;

[Signatory] For the United Nations High Commissioner for Refugees (Signed) J. AMUNATEGUL;

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→Socio-economic development
Page 2, 2. For the purpose of the present agreement, the parties will guarantee the safety of refugees and displaced persons in the course of the voluntary repatriation and rehabilitation operations to be organized.

Page 3, 5. The principal tasks of the Commission shall be to formulate, discuss and approve plans to implement programmes for the safe, orderly and voluntary repatriation of the refugees and displaced persons to Abkhazia from Georgia, the Russian Federation and within Abkhazia and for their successful reintegration. Such plans should include registration, transport, basic material assistance for a period of up to six months and rehabilitation assistance.

In order to create the conditions for the return of refugees and displaced persons, the Commission will establish a working group of experts to undertake an assessment of the level of damage to the economic and social infrastructure in Abkhazia, the availability of housing and the extent of damage to houses in the areas of return as well as the projected needs in rehabilitation/ reconstruction, with financial implications. This survey should be undertaken region by region according to the plan of return to be worked out and accepted by the Parties, bearing in mind that the Parties have agreed to start the repatriation operation with the Gali region.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 3, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:
... (g) ... The Commission mentioned in paragraph 5 below will establish a mechanism for such claims. Such compensation should be worked out in the framework of the reconstruction/rehabilitation programmes to be established with a financial assistance through the United Nations Voluntary Fund;

Business No specific mention.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 5, THE PARTIES, THE RUSSIAN FEDERATION AND THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES FURTHER AGREE AS FOLLOWS:

... (b) Travel shall be facilitated between and within all areas where refugees and displaced persons are located and areas of return for the personnel of the United Nations and other relevant international and non-governmental agencies cooperating with the United Nations in repatriation, reintegration and rehabilitation programmes. It shall include the free use of airspace and authorized airstrips and airports for relief flights and the exemption from taxes and duties of all goods imported for use in the voluntary repatriation programme of displaced persons/refugees from Abkhazia and for the provision of relief integration and rehabilitation assistance to the Abkhazian region by the United Nations and cooperating agencies, as well as the expeditious clearance and handling of such goods;

Banks

No specific mention.

Land, property and environment**Land reform/rights**

Land, property and environment→Land reform/rights→Property return and restitution
Page 3, 3. ... (g) [Summary] Refugees have right to reclaim property.

**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 4, 9. During its first meeting, the Commission will set out the modalities of the assessment mentioned in paragraph 5 above and will establish a plan concerning:

(a) The areas where repatriation will be primarily conducted according to the level of guaranteed security and preparedness;

... (d) The activities needed to safeguard the safety of returnees based on the principles set out in paragraph 3 (a) to (j) above;

Page 5, THE PARTIES, THE RUSSIAN FEDERATION AND THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES FURTHER AGREE AS FOLLOWS:

(e) The security of the staff and property of the United Nations and the cooperating agencies shall be guaranteed;

Ceasefire

No specific mention.

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, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:</p> <p>... (c) Displaced persons/refugees shall have the right to return peacefully without risk of arrest, detention, imprisonment or legal criminal proceedings.</p> <p>Such immunity shall not apply to persons where there are serious evidences that they have committed war crimes and crimes against humanity as defined in international instruments and international practice as well as serious non-political crimes committed in the context of the conflict. Such immunity shall also not apply to persons who have previously taken part in the hostilities and are currently serving in armed formations, preparing to fight in Abkhazia.</p>
Withdrawal of foreign forces	No specific mention.
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 Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 2, 3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:
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Such immunity shall not apply to persons where there are serious evidences that they have committed war crimes and crimes against humanity as defined in international instruments and international practice as well as serious non-political crimes committed in the context of the conflict. Such immunity shall also not apply to persons who have previously taken part in the hostilities and are currently serving in armed formations, preparing to fight in Abkhazia.

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 Transitional justice→Reparations→Material reparations
s.3 (c) amnesty for all returning refugees and IDPs, except where evidence of guilt for war crimes, crimes against humanity, and 'serious non-political crimes committed in the context of the conflict';
3.(g) right to reclaim their movable and immovable property

Reconciliation No specific mention.

Implementation

UN signatory For the United Nations High Commissioner for Refugees (Signed) J. AMUNATEGUL

Other international signatory For the Russian Federation (Signed) B. PASTUKHOV;

Referendum for agreement No specific mention.

International mission/force/similar	No specific mention.
Enforcement mechanism	<p>Page 3, 4. For the purpose of the implementation of voluntary return of displaced persons and refugees to Abkhazia, a quadripartite Commission is hereby established.</p> <p>Page 4, 11. In the event of disagreement within the Commission regarding the application and interpretation of this Agreement, where such disagreement cannot amicably be settled among the members of the Commission, the Commission shall refer such disagreements to the Parties and to the Russian Federation and the United Nations High Commissioner for Refugees.</p>
Related cases	No specific mention.
Source	USIP; http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/georgia_quad_19940504.pdf
