

United Nations

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Security Council

Fifty-fourth Year

Provisional

4029th Meeting

Friday, 30 July 1999, 3.55 p.m.

New York

<i>President:</i>	Mr. Hasmy	(Malaysia)
<i>Members:</i>	Argentina	Mr. Petrella
	Bahrain	Mr. Buallay
	Brazil	Mr. Moura
	Canada	Mr. Duval
	China	Mr. Chen Xu
	France	Mr. Dejammet
	Gabon	Mr. Dangué Réwaka
	Gambia	Mr. Jagne
	Namibia	Mr. Andjaba
	Netherlands	Mr. Hamer
	Russian Federation	Mr. Gatilov
	Slovenia	Mr. Türk
	United Kingdom of Great Britain and Northern Ireland	Mr. Richmond
	United States of America	Mr. Burleigh

Agenda

The situation in Georgia

Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1999/805)

99-85642 (E)
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The meeting was called to order at 3.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Georgia

Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1999/805)

The President: I should like to inform the Council that I have received letters from the representatives of Georgia and Germany, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Irakli Menagarishvili (Georgia) took a seat at the Council table; Mr. Witschel (Germany) took the seat reserved for him at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General concerning the situation in Abkhazia, Georgia, document S/1999/805. Members also have before them document S/1999/832, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should also like to draw the attention of the members of the Council to the following documents: S/1999/801, 813 and 814, letters dated 19, 22 and 22 July, respectively, from Georgia addressed to the President of the Security Council; and S/1999/809, letter dated 21 July 1999 from Georgia to the Secretary-General.

The first speaker is the Minister for Foreign Affairs of Georgia, His Excellency Mr. Irakli Menagarishvili. I welcome him and invite him to make his statement.

Mr. Menagarishvili (Georgia): I am greatly honoured to have the opportunity to address this important forum on issues related to the current situation in Abkhazia, Georgia.

But may I first express our sincere gratitude to the United Nations, the Security Council and the Secretary-General and his Special Representative, as well as to the group of countries known as Friends of the Secretary-General, for their continued support of Georgia's territorial integrity and for their active participation in the peace process. Their contributions are truly invaluable.

The problem of Abkhazia is the most complex and painful issue in Georgia's recent history, and its urgent settlement is essential to restoring stability in the whole Caucasian region. Regrettably, the peace process is stalled, and despite our joint efforts there has been no tangible progress in the course of negotiations which could enable us to break the existing impasse.

I believe that the seven long years that have elapsed since the outbreak of hostilities are more than enough to properly assess the development of the conflict and to precisely define the steps which would once and for all put an end to the dispute.

Council members' profound knowledge of the present issue makes it unnecessary for me to go into a detailed account of the history of the conflict in Abkhazia or to speak in detail of its roots and reasons. I just wish to remind the Council of the danger that the separatist trend poses to international peace. Drawing on our own experience, we can conclude that, if not handled adequately, these conflicts could well escalate into large-scale confrontations, involving other countries and regions. The example of Kosovo clearly indicates the necessity of taking urgent measures in volatile regions to prevent confrontation, by peaceful means, lest the use of force be seen as the only alternative to such action.

We believe that the time has come for the world community to take necessary measures against those who for certain reasons seek to kindle internal disputes and impede negotiated agreements. Thus, it is time properly to assess the violence in one of the regions of Georgia, Abkhazia, as a result of which 300,000 refugees and displaced persons have been desperately waiting for six years to return to their homes. During and after the war, about three fourths of the entire population of Abkhazia fled the region, among them 250,000 Georgians, 50,000

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Abkhazians and more than 100,000 Armenians, Russians and Jews.

I wish to stress that we are dealing here with the same kind of humanitarian catastrophe against which the international community voiced its firm stance in Kosovo. We are not inclined to draw parallels. I am just trying to focus the Council's attention on a fact that I touched upon during my statement before the Council in January this year, namely that it is unacceptable to classify conflicts into "first-rate" and "inferior" ones, and to place the latter among the so-called frozen conflicts. Unfortunately, the conflict in Abkhazia has long been assigned to that category.

We are strongly committed to the peaceful settlement of the conflict in Abkhazia. At the same time, we are confident that the demands and assessment of the destructive policy of the Abkhaz side should become more articulate and clear, for only this can accelerate and contribute to the peace process.

Allow me to put forward some of the principles that we deem it essential for the United Nations to rely upon while handling the present situation in Abkhazia, Georgia. The outright obstruction of negotiations by the Abkhaz side raises question as to how long we can accept a status quo in the region established as a result of these fruitless negotiations. The seeming calm in Abkhazia is just an illusion. As a matter of fact, the situation is sharply worsening. Political, social and economic conditions are disastrous. Abkhazia has become a scene of raging crime and impunity. Despite the efforts of the Georgian Government and the international community, the plight of the displaced persons and the returnees remains unspeakable.

I think the time has come for the Security Council clearly to point to the unacceptability of this stagnation and categorically to urge the Abkhaz side to take constructive action.

I wish particularly to stress the situation of the refugees and those who have spontaneously returned to the Gali region. Regrettably, the violence and assaults against the peaceful population still continue. Ethnic-related killings, hostage-taking and executions are frequent. Particularly worrisome are the statements of the Abkhaz authorities alluding to the possibility of repeating the events of May 1998. All this is happening in the context of cynical statements by the Abkhaz authorities regarding the "unilateral initiative" to start the repatriation of the refugees and displaced persons. It is necessary to urgently consider

the question of the ethnic cleansing carried out against the Georgian population and to reflect the findings in relevant documents of the Security Council.

We have already circulated, as annexes to document S/1999/814, materials relating to an international seminar held in Tbilisi on 6 and 7 July 1999, which addressed the topic of "The policy of genocide and ethnic cleansing in Abkhazia, Georgia: the principal weapon of aggressive separatism". I am confident that nobody will remain indifferent to the facts of the violence reflected in these materials.

On that basis, the Security Council should once again recall the decisions of the Budapest and Lisbon summits of the Organization for Security and Cooperation in Europe (OSCE) and should stress that obstruction of the return of the refugees and displaced persons is nothing but a continuation of the policy of ethnic cleansing. This provision will trigger adequate action on the part of the Security Council in line with the spirit and the letter of the United Nations Charter.

The decision of the Abkhaz authorities to hold so-called presidential elections in Abkhazia, Georgia, in the autumn of 1999 is one more attempt to establish the demographic changes resulting from the conflict. It constitutes outright disregard of the position of the international community, which can in no way accept the holding of elections when more than half of the population is unable to participate in them and has been expelled from their homes. I believe that the Security Council should severely condemn the intention of the Abkhaz side to hold such "elections", declare it unlawful and strictly warn the Abkhaz authorities that such actions may seriously damage the peace process.

Let me assure the Council that finger-pointing is not our purpose. Our goal is to really move the peace process out of the deadlock. To this effect, we believe that the Security Council should assume the leadership. First, we would welcome the Secretary-General elaborating, with the participation of the Friends of the Secretary-General and based on experience throughout the world, the basic provisions for the political status of Abkhazia within Georgia, proceeding from the understanding that future negotiations on a political settlement will draw upon those provisions.

We have recently circulated the proposals of the Government of Georgia, entitled "Basic principles for determining the status of Abkhazia within the new State

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structure of Georgia", annexed to document S/1999/813, providing our views on this important matter. We have come out with similar statements in the past, but the Abkhaz side has flatly rejected all of them. In pursuing such a position, the Abkhaz side is clearly disregarding the resolutions of the Security Council, which has more than once reiterated its respect for the sovereignty and territorial integrity of Georgia. We strongly believe that future dialogue on political status must be based on the suggestions of the United Nations, which would contribute to the constructive outcome of the negotiation process.

The most complicated issue in the peace process is clearly the question of the repatriation of the refugees and displaced persons. Despite our common efforts, this process too is stalled. The main stumbling block remains the absence of conditions of security. Past experience has shown that, within their present mandate, the Commonwealth of Independent States (CIS) peacekeepers too are unable to guarantee the safety of the returnees.

We therefore deem it appropriate to work out the structure of an interim international administration for the Gali district which would facilitate the repatriation of the refugees and at the same time carry out the regulation and management of social and economic issues until a fundamental political agreement is reached. Such a model would ensure the participation of the returnees in the system of governance and would also contribute to public confidence-building. It is also imperative to grant the returnees a special status which would provide them with the immunity necessary to ensure their constitutional rights. The United Nations should also confirm the right of all the refugees and displaced persons to the private property they had possessed before fleeing the region.

Undoubtedly the process of repatriation should be carried out in accordance with the timetable provided by the Secretary-General and the United Nations High Commissioner for Refugees, defining the security conditions for the returnees in the entire territory of Abkhazia, Georgia.

We believe that the Security Council should categorically indicate to the Abkhaz side that the return of the refugees and displaced persons is not just a favour offered by the Abkhaz authorities, but constitutes the right of all the refugees and displaced persons in accordance with the principles of international law. The responsibility for any violation of this right will lie with the separatist regime.

We attach particular importance to the security conditions of the international personnel in the conflict zone. We believe that only under secure conditions can the United Nations Observer Mission in Georgia resume its activities in full, as set forth in its mandate. On behalf of the Government of Georgia I wish to express once again our readiness to do all in our power to ensure the safety of international personnel, though we believe that additional measures should be taken to this end.

Georgia has always supported the idea of introducing a self-protection unit in the conflict zone. The purpose of this unit would be the protection and promotion of the United Nations Observer Mission. The tragic events of May 1998 in the Gali region once again proved the necessity of deploying such units in the conflict zone. Unfortunately, instead of its being urgently implemented, the idea disappeared into oblivion. I strongly believe that this initiative should be brought up again. We think the Security Council should require the Secretary-General to resume consultations on the proposal set out in his 11 May 1998 report regarding the introduction of self-protection units.

The future of the Commonwealth of Independent States (CIS) peacekeeping operation also still remains a problem. Georgia believes that the CIS peacekeeping operation will be fully functional only after the implementation of the principle decisions adopted at the recent summits of the CIS. Unfortunately, the Abkhaz side is blocking the fulfilment of those decisions, leaving the CIS peacekeepers in the conflict zone with a mandate that expired some months ago.

We have more than once reiterated our strong commitment to the Geneva process, which appears to be the main forum for the comprehensive settlement of the conflict in Abkhazia, Georgia. I wish to once again thank the Secretary-General for paving the way for this process and to express our readiness to work actively within the framework of the Geneva negotiations. In this respect we welcome the holding of meetings in Athens and Istanbul, which were effective in building mutual trust. I would also like to express our gratitude to the Government of Ukraine for its willingness to host a similar meeting in Crimea.

At the same time I am confident that the Geneva process must be intensified through more active efforts by its participants. They will yield positive results and prevent the process from becoming a mere discussion club.

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Unfortunately, cooperation between the United Nations and the Organization for Security and Cooperation in Europe (OSCE) on resolving the conflict is still lagging. We believe that the Security Council should stress the importance of the decision adopted at the December 1998 Oslo ministerial meeting of OSCE, which provides fundamental provisions with regard to the comprehensive political settlement of the conflict in Abkhazia and which constitutes a programme for the promotion of the cooperation between the United Nations and OSCE.

Today I brought to the Council's attention some of our views regarding the ways to settle the conflict in Abkhazia, Georgia, with the assistance of the United Nations, its Security Council and the Group of Friends of the Secretary-General. I wish to reiterate our strong resolve to cooperate further with the Organization and with the international community in this respect.

We are confident that this is the only right way to reach lasting peace in my country. But it is also important that we make more resolute and energetic steps on this road to peace and stability.

Let me express hope that the Council will take into account our views and reflect them in its decisions.

The President: The next speaker is the representative of Germany. I invite him to take a seat at the Council table and to make his statement.

Mr. Witschel (Germany): As a member of the Group of Friends of the Secretary-General on Georgia, Germany fully supports and welcomes the draft resolution before the Council today. The draft contains several important messages addressed directly to the parties, reflecting our grave concern and the sense of urgency in the face of the volatile political situation in and around Abkhazia, Georgia. The fate of the many thousands of persons who were forced to leave their homes, the lack of substantive progress towards a political settlement and the continuing danger to which peacekeepers from the United Nations Observer Mission in Georgia (UNOMIG) and the Commonwealth of Independent States are exposed are alarming indeed.

Let me try to elaborate in some more detail what we consider to be the essential elements for a solution to the conflict as reflected in the draft before the Council.

First, the territorial integrity of Georgia is and remains the only basis for any solution of the Abkhaz conflict. Secondly, there must not be another solution to the conflict

other than a peaceful arrangement between the parties. Only a substantial dialogue marked by the genuine political will of both sides to come to a fair settlement can bring about a durable solution. Thirdly, all mechanisms for this dialogue are in place. Therefore we call upon the parties to use them in good faith. The progress achieved in the Geneva process led by the United Nations, and the momentum gained through the two meetings in Athens and Istanbul on confidence-building measures, must not be lost. We therefore appeal to both sides to be as cooperative and compromising as possible — both within the Geneva framework and in direct bilateral contacts — and to go ahead with implementing those confidence-building measures that have already been agreed upon.

Let me add how much we welcome the announcement of the Secretary-General on submitting a paper on the status of Abkhazia within the State of Georgia for the consideration of the parties this fall. We are looking forward to participating actively — together with the other members of the Group of Friends, as well as with the Russian Federation as facilitator, and with the Organization for Security and Cooperation in Europe (OSCE) — in the elaboration of this important document. We hope that this paper will give fresh impetus to the efforts of working towards a comprehensive solution to the conflict.

One of the most crucial problems, if not the most crucial one, that remains to be solved is that of refugee return. We urge the parties to the conflict to reach a sustainable and credible agreement on this matter now. The Council may rest assured that we will feel a strong resolve to actively support any concrete steps to implement such an agreement.

The security situation remains, despite some progress, very delicate, still making it impossible for UNOMIG to completely fulfil its tasks. We continue to follow very closely the security situation of our own personnel. Part of the responsibility for the unsatisfactory security situation continues to lie with elements operating from the Georgian side of the demarcation line. Let me therefore once again strongly urge Georgia to take determined steps to stop guerrilla attacks and mine-laying in UNOMIG's operation theatre.

Let me end by expressing Germany's deep appreciation for the dedicated work done by the retiring Special Representative, Mr. Liviu Bota, and the members of UNOMIG, in a tense and dangerous environment. In our opinion, it is a matter of utmost urgency to swiftly