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Sixty-second General Assembly
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GENERAL ASSEMBLY ADOPTS RESOLUTION RECOGNIZING RIGHT OF RETURN BY REFUGEES,

INTERNALLY DISPLACED PERSONS TO ABKHAZIA, GEORGIA

In a recorded vote of 14 Member States in favour to 11 against and 105 abstaining, the sixty-second session of the General Assembly today recognized the right of all refugees and internally displaced persons and their descendants, regardless of ethnicity, to return to Abkhazia, Georgia. (See annex for voting details.)

Deeply concerned by the demographic changes resulting from the conflict in Abkhazia, Georgia, and regretting any attempt to alter the pre-conflict demographic composition there, the Assembly underlined the urgent need for the rapid development of a timetable to ensure the prompt voluntary return of all refugees and internally displaced persons to their homes.

Also by the text, the Assembly emphasized the importance of preserving the property rights of refugees and internally displaced persons, including victims of reported "ethnic cleansing", and called upon all Member States to deter persons under their jurisdiction from obtaining property within the territory of Abkhazia, Georgia, in violation of the rights of returnees.

Introducing the draft resolution (document A/62/L.45), the representative of Georgia said that more than 500,000 people of various ethnic origins were suffering a humanitarian disaster as a consequence of the conflict. There had been "complete ethnic cleansing" of the Georgian population from Abkhazia, Georgia, and for more than 14 years, the people who had fled their homes were forced to live with a growing sense of hopelessness. By challenging the status quo, Georgia was striving to create new ways to bring about a lasting resolution to the conflict.

In explanation of his country's negative vote, the representative of the Russian Federation said that the draft, while addressing a humanitarian problem, took a political approach to the conflict. If adopted, the text would destabilize United Nations conflict-resolution activities, because the problem of return, while important, was not the only one. The draft had separated the issue of return from related tasks for achieving peace in the region and made the resolution of the problem more difficult. The adoption of a selective resolution would lead to a worsening of Georgian-Abkhaz relations.

Calling on Member States to support the resolution, the representative of Ukraine said conflicts in the region remained major impediments to the democratic and economic development of Azerbaijan, Moldova and Georgia. They must be settled through unconditional recognition of the principles of territorial integrity and human rights. It was dangerous to assume, as had been insinuated, that the recent tensions around Abkhazia were a result of developments in Kosovo. Instead, they were a result of the criminal policies of the former Soviet Union, which had established an environment of mistrust.

In explaining their abstentions, other representatives said they supported the return of the internally displaced persons and refugees, and recognized Georgia's sovereignty and

territorial integrity. However, the matter had already been addressed by the Security Council in its resolution 1808 (2008) and all parties should refrain from any actions that could lead to an increase in tensions in the region while pursuing a peaceful resolution of the conflict.

At the outset of the meeting, Hjalmar W. Hanneson (Iceland), Assembly Vice-President, extended condolences to the Governments and people of Myanmar and China for the tragic loss of life and material damage resulting from the recent cyclone and earthquake that, respectively, had struck the two countries. It was to be hoped that the international community would show its solidarity.

The Assembly was also informed that Benin had made the necessary payment to reduce its arrears below the amount specified in Article 19 of the United Nations Charter.

Other speakers today were the representative of Azerbaijan, China, Armenia, Germany, Italy, Turkey, France, United Kingdom, Japan, Panama and Viet Nam.

Background

The General Assembly convened this morning to consider protracted conflicts in the GUAM (Georgia, Ukraine, Azerbaijan, Moldova) area and their implications for international peace, security and development. It was also expected to take action on a related draft resolution.

Statements

IRAKLI ALASANIA (Georgia), introducing a draft resolution on the "status of internally displaced persons and refugees from Abkhazia, Georgia" (document A/62/L.45), drew attention to the fact that more than 500,000 people of various ethnic origins were suffering a humanitarian disaster today as a consequence of the conflict in Abkhazia, Georgia. Those forced into exile had been denied access to their homes and those who had stayed were exposed to constant fear of insecurity and poverty. The draft resolution was designed to reinforce an ongoing settlement process and address concerns of both sides in the conflict. Protection of the rights of all residents who continued to live in Abkhazia, Georgia, was of paramount value, and the right to return of all refugees and internally displaced persons must be reaffirmed.

Describing the "complete ethnic cleansing" of the Georgian population from Abkhazia, Georgia, he said the draft recalled the "ethnic cleansing" reported by the Organization for Security and Cooperation in Europe (OSCE). Although ethnic cleansing had been ruthlessly conducted against Georgians, other nationalities had also been forced to flee the region. For more than 14 years, those who had fled their homes were still forced to live with a growing sense of hopelessness. As some people had illegally acquired private and public properties in the territory, those illegal actions should be condemned and treated accordingly.

Stressing that a house divided against itself could not stand, he said unification had become the guiding principle of the Georgian Government, in full cooperation with the United Nations. By challenging the status quo, Georgia was striving to create new ways to bring about a lasting resolution to the conflict. Recent Georgian peace initiatives included proposals for the constitutional protections of Abkhaz rights.

He said the conflict in Abkhazia had illustrated how Georgia had become the outstanding historical example of how externally generated and meaningless conflicts in the Caucasus had been maintained in a frozen state to subdue and control the people of Georgia. The only lesson learned was that war and oppression bred only a radical and violent reaction to fight back. Only direct and sincere talks among the aggrieved parties -- in which feelings would be conveyed without rancour, hostility or bitterness -- could guide the opposing sides towards peaceful coexistence.

AGSHIN MEHDIYEV (Azerbaijan) said that both cases of displacement in the GUAM area had many similarities and indicated the seriousness of the situation about which his country had warned the international community for the past 15 years. Such situations were a threat not only

to stability in the region, but to the entire world. They had both started because of aggressive separatism with the aim of using force to change fundamentally the affected territories' demographic composition.

The only way to reach a just and comprehensive settlement of both situations, he said, was an approach based on full respect for the letter and spirit of international law; respecting the territorial integrity of Azerbaijan, Georgia and Moldova; returning displaced persons to their homes; restoring the pre-war demographic composition of the affected areas; and providing normal, secure and equal conditions of life for all communities involved. Any other approach would be tantamount to accepting the consequences of ethnic cleansing and other serious violations of the rule of law and human rights. Azerbaijan supported fully the draft resolution submitted by Georgia.

YURIY SERGEYEV (Ukraine) said the conflicts under discussion remained major impediments to the democratic and economic development of Azerbaijan, Moldova and Georgia, and must be settled through unconditional recognition of the principles of territorial integrity and human rights. It was dangerous to assume, as had been insinuated, that the recent tensions around Abkhazia, Georgia, were a result of developments in Kosovo. Instead, they were a result of the criminal policies of the former Soviet Union, which had established an environment of mistrust. The Russian Federation continued that notorious tradition by inserting separatism into the GUAM region, and the recent Russian decisions to upgrade relations with Abkhazia and South Ossetia were a cause of particular concern, as they undermined peace processes and contradicted the Russian Federation's mediation role.

There was, therefore, an urgent need to change the climate of the peace negotiations in those conflicts, he said. The GUAM States were ready to cooperate actively and constructively with the United Nations, OSCE, the European Union and the mediator States. The international community should call on the Russian Federation to review its policy in the area and build bilateral relations on the basis of international law and its role as mediator. Ukraine called upon Member States to support the draft resolution submitted by Georgia.

ZHENMIN LIU (China) said his country respected Georgia's territorial integrity and understood its concerns about the internally displaced persons and refugees affected by the conflict situation. All parties concerned should, therefore, comply with Security Council resolution 1808 (2008) and make all efforts to settle the conflict peacefully.

Action on Draft Resolution

The representative of Armenia, speaking in explanation of position before the vote, reminded the Assembly that his country had opposed inclusion of the item on the agenda because it was irrelevant. Armenia would not support the draft. Refugees and internally displaced persons were the most tragic outcome of any conflict and the internally displaced Abkhazians were of particular concern to Armenia, as tens of thousands of Armenians had previously lived in that area. In the mid-1990s, attempts had been made to settle the returnees, but those efforts had fallen short of expectations because the matter had been taken up before the core issues were addressed. Neglecting to resolve the fundamental problems in a comprehensive manner was counterproductive and could endanger the conflict-resolution process.

The representative of the Russian Federation expressed regret that Georgia had put the draft resolution forward, although it did not affect Russian-Georgian relations. While addressing a humanitarian problem, the text took a political approach to the conflict, giving a distorted impression and failing to address the background. Georgia had not followed up on recommendations made by the Office of the United Nations High Commissioner for Refugees.

He said the draft resolution was meant to put pressure on the Abkhaz side to settle political problems. If adopted, it would destabilize United Nations activities in settling the conflict, because the problem of return, while important, was not the only one. The text separated the issue of return from related tasks of achieving peace in the region and made the search for a solution more difficult. The draft also failed to take into account the rights of other nationalities

who had lost property and been displaced. The adoption of a selective resolution would lead to a worsening in Georgian-Abkhaz relations. Georgia had not held consultations and had issued the text only yesterday, giving little time to study it. The draft resolution was counterproductive and would lead to increased tensions in the region. There was not alternative but to put the draft to a vote and to vote against it.

In a recorded vote of 14 in favour to 11 against, with 105 abstentions, the General Assembly then adopted the text. (See Annex)

The representative of Germany, speaking in explanation of position, said he absolutely supported the swift return of internally displaced persons and refugees, but had abstained because the text ignored many other aspects of the situation. As head of the Group of Friends of Georgia, Germany would continue to support a peaceful resolution of the issue, based on the territorial integrity of Georgia, dialogue, mutual trust and agreement.

The representative of Italy, reiterating his country's commitment to the territorial integrity and sovereignty of Georgia, called on all parties to refrain from any actions that could lead to an escalation of violence, and to pursue a peaceful resolution of the conflict. Italy supported confidence-building measures for the region, but had abstained from the vote because the subject matter was under consideration by the Security Council, which took up the matter on a consistent basis in light of its resolutions.

The representative of Turkey also reiterated his country's commitment to the territorial integrity and sovereignty of Georgia and to efforts towards a peaceful settlement of the conflict. Turkey was seriously concerned about recent events that had raised tensions and called on all parties to shun escalation and pursue a peaceful resolution. Turkey stood ready to assist in that effort.

The representative of France reiterated his country's support for Georgia's territorial integrity and its commitment to the return of displaced persons and their property rights. The Security Council was seized of the question of their return and a commitment by the parties to work together on the matter would help resolve the conflict. France had abstained from the vote because it did not believe the initiative would achieve crucial humanitarian and political objectives.

The representative of the United Kingdom said she had abstained from the vote although her country was greatly concerned about the return of internally displaced persons and refugees. The United Kingdom reiterated its support for Georgia's territorial integrity and a peaceful resolution of the conflict through dialogue between the parties.

The representative of Japan said he had abstained from the vote because of the various implications it could pose. Japan remained strongly interested in the plight of the internally displaced persons and had steadfastly supported Georgia's territorial integrity and a peaceful resolution of the conflict, along with the efforts of the Group of Friends.

The representative of Panama, affirming all rights of refugees and internally displaced persons, said he was concerned that the draft focused on one party, something that could worsen the tension in the region. Article 12 of the United Nations Charter stipulated that, while the Security Council was considering a situation, the Assembly would not make recommendations. Although that provision had recently been interpreted flexibly, given the gravity of the security situation, Panama preferred interpretation according to the letter of the text.

The representative of Viet Nam said he supported efforts to settle the conflict and, in that spirit, called upon the parties to exercise restraint and refrain from any actions that could increase tensions. Japan had abstained from the vote because the text contained elements that could increase tensions.

ANNEX

Vote on Abkhazia, Georgia

The draft resolution on the status of internally displaced persons and refugees from Abkhazia, Georgia (document A/62/L.45), was adopted by a recorded vote of 14 in favour to 11 against, with 105 abstentions, as follows:

In favour: Albania, Azerbaijan, Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Sweden, Ukraine, United States.

Against: Armenia, Belarus, Democratic People's Republic of Korea, India, Iran, Myanmar, Russian Federation, Serbia, Sudan, Syria, Venezuela.

Abstain: Algeria, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Portugal, Qatar, Republic of Korea, San Marino, Saudi Arabia, Senegal, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Swaziland, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia.

Absent: Afghanistan, Angola, Antigua and Barbuda, Barbados, Belize, Benin, Brazil, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Côte d'Ivoire, Croatia, Cuba, Democratic Republic of the Congo, Dominica, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Grenada, Guinea-Bissau, Iraq, Kiribati, Lao People's Democratic Republic, Lebanon, Malawi, Mali, Marshall Islands, Mauritania, Micronesia (Federated States of), Nauru, Niger, Oman, Palau, Papua New Guinea, Paraguay, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Seychelles, Sierra Leone, Solomon Islands, Somalia, Suriname, Tajikistan, Timor-Leste, Tonga, Trinidad and Tobago, Turkmenistan, Tuvalu, Uganda, United Republic of Tanzania, Vanuatu, Zimbabwe.

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