

17.05.1994

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Security Council

Distr.
GENERAL

S/1994/583
17 May 1994

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF
GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to transmit to you a copy of the Cease-Fire and Separation-of-Forces Agreement signed in Moscow on 14 May 1994 by the parties to the conflict in Abkhazia, Republic of Georgia (annex I), as well as a copy of the Proposal for the Establishment of a Coordinating Commission, signed in Moscow on 11 May 1994 by the parties involved, under the aegis of the United Nations, with the participation of the Russian Federation as a facilitator and the Conference on Security and Cooperation in Europe (annex II).

I would be grateful if the present letter and the attached agreements could be circulated as a document of the Security Council.

(Signed) Peter P. CHKHEIDZE
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative

Annex I

Agreement on a Cease-Fire and Separation of Forces,
signed in Moscow on 14 May 1994

[Original: Russian]

In the Declaration on Measures for a Political Settlement of the Georgian-Abkhaz Conflict, signed in Moscow on 4 April 1994 (S/1994/397, annex I), the Parties committed themselves to strict compliance with a formal cease-fire from that date, and once again reaffirmed 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. That commitment remains valid. This Agreement on a Cease-Fire and Separation of Forces formalizes that commitment.

1. The parties shall scrupulously observe the cease-fire on land, at sea and in the air and shall refrain from all military actions against each other:

2. The armed forces of the parties shall be separated in accordance with the following principles:

(a) The area between lines B and D on the attached map (see appendix) shall constitute a security zone. There shall be no armed forces or heavy military equipment within this zone. The territory between lines A and B and lines D and E shall constitute a restricted-weapons zone. There shall be no heavy military equipment within this zone. The local civil authorities shall function in the security zone and the restricted-weapons zone. The police/militia employed for this purpose may carry personal arms;

Heavy military equipment includes:

- (i) All artillery and mortars of a calibre exceeding 18 mm;
- (ii) All tanks;
- (iii) All armoured transport vehicles;

(b) The peace-keeping force of the Commonwealth of Independent States and the military observers, in accordance with the Protocol to this Agreement, shall be deployed in the security zone to monitor compliance with this Agreement;

(c) The heavy military equipment to be withdrawn from the security zone and the restricted-weapons zone shall be stored in designated areas to be determined by the parties and shall be monitored by United Nations military observers;

(d) Under the supervision of representatives of the peace-keeping force of the Commonwealth of Independent States and United Nations observers, with the participation of representatives of the parties from the Kodori valley, the troops of the Republic of Georgia shall be withdrawn to their places of deployment beyond the frontiers of Abkhazia;

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A regular patrol of the peace-keeping force and international observers shall be organized concurrently in the Kodori valley;

(e) All volunteer formations made up of persons from beyond the frontiers of Abkhazia shall be disbanded and withdrawn;

(f) The movement of units and subunits of the peace-keeping force and of the international observers outside the security zone in the relevant areas shall be subject to agreement with the parties;

(g) United Nations military observers shall also monitor the coastal waters and airspace between lines A and D;

(h) In the event of an attack or a direct military threat against the peace-keeping force, it shall take appropriate measures for its safety and self-defence.

3. The precise demarcation on a detailed map and a plan for the separation of forces in the initial phase of the deployment of the peace-keeping force shall be worked out by the command of the peace-keeping force with the participation of the parties in the context of a step-by-step, comprehensive settlement, with a continuation of the return of refugees and displaced persons and in compliance with this Agreement, in a working group, which shall begin its work to this end in Moscow within five days after the signing of this Agreement. It shall complete this task within five days. Disengagement shall commence five days after the working group has completed its task. The process of disengagement shall be completed no later than 10 days after it has commenced.

4. A map indicating the security zone and the restricted-weapons zone is contained in the appendix.

Protocol. The Protocol concerning the peace-keeping force of the Commonwealth of Independent States is as follows:

"The parties agree that:

"The function of the peace-keeping force of the Commonwealth of Independent States shall be to exert its best efforts to maintain the cease-fire and to see that it is scrupulously observed. Further, its presence should promote the safe return of refugees and displaced persons, especially to the Gali district. It shall supervise the implementation of the Agreement and the Protocol thereto with regard to the security zone and the restricted-weapons zone. In carrying out its mission, the force shall comply with local laws and regulations and shall not impede the functioning of the local civil administration. It shall enjoy freedom of movement in the security zone and the restricted-weapons zone and freedom of communications, and other facilities needed to fulfil its mission.

"The peace-keeping force of the Commonwealth of Independent States shall operate under the Interim Unified Command and the Commander of the Peace-keeping Force."

/...

5. The process of achieving a comprehensive political settlement shall be pursued.
6. The parties appeal to the United Nations Security Council to expand the mandate of the United Nations military observers in order to provide for their participation in the operations indicated above.
7. On the basis of the statement by the Council of Heads of State of the Commonwealth of Independent States dated 15 April 1994 (S/1994/476, annex), the parties appeal to the Council to take a decision on the use of a collective peace-keeping force within the zone of the Georgian-Abkhaz conflict.

For the Georgian side:

(Signed) J. IOSELIANI

For the Abkhaz side:

(Signed) S. JINJOLIA

/...

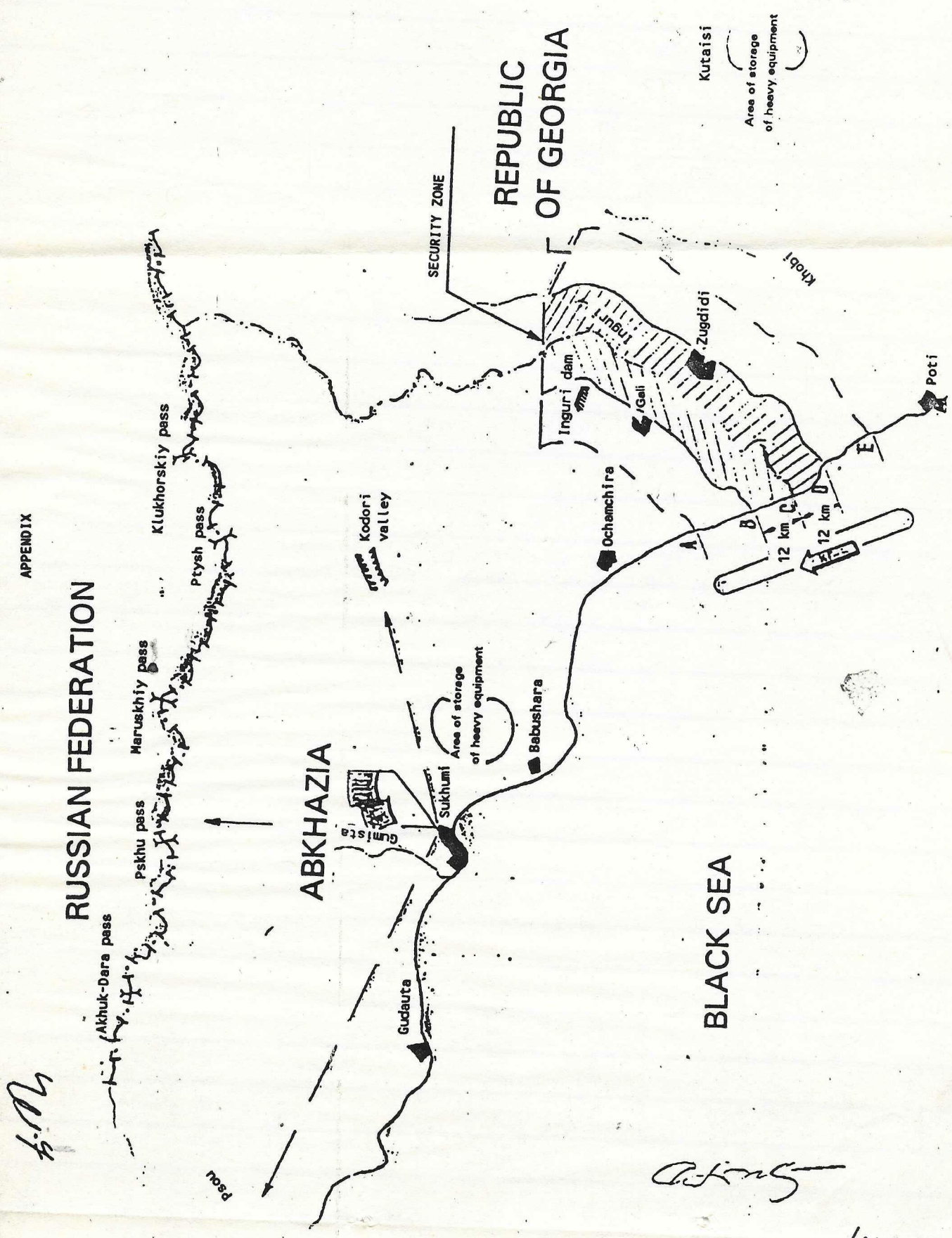
APPENDIX

RUSSIAN FEDERATION

ABKHAZIA

REPUBLIC
OF GEORGIA

BLACK SEA



Annex II

Proposal for the Establishment of a Coordinating Commission,
signed in Moscow on 11 May 1994

[Original: English/Russian] •

1. Both parties to the conflict agree to establish a Coordinating Commission to discuss practical matters of mutual interest (energy, transport, communications, ecology and so on). The Commission will be established for the transitional period until the conflict has been resolved.
2. The Coordinating Commission will work in the town of Sochi. At its first meeting, which will take place on 1 June 1994, the Commission will be chaired by a representative of the Russian Federation. Further meetings will be chaired alternately by representatives of both parties, unless agreed otherwise.
3. Both parties to the conflict will each designate four representatives of their choice to the Coordinating Commission. Both parties invite representatives of the United Nations, the Russian Federation and the Conference on Security and Cooperation in Europe to participate as observers in the work of the Commission. In discussion of matters affecting both the interests of the parties and territory of the Russian Federation, the representatives of the latter will take part in the work of the Commission with the rights of a delegation.
4. By the first meeting of the Coordinating Commission the parties to the conflict will prepare proposals for the programme of work of the Coordinating Commission, including those to be discussed at its first meeting. Both parties welcome the readiness of the observers to present their proposals for the programme of work of the Commission.
5. Proposals for the work of the Coordinating Commission will be prepared taking into account the provisions of paragraphs 3, 5 and 6 of the Memorandum of Understanding between the Georgian and the Abkhaz sides of 1 December 1993 (S/26875, appendix).
6. The Commission will act without prejudice to the work of the standing committee agreed on in the Moscow declaration of 4 April 1994 (S/1994/397, annex I).
7. Both parties agree to take all decisions by consensus of delegations.
8. Participation in the Coordinating Commission will not prejudice the legal positions of both parties with regard to the future status of Abkhazia.

/...

For the Georgian side:

(Signed) J. IOSELIANI

For the Abkhaz side:

(Signed) S. JINJOLIA

In the presence of:

From the
United Nations:

(Signed)
E. BRUNNER

From the Russian
Federation

(Signed)
B. PASTUKHOV

From the Conference on
Security and Cooperation
in Europe

(Signed)
V. MANNO

5/1994/529

English

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Annex II

Proposals for political and legal elements for a comprehensive settlement of the Georgian/Abkhaz conflict

1. Abkhazia will be a subject with sovereign rights within the framework of a union State to be established as a result of negotiations after issues in dispute have been settled. The name of the union State will be determined by the parties in the course of further negotiations. The parties acknowledge the territorial integrity of the union State, created as indicated above, within the borders of the former Georgian Soviet Socialist Republic on 21 December 1991.

2. Abkhazia will have its own Constitution and legislation and appropriate State symbols, such as anthem, emblem and flag.

3. Structures of power of the union State will be created for carrying out mutually delegated competences in the following areas of joint activity already agreed by the parties:

Foreign policy and foreign economic relations;

Border services;

Customs services;

Energy, transport and communications;

Ecology and measures to eliminate the consequences of natural disasters;

Protection of human and civic rights and freedoms and the rights of national minorities.

Additions to the areas of joint activity may be made by agreement between the parties. Within the areas of joint competence, issues of interest specific to Abkhazia will be decided only with the consent of Abkhazia.

4. Outside the areas of joint competence, Abkhazia will enjoy the full measure of State power, including measures to ensure public order. Police and law-enforcement bodies in Abkhazia will be established on a multi-ethnic basis.

5. In international relations, including membership of international organisations, the union State will be represented as a single subject, with the participation of Abkhazia. In the areas of its competence, Abkhazia will have the right to conclude international treaties.

6. The parties agree to give appropriate constitutional status to the political and legal principles of comprehensive settlement agreed by them.

7. The parties appeal to the United Nations and the Russian Federation to guarantee the agreement reached by them and agree to comply with decisions taken by the guarantors.

FROM : PRESS CENTER OF ABKHAZIA

PHONE NO. : 095-1874987

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English

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Annex III

Proposal for the establishment of a coordinating commission

1. The two parties to the conflict agree to establish a coordinating commission to discuss practical matters of mutual interest (energy, transport, communications, ecology, etc.). The Commission will be established for a transitional period until the conflict has been resolved.
2. The two parties to the conflict agree to designate four representatives of their choice to the Commission referred to in paragraph 1. It will meet in the town of Sochi. The Coordinating Commission will be chaired by a representative of the United Nations. The Russian Federation will participate in the meetings of the Commission as a facilitator and CSCE as an observer. The Chairman will establish the agenda for the meetings of the Coordinating Commission in agreement with both parties. The first meeting of the Coordinating Commission will take place on 1 June 1994.
3. The Commission will act without prejudice to the work of the standing committee agreed on in the Moscow Declaration of 4 April 1994 (S/1994/397, annex I).
4. The two parties agree to take all decisions by consensus of delegations. Participation in the Coordinating Commission will not prejudice the legal positions of the two parties with regard to the future status of Abkhazia.