

ITEM 8:

THE SITUATION IN GEORGIA

Decision of 29 January 1993 (3169th meeting): statement by the President

By a note verbale¹ dated 25 December 1992, addressed to the Secretary-General, the Ministry of Foreign Affairs of Georgia transmitted a letter² of the same date in which the Chairman of the Parliament and Head of State of Georgia expressed his deep concern that an escalation of the conflict in Abkhazia could destabilize the entire Caucasus region. In that letter, he stated, *inter alia*, that the illegal penetration of the Georgian territory by foreign nationals and military supplies from Russia in support of the Abkhaz forces was continuing. He requested that the issue be placed again on the agenda of the Security Council and that it be discussed in a formal meeting of the Council. He added that the Council may wish to adopt a resolution, which, *inter alia*, could provide for the sending of a United Nations peacekeeping force to Abkhazia. He further deemed it advisable that the Council appeal to all Member States not to allow any encroachment on the territorial integrity of Georgia. He pointed out that coordination efforts among the Council and various regional and sub-regional organizations could be highly effective.

On 28 January 1993, pursuant to the presidential statement³ of 10 September 1992 regarding the situation in Georgia, the Secretary-General submitted a report⁴ to the Council on the situation in Abkhazia, Georgia. The Secretary-General reported that the situation in Abkhazia had deteriorated since he last report to the Council in November 1992. The continued fighting posed a serious threat to the maintenance of international peace and security in the entire Caucasus region and beyond. The outbreak of inter-ethnic fighting at the beginning of November 1992 between North Ossetian and Ingush forces in the North Caucasus region of the Russian Federation,

¹ S/25026.

² *Ibid.*, Annex

³ S/24542. See *Repertoire of the Practice of the Security Council, Supplement 1989-1992*, Chapter VIII, Part II, item 47.

⁴ S/25188.

prompting the establishment of a temporary state of emergency by the Russian President, was an additional indication of the potentially explosive situation in the Caucasus. In his view, the 3 September Agreement of 1992 still offered the best basis for the resumption of the peace process in Abkhazia. However, the restoration of a viable peace process might require a more active support of the international community to assist the parties to agree to a cease-fire and to work out a political settlement. He was considering the possibility of dispatching a new mission to Georgia to review the situation in Abkhazia in order to assess the overall political situation and to discuss and provide advice on practical matters such as the establishment and monitoring of an immediate cease-fire, with particular emphasis on the border in Abkhazia between Georgia and the Russian Federation, and the protection of the railway and communication links in Abkhazia. He was also considering the dispatch of a human rights fact-finding mission to Abkhazia to look into allegations of human rights violations by both sides.

At its 3169th meeting on 29 January 1993, in response to the request contained in the note verbale by Georgia, the Council included the note verbale and the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote.

The representative of Georgia warned that the conflict in Abkhazia may grow into an ethnic and intransigent conflict and spread throughout the Caucasus and beyond if real preventive measures were not taken. Georgia believed that Russia could make a substantial contribution to the settlement of the conflict. For its part, Georgia was ready to proceed with the implementation of the 3 September Agreement, on the condition that refugees be returned to their permanent residences and that the parties revert to the positions held on 1 September 1992. Georgia sought wish the deployment of United Nations observers and troops to monitor the border between Georgia and the Russian Federation, to protect the railway and communication links, and to ensure compliance with the ceasefire. While representatives of the republics of the former Soviet Union might be part of such a United Nations force, it was very important that part of the high command of the force be made up of officers from other Member States. In addition, a group of military

observers should be sent to the areas of conflict, endowed with negotiating powers and with a monitoring function to enable them to conduct a comprehensive study of the situation in Abkhazia and to make proposals for a settlement of the conflict. The approach of the Georgian authorities to ending the armed confrontation was based on the principles of respect for the inviolability of the territorial integrity and State sovereignty of Georgia and protection of human rights.⁵

The President (Japan) then stated that, following consultations among Council members, he had been authorized to make the following statement⁶ on behalf of the Council:

“The Security Council takes note with appreciation of the report of the Secretary-General of 28 January 1993 on the situation in Abkhazia, Republic of Georgia.

“The Council expresses its grave preoccupation regarding the further deterioration of the situation in Abkhazia and calls on all the parties immediately to cease the fighting and to observe and implement faithfully the terms of the agreement of 3 September 1992, which affirms that the territorial integrity of Georgia shall be ensured, provides for a cease-fire and the commitment by the parties not to resort to the use of force, and constitutes the basis for an overall political solution.

“The Council shares the observation of the Secretary-General that the restoration of a viable peace process in Abkhazia, based on the agreement of 3 September 1992, may require more active support by the international community to assist the parties to agree to a cease-fire and to the return of refugees and to work out a political settlement. In that context the Council reiterates its support for the current efforts undertaken by the Conference on Security and Cooperation in Europe (CSCE).

“The Council endorses, to this end, the proposal of the Secretary-General to send a new mission to Georgia to review the situation in Abkhazia and stresses the need to ensure effective coordination between the activities of the United Nations and those of the CSCE aiming at restoring peace. The Council believes that it is necessary to assess the overall political situation and to discuss and provide advice on practical matters such as the establishment and monitoring of an immediate cease-fire, the monitoring of the border in Abkhazia between Georgia and the Russian Federation, and the protection of the railway and communication links in Abkhazia.

“The Council also endorses the proposal of the Secretary-General to send a fact-finding mission to Abkhazia to look into the allegations of violations of international humanitarian law by both sides.

“The Council requests the Secretary-General to report on the outcome of the mission and to propose measures to consolidate the cease-fire and for an overall political settlement.”

⁵ S/PV.3169: pp. 6-21.

⁶ S/25198.

Decision of 11 May 1993: letter from the President to the Secretary-General

By a letter⁷ dated 5 May 1993, addressed to the President of the Council, the Secretary-General stated that in view of the situation in Abkhazia, which had further deteriorated since the adoption of the presidential statement of 29 January 1993, he had concluded that the dispatch of another visiting mission, as he had originally envisaged, would not be an adequate approach in attempting to revive the peace-process. He believed that a more concentrated effort was needed for the establishment of a lasting cease-fire and for the resumption of a process of political negotiation. He had decided, therefore, after the necessary consultations, to appoint a Special Envoy for Georgia for an initial period of three months to obtain agreement on a cease-fire; assist the parties in reviving the process of negotiations to find a political solution to the conflict; and enlist the support of neighbouring countries and others concerned in achieving those objectives, in close cooperation with the Chairman-in-Office of the CSCE.⁸

By a letter⁹ dated 11 May 1993, the President of the Council informed the Secretary-General that the members of the Council were concerned at the situation in Georgia and accordingly welcomed his decision to appoint a Special Envoy for Georgia. They looked forward to further reports on developments in Georgia, on the Special Envoy's mission and on any future recommendations the Secretary-General might wish to make in the context of that mission.

Decision of 2 July 1993 (3249th meeting): statement by the President

By a letter dated 2 July 1993¹⁰ addressed to the President of the Security Council, the Head of State of Georgia requested an emergency meeting of the Council, citing intense artillery bombardment of Sukhumi, causing civilian casualties at a "catastrophic" rate. Abkhazian

⁷ S/25756.

⁸ For more details see Chapter V of the present Supplement.

⁹ S/25757.

¹⁰ S/26031.

separatists had commenced a wide-scale offensive along the entire front and in the coastal area controlled by Russian frontier troops, assault forces, consisting primarily of Russians, were landing.

At its 3249th meeting on 2 July 1993, the Security Council included the letter in its agenda. The President (United Kingdom) then stated that, following consultations among members of the Council, he had been authorized to make the following statement¹¹ on behalf of the Council:

“The Security Council has considered the letter dated 2 July 1993 from the head of State of the Republic of Georgia to the President of the Security Council concerning the situation in Abkhazia, Republic of Georgia. The Council expresses its deep concern at the reports of increased fighting around Sukhumi. It calls on all the parties to cease military action immediately and to respect the cease-fire agreement of 14 May 1993. The Council will consider without delay the report of the Secretary-General of 1 July 1993, and the recommendations therein.”

Decision of 9 July 1993 (3252nd meeting): resolution 849 (1993)

On 1 July 1993, pursuant to the presidential statement¹² of 10 September 1992, the Secretary-General submitted to the Council a report¹³ on the situation in Abkhazia in which he described intensified efforts by the United Nations to seek a settlement to the conflict. The Secretary-General reported that his Special Envoy had undertaken his first mission to Georgia from 20 to 25 May 1993 and had met the Georgian and Abkhaz authorities. Subsequently, he had travelled to Sweden and Moscow to meet the CSCE Chairman-in-office and the Russian authorities. On 22 June 1993, his Special Envoy had a meeting with the Georgian Head of State in Brussels during which the latter had again stressed the need for urgent action by the United Nations and had strongly appealed for the immediate dispatch of United Nations military observers (UNMOs) to be deployed in the Government-controlled area of Abkhazia. The Secretary-General further noted that the situation in Georgia was deteriorating and that continuing hostilities in

¹¹ S/26032.

¹² S/24542.

¹³ S/26023. See also add. 1 of 7 July 1993.

Abkhazia were having a devastating effect on the country's economy. He believed that a solution along three tracks was needed: consolidation (and, if necessary, international monitoring) of the cease-fire; the launching of a political negotiating process, preferably under United Nations auspices; and support for those two processes by the neighbouring countries, amongst which the Russian Federation was of pre-eminent importance. His consultations and those of his Special Envoy had revealed that the Georgian Government fully supported his approach, that the Abkhaz side favoured a peace conference under United Nations auspices but not, at the present time, the deployment of military observers, and that the Russian side favoured the deployment of UNMOs but had reservations about the conference at that time. The Secretary-General shared the view that the United Nations should think carefully before undertaking a peacekeeping operation that was not linked to a political process with a reasonable prospect of success. Unless that rule was observed, there was a danger of open-ended peacekeeping commitments from which it could be difficult to withdraw without causing new hostilities. He had therefore been reluctant to recommend the deployment of military observers before he was in a position to inform the Council that all concerned had agreed to engage in negotiations under United Nations auspices. However, the maintenance of that position could lead to a further intensification of the conflict, with potentially severe consequences for the whole Caucasus region. In view of the urgent need to get the conflict in Abkhazia under control, he recommended that a group of 50 United Nations military observers be deployed to Georgia, initially in the Sukhumi and Ochamchira districts of Abkhazia, with a mandate to: (a) discourage further escalation of the conflict; (b) use its good offices to reinstate the cease-fire agreement; (c) report and investigate cease-fire violations and endeavour to restore the status quo; and (d) attempt to establish communications between the two sides to forestall violations of the cease-fire. The deployment of the military observer group would be without prejudice to his continuing efforts to launch a peace process involving the Government of Georgia, the two parties in Abkhazia and the Russian Federation. It would be his intention to invite the Chairman-in-Office of the CSCE to be represented as an observer at an eventual peace conference.

In an addendum¹⁴ to his report submitted on 7 July, the Secretary-General noted however a serious deterioration in the military situation in and around Sukhumi and cautioned against deploying military observers until the cease-fire was re-established and was being respected. He added that the Security Council might wish to authorize him to take all necessary steps to ensure that deployment could be done rapidly as soon as that condition was fulfilled.

At its 3252nd meeting on 9 July 1993, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote. The President then drew the attention of the members of the Council to a draft resolution¹⁵ prepared in the course of the Council's prior consultations and read out a revision to be made to the draft resolution in its provisional form.

The draft resolution, as orally revised in its provisional form, was then put to the vote and adopted unanimously as resolution 849 (1993), which reads as follows:

The Security Council,

Having considered the report of the Secretary-General of 1 and 7 July 1993,

Recalling the statements made by the President of the Security Council on 10 September and 8 October¹⁶ 1992 and 29 January 1993 concerning the situation in Abkhazia, Republic of Georgia,

Recalling the Moscow Agreement of 3 September 1992,

Endorsing the approach set out in the letter dated 5 May 1993 from the Secretary-General to the President of the Security Council,

Noting with concern the recent intensification of fighting around Sukhumi,

Reaffirming the statement made by the President of the Security Council on 2 July 1993, in which the Council called in particular on all parties to respect the cease-fire agreement of 14 May 1993,

¹⁴ S/26023/Add.2.

¹⁵ S/26053.

¹⁶ S/24637. See *Repertoire of the Practice of the Security Council Supplement 1989-1992*, Chapter VIII, Part II, item 47.

Stressing the importance it attaches, in the context of the deployment of military observers, to the existence and implementation of a cease-fire and a peace process with the effective involvement of the United Nations,

1. *Notes with appreciation* the observations contained in the report of the Secretary-General;
2. *Requests* the Secretary-General to send his Special Envoy to the region to assist in reaching agreement on the implementation of the cease-fire and to begin immediately the necessary preparations, including contacting Member States which may be able to make observers available and sending a planning team to the area, for the dispatch of fifty military observers to Georgia once the cease-fire is implemented;
3. *Also requests* the Secretary-General to notify the Council, for its decision, when the cease-fire has been implemented and in his view conditions permit the deployment of the observers, and to make recommendations at that stage for their mandate, and declares its readiness to act expeditiously upon such notification;
4. *Welcomes* in this context the Secretary-General's continuing efforts to launch a peace process involving the parties to the conflict and with the participation of the Government of the Russian Federation as a facilitator;
5. *Supports* the Secretary-General's continuing cooperation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe in their efforts to bring peace to the region;
6. *Calls* on the Government of the Republic of Georgia to enter expeditiously into discussion with the United Nations on a status-of-forces agreement to facilitate early deployment of observers when the Council so decides;
7. *Decides* to remain seized of the matter.

Decision of 6 August 1993 (3261st meeting): resolution 854 (1993)

By a letter¹⁷ dated 4 August 1993 addressed to the President of the Security Council, the Secretary-General informed the Council that, pursuant to resolution 849 (1993), he had dispatched a planning team to Abkhazia on 19 July 1993. In the meantime, the parties to the conflict, together with the Russian Federation as facilitator, had signed an agreement on 27 July 1993, under which a cease-fire had taken effect on 28 July 1993. The Secretary-General believed that current conditions permitted the immediate deployment of observers. He proposed that an advance team of five to ten observers be dispatched to the conflict area as soon as possible.

¹⁷ S/26254.

At its 3261st meeting on 6 August 1993, the Security Council included the letter in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote. The President (United States) drew the attention of the members of the Council to a draft resolution¹⁸ prepared in the course of the Council's prior consultations and read out revisions to be made to the draft resolution in its provisional form. She also drew their attention to a letter¹⁹ dated 2 August 1993 addressed to the President of the Council from the representative of Georgia. She further stated that the nature of the situation in Georgia and the actions required by the United Nations as a result of the signing of the cease-fire agreement required an urgent response from the Council. Failure to take action would unduly delay the mission to Georgia. Moreover, the Secretary-General would soon submit to the Council his detailed proposals and recommendations on fully deploying such a mission. Therefore, as an exceptional matter, she asked the members of the Council to act on the draft resolution without the usual notice and discussion.

The draft resolution, as orally revised in its provisional form, was then put to the vote and adopted unanimously as resolution 854 (1993), which reads as follows:

The Security Council,

Recalling its resolution 849 (1993) of 9 July 1993, which reserved to the Council a decision on the deployment of military observers, following implementation of a cease-fire,

Welcoming the signing on 27 July 1993 of the agreement establishing the cease-fire in Abkhazia, Republic of Georgia,

1. *Approves* the Secretary-General's proposal as contained in his letter dated 4 August 1993 to the President of the Security Council that an advance team of up to ten United Nations military observers be deployed to the region as soon as possible to begin to help to verify compliance with the cease-fire as envisaged in the cease-fire agreement, the mandate of the team to expire within three months, and contemplates that this advance team will be incorporated into a United Nations observer mission if such a mission is formally established by the Council;

¹⁸ S/26258.

¹⁹ S/26222.

2. *Looks forward* to the report of the Secretary-General on the proposed establishment of a United Nations observer mission, including in particular a detailed estimate of the cost and the scope of this operation, a time-frame for its implementation and the projected conclusion of this operation;

3. *Decides* to remain seized of the matter.

Decision of 24 August 1993 (3268th meeting): resolution 858 (1993)

On 6 August 1993, pursuant to resolution 849 (1993), the Secretary-General submitted to the Council a report²⁰ on the situation in Abkhazia, Georgia, in which he described, *inter alia*, his concept of operation for a military observer mission to be known as the “United Nations Observer Mission in Georgia” (UNOMIG). Its tasks would be to: (a) verify respect for the cease-fire agreement; (b) assist in avoiding any escalation of hostilities; (c) maintain a channel of communication with the military commanders of the parties to forestall violations of cease-fire; (d) investigate cease-fire violations; and (e) report to Headquarters. After considering the findings of the planning team, he had reached the conclusion that the dispatch of 50 military observers, as authorized by resolution 849 (1993), would not cope with the situation, which had developed since. He therefore recommended that the Council expand the mandate of the mission to include the deployment of 88 military observers without delay. He further recommended that the Council authorize the establishment of UNOMIG with such an expanded mandate. The Secretary-General also drew the Council’s attention to novel features in the cease-fire agreement that could impinge upon the functioning of UNOMIG, including provisions for some sort of co-deployment with other contingents and groups that were also assigned responsibilities for maintaining the cease-fire and public order. He proposed that an advance team of the mission be dispatched to the area in order, *inter alia*, to clarify with the parties the relationship of UNOMIG with those entities and the extent of their respective responsibilities and authority, before the full deployment of the mission.

At its 3268th meeting on 24 August 1993, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the President drew the attention of the members of the Council to two letters²¹ dated 4 and 6 August 1993 from the

²⁰ S/26250. See also add.1 to the report dated 7 August 1993.

²¹ S/26254 and S/26264.

Secretary-General, addressed to the President of the Council. The President also drew the attention of Council members to a draft resolution²² prepared in the course of the Council's prior consultations.

The draft resolution was then put to the vote and adopted unanimously as resolution 858 (1993), which reads as follows:

The Security Council,

Recalling its resolution 849 (1993) of 9 July 1993, in which it reserved to itself a decision on the deployment of observers, following implementation of a cease-fire,

Welcoming the signing of the cease-fire agreement of 27 July 1993 between the Republic of Georgia and forces in Abkhazia,

Recalling its resolution 854 (1993) of 6 August 1993, in which it approved the deployment of an advance team of observers for a period of three months,

Having considered the report of the Secretary-General of 6 and 7 August 1993,

Reaffirming previous statements which underscored the vital importance of the maintenance of cease-fire agreements, in particular the statement of the President of the Security Council on 2 July 1993,

Determining that continuation of the conflict in Georgia threatens peace and stability in the region,

Noting that the parties to the conflict have committed themselves to withdrawal of forces from Abkhazia and that this withdrawal is at present under way,

1. *Welcomes* the report of the Secretary-General of 6 and 7 August 1993;
2. *Decides* to establish a United Nations Observer Mission in Georgia in accordance with the above-mentioned report comprising up to eighty-eight military observers, plus minimal staff necessary to support the Mission, with the following mandate:
 - (a) To verify compliance with the cease-fire agreement of 27 July 1993 with special attention to the situation in the city of Sukhumi;
 - (b) To investigate reports of cease-fire violations and to attempt to resolve such incidents with the parties involved;
 - (c) To report to the Secretary-General on the implementation of its mandate including, in particular, violations of the cease-fire agreement;

²² S/26348.

3. *Decides* that the Mission is established for a period of six months subject to the proviso that it will be extended beyond the initial ninety days only upon a review by the Council based on a report from the Secretary-General on whether or not substantive progress had been made towards implementing measures aimed at establishing a lasting peace;

4. *Requests* the Secretary-General to report as appropriate, but in any event within three months, on the activities of the Mission;

5. *Decides* to keep under constant review the operational arrangements to implement the mandate contained in the present resolution, in the light of any further recommendations that the Secretary-General may make in this regard;

6. *Welcomes* the proposed deployment of mixed interim monitoring groups of Georgian/Abkhaz/Russian units designed to consolidate the cease-fire, and requests the Secretary-General to facilitate cooperation between the United Nations observers and these units within their respective mandates;

7. *Calls on* all parties to respect and implement the cease-fire agreement of 27 July 1993 and to cooperate fully with the Mission and ensure the safety of all United Nations personnel and all other peacekeeping and humanitarian personnel within Georgia;

8. *Calls on* the Government of the Republic of Georgia to conclude expeditiously with the United Nations a status-of-forces agreement to facilitate deployment of the Mission;

9. *Requests* the Secretary-General to pursue energetically, through his Special Envoy, efforts to facilitate the peace process and negotiations, starting as soon as possible, towards the achievement of a comprehensive political settlement;

10. *Expresses its continuing support* for the Secretary-General's ongoing cooperation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe in efforts to bring peace to Georgia and elsewhere in the region;

11. *Decides* to remain seized of the matter.

Speaking after the vote, the representative of France said the United Nations was again faced with a situation that was new to it in that it was intervening on the ground alongside regional players. Such action posed a number of problems, in particular delimiting precisely each one's respective responsibilities. His delegation welcomed the fact that the adopted resolution provided for a regular review of the operational provisions for implementing UNOMIG's mandate in the light of the progress made towards establishing a lasting peace. Another essential element was the start to a process of negotiating a political settlement. His delegation regretted

the lack of precise provisions for convening an international conference under United Nations' auspices and expected the parties to make formal commitments to that end.²³

Similarly, the representative of the United Kingdom noted that the relationship between UNOMIG and the bodies provided for in the cease-fire agreement was not entirely clear, but would become so in the light of experience. He added that a comprehensive political settlement had yet to be worked out and encouraged the parties to meet as soon as possible. The Council should be aiming to encourage the rapid conclusion of such a settlement, without which a cease-fire agreement may not work over time.²⁴

The representative of the Russian Federation stressed the significance of the cease-fire Agreement of 27 July 1993, which established a real basis for ensuring a stable cease-fire and for working out a comprehensive political settlement to the conflict in Abkhazia. He noted that the agreement provided for active assistance from the international community in normalizing the situation in Abkhazia. In that respect, the presence of United Nations observers was of extreme political and practical importance to ensure the stability of the cease-fire regime and strict compliance with the other provisions of the agreement. His Government agreed with the concept, approved in the resolution, of UNOMIG to monitor the cease-fire in Abkhazia, and with the size of the mission. He stressed that the resolution had to be implemented in the next few days and requested the Secretariat to conclude its work in preparing the Mission, and in detailed planning of its activities, in particular those related to the interaction of the international observers with the other monitoring groups, and to send the first group of observers within the next few days.²⁵

The President, speaking in her capacity as representative of the United States, noted that, while UNOMIG could play a vital role in helping to create the conditions necessary for genuine and substantive peace negotiations to proceed, it could not guarantee the success of such peace negotiations. The Mission could operate effectively only if the parties had the political will to

²³ S/PV.3268: p.3.

²⁴ *Ibid.*, pp. 6-7.

²⁵ *Ibid.*, pp. 4-6.

resolve their differences by negotiation. Should that will be absent, her delegation would see no justification for prolonging the mission.²⁶

Decision of 17 September 1993 (3279th meeting): statement by the President

By a letter²⁷ dated 17 September 1993, addressed to the President of the Council, the representative of Georgia transmitted a note verbale dated 16 September requesting an urgent Council meeting to discuss a full-scale offensive by the Abkhaz side against the cities of Sukhumi, Okhumi and Otchamtchiré and to dispatch the Secretary-General's Special Envoy to the region.

At its 3279th meeting on 17 September 1993, the Security Council included the letter in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the consideration of the item without the right to vote. The President (Venezuela) then stated that, following consultations among members of the Council, he had been authorized to make the following statement²⁸ on behalf of the Council:

“The Security Council expresses its extreme concern at the outbreak of fighting in Abkhazia, Republic of Georgia, arising from the attacks by the Abkhaz forces on the towns of Sukhumi and Ochamchira.

“The Council strongly condemns this grave violation by the Abkhaz side of the Sochi cease-fire agreement of 27 July 1993, which was mediated by the Russian Federation and welcomed by the Council in resolutions 854 (1993) of 6 August 1993 and 858 (1993) of 24 August 1993.

“The Council strongly demands that the Abkhaz leadership end immediately the hostilities and promptly withdraw all its forces to the cease-fire lines agreed upon in Sochi on 27 July 1993. Failure to take such action can entail the risk of serious consequences.

“The Council urges all countries to encourage the re-establishment of the cease-fire and the resumption of the peace process.

“The Council expresses its strong desire to see the Abkhaz side enter fully into the peace process without further delay.

²⁶ *Ibid.*, pp. 9-10.

²⁷ S/26462.

²⁸ S/26463.

“The Council notes the oral report of the Secretary-General on 17 September 1993 regarding the situation in Abkhazia, Republic of Georgia, and welcomes his intention to send his Special Envoy for Georgia to Moscow and to the area to assess the situation and to establish a way forward to a peaceful settlement to the dispute.

“The Council looks forward to receiving the Secretary-General's report at an early date.”

Decision of 19 October 1993 (3295th meeting): resolution 876 (1993)

On 7 October 1993, the Secretary-General submitted to the Security Council a report²⁹ on the situation in Abkhazia, in which he gave an account of the initial efforts to implement the mandate of UNOMIG and outlined the efforts to start a political process in view of the collapse of the cease-fire and the military advances by the Abkhaz party. UNOMIG had been in the early stages of its deployment when the cease-fire broke down on 16 September and Abkhaz forces launched attacks on Sukhumi and Ochamchira. Further deployment of UNOMIG was suspended, with the strength of the mission standing at 12 military observers. It was evident that UNOMIG's mandate had been invalidated as a result of the general breakdown of the cease-fire and the collapse of the tripartite machinery responsible for its implementation. The Secretary-General proposed to maintain the present strength of UNOMIG in Sukhumi. On the political front, his Special Envoy had made further efforts to call the participants together, proposing to hold a first round of talks in Geneva on 30 September and 1 October. The Secretary-General also expressed his concern at reports of atrocities and allegations of ethnic cleansing being committed as well as at the large numbers of displaced civilians and called on the Abkhaz leadership to exercise maximum restraint regarding the civilian population. His Special Envoy had issued an urgent appeal to Governments for humanitarian assistance. In conclusion, he hoped to present recommendations in a very near future relating to the future of UNOMIG and to the political aspects of the United Nations role in trying to end the conflict in Abkhazia.

²⁹ S/26551.

By a letter³⁰ dated 13 October 1993, addressed to the President of the Council, the representative of Georgia transmitted a letter dated 12 October 1993 addressed to the Secretary-General from the Head of State of Georgia requesting a meeting of the Security Council in connection with the events that had taken place in Abkhazia on 16 September 1993.

At its 3295th meeting on 19 October 1993, the Security Council included the above letter in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the consideration of the item. The President (Brazil) then drew the attention of the members of the Council to the report of the Secretary-General dated 7 October 1993 as well as to a draft resolution³¹ prepared in the course of the Council's prior consultations. He also drew their attention to other documents.³²

The draft resolution was then put to the vote and was adopted unanimously as resolution 876 (1993), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993 and 858 (1993) of 24 August 1993,

Recalling the statement made by the President of the Council on 17 September 1993, in which the Council expressed its extreme concern for the situation in Abkhazia, Republic of Georgia, and urged all countries to encourage the resumption of the peace process,

Having considered the letter dated 12 October 1993 from the Chairman of the Parliament, head of State of the Republic of Georgia, to the Secretary General,

Having also considered the report of the Secretary-General of 7 October 1993,

Deeply concerned at the human suffering caused by conflict in the region, and at reports of "ethnic cleansing" and other serious violations of international humanitarian law,

³⁰ S/26576.

³¹ S/26592.

³² S/ 26487, letter dated 24 September 1993 from the representative of Georgia addressed to the President of the Security Council; S/26528, letter dated 4 October 1993 from the representative of Georgia addressed to the President of the Security Council.

Determining that continuation of the conflict in Abkhazia, Republic of Georgia, threatens peace and stability in the region,

1. *Affirms* the sovereignty and territorial integrity of the Republic of Georgia;
2. *Reaffirms its strong condemnation* of the grave violation by the Abkhaz side of the cease-fire agreement of 27 July 1993 between the Republic of Georgia and forces in Abkhazia, and subsequent actions in violation of international humanitarian law;
3. *Condemns also* the killing of the Chairman of the Defence Council and Council of Ministers of the Autonomous Republic of Abkhazia;
4. *Demands* that all parties refrain from the use of force and from any violations of international humanitarian law, and welcomes the decision of the Secretary-General to send a fact-finding mission to the Republic of Georgia in this regard, in particular to investigate reports of “ethnic cleansing”;
5. *Affirms* the right of refugees and displaced persons to return to their homes, and calls on the parties to facilitate this;
6. *Welcomes* the humanitarian assistance already provided, including by international aid agencies, and urges Member States to contribute towards the relief efforts;
7. *Calls* for unimpeded access for international humanitarian relief assistance in the region;
8. *Calls* on all States to prevent the provision from their territories or by persons under their jurisdiction of all assistance, other than humanitarian assistance, to the Abkhaz side and in particular to prevent the supply of any weapons and munitions;
9. *Reiterates its support* for the efforts of the Secretary-General and his Special Envoy, in cooperation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe and with the assistance of the Government of the Russian Federation as a facilitator, to carry forward the peace process with the aim of achieving an overall political settlement;
10. *Notes* the provisional steps the Secretary-General has taken with regard to the United Nations Observer Mission in Georgia, and welcomes his intention to provide a further report both on the future of the Mission and on the political aspects of the United Nations role in trying to end the conflict in Abkhazia;
11. *Decides* to remain seized of the matter.

Speaking after the vote, the representative of the United States said his country supported the adopted resolution because it underlined once again what had to be done to bring peace to Georgia. He stated that international condemnation of the Abkhaz side was a consequence of its unjustified use of force. The way to rectify the situation was to engage in good faith in a political process, which the Secretary-General and his Special Envoy were attempting to set in

motion, in keeping with the sovereignty and territorial integrity of Georgia. His country would study carefully the report of the Secretary-General's fact-finding mission, in particular its findings on the subject of alleged acts of "ethnic cleansing".³³

The representative of France supported the Secretary-General's decision's to send a fact-finding mission to look into violations of human rights. He drew the attention of Council members to the provisions in the resolution dealing with the facilitation of the return of refugees and in particular, to the provision calling on all States to prevent the provision of any assistance other than humanitarian to the Abkhaz side. His Government paid particular attention to every effort that could lead to a comprehensive political settlement. His delegation welcomed the continuation of the efforts of the Secretary-General's Special Envoy in cooperation with the Chairman-in-Office of the CSCE and hoped that the conditions would soon be spelled out for the holding of a conference under the auspices of the United Nations or according to any other formula which would win the consent of both parties.³⁴

The representative of the Russian Federation expressed his Government's readiness to cooperate with the United Nations in helping to launch forthwith effective machinery for international monitoring of the cease-fire. It also attached tremendous importance to the beginning of a political dialogue, under the auspices of the United Nations, and with Russia acting as a facilitator, aimed at reaching a comprehensive settlement of the conflict. Furthermore, in view of the complexity of the situation, only a "smooth pooling" and the close interaction of the efforts of the United Nations, the CSCE and other parties involved would make it possible to ensure that the peace process was not reversed.³⁵

According to the representative of Hungary, the unanimous adoption of resolution 876 (1993) confirmed once again that the international community rejected the use of violence, including the acquisition of territory by force and "ethnic cleansing", to settle problems that

³³ S/PV.3295: p. 3-4.

³⁴ *Ibid.*, pp. 4-6.

³⁵ *Ibid.*, pp. 7-8.

could be resolved by political means. He attached great importance to cooperation between the United Nations and the CSCE. He stated that, in the future, the activities of the two organizations should be better coordinated and complement each other. Furthermore, the exchange of information between UNOMIG and the Chairman-in-Office of the CSCE should henceforth be an integral part of international efforts in Georgia.³⁶

Decision of 4 November 1993 (3304th meeting): resolution 881 (1993)

On 27 October 1993, the Secretary-General submitted to the Council a report³⁷ concerning the situation in Abkhazia, in which he provided an update on his political efforts and those of his Special Envoy, as well as on the status of UNOMIG. The Secretary-General reported that his Special Envoy had held bilateral discussions in October in Geneva with both parties. The Georgian side had agreed to a meeting, providing that such talks would be conducted on the basis of the inviolability of the territorial integrity of Georgia and that they would take place after the issuing of the report of the human rights mission. Thus, in view of the expressed willingness of both sides to meet, he planned for the Special Envoy to hold a first round of discussions with both parties in late November, under United Nations auspices and with the Russian Federation as facilitator and the CSCE as a participant. Restating that the mandate of UNOMIG had been invalidated by the military developments of 16 to 27 September³⁸, he recommended that the Mission be continued at its current military strength of five military observers for a further three months with the following interim mandate: (a) to maintain contacts with both sides to the conflict and military contingents of the Russian Federation; and (b) to monitor the situation and report to Headquarters, with particular reference to any developments relevant to the efforts of the United Nations to promote a comprehensive political settlement.

At its 3304th meeting on 4 November 1993, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited

³⁶ Ibid., pp. 8-10.

³⁷ S/26646. See also Add.1 of 3 November 1993.

³⁸ See report of 7 October (S/26551, para.11)

the representative of Georgia, at his request, to participate in the discussion without the right to vote. The President (Cape Verde) then drew the attention of the members of the Council to a draft resolution³⁹ prepared in the course of the Council's prior consultations.

The draft resolution was then put to the vote and adopted unanimously as resolution 881 (1993), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993 and 876 (1993) of 19 October 1993,

Recalling in particular resolution 858 (1993) in which the Council decided to establish the United Nations Observer Mission in Georgia,

Having considered the report of the Secretary-General of 27 October 1993 concerning the situation in Abkhazia, Georgia,

Noting with concern that the original mandate of the Mission has been overtaken by the military developments of 16 to 27 September 1993,

Expressing its serious concern that continuation of the conflict in Abkhazia, Georgia, threatens peace and stability in the region,

1. *Welcomes* the report of the Secretary-General of 27 October 1993;
2. *Welcomes also* the continued efforts of the Secretary-General and his Special Envoy, in cooperation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe and with the assistance of the Government of the Russian Federation as facilitator, to carry forward the peace process with the aim of achieving an overall political settlement, and in particular to bring both parties together in late November 1993 in Geneva;
3. *Reiterates* the demand in its resolution 876 (1993) that all the parties to the conflict in Abkhazia, Republic of Georgia, refrain from the use of force and from any violation of international humanitarian law, and looks forward to the report of the fact-finding mission sent by the Secretary-General to Georgia in this regard;
4. *Approves* the continued presence of the United Nations Observer Mission in Georgia until 31 January 1994 comprising up to five military observers plus minimal support staff, with the following interim mandate:

³⁹ S/26688.

(a) to maintain contacts with both sides to the conflict and military contingents of the Russian Federation;

(b) to monitor the situation and report to Headquarters, with particular reference to any developments relevant to the efforts of the United Nations to promote a comprehensive political settlement;

5. *Decides* that the Mission will not be extended beyond 31 January 1994 unless the Secretary-General reports to the Council that substantive progress has been made towards implementing measures aimed at establishing a lasting peace or that the peace process will be served by the prolongation of its mandate, and requests the Secretary-General to report as appropriate, but in any event by late January 1994, on the activities of the Mission;

6. *Requests* the Secretary-General to take planning steps which would enable, upon a further decision by the Council, prompt deployment of additional personnel within the originally authorized strength of the Mission if the Secretary-General reports that the situation on the ground and in the peace process warrants it;

7. *Decides* to remain seized of the matter.

Speaking after the vote, the representative of the United Kingdom deemed it right that the action taken by the United Nations should take the form not just of resolutions and discussions but also of practical action in the form of the continued limited deployment of UNOMIG with a revised mandate. He added that paragraph 3 of resolution 881 (1993) made very clear the importance the international community attached to the need for respect for human rights in Georgia. The international community also expected the parties to make progress towards a peace settlement, and none of the parties should interpret paragraph 5 of the resolution as implying that UNOMIG would in practice remain deployed whatever happened at the negotiating table.⁴⁰

The representative of France expressed his Government's support for the efforts made by the Secretary-General and his Special Envoy to achieve a negotiated solution between the parties. The role of UNOMIG in support of that process was of particular importance. Maintaining UNOMIG in Georgia until 31 January 1994 would allow it to maintain contact with the parties and to provide the Secretary-General and the Security Council with independent information on events that might influence the process of a political solution. He noted that the

⁴⁰ S/PV.3304, p. 3.

resolution just adopted made the possible extension of UNOMIG's mandate beyond 31 January 1994 conditional on progress in the negotiation process. It was clear that the justification for UNOMIG lay in its potential usefulness for the peace process.⁴¹

According to the representative of the United States, resolution 881 (1993) reflected the United Nations' continuing commitment to resolution of the conflict in keeping with the sovereignty and territorial integrity of Georgia. UNOMIG, with a new mandate and reduced in size, could still play a constructive role in monitoring the situation on the ground and helping create an atmosphere conducive to a negotiated settlement.⁴²

The representative of the Russian Federation stated that his country attached great importance to the continued presence of UNOMIG as well as to the Council's decision to request the Secretary-General quickly to take steps that would permit, upon a further decision by the Council, the prompt deployment of additional personnel within the originally authorized strength of the Mission. He further stressed the need for close cooperation and interaction between the United Nations, the CSCE and other interested parties, including his country, in order to ensure the irreversibility of the peace process.⁴³

Decision of 8 November 1993 (3307th meeting): statement by the President

At its 3307th meeting on 8 November 1993, the Security Council resumed its consideration of the item. After the adoption of the agenda, the President stated that, following consultations among council members, he had been authorized to make the following statement⁴⁴ on behalf of the Council:

“The Security Council is following with deep concern developments in the Republic of Georgia, where the continuing disorder has led to mass suffering of the civilian population and threatens to worsen seriously the humanitarian situation in neighbouring Azerbaijan and Armenia.

⁴¹ *Ibid.*, pp. 3-4.

⁴² *Ibid.*, pp. 4-5.

⁴³ *Ibid.*, p. 5.

⁴⁴ S/26706.

“In this connection, the Council notes the appeal by the Government of the Republic of Georgia to the Russian Federation, the Azerbaijani Republic and the Republic of Armenia for assistance to protect and ensure the uninterrupted operation of railroads in Georgia. These are crucial communication links for the three Transcaucasian countries. The Council welcomes the improvement in security for the lines of communication that has followed the Russian Federation's response, which was made in accordance with the wishes of the Government of Georgia.

“The Council appeals to the international community to continue its efforts to provide emergency humanitarian assistance to the population of the Republic of Georgia.

“The Council will remain seized of the matter, and asks to be kept informed of developments by the parties concerned on a regular basis.”

Decision of 22 December 1993 (3325th meeting): resolution 892 (1993)

By a letter⁴⁵ dated 16 December 1993 addressed to the President of the Council, the Secretary-General stated that the Memorandum of Understanding, signed by the parties to the conflict on 1 December 1993 in Geneva, manifested encouraging progress towards lasting peace in the area. Therefore, he sought from the Council contingent authority to deploy up to 50 additional military observers, together with a minimal number of civilian support staff. He indicated that UNOMIG, thus reinforced, would be better placed to ascertain the actual conditions on the ground and to plan and prepare for a further expansion, should the next round of negotiations, scheduled to begin on 11 January 1994, warrant it.

At its 3325th meeting on 22 December 1993, the Security Council included the letter in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote. The President (China) then drew the attention of the members of the Council to a draft resolution⁴⁶ prepared in the course of the Council's prior consultations. He also drew their attention to several other documents.⁴⁷

⁴⁵ S/26901.

⁴⁶ S/26909.

⁴⁷ S/26843, letter dated 3 December 1993 from the representative of Italy addressed to the Secretary-General, transmitting the final documents issued by the CSCE Council at its fourth meeting held in Rome on 30 November and 1 December 1993; S/26856, letter dated 3 December 1993 from the representative of Belgium addressed to the President of the Security Council, transmitting the text of the Statement of Georgia issued by the European Union at

The draft resolution was then put to the vote and adopted unanimously as resolution 892 (1993), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993 and 881 (1993) of 4 November 1993,

Also reaffirming its resolution 868 (1993) of 29 September 1993 concerning the security of United Nations operations,

Having considered the letter dated 16 December 1993 from the Secretary-General to the President of the Security Council concerning the situation in Abkhazia, Republic of Georgia,

Taking note of the letter dated 9 December 1993 from the Permanent Representative of Georgia to the United Nations to the Secretary-General, transmitting the Memorandum of Understanding between the Georgian and Abkhaz sides signed in Geneva on 1 December 1993,

Welcoming the signature of the Memorandum of Understanding,

Noting that the parties to the Memorandum of Understanding consider that the maintenance of peace would be promoted by an increased international presence in the zone of conflict,

Noting also the first expert-level talks held between the parties in Moscow on 15 and 16 December 1993 and the intention to convene a new round of negotiations in Geneva on 11 January 1994 with a view to achieving a comprehensive political settlement of the conflict,

Noting further that encouraging progress has been achieved in the negotiations between the parties, which justifies the deployment of additional United Nations military observers,

Taking note of the decisions of the ministerial meeting of the Conference on Security and Cooperation in Europe held in Rome on 30 November and 1 December 1993, and welcoming the continuing cooperation between the United Nations and the Conference in this matter,

Deeply concerned at the humanitarian situation in Georgia, in particular at the number of displaced persons and refugees,

1. *Welcomes* the letter dated 16 December 1993 from the Secretary-General to the President of the Security Council;

Brussels on 30 November 1993; and S/26875, letter dated 9 December 1993 from the representative of Georgia addressed to the Secretary-General, transmitting the text of a letter dated 8 December 1993 from the Minister for Foreign Affairs of Georgia addressed to the Secretary-General together with the text of the Memorandum of Understanding dated 1 December 1993.

2. *Authorizes* the phased deployment of up to fifty additional United Nations military observers to the United Nations Observer Mission in Georgia, as recommended by the Secretary-General in his letter, to perform the functions described in paragraph 4 of resolution 881 (1993) and in this manner to contribute to the implementation by the parties of the provisions of the Memorandum of Understanding of 1 December 1993, and requests the Secretary-General to inform the Council of the duties of new observers as additional deployments beyond the initial ten referred to in his letter are undertaken;

3. *Notes* the intention of the Secretary-General to plan and prepare for a possible further expansion of the Mission to ensure prompt deployment should the situation on the ground and the course of negotiations warrant it;

4. *Expresses its willingness* to review the existing mandate of the Mission taking into account any progress achieved towards the promotion of a comprehensive political settlement and in the light of the report of the Secretary-General due late January 1994, which report should cover, *inter alia*, the specific activities the Mission will undertake, prospects for the Mission and anticipated costs, in light of the situation on the ground and in the negotiations;

5. *Urges* the parties to comply fully with all the commitments they have undertaken in the Memorandum of Understanding, and in particular with the commitments undertaken in accordance with the main provisions of the cease-fire agreement of 27 July 1993, set out in paragraph 1 of the Memorandum of Understanding;

6. *Urges* the parties to take all steps necessary to ensure the security of Mission personnel, and welcomes the readiness of the Government of the Russian Federation to assist the Secretary-General in this regard;

7. *Also urges* the parties fully to comply with their undertakings in the Memorandum of Understanding to create conditions for the voluntary, safe and speedy return of refugees to the places of their permanent residence and to facilitate the provision of humanitarian assistance to all victims of the conflict;

8. *Further urges* the parties not to take any political or any other steps that could aggravate the existing situation or hinder the process towards a comprehensive political settlement;

9. *Encourages* donor States to make contributions in response to the United Nations humanitarian appeal;

10. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of France observed that, just as the Council had reduced the strength of UNOMIG following the violation of the cease-fire agreement, it was, in the light of the encouraging results of the Geneva negotiations, confirming the readiness of the United Nations to make its contribution, as soon as the parties proved their willingness to advance towards a political settlement of the conflict. If further progress were to be achieved in

the coming weeks, France, together with a number of delegations directly concerned, would propose new forms of action to the Security Council.⁴⁸

The representative of the Russian Federation said his delegation had supported the adopted resolution, authorizing an increase in the strength of the United Nations Observer Mission in Georgia up to 50 additional military observers, in the belief that that was the first step in United Nations assistance. His delegation also believed that progress towards a political settlement should be accompanied by the deployment of a full-fledged United Nations operation, which would cover the entire territory of Abkhazia. At that point, questions of highest priority were the respect for human rights, the return of refugees, the restoration of law and order, and the cessation of violence. In that respect, the speaker hoped that the upcoming review of the mandate of UNOMIG would take into account the recommendation⁴⁹ of the Secretary-General's fact-finding mission, according to which human rights monitors placed in Abkhazia could make an important contribution to the restoration of guarantees for the protection of civilians. It was obvious that international support commensurate with the intensity and scale of the conflict required a significant strengthening not only of the military but also of political, humanitarian and other types of United Nations presence in Abkhazia.⁵⁰

Similarly, the representative of the United Kingdom said United Nations assistance to Georgia was not and should not be confined to the provision of military observers. He agreed with the Secretary-General's view that a further deployment of UNOMIG, beyond that authorized in resolution 892 (1993) and up to the strength originally envisaged for the Mission, had to depend on progress at the political level.⁵¹

The representative of the United States noted that the expansion of UNOMIG was in keeping with the intention of resolution 881 (1993), which took as its guidelines for further

⁴⁸ S/PV.3325.; pp. 6-7.

⁴⁹ See S/26795.

⁵⁰ S/PV.3325, pp. 7-9

⁵¹ *Ibid.*, pp. 9-11.

development an evaluation of the situation on the ground and in the negotiating process. He hoped that the parties would build upon their agreement to work out a framework for a formal cease-fire with which UNOMIG could interact, as was its original function. He also hoped that the Secretary-General in his next report would evaluate whether and to what degree UNOMIG might resume more traditional observer functions.⁵²

Decision of 31 January 1994 (3332nd meeting): resolution 896 (1994)

On 25 January 1994, the Secretary-General submitted to the Council a report⁵³ on the situation in Abkhazia. The Secretary-General reported that, following the signature of the Memorandum of Understanding of 1 December 1993, his Special Envoy had chaired a second round of negotiations in Geneva in January. On 13 January, both sides signed a communiqué⁵⁴ by which they noted the implementation of the Memorandum of Understanding of December 1993, including an exchange of prisoners, a preparatory visit of UNHCR representatives and an expert group meeting, which took place in Moscow on 15 and 16 December 1993, to prepare recommendations on the political status of Abkhazia. The two sides reaffirmed their commitment not to use force or the threat of force against each other, recognized that their primary objective was a comprehensive political settlement and agreed that the deployment of a full-scale peacekeeping operation in Abkhazia would promote the establishment of favourable conditions for such a settlement. They also agreed to establish a special commission on refugees to begin work on 25 January; to start implementing a phased process of the return of refugees to Abkhazia on 10 February; and to hold a third round of negotiations on 22 February in Moscow or Geneva. The communiqué also contained a call from the United Nations, CSCE and the Russian Federation for the parties to proceed from the need to observe the territorial integrity of Georgia and to ensure fully the interests of the entire multinational population of Abkhazia.

⁵² *Ibid.*, pp. 12-13.

⁵³ S/1994/80. See also Add.1. of 27 January 1994.

⁵⁴ See S/1994/32. Annex.

On 21 January, the Head of State of Georgia had met the Secretary-General and had strongly urged him to recommend an increase in the United Nations' military presence, as soon as possible. Noting that negotiations for an acceptable political status for Abkhazia would take time and that the present cease-fire remained fragile, and taking into account the fact that tensions and conflict situations, which existed in the newly independent States of the former Soviet Union, carried much significance for regional stability and international peace and security, the Secretary-General believed that the United Nations' presence in the area should be prolonged. In that regard, following consultations with his Special Envoy and with the group of Member States constituting the " Friends of Georgia"⁵⁵, he suggested as possible options either the establishment of a traditional United Nations peacekeeping force or the authorization of a multinational military force not under United Nations command to carry out an effective separation of forces, monitor the disarmament and withdrawal of armed units and create conditions conducive to the return of refugees and displaced persons. However, bearing in mind the Security Council's clear indication that its attitude towards United Nations peacekeeping efforts in Abkhazia would depend on there being substantive progress towards a political settlement, which had so far been limited, he recommended that UNOMIG be maintained with its present mandate and strength of up to 55 observers for a limited period to 15 March 1994.

At its 3332nd meeting on 31 January 1994, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote. The President (Czech Republic) then drew the attention of the members of the Council to a draft resolution⁵⁶ prepared in the course of the Council's prior consultations. He also drew their attention to two letters⁵⁷ from the representative of Georgia, including a letter dated 13 January 1994 addressed to the President of the Security Council, by which he transmitted the text of the

⁵⁵ France, Germany, Russian Federation and United States.

⁵⁶ S/1994/96.

⁵⁷ S/1994/32, letter dated 13 January 1994 from the representative of Georgia addressed to the President of the Security Council; S/1994/88, letter dated 26 January 1994 from the representative of Georgia addressed to the Secretary-General.

communiqué and requested a meeting of the Council to discuss the question of dispatching United Nations peacekeeping forces to the region.

The representative of Georgia stated that the issue of refugees and displaced persons was of utmost importance for his country and urged that greater attention be paid to the peacekeeping operation in Abkhazia. He contended that the repopulation of the places where the refugees had resided, by non-indigenous elements, including foreign combatants, was a concealed form of ethnic cleansing, which challenged the efforts of the United Nations and previous agreements for a peaceful settlement. While the determination of the political status of Abkhazia, respecting the sovereignty and territorial integrity of Georgia was the key to an overall political settlement, an urgent resolution of the refugee problem was the key to the determination of the political status of Abkhazia itself. He stressed that the return of the refugees had to be carried out without any preconditions.⁵⁸

The draft resolution was then put to the vote and adopted unanimously as resolution 896 (1994), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993 and 892 (1993) of 22 December 1993,

Reaffirming also its resolution 868 (1993) of 29 September 1993 concerning the security of United Nations operations,

Having considered the report of the Secretary-General of 25 January 1994 concerning the situation in Abkhazia, Republic of Georgia,

Welcoming the communiqué on the second round of negotiations between the Georgian and Abkhaz sides signed at Geneva on 13 January 1994, recalling the Memorandum of Understanding signed at Geneva on 1 December 1993, and emphasizing the importance of implementation by the parties of the obligations to which they have committed themselves,

⁵⁸ S/PV.3332, pp. 3-4.

Taking note of the fact that the parties, in the communiqué, state that they continue to favour the deployment in the zone of conflict of United Nations peacekeeping forces or other forces, subject to authorization by the United Nations,

Taking note also of the next expert-level talks to be held between the parties in Moscow on 8 February 1994 and of the intention of the Special Envoy of the Secretary-General to convene a new round of negotiations at Geneva on 22 February 1994,

Recognizing the grave situation in the Republic of Georgia created by the presence of almost 300,000 persons displaced from Abkhazia,

Noting again the conclusions of the ministerial meeting of the Conference on Security and Cooperation in Europe held at Rome on 30 November and 1 December 1993, and welcoming the continuing cooperation between the United Nations and the Conference in this matter,

1. *Takes note* of the report of the Secretary-General of 25 January 1994;
2. *Welcomes* the continued efforts of the Secretary-General and his Special Envoy, in cooperation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe and with the assistance of the Government of the Russian Federation as facilitator, to carry forward the peace process with the aim of achieving an overall political settlement, and welcomes in particular the progress achieved so far;
3. *Urges* the parties to resume the negotiations as soon as possible and to demonstrate stronger willingness to achieve progress towards a comprehensive political settlement;
4. *Calls upon* all concerned to respect the sovereignty and territorial integrity of the Republic of Georgia, and stresses the importance it attaches to such respect;
5. *Stresses* that substantive progress must be made immediately on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, if the negotiations are to succeed and further conflict is to be avoided;
6. *Approves* the continuation of the mandate of the United Nations Observer Mission in Georgia until 7 March 1994 within the numbers authorized in resolution 892 (1993);
7. *Declares* its readiness, within this period, to consider promptly any recommendation from the Secretary-General to further increase the strength of the Mission up to the limit specified in resolution 858 (1993) should the Secretary-General so recommend;
8. *Takes note* of the options described by the Secretary-General in his report for the possible establishment of a peacekeeping operation in Abkhazia, Republic of Georgia;

9. *Requests* the Secretary-General to report to the Security Council immediately following the third round of negotiations between the parties on progress, if any, made in the negotiations and on the situation on the ground, with special attention to circumstances which might warrant a peacekeeping force and on the modalities for such a force;

10. *Underlines* the importance of substantive progress towards a political settlement at the next round of negotiations for further consideration by the Council of possible establishment of a peacekeeping force in Abkhazia, Republic of Georgia;

11. *Recognizes* the right of all refugees and displaced persons affected by the conflict to return, without preconditions, to their homes in secure conditions, calls upon the parties to honour the commitments they have already made in this regard, and urges the parties to come to an expeditious agreement, including a binding timetable, that would assure the rapid return of these refugees and displaced persons in secure conditions;

12. *Condemns* any attempts to change the demographic composition of Abkhazia, Republic of Georgia, including by repopulating it with persons not previously resident there;

13. *Calls upon* the parties to comply fully with the cease-fire to which they have committed themselves;

14. *Urges* the parties to take all steps necessary to ensure the security of Mission personnel and welcomes the readiness of the Russian Federation to assist them in this regard;

15. *Encourages* donor States to assist the Republic of Georgia to enable it to overcome the consequences of the conflict and to make contributions in response to the United Nations humanitarian appeal;

16. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of the Russian Federation expressed his delegation's support for the request by the parties, as contained in their communiqué, with respect to the deployment in the zone of conflict of United Nations peacekeeping forces or other forces approved by the United Nations, and with respect to the extension of the mandate of UNOMIG. His delegation considered the resolution just adopted to be an interim decision dictated by the need to extend the Mission's mandate, on the basis of which the Council could adopt a fundamental decision on deploying a full-scale United Nations peacekeeping operation.

He stressed that the deployment of peacekeeping forces throughout the territory of Abkhazia would create the most favourable conditions for hastened progress towards a comprehensive political settlement as well as for ensuring the unconditional return of refugees, without which there could be no question of a final resolution of the political status of Abkhazia.⁵⁹

The representative of France stated that his delegation agreed with the Secretary-General that it was the duty of the United Nations, as soon as the political will of the parties to reach a negotiated settlement was confirmed, to become further involved and respond to the appeal to establish a peacekeeping operation in Abkhazia. The parties had to understand, therefore, that it was urgent that they made progress in that regard, particularly with respect to the refugee issue. The return of refugees and displaced persons was critical to the quest for a political settlement acceptable to all the parties.⁶⁰

Similarly, the representative of the United Kingdom said that a key factor in future decisions on the subject of the establishment of a peacekeeping force would be the extent of progress towards a political settlement in the negotiations between the parties. However, the Council would not wish that formula to be used by one of the parties to gain time in order to consolidate its position. Any solution to the problem had to respect the territorial integrity of Georgia and ensure the interests of the entire multinational population of Abkhazia.⁶¹

According to the representative of the United States, the Council could not get ahead of the parties themselves in efforts towards a political solution to the conflict. The resolution rightly reminded the parties of the need to demonstrate willingness to work towards a comprehensive political settlement and stressed that substantive progress had to be made immediately on the political status of Abkhazia. The resolution was also specific on the question of refugees and displaced persons. Although the Council had taken no position on exactly how the process of

⁵⁹ S/PV.3332, pp. 5-7.

⁶⁰ *Ibid.*, pp. 7-8.

⁶¹ *Ibid.*, pp. 8-10.

return should begin, it had made clear in the resolution that the process was to take place within an agreed framework, including a binding timetable.⁶²

The representative of New Zealand stated that the Secretary-General rightly had recommended against the United Nations taking a decision at that time to establish a more elaborate peacekeeping operation in Georgia. The current de facto cease-fire was not a sure foundation for a peacekeeping operation of the kind requested by the parties or for decisions on the nature and duration of a such an operation. He stressed that, while the members of the Council would examine the Secretary-General's next report on the basis of the outcome of the upcoming negotiations between the parties, any new United Nations peacekeeping operation in Georgia would have to be structured along traditional lines. Recognizing the implications of the situation for regional security, he welcomed the willingness of regional countries – in particular the Russian Federation as facilitator – to play a constructive role in seeking a solution in that area.⁶³

The President, speaking in his capacity as representative of the Czech Republic, expressed support for Georgia's territorial integrity and stated that, while anything that both parties could agree to would probably be internationally acceptable, an autonomous status for Abkhazia within the Republic of Georgia would be preferable. While it would be very challenging to interpose a sizeable international contingent of peace-keepers in the conflict, his delegation could not support sending peacekeepers into a situation where a political settlement had not been achieved. Expressing satisfaction at the United Nations' cooperation with the CSCE in Georgia, he suggested that such cooperation be reinforced by considering the appointment of a "super-envoy", representing both the United Nations and the CSCE. Such an appointment would send a signal about both organizations' willingness to pool resources with respect, perhaps, to all of Georgia's problems.⁶⁴

⁶² *Ibid.*, p. 11.

⁶³ *Ibid.*, pp. 11-13.

⁶⁴ *Ibid.*, pp. 16-20.

Decision of 4 March 1994 (3345th meeting): resolution 901 (1994)

On 3 March 1994, pursuant to resolution 896 (1994), the Secretary-General submitted to the Council a report⁶⁵ on the situation in Abkhazia in which he reported on progress made in the negotiations, and on the situation on the ground. The Secretary-General informed the Council that a second meeting of the group of experts to address the issue of the political status of Abkhazia had been held in Moscow in February. The group had discussed the division of competences between the Georgian and the Abkhaz authorities as well as the national and international guarantees, the rights to be recognized as those of Abkhazia and possible mechanisms for implementing the competences decided on. As a result of the meeting, the viewpoints of the two sides had seemed to have come closer although a number of difficulties remained unresolved. The meeting was followed by a third round of negotiations in Geneva in February. Despite every effort by his Special Envoy and the Russian facilitator to devise a compromise, it had proved impossible to obtain a document signed by both parties recognizing the sovereignty and territorial integrity of Georgia by all concerned. It had been agreed to resume the session in New York on 7 March.

The Secretary-General noted that the situation on the ground had worsened with renewed fighting in the Gali region, leading to more deaths, destruction of homes and refugee flows. In his view, the deployment of an international military presence could contribute much needed stability. However, the conditions set out by the Council for such a deployment had yet to be met. By not acceding to the Security Council's demand that all parties recognize the territorial integrity of Georgia, the Abkhaz side was preventing the United Nations from responding to a call for assistance from a Member State and blocking the orderly return of refugees. He therefore urged both parties to make the necessary compromises. In the meantime, he recommended a short extension of UNOMIG under its existing mandate.

At its 3345th meeting on 4 March 1994, the Security Council resumed its consideration of the item. Following the adoption of the agenda, the President (France) drew the attention of

⁶⁵ S/1994/253.

the members of the Council to a draft resolution⁶⁶ prepared in the course of the Council's prior consultations. He also drew their attention to several other documents⁶⁷, including a letter dated 9 February 1994 from the representative of Georgia transmitting a letter dated 8 February 1994, in which the Head of State of Georgia informed the Secretary-General of the exacerbation of the tense situation in Abkhazia and reiterated his call for a prompt deployment of a peacekeeping force in Abkhazia, and a letter dated 28 February 1994 from the representative of Georgia addressed to the President, transmitting the text of a statement by the Head of State of Georgia issued on 26 February 1994, in which he agreed to the immediate continuation of the negotiations and expressed his readiness to visit the Security Council and meet the Secretary-General or his Special Envoy, the leadership of the Russian Federation and representatives of friendly States .

The draft resolution was then put to the vote and adopted unanimously as resolution 901 (1994), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993 and 896 (1994) of 31 January 1994,

Noting the letter dated 28 February 1994 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council transmitting the statement of the Chairman of the Parliament, Head of State of the Republic of Georgia,

Noting also the resumption in New York on 7 March 1994 of the negotiations held at Geneva from 22 to 25 February 1994 between the Georgian and Abkhaz sides,

⁶⁶ S/1994/251.

⁶⁷ S/1994/125: letter dated 4 February 1994 from the representatives of Georgia and the Russian Federation addressed to the Secretary-General transmitting the text of a joint message; S/ 1994/149: letter dated 9 February 1994 from the representative of Georgia addressed to the Secretary-General transmitting a letter dated 8 February 1994 from the Head of State of Georgia; S/1994/225, letter dated 24 February 1994 from the representative of Georgia addressed to the Secretary-General transmitting the text of a statement dated 15 February 1994 of Georgia State Committee for Investigation and Revelation of Materials concerning the Policy of Genocide and Ethnic Cleansing against the Georgian Population in Abkhazia, and Submission of Such Materials to an International Tribunal; S/1994/234: letter dated 28 February 1994 from the representative of Georgia addressed to the President of the Security Council.

Urging the parties to achieve as soon as possible substantive progress towards a political settlement based on the principles set out in its previous resolutions so that the Security Council may adequately consider the possible establishment of a peacekeeping force in Abkhazia, Republic of Georgia,

1. *Decides* to extend the mandate of the United Nations Observer Mission in Georgia for an additional interim period terminating on 31 March 1994;
2. *Requests* the Secretary-General to report to the Council by 21 March 1994 on whatever progress has been made in the negotiations and on the situation on the ground, with special attention to circumstances which might warrant a peacekeeping force and on the modalities for such a force;
3. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of the United States said that it was regrettable that the parties had not made sufficient progress towards a comprehensive political settlement. Accordingly, his Government called on the parties to demonstrate a stronger willingness to work towards such settlement. At the same time, it was committing itself to explore promising ways and means within the Council to support and guide the parties' work. In doing so, it would need to remain focused on the principles outlined in resolution 896 (1994) which had to guide the process.⁶⁸

The representative of the Russian Federation said his Government attached great importance to progress in the negotiating process, and in particular to attaining an agreement on the status of Abkhazia that fully respected the sovereignty and territorial integrity of Georgia. At the same time, it was firmly convinced that peacemaking forces must be deployed without delay throughout Abkhazia in order to add momentum to the peace process and make it durable and, in the final analysis, irreversible.⁶⁹

The President, in his capacity as the representative of France, contended that the adopted resolution was a technical one. The negotiations between both sides were now entering a

⁶⁸ S/PV.3345, p. 2.

⁶⁹ *Ibid.*

decisive phase. His Government urgently called on the parties to make the kind of progress that would allow the Council to adopt the necessary peacekeeping measures to settle the conflict.⁷⁰

Decision of 9 March 1994 (3346th meeting): Adjournment

At its 3346th meeting on 9 March 1994, the Security Council resumed its consideration of the item. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the consideration of the item without the right to vote. The President (France) then drew the attention of the members of the Council to the report⁷¹ of the Secretary-General of 3 March 1994.

At the outset, the representative of Georgia briefed the Council on the history of the conflict. First, the conflict in Abkhazia was not an inter-ethnic conflict. Secondly, neither before nor after the beginning of the conflict did Georgia ever call into question the issue of Abkhaz statehood. Thirdly, Georgia's will for peace had been reaffirmed by three cease-fire agreements and the adoption of appropriate measures required for their implementation. He then outlined Georgia's plan for a comprehensive settlement in Abkhazia. The plan provided for the holding, under international supervision, of elections leading to the establishment of new organs of power; the establishment, prior to the elections, of an international directorate with the participation of the parties, UNHCR, the Russian Federation, the group of "Friends of Georgia", and other States Members of the United Nations; and the establishment of a provisional joint administration for Abkhazia. In addition, an international body would be established under United Nations auspices, with the Russian Federation as facilitator and with the participation of the CSCE and would devise and implement, jointly with the international directorate and the Government, a programme for Abkhazia's economic revival. He also stressed that the only way towards a peaceful political settlement was the deployment in the conflict zone of international peacekeeping forces and that

⁷⁰ *Ibid.*, pp. 2-3.

⁷¹ S/1994/253.

any delay in their deployment would have a detrimental effect on the lot of refugees. He asked the Council to take those views into account when reaching a decision.⁷²

The representative of the Russian Federation said that his country attached great importance to progress in the negotiations, particularly with respect to reaching agreement on a full-scale settlement on the basis of unconditional respect for the territorial integrity of Georgia and respect for and guarantees of the statehood and multi-nationality status of the people of Abkhazia. At the same time, his country was convinced that in order to encourage a successful and ultimately irreversible peace process, prompt deployment of peacekeeping forces to the zone of conflict was essential. Only such deployment could truly and effectively ensure maintenance of the cease-fire, the safe return of refugees and displaced persons to Abkhazia, and the parties' implementation of the agreements already reached. The Russian Federation considered it extremely important for the Security Council to respond positively to the frequent requests of the leadership of both parties to that effect.⁷³

The representative of the United States reaffirmed its strong support for the independence, sovereignty and territorial integrity of Georgia. Should the parties reach a settlement including a durable cease-fire and the return of refugees, his delegation would be inclined to support a carefully defined United Nations peacekeeping operation in Georgia, if certain conditions were met. In that connection, he noted that the Government of Georgia had indicated a willingness to negotiate far-reaching autonomy for Abkhazia. It must be prepared to define in detail how that autonomy would be exercised. But the Abkhaz forces must also recognize in word and deed Georgia's territorial integrity.⁷⁴

According to the representative of the United Kingdom, it was crucial that there should be a substantive political framework in place and clear progress made towards a political settlement before the Council approved a peacekeeping operation. Also, there had to be clarity as to the

⁷² S/PV.3346, pp. 2-8.

⁷³ *Ibid.*, pp. 8-9.

⁷⁴ *Ibid.*, pp. 9-10.

mandate that might be given to the peacekeeping forces in question, which had to avoid simply consolidating the status quo. He stressed that the international community, in his view, would not have much patience if a party to the negotiations placed obstacles in their path in order to gain time and consolidate its position and, furthermore, that any solution to the problem had to respect the territorial integrity of Georgia as well as ensuring the interests of all the multi-ethnic communities of Abkhazia.⁷⁵

The President, speaking in his capacity as the representative of France, said that his Government wished to send a very clear message on three matters of principle: first, it was out of the question to compromise on the principle of the territorial integrity of Georgia within the framework of the final settlement; secondly, every effort should be made to ensure that the return of displaced persons and refugees to Abkhazia took place in the best conditions; and thirdly, the establishment of a peacekeeping operations would have to be in conformity with the customary rules governing United Nations peacekeeping involvement, in particular, the definition of its mandate, the force's composition and command and its financing.⁷⁶

Other speakers emphasized that any peace process should take into account the sovereignty and territorial integrity of Georgia.⁷⁷ Some of them considered favourably the establishment of a peacekeeping force in Georgia.⁷⁸

Decision of 25 March 1994 (3354th meeting): resolution 906 (1994)

On 18 March 1994, pursuant to resolution 901 (1994), the Secretary-General submitted to the Council a report⁷⁹ on the situation in Abkhazia. The Secretary-General informed the Council that the third round of negotiations had been held in New York in March under the chairmanship of

⁷⁵ *Ibid.*, pp. 10-11.

⁷⁶ *Ibid.*, pp. 13-14.

⁷⁷ *Ibid.*: Brazil, pp. 11-12; China, p. 12; Spain, pp. 12-13; Argentina, p. 13.

⁷⁸ *Ibid.*: Brazil, pp. 11-12; Spain, pp. 12-13.

⁷⁹ S/1994/312 and Add.1.

his Special Envoy. He also had a detailed exchange of views with the Head of State of Georgia on the state of the negotiations and the possibilities for action by the United Nations. Much of the draft political declaration and virtually the whole draft refugee agreement were acceptable to both sides. However, the parties diverged on three major issues: recognition of the territorial integrity of Georgia; the repatriation of refugees and displaced persons; and the role and area of deployment of a peacekeeping force. Although conditions for the deployment of a peacekeeping force did not exist and negotiations were suspended, the Secretary-General did not believe that it was the time for the international community to abandon its efforts. At the same time, the parties could not expect the international community to maintain its assistance indefinitely if they did not both show a readiness to start rebuilding confidence and reconciling their differences. In that context, he informed the Council that he had received informal indications from both sides that they wished to find a negotiated settlement, and that he intended to ask his Special Envoy to resume contact with the parties and with the Russian Federation in its role as facilitator. In the meantime, he recommended an extension of UNOMIG's mandate for a further three months until 30 June 1994.

At its 3354th meeting on 25 March 1994, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote. The President then drew the attention of the members of the Council to a draft resolution⁸⁰ prepared in the course of the Council's prior consultations. He also drew their attention to two letters⁸¹, including a letter⁸² dated 24 March 1994 addressed to the President of the Security Council in which the representative of Georgia informed the Council of his Government's readiness to continue negotiations on a comprehensive political settlement of the conflict.

⁸⁰ S/1994/347.

⁸¹ S/1994/317 and S/1994/343, letters dated 21 and 24 March 1994 from the representative of Georgia addressed to the President of the Security Council.

⁸² S/1994/343.

Speaking before the vote, the representative of Oman noted that operative paragraph 4 of the draft resolution referred to consideration of the possible establishment of a peacekeeping force in Abkhazia. His delegation did not consider it appropriate for the Council to be considering that matter at present. On the contrary, his Government felt that the Council's involvement in such details was premature and might well set a dangerous precedent leading to complications in the situation. The Security Council should not intervene. Nevertheless, aware that the concerned parties would accept the United Nations force, his delegation would vote in favour of the resolution.⁸³

The draft resolution was then put to the vote and adopted unanimously as resolution 906 (1994), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994 and 901 (1994) of 4 March 1994,

Having considered the reports of the Secretary-General of 3 March and 18 March 1994 on the situation in Abkhazia, Republic of Georgia,

Regretting that no agreement on a political settlement and on the return of refugees and displaced persons has so far been reached in the negotiations between the Georgian and Abkhaz sides,

Welcoming the letter dated 24 March 1994 from the Permanent Representative of the Republic of Georgia informing of the readiness of the Georgian Government to continue the negotiations on a comprehensive political settlement,

Stressing again the grave situation in the Republic of Georgia created by the presence of large numbers of persons displaced from Abkhazia, Republic of Georgia,

Deploring in particular the violence which occurred in early February 1994,

1. *Takes note* of the reports of the Secretary-General of 3 and 18 March 1994;

⁸³ S/PV.3354, pp. 2-3.

2. *Once again calls upon* all concerned to respect the sovereignty and territorial integrity of the Republic of Georgia;

3. *Stresses* the right of all refugees and displaced persons to return to their homes in secure conditions, throughout Abkhazia, Republic of Georgia, and urges the parties to come to an expeditious agreement with a view to facilitating the effective realization of this right;

4. *Urges* the parties to resume the negotiations as soon as possible and to achieve substantive progress towards a political settlement, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, based on the principles set out in previous Security Council resolutions, so that the Council may adequately consider the possible establishment of a peacekeeping force in Abkhazia, Republic of Georgia;

5. *Encourages* donor States to assist the Republic of Georgia to enable it to overcome the consequences of the conflict and to make contributions in response to the United Nations humanitarian appeal;

6. *Decides* to extend the mandate of the United Nations Observer Mission in Georgia for an additional interim period terminating on 30 June 1994;

7. *Urges* the parties to take all necessary steps to ensure the security of Mission personnel and their freedom of movement throughout the territory of the Republic of Georgia;

8. *Requests* the Secretary-General to report to the Council on whatever progress is made in the negotiations as soon as it is achieved, and in any case no later than 21 June 1994, and on the situation on the ground, with special attention to circumstances which might warrant a peacekeeping force and on the modalities for such a force;

9. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of the Russian Federation said that his delegation attached importance to the appeal, contained in adopted resolution, for the parties to resume the negotiations as soon as possible and to achieve substantive progress towards a political settlement based on the principles set out in the Council's previous resolutions, especially that of respect for the sovereignty and territorial integrity of Georgia. His delegation believed that, within UNOMIG's existing mandate, it would be possible to mobilize further the activities of the Mission and that the Secretary-General would keep in mind the possibilities available to him to expand it. Also of particular importance was the Council's confirmation of its intention duly to consider the possible establishment of a peacekeeping force in Abkhazia in the

context of the efforts to achieve a political settlement. Meanwhile, the Secretariat should continue preparatory work for such a United Nations operation so that it could be deployed immediately once the Council had taken the decision to do so.⁸⁴

Referring to the third round of negotiations and the parties' disagreement on the role and area of deployment of peace-keepers, the representative of the Czech Republic rejected the idea supported by the Abkhaz leaders that a peacekeeping operation should petrify the line that separated the territory controlled by them from the rest of Georgia. On the other hand, the Georgian Government's wish for a peacekeeping force to oversee and safeguard the safe return of refugees, against Abkhaz opposition if need be, would probably call implicitly for an operation under Chapter VII of the Charter. He also underlined the importance of cooperation between the United Nations and the CSCE, stating that the early appointment of a liaison officer between the two organizations on the spot, as recently recommended by the CSCE's Committee of Senior Officials, should be the next practical manifestation of that cooperation.⁸⁵

The President, speaking in his capacity as the representative of France, stated that the resolution on which his delegation had just voted in favour was not the one that his Government would have wished to see adopted. It would have much preferred to adopt provisions that would have enabled the United Nations to make its own contribution to the implementation of a comprehensive settlement agreed to between the parties. He therefore called on the parties to resume negotiations without delay and take fully account of the proposals put forward by the Secretary-General's Special Envoy. As soon as a lasting political agreement had been concluded and the conditions for United Nations intervention in line with the Organization's principles had been guaranteed, his Government would be prepared to consider favourably the establishment of a peacekeeping operation and to take action in the Council so that a decision to that end would be taken without delay. In that connection, his authorities regarded as essential that, firstly, United Nations involvement required respect for certain rules, in particular the impartiality of the forces

⁸⁴ S/PV.3354, pp. 3-4.

⁸⁵ *Ibid.*, pp. 4-5.

in the field and effective control by the Security Council over the implementation of their mandate; and, secondly, that there could be no question of setting up a new buffer force which would only result in freezing the military situation and political positions.⁸⁶

Decision of 8 April 1994 (3362nd meeting): statement by the President

At its 3362nd meeting on 8 April 1994, the Security Council resumed its consideration of the item. Following the adoption of the agenda, the President (New Zealand) drew the attention of the members of the Council to a letter⁸⁷ dated 5 April 1994, addressed to the President of the Council from the representative of Georgia, which transmitted the texts of the declaration on measures for a political settlement of the Georgian-Abkhaz conflict and of the quadripartite agreement on the voluntary return of refugees and displaced persons, signed in Moscow on 4 April. Under that declaration, the parties committed themselves to a strict cease-fire and reaffirmed their commitment to the non-use of force or threat of force, as well as their request for the early deployment of a peacekeeping operation with the participation of a Russian military contingent. They agreed to continue energetic efforts to achieve a comprehensive political settlement and to set up an appropriate standing committee for that purpose with the participation of representatives of the CSCE and the Russian Federation and with the involvement of international experts. The parties also had agreed to and signed a quadripartite agreement on the repatriation of refugees and displaced persons, which provided for the return of those persons in accordance with existing international practice, including the practice of UNHCR.

The President then stated that, following consultations among the members of the Council, he had been authorized to make the following statement⁸⁸ on behalf of the Council:

“The Security Council welcomes the conclusion of the third round of the negotiations between the Georgian and Abkhaz sides on a comprehensive political settlement of the conflict under the auspices

⁸⁶ *Ibid.*, p. 6.

⁸⁷ S/1994/397.

⁸⁸ S/PRST/1994/17.

of the United Nations with the assistance of the Russian Federation as facilitator, and also attended by representatives of the Conference on Security and Cooperation in Europe and the Office of the United Nations High Commissioner for Refugees.

“The Council considers the signing in Moscow on 4 April 1994 of the Declaration on Measures for a Political Settlement of the Georgian/Abkhaz Conflict and the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons as an encouraging event, laying the basis for further progress towards the settlement of the conflict.

“The Council calls upon both parties to observe strictly the cease-fire and other commitments under the agreements and to use the atmosphere of constructive cooperation, which has emerged during the negotiations, for the solution of other key issues of the settlement.

“In this context, the Council supports a further increase in the deployed strength of the United Nations Observer Mission in Georgia up to the limit specified in resolution 892 (1993) of 22 December 1993, if the Secretary-General considers that the conditions on the ground make that appropriate.

“The Council reaffirms its support for the return of all refugees and displaced persons to their homes in secure conditions, in accordance with international law and as set out in the provisions of the Quadripartite Agreement, and calls upon the parties to honour the commitments they have already made in this regard.

“The Council underlines the importance of substantive progress towards a political settlement during the next rounds of negotiations so that it may adequately consider the possible establishment of a peacekeeping force in Abkhazia, Republic of Georgia.

“The Council expresses in this connection its hope for fruitful results of the work of the Quadripartite Commission on refugees and displaced persons, which begins its work in Sochi, Russian Federation, on 8 April 1994, and of the negotiations between the parties aimed at creating the conditions for the possible establishment of a peacekeeping force and the continuation of consultations on the political status of Abkhazia to be held on 12 and 19 April 1994, respectively.

“The Council welcomes the efforts by the Secretary-General and his Special Envoy for Georgia aimed at achieving a comprehensive political settlement in Abkhazia, in accordance with the principles set out in its relevant resolutions, and looks forward to an early report by the Secretary-General as provided for in resolution 906 (1994) of 25 March 1994.”

Decision of 16 June 1994: letter from the President to the Secretary-General

On 3 May 1994, pursuant to resolution 906 (1994), the Secretary-General submitted to the Council a report⁸⁹ on the situation in Abkhazia, Georgia. The Secretary-General reported on the negotiations that were held on the repatriation of refugees and displaced persons, the possible establishment of a peacekeeping force, and the achievement of a comprehensive political settlement, following the signing of the declaration⁹⁰ and the refugee agreement⁹¹ on 4 April. He observed that those three areas had to be considered as a whole. Obviously, success in the political field could come only at the end of the process and was linked to the beginning of the return of the refugees as well as to the deployment of international peace-keepers. That was why the question of determining whether the “substantive progress” that was sought by the Council had been achieved was a question of interpretation. Given the intensity of the conflict and the high level of suspicion and mistrust that existed between the parties, it was the Secretary-General’s view that progress was being made as quickly as reasonably practicable. While planning for repatriation of refugees and displaced persons was proceeding, it had become clear that the large-scale return of those persons would not take place until an international military presence was deployed in those parts of Abkhazia to which the refugees and displaced persons would be returning. The Secretary-General had hoped to be in a position to recommend to the Council that it decide now to establish a United Nations peacekeeping force and to authorize its deployment with the greatest possible speed. But the reservations raised by the Abkhaz side and the absence of acceptance by both sides of the United Nations proposals for the mandate and deployment of a United Nations peacekeeping force had made it impossible for him to submit such recommendation. In that context, he recalled that the Russian Federation had indicated its readiness to deploy an advance contingent of a United Nations force, should the Council decide to establish one. In those circumstances, he proposed that the Council either decide to establish such a force but not yet deploy it; authorize deployment of a non-United Nations peacekeeping force by the Russian Federation and other CIS members; or postpone a decision until further efforts were made to persuade the parties to agree on the mandate and deployment of a United Nations force.

⁸⁹ S/1994/529.

⁹⁰ S/1994/397, annex I.

⁹¹ Ibid., annex II.

In an addendum⁹² dated 16 June, the Secretary-General recalled that in a letter⁹³ dated 17 May 1994, the representative of Georgia transmitted a copy of the Agreement on a Cease-fire and Separation of Forces, signed in Moscow on 14 May by the parties to the conflict. In that Agreement, the parties had agreed that a peacekeeping force of the CIS would be deployed to monitor compliance with the Agreement. The parties had also appealed 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” envisaged under the Agreement. The Secretary-General further informed the Council of a series of discussions held with the Russian Federation to clarify the role of the United Nations observers and their relationship with the CIS peacekeeping force envisaged in the Agreement. He intended to examine further, in consultation with the parties and the Russian Federation, expansion of the mandate and size of UNOMIG, with a view to its undertaking certain tasks independently but in close coordination with the CIS peacekeeping operation force. He proposed that the strength of UNOMIG might be of the order of 150 military observers. Its mandate would be to monitor the implementation of the Agreement and observe the operation of the CIS peacekeeping force; to investigate violations of the Agreement and to attempt to resolve such incidents with the parties involved; to maintain close contacts with both sides to the conflict, the CIS peacekeeping force and any other military contingents of the Russian Federation and, by its presence, to ensure conditions conducive to the safe and orderly return of refugees and displaced persons; and to report to the Secretary-General on the implementation of that mandate.⁹⁴ Subject to the Council’s views, he would, as a first step, increase the number of UNOMIG military observers to 55, as authorized by the Council in resolution 892 (1993).

In a letter⁹⁵ dated 16 June 1994, the President of the Security Council (Oman) informed the Secretary-General as follows:

⁹² S/1994/529/Add.1.

⁹³ S/1994/583.

⁹⁴ *Ibid.*, para. 7.

⁹⁵ S/1994/714.

“The members of the Security Council have considered your report on the situation in Abkhazia, Georgia. They have noted that discussions were held in New York between the Secretariat and a delegation from the Russian Federation concerning the possible role of United Nations military observers and their relationship with the Commonwealth of Independent States peacekeeping force envisaged in the Agreement on a Cease-fire and Separation of Forces signed by the parties in Moscow on 14 May 1994.

“The members of the Council regard these discussions as a positive step. The members of the Council also note your intention, as a first step and in consultation with the parties, to increase the number of military observers of the United Nations Observer Mission in Georgia up to fifty-five as authorized by the Council in its resolution 892 (1993) of 22 December 1993. The members of the Council note your ideas for a possible mandate for an expanded Mission, set out in paragraph 7 of your report, and your provisional assessment of the strength of the Mission that might be required to perform this task.

“The members of the Council, noting again the conclusions of the ministerial meeting of the Conference on Security and Cooperation in Europe, held at Rome on 30 November and 1 December 1993, also welcome the continuing cooperation between the United Nations and the Conference in this matter.

“The members of the Council would be grateful if the Secretariat could pursue its discussions with the parties, the Russian Federation and representatives of the Commonwealth of Independent States peacekeeping force in order to arrive at clear understandings on particular points of relevance to the Council's decision on a further increase in the strength and change in the mandate of the Mission, including the arrangements which would exist on the ground for coordination between the Mission and the Commonwealth of Independent States peacekeeping force; the period to be set for the mandate of the Commonwealth of Independent States peacekeeping force; assurances from the parties concerned of full freedom of movement for the Mission in the performance of its mandate, both within the zone of operations of the Commonwealth of Independent States peacekeeping force and in other relevant parts of the territory of Georgia; and the time-frame foreseen for the return of refugees and displaced persons.

“On this basis, and following the further urgent consultations that you propose with the parties and the Russian Federation, the members of the Council stand ready to consider your detailed recommendations on the expansion of the Mission along the lines of the ideas set out in paragraph 7 of your report.”

Decision of 30 June 1994 (3398th meeting): resolution 934

On 16 June 1994, pursuant to resolution 906 (1994), the Secretary-General submitted to the Council a report⁹⁶ on the situation in Abkhazia, Georgia, in which he informed the Council of continuing urgent consultations with the parties and the Russian Federation regarding the future mandate and deployment of the expanded UNOMIG, as well as the conditions and assurances of cooperation needed for an effective implementation of that mandate. He also informed the Council that a further round of negotiations convened by his Special Envoy took place in Moscow in May during which both parties to the conflict signed a Proposal for the Establishment of a Coordinating Commission to discuss practical matters of mutual interest. The Secretary-General noted that the Coordinating Commission held its first meeting at Sochi, Russian Federation, on 1 June under the chairmanship of the Russian Federation and that the next round of political negotiations was scheduled to take place in Geneva on 30 June and 1 July 1994. Under those circumstances, the Secretary-General recommended that the Council extend the existing mandate of UNOMIG at its current authorized strength until 31 July 1994.

At its 3398th meeting on 30 June 1994, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the President drew the attention of the members of the Council to a draft resolution⁹⁷ prepared in the course of the Council's prior consultations. He also drew their attention to a letter⁹⁸ dated 21 June 1994 addressed to the Secretary-General from the representative of the Russian Federation, transmitting a letter of the same date from the Minister for Foreign Affairs, informing him of the decision of the CIS, acting on the basis of the provisions of Chapter VIII of the Charter, to introduce a collective peacekeeping force into the conflict zone for a period of six months, with an advance contingent of Russian troops present in Abkhazia being deployed immediately. The Security Council would always be kept fully informed of the size of such forces and of their activities, in accordance with Article 54 of the Charter. The letter specified that the CIS was anxious not to supplant the United Nations, but to help create the most favourable conditions for the efforts of the United Nations. It was therefore essential to establish from the very outset close cooperation between the

⁹⁶ S/1994/725.

⁹⁷ S/1994/781.

⁹⁸ S/1994/732.

peacekeeping force and UNOMIG. In this respect, it was hoped that the Council would decide to enlarge the staff of the Mission and expand and refine its mandate.

The draft resolution was then put to the vote and adopted unanimously as resolution 934 (1994), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994, 901 (1994) of 4 March 1994 and 906 (1994) of 25 March 1994,

Having considered the report of the Secretary-General of 16 June 1994,

Recalling the letter dated 16 June 1994 from the President of the Security Council to the Secretary-General,

Noting the letter dated 21 June 1994 from the Minister for Foreign Affairs of the Russian Federation to the Secretary-General,

Noting that talks between the parties on a comprehensive political settlement will resume shortly, and urging the parties to achieve substantive progress towards a political settlement consistent with the principles set out in its previous resolutions,

1. *Welcomes* the report of the Secretary-General of 16 June 1994;
2. *Notes* with satisfaction the beginning of Commonwealth of Independent States assistance in the zone of conflict, in response to the request of the parties, on the basis of the 14 May 1994 Agreement on a Cease-fire and Separation of Forces, in continued coordination with the United Nations Observer Mission in Georgia, and on the basis of further coordinating arrangements with the Mission to be agreed upon by the time of the Council's consideration of the Secretary-General's recommendations on the expansion of the Mission;
3. *Decides* to extend until 21 July 1994 the existing mandate of the Mission at its current authorized strength, within which period the further expansion of the Mission as recommended in the report of the Secretary-General of 6 June 1994 will be addressed;
4. *Requests* the Secretary-General, in the light of the letter dated 16 June 1994 from the President of the Security Council, to report to the Council on the outcome of discussions between the

Mission, the parties and the Commonwealth of Independent States peacekeeping force designed to reach an agreement on the arrangements which would exist on the ground for coordination between an expanded Mission and the Commonwealth of Independent States peacekeeping force;

5. *Reaffirms* its readiness to consider detailed recommendations on the expansion of the Mission along the lines of the ideas set out in paragraph 7 of the report of the Secretary-General;

6. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of France stated that it was necessary that, together with the deployment of the CIS force requested by the parties to maintain the cease-fire and to facilitate the return of refugees and displaced persons, a new mandate be rapidly entrusted to UNOMIG to verify all aspects of the implementation of the agreement of 14 May 1994. The Council, however, would not be able to adopt a resolution to that effect until the Mission and the CIS force had concluded the necessary arrangements concerning the coordination of their activities and until the parties had given the assurances that would guarantee full freedom of movement.⁹⁹

The representative of the Russian Federation attached great importance to the fact that the resolution focused on the cooperation between UNOMIG and the CIS peace-making forces in the conflict zone. He stressed that Georgia, Russia and the other States of the CIS were forced into deploying a peacemaking operation in the Abkhaz conflict zone because of the dangerous way in which the situation was developing, and because of the lack of a positive response to numerous requests for the urgent dispatch to the conflict zone of a United Nations peacekeeping force. The Council must not delay adopting a “substantive” resolution on that item. Expressing dissatisfaction at the level of support and understanding from Council members for the peace-making operation in Abkhazia, he stated that there should be no room in the Council for a double standard in approaching peacemaking operations. The Council was expected to provide no less genuine

⁹⁹ S/PV.3398, p. 2.

support for efforts to maintain peace in the Georgian-Abkhaz conflict zone than it did with regard to conflicts elsewhere.¹⁰⁰

According to the representative of the Czech Republic, resolution 934 (1994) was a purely technical one and, as such, should have contained only provisions relating to the extension of the mandate of UNOMIG and references to technical aspects of that Mission. The new element introduced in that resolution ran counter to the general understanding in the Council that it would be in a position to consider and pass judgement on the peacekeeping operation of the CIS in Abkhazia only after it had received, and deliberated upon, the Secretary-General's substantive report on UNOMIG, which should address, *inter alia*, the vital issue of coordination and cooperation between UNOMIG and the CIS peacekeeping force. His delegation did not share the view that the Council could, without due consideration and almost automatically, endorse a peacekeeping operation without having all the facts available to it. Nor did it agree with the notion that different peacekeeping missions could be compared or that there existed an automatic linkage between them. Each peacekeeping operation or mission was unique and had its own specifics. Only after having carefully examined and considered all aspects, both technical and political, could Council members reach a definitive and responsible opinion on the form and substance of the Council's reaction. He concluded by reiterating his delegation's strong preference for a classic United Nations peacekeeping operation in Abkhazia, and its concern at the fact that many aspects of the CIS peacekeeping operation, including coordination and interaction with UNOMIG, had remained unclear and hazy.¹⁰¹

Decision of 21 July 1994 (3407th meeting): resolution 937 (1994)

On 12 July 1994, pursuant to the letter dated 16 June 1994 from the President of the Council and resolution 934 (1994), the Secretary-General submitted to the Council a report¹⁰² on the situation in Abkhazia, Georgia, in which he reported that the situation on the ground had

¹⁰⁰ *Ibid.*, pp. 2-3.

¹⁰¹ *Ibid.*, pp. 3-4.

¹⁰² S/1994/818. See also Add.1. of 15 July 1994.

improved with the arrival of the CIS peacekeeping force but remained tense in the Kodori valley. There were unconfirmed reports that both sides had completed the withdrawal of troops and heavy military equipment from their respective side of the security zone under the supervision of the CIS peacekeeping force, in accordance with the 14 May Agreement. While some spontaneous return of refugees and displaced persons reportedly continued, preparations were under way to start a programme of voluntary return under the lead of UNHCR, as agreed by the parties. With regard to political aspects, the Secretary-General indicated that he would inform in due course the Council on the outcome of a round of negotiations held at Sochi, Russian Federation, in July. Regarding the ongoing consultations with both parties, the Russian Federation and the CIS peacekeeping force, in order to reach clear understandings on specific points relevant to the Council's decision to amend UNOMIG's mandate and increase its strength, the Secretary-General stated that he was now in a position to propose to the Council the tasks, which an expanded UNOMIG of 136 military personnel would undertake.¹⁰³ Should the Council agree with the mandate and the concept of operations, he would recommend that UNOMIG also be authorized for a period of 6 months. He intended to send a letter to the President of the Council of the CIS defining the respective roles and responsibilities of UNOMIG and the CIS peacekeeping force.

At its 3407th meeting on 21 July 1994, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Germany, at his request, to participate in the discussion without the right to vote. The President (Pakistan) then drew the attention of the members of the Council to a draft resolution¹⁰⁴ submitted by France, Germany, the Russian Federation, the United Kingdom and the United States.

Speaking before the vote, the representative of the United States observed that, for the first time, the members of the Council had established a relationship between a United Nations observer mission and a peacekeeping force within a sovereign State of the former Soviet Union. She noted,

¹⁰³ See *Ibid.*, para.5.

¹⁰⁴ S/1994/857.

inter alia, that the draft resolution provided a detailed framework for the operation of UNOMIG and set out the Council's expectations for UNOMIG's relationship to the CIS peacekeeping force. However, the draft resolution was not a blank check. UNOMIG had a six-month mandate, the renewal of which would be subject to review by the Council. She noted also that the draft resolution allowed for the possibility for more extensive United Nations involvement in the process in Georgia, should circumstances warrant.¹⁰⁵

The draft resolution was then put to the vote and adopted by 14 votes to none¹⁰⁶ as resolution 937 (1994), which reads as follows:

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994, 906 (1994) of 25 March 1994 and 934 (1994) of 30 June 1994,

Recalling the letter dated 16 June 1994 from the President of the Security Council to the Secretary-General,

Having considered the report of the Secretary-General of 12 July 1994,

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Georgia and the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions, in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons signed in Moscow on 4 April 1994,

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

Recognizing the importance of consistent and full compliance with the Declaration on Measures for a Political Settlement of the Georgian/Abkhaz Conflict and the Quadripartite Agreement,

Stressing the crucial importance of progress in the negotiations under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and with the participation of representatives of the Conference on Security and Cooperation in Europe to reach a comprehensive

¹⁰⁵ S/PV.3407., p. 3.

¹⁰⁶ Rwanda was not present at the meeting.

political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, based on the principles set out in its previous resolutions,

Stressing also that this progress would allow the Council to reconsider the possible establishment of a peacekeeping force in Abkhazia, Republic of Georgia, as proposed in the letter dated 7 September 1993 from the Ministers for Foreign Affairs of the Republic of Georgia and the Russian Federation to the Secretary-General,¹⁰⁷

Stressing further the need to prevent any resumption of hostilities in the area,

Deeply concerned about the humanitarian situation and the dangers which could arise within the region if the large numbers of refugees and displaced persons are not able to return to their homes in secure conditions,

Taking note of the address of the Head of State of the Republic of Georgia of 16 May 1994, and that of the Chairman of the Supreme Soviet of Abkhazia of 15 May 1994, to the Council of Heads of State of the Commonwealth of Independent States, and recognizing that the deployment of a Commonwealth of Independent States peacekeeping force to the area is predicated upon the request and consent of the parties to the conflict,

Noting the statements in the letter dated 21 June 1994 from the Minister for Foreign Affairs of the Russian Federation to the Secretary-General concerning the mandate of the Commonwealth of Independent States peacekeeping force and its duration,

Noting with satisfaction the readiness of the Russian Federation to continue to inform the members of the Security Council of the activities of the Commonwealth of Independent States peacekeeping force,

Welcoming the closer cooperation and coordination envisaged between the Secretary-General and the Chairman-in-Office of the Conference on Security and Cooperation in Europe, in particular as regards their efforts to achieve a comprehensive political settlement in the Republic of Georgia,

Underlining the importance of the relevant provisions of the documents of the Helsinki Summit of the Conference on Security and Cooperation in Europe of 1992 and of the Conference's ministerial meeting held at Rome on 30 November and 1 December 1993, including those concerning peacekeeping activities in the area covered by the Conference,

Noting the assurances given by the parties and the representatives of the Commonwealth of Independent States peacekeeping force concerning the full freedom of movement for the United Nations

¹⁰⁷ S/26478.

Observer Mission in Georgia in the performance of its mandate, both within the zone of operations of the Commonwealth of Independent States peacekeeping force and in other relevant parts of the territory of the Republic of Georgia,

1. *Welcomes* the report of the Secretary-General of 12 July 1994;
2. *Calls upon* the parties to intensify their efforts to achieve an early and comprehensive political settlement under the auspices of the United Nations with the assistance of the Russian Federation as facilitator and with the participation of representatives of the Conference on Security and Cooperation in Europe, and welcomes the wish of the parties to see the United Nations continue to be actively involved in the pursuit of a political settlement;
3. *Commends* the efforts of the members of the Commonwealth of Independent States directed towards the maintenance of a cease-fire in Abkhazia, Republic of Georgia, and the promotion of the return of refugees and displaced persons to their homes in accordance with the Agreement on a Cease-fire and Separation of Forces in full cooperation with the Office of the United Nations High Commissioner for Refugees and in accordance with the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons;
4. *Welcomes* the contribution made by the Russian Federation, and indications of further contributions from other members of the Commonwealth of Independent States, of a peacekeeping force, in response to the request of the parties, pursuant to the Agreement on a Cease-fire and Separation of Forces, in coordination with the United Nations Observer Mission in Georgia on the basis of the arrangements described in the report of the Secretary-General, and in accordance with the established principles and practices of the United Nations;
5. *Decides* to authorize the Secretary-General to increase the strength of the Mission, as required, up to one hundred and thirty-six military observers with appropriate civilian support staff;
6. *Decides also* that the mandate of an expanded Mission, based upon the recommendations in the report of the Secretary-General, shall be as follows:
 - (a) To monitor and verify the implementation by the parties to the Agreement on a Cease-fire and Separation of Forces;
 - (b) To observe the operation of the Commonwealth of Independent States peacekeeping force within the framework of the implementation of the Agreement;
 - (c) To verify, through observation and patrolling, that troops of the parties do not remain in or re-enter the security zone and that heavy military equipment does not remain or is not reintroduced in the security zone or the restricted weapons zone;

(d) To monitor the storage areas for heavy military equipment withdrawn from the security zone and the restricted weapons zone in cooperation with the Commonwealth of Independent States peacekeeping force as appropriate;

(e) To monitor the withdrawal of troops of the Republic of Georgia from the Kodori valley to places beyond the boundaries of Abkhazia, Republic of Georgia;

(f) To patrol regularly the Kodori valley;

(g) To investigate, at the request of either party or the Commonwealth of Independent States peacekeeping force or on its own initiative, reported or alleged violations of the Agreement, and to attempt to resolve or contribute to the resolution of such incidents;

(h) To report regularly to the Secretary-General within its mandate, in particular on the implementation of the Agreement, any violations and their investigation by the Mission, as well as other relevant developments;

(i) To maintain close contacts with both parties to the conflict and to cooperate with the Commonwealth of Independent States peacekeeping force and, by its presence in the area, to contribute to conditions conducive to the safe and orderly return of refugees and displaced persons;

7. *Notes* the Secretary-General's intention to write to the Chairman of the Council of Heads of State of the Commonwealth of Independent States on the respective roles and responsibilities of the Mission and the Commonwealth of Independent States peacekeeping force, and requests the Secretary-General to establish an appropriate arrangement to that effect, and requests the commanders of the Mission and the Commonwealth of Independent States peacekeeping force to conclude and implement the appropriate arrangements on the ground, described in the report of the Secretary-General, for coordination and cooperation between the Mission and the peacekeeping force in the implementation of their respective tasks;

8. *Calls upon* the parties to the conflict to extend full support, necessary protection and freedom of movement to the Mission in the performance of its mandate both within the zone of operations of the Commonwealth of Independent States peacekeeping force and in other relevant parts of the territory of the Republic of Georgia for it to fulfil its mandate, and requests that a status-of-mission agreement with the Government of the Republic of Georgia and necessary arrangements with the Abkhaz authorities be concluded without delay;

9. *Reaffirms* its support for the return of all refugees and displaced persons to their homes in secure conditions, in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, calls upon the parties to honour the commitments they have already made in this regard and to accelerate the process as far as possible, and requests the

Office of the United Nations High Commissioner for Refugees to give its full assistance to the implementation of the Quadripartite Agreement;

10. *Requests* the Secretary-General to establish a voluntary fund for contributions in support of the implementation of the Agreement on a Cease-fire and Separation of Forces and/or for humanitarian aspects including demining, as specified by the donors, which will in particular facilitate the implementation of the mandate of the Mission, and encourages Member States to contribute thereto;

11. *Decides* on this basis to extend the mandate of the Mission until 13 January 1995;

12. *Also requests* the Secretary-General to report within three months of the adoption of the present resolution on the situation in Abkhazia, Republic of Georgia, and on the implementation of all aspects of the above-mentioned agreements;

13. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of France stressed the importance of resolution 937 (1994), which for the first time established cooperation between the United Nations and a regional stabilization operation in the CIS. His delegation welcomed the fact that the Council had taken into account the specific nature and the innovative context of the peacekeeping operations of the CIS Member States and of UNOMIG in the conflict zone. The two operations, although separate, had the same goal, namely the implementation of the 14 May agreement. There was a need, therefore, to find a balance between the autonomous action of the CIS peacekeeping force and that of a United Nations mission with a mandate from the Council. In those circumstances, it was important to recall the essential nature of the relevant provisions of the Helsinki documents of the CSCE¹⁰⁸ and of its ministerial meeting in Rome¹⁰⁹, which laid down the framework for action by the peacekeeping force. It was also important to give UNOMIG the mandate to observe the action of the CIS peacekeeping force – a requirement that became legitimate once the United Nations was requested to participate in the 14 May Agreement. His delegation further welcomed the fact that the Russian Federation had sought the support of the Council for a regional stabilization operation in the CIS and that that operation thus became a part of the political process that was under United Nations auspices. This positive development emphasized the regulatory

¹⁰⁸ S/24370

¹⁰⁹ S/1994/930

functions that the Security Council had shouldered for peacekeeping activities carried out by Powers or by regional forums.¹¹⁰

The representative of the Russian Federation stated that UNOMIG's new mandate gave it broad capabilities to effectively promote the stabilization of the situation in the region of conflict. The Russian Federation attached particular significance to the provision concerning cooperation with the peacekeeping forces of the CIS. It believed that the closest interaction between the CIS peacekeeping force and UNOMIG was the most important condition for the successful attainment of their parallel objectives. He reaffirmed his country's readiness to use all means available to ensure the effectiveness and safety of UNOMIG's activities. Finally, the Russian Federation attached great significance to the resolution's provisions reflecting the intrinsic link between peacekeeping activities in the region and efforts to achieve a comprehensive political settlement and a solution to the problem of refugees and displaced persons.¹¹¹

The representative of New Zealand stated that his country had supported the resolution, but not without some reservations. It had voted in favour of it because the resolution ensured an expanded United Nations presence in Georgia. However, there was more than that in the resolution. According to the speaker, the presence of two peacekeeping operations in one country made it imperative that the relationship between those two forces be clearly set out and well understood by all involved at all levels. Resolution 937 (1994) addressed a number of elements relevant to such a situation. The first element was consistency between the concepts of operation of the two forces. In that regard, both operations were in Georgia with the consent of the parties, and their mandates were complementary, so there was an acceptable level of consistency. Secondly, the question of conformity with peacekeeping principles. In that respect, the resolution welcomed the fact that the CIS force would act in accordance with the established principles and practices of the United Nations, including those relating to peacekeeping. The speaker recalled, in that regard, that the Council itself had approved a number of operational principles for

¹¹⁰ S/PV.3407., p. 4.

¹¹¹ *Ibid.*, pp. 5-6.

peacekeeping, many of which would be applicable to non-United Nations forces which might be involved in peacekeeping. Thirdly, the need to establish satisfactory arrangements for interaction between the forces, as requested by the resolution. And fourthly, the question of communication at all levels of the chain of command, as set forth in the Secretary-General's report. Furthermore, it was important for all peacekeeping operations, given the political climate in which they necessarily operated, that the parties to a conflict were in no doubt as to what the United Nations operation was doing and what it was not doing. In that respect, the resolution set out the mandate of the expanded force with clarity and precision. At the same time, the speaker stressed a number of reservations regarding resolution 937 (1994). His delegation did not believe that it was a good precedent for a neighbouring State to play such a dominant role in such a force. Any operation which called itself a peacekeeping force should be conducted strictly in accordance with United Nations peacekeeping principles. If it did not accept in a transparent way such an operational framework, then it was appropriate for the international community to proceed with caution. For those reasons, his delegation did not agree that that operation set a good precedent. To the contrary, it was a precedent about which the international community should take care in the future.¹¹²

The representative of Brazil said that the members of the Council could not lose sight of the broader issue concerning the future of peacekeeping operations, in particular with regard to the question of the role played by regional arrangements and by individual countries with a direct interest in a given crisis. Resolution 937 (1994) represented an important departure from the original mandate of UNOMIG, as it envisaged a United Nations operation acting in parallel with, and observing, the operation of another entity. He noted that the deployment of the CIS peacekeeping force was predicated upon the request and consent of the parties to the conflict and that they wished the United Nations to continue to be actively involved in the pursuit of a political settlement. He further underlined the need to avoid situations which might put in jeopardy the very concept of a multilateral peacekeeping force. The particular configuration of two concomitant operations contemplated in the resolution had received Brazil's support on the understanding that

¹¹² *Ibid.*, pp. 6-7.

the CIS peacekeeping force would operate in accordance with the relevant established principles and practices of the United Nations in the field of peacekeeping operations, in particular: respect for sovereignty and territorial integrity; impartiality; commitment of the parties to a comprehensive political settlement; and a clearly defined mandate, concept of operations and winding-up process.¹¹³

The representative of the Czech Republic contended that by adopting resolution 937 (1994) the Council had entered uncharted waters. For the first time, it was faced with a situation in which a State with openly declared national interests in the region was undertaking a peacekeeping operation in a neighbouring country. In that regard, he stressed that no peacekeeping operations were identical and that each had its unique settings and features. Therefore, he did not regard the adopted resolution as one setting a precedent. Noting that the CIS peacekeeping operation was taking place on the territory of a State member of the CSCE and that the operation itself was being conducted by CSCE member States, he strongly advocated that the operation should be guided by the principles reflected in the decisions of the CSCE Council meeting held in Rome on 30 November and 1 December 1993. While keeping in mind the merit of such an operation, it was important that the Council leave the door open for consideration, at an appropriate point, of the establishment of a United Nations peacekeeping operation. Also of paramount importance was the establishment of the highest possible level of cooperation, interaction and coordination between UNOMIG and the CIS peacekeeping force. Only the full implementation of UNOMIG's mandate would create favourable conditions for the effective fulfilment of peacekeeping activities in Georgia.¹¹⁴

The representative of the United Kingdom stated that in many ways resolution 937 (1994) and the arrangements set out in it broke new ground. That approach came against the background of increasing demands on United Nations peacekeeping capabilities, demands which threatened to outstrip supply. It represented a response to a situation which was of grave concern to all, but in

¹¹³ *Ibid.*, pp. 7-8.

¹¹⁴ *Ibid.*, pp. 8-9.

which the conditions allowing for the deployment of a United Nations peacekeeping operation did not exist. It also reflected the importance which all attached to various standards on the basis of which international peacekeeping efforts should take place. In that respect, his delegation welcomed the recognition in the resolution of the relevance of the Rome 1993 CSCE ministerial decisions on such principles.¹¹⁵

The representative of Nigeria did not see resolution 937 (1994) as groundbreaking in terms of concept. With the demands for United Nations collective peacekeeping outstripping its ability and resources, it had already become clear and imperative that regional organizations and/or arrangements had to step in. His delegation could not but advert to the desirability of promoting cooperation between the United Nations and regional organizations in the maintenance of regional peace and security. He also noted also that the Council had not ruled out the option of deploying a full-fledged United Nations peacekeeping operation once a final political settlement was achieved.¹¹⁶

The President, speaking in his capacity as the representative of Pakistan, stated that his delegation would have preferred that any peacekeeping operation in Georgia be organized by the United Nations and that it be under United Nations command. Pakistan was concerned over an emerging tendency to attribute peacekeeping roles to the countries of the region, or those closest to the conflict, especially when such countries had direct political interests in the area of conflict. The States Members of the United Nations should in no way abrogate their Charter responsibilities in such a manner. Neither should the financial difficulties faced by the United Nations be allowed to impinge on the Organization's obligations to uphold international peace and security. Moreover, his delegation did not favour the practice of post-facto endorsement by the Council of a regional peacekeeping operation which was outside the purview of the United Nations.¹¹⁷

Decision of 2 December 1994 (3476th meeting): statement by the President

¹¹⁵ *Ibid.*, pp. 9-10.

¹¹⁶ *Ibid.*, pp. 12-13.

¹¹⁷ *Ibid.*, p. 13.

At its 3476th meeting on 2 December 1994, the Security Council resumed its consideration of the item. Following the adoption of the agenda, the President (Rwanda) stated that, following consultations among the members of the Council, he had been authorized to make the following statement¹¹⁸ on behalf of the Council:

“The Security Council has received with deep concern a report from the Secretariat concerning a statement of 26 November 1994 attributed to the Supreme Soviet of Abkhazia, Republic of Georgia. It believes that any unilateral act purporting to establish a sovereign Abkhaz entity would violate the commitments assumed by the Abkhaz side to seek a comprehensive political settlement of the Georgian-Abkhaz conflict. The Council reaffirms its commitment to the sovereignty and territorial integrity of the Republic of Georgia.

“The Council calls upon all parties, in particular the Abkhaz side, to reach substantive progress in the negotiations under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and with the participation of representatives of the Conference on Security and Cooperation in Europe aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, based on the principles set out in all the relevant resolutions of the Council.

“The Council reaffirms the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, signed in Moscow on 4 April 1994. In this regard it expresses great concern at the continued obstruction of the return of refugees and displaced persons and calls upon the Abkhaz party to take all necessary measures, in cooperation with the Office of the United Nations High Commissioner for Refugees, to ensure a speedy and organized voluntary return of the refugees and displaced persons.”

Decision of 12 January 1995 (3488th meeting): resolution 971 (1995)

On 6 January 1995, the Secretary-General submitted to the Council a report¹¹⁹ on the situation in Abkhazia. The Secretary-General described the political progress as being at a standstill. Moreover, there had been few substantive results since negotiations for a comprehensive settlement had begun just a year ago. The core question of the Georgian/Abkhaz conflict, namely

¹¹⁸ S/PRST/1994/78.

¹¹⁹ S/1995/10.

the identification of a political status for Abkhazia acceptable to both sides, remained far from being resolved. However, the Secretary-General stated that he remained convinced that negotiations between the two sides were the only way that that complex issue could be satisfactorily resolved. The present situation prevented a successful resolution of the humanitarian problems of the refugees and displaced persons. He described the situation on the ground as “generally stable but tense” and noted that the parties continued to comply with the agreement of 14 May 1994. He recommended that UNOMIG’s mandate be extended until 15 May 1995, to coincide with the mandate of the CIS peacekeeping force. In an addendum dated 10 January 1995¹²⁰, the Secretary-General informed the Council that he had received a letter from the Chairman of the CIS Council of Heads of State confirming his agreement with the Secretary-General’s proposals regarding the respective roles and responsibilities of UNOMIG and the CIS peacekeeping force as regarded the 14 May agreement.

At its 3488th meeting on 12 January 1995, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote. The President (Argentina) drew the attention of the members of the Council to a draft resolution¹²¹ prepared in the course of the Council’s prior consultations.

The representative of Georgia contended that since the negotiations opened a year ago in Geneva, no arrangements had been made for the return of the more than 250,000 refugees and displaced persons to their homes and that the Abkhaz side was doing its utmost to prevent such a return. The current plight of refugees, who were scattered throughout Georgia, was affecting Georgia’s already devastated economy. He further recalled the statement made by the Head of State of Georgia before the forty-ninth session of the General Assembly, in which he had warned against the danger of aggressive separatism under the guise of the ideals of self-determination and urged the international community to take all necessary measures to keep at

¹²⁰ S/1995/10/Add.1.

¹²¹ S/1995/23.

bay this new trend which ran counter to the purposes and principles of the United Nations. He had also warned that nowhere else as in Georgia was the danger so great that existing internal conflicts would merge with the ones in neighbouring States and grow into regional or even continental wars fought along national or religious lines. Under the circumstances, the Government of Georgia would welcome a decision by the Council to extend the mandate of UNOMIG.¹²²

Speaking before the vote, the representative of the Czech Republic stated that the humanitarian situation resulting from the conflict had always been the primary preoccupation of his country in that issue. In that context, his delegation was horrified by the complete lack of progress on the repatriation of one-quarter of a million refugees and displaced persons. It was particularly chagrined that the draft resolution made no reference to a repatriation timetable, nor did it propose any other measures on the need to bring refugees and displaced persons back to their villages and fields. He also stressed the need for “richer reporting” on the operations of the CIS peacekeeping force. His delegation believed that it would be very advantageous for the content of the Russian delegation’s briefings to Council members in informal consultations to find its way into official documents of the Council, for the benefit both of greater transparency of the CIS peacekeeping operations and of fuller information for United Nations Members. He noted that no new ground would be broken in doing so since the United States delegation, for example, regularly provided comparable briefings on Haiti which were publicly available as part of the official record.¹²³

The draft resolution was then put to the vote and adopted unanimously as resolution 971 (1995), which reads as follows:

The Security Council,

¹²² S/PV.3488, pp. 2-3.

¹²³ *Ibid.*, pp. 3-4.

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994, 906 (1994) of 25 March 1994, 934 (1994) of 30 June 1994 and 937 (1994) of 21 July 1994,

Having considered the report of the Secretary-General of 6 January 1995,

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Georgia, and, in this context, recalling the statement by the President of the Security Council of 2 December 1994,

Reaffirming the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, signed in Moscow on 4 April 1994,

Urging the parties to refrain from any unilateral actions that could complicate or hinder the political process aimed at an early and comprehensive settlement of the conflict,

Deeply concerned about the lack of progress regarding a comprehensive political settlement as well as the slow pace of return of refugees and displaced persons,

Calling upon the parties to intensify efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and the participation of representatives of the Organization for Security and Cooperation in Europe, to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia, fully respecting the sovereignty and territorial integrity of the Republic of Georgia,

Expressing its satisfaction with the close cooperation and coordination between the United Nations Observer Mission in Georgia and the Commonwealth of Independent States peacekeeping force in the performance of their respective mandates,

Commending the contribution of the peacekeeping force and of the Mission to the maintenance of a cease-fire and to the stabilization of the situation in the zone of the Georgian-Abkhaz conflict,

1. *Welcomes* the report of the Secretary-General of 6 January 1995;
2. *Decides* to extend the mandate of the United Nations Observer Mission in Georgia, as set out in resolution 937 (1994), for an additional period terminating on 15 May 1995;
3. *Requests* the Secretary-General to report within two months of the adoption of the present resolution on all aspects of the situation in Abkhazia, Republic of Georgia;
4. *Encourages* the Secretary-General to continue his efforts aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia,

respecting fully the sovereignty and territorial integrity of the Republic of Georgia, and calls upon the parties to reach substantive progress in the negotiations under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and the participation of representatives of the Organization for Security and Cooperation in Europe;

5. *Calls upon* the parties to comply with their commitments with regard to the return of refugees and displaced persons, as undertaken in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, and in particular calls upon the Abkhaz side to accelerate the process significantly;

6. *Decides* to undertake, on the basis of a report from the Secretary-General to be submitted by 4 May 1995 and in the light of any progress achieved towards a political settlement and the return of refugees and displaced persons, a thorough review of the situation in Abkhazia, Republic of Georgia;

7. *Requests* the Secretary-General to examine, within the existing mandate of the Mission, in cooperation with the relevant representatives of the Commonwealth of Independent States peacekeeping force, the possibility of additional steps to contribute to conditions conducive to the safe and orderly return of refugees and displaced persons;

8. *Reiterates* its encouragement to Member States to contribute to the voluntary fund in support of the implementation of the Agreement on a Cease-Fire and Separation of Forces signed in Moscow on 14 May 1994 and/or for humanitarian aspects including demining, as specified by the donors;

9. *Decides* to remain actively seized of the matter.

After the vote, the representatives of France and the United Kingdom stated that the Security Council was committed to securing a political settlement to the Georgian-Abkhaz conflict while respecting the sovereignty and territorial integrity of Georgia.¹²⁴ The representative of the United Kingdom pointed out that it was contradictory that the Abkhaz authorities had declared Abkhazia to be a sovereign State while at the same time claiming to be ready to negotiate a political settlement in accordance with the Council's past decisions. That contradiction had to be resolved in a manner that respected Georgia's sovereignty and territorial integrity.¹²⁵

¹²⁴ *Ibid.*, p. 5.

¹²⁵ *Ibid.*, pp. 5-6.

The representative of Germany noted that the mandate of UNOMIG was special in that it was built upon close cooperation with the CIS peacekeeping force in the area. Its presence in the area, however, was predicated upon a viable political process. His delegation believed that all possibilities under the existing mandates of UNOMIG and the CIS peacekeeping force should be examined in order to improve the situation on the ground. In that regard operative paragraph 7 of the resolution was of particular importance. He noted with satisfaction the willingness expressed by the Russian Federation to brief the Council more frequently on the operation of the CIS peacekeeping force in the area, stressing that greater transparency could only be helpful in achieving common goals.¹²⁶

The representative of the Russian Federation considered it important that the Council confirmed its commitment to upholding the sovereignty and territorial integrity of Georgia and the right of all refugees and displaced persons to return home, and that it called upon the parties to refrain from any actions which might hinder or complicate the peace process. He noted the request made by the Council in the resolution to the Secretary-General to examine, in cooperation with the CIS peacekeeping force, the possibility of adopting additional steps to contribute to conditions conducive to the safe return of refugees. He also noted the satisfaction expressed by the Council with the close cooperation between the CIS peacekeeping force and UNOMIG and confirmed his country's readiness to continue to cooperate closely with the Mission. He expected that, in the course of the upcoming review of the situation to be undertaken by the Council and on the basis of a report by the Secretary-General, substantive consideration would be given to the gradual transformation of the current peacekeeping operation into a United Nations operation based initially on the already deployed CIS and UNOMIG forces in the area.¹²⁷

The representative of the United States stated that the message of the renewal resolution was clear: it was time for the parties to return to the table and to achieve real progress toward a

¹²⁶ *Ibid.*, p. 6.

¹²⁷ *Ibid.*, pp. 6-7.

political settlement and the return of refugees and displaced persons in secure and safe conditions. Referring to the upcoming review by the Council on the future of UNOMIG, the representative of the United States stated that his country would look closely and seriously at the entire situation to determine whether continuation of the Mission was justified. However, recent history did not paint an optimistic picture. The Abkhaz party bore a strong burden of responsibility for the absence of progress. By declaring themselves a foreign nation, Abkhaz leaders had violated their commitment to reaching a mutually acceptable agreement with the Government of Georgia.¹²⁸

According to the representative of Italy, the renewal of the mandate of UNOMIG was an occasion to recognize the validity of the formula identified in resolution 937 (1994) concerning the coordination and cooperation between UNOMIG and the CIS peacekeeping force. Also, the Georgian crisis had provided proof of the cooperation that had developed between the United Nations and the OSCE. Confirmed in resolution 971 (1995) was the fundamental concept of strong support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders; concern about unilateral acts that undermined the efforts to promote a peaceful settlement through negotiation; as well as concern about and condemnation of “ethnic cleansing” and the massive expulsion of people from the areas in which they lived. On the basis of those shared principles, a regional organization such as the OSCE could continue to make a significant contribution to the United Nations efforts towards a final settlement of the crisis, especially in identifying neo-institutional arrangements.¹²⁹

Decision of 17 March 1995 (3509th meeting): statement by the President

On 6 March 1995, pursuant to resolution 971 (1995), the Secretary-General submitted to the Council a report¹³⁰ on the situation in Abkhazia. The Secretary-General reported that there had been some movement, albeit not extensive, on the political side. For the first time, there had been a

¹²⁸ *Ibid.*, pp. 7-8.

¹²⁹ *Ibid.*, pp. 8-9.

¹³⁰ S/1995/181.

productive dialogue between the two sides. Common language had been found on some of the many issues related to the identification of a political status for Abkhazia acceptable to both sides. They had reached an understanding on certain provisions of a future agreement concerning a State within the boundaries of the former Georgian Soviet Socialist Republic as at 21 December 1991, including the establishment of a “federal legislative organ” and a “supreme organ of executive power” acting within the bounds of agreed competences. Core areas of disagreement remained, however, including recognition of Georgia’s territorial integrity, characterization of the union State as federal in nature, the question of a joint army, and popular legitimisation of an agreement.

The Secretary-General further reported that the organized repatriation of refugees remained at a standstill. This situation was creating pressures which, if not eased, could result in explosive developments. He warned that continued lack of progress on that question was not only likely to derail the process of political negotiation but could also set in motion a chain of events that would lead to the resumption of a bitter war between the two sides. In spite of the generally unsatisfactory situation, the Secretary-General strongly believed that the presence of both UNOMIG and the CIS peacekeeping force in the region had contributed greatly to preventing a renewal of hostilities and paved the way for continued political negotiations.

At its 3509th meeting on 17 March 1995, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the President (China) drew the attention of the members of the Council to a letter¹³¹ dated 13 March 1995 addressed to the President of the Council from the representative of Georgia. The President then stated that, following consultations among the members of the Council, he had been authorized to make the following statement¹³² on behalf of the Council:

“The Security Council welcomes the interim report of the Secretary-General of 6 March 1995 concerning the situation in Abkhazia, Republic of Georgia. The Council also welcomes the recent efforts of the Secretary-General's Special Envoy, which enjoy the Council's full support.

¹³¹ S/1995/200.

¹³² S/PRST/1995/12.

“The Council reaffirms its commitment to the sovereignty and territorial integrity of the Republic of Georgia and calls upon the parties to achieve a comprehensive settlement of the conflict, including on the political status of Abkhazia.

“The Council notes that there has been little overall progress in achieving a comprehensive political settlement and that a stalemate exists with respect to the return of refugees and displaced persons.

“The Council notes the movement which has occurred in the political talks which resumed in Geneva from 7 to 9 February 1995 and calls upon the parties to exert determined efforts towards achieving substantive progress during the next round of talks.

“The Council notes with concern that, despite the efforts of the United Nations Observer Mission in Georgia and the Commonwealth of Independent States peacekeeping force, the security situation, in the Gali region in particular, has deteriorated, causing great difficulty in the delivery of humanitarian supplies. The Council also notes with concern that reports of human rights abuses, largely against the Georgian population, have become more frequent. The Council calls upon the parties to provide a secure environment, *inter alia*, to provide security for returning refugees and displaced persons and to ensure that international relief supplies can be delivered safely.

“The Council is deeply concerned about the lack of progress regarding the return of refugees and displaced persons. The Council deplores the continued obstruction on this issue displayed by the Abkhaz authorities and, in particular, the position taken by those authorities in the recent meeting of the Quadripartite Commission in Moscow. The Council expects the parties to implement fully their obligations under the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons. The Council urges the Abkhaz authorities to agree to a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees. The Council notes that cooperation between the United Nations Observer Mission in Georgia and the Office of the United Nations High Commissioner for Refugees is critical to the safe and orderly return of refugees and displaced persons.

“The Council, while welcoming the pledge that has been announced to the voluntary fund in support of the implementation of the Agreement on a Cease-fire and Separation of Forces, notes the lack of contributions to this fund and reiterates its encouragement to Member States to make contributions to the voluntary fund in support of the implementation of the Agreement and/or for humanitarian aspects, including demining, as specified by the donors. The Council also welcomes all other relevant humanitarian contributions of Member States.

“The Council welcomes the steps taken by the Mission and the peacekeeping force aimed at improving conditions for the safe and orderly return of refugees and displaced persons. The Council notes the increased patrolling of the Mission and looks forward to further information on the intensification of its activities within its mandate. The Council also welcomes the strengthening of

cooperation between the Mission and the representatives of the Organization for Security and Cooperation in Europe in Georgia.

“The Council agrees with the observation of the Secretary-General that, with patience and perseverance, solutions can be found to the situation in Abkhazia, Republic of Georgia. The Council underlines the fact that without progress in this direction it will not be possible to maintain the support of the international community.

“The Council will remain seized of the matter.”

Decision of 12 May 1995 (3535th meeting): resolution 993 (1995)

On 1 May 1995, pursuant to resolution 971 (1995), the Secretary-General submitted to the Council a report¹³³ on the situation in Abkhazia. The Secretary-General reported that once again the constructive dialogue that seemed to be leading towards progress had encountered difficulties. The Russian Federation, as facilitator, had drafted a document providing for a solution on the basis of a federal state within the borders of Georgia as of 21 December 1991, with certain competences for Abkhazia. The document was rejected by the Abkhaz side while the Georgian side stressed that the text had gone as far as Georgia was prepared to go.

The situation on the ground was extremely unstable and the organized repatriation of refugees and displaced persons to Abkhazia remained at a standstill, as the Abkhaz side continued to object to the large-scale and speedy return of refugees and displaced.

The Secretary-General noted that UNOMIG had been able to implement the tasks assigned, but its presence had not had the intended effect of contributing substantially to the creation of conditions conducive to the safe and orderly return of refugees and internally displaced persons. Pointing out that the untimely withdrawal of the CIS peacekeeping force and UNOMIG would lead to the resumption of conflict, he recommended that the Mission’s mandate be extended until 15 November 1995, subject to revision in the light of the decision on the mandate of the CIS peacekeeping force.

¹³³ S/1995/342.

At its 3535th meeting on 12 May 1995, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, 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. The President (France) drew the attention of the members of the Council to a draft resolution¹³⁴ prepared in the course of the Council's prior consultations and read out a revision to be made to the draft resolution in its provisional form.

The representative of Georgia stated that his country's reliance on and confidence in the United Nations and the international community as a whole were showing signs of changing: the Security Council had already adopted twelve resolutions and six presidential statements on Abkhazia; while those documents gave moral support, they were less effective in terms of yielding tangible, practical results. In particular, he called on the Council to be more outspoken and clear on the issue of the return of refugees and displaced persons. His delegation would welcome the Security Council's broadening of UNOMIG's mandate, noting that in order to step up the process of repatriation, observers had to be charged with additional responsibilities, especially in monitoring and recording human rights violations. It would also welcome the establishment of an international criminal court, a permanent judicial body capable of addressing the most serious crimes posing a threat to the international community. In that regard, his delegation looked forward to concluding a convention on the establishment of such a body in the near future. He concluded by reaffirming that the United Nations presence in the region was essential to its stability and to the peace process as a whole.¹³⁵

Speaking before the vote, the representative of Italy noted that the conditions set out by resolution 917 (1995) for an extended presence of UNOMIG in Georgia had been only partially met. Nevertheless, his delegation believed that a strong commitment to a political settlement of the

¹³⁴ S/1995/384.

¹³⁵ S/PV.3535., pp. 2-5.

crisis should be confirmed at two different levels. First, there should be support for the negotiations under the auspices of the United Nations and with the contribution of the Russian Federation as a facilitator and of the OSCE, which should participate in every stage of the negotiations. Secondly, there should be an active UNOMIG presence in the field and constructive collaboration between the Mission and the CIS peacekeeping force. Significant aspects of the process which were to lead to a political settlement were defined more clearly in the draft resolution than in previous decisions, including the mention of the new constitution on which the Government of Georgia was working; the priority given to the return of all refugees to their places of origin; the inclusion of the principles of the decision on Georgia taken at the CSCE's Budapest summit; and the emphasis on the UNOMIG operation to contribute, realistically and within the framework of its mandate, to the full respect for human rights.¹³⁶

The draft resolution, as orally revised in its provisional form, was then put to the vote and unanimously adopted as resolution 993 (1995), which reads as follows:

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 971 (1995) of 12 January 1995,

Having considered the report of the Secretary-General of 1 May 1995,

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Georgia,

Concerned that insufficient progress has been achieved towards a comprehensive political settlement,

Welcoming and encouraging continuing consultations regarding a new constitution for the Republic of Georgia based on federal principles in the context of a comprehensive political settlement,

Reaffirming the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, signed in Moscow on 4 April 1994, deploring the continued obstruction of such return by the Abkhaz authorities and underlining the fact that the return of refugees and displaced persons to the Gali region would be a welcome first step,

¹³⁶ *Ibid.*, pp. 5-6.

Expressing concern over the critical funding shortages which may result in suspension of important humanitarian programmes,

Recalling the conclusions of the Budapest summit of the Conference on Security and Cooperation in Europe regarding the situation in Abkhazia, Republic of Georgia,

Reaffirming the need for the parties to comply with international humanitarian law,

Noting that the Agreement on a Cease-fire and Separation of Forces signed in Moscow on 14 May 1994, has been generally respected by the parties over the past year with the assistance of the Commonwealth of Independent States peacekeeping force and the United Nations Observer Mission in Georgia, but expressing concern at the continued lack of a secure environment, in particular recent attacks on civilians in the Gali region,

Expressing concern about the safety and the security of personnel of the Mission and the peacekeeping force, and stressing the importance it attaches to their freedom of movement,

Stressing the importance it attaches to restrictions on the number and type of weapons which may be borne by the parties in the security zone, and welcoming the intention of the Secretary-General to pursue this question with the parties,

Expressing its satisfaction with the close cooperation and coordination between the Mission and the peacekeeping force in the performance of their respective mandates, and commending the contribution both have made to stabilization of the situation in the zone of conflict,

Paying tribute to those members of the peacekeeping force who have lost their lives in the exercise of their duties,

1. *Welcomes* the report of the Secretary-General of 1 May 1995;
2. *Decides* to extend the mandate of the United Nations Observer Mission in Georgia for an additional period terminating on 12 January 1996, subject to review by the Council in the event of any changes that may be made in the mandate of the Commonwealth of Independent States peacekeeping force;
3. *Expresses its full support* for the efforts of the Secretary-General aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, as well as for the efforts that are being undertaken by the Russian Federation in its capacity as facilitator to intensify the search for a peaceful settlement of the conflict, and encourages the Secretary-General to continue his efforts, with the assistance of the Russian Federation as facilitator and with the support of the Organization for Security and Cooperation in Europe, to that end;

4. *Calls upon* the parties to reach substantive progress in the negotiations under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and the participation of representatives of the Organization for Security and Cooperation in Europe;

5. *Urges* the parties to refrain from any unilateral actions which could complicate or hinder the political process aimed at an early and comprehensive political settlement;

6. *Reiterates its call* to the Abkhaz side to accelerate significantly the process of the voluntary return of refugees and displaced persons by accepting a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees and to guarantee the safety of spontaneous returnees already in the area and regularize their status in accordance with the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons;

7. *Welcomes* the additional measures implemented by the Mission and the peacekeeping force in the Gali region aimed at improving conditions for the safe and orderly return of refugees and displaced persons;

8. *Calls upon* the parties to improve their cooperation with the Mission and the peacekeeping force in order to provide a secure environment for the return of refugees and displaced persons, and also calls upon them to honour their commitments with regard to the security and freedom of movement of all United Nations and Commonwealth of Independent States personnel;

9. *Requests* the Secretary-General, in the context of paragraph 7 of resolution 971 (1995), to consider ways of improving observance of human rights in the region;

10. *Reiterates its encouragement* to States to contribute to the voluntary fund in support of the implementation of the Agreement on a Cease-fire and Separation of Forces and/or for humanitarian aspects including demining, as specified by the donors;

11. *Encourages* States to respond to the consolidated inter-agency appeal, in particular for the urgent needs of the Office of the United Nations High Commissioner for Refugees, and welcomes all relevant humanitarian contributions of States;

12. *Requests* the Secretary-General to report every three months from the date of the adoption of the present resolution on all aspects of the situation in Abkhazia, Republic of Georgia, including the operations of the Mission, and decides to undertake, on the basis of those reports, further reviews of the situation;

13. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of the Russian Federation reiterated that a comprehensive political settlement of the Georgian-Abkhaz conflict was possible only on the basis of respect for the sovereignty and territorial integrity of Georgia and for the rights of the multi-ethnic people of that country. The adoption of resolution 993 (1995), which contained some “weighty political provisions”, was confirmation of the international community’s commitment to ensuring such a political settlement, on the understanding that the main responsibility for finding a solution to the crisis lay with the parties themselves. The Russian Federation was seriously concerned at the minimal progress made in the negotiations, including those on the political status of Abkhazia, and found very timely the Council’s reaffirmation of its call for substantive progress in that regard. It was important that the Council had welcomed and supported the continuing consultations on the question of a new constitution for Georgia, based on federative principles, within the context of a comprehensive political settlement. The speaker noted that the resolution expressed great appreciation for the contribution of UNOMIG and the CIS peacekeeping force in stabilizing the situation in the zone of conflict and satisfaction at the close cooperation between the two entities. As representative of the country presiding over the CIS, he reaffirmed its readiness to develop this cooperation further in the interests of ensuring the optimal conditions for a political settlement.¹³⁷

The representative of the United States, while noting that the extension of UNOMIG’s mandate had been approached with an unusually high degree of consensus, stressed that the Mission would remain only as long as the Council was satisfied that the parties were doing their utmost to protect UNOMIG personnel. He noted with encouragement the positive role UNOMIG and the CIS peacekeeping force were playing and the effective coordination of those two separate missions. At the same time, he warned the parties that the willingness of the Council to continue its support of the existing processes through the presence of UNOMIG depended on real progress on the return of refugees and displaced persons and on negotiations towards a political settlement of the conflict. His Government’s support for extending UNOMIG for a longer period than usual did not mean a greater satisfaction with the situation on the ground or with the negotiating process,

¹³⁷ *Ibid.*, pp. 11-12.

nor did it predict infinite willingness to extend UNOMIG if its presence was not contributing to progress toward a settlement. Rather, the Council would be in a better position in mid-January 1996 to make a decision on UNOMIG's future, in the light of the disposition of the CIS operation. The speaker concluded by expressing his concern that the UNOMIG operations be recognized as fully supportive of Georgia's territorial integrity, which the Council had repeatedly reaffirmed. While the Abkhaz might have de facto control over a part of the Republic of Georgia, they did not have the rights of a sovereign State. UNOMIG's ability must be consistent with the position of the Council that it did not and would not accept Abkhaz independence.¹³⁸

The representative of the Czech Republic requested the Secretary-General to look into possibilities that might be available for improving the observance of human rights in the region in general. He further underscored that the reference in resolution 993 (1995) to the 1994 CSCE Budapest summit declaration was intended to address specifically the issue of "ethnic cleansing" in Abkhazia. He also welcomed the fact that a solution to the conflict was being sought on the basis of Georgia's territorial integrity and that consultations regarding a new constitution for the country were based on federal principles. Finally, while expressing satisfaction at the contribution of and cooperation between UNOMIG and the CIS peacekeeping force, he also called on the Russian delegation to provide information on the CIS operation more frequently and in writing.¹³⁹

Other speakers also expressed support to efforts made by the Secretary-General and his Special Representative with the assistance of the Russian Federation and the participation of the OSCE in the search for a peaceful settlement of the conflict.¹⁴⁰ Some of them saw the combined international and regional efforts as a true reflection of the call contained in the Charter for cooperation between the United Nations and regional organizations¹⁴¹ and observed that such cooperation augured well for peacemaking and conflict resolution in the post-cold war area.¹⁴² Others were also in favour of the consideration by the Security Council of the human rights

¹³⁸ *Ibid.*, pp. 12-13.

¹³⁹ *Ibid.*, pp. 15-16.

¹⁴⁰ *Ibid.*, Honduras, pp. 7-8; Nigeria, p.8 ;China, pp.10-11.

¹⁴¹ *Ibid.*, Indonesia, pp.6-7.

¹⁴² *Ibid.*, Nigeria, p.8.

situation on the ground, suggesting the inclusion of civilian observers in UNOMIG¹⁴³ or supporting Georgia's proposal to establish an international tribunal¹⁴⁴ to bring persons guilty of human rights violations in Abkhazia to justice.

Decision of 18 August 1995 (3567th meeting): statement by the President

On 7 August 1995, pursuant to resolution 993 (1995), the Secretary-General submitted to the Council a report¹⁴⁵ on the situation in Abkhazia. The Secretary-General reported that his Special Envoy had visited the region from 15 to 18 July to meet with representatives of the Russian Federation and the parties to the conflict in a further effort to find an agreement on a Russian draft text. Both parties to the conflict continued to take positions that could not, as yet, be bridged. The Abkhaz side maintained that a federative arrangement had to be between two equal entities. The Georgian side, on the other hand, felt that further concessions on its part would be unacceptable. The Secretary-General observed that the pursuit of a political solution to the Georgian-Abkhaz conflict needed to be conducted with appropriate support and resources. He had therefore decided to appoint a resident deputy to his Special Envoy, who would also be the Head of UNOMIG, and who would assist the Special Envoy in the efforts to find and implement a comprehensive settlement based on three essential elements: the safe and early return of the refugees and internally displaced persons, maintenance of the territorial integrity of the Republic of Georgia, and a special status for Abkhazia.

At its 3567th meeting on 18 August 1995, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Georgia, at his request, to participate in the discussion without the right to vote.

¹⁴³ *Ibid.*, Argentina, pp. 14-15.

¹⁴⁴ *Ibid.*, Rwanda, p.10.

¹⁴⁵ S/1995/657.

The President (Indonesia) stated that, following consultations among the members of the Council, he had been authorized to make the following statement¹⁴⁶ on behalf of the Council:

“The Security Council welcomes the report of the Secretary-General of 9 August 1995 on the situation in Abkhazia, Georgia, pursuant to its resolution 993 (1995).

“The Council notes there has been little overall progress in achieving a comprehensive political settlement and that a stalemate exists with respect to the return of refugees and displaced persons.

“The Council expresses its full support for the efforts of the Secretary-General and those of the Russian Federation in its capacity as facilitator aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia. The Council renews its call to the parties, in particular the Abkhaz side, to reach substantive progress in the political negotiations as a matter of urgency.

“The Council remains deeply concerned at the continued obstruction of the return of the refugees and displaced persons by the Abkhaz authorities, which is totally unacceptable. Reaffirming its resolution 993 (1995), the Council reiterates its call to the Abkhaz authorities to accelerate the return process significantly, to guarantee the safety of all returnees and to regularize the status of spontaneous returnees, in accordance with internationally accepted practice and in cooperation with the Office of the United Nations High Commissioner for Refugees.

“The Council welcomes the continuing close cooperation and coordination between the United Nations Observer Mission in Georgia and the Commonwealth of Independent States peacekeeping force in the performance of their respective mandates. It reminds the parties of their obligations to cooperate fully with the Mission and the peacekeeping force and to ensure the safety and freedom of movement of all United Nations and Commonwealth of Independent States personnel.

“The Council takes note with appreciation of the decision of the Secretary-General regarding the resident deputy to his Special Envoy. The Council also supports the Secretary-General's efforts with regard to the establishment of a human rights monitoring mission in the area. It encourages the Secretary-General to continue his consultations with the parties to this end.”

¹⁴⁶ S/PRST/1995/39.

