

Country/entity	Georgia Abkhazia
Region	Europe and Eurasia
Agreement name	Decision of 28 April 1998 on additional measures for the settlement of the conflict in Abkhazia, Georgia, The Council of Heads of State of the Commonwealth of Independent State
Date	28 Apr 1998
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Georgian Separatist Conflicts (1989 -)

The Abkhazia-Georgia Conflict (1992 -)

Much like other conflicts that sprung up in the wake of the collapse of the Soviet Union, the Abkhazia conflict emerged as an ethnic conflict following heightened nationalist awareness among Abkhaz and other minorities residing in the region. In 1978, protests against the Georgianization of Abkhazia emerged from Abkhaz intellectuals. Towards the end of the 1980s, both Georgian and Abkhaz nationalists demanded independence from the Soviet Union. Tensions began following clashes at Sukhumi University between pro-Unity protestors and Abkhaz nationalists in April-July 1989. However, the conflict remained a legal conflict up until August 1992 following the 1991 elections, wherein Abkhazians felt they were under-represented. War broke out between Abkhaz separatists, supported by Russian forces and hired fighters from the North Caucasus. Within Abkhazia, Abkhaz separatists were generally supported by ethnically Armenian and Russian residents. Within Georgia the conflict was exacerbated following conflict in South Ossetia from 1989 onwards in addition to political strife between the supporters of the ousted president, Zviad Gamsakurdia, and the post-coup government led by Eduard Shevardnadze.

Significant human rights abuses occurred, particularly after the capture of Sukhumi in September 1993, after which Georgian residents, which consisted of 45 per cent of the population in 1989, were faced with mass expulsion and ethnic cleansing. Russian Peacekeepers acting under the umbrella of the Commonwealth of Independent States (CIS), were deployed on the Abkhazia-Georgia line following a ceasefire in 1994. Atrocities towards ethnic Georgian's continued with over 1,500 deaths post-conflict. In 1998 fighting re-erupted following a flare up of fighting in South Ossetia. Again it was resolved with a ceasefire agreement. However, as of 2016 the conflict remains unresolved.

The Russo-Georgian War (South Ossetia) (1989 -)

Following heightened nationalist awareness among Ossetians and policies undertaken at the expense of ethnic minorities by the Georgian government led by President Gamsakurdia, calls for Ossetian Independence increased. After clashes broke out in Tskhinvali during a pro-Georgia protest, the conflict began to militarize. When President Gamsakurdia maintained his position after elections in 1990, which were boycotted by South Ossetia, Ossetians organised elections for their own parliament. The central Georgian government reacted by abolishing the autonomous status previously held by South Ossetia. The formation of ethnic militias and increased attacks on civilians escalated on both sides and in December 1990 a state of emergency and an economic blockade were declared. Fighting was haphazard as fighters on both sides were poorly equipped and disciplined. The Georgian National Guard was primarily formed of volunteers due to a lack of resources and as a result fighters often acted out of self-interest. Assaults on Tskhinvali by Georgian forces were repulsed on several occasions, and Georgian forces were also noted to expel Ossetian residents and destroy villages out of revenge and as a means to re-claim territory.

The Sochi agreement (1992) established a ceasefire and security corridor, as well as divided the territory between Georgian and Ossetian administration. Relations deteriorated drastically in April 2008, and following shelling of Georgian villages on August 1, the Georgian military responded in force retaking most of Tskhinvali by August 7. Russian forces intervened on behalf of Ossetian separatists and after retaking Tskhinvali, opened another front in the Kodori Gorge. A ceasefire was brokered on August

Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Abkhazia peace process
Parties	<p>CIS states:</p> <p>For the Republic of Armenia - R. KOCHARYAN</p> <p>For the Republic of Moldova [unsigned]</p> <p>For the Azerbaijani Republic - G. ALIYEV</p> <p>For the Russian Federation - B. YELTSIN</p> <p>For the Republic of Belarus [unsigned]</p> <p>For the Republic of Tajikistan [unsigned]</p> <p>For Georgia - E. SHEVARDNADZE</p> <p>For Turkmenistan [unsigned]</p> <p>For the Republic of Kazakhstan - N . NAZARBAEV</p> <p>For Ukraine - [unsigned]</p> <p>For the Kyrgyz Republic - A. AKAEV</p> <p>For the Republic of Uzbekistan - I. KARIMOV</p>
Third parties	-
Description	Decided to extend stay of Collective Peacekeeping Forces (CPF). Agreed to draw up plan to re-deploy CPF and called on members of CPF to take more active part in peacekeeping. Expressed concern that decision of 28 March 1997 (expansion of peacekeeping forces) remained unimplemented and agreed any further delay in process of return of refugees/displaced persons was inadmissible. Parties also agreed to seek cooperation of international community in resolving socio-economic and humanitarian problems.

Agreement document [GE_980428_Decision on additional measures for the settlement of the conflict.pdf](#) (opens in new tab) | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
Page 2, Has decided:

... 2. To regard as inadmissible any further delay in the process of the organized return of refugees and displaced persons throughout the territory of Abkhazia and to demand urgently that the organized return of refugees and displaced persons should begin and that their return to the Gali district (within the old borders) should be completed by the end of 1998 on the basis of the mechanisms worked out by representatives of the parties, the Russian Federation and the Office of the United Nations High Commissioner for Refugees, Only in immediate, direct coordination with the process of the steady, organized return of refugees and displaced persons, above all to the Gali district (within the old borders), should action be taken for the economic recovery of the region and the normalization of the border and customs regimes, To recommend urgently that the parties to the conflict should consider and resolve the question of the establishment, at the stage of the return of refugees and the full normalization of life in the Gali district (within the old borders), of a temporary transitional administration, which would work with the direct participation of the intermediaries, the United Nations and OSCE;

Page 2, Has decided:

... 3. That the CPF command, in coordination with the parties, should ensure the implementation of the measures envisaged in the decision of the Council of Heads of State of the Commonwealth of 28 March 1997. Within one month, on the basis of a mechanism worked out by the parties to the conflict, a plan should be drawn up to redeploy CPF, including a plan to bring the Unified Headquarters of CPF closer to areas in which CPF units are deployed, and other measures associated with the organized return of refugees and displaced persons, especially to the Gali district (within the old borders). The CPF command should devote increased attention to ensuring, in accordance with the CPF mandate, the safe operation of vitally important structures in the security zone, in particular, the Inguri hydroelectric power station, bridges, the water supply system, and so on;

Page 2-3, Has decided:

... 4. ... In the event of opposition to the return of refugees and the emergence of a threat to peace and security in the region, to consider the question of introducing appropriate changes in the nature and content of the peacekeeping operation on the basis of the appropriate provisions of the Charter of the United Nations applicable in such cases;

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation Page 2, Has decided:

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Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.

Treaty incorporation	Page 2-3, Has decided: ... 4. ... In the event of opposition to the return of refugees and the emergence of a threat to peace and security in the region, to consider the question of introducing appropriate changes in the nature and content of the peacekeeping operation on the basis of the appropriate provisions of the Charter of the United Nations applicable in such cases;
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 2, Has decided:</p> <p>... 2. To regard as inadmissible any further delay in the process of the organized return of refugees and displaced persons throughout the territory of Abkhazia and to demand urgently that the organized return of refugees and displaced persons should begin and that their return to the Gali district (within the old borders) should be completed by the end of 1998 on the basis of the mechanisms worked out by representatives of the parties, the Russian Federation and the Office of the United Nations High Commissioner for Refugees, Only in immediate, direct coordination with the process of the steady, organized return of refugees and displaced persons, above all to the Gali district (within the old borders), should action be taken for the economic recovery of the region and the normalization of the border and customs regimes, To recommend urgently that the parties to the conflict should consider and resolve the question of the establishment, at the stage of the return of refugees and the full normalization of life in the Gali district (within the old borders), of a temporary transitional administration, which would work with the direct participation of the intermediaries, the United Nations and OSCE;</p> <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction</p> <p>Page 2, Has decided:</p> <p>... 3 ... The CPF command should devote increased attention to ensuring, in accordance with the CPF mandate, the safe operation of vitally important structures in the security zone, in particular, the Inguri hydroelectric power station, bridges, the water supply system, and so on;</p> <p>Page 3, Has decided:</p> <p>... 6. To seek the cooperation of the international community and international organizations in resolving the socio-economic and humanitarian problems of the population caused by the conflict;</p>
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	<p>Page 3, Has decided:</p> <p>... 6. To seek the cooperation of the international community and international organizations in resolving the socio-economic and humanitarian problems of the population caused by the conflict;</p>
Business	No specific mention.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 2, Has decided:

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Banks

No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees	<p>Page 2, Has decided: ... 4. To express grave concern that the provisions of the decision of the Council of Heads of State of the Commonwealth of 28 March 1997 concerning the expansion of the security zone have remained unimplemented. To call on the Abkhaz party to revert to this question, to consider it and to resolve it favourably.</p> <p>Page 2, Has decided: ... 4. ... In the event of opposition to the return of refugees and the emergence of a threat to peace and security in the region, to consider the question of introducing appropriate changes in the nature and content of the peacekeeping</p>
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	<p>Page 3, Has decided: ... 8. To instruct the Executive Secretariat of the Commonwealth of Independent States, with the participation of the headquarters for the coordination of military cooperation by the States members of the Commonwealth, to report on a systematic basis to the Heads of State of the Commonwealth of Independent States on the implementation of the decisions of the Council of Heads of State of the Commonwealth relating to the settlement of the conflict in Abkhazia, Georgia;</p>
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	<p>Page 1, [untitled preamble], ... Noting with concern the escalation of acts of sabotage and terrorism, the kidnapping of personnel of the Collective Peacekeeping Forces (CPF) and of the United Nations Observer Mission in Georgia, and other acts of violence in the conflict zone, the victims of which are the civilian population, refugees and displaced persons,</p>
Crime/organised crime	No specific mention.

Drugs No specific mention.

Terrorism Page 1, [untitled preamble],
... Noting with concern the escalation of acts of sabotage and terrorism, the kidnapping of personnel of the Collective Peacekeeping Forces (CPF) and of the United Nations Observer Mission in Georgia, and other acts of violence in the conflict zone, the victims of which are the civilian population, refugees and displaced persons,

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims Page 1, [untitled preamble],
... Noting with concern the escalation of acts of sabotage and terrorism, the kidnapping of personnel of the Collective Peacekeeping Forces (CPF) and of the United Nations Observer Mission in Georgia, and other acts of violence in the conflict zone, the victims of which are the civilian population, refugees and displaced persons,

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation Page 1, [untitled preamble],
Noting with concern that, because of the obstructive position of the Abkhaz party to the conflict, the negotiations on defining the political status of Abkhazia, Georgia, have come to a standstill,

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement

No specific mention.

International mission/force/similar

Page 2, Has decided:

1. To extend, with the consent of the parties, the stay of the Collective peacekeeping Forces in the conflict zone in Abkhazia, Georgia, to 31 July 1998 or until such time as one of the parties of the conflict, believing that the provisions of this decision have not been fulfilled, expresses its wish to terminate the operation;

Page 2, Has decided:

... 3. That the CPF command, in coordination with the parties, should ensure the implementation of the measures envisaged in the decision of the Council of Heads of State of the Commonwealth of 28 March 1997. Within one month, on the basis of a mechanism worked out by the parties to the conflict, a plan should be drawn up to redeploy CPF, including a plan to bring the Unified Headquarters of CPF closer to areas in which CPF units are deployed, and other measures associated with the organized return of refugees and displaced persons, especially to the Gali district (within the old borders). The CPF command should devote increased attention to ensuring, in accordance with the CPF mandate, the safe operation of vitally important structures in the security zone, in particular, the Inguri hydroelectric power station, bridges, the water supply system, and so on;

Page 3, Has decided:

... 5. The Council of Heads of State of the Commonwealth calls upon the States members of the Commonwealth of Independent States which signed the decisions on the deployment of CPF in the Georgian-Abkhaz conflict zone and on confirming the mandate for the conduct of peacekeeping operation in the Georgian-Abkhaz conflict zone to take a more active part in the peacekeeping operation together with the Russian Federation, which is at present bearing the whole burden of this operation;

Page 3, Has decided:

... 7. To consider it essential to approach the United Nations with regard to the inclusion in the United Nations Observer Mission in Georgia of a group of observers from the States members of the Commonwealth of Independent States;

Enforcement mechanism

Page 2, Has decided:

... 3. That the CPF command, in coordination with the parties, should ensure the implementation of the measures envisaged in the decision of the Council of Heads of State of the Commonwealth of 28 March 1997. Within one month, on the basis of a mechanism worked out by the parties to the conflict, a plan should be drawn up to redeploy CPF, including a plan to bring the Unified Headquarters of CPF closer to areas in which CPF units are deployed, and other measures associated with the organized return of refugees and displaced persons, especially to the Gali district (within the old borders). The CPF command should devote increased attention to ensuring, in accordance with the CPF mandate, the safe operation of vitally important structures in the security zone, in particular, the Inguri hydroelectric power station, bridges, the water supply system, and so on;

Related cases No specific mention.

Source On file with author
