



Unrepresented
Nations and Peoples
Organization

OFFICE OF THE GENERAL SECRETARY

Report of a UNPO Mission to
Abkhazia, Georgia and the
Northern Caucasus

November, 1992

PREPARED BY THE MEMBERS OF THAT MISSION

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Dr. Linnart Maell
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UNPO'S MISSION

In the post-Cold War world it has become increasingly evident that the existing institutions of the international community of states are unable to cope adequately with the problems related to relations between governments of states and the peoples under their rule. Part of the reason for this inadequacy is the virtually exclusively state-based nature of the international community and its institutions. Such a one-dimensional focus generally does not permit inquiry, much less involvement, in what is perceived as the internal affairs of states.

Expressions of frustration at the inability of the international community to respond even to emergency situations of these kinds are heard at most international and intergovernmental conferences today. UNPO was created by nations and peoples without a state and captive states to provide a channel for the affected peoples (rather than only the governments which purport to represent them) to contribute to seeking solutions, and to participate in discussions on an international level about the issues that most concern them. Yet, issues such as protection of cultural rights, religious rights, rights to self-determination, individual human rights, indigenous rights, rights to environmental protection and others affect and concern these peoples directly.

UNPO was created to provide a voice to the oppressed, captive or ignored peoples of the world, those who cannot otherwise address the international community in its primary international forums. Its mission is to assist those peoples to advance their interests effectively through non-violent means, including diplomacy, use of United Nations and other international procedures for the protection of human rights, developing public opinion and other action oriented strategies, and exploring legal options to defend their rights.

A priority set by the Second General Assembly of UNPO for the organization's activities is that of preventive action in regions threatened by the outbreak of violence. UNPO's financial and other resources are still too small to be as effective as it should be. Its activities in this area have therefore been limited to the sending of missions to troubled areas, at the request of its members, and drawing

attention of various governments and international organizations to the danger of violent conflict. Such missions included those to Tatarstan, Iraqi Kurdistan and Kosova, and in June 1992 to Abkhazia.

The mission to Abkhazia in November 1992 was different from previous missions for two principal reasons: It went to discuss an already bloody conflict, its causes and prospects for solutions with the major parties involved; and it was composed primarily of non-UNPO representatives, that is, members of parliaments or their staff. Its mandate was also broader than those of previous delegations, because it included the exploration of possibilities for conflict resolution, including mediation, if desired by the parties.

UNPO MISSION TO ABKHAZIA, GEORGIA AND THE NORTH CAUCAS

1. Mandate and purpose of Mission

On 15 May, 1992 Mr. V. Ardzinba, Chairman of the Supreme Soviet of Abkhazia, sent an appeal to UNPO's General Secretary for assistance in preventing the outbreak of violent conflict between Abkhazia and Georgia. He cited fears of the use of force by Georgia to resolve a political problem with respect to Abkhazia as the reason for urgent UNPO action, such as mediation.

UNPO's Second General Assembly decided, in August 1992, following a day-long special session on Prevention of the Use of Force by States Against Peoples Under Their Control, to establish a special council (referred to as the Urgent Action Council) to intervene at any UNPO Member's request in situations where a people feels threatened with use of force against it or with other forms of violence. In the course of the following year, a structure, rules of procedure, and guidelines were drawn up for the Council, and it is expected to be operative following approval by the Third General Assembly of UNPO in January 1992.

In the mean time, UNPO has received a number of requests for missions from Members to discourage the use of force against them.

Thus, Tatarstan, Greeks in Albania, Iraqi Kurdistan and Kosova called on UNPO to send referendum or election monitoring teams, which, together with other international observers could help prevent the use of force by governments opposed to the particular referendum or election. Although the Urgent Action Council was not yet functioning, the UNPO Secretariat fulfilled the request in each case except that of Greeks in Albania (because no Albanian government permission was obtained).

Abkhazia became a full member of UNPO in August 1992, so that President Ardzinba's request was entirely in keeping with the General Assembly's decision.

UNPO had a particular interest in the dispute between Abkhazia and Georgia, because Georgia was a founding member of UNPO and Abkhazia also was a member.

Fact-finding in June, 1992

In response to President Ardzinba's request, UNPO's General Secretary, Dr. Michael van Walt van Praag traveled to Sukhumi, capital of Abkhazia, in order to investigate the situation and assess what UNPO could contribute. The visit took place in the first week of July, 1992. Van Walt met with President Ardzinba, deputies from the Abkhazian Supreme Soviet on both sides of the dispute (the Abkhazian and the Georgian side), and local officials and residents.

Following the visit, he wrote to President Ardzinba and to the Chairman of the State Council of Georgia, Eduard Shevardnadze, as well as to several other governments "in a modest effort to assist in seeking a useful way to reduce tensions and work towards a mutually satisfactory resolution of differences."

In these letters, Van Walt summarized his conclusions of the visit, which he characterized as preliminary, as follows:

The dispute that has arisen between mostly Georgian Deputies in the Abkhazian Supreme Council and the government in Tbilisi, on the one hand, and Abkhazian Deputies and Deputies representing a number of minority constituencies in Abkhazia, such as Greeks, Russians, and Armenians, on the other, is a purely political dispute.

Persons on all sides of the dispute whom I met believe the problem is not based on ethnic animosity or other popular feelings. All agree, however, that if a resolution is not found and open fighting breaks out ethnic conflict will result.

Many historical arguments are brought forward by people on both sides of the dispute to bolster their point of view. Whatever the validity of historic arguments, and one should not underestimate the importance of history, those arguments often have the effect of diverting from the principal questions at issue.

In this case, I understood the essence of the dispute to be the allocation of responsibility and authority with respect to Abkhazia to the governments in Tbilisi and in Sukhumi, respectively. Governance with respect to the economy, cultural and educational affairs seemed to be the main issue of debate. Other important issues concern the method of representation in the Abkhazian parliament, given the ethno-demographic composition of the region.

Feelings of nationalism, on the one hand, and of victimization, on the other, naturally arise, but are not always helpful in looking for solutions. At the same time, these and other feelings are very real and must be fully acknowledged.

I believe, as most people I spoke to in Abkhazia do, that the situation can be resolved through earnest negotiations and patience. I am also convinced that once force is used to attempt to impose a solution the chance of finding a mutually satisfactory, and therefore lasting, solution will be drastically reduced.”

UNPO then extended to both parties invitations to enter into exploratory talks.

On August 14, 1992, Georgian troops crossed into Abkhazia and met resistance from Abkhazian forces. The war started. Mr. Guram Gumba, a representative of President Ardzinba and vice-chair of the North Caucasus Confederation was at the United Nations in Geneva at the time, to attend a UNPO meeting in preparation of the annual session of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities. UNPO assisted Mr. Gumba and two representatives from the Chechen Republic to bring attention to the situation in Abkhazia and the North Caucasus at the Sub-Commission.

During his visit to Geneva and the Netherlands, Mr. Gumba requested that a mission be sent to Abkhazia as soon as possible to investigate and report on the situation. He requested in particular that UNPO invite members of parliaments on this mission. On 11 September 1992, President V. Ardzinba faxed a letter to UNPO General Secretary and to the United Nations Secretary-General asking that fact-finding missions be sent to investigate the situation in Abkhazia.

In response to the Abkhazian requests, UNPO invited a number of parliamentarians or parliamentary staff members to be part of a UNPO Mission to Abkhazia, Georgia and the Chechen Republic in order to investigate the situation in Abkhazia, paying special attention to the principal elements of the Georgian-Abkhaz conflict, the human rights situation, its relationship with developments throughout the Northern Caucasus region, and the potential for peaceful resolution of the conflict.

2. Composition of the UNPO Mission

Lord Ennals, Member of the House of Lords of the British Parliament; Member of Her Majesty's Privy Council; and former Minister of Foreign Affairs and of Defense;

Ms. Margery Farrar¹, Special Assistant to Congressman Tom Lantos, Member of the United States Congress; Vice-Chair, Foreign Affairs Sub-Committee on Europe and the Middle East; and Co-Chairman of the Congressional Human Rights Caucus;

Mr. Alvaro Pinto Scholtbach, Staff of the Committee on Foreign Affairs of the Netherlands Parliament; staff of the Partij van de Arbeid (Labor Party) faction in Parliament;

Dr. Linnart Maell, Professor of Philosophy at Tartu University, Estonia; Vice-chairman of the Independence Party of Estonia; Chairman of the Second General Assembly of UNPO; and Director of the UNPO Tartu Coordination Center;

Dr. Michael van Walt van Praag, leader of the mission; Secretary of UNPO and international jurist.

3. Itinerary of the UNPO Mission

The UNPO Mission took place from 31 October to 8 November 1992. It travelled to Moscow and Sochi (in Russia), Gudauta and Gagra (in Abkhazia), Tbilisi (Georgia) by way of Sukhumi (Abkhazia), and Grozny (Chechen Republic) and again Moscow.

In Sochi and Abkhazia Mission members met with the Chairman of the Supreme Soviet of Abkhazia, President Vladislav Ardzinba, a number of Deputies of the Supreme Soviet of Abkhazia, including Mr. Yuri Voronov, Chairman of the Committee for Human Rights, Mrs. Natela Akaba, Vice-Chairperson of the Committee for Human Rights, Mr. Stanislav Lakoba, Mr. Sergey Shamba, Chairman of the Council of Ministers of Abkhazia Mr. Vazha Zarandia, the Georgia Minister for Abkhazia Mr. Khaindrava, Mr. Guram Gumba, historian and senior Member of the North Caucasus Confederation Parliament, Mr. M. Shanibov, President of the North Caucasus Confederation, local officials including the Mayors of Sukhumi and Gagra, Ministry of Health officials and doctors, refugees, local residents, prisoners of war and the representative of the ICRC.

In Tbilisi, the delegation met with Speaker of the House, Mr. Eduard Shevardnadze, Deputy Prime Minister and Chairman of the State Committee for Human Rights and Ethnic Relations, Mr. Alexander Kavsadze, Vice-Rector Levan Alexidze, senior advisor to Mr. Shevardnadze, and Mr. Irakli Kadagishvili, Deputy of the Georgian Parliament, US Ambassador Kent Brown, the United Nations observer mission headed by Dr. Marian Staszewski, and members of an interethnic citizens movement for the promotion of citizen and human rights. In Grozny the delegation also met with a number of Ingush.

In Grozny, the delegation met with President J. Dudaiev, senior Chechen officials, Mr. Said-Emin Ibragimov, Chairman of the CSD of the International Society for Human Rights, and with exiled President Zviad Gamsakhurdia of Georgia.

4. Findings

a. History of the conflict in Abkhazia

Abkhazia is a country with a long and distinct history. At different times in its history, Abkhazia was independent, dependent on Czarist Russia, part of an independent North Caucasus Confederation, a Union Republic of the USSR, and an autonomous republic in Georgia. Today's conflict in Abkhazia and others in the Caucasus cannot be understood without some sense of the history of the region.

The Abkhazian people were one of the earliest settlers of the Caucasus region and the first to be Christianized, in the Fourth Century. The history of Abkhazia is inevitably tied to the history of the Caucasus. It came under domination of the Greeks, Romans, Byzantines and Turks, and each left aspects of their culture for Abkhazians to absorb. Under Ottoman rule, part of Abkhazia was converted to Islam.

When Russian Czars conquered Ottoman Transcaucasia in the first half of the Nineteenth Century, Abkhazian and other North-West Caucasian peoples fought for their independence. Their resistance was finally put down in 1864, when the North Caucasus came under imperial Russian domination.

At the time of the Russian conquest, Abkhazia was the southernmost part of the self-contained homeland of the three north West Caucasian peoples, the Abkhaz-Abazinians, the Ubykhs (around Sochi), and the Circassians (in the uplands). The Russian conquest led to great population movements. All the Ubykhs were killed or fled to the Ottoman Empire. Great numbers of Abkhazians were also killed or fled to the Ottoman Empire. Armenians who had survived the genocide in the Ottoman Empire and Greeks settled in Abkhazia. Czarist Russia resettled Abkhazia with Russians and Ukrainians. Kartvelians also colonized the rich lands left behind by those who had been killed or had fled Abkhazia (Georgians, Mingrelians, Svans, Laz). By the end of the Nineteenth Century, Abkhazians made up only just over 53% of the population of Abkhazia. Large-scale deportation of Abkhazians by Stalin and major population-transfer programs for the settlement of Georgians and Mingrelians during the Stalin era reduced the Abkhazians to a mere 18% of the population of their own country. Georgians, Mingrelians and other Kartvelians (loosely referred to in Soviet statistics and elsewhere today as 'Georgians') make up 45% of the population, while Russians, Armenians, Greeks and Estonians make up the remainder. (See Table in Appendix).

During the Russian Revolution Abkhazia formed an independent state within the North Caucasus Confederation, a politically independent confederation of North Caucasus states which, in 1918 was being considered for membership of the League of Nations.

In 1918, the Mensheviks took control of Georgia and claimed Abkhazia as part of Georgia. They ruled the region with an iron fist until the Bolsheviks established control in 1921. That period saw the first attempt at "georgianization" of Abkhazia.

The establishment of Soviet power led to the declaration of the Soviet Socialist Republic of Abkhazia on 31 March 1921. Despite its reduction in status to a “Treaty Republic” on 16 December 1921, for some ten years the country maintained an independent status within the Soviet system and in practice governed itself autonomously from Tbilisi.

Things changed with the rise of Stalin. In February 1931 Abkhazia’s status was changed to that of an autonomous republic within Georgia. The oppression of Abkhazians and other North Caucasus peoples during the Stalin era is not forgotten today, and is an important factor in understanding the people’s determination to defend their self-government or statehood.

Abkhazians, as is true of other peoples of the Northern Caucasus, have repeatedly suffered cultural persecution, deportation, and political oppression at the hand of Russian Czars and Soviet leaders. Under Stalin and Beria this oppression reached new heights. The entire Chechen and Ingush population was deported to Central Asia during the war years. In Abkhazia, besides deportations, a severe Georgianization strategy was implemented from 1933 to 1953. Cultural institutions were destroyed, Georgian language was imposed and teaching in and of Abkhaz was prohibited, and a vigorous population transfer program was implemented, to move large numbers of Georgians (primarily Mingrelians) into Abkhazia. Entire villages were built in Mingrelian style in order to attract these settlers.

Following Stalin’s death, Georgian policy towards Abkhazians improved gradually, but discrimination continued. Abkhazian schools re-opened, Abkhazians re-entered local politics, from which they had been excluded, and broadcasting and publishing in Abkhaz was once again allowed. Abkhazians started, once again, to rebuild painfully their culture and national identity.

Under Brezhnev tensions again increased and came to a head in 1977-78 in connection with deliberations over the new Soviet constitutions. Troops were sent in to quell public disturbances. A commission was sent from Moscow, and Georgian authorities were made to implement some of the Abkhazian demands. No fundamental change resulted, however, with respect to Abkhazia’s autonomy, which remained largely theoretical.

The situation in the Soviet Union from 1988 encouraged both the Georgians and Abkhazians to vindicate their respective claims to independence, a situation comparable to that in other parts of the Union.

In the course of 1988 and 1990 the Supreme Court of the Georgian SSR adopted a number of measures paving the way for Georgia’s exit from the Soviet Union. All state structures established after February, 1921, when Georgia officially became a part of the USSR, were declared invalid. Legislation passed after that date was also declared null and void.

Gorbachev's Perestroika also brought new hope to Abkhazians and other minorities. In June 1988, 60 leading Abkhazians transmitted a letter to Gorbachev detailing grievances and proposing the re-creation of the original Abkhazian SSR with special treaty ties with Georgia, so that the region would have true self-government for the benefit of all its inhabitants. The letter's proposal received support in Abkhazia from non-Abkhazians, including Georgians, as well as from Abkhazians.

In March of the following year 30,000 people signed a petition at a mass meeting at Lykhny, demanding the restoration of the sovereign status Abkhazia enjoyed before 1931. Georgian official reaction to these events was very negative, and a number of measures, including the establishment of a branch of Tbilisi University in Sukhumi, were taken to consolidate Georgian power and influence in Abkhazia. This led to clashes in Sukhumi and Ochamchira in July 1989.

Nationalist feeling in Georgia rose with the country's own hopes for independence from Russian domination, and a State Program for the Georgian Language was drafted in late 1988 and became law in August 1989. The law, which made the teaching of Georgian in all schools obligatory and which required Georgian language and literature tests as pre-requisites for entry into higher education, raised fears of a renewed attempt at Georgianization, and of a revival of the images of 1918-21 and 1935-53.

In August 1990, the Supreme Soviet of Abkhazia, in the absence of its Georgian deputies, declared its sovereignty, but emphasised its willingness to enter into negotiations with the Georgian government for the formation of a federative relationship which would preserve Georgia's territorial integrity. Similar sovereignty declarations were adopted by all autonomous republics of the Soviet Union before the supposed signing of the new Union Treaty.

In December 1990, the Abkhazian Supreme Soviet elected the historian Vladislav Ardzinba as its Chairman. Ardzinba enjoyed great respect in the Abkhazian community for his active role in the defense of rights of minorities in the USSR, especially during his tenure as Deputy in the Union parliament.

A major catalyst of tensions between Abkhazia and Georgia was the 17 March 1991 all-Union referendum on Gorbachev's new Union Treaty. Georgia's parliament prohibited the population in Georgia from taking part in it, but Abkhazia's electorate did take part and voted overwhelmingly to enter the new proposed union of sovereign republics as an autonomous republic. The Georgian government immediately annulled the results of the referendum for being in violation of their own earlier decision.

In negotiations with the elected Georgian government of Gamsakhurdia, Abkhazian leaders proposed a two-chamber parliament for Abkhazia. One chamber would represent the entire electorate on the basis of proportional representation; the other would represent the various national groups constituting Abkhazia. After protracted negotiations, the Abkhazian leaders agreed to a new election law in

Abkhazia that allocated set numbers of parliament seats to each ethnic group. Of the 65 parliament seats 28 were to be allocated to Abkhazians, 26 to Georgians, and 11 to other minorities.

As an additional measure of protection for each of the minority groups, certain decisions were to be taken only with a qualified majority of 750. In December 1991 a new parliament (Supreme Soviet) was elected on this basis. Within months the parliament was paralyzed due to the formation of two blocks, that of Georgian deputies, on one side, and that of Abkhazian, Armenian, Greek, Russian and other minority deputies, on the other side. Decisions taken by a majority of votes were repeatedly rejected by the Georgian deputies (who formed the minority block in the parliament). This led to a walkout by Georgian deputies, who continued to meet in separate quarters.

As this was going on, intra-Georgian tensions increased between the once popular Gamsakhurdia and a growing opposition movement. A bloody military coup by the head of the Georgian National Guard, Tengiz Kitovani, resulted in the flight of Gamsakhurdia (who eventually received political asylum in Chechnya), and in the installment of a State Council of Georgia headed by Eduard Shevardnadze. Kitovani was then appointed Minister of Defense of the State Council.

One of Shevardnadze's first tasks and successes was the international recognition of Georgia, which took place in March 1992. International recognition of Georgia also implied recognition of the borders claimed by that country's government and, therefore, the inclusion of Abkhazia into its territory.

On 26 June 1992 Abkhazian President Ardzinba sent a draft treaty to the Georgian State Council that would have provided for federative or confederative relations between Abkhazia and Georgia and the maintenance of Georgia's territorial integrity. The draft contained provisions for the guarantee of rights of all minorities in the territories under Abkhazian and Georgian jurisdiction, and for rejection of use of military force to resolve differences. The State Council of Georgia did not reply.

In response to Georgia's decision, in February 1992, to reinstate the 1921 Georgian constitution, in which there was no specific mention of Abkhazia, the Abkhazian rump parliament reinstated, on 23 July, the Abkhazian constitution of 1925, in which the status of the republic from 1921 to 1931 was set down. Under Article 4 of that constitution, Abkhazia was "united with the Soviet Socialist Republic of Georgia on the basis of a special union-treaty" and through that treaty entered into the Transcaucasian Socialist Federative Union Republic "and through the latter into the Union of Soviet Socialist Republics." Article 5 includes the provision that "the Abkhazian SSR reserves the right of free secession both from the Transcaucasian Federation and from the USSR." The Georgian Parliament immediately annulled the Abkhazian decision.

On 12 August 1992 the Abkhazian Supreme Soviet again sent an appeal to Shevardnadze for negotiations on future federative relations between Abkhazia and Georgia. In the appeal, the Abkhazian leadership proposed that discussions should address both the extent of powers and responsibilities of separate Abkhazian and Georgian governments and those of their future joint, i.e. federal, bodies. They also proposed discussions about the representative structure of union or federal bodies and the procedures for their formation, including the holding of elections. Consultations between senior leaders of Abkhazia and Georgia took place until the military action started on 14 August. On that day, the Abkhazian parliament also was scheduled to discuss the draft treaty proposed to the Georgian State Council.

The immediate cause of the armed conflict in Abkhazia was the decision of the Georgian State Council to send units of the National Guard to the Abkhazian capital Sukhumi. The official reason for sending the troops was to put an end to ongoing sabotage and looting, particularly on the railway line, and to search for and free Georgian officials kidnapped by supporters of ousted Georgian President Zviad Gamsakhurdia. Abkhazian officials maintain that both reasons given were pretexts to impose military control over Abkhazia, for neither could be substantiated. With few exceptions, they state, sabotage and looting occurred elsewhere in Georgia, outside Abkhazia, and that to their knowledge the hostages were not being kept in Abkhazia. Moreover, the Abkhazian authorities had offered their support, if necessary, to find and free the hostages. Several days later, Georgian Defense Minister General Tengiz Kitovani explained that the goal of the military operation was to put a stop to the “secessionist” moves of the Abkhazian parliament.

The Abkhazian parliament protested the incursion of Georgian troops, calling it an “invasion” and “occupation” and a violation of agreements made in April 1992 with Defense Minister Kitovani and other Georgian officials, by which Georgian troops would be permitted to enter Abkhazia only with the prior permission of the Abkhazian authorities. The Georgian State Council Chairman, Eduard Shevardnadze, maintained later that it was Georgia’s sovereign right to “relocate” troops within its territory. Shevardnadze also told the UNPO delegation that he had informed Ardzinba on 11 August, by telephone, of his intention to send the troops, a point Ardzinba categorically denied. Abkhazians point out that even under the repressive Soviet constitution of 1978, military units could not be brought into the territory of an autonomous republic without the consent of the Supreme Soviet of that republic.

Abkhazians were ill prepared for the entrance of Georgian troops, a surprising fact, since tensions had been high for a long time, and talk of war was not rare in the streets of Sukhumi.

The Abkhazian Civil Guard (also called the Abkhazian National Guard) briefly attempted to oppose the advancing Georgian troops, but with little success. Georgian troops, with support of tanks and helicopters, took control of Sukhumi, and declared the Abkhazian Supreme Soviet dissolved. Four days later, fresh Georgian troops arrived, and serious fighting broke out between them and units of the Abkhazian Civil

Guard and Abkhazian volunteers. Georgian troops, under command of J. Ioseliani and G. Karkarashvili, also took the strategically important city of Gagra on the Northwestern coast of Abkhazia, close to the Russian border.

By this time, volunteers from the North Caucasus started arriving in Abkhazia to help Abkhazian units. Their support came as a result of the formation, in 1989, of the Confederation of North Caucasus Peoples, largely at the initiative of Abkhazians. This Confederation, uniting community organizations of all the peoples of the North Caucasus, has, as its main decision-making body, an elected parliament, modeled after the European Parliament. Its object is to promote cultural and economic exchanges and cooperation, to mediate territorial and other disputes among its members, and to help any of its member peoples defend itself against outside attack. It was born out of a realization that, as history has taught the peoples of the North Caucasus, unity among them is the only hope they have to withstand the inevitable attempts to suppress their desire for national and cultural self-realization.

The Abkhazian leadership left Sukhumi for the coastal city of Gudauta, about 45 kilometers northwest of the capital. There they established the temporary seat of government. Thousands of Abkhazians, Armenians, Russians and other non-Georgians also fled Sukhumi. In less than three months of heavy fighting, tens of thousands of civilians of all ethnic groups, including large numbers of Georgians, have fled Abkhazia. Some estimate that half the population of Abkhazia has been displaced. Loss of life on both sides of the conflict has been considerable, particularly among civilians.

On 21 August, Shevardnadze denied all responsibility for the military action in Abkhazia and announced the withdrawal of troops. Instead, an unsuccessful attack was staged by Georgian troops on Gudauta. Three days later, on 24 August, Shevardnadze threatened Abkhazians with full-scale war if they continued their struggle. On the same day, the new commander of Georgian troops in Sukhumi, General Georgiy Karkarashvili, warned Abkhazians in a televised address that he was prepared to sacrifice 100,000 Georgian lives to destroy 97,000 Abkhazians (the official figure for the Abkhazian population in Abkhazia) and that the Abkhazian nation would cease to exist.

On 3 September, an agreement was negotiated between Russian President Boris Yeltsin and Mr. Shevardnadze in Moscow, for a ceasefire in Abkhazia. The agreement was signed also by President Ardzinba and by the leaders of the Northern Caucasus Confederation. Ardzinba has consistently stated that he was pressured to sign the agreement against his will, and Shevardnadze confirmed that much pressure was put on him to obtain a signature. The principal aspects of the cease fire agreement were the reaffirmation of the territorial integrity of Georgia, the implementation of a cease fire on 5 September, the disarming and withdrawal of all illegal armed formations that were active in Abkhazia, and the reduction of Georgian armed forces to a number sufficient to prevent sabotage of railways and other important installations. The agreement also provided for the resumption in Sukhumi of

government functions by the legitimate authorities of Abkhazia by 15 September 1992, and called on the United Nations and the Conference on Security and Cooperation in Europe to support the principles of the agreement.

The cease-fire agreement was never fully implemented. According to the Georgian authorities, including Mr. Shevardnadze, Abkhazians never demonstrated their willingness to implement it, and attacked positions vacated by Georgian troops. Abkhazian leaders, including Mr. Ardzinba, on the other hand, say Georgians did not withdraw troops as agreed, and persistently violated the cease-fire. They believe a pre-condition for any agreement is the withdrawal of all Georgian troops from Abkhazia.

On 3 October, Abkhazian units took Gagra after three days of heavy fighting. They also took other areas in North-West Abkhazia. Georgians say they did so in violation of the 3 September ceasefire agreement. On 29 October, Georgian Minister of Defense Kitovani clarified the Georgian State Council's position that Georgia must be a unitary state in which there is no place for any kind of autonomous areas.

On 19 November, Russian Georgian and Abkhazian representatives negotiated a temporary cease-fire agreement that would make possible the evacuation of Russian military units and equipment from Sukhumi and elsewhere. The cease-fire was to last from 20 to 29 November. Abkhazia's Supreme Soviet has accused Georgian forces of violating the cease-fire on numerous occasions.

In a departure from his earlier position, Eduard Shevardnadze was reported by Russian television, on 3 December, as stating before parliament that a peaceful solution to the conflict in Abkhazia was no longer possible. He was reported to have said that only military means could solve the issue, and that this would have to happen soon.

b. Human Rights and Cultural Destruction

The Mission paid special attention to allegations by both sides in the conflict of human rights violations, especially in the form of atrocities committed by the armed forces of the other side. It also paid special attention to allegations of cultural genocide. In order to assess the situation, members of the delegation spoke with refugees (Abkhazian, Georgian and others), prisoners of war in the Abkhazian camp, and residents of Sukhumi, of villages in areas under Georgian military control, and of Gagra, where some of the worst atrocities are claimed to have occurred; to local officials of these and other places; and to the representative of the ICRC (International Red Cross).

The Mission was able to obtain testimony from victims and witnesses of human rights abuses and from medical authorities. It spoke to witnesses and other credible sources about allegations of attacks on cultural institutions. And it spoke to political leaders and military authorities, including Georgian prisoners of war, about

the activities and behavior of the military. The Mission's findings in this respect are necessarily preliminary, and more comprehensive investigations by human rights organizations should be undertaken as soon as possible, so as to obtain a complete picture of the situation.

The Mission obtained sufficient evidence to conclude that gross and systematic violations of human rights had occurred at the hands of Georgian troops in Abkhazia throughout the period since August 14, 1992; that these included serious violations committed against Abkhazian and other ethnic population groups in cities and villages; that civilians were the primary victims of Georgian abuses; that Georgian attacks were directed against persons identifiable as Abkhazian, and that particular attack was directed against Abkhazian political, cultural, intellectual and community leaders; that in addition to Abkhazians, also Armenians, Russians, Greeks, Ukrainians, Estonians, and other non-Georgian minorities in Abkhazia have suffered similar treatment by Georgian authorities; and that removal or destruction of the principal materials and buildings of important historical and cultural importance to Abkhazians has taken place in what appears to be an organized attempt to destroy Abkhazian culture and national identity.

With respect to allegations of gross violations committed by Abkhazian troops in Gagra, the Mission found evidence of burning of numerous houses of Georgians in a region captured by Abkhazian forces from Georgian forces. The Mission was not able to find any basis to allegations of mass killings.

The above conclusions are based on the following information gathered by the Mission:

When Georgian troops under general command of Defense Minister General Tengiz Kitovani first entered Sukhumi on August 14, Georgian soldiers attacked non-Georgian civilians, beat them, killed many, robbed them, and looted their houses and apartments. Reports of attacks on Abkhazian, Armenian, Russian, and other non-Georgian minority civilians, including killing, torture, and burning, looting or smashing of houses or other belongings, originate from many regions of Abkhazia under Georgian military control and for the entire period since August 14.

Medical authorities in Gudauta reported that virtually all men who had come through the Gudauta hospital, after having been held prisoner by Georgian authorities, appeared to have been severely tortured. Many had sustained multiple broken bones and burns from cigarettes or other objects on various parts of their bodies. Some had their ears partially or completely torn off.

In substantiation of what appeared to be more than isolated instances of extreme atrocities, medical authorities reported an Abkhazian woman brought in for autopsy, who had been shot both down her throat and up her vagina. They reported a man brought for autopsy (after a large sum was demanded by Georgians for his body) whose genitals had been cut off and stuffed in his mouth. The delegation took

eyewitness testimony of other atrocities against Abkhazians and members of other non-Georgian ethnic groups, and further accounts of atrocities abound among these groups.

On the one hand, the activities of Georgian soldiers may be partly attributed to what Georgian authorities admitted, even maintained, was lack of control and discipline in the armed forces. A Georgian commanding officer taken prisoner by Abkhazian forces in Gagra, confirmed reports that Georgian troops had committed atrocities in Gagra. Mr. Eduard Shevardnadze himself agreed that there is no regular army in Georgia, and Deputy Prime Minister Alexander Kavsadze, Chairman of the Georgian State Committee for Human Rights and Nationality Relations, admitted that soldiers had vandalized and looted and said they were “out of control.”

The “out of control” explanation is not satisfactory, however, because evidence points to authorization or encouragement by the Georgian authorities for attacks on Abkhazian and other non-Georgian civilians. Georgian soldiers who are reported to have entered Abkhaz homes and to have beaten, raped, or otherwise terrorized the inhabitants and to have looted or destroyed their belongings, are repeatedly reported to have had a list with them of names and addresses of Abkhazians to visit in this manner.

The attacks therefore did not appear to be at random. Georgian soldiers and police are reported to continue to ask persons in the streets, in particular in bread lines, to show their identity papers. When an Abkhaz is found he or she is seriously abused. The result is that the greatly diminished number of Abkhazians left in Sukhumi hardly dare to leave their rooms.

Concerning the direction given by Georgian military authorities in relation to the conduct of battle and the behavior of troops during and after battle, Georgian Minister of Defense Kitovani is reported to have told his troops that under the law of war soldiers have the right to loot for three days. The Geneva Convention forbids the use of cluster bombs, yet Abkhazian medical authorities in Gudauta report having treated a number of cluster bomb wounds in victims brought from battle areas. Cluster bombs reportedly were used extensively during late August by Georgian forces and have continued sporadically since then.

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Another extensively used weapon is the “GRAD” artillery system, which delivers a large number of shells in a chess board-like pattern, causing heavy losses to the enemy and to civilians when used on civilian targets. Additionally, the Commander-in-chief of Georgian troops in Abkhazia, General Georgiy Karkarashvili warned in a televised formal address to the Abkhaz and Georgian people in Sukhumi on August 24, that “no prisoners of war will be taken” by the Georgian troops, that “if 100,000 Georgian lose their lives, then [on the Abkhazian side] all 97,000 will be killed”; and that “the Abkhaz Nation will be left without descendants.” The delegation saw a video recording of this ominous speech.

In contrast with such evidence, it appears that several weeks after Georgian troops were brought into Gagra, and while that area was still under Georgian control, Georgian troops stationed in South Ossetia were flown to Gagra. The commander of those troops claimed they were sent by Georgian authorities in Tbilisi to restore order and to protect the civilian population in that city from ongoing rampages by Georgian troops already there.

It is also worth noting that, in contrast to the considerable number of Georgian civilians who are reported to have cooperated with Georgian military authorities in some of the acts against Abkhazian civilians and members of other minority populations, there are very frequent accounts from Abkhazians and others of local Georgians helping these Abkhazians and other persons in danger to escape, sometimes at severe risk to themselves. system, which delivers a large number of shells in a chess board-like pattern, causing heavy losses to the enemy and to civilians when used on civilian targets. Additionally, the Commander-in-chief of Georgian troops in Abkhazia, General Georgiy Karkarashvili warned in a televised formal address to the Abkhaz and Georgian people in Sukhumi on August 24, that “no prisoners of war will be taken” by the Georgian troops, that “if 100,000 Georgian lose their lives, then [on the Abkhazian side] all 97,000 will be killed”; and that “the Abkhaz Nation will be left without descendants. “ The delegation saw a video recording of this ominous speech.

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The Mission heard evidence from six Abkhazian intellectuals and professionals from Sukhumi concerning the destruction or looting of the contents, with some destruction of the buildings themselves, of the Abkhazian University, the offices of several Abkhazian cultural journals, an Abkhazian language publishing and printing house, an Abkhazian secondary school, the Abkhazian Institute of Language, Literature, and History, the Abkhazian National Museum, and the Abkhazian National Archives. Testimony concerning the burning of the National Archives building was confirmed by a Georgian witness employed in a Procuratorial office in Sukhumi at the time.

Abkhazians interviewed in Gudauta and elsewhere believe that the Georgian government is engaged in a systematic attempt to destroy the Abkhazia as a nation and the Abkhazians as a people. They point to the systematic attacks and the killings of Abkhazian civilians; and to the destruction and looting of Abkhazian homes. They also point to General Karkarashvili's television statement and to the destruction by Georgians of the principal Abkhazian institutions of cultural or historic significance in Sukhumi. They see all these as a continuation of an ongoing Georgian government policy, pointing to passages in an earlier book by now exiled Georgian President Zviad Gamsakhurdia, in which Gamsakhurdia apparently advocates the elimination of the Abkhazian intelligentsia and other extreme and oppressive policies.

With respect to human rights violations by Abkhazian and allied forces, the delegation was able to determine that some human rights violations had occurred against Georgian civilians. However, those acts did not appear to be systematic, and they never reached anything like the scale or gross nature of those committed by the Georgian military. Witnesses reported that Abkhazian authorities have been taking steps to prosecute and punish Abkhazian perpetrators of human rights violations. Georgian prisoners of war reported they were being well treated by the Abkhazian authorities. They were relaxed, shared the same rations with Abkhazian troops, and appeared to be on relatively good terms with their captors.

The Mission was particularly interested in investigating allegations of atrocities by Abkhazian troops in Gagra at the time of the recapture of that city from Georgian forces. The delegation was able to find absolutely no evidence to support two major allegations: One was the story that hundreds of Georgians had been driven into a stadium and killed; the other was that Abkhazian soldiers had gone to the hospital and killed doctors and patients there. What did seem to have taken place was the burning of many houses of Georgians who had fled the area before the Abkhazian advance. Members of the delegation saw many such houses, and were told by the

Mayor of Gagra that such acts had occurred, but that he had taken measures rapidly to prevent them from continuing.

c. Positions of Georgia and Abkhazia

GEORGIA

The position of Georgian leaders, including President Shevardnadze, was stated to the delegation in clear terms:

Georgia is a unitary state. Its independence and its borders have been recognized by the international community, including the United Nations. Its territorial integrity must be protected. Abkhazian political leaders, in particular President Ardzinba, have created the present crisis. We cannot let Abkhazia secede, and are therefore acting entirely within our rights under international law in putting down the Abkhazian separatist movement.

Mr. Shevardnadze and Deputy Prime Minister, Mr. Alexander Kavsadze said they and others had done very much to meet the demands of Abkhazians, but that the Abkhazian leadership was being unreasonable and could not be trusted. They explained the need for sending troops to protect the railway and other installations from looting also.

Mr. Shevardnadze was not pleased with the role played by Russia, which he saw as encouraging Abkhazians in the conflict and assisting them. He said he regretted having involved Russia in the September 3 cease-fire negotiations.

Mr. Shevardnadze was clear that the only basis for a ceasefire, as a preliminary step to a political solution, was the September 3 cease-fire agreement, which Ardzinba had also signed. When asked, he clarified that this meant also a return to the military situation that existed on September 3, i.e. the return to Georgian forces of Gagra and other regions taken by Abkhazian forces after that date.

With respect to third-party involvement, Mr. Shevardnadze expressed support for "active and effective mediation," but not for other forms of third-party interest or involvement. The United Nations could have a role in affirming and promoting implementation of the September 3 agreement.

ABKHAZIA

The Abkhazian point of view is contained in several statements issued by the Supreme Soviet of Abkhazia, but it was articulated in detail and refined in discussions the UNPO Delegation had with President Ardzinba and several Deputies in Gudauta and elsewhere.

The basic issue for which the Abkhazians are struggling, together with other minority communities in Abkhazia, is a sufficient degree of self-government to safeguard the preservation and development of the Abkhazian culture and national identity and that of the other minority nationalities (in particular the Armenian, Greek, Russian, Jewish and Estonian) and to implement social and economic policies suited to the specific conditions of Abkhazia. These demands must be seen in the context of the region's history and the repeated attempts by outside powers (primarily Russia and Georgia) to destroy the distinct cultural, ethnic and political identity of the peoples of the Northern Caucasus. Emphasis was put by the political leaders we spoke to on the need for guarantees of any settlement that may be reached, so that the people can live without fear of persecution.

Abkhazia's leaders believe a political solution must be sought in a confederative or federative structure, wherein Abkhazia's self-governing statehood is recognized and relations between it and Georgia are laid down in a treaty between the two states. That, in their view, would safeguard the territorial integrity of Georgia and satisfy the basic needs of the peoples of Abkhazia, including the Georgian (and Mingrel) populations of Abkhazia.

President Ardzinba has emphasized the multi-national character of Abkhazia and the need to protect the rights of all minorities on the territory of Abkhazia.

Abkhazians throughout the world, and in particular in Turkey, who were forced to leave their country in the past should be permitted to return if they so wish.

Ardzinba and other leaders believe that the longer the conflict lasts, the more suffering and destruction it causes, and that the more offensive Georgian anti-Abkhazian propaganda is, the more difficult it will be to find a mutually acceptable federal solution. It becomes difficult to negotiate in good faith, he says, with a counterpart who has declared and shown intent to destroy you as a nation. Nevertheless, at this time, Abkhazian leaders remain prepared to enter into negotiations with Georgian leaders on this issue.

A condition for meaningful negotiations to take place, according to the Abkhazian side, is the withdrawal of Georgian forces from Abkhazian soil. A withdrawal of troops is now necessary even to demonstrate Georgia's good will before negotiations can start.

d. Relationship with the Northern Caucasus

As stated earlier, the history and destiny of Abkhazia is closely connected to that of all North Caucasus peoples. Today, they share a history of suffering and oppression, of deportations and cultural destruction, and of fighting against powerful enemies. They also share a determination to protect themselves against a repetition of history. They seize on the opportunity that has been created by the disintegration of the Soviet Union and by the relative weakness of Russia and Georgia to assert their rights

and to create a situation that can provide better guarantees for their survival in the future.

The Northern Caucasus region is of strategic importance to Russia. It is the gateway to the entire Caucasus, a region in which Russia wants to maintain its sphere of influence. Russia's military presence in the Caucasus is still considerable, and it has an interest in preserving a dominant position in the Black Sea.

Russia has traditionally conducted a 'divide and rule' policy in the Northern Caucasus, playing one people against the other. Today, it appears that this policy is being revived in a significant way, in order to prevent the various peoples of the region from forming a united front against Russia.

A number of leaders of North Caucasus peoples, prominent among them the Abkhazians, the Chechens and the Gabardinians, formed the Confederation of North Caucasus Peoples in 1989. This is not a confederation of states or governments, but of peoples, represented by community rather than government leaders. Its objective is to unite the North Caucasus peoples, to promote cultural and economic cooperation, and to provide an avenue for the peoples to help each other in case any one of them is under attack.

The president of the Confederation of North Caucasus Peoples, Mr. M. Shanibov, says the peoples of the North Caucasus are all too well aware that they are too small to defend themselves. Their only chance for survival in the long run, therefore, is to help and defend each other. Abkhazia is an important test case for this principle. If Abkhazians, with the help of volunteers from the North Caucasus region, can show that an attack on such a people cannot take place without serious resistance, this will discourage future attacks on any of the North Caucasus peoples.

The governments of the various North Caucasus republics have not taken part in the Abkhazian conflict. Even the government of the Chechen Republic has remained neutral, despite the fact that the largest number of volunteers fighting along side Abkhazians, and other peoples of Abkhazia, are Chechens.

A senior aide to President Jokhar Dudaev who accompanied the UNDO Delegation to Tbilisi, explained the Chechen Government's position to Georgia's leaders. His government, he said, is not involved in the conflict and wishes to maintain good relations with both sides. It has an interest in maintaining good relations with its neighbor, Georgia. However, the people and government of Chechnya morally support the right of all North Caucasus peoples to self-determination, and cannot but feel for the Abkhazian people at this time. If volunteers from Chechnya want to fight along-side their brothers in Abkhazia, the government does not interfere with their choice.

President Dudaev's principal preoccupation is to strengthen Chechnya's independent position vis-a-vis Russia. Chechnya is the only region of the former

Soviet Union where there are no Russian troops or military installations. They were forced to withdraw last year. The republic has vast mineral and other natural resources (oil, gold, uranium etc.) and hopes to establish economic links with the outside world which can help discourage Russian military intervention. Twice Russian forces were on the verge of conflict with Chechnya during the past year; twice, they withdrew after a threat of war from Chechnya.

Throughout the North Caucasus and also in Georgia, the feeling is that Russia is promoting or taking advantage of divisions and conflicts among the peoples of the region. In some cases, for example in the Ossetian-Ingush conflict, Russian involvement on the side of Ossetia was barely disguised (although the official Russian government position is that Russian troops were only involved to separate the two fighting sides). It is widely believed in the region that Russia promoted or used the dispute between North Ossetia (traditionally an ally of Russia) and Ingushia (a small republic which, until recently was part of a Chechen-Ingush republic) to re-introduce its army into Ingushia. The object would be to prepare a future advance into Chechnya, the symbol of the new resistance to Russian hegemony.

In keeping with this view of Russian policy, each side of most disputes in the region, including the Abkhazians and the Georgians, see Russia as a quiet ally of the other side. Thus, Abkhazians point to the military equipment Georgia is using against them which has been provided by Russia and the use of Russian technicians to operate almost all sophisticated military equipment, including tanks, helicopters, and artillery; and Georgians point to a Russian political bias in favor of Abkhazia and the alleged use of Russian air support in battle.

There are, indeed, many potential conflicts among the peoples of the Northern Caucasus. Many are the result of arbitrary or intentionally divisive border demarcations between the various republics and administrative regions dictated by Moscow under Stalin and later Soviet leaders. The Confederation of Northern Caucasus Peoples' leadership says it is trying to serve as an avenue to resolve such disputes peacefully, through mediation and other methods. They believe their efforts are being hampered by Russia. Russia says it is trying to play a peace-keeping role in a very volatile region, where ethnic rivalries are bound to erupt into violence. Whatever Russia's intentions may be, its involvement in the region is seen as unhelpful by virtually all the people the delegation spoke to. At least with respect to one situation, the bloody conflict between North Ossetia and Ingushia, which started while the UNPO Mission traveled in the Caucasus and reached gruesome proportions when the Mission was in neighbouring Chechnya, members of the Delegation were left with the strong impression that Russian involvement was an important factor in the escalation of the conflict and in the disproportionately high number of casualties, particularly among civilians.

e. Previous Missions to Georgia and Abkhazia

The most significant missions to have visited Abkhazia and Georgia are two United Nations missions and two CSCE missions. The first was a CSCE mission that visited the region in May 1992. The second was the UN mission headed by Mr. Gustave Feissel, Director in the Department of Political Affairs, which took place from 12 to 20 September 1992. The third was a second CSCE mission in the middle of October, headed by Mr. Diarmaty.

And the last was a UN mission headed by Mr. Blonca, Under Secretary-General for Human Rights, which traveled to the region at the end of October.

At the time of this writing, a third UN delegation visited the region, but its report and that of some of the earlier missions are not yet available.

Neither the Abkhazians, nor the Georgians were satisfied with the work of the missions mentioned above. Abkhazians criticized the fact that these missions spent extremely little time in Abkhazia listening to the Abkhazian and other minority witnesses, political leaders and others, compared with the time they spent listening to the Georgian point of view in Georgia or in occupied parts of Abkhazia. Abkhazian leaders also felt offended at the fact that neither the CSCE nor the UN took the trouble to send the Abkhazian government a copy of their report, whereas they did send their reports to the Georgian authorities.

Georgian officials felt the missions had accomplished little and that their reports did not lead to action.

Members of the UNPO Delegation felt, upon reading the reports of the first CSCE Mission and, in particular, of the first United Nations Mission, that the information contained in those reports was too similar to the official Georgian government view of events and did not sufficiently report or take into account the Abkhazian views. In fact, the nature of the United Nations report, attached as an annex to UN Document S/24633, 8 October 1992, added fuel to the widespread feeling in Abkhazia and the Northern Caucasus that the United Nations and other inter-governmental organizations serve the interests of the governments seated in those organizations and cannot be counted on to protect the rights of peoples oppressed by them.

5. Conclusions and Recommendations

The Mission was appalled by the continuing war in Abkhazia and the loss of life among the troops and the civilians on both sides. It appears that the majority of deaths and injuries are among civilians. A significant number of casualties are the result of cluster bombs prohibited by the Geneva Convention and used by the Georgian military. There are heavy losses in life and property, and both sides have destroyed many houses in the conflict.

There are allegations of widespread breaches of human rights on both sides of the conflict. The UNPO Delegation gathered considerable evidence of persistent brutality of Georgian troops against Abkhazians and other non-Georgians, which, the Delegation felt, could not be attributed solely to the lack of discipline in the armed forces. There was widespread looting and destruction of houses and cultural institutions of Abkhazians and of other non-Georgian minority peoples of Abkhazia by the Georgian military and their supporters. The Delegation spoke to victims and witnesses of torture, beatings and killings of civilians, including pregnant women and children, by Georgian troops. Responsible Georgian officials confirmed allegations of atrocities committed by Georgian troops.

The delegation found evidence of Abkhazian acts of destruction: many houses in and around Gagra were destroyed by Abkhazian troops after the takeover of that city by them in October. Apparently houses were also destroyed in villages north of Gagra. The Delegation found no evidence, however, of any mass killings committed by Abkhazians as reported by Georgian authorities and by the press. In fact, local residents of the places where such acts were said to have occurred, including Georgians and Russians, insist that those allegations were propaganda.

The Delegation feels that it is essential that a new ceasefire be negotiated in Abkhazia. The cease-fire agreement of 3 September was never effectively implemented and each party has blamed the other parties for breaching it. The temporary ceasefire from 20 to 29 November served a limited purpose of evacuating Russian personnel and equipment only. Circumstances now are such that a return to the September 3 agreement is not realistic. A new initiative needs to be taken, giving new consideration to the concerns of each of the parties.

There have been a series of enquiry teams from the UN and the CSCE. They appear to have paid insufficient attention to the Abkhazian case. What is needed now is active and effective mediation, for which President Georgi Shevardnadze and President V. Ardzinba expressed their support to the UNPO Delegation. A mediation team should have the confidence of both parties.

There should be free access by human rights organizations and humanitarian organizations in all parts of Abkhazia, and the UNHCR should be invited to assist refugees, of which there are large numbers on both sides.

The Caucasus region, and in particular the Northern Caucasus, is an area about which there is a serious lack of information in the West. Unless the international community pays urgent attention to the situation in Abkhazia, there is a grave danger of continuing war and suffering and an escalation in the neighboring areas.

The UNPO Delegation was told by many people in different countries in the region of the Caucasus that Russian political and military involvement, including the use of heavy military equipment in the region, creates instability, uncertainty

and fear. Each side in various conflicts accuses its enemies of being backed by Russia. On the other hand, Russian efforts to help refugees to flee the areas controlled by Georgian forces in Abkhazia are welcomed. There is a need for a clear and open policy by the Russian Federation in relation to this region.

The UNPO Mission Recommendations

That a new initiative be developed as soon as possible to agree to and implement a new cease-fire in Abkhazia; such an initiative could take the form of active mediation by a third party or parties in whom both sides have confidence;

That such a cease-fire be followed immediately by earnest negotiations concerning the withdrawal of Georgian troops and of North Caucasus volunteer troops from Abkhazia, concerning the establishment of confidence-building measures, and concerning the future status of Abkhazia;

That any agreement on the future status of Abkhazia and of relations between Abkhazia and Georgia should include effective guarantees for long-term implementation;

That the CSCE High Commissioner for Minorities (to be appointed shortly) take as an urgent task to visit Abkhazia and the North Caucasus region to investigate, report and recommend measures to prevent an aggravation of the situation in the region;

That the application for membership in the Council of Europe and other international organizations by governments of the region should be assessed also in light of their respect for the right of peoples and minorities.

Note

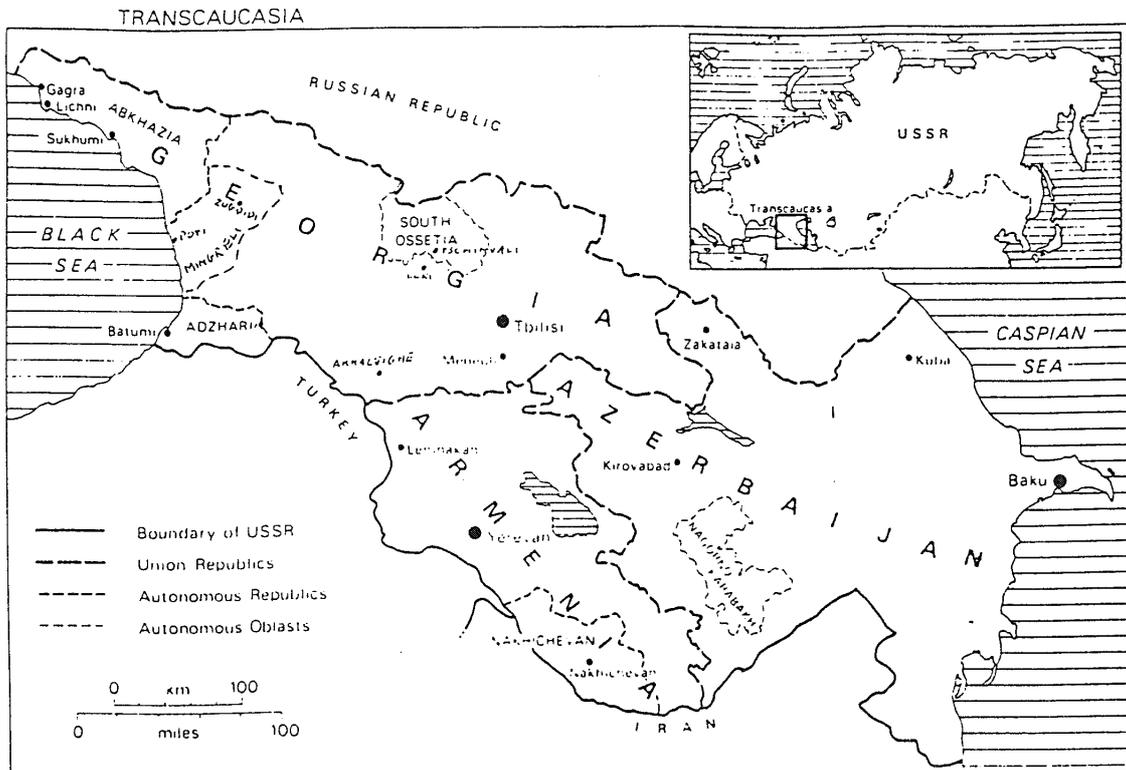
- 1 Margery Farrar represented Congressman Tom Lantos in his capacity as Co-Chairman of the Human Rights Caucus. The participation of Margery Farrar in the writing of this report and her support for its conclusions and recommendations represents her report to Congressman Lantos, rather than a statement by him.

ANNEXES

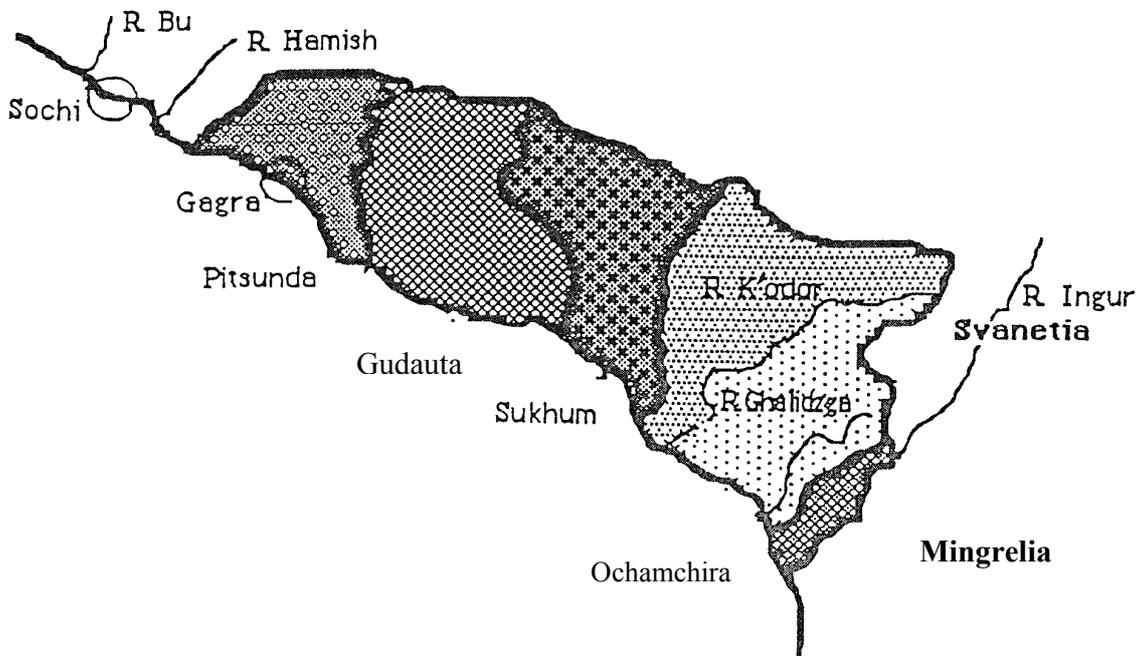
1. MAPS
Map 1 Transcaucasia
Map 2 Abkhazia

2. Tables of demographic changes in Abkhazia
3. Draft treaty proposed for discussion by the Abkhazian leaders before the outbreak of hostilities on 14 August, 1992
 - a. Invitation from president Ardzinba to UNPO of 15.06.92
 - b. Letter from UNPO to president Ardzinba
Letter from UNPO to Mr. Shevardnadze
 - c. Invitation of president Ardzinba of 11.09.92 to UNPO
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MAP 1



MAP 2 – Abkhazia



-  Gagra Borough
-  Gudauta District
-  Sukhum District
-  Gulripsh District
-  Ochamchira District
-  Gali District

	<u>Demographic changes in Abkhazia (1897-1970)</u>				
	1897	1926	1939	1959	1970
Abkhazians	58,697	55,918	56,147	61,197	77,276
Kartvelians	25,875	67,494	91,067	158,221	199,595
Russians	5,135	20,456	60,201	86,715	92,889

	<u>Main Population of Abkhazia (1979 & 1989)</u>			
	1979	1989	1979	1989
Whole Population	486,082	525,061	100%	100%
Abkhazians	83,097	93,267	17.1%	17.8%
'Georgians'	213,322	239,872	43.9%	45.7%
Armenians	73,350	76,541	15.1%	14.6%
Russians	79,730	74,913	16.4%	14.2%
Greeks	13,642	14,664	2.8%	2.8%

Draft treaty proposed for discussion by the Abkhazian leaders before the outbreak of hostilities on 14 August 1992.

Annex 3

Agreement on mutual relations between the Republic of Abkhazia and the Republic of Georgia

Guided by the Declaration on State Sovereignty of the Republic of Abkhazia and the Declaration on State Sovereignty of the Republic of Georgia, until the Constitutions of both republics are adopted, their official delegations agreed on the following:

1. Contracting parties express their desire:
 - to strengthen mutual respect and friendship;
 - to develop economic and social relations;
 - to broaden cooperation in all the spheres of life upon equal rights;
 - to protect human rights, including the rights of national minorities;
 - to prevent nationalism, refrain from the use of force or threat of using force;
 - to not to interfere in the internal affairs of each other;
 - to respect territorial integrity;
 - to answer national, spiritual, linguistic and other needs of all the nationalities residing on the territories of Georgia and Abkhazia.

2. Contracting parties recognize Georgia and Abkhazia as sovereign states and plenipotentiary participants of the international cooperation, as well as of the

agreements with other republics and regions of the Russian Federation and other members of the Commonwealth of the Independent States.

Contracting parties can independently conclude treaties and agreements with other states, which should not affect the interests of the other party.

3. The Republic of Abkhazia voluntarily unites with the Republic of Georgia but on its own territory it possesses all the legislative, executive and legal powers, except the powers given, in conformity with the Constitutions of Georgia and Abkhazia, to the jurisdiction of the Republic of Georgia.

The Constitutions should declare which powers shall be executed by the state authorities of Georgia and Abkhazia.

4. No changes to borders or on the status of both sovereign states can be made without their full consent as expressed by their Supreme Bodies of State Authority or by a national referendum.

5. Land, its natural resources, water, vegetable and animal kingdoms are property of the nations inhabiting the territory of the Republic of Abkhazia.

Issues concerning possession of natural resources, their use and destination should be dealt with according to the legislation of Georgia and Abkhazia as well as according to bilateral agreements.

6. The bodies of state authority of the Republic of Abkhazia will participate in the executive powers of the bodies of state authority of the Republic of Georgia and shall be represented there.

7. Concerning issues of mutual jurisdiction, the bodies of state authority shall adopt the Basic Principles of Law upon which the bodies of state authority of Abkhazia will independently exercise legal regulations on its territory.

The draft of the Basic Principles shall be presented to the bodies of state authority of Abkhazia, which can add their own proposals that shall be taken into consideration in the final version of the Basic Principles of Law.

8. The Constitution and laws of Abkhazia are granted priority on the territory of the Abkhazia.

The laws of Georgia concerning the issues that are regarded as belonging to the jurisdiction of Georgia, are valid on the territory of Abkhazia if they are not contradictory to the Constitution and laws of Abkhazia.

The Basic Principles of Law of Georgia concerning issues of mutual jurisdiction, come into force after they have been approved by the Supreme Bodies of state authority of the Republic of Abkhazia.

9. The Republic of Georgia recognizes the citizenship of people of the Republic of Abkhazia.

Both parties guarantee its citizens to enjoy equal rights, freedoms and responsibilities, granted by the Universal Human Rights Declaration and secured by the international law, the Constitutions and laws of Georgia and Abkhazia.

Racial, religious and any other discrimination is prohibited.

Both parties protect the rights of their citizens no matter where they live or reside, render them all the possible backing and support. Both parties will collaborate in this field.

Issues concerning granting and the loss of citizenship by the persons of parties concerned which reside on the territory of the other party shall be regulated in accordance with the laws of Georgia and Abkhazia on citizenship.

10. Both parties reaffirm the agreement that has been reached concerning the establishment on the territory of Abkhazia of the united multinational guard of Abkhazia placed under the authority of the Soviet Supreme of Abkhazia. Should danger of invasion or aggression against both of the republics arise, it shall be placed under the authority of the Ministry of Defense of Georgia.

Parties have agreed that they won't create any military units on racial base, which might act against the other party.

11. Should any dispute arise both parties leading by mutual respect will take the responsibility to use all their efforts and powers in order to settle the conflict as soon as possible upon the laws in force or, should such laws be invalid, upon the principals of the international law.

Both parties shall work out the dispute settlement procedure for each particular case.

12. Abkhazia expresses its ultimate willingness to collaborate with Georgia in drawing-up a new Constitution of the Republic of Georgia as well as the constitutional laws based upon it.

Georgia fully understands the intentions of Abkhazia and considers it necessary to involve the representatives of Abkhazia as well as the representatives of other nationalities residing on the territory of Georgia with the elaboration of a new Constitution of the Republic of Georgia and the constitutional laws based upon it.

13. Parties have agreed that they will have their plenipotentiary representation offices: the Republic of Georgia in the city of Sukhumi and the Republic of Abkhazia in the city of Tbilisi.

14. Parties do not exclude the possibility that there will be other agreements and treaties concerning collaboration and relations established between the parliaments, governments or other state bodies of both Republics.

15. This agreement become effective on the moment of signature and it will stay in force until the new Supreme Bodies of state authority of the Republic of Georgia will be elected. After that the negotiations will continue.

АԢСНЫ ИРЕИХАЗОУ АСОВЕТ
АХАНТӘАԠЫ



აფხაზეთის უზენაესი საბჭო
თავმჯდომარე

Председатель

Верховного Совета Абхазии

исх. № 20-25

«15» 06 1992 г.

To the General Secretary of Unrepresented
Nations and Peoples organisation

Dr. M. C. Van Walt Van Praag

Over the past years the political leadership of the Republik of Georgia has been pursuing discriminatory policy against the Abkhazian people. The striving of the people of Abkhazia for independance meets violent counteraction on the part of the Georgian leaders.

Anti - Abkhazian hysteria is being coused and allegations are made against the leaders of the Republik of Abkhazia and its Parliament. Attempts are also made to creat parallel authoritics and executive bodies in the republic, military formations are also created. They openly call out for the elimination of the stethood of Abkhazia.

The Supreme Soviet of Abkhazia appeals to you for taking urgent measures to prevent the use of force by the Republic of Georgia against the people of Abrhazia and asks you to be the mediator in settling the Georgian - Abkhazian contradictions peacefully.

The chairman of the Supreme Soviet
of Abkhazia.

Ardzinba V
Ardzinba V



OFFICE OF THE GENERAL SECRETARY

Unrepresented
Nations and Peoples
Organization

Den Haag, 14 July 1992

H.E. V. Arzinba,
President of the Supreme Council
of the Republic of Abkhazia
Sukhumi
Abkhazia

Mr. President,

The Unrepresented Nations and Peoples Organization presents its compliments to the Supreme Council and to the People of Abkhazia.

I have the honor to address this letter to you concerning the situation in Abkhazia. I am sure you will agree that it gives reason for serious concern. It is my understanding that relations between the Supreme Council of Abkhazia and the Emergency Council of the Republic of Georgia have reached a low point. Which may result in open conflict unless a concerted effort is made soon to seek a negotiated solution to existing differences. The tragedy that can result from such conflicts is all too well demonstrated in South Ossetia.

I write to you in a modest effort to assist in seeking a peaceful way to reduce tensions and work towards a mutually satisfactory resolution of differences. The Unrepresented Nations and Peoples Organization may be in a unique position to provide such assistance, since both the Georgian and Abkhazian peoples are represented in the Organization as Members.

Georgia became a Founding Member of UNPO one and a half years ago when its people were struggling for self-determination. In fact its representatives were also members of the Preparatory Committee that conceived and designed the organization months earlier. At the time, there was no Georgian government that



truly represented the people of Georgia. As events later showed, the National Congress of Georgia and the National Democratic Party of Georgia were indeed representative of the aspirations of the Georgian people for freedom and independence.

Abkhazia became a Member in August 1991 at the close of the Second General Assembly of UNPO. It did not become a Member as a result of opposition or defiance towards Georgia or the Georgian people. Quite the contrary. It was the representatives from Georgia who introduced and recommended the Abkhazian representatives to UNPO.

The membership of both parties was in accordance with the requirements of the Covenant of the Unrepresented Nations and Peoples Organization. The Covenant provides for the admission of distinct peoples regardless of their political status at the time of admission.

Of course the political status of Georgia has changed in the past year, as it has now achieved independent statehood. Under the Covenant of UNPO, however, Members who become independent and are admitted to the United Nations retain a moral duty to support and take part in the activities of UNPO as Supporting Members without a vote.

I have taken the liberty of stating the above situation of Georgia and Abkhazia to reassure both parties in the present dispute that UNPO has the interests of both parties very much at heart. The willingness of UNPO to assist in this matter is therefore sincere and based on principles both parties have adhered to.

Last week I returned from a brief fact-finding visit to Abkhazia at your invitation. I had the pleasure of meeting several deputies of very different political persuasions. Thus, besides having the pleasure of meeting with you, I spent time in intense discussion with Abkhazian, Greek, Russian and Armenian Deputies who support the basic views represented by yourself. At the same time, I went to the military barracks in Sukhumi and elsewhere to meet and discuss the situation with Georgian and other Deputies who left the Supreme Council premises to hold their own separate parliamentary sessions and espoused a very different stand that appeared to reflect the views of the government in Tbilisi.

The conclusions I reached should be considered as preliminary, given the short duration of my visit. They can be summarized as follows:

The dispute that has arisen between mostly Georgian Deputies in the Abkhazian Supreme Council and the government in Tbilisi, on the one hand, and Abkhazian Deputies and Deputies representing a number of minority constituencies in Abkhazia, such as Greeks, Russians, and Armenians, on the other, is a purely political dispute.



Persons on all sides of the dispute whom I met believe the problem is not based on ethnic animosity or other popular feelings. All agree, however, that if a resolution is not found and open fighting breaks out ethnic conflict will result.

Many historical arguments are brought forward by people on both sides of the dispute to bolster their point of view. Whatever the validity of historic arguments, and one should not underestimate the importance of history, those arguments often have the effect of diverting from the principal questions at issue.

In this case, I understood the essence of the dispute to be the allocation of responsibility and authority with respect to Abkhazia to the governments in Tbilisi and in Sukhumi, respectively. Governance with respect to the economy, cultural and educational affairs seemed to be the main issue of debate. Other important issues concern the method of representation in the Abkhazian parliament, given the ethno-demographic composition of the region.

Feelings of nationalism, on the one hand, and of victimization, on the other, naturally arise, but are not always helpful in looking for solutions. At the same time, these and other feelings are very real and must be fully acknowledged.

The problems faced in relation to Abkhazia are not simple, and I realize that such a brief summary of conclusions can not do justice to the many complexities of the situation. The newness of the reemerged Georgian state, the interests of neighboring countries, and the politically volatile situation in the entire Caucasus region, only adds to the complexity and difficulty of the situation.

Having said that, I believe, as most people I spoke to in Abkhazia do, that the situation can be resolved through earnest negotiations and patience. I am also convinced that once force is used to attempt to impose a solution the chance of finding a mutually satisfactory, and therefore lasting, solution will be drastically reduced. It is for this reason that I address this letter to you, in the hope that UNPO may be able to facilitate a dialogue between the parties to the present dispute.

As a first step, I wish to extend an invitation to both parties to enter into exploratory talks, without preconditions of any kind, in The Hague or any other location both parties find acceptable. UNPO is perfectly willing and would be greatly honored to host the talks, but it is equally willing to cooperate with other international organizations or governments to suitably host the meeting(s).

In the first instance, the talks would focus on trying to



precisely identify and describe the areas of dispute, without in any way prejudicing or compromising either party's stand on any issue.

Alternatively, or in addition to hosting or otherwise facilitating bilateral negotiation, UNPO could send an eminent mission to Sukhumi and Tbilisi with a view to mediating the dispute or some facets of it.

Mr. President, I therefore have the honor to formally extend an invitation to you or representatives designated by you to come to The Hague, or if not convenient, to an other location, to meet with representatives of the Government of Georgia. The time and other particulars of the meeting will be arranged according to your wishes and those of the Georgian Government.

Given the urgency of the situation, I would appreciate being informed of your response to this invitation or other suggestions you may have at your earliest convenience. I am today sending a similar invitation to Mr. Eduard Shervadnadze, a copy of which I enclose for your information. In the interest of completeness, I also enclose a copy of your letter of invitation and of UNPO's Covenant, both of which, taken together, set the framework for UNPO present involvement.

In the hope we can be of service to you and your people, but also to your neighbors,

I remain, dear Sir,
Yours Sincerely,

A handwritten signature in cursive script, reading 'M C van Walt'.

Dr. M.C. van Walt van Praag
General Secretary

cc. Shervadnadze
Encl.



OFFICE OF THE GENERAL SECRETARY

Unrepresented
Nations and Peoples
Organization

Den Haag, 14 July 1992

H.E. Eduard Shevardnadze,
President of the Emergency Council
of the Republic Georgia
Tbilisi
Georgia

Mr. President,

The Unrepresented Nations and Peoples Organization presents its compliments to the Emergency Council of the Republic of Georgia and to the People of Georgia.

I have the honor to address this letter to you concerning the situation in Abkhazia. I am sure you will agree that it gives reason for serious concern. It is my understanding that relations between the Supreme Council of Abkhazia and the Emergency Council of the Republic of Georgia have reached a low point. Which may result in open conflict unless a concerted effort is made soon to seek a negotiated solution to existing differences. The tragedy that can result from such conflicts is all too well demonstrated in South Ossetia.

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Georgia became a Founding Member of UNPO one and a half years ago when its people were struggling for self-determination. In fact its representatives were also members of the Preparatory Committee that conceived and designed the organization months earlier. At the time, there was no Georgian government that



truly represented the people of Georgia. As events later showed, the National Congress of Georgia and the The National Democratic Party of Georgia were indeed representative of the aspirations of the Georgian people for freedom and independence.

Abkhazia became a Member in August 1991 at the close of the Second General Assembly of UNPO. It did not become a Member as a gesture of opposition or defiance towards Georgia or the Georgian people. Quite the contrary. It was the representatives from Georgia who introduced and recommended the Abkhazian representatives to UNPO.

The membership of both parties was in accordance with the requirements of the Covenant of the Unrepresented Nations and Peoples Organization. The Covenant provides for the admission of distinct peoples regardless of their political status at the time of admission.

Of course the political status of Georgia has changed in the past year, as it has now achieved independent statehood. Under the Covenant of UNPO, however, Members who become independent and are admitted to the United Nations retain a moral duty to support and take part in the activities of UNPO as Supporting Members without a vote.

I have taken the liberty of stating the above situation of Georgia and Abkhazia to reassure both parties in the present dispute that UNPO has the interests of both parties very much at heart. The willingness of UNPO to assist in this matter is therefore sincere and based on principles both parties have adhered to.

Last week I returned from a brief fact-finding visit to Abkhazia at the invitation of the President of the Supreme Council of Abkhazia, Mr. V. Ardzinba. I had the pleasure of meeting several deputies of very different political persuasions. Thus, I spent time in intense discussion with Abkhazian, Greek, Russian and Armenian Deputies who support the basic views represented by the President of the Supreme Council. At the same time, I went to the military barracks in Sukhumi and elsewhere to meet and discuss the situation with Georgian and other Deputies who left the Supreme Council premises to hold their own separate parliamentary sessions and espoused a very different stand that appeared to reflect the views of the government in Tbilisi.

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Armenians, on the other, is a purely political dispute. Persons on all sides of the dispute whom I met believe the problem is not based on ethnic animosity or other popular feelings. All agree, however, that if a resolution is not found and open fighting breaks out ethnic conflict will result.

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In this case, I understood the essence of the dispute to be the allocation of responsibility and authority with respect to Abkhazia to the governments in Tbilisi and in Sukhumi, respectively. Governance with respect to the economy, cultural and educational affairs seemed to be the main issue of debate. Other important issues concern the method of representation in the Abkhazian parliament, given the ethno-demographic composition of the region.

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In the first instance, the talks would focus on trying to precisely identify and describe the areas of dispute, without in any way prejudicing or compromising either party's stand on any issue.

Alternatively, or in addition to hosting or otherwise facilitating bilateral negotiation, UNPO could send an eminent person to Sukhumi and Tbilisi with a view to mediating the dispute on some facets of it.

Mr. President, I therefore have the honor to formally extend an invitation to you or representatives designated by you to come to The Hague, or if not convenient, to an other location, to meet with representatives of the Supreme Council of the People of Abkhazia. The time and other particulars of the meeting will be arranged according to your wishes and those of the Supreme Council of the People of Abkhazia.

Given the urgency of the situation, I would appreciate being informed of your response to this invitation or other suggestions you may have at your earliest convenience. I am today sending a similar invitation to Mr. V. Ardzinba, a copy of which I enclose for your information. In the interest of completeness, I also enclose a copy of Mr. Ardzinba's letter to me and of UNPO's Covenant, both of which, taken together, set the framework for UNPO present involvement.

In the hope we can be of service to you and your people, but also to your neighbors,

I remain, dear Sir,
Yours Sincerely,

Dr. M.C. van Walt van Praag
General Secretary

cc. Ardzinba
Encl.

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Председатель

Верховного Совета Абхазии

ԻՍԽ. № 10-120

11. September 1992

To His Excellency
The Secretary - General of Unrepresented
Nations and Peoples Organisation
Mr.M.C.Van Walt van Praag

The Honorable Secretary - General,

On August 14, 1992 the troops of the Armed Forces of the Republic of Georgia invaded the territory of the Republic of Abkhazia. The Georgian party did not even try to conceal the fact that the main aim of this military action was to suppress the Abkhazian national movement, to liquidate the legitimate bodies of power and to establish a regime, which would suit Georgia.

An agreement on cease-fire beginning with September 5 was achieved in Moscow on September 3 during the talks between President of the Russian Federation B.Eltsin, Chairman of the State Council of the Republic of Georgia E.Shevardnadze and Chairman of the Supreme Soviet of the Republic of Abkhazia. Unfortunately, the Georgian party did not follow the provisions of the above agreement. The bloodshed is still taking place.

A severe occupation regime is operating on the Abkhazian territory, captured by the Georgian troops. Numerous cases of human rights abuse, murders of civilians, marauding and robbery have been registered on occupied territory.

A purposeful persecution of Abkhazians, the destruction of Abkhazian villages and historic and cultural monuments have acquired the form of physical and cultural genocide of the Abkhazian People.

We appeal to you with request to attract the attention of the world community to the tragic situation in our Republic, and using the authority of your organisation, make every effort to stop the bloodshed on the Abkhazian land by sending a commission to Abkhazia to investigate the conflict.

Respectfully Yours,

V. Ardzinba,

Chairman of the Supreme Soviet of the Republic of Abkhazia

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Председатель

Верховного Совета Абхазии

исх. № 10-119

«11» September 1992 г.

To His Excellency
The Secretary-General of the United Nations
Organisation
Professor Butrous Butrous - Gaali

The Honorable Secretary - General,

On August 14, 1992 the troops of the Armed Forces of the Republic of Georgia invaded the territory of the Republic of Abkhazia. The Georgian party did not even try to conceal the fact that the main aim of this military action was to suppress the Abkhazian national movement, to liquidate the legitimate bodies of power and to establish a regime, which would suit Georgia.

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A purposeful persecution of Abkhazians, the destruction of Abkhazian villages and historic and cultural monuments have acquired the form of physical and cultural genocide of the Abkhazian People.

We appeal to you with request to attract the attention of the world community to the tragic situation in our Republic, to send a commission to Abkhazia to investigate the facts and, using the highest authority of the UNO, to put an end to the bloodshed on the Abkhazian land.

Respectfully Yours,
V. Ardzinba,

Chairman of the Supreme Soviet of the Republic of Abkhazia