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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. The present report is submitted in response to Security Council resolution 937 (1994), of 21 July 1994, in which the Council requested, inter alia, a report within three months of that adoption date on the situation in Abkhazia, Georgia, and on the implementation of all aspects of the agreements mentioned in the resolution.

II. POLITICAL ASPECTS

2. A further round of negotiations convened by my Special Envoy for Georgia, with the objective of making progress towards a comprehensive settlement, took place at Geneva from 31 August to 2 September 1994. The negotiations revolved around refugee issues, military aspects concerning the Kodori valley and political matters.

3. Regarding refugee matters, a statement was signed by the Georgian and Abkhaz sides recognizing that returnees would be informed through the Office of the United Nations High Commissioner for Refugees (UNHCR) about the Abkhaz requirement to comply with the laws in force in Abkhazia. Regarding political questions, both sides were given a non-paper outlining political and legal elements for a comprehensive settlement of the conflict, which had been drafted by my Special Envoy in collaboration with representatives of the Conference on Security and Cooperation in Europe (CSCE) and the Russian Federation. My Special Envoy has invited both sides to respond officially to the proposals contained in the paper at the next round of negotiations, which are now scheduled to take place at Geneva in the last week of October 1994.

4. The Head of State of the Republic of Georgia, Mr. Eduard Shevardnadze, met with the Abkhaz leader, Mr. Vladislav Ardzinba, in the presence of the Minister of Defence of the Russian Federation, Mr. Pavel Grachev, at Abkhazia on 16 September 1994. The two sides reportedly discussed, among other issues, developments during the previous few days when tensions had arisen as a result of the wish of refugees to return to their houses and the refusal of the Abkhaz

side to accept them. The President of the Russian Federation, Mr. Boris Yeltsin, met with Mr. Shevardnadze on 19 September at Sochi, Russian Federation, on the same subject matter.

III. HUMANITARIAN SITUATION

5. The parties to the Quadripartite Agreement continue to demonstrate commitment to a negotiated process leading to the safe return of refugees and displaced persons. Differences remain, particularly regarding conditions and the rhythm of repatriation. However, during the 8th meeting of the Quadripartite Commission, which took place at Sochi, Russian Federation, on 28 September 1994, the parties reached a consensus on the need to restore the necessary security conditions in the area where the refugees are to return and on the choice of adequate measures to do so. Following that meeting, the Abkhaz authorities accepted the first group of 100 repatriation applications concerning 460 persons, out of a total of approximately 7,000 applications concerning 26,000 persons.

6. In August 1994, a mission from United Nations Headquarters undertook an assessment of the mine situation in the area. There are some 75,000 to 150,000 mines between the Gumista and Inguri Rivers (see map annexed to the present report). Mines are still being laid, especially in the Gali region, thus spreading fear among the returnees and hampering the operations of the Commonwealth of Independent States (CIS) peace-keeping force and the United Nations Observer Mission in Georgia (UNOMIG). A mine awareness education programme aimed at improving security conditions is under preparation. The success of that programme will require full cooperation of the parties with UNHCR.

7. The security situation in the Gali region has been precarious. A number of ambushes by unknown assailants have taken place, costing the lives of CIS peace-keepers, Abkhaz militia and civilians. These activities underline the relative fragility of agreements on refugees reached so far.

8. As requested by the Security Council in paragraph 10 of its resolution 937 (1994), I have established a voluntary fund for contributions in support of the implementation of the Agreement on a Cease-fire and Separation of Forces, signed in Moscow on 14 May 1994, between the Government of Georgia and the Abkhaz authorities (S/1994/583 and Corr.1, annex) and/or for humanitarian programmes, including de-mining, as specified by the donors, which will in particular facilitate the implementation of the mandate of UNOMIG. I have also informed Member States of the establishment of this fund.

IV. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

9. In resolution 937 (1994), the Security Council authorized an increase in the strength of UNOMIG, as required, up to 136 military observers. The Council also extended the mandate of UNOMIG to 13 January 1995 and expanded it to undertake a number of tasks related to the 14 May Agreement.

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10. UNOMIG has been fulfilling its tasks as mandated by the Security Council. It has been operating in the security and restricted weapons zones and in the Kodori valley, and has been monitoring the weapons storage sites on both sides. Patrols to the security zone and the Kodori valley are conducted either by UNOMIG personnel or jointly with personnel from the CIS peace-keeping force.

11. UNOMIG strength as at 12 October was 90 United Nations Military Observers (UNMOs). UNOMIG has maintained its headquarters at Sukhumi but, owing to the unavailability of suitable accommodation in that city, part of the Mission's headquarters staff are now stationed in Pitsunda, 85 kilometres north of Sukhumi. Three sector headquarters have also been established - at Sukhumi, Gali and Zugdidi. The liaison office at Tbilisi should be in place by 1 November.

12. The UNMOs are receiving cooperation from both the Government of Georgia and the Abkhaz authorities. They have full freedom of movement and access to communications and inspection and other facilities necessary for them to perform their tasks. There have been occasions when the UNMOs were denied access to certain locations, but these were isolated incidents, which were resolved in all cases. The security and safety of the UNMOs has also been satisfactory, though certain risks exist because of mines.

13. I have initiated an exchange of letters with the Government of Georgia with a view to concluding an agreement on the status of UNOMIG. I expect that such an agreement will be concluded in the near future.

14. The Chief Military Observer of UNOMIG has met a number of times with representatives of CSCE. CSCE intends to station two liaison officers close to UNOMIG headquarters.

V. SITUATION ON THE GROUND

A. Security and restricted weapons zones

15. The Government of Georgia and the Abkhaz authorities have largely complied with the 14 May Agreement. All armed forces and heavy military equipment have been withdrawn from the security zone, and no heavy military equipment remains in the restricted weapons zone. Scattered attempts by both sides to reintroduce heavy military equipment in the latter were made, but such equipment has been withdrawn after protest from UNOMIG. A large number of inhabitants in both the security and restricted weapons zones still carry hand-held weapons. UNOMIG assesses that depots of weapons and ammunition exist in both zones but these are difficult to locate.

16. Council members will recall that paragraph 2 (a) of the 14 May Agreement allows "police/militia" in the security and restricted zones to carry personal arms. However, as the phrase "personal arms" was not defined in the 14 May Agreement, there is a difference of opinion between the Government of Georgia and the Abkhaz authorities as to the type of personal arms to be allowed in the restricted weapons and security zones. The Abkhaz police (known as militia) carry automatic rifles whereas the Georgian police carry pistols.

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17. All volunteer formations from outside the boundaries of Abkhazia have been disbanded. There remains, however, a number of individuals from beyond Abkhazia serving with the Abkhaz armed forces. These individuals claim to have "Abkhaz citizenship".

B. Kodori valley

18. As stipulated in the 14 May Agreement, troops of the Republic of Georgia were withdrawn from the Kodori valley to their places of deployment beyond the boundaries of Abkhazia as confirmed by UNOMIG, which has been conducting bi-weekly two-day patrols in the area. Some non-operational military equipment was left behind.

19. With the agreement of both sides, the CIS peace-keeping force has established an observation post at Lata, on the south-western side of the valley, and another at Azhara, on the north-eastern side.

20. The inhabitants of the valley (called the Svanetians) have been concerned about their safety in view of the Abkhaz authorities' stated intention to establish civil authority in the valley and their decision to try, under Abkhaz law, all Svanetians who had fought on the Georgian side. The Svanetians are known to have weapons, including hand-held air defence missiles, and they may also have some mortars.

21. The Abkhaz authorities, who hold front-line positions in the Kodori valley, assert that Georgian troops and military equipment remain in the valley and they have at times used that argument to delay negotiations over the return of refugees. In view of that situation the CIS peace-keeping force has organized a number of meetings between representatives of the Government of Georgia, the Abkhaz authorities and Svanetian leaders. Most of these meetings have taken place in the presence of UNOMIG representatives.

22. On 5 October, the CIS peace-keeping force started a so-called "search and explain" operation in the valley aimed at confirming to the Abkhaz authorities that the Government of Georgia had complied with the 14 May Agreement; informing the Svanetians of the details of the Agreement; disarming the Svanetians (without conducting house searches); and repairing the main road leading into the valley.

23. The Svanetians are particularly concerned over the repair of the main road, which could in their view facilitate an Abkhaz attack on the valley. They have now agreed hesitantly to the repair in view of assurances from the CIS peace-keeping force that a checkpoint, manned by themselves and by Svanetian representatives, will be established at the repaired part of the road in the centre of the valley. The Abkhaz authorities have announced their intention to move their troops to the boundaries of Abkhazia as soon as the search and explain operation is completed and the main road is repaired. They have, however, assured the Svanetians that they will not be mistreated.

24. The search and explain operation has been proceeding as planned. A number of mines, artillery pieces and other ammunition were found, mostly on the Abkhaz

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side of the valley. The operation, which should be completed in the near future, is being monitored by military observers from UNOMIG, the Government of Georgia and the Abkhaz authorities. On 8 October, Svanetian observers also took part in monitoring the operation.

C. The situation at Sukhumi

25. At Sukhumi, the situation has generally been calm, but the crime rate is high. The Abkhaz authorities have been attempting to curb criminality but have so far been unsuccessful. UNOMIG has received complaints, largely from non-Abkhaz families, that crimes are directed against them.

VI. COOPERATION BETWEEN UNOMIG AND THE CIS
PEACE-KEEPING FORCE

26. Cooperation between UNOMIG and the CIS peace-keeping force, as described in my report of 12 July (S/1994/818, paras. 14-17), has been proceeding in a satisfactory manner. UNOMIG has also received practical support from the CIS force when its resources have not been sufficient.

27. As requested by the Security Council, I have initiated an exchange of letters with the Chairman of the Council of Heads of State of CIS to establish an appropriate arrangement on the respective roles and responsibilities of UNOMIG and the CIS peace-keeping force as regards the 14 May Agreement.

VII. OBSERVATIONS

28. It is now over a year since the fighting that led to the flight of large numbers of refugees and displaced persons from Abkhazia. There is no doubt that, despite strenuous efforts by my Special Envoy and others, political progress has been very slow. The Abkhaz unwillingness to accept an early return of refugees has created significant difficulties and has contributed to holding up progress on other questions. I hope that sufficient agreement has now been reached to achieve progress on the refugee question. If so, it will allow my Special Envoy to concentrate his efforts on negotiating the political status of Abkhazia which is a core question of the Georgian/Abkhaz conflict. Without advances in these areas, tensions will continue to rise to the detriment of both sides.

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