

Declaration on Measures for a Political Settlement of the Georgian/Abkhaz Conflict

1. The third round of negotiations on a comprehensive settlement of the Georgian–Abkhaz conflict took place from 22 to 25 February 1994 in Geneva, from 7 to 9 March 1994 in New York and from 29 to 31 March in Moscow under the aegis of the United Nations with the facilitation of the Russian Federation and with the participation of representatives of the Conference on Security and Cooperation in Europe (CSCE) and the United Nations High Commissioner for Refugees (UNHCR).
2. The negotiations were held in accordance with Security Council resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876(1993) of 19 October 1993, 881(1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994, 901 (1994) of 4 March 1994 and 906 (1994) of 25 March 1994.
3. By signing this declaration, the parties hereby commit themselves to a strict formal ceasefire from this date and also reaffirm their commitment to the non-use of force or threat of the use of force against each other as expressed in their communiqué of 13 January 1994 (see S/1994/32, annex).
4. The parties have agreed to and signed a quadripartite agreement, a copy of which is attached to the present declaration, on the repatriation of refugees and displaced persons. The agreement provides for the return of refugees/displaced persons in accordance with existing international practice, including the practice of UNHCR. A special commission on refugees/displaced persons, which shall include representatives of the parties, UNHCR, the Russian Federation, and CSCE in an observer capacity, shall begin its work in Sochi in mid-April 1994. The implementation of the agreement will begin upon the deployment of a peacekeeping force.
5. The parties reaffirm their request for the early development of a peacekeeping operation and for the participation of a Russian military contingent in the United Nations peacekeeping force, as stated in the Memorandum of Understanding of 1 December 1993 (S/26875, annex) and the communiqué of 13 January 1994. The plan for carrying out the peacekeeping operation will be agreed upon with the parties to the conflict. The realization of the peacekeeping operation should also promote the safe return of refugees/displaced persons. The parties again appeal to the United Nations Security Council to expand the mandate of the United Nations Observer Mission in Georgia (UNOMIG).
6. Abkhazia shall have its own Constitution and legislation and appropriate State symbols, such as anthem, emblem and flag.
7. The parties held discussions on distribution of powers on the understanding that any agreement on this issue is part of a comprehensive settlement and will be reached only once a final solution to the conflict has been found. At this stage, the parties have reached a mutual understanding regarding powers for joint action in the following fields:

- (a) Foreign policy and foreign economic ties;
- (b) Border guard arrangements;
- (c) Customs;
- (d) Energy, transport and communications;
- (e) Ecology and elimination of consequences of natural disasters;
- (f) Ensuring human and civic rights and freedoms and the rights of national minorities.

8. The parties agree to continue energetic efforts to achieve a comprehensive settlement. The Parties will set up an appropriate committee, which will work on a standing basis, taking into account the decisions of the Security Council under the chairmanship of the United Nations, with participation of representatives of CSCE and the Russian Federation and with the involvement of international experts. This body will meet alternatively in Moscow and Geneva. Its first meeting will be held in Geneva on 19 April 1994. A phased action programme will be worked out and proposals on the re-establishment of State and legal relations will be elaborated.

9. The parties decided to take additional measures in connection with the search for missing persons and the reburial of the dead.

10. The parties, based on the fact that there is no statute of limitations applicable to war crimes, agreed to intensify efforts to investigate war crimes, crimes against humanity and serious criminal offences as defined by international and national law and bring the perpetrators to justice. Inevitable punishment shall also be inflicted on persons who try or will try to undermine the peace process in Abkhazia by resorting to arms.

Signed on 4 April 1994.

For the Georgian side: (Signed) A. Kavsadze

For the Abkhaz side: (Signed) S. Jinjolia

In the presence of:

From the United Nations: (Signed) E. Brunner

From the Russian Federation: (Signed) B. Pastukhov

From the Conference on Security and Cooperation in Europe: (Signed) V. Manno