

STATEMENT

The Georgian - Abkhaz negotiations aimed at the settlement of the state - legal relations between the parties to the conflict and at solving of the problem of refugees have been going on since November 1993 under the auspices of the UN with the mediation of the Russian Federation and participation of OSCE.

The position of Abkhazia was determined by the fact that in 1988-1992 the state - legal relations between Georgia and Abkhazia were unilaterally disrupted by the Georgian leadership. This fact was reflected in the Statement "On measures for a political settlement of the Georgian - Abkhazian conflict" that was signed on 4 April 1994 by the parties and also by the representatives of the UN, OSCE and the Russian Federation. The Agreement provides for the elaborating of proposals on restoring the state - legal relations between Georgia and Abkhazia.

This was how the aforementioned Statement was assessed by the UN Secretary General in his report of 3 May 1994 and in the Supplement N 2. The documents say: "Abkhazia shall be a subject with sovereign rights within a union state which will be created as a result of negotiations after the disputed issues are settled. The name of the Union state will be determined by the parties to the conflict in the course of negotiations. The sides acknowledge the territorial integrity of the Union state formed within the boundaries of the former Georgian SSR as it was by 21 December 1991". It follows from the above that two equal subjects can achieve an agreement on forming an essentially new state and thus providing the territorial integrity within the boundaries of the former Georgian SSR as it existed by 21 December 1921.

In the course of a series of rounds of negotiations the Georgian side started to deviate from the principles of a political settlement of the conflict and offer their plan for restoring the relationship, according to which Abkhazia would remain within Georgia. Georgia's new position was in fact maintained by the mediators at negotiations, that is, by representatives of the Russian Federation.

The opinion of the Abkhazian side that Georgia's new position was a violation of 4 April Agreement was never taken into account.

In view of the above on our own initiative the 4 April Agreement was studied by a group of experts -international lawyers working for the international non-governmental organisation "Lawyers for co-operation in CIS". According to the conclusion of the experts the 4 April 1994 Statement is considered as an international Agreement in which both parties to the conflict stand out as equal subjects of international law without any state-legal relations between them and they state their intention to build confederative relations.

In February-July 1996 a Protocol of a possible settlement of the conflict based on the provisions of the Statement was worked out by our side together with the representatives of the Russian Federation. However it was not accepted by the Georgian side.

A Quadripartite Agreement "On voluntary return of refugees and displaced persons" was attached to the Statement on "Measures for a political settlement of the Georgian-Abkhaz conflict" which was also signed on 4 April 1994. The Agreement reflected Abkhazia's principle consent to the return of refugees and displaced persons and also ways and conditions for its realisation. The Agreement provided for the creation of relevant conditions of safety for refugees and also for the economic assistance. In accordance with these provisions the Abkhaz side proposed its own plan for the return of refugees. If accepted by other parties, the problem would almost have been solved by now. However, the Georgian side insisted on an unconditional mass return of refugees which could have brought to deterioration of the situation in Abkhazia. Thus, we have failed to achieve any of the agreed solutions. Repeated meetings gave no positive results.

As the situation in the Gal region began to stabilise the refugees started to spontaneously return to the region. The Abkhaz side did not create any obstacles to that process. Furthermore, to confirm our commitment to the process of the return of refugees, more than once we addressed the

UNHCR and the Russian Ministry for Foreign Affairs with a request to help us start registering the returnees. However, our initiative did not find any support. Later we started to register the returnees on our own. At present we have almost 80 % of refugees back in the Gal region. As to the official UNHCR procedure for the orderly return of refugees it was stopped in view with new obstacles hindering its implementation.

The realisation of the Quadripartite Agreement envisages the creation of relevant economic conditions for a phased return of refugees back to Abkhazia. In all the documents that have been signed in the course of negotiations, including : "Memorandum on understanding" of 1 December 1993, "Communique on the second round of the Georgian- Abkhaz negotiations" of 13 January 1994 and also both documents of 4 April 1994 contained an appeal to the international community for economic assistance to Abkhazia. In accordance with these documents a joint Co-ordinating Committee was formed to discuss practical issues (such as ecology, transport, communication, ecology, etc.) . The Committee determined specific measures for restoring the economy of Abkhazia.

In violation of the above, the Resolution of the Government of the Russian Federation of 19 December 1994 and the Decision of the Council of the Heads of State of CIS of 19 January 1996 adopted measures on political and economic isolation of Abkhazia. This created unfavourable conditions for normal economic development. The above measures put Abkhazia in a situation essentially different from the one that existed at the time of signing of the Quadripartite Agreement. The conditions in Abkhazia are inappropriate not only for the return of refugees but also for the current population of Abkhazia. Moreover, a serious deterioration of the socio-economic situation in Abkhazia provoked the outflow of the population from the country.

Georgia insisted on introducing sanctions against Abkhazia to force the latter to make concessions at negotiations on a political settlement of the conflict. This fact proves that after having failed to solve the problem of Abkhazia by the use of force, Georgia now is willing to make the multinational population of Abkhazia to starve to death if it helps to achieve its goals. If these sanctions continue they are likely to bring the negotiations to a stalemate. The international community should meet its commitments to render assistance to Abkhazia, in order to create conditions for the return of refugees which requires implementation of a complex program of restoring the economy of Abkhazia, undermined by the sanctions as much as by the war.

We are also ready to carry out our obligations in accordance with the Quadripartite Agreement provided that the parties return to the position on Abkhazia as by the time of signing the Quadripartite Agreement of 4 April 1994.

Attempts to revise the Statement "On measures for a political settlement of the Georgian-Abkhaz conflict" and put economic pressure on Abkhazia will only undermine the positive results achieved in the course of a protracted negotiation process. Under no circumstances will Abkhazia accept any model of the settlement that is not in accordance with the provisions of the Statement of 4 April 1994.

The Abkhazian side is interested in continuing the negotiations held under the auspices of the UN, with the mediation of the Russian Federation and with participation of OSCE. Abkhazia believes that the success depends on a strict observance by parties and mediators of all obligations they took in accordance with all signed documents.

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MINISTER