

Q1/2 Legal/References 2 _3 -

http://www.rrc.ge/law/gad_1994_08_22_e.htm?lawid=1139&lng_3=en

http://www.rrc.ge/law/mand_1994_10_21_e.htm?lawid=1140&lng_3=en

http://www.rrc.ge/law/gad1_1995_05_26_e.htm?lawid=1144&lng_3=en

http://www.rrc.ge/law/gad_1996_05_17_e.htm?lawid=1151&lng_3=en

http://www.rrc.ge/law/dadgDST_2003_23_03_E.htm?lawid=839&lng_3=en

DECISION OF THE COUNCIL OF THE CIS HEADS OF STATES on usage of Collective Forces to maintain peace in the conflict zone of Georgian-Abkhaz conflict

The heads of states of the CIS,

Expressing a deep concern about the aggravation of situation in the conflict zone of Georgian-Abkhaz conflict,

Taking into account Appeal of the President of the Russian Federation and the Chairman of the parliament-Head of State of Georgia to the Secretary General of the UN Organization of 3 February 1994,

Expressing its adherence to the territorial integrity of the Republic of Georgia, comprehensive and peaceful settlement of the conflict in Abkhazia securing the interests of multi-national population of Abkhazia and its statehood,

Striving for further development of cooperation with the UNO and the CSCE in peace activities aimed at regulating the Georgian-Abkhaz conflict,

Considering the Appeal of the Abkhaz side of 15 May 1994 and Georgian side of 16 May of 1994 on immediate deployment of collective peacekeeping forces in the conflict zone and in accordance of the Agreement on cease-fire and separation of forces signed by Georgian and Abkhaz sides on 14 May 1994...

decided:

1. To deploy in Georgian-Abkhaz conflict zone the Collective Force composed of military contingents of interested states - members of the CIS of 2-3 thousand of people, as well as military observers in order to maintain the peace ... Russian military contingent, already deployed to the conflict zone shall be used as the basis for collective force for maintaining the peace. The plan of operations on deployment of the collective force shall be approved by the conflicting sides in compliance with the Agreement on cease-fire and separation of forces of 14 May 1994.

2. To set up Interim Unified Command composed of representatives of states sending their contingents to the Collective Force in the conflict zone.

The representative from Russian Contingent shall be appointed as the Commander of collective peacekeeping force.

3. The Collective Forces shall be dislocated within the boundaries determined in the Agreement on cease-fire and separation of forces of 14 May 1994.

4. The procedures of cooperation of Collective Force with the military forces of Georgia and military formations of Abkhazia shall be decided upon provisions of the Agreement on the Groups of Military Observers and the Collective Force issued by the CIS of 20 March 1992 and if necessary, by certain agreement concluded between the Interim Unified Command and the Sides.

5. Within the term of effect of this Decision, the Collective Force shall carry out the following tasks:

a) to ensure the protection of cease-fire regime, establish peace and prevent from resumption of military operations in the conflict zone through separation of military formations of the conflicting sides;

b) to establish the necessary conditions for security and return of displaced persons to their places of residence, as well as observance of other provisions set up in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced persons of 4 April 1994, including the operation of Quadripartite Commission established pursuant to the Agreement mentioned above;

c) to monitor the agreement reached between the sides, in particular, provisions of the Memorandum of Understanding of 1 December 1993, Communiqué on the Second Round of Talks of 13 January 1994 on measures for a political settlement of the Georgian-Abkhaz conflict of 4 April 1994, and

other possible agreement the sides may reach in due course of the comprehensive political settlement of the conflict;

d) to facilitate restoration of regions damaged in time of conflict, including the humanitarian aid, mine clearing and renovation of the principal systems of public life;

e) to ensure the protection of international norms of humanitarian and human rights;

f) to establish close cooperation with the staff of the UN Mission to Georgia and other officials of the UNO in the region.

7. This decision comes into effect the day it is signed.

Done in one original copy in Russian language...

Signed by the heads of States of the CIS

22 August 1994

(Collection of Documents Relating to the Issue of Conflict Settlement in Abkhazia, Georgia adopted in 1992-1999, Author G. Uridia, Tbilisi, 1999, p. 40-42/in Russian)

ANNEX TO THE DECISION OF THE COUNCIL OF THE CIS HEADS OF STATES on approval of the Mandate on Peace-keeping Operation in the Georgian-Abkhaz Conflict Zone of 21 October 1994
MANDATE On peacekeeping operation in the Georgian-Abkhaz Conflict Zone

In compliance with the Decision taken by the Council of the heads of States of the CIS on use of collective forces for peacekeeping operation in the Georgian-Abkhaz Conflict Zone signed in June-August 1994, and the Decision taken by the Heads of States of the CIS on approval of the Mandate on peacekeeping operation in the Georgian-Abkhaz conflict zone of 21 October 1994

(...)

6. The Commander of the Collective peacekeeping forces in the Georgian-Abkhaz conflict zone (hereinafter the Commander) is subordinate to the Council of the heads of States of the CIS on the issues that need operative decision; he has the consultations with the Chairman of the Council of Ministers of Foreign Affairs and the Chairman of the Council of Ministers of Defence of the CIS participating states; personally leads the peacekeeping operations and acts in a capacity of direct commander for all staff of the Collective Peacekeeping Forces.

9. The function of the Commander of the Collective peacekeeping forces consists as follows:

to secure the realization of decisions taken by the Council of the heads of States of the CIS on peacekeeping operations in the conflict zone;

to report the Heads of States and the Ministers of Defence on implementation of agreements on cease-fire and separation of forces by the conflicting Sides;

to manage the Collective peacekeeping forces in preparation for and realization of peacekeeping operations in the conflict zone;

to organize and maintain interaction with the leadership of hosting country, conflicting sides, Ministries of Defence of the member-states set out in the Mandate, the headquarter on coordination of military cooperation of the CIS member-states, representatives of the UN, OSCE and other international organizations in the conflict zone;

to hold the negotiations with the conflicting sides;

to assure the protection of communication means and official meetings between the conflicting sides;

to manage appropriation of financial and material-technical means assigned for securing the operation of the PKF of the CIS.

21 October.1994

(Collection of Documents Relating to the Issue of Conflict Settlement in Abkhazia, Georgia adopted in 1992-1999, Author G. Uridia, Tbilisi, 1999, p. 44-46/in Russian)

ANNEX TO THE DECISION ADOPTED ON 26 MAY 1995 BY THE COUNCIL OF THE HEADS OF THE COMMONWEALTH OF INDEPENDENT STATES on Specification to and Extension of the Mandate of the Collective Force on Maintaining the Peace in the Conflict Zone of Abkhazia

Mandate of the Collective Force on maintaining the peace in the conflict zone in Abkhazia, Republic of Georgia

Pursuant to the decisions issued by the Council of the heads of States of the Commonwealth of independent States on usage of Collective Force the operation on maintaining of peace in the conflict zone in Abkhazia, the Republic of Georgia is carried out.

The tasks aimed at maintaining the peace, separation of forces and observing the cease-fire regime on land, in the Sea and in the air have been fulfilled.

The peacekeeping military contingents of the CIS have been deployed in the conflict zone, as well as the military observers of the UN Mission in Georgia.

The security zone, restricted-weapons zone and control zone have been established in compliance with the Cease-fire Agreement and Separation of Forces of 14 May 1994 that specifies and determines the level of armament and personnel.

The Collective force will carry out its tasks to facilitate comprehensive settlement of the conflict in Abkhazia, Georgia, particularly in the course of safe return of refugees and displaced persons to their places of residence observing international humanitarian rights and human rights; the process of de-mining also will be encouraged.

1. In compliance with the Decision of the Council of the Heads of States of the Commonwealth of Independent States on specification of the Mandate of the Collective Peacekeeping Force in the conflict zone of 26 May 1995 the term of operation is extended up to 31 December 1995. The term of Mandate shall be prolonged upon the decision of the Council of the Heads of States of the Commonwealth of Independent States.

2. The manpower and adequate means shall be determined to realize the Decision issued by the Council of the Heads of States of the Commonwealth of Independent States on Approve of the Mandate for carrying out the peace operations in the Georgian-Abkhaz conflict zone of 21 October 1994.

3. The Group of Military observers shall be set up to observe the commitments under the Agreement on Cease-fire and Separation of Forces of 14 May 1994.

4. After the adoption of the Decision the countries, sending the contingents to the Collective Force shall secure the preparation of the personnel, their material-technical supply and financial means, including expenses for transportation at the expense of their respective states.

5. The Collective peacekeeping Force and the Group of military observers are entrusted with the tasks ... in particular:

a) observance of a cease-fire regime, establishment of peace and prevention from the resumption of military operations in the conflict zone through separation of military formations of the conflicting sides;

b) establishment of adequate conditions for safe return of refugees and displaced persons that left the conflict zone to the places of their permanent residence, as well as observance of other provisions set up in the Quadripartite Agreement on Voluntary Return of Refugees and Displaces Persons of 4 April 1994, including the operation of the Quadripartite Commission established pursuant to the aforementioned Agreement;

c) observance of agreements concluded between the sides, in particular, Memorandum of Understanding of 1 December 1993, Communiqué on the Second Round of Talk of 13 January of 1994, Declaration on the measures for political settlement of the Georgian-Abkhaz Conflict of 4 April 1994 and the Agreement on Cease-fire and Separation of Forces of 14 May 1994, as well as the other possible agreements that the sides may reach in the process of the comprehensive political settlement of the conflict;

d) facilitation to the process of the rehabilitation of the regions affected in conflict time, including the humanitarian aid, de-mining and restoration of systems of vital importance of the population;

e) assuring the security of the key systems of life, as Inguri Power Plant and others;

f) securing the norms of international humanitarian and human rights;

g) close cooperation with the staff of the UNOMIG and other employees of the UNO in the region;

e) carrying out the control on disbanding and withdrawal of all volunteer military formations made up of persons outside of the frontiers of Abkhazia;

h) carrying out the control on the process of withdrawal of heavy military equipment in cooperation with the UN Observers Mission in Georgia.

The Collective peacekeeping Force and the Group of Military observers, under the decision of the Command reconciled with the conflicting sides may decide other issues in due course of operations in the conflict zone guiding with the principles of securing and maintaining the peace between the conflicting sides.

6. Commander of the Peacekeeping Force in the conflict zone (hereinafter - Commander) is subordinated to the Council of the Heads of States of the commonwealth of Independent States. The issues, related to the urgent operative decisions he shall to agree with the Chairman of the Council of Ministers of the Ministers of Foreign Affairs of the CIS member-states and with the Chairman of the Council of Ministers of Defense of the CIS member-states and carries out direct command of the operations on maintaining the peace and acts in a capacity of a direct commander to all personnel of the Collective Force.

7. Military contingents of the CIS member-states, designated to the Collective Force and the Group of observers are entering under the subordination of the Commander since their detachment to the region of operation reporting their commanders (heads) on deployment.

8. To manage the collective forces and the group of the military observers at the Commander is created the joint staff with the subunits of security, communication and services, assigned by the armed forces of the countries, participating in the operation.

Structure of the joint staff and subunits of the supply is defined by the Commander. He is entitled to introduce the respective changes to the structure of the Staff in the framework of the assigned numbers.

9. In the functions of the Commander of the Peacekeeping Collective Forces are the following;

realization of the decisions of the Council of the heads of states of the commonwealth on conducting operation on maintenance of peace in the conflict zone;

Submitting of reports to the heads of states, ministers of the foreign affairs and ministers of defense on the implementation of tasks, facing the collective forces on peacekeeping and observing the agreements on operation from the conflicting sides;

leadership of the collective forces on maintaining peace and group of military observers on preparation and conducting of operation on peacekeeping in the conflict zone;

Organization and management of the subordinated units and subunits of the collective forces on peacekeeping and the Group of the military observers;

Organization and support to cooperation with the host-country, conflicting sides, ministers of defense of the member-states and staff on coordination of cooperation in military field of the member states and bodies of local authority, with the UNOMIG, the OSCE mission and other international organizations in the conflict zone;

conducting of negotiations with representatives of the conflicting sides;

providing fro relations with regard to official meetings between the representatives of the conflicting sides and their security;

Management of financial and material and technical resources, allocated for the supply of collective forces on peacekeeping and group of military observers.

10. During the term of conducting of the operation on peacekeeping in the conflict zone, the states, assigning military personnel to the conflict zone and provide for privileges and compensation of subsistence allowance, defined by the acting legislation of these countries.

11. military personnel, assigned to the composition of the collective forces on peacekeeping in the conflict zone and the groups of the military observers will respect and observe the provisions of the agreement “On groups of observers and collective forces on peacekeeping in the Commonwealth of Independent States” of March 20, 1994, protocols of May 15, 1992 “ On status of groups of observers and collective forces on peacekeeping in the Commonwealth of Independent States”, “On staffing, structure, material and technical and financial supply to the groups of observers and collective forces on peacekeeping in the Commonwealth of Independent States” and “On temporary procedure of forming of actions of groups of observers and collective forces on peacekeeping in the Commonwealth of Independent States” and will also observe and respect additional protocols of June 8, 1977 and Conventions on protection of cultural heritage in case of the armed conflict of May 14, 1954.

(www.un.org/russian; Collection of documents on the issue of settlement of the conflict in Abkhazia, Georgia, adopted in the period of 1992 till 1999., author G. Uridia, Tb., 1999, pages 54-57)

DECISION TAKEN BY THE COUNCIL OF THE HEADS OF STATES OF THE COMMONWEALTH OF INDEPENDENT STATES on Presence of the Collective Peacekeeping Forces in the Conflict Zone of Abkhazia, Georgia

The Council of the heads of States of the Commonwealth of Independent States, striving for the regulation of the conflict in Abkhazia, Georgia,

Confirming its previous decisions aimed at achieving this goal,

decided:

1. To add to the Mandate of the Collective Peacekeeping Force, with the consent of Sides, the following provision:

- to carry out the works for demarcation of mine-fields in the territory of Abkhazia, Georgia with the assistance of the UNO and cooperation of the local authorities.

Done at Moscow **16 May 1996...**

The decision is signed by the Heads of Sates of the CIS.

The decision hasn't been signed by the Republic of Belarus, Moldova, Turkmenistan and Ukraine

(www.un.org/russian)

DECISION OF THE COUNCIL OF HEADS OF STATES OF THE COMMONWEALTH OF INDEPENDENT STATES on the prolongation of the term of presence of the CIS Collective Peacekeeping Forces in Abkhazia, Georgia

March 22, 2003

The Council of Heads of States of the Commonwealth of Independent States, expressing its deep concern with the failure to solve the problems caused by the conflict, which contribute to the creation of new sources of tension and jeopardize peace and stability in the region,

reaffirming the territorial integrity of Georgia within the internationally recognized borders and recognizing Abkhazia as inseparable part of Georgia,

stressing the importance of the safe and dignified return of IDPs and refugees to the places of their permanent residence without setting any preliminary conditions and with the provision of additional safety guarantees through the establishment of transitional joint administrative bodies under the aegis of and with the support of international organizations as well as the urgency of

the restoration of infrastructure necessary to maintain stability, and confirming the provisions of all the earlier adopted decisions on resolution of the conflict in Abkhazia, Georgia, and first of all the Decision of the Council of Heads of States of the CIS of January 19, 1996 on Measures for Peaceful Settlement of the Conflict in Abkhazia, Georgia, underscoring the importance of international guarantees of the UN and OSCE for the non-resumption of hostilities between the sides in the conflict with participation of the Group of Friends of the UN Secretary-General for the Resolution of the Conflict in Abkhazia, Georgia, which should be based on the Basic Principles for the Distribution of Competences between Tbilisi and Sokhumi, recommended by the UN Security Council,

resolves:

1. To prolong the term of presence and the Mandate of the Collective Peacekeeping Forces in the conflict zone in Abkhazia, Georgia, until June 30, 2003 or until the moment when one of the sides in the conflict demands that the peacekeeping operation should be ceased.

2. To confirm the Mandate of the Collective Peacekeeping Forces in the conflict zone in Abkhazia, Georgia, from January 1, 2003 up to the date of the enactment of this decision.

3. To instruct the Ministries of Foreign Affairs of Georgia and the Russian Federation to continue working on the issues of 2002 on the presence of the Collective Peacekeeping Forces in the conflict zone in Abkhazia in cooperation with the Headquarters for the Coordination of Military Cooperation between the CIS Member-States, the Provisional Working Group of the CIS for the Settlement of the Conflict in Abkhazia, Georgia, and the Special Representative of the UN Secretary-General for Georgia, and to submit their conclusions and considerations to the next meeting of the Council of the Heads of States of the CIS.

4. To inform the UN Security Council on this Decision of the Council of States of Heads of the CIS.

The document has been written in the Russian language in compliance with the Paragraph 5, Rule 17 of the Rules and Procedures of the Council of Heads of States of the CIS, Council of Ministers of Foreign Affairs and the Economic Council of the CIS. The original of the document is stored in the Executive Committee of the CIS, which will send certified copies of the document to each Member-State of the CIS.

Undersigned by the Heads of Member-States of Community of Independent States.
(www.cis..minsk)