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Report of the Secretary-General on the situation in Abkhazia, Georgia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1582 (2005) of 28 January 2005, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 2005. It provides an update of the situation in Abkhazia, Georgia, since my report of 25 April 2005 (S/2005/269).

2. My Special Representative for Georgia, Heidi Tagliavini, continued to head UNOMIG. She was assisted in this task by the Chief Military Observer, Major General Hussein Ghobashi (Egypt), until 11 June 2005, when he completed his tour of duty with the Mission. A new Chief Military Observer is due to arrive at the Mission shortly. The strength of UNOMIG as at 1 July 2005 stood at 120 military observers and 12 civilian police officers (see annex).

II. Political process

3. The participation of the Georgian and Abkhaz side in the United Nations-chaired meeting of the Group of Friends on 7 and 8 April in Geneva (see S/2005/269, paras. 10-12) signalled the resumption of the United Nations-led peace process after over eight months of suspended contacts between the parties. Subsequently, my Special Representative focused her efforts on resuming the dialogue between the two sides on the primary issues of political and security matters, the return of refugees and internally displaced persons and economic cooperation. These issues are being pursued in order to address practical and humanitarian challenges in the conflict zone and to improve confidence between the two sides so that negotiations on a comprehensive political settlement of the conflict can take place, using the paper entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its transmittal letter (see S/2002/88, para. 3) as a starting point.

4. In pursuance of these aims, my Special Representative brought the Georgian and Abkhaz sides together on 12 May at UNOMIG's Gali headquarters to discuss security issues in the zone of conflict. The Commander of the collective peacekeeping forces of the Commonwealth of Independent States (CIS) also participated. The discussion concluded with a protocol, signed by Mr. Khaindrava,

the Minister for Conflict Resolution of Georgia, and Mr. Shamba, the de facto Abkhaz Foreign Minister, as well as UNOMIG and the CIS peacekeeping force, including measures to strengthen the implementation of the Moscow Agreement on a ceasefire and separation of forces of 1994 (S/1994/583 and Corr.1, annex I) and subsequent security commitments. The parties undertook to submit figures on the strength of their armed personnel in the conflict zone, samples of their identification documents and proposals for establishing additional hot lines between the law enforcement agencies across the ceasefire line. They agreed to maintain a minimum distance between the positions of law enforcement agencies and the ceasefire line, to establish groups on each side to monitor the situation in the security zone, to exchange information on criminal activities, to ensure support for and security of staff of international organizations implementing projects, to improve the human rights situation and to resume patrolling in the Kodori valley. They also undertook to hold a meeting on security guarantees, in line with commitments made at the Geneva meeting of the Group of Friends of 7 and 8 April 2004, scheduled for 20 and 21 July.

5. On 15 and 16 June, the Russian Federation convened the so-called Sochi working groups on the rehabilitation of the Sochi-Tbilisi railway and on the return of refugees and internally displaced persons in Moscow (see S/2003/412, para. 5). The two sides were represented at the ministerial level; my Special Representative and the Commander of the CIS peacekeeping force also participated. At the meeting on the return of refugees and internally displaced persons, the parties expressed support for the documents prepared by the Office of the United Nations High Commissioner for Refugees (UNHCR), which included a draft questionnaire and plan for a verification and registration of returnees in the Gali district, as well as the paper on strategic directions for activities in confidence-building in the context of returns. They also resumed the discussion on the draft "letter of intent" prepared by UNOMIG and UNHCR and endorsed by the Group of Friends (see S/2004/315, para. 9). The Head of Tbilisi office of UNHCR, the lead United Nations agency on the issue, participated in the meeting.

6. At the meeting on the railway rehabilitation, the parties agreed that an expert group would meet to discuss the security and other practical aspects of conducting a technical survey of the Psou-Inguri section of the railway, which includes the Inguri bridge. This follow-up high-level meeting took place with participation of my Special Representative on 2 July in the UNOMIG Gali headquarters. The parties agreed to establish joint mobile groups, including representatives of the two sides and the Russian Federation, and to finalize all related practical matters in order to begin the survey in mid-July.

7. The efforts of my Special Representative took place against the background of continuing efforts by the authorities in Sukhumi to consolidate their position in the aftermath of the de facto elections. On the question of Abkhazia's status, the leadership in Sukhumi reiterated its position that it had been determined through the unilateral proclamation of independence (see S/1999/1087, para. 7). The Georgian leadership has affirmed its readiness to engage with the new Abkhaz leadership and its commitment to a peaceful solution. Sukhumi questioned this commitment, citing in particular the increased military expenditure by Tbilisi, and regarded Georgian statements on the closure of the Abkhaz portion of the Black Sea to international maritime traffic as provocative and intended to disrupt the summer tourist season.

8. In addition, my Special Representative has maintained regular contact with the Group of Friends, including with the Russian Federation in its capacity as facilitator. She facilitated visits to the zone of conflict by high-level representatives of the Group of Friends, including the visits of Ambassador Steven Mann, Special Negotiator for Eurasian Conflicts of the United States State Department in April and of Sir Brian Fall, the Special Representative for the South Caucasus of the United Kingdom of Great Britain and Northern Ireland, in June, as well as other diplomatic representatives. She also met with Mr. Valery Loshchinin, First Deputy Foreign Minister and Special Representative of the President of the Russian Federation for the Georgian-Abkhaz Settlement in Moscow in June.

9. On 30 May, the Foreign Ministers of Georgia and the Russian Federation affirmed their cooperation on the achievement of a peaceful settlement of conflicts in Georgia in their joint declaration on the modalities of functioning and the withdrawal of Russian bases from Georgia. On 10 May, the President of the United States of America, Mr. George W. Bush, emphasized the need for peaceful settlement of conflicts during his visit to Tbilisi. He urged the Georgian leadership to work with the Abkhaz and South Ossetian leaderships towards that end and pledged United States support for and cooperation with the United Nations in resolving the Georgian-Abkhaz conflict.

III. Operational activities

10. UNOMIG military observers performed their monitoring and observation tasks through daily ground patrols in the Gali and Zugdidi sectors. They maintained close liaison with the authorities of the two parties, including their law enforcement agencies, and the CIS peacekeeping force. The parties participated regularly in the weekly quadripartite meetings with UNOMIG and the CIS peacekeeping force to discuss security issues in the zone of conflict, including the implementation of the provisions of the protocol of 12 May (see para. 4 above), and in the investigations of the Joint Fact-Finding Group. Patrolling of the Abkhaz-controlled lower Kodori valley was carried out, but patrolling of the Georgian-controlled upper Kodori valley remained suspended for security reasons.

11. During the reporting period, no violations of the 1994 Moscow Agreement were recorded. On 21 April, the Abkhaz side conducted a military exercise involving heavy weapons in the Ochamchira training area adjacent to the Gali sector restricted weapons zone, but avoided violations of the ceasefire arrangements. The situation along the ceasefire line remained generally calm, although criminal activities continued to highlight the lack of effective law enforcement and low confidence among the local population in the existing local law enforcement agencies.

Gali sector

12. The situation in the Gali sector has been relatively calm, although criminal activities continued with 11 armed robberies, one shooting, one abduction, five detentions and one explosion reported. Tensions were reported in the lower Gali district, when on 16 May, Abkhaz armed personnel threatened and forced the village population to pay compensation for a stolen trailer containing scrap metal. On 18 May, three residents of Zugdidi were abducted in Nabakevi near the ceasefire

line; timely action of the Gali militia led to the arrest of perpetrators and the release of the abductees. On 25 May, two Abkhaz soldiers were killed and three injured while handling an explosive device at their checkpoint west of Gali city. On 31 May, between 25 and 30 young men from the village of Okumi were taken by Abkhaz military recruitment authorities; most of them were later released. On 18 June, in Pichori, in the lower Gali district, two UNOMIG patrol teams comprising 11 military observers and two interpreters were robbed by three armed masked men. The perpetrators fired several bullets into the ground. No injuries or damage occurred. UNOMIG subsequently increased the security level for its personnel operating in the lower Gali district.

Zugdidi sector

13. The situation in the Zugdidi sector has been generally calm, with a number of criminal incidents reported, including one killing, two shootings and seven robberies. On 19 May, the Georgian police uncovered an arms cache with 10 anti-tank mines, 20 rocket-propelled grenades, grenade launchers and explosive material in an abandoned tea factory in the village of Natsuluku north-east of Zugdidi. On 29 May, a CIS peacekeeping force convoy of 11 vehicles came under fire in the vicinity of Zugdidi; two vehicles were damaged, but no casualties were reported. On 4 June, an exchange of fire took place between a group of smugglers from the Abkhaz-controlled side of the ceasefire line and Georgian police near the ceasefire line in Shamgona; one perpetrator was wounded and arrested.

Kodori valley

14. Based on reports from the authorities of both sides and the CIS peacekeeping force, the situation in the Kodori valley has been assessed as generally calm. However, there were reports of security apprehensions among the population in the upper Kodori valley following the decision to disband the local “hunters” battalion by the authorities in Tbilisi in late April. On 27 April, UNOMIG engineers and the CIS peacekeeping force conducted a patrol to the lower Kodori valley to assess the damage to the main road as a result of torrential rainfall that had caused flooding. Damage in the upper part of the valley could not be assessed as patrols there remain suspended pending the provision of necessary security guarantees from the Georgian side.

IV. Policing issues

15. UNOMIG’s civilian police component continued to operate on the Zugdidi side of the ceasefire line. It maintained good cooperation with local law enforcement agencies, and contributed to the weekly quadripartite meetings and investigations of the Joint Fact-Finding Group, including providing forensic assistance. The Abkhaz authorities remained reluctant to allow the deployment of UNOMIG police advisers on the Gali side of the ceasefire line. This hampered cross ceasefire line cooperation, hindered progress in criminal investigations and limited the effectiveness of preventive anti-crime efforts.

16. UNOMIG civilian police officers conducted on-the-job field training for Georgian police officers, a basic course on “human rights and law enforcement”, and a forensic training course on crime scene management and community policing

and crime prevention. They also supported, in close cooperation with local police officers, anti-drug theatre performances in the Zugdidi district and assisted in establishing regional and district community policing and crime prevention committees. On 11 June, UNOMIG and the Estonian Public Service Academy signed a memorandum of understanding on mutual cooperation, including the provision of basic police training and “training of the trainers” for law enforcement officers. The Ministry of Justice of Turkey has also offered to host a two-week training course for members of the local police in forensics.

V. Cooperation with the collective peacekeeping forces of the Commonwealth of Independent States

17. UNOMIG and the CIS peacekeeping force maintained close cooperation in fulfilling their respective mandates. At the request of the Abkhaz side, joint UNOMIG-CIS peacekeeping force patrols were conducted between 3 and 7 May to ascertain the number of Georgian troops and law enforcement personnel deployed along the ceasefire line; their numbers were found to be within those authorized in relevant security agreements. Regular meetings between the leadership of the Mission and the Commander of the CIS peacekeeping force as well as respective liaison teams further enhanced mutual cooperation.

VI. Human rights and the humanitarian situation

18. During the reporting period, the United Nations human rights office in Sukhumi implemented the programme for the protection and promotion of human rights in Abkhazia, Georgia (see S/1996/284, annex I) and its protection activities by collecting information directly from victims, witnesses and other reliable sources. The office followed up with the relevant Abkhaz authorities on reports of violations of due process, ill-treatment in detention, involuntary disappearances, religious intolerance, as well as arbitrary evictions and other property rights violations. In particular, the office raised its concern with the Abkhaz law enforcement agencies at the delayed investigation, and resulting impunity, of two cases of abduction in the Gali district reportedly perpetrated by security personnel in July 2004. The office also continued to provide legal advice to the local population, to monitor court trials and to visit detention centres. It assisted two inmates serving prison sentences to apply for amnesty to the de facto President, ensuring the release of one of the inmates.

19. Together with four local non-governmental organizations, the office began the implementation of an Abkhazia-wide human rights programme, funded by the Swiss Federal Department of Foreign Affairs, and supported the launch of seven human rights projects under the programme. In addition, the staff of the office, supported by UNOMIG police advisers, conducted a seven-week training course in human rights and law enforcement in the Sukhumi militia training centre, distributed printed materials and participated in discussions on the legal and practical framework of the activities of non-governmental organizations in Abkhazia, Georgia. The Abkhaz authorities have not yet agreed to the opening of a UNOMIG human rights sub-office in the town of Gali. This has limited the ability of the office

to help protect human rights of the local population, including returnees, and to support the non-governmental sector in the Gali district

20. United Nations agencies, as well as international and non-governmental organizations continued their efforts to assist vulnerable groups affected by the conflict. In the health and education sectors, the United Nations Children's Fund (UNICEF), the International Committee of the Red Cross (ICRC) and Médecins sans frontières continued to provide medicines, testing kits and equipment to Abkhaz hospitals, free health services and a tuberculosis treatment programme. The United States Agency for International Development began funding two projects in Abkhazia, Georgia, an HIV/AIDS prevention programme, implemented by Save the Children, and a youth development programme implemented by Catholic Relief Services. UNHCR and UNICEF focused on school rehabilitation and distribution of educational materials, with the assistance of UNOMIG, while ICRC continued teaching international humanitarian law. The World Food Programme (WFP) continued its food-for-work programme, but plans to close its office by the end of June.

21. In the rehabilitation sector, the United Nations Development Programme (UNDP) focused on developing its recovery programme for the Gali, Ochamchira and Tkvarcheli districts and establishing an information centre to improve coordination of assistance provided by international and local organizations. The European Commission continued rehabilitation of the Inguri Hydroelectric Plant and announced plans to launch a new programme that will fund economic rehabilitation and confidence/capacity-building activities in Sukhumi and adjacent areas to the west. International non-governmental organizations such as Première Urgence and World Vision continued to implement small-scale rehabilitation and community development projects. Following heavy floods and landslides in western Georgia and the upper Svaneti region during April and May, the United Nations Office for the Coordination of Humanitarian Affairs fielded initial missions to Georgia from 6 to 16 June to assess institutional structure and arrangements in place for disaster preparedness and response.

22. The United Nations Development Fund for Women (UNIFEM) worked with local partners to develop initiatives promoting women's human rights and peacebuilding, including the possible establishment of an Abkhazia-wide women's information network. The United Nations Volunteers focused on capacity-building and peacebuilding projects. It recently funded four projects, one of which was an exhibition on activities of non-governmental organizations in Abkhazia, Georgia.

23. In April, the HALO Trust completed mine clearance operations along the Inguri river in the Gali district, declaring the area "mine-impact free". It has meanwhile expanded its operation to Ochamchira and Sukhumi regions.

24. During the reporting period, UNOMIG's trust fund office continued to raise funds, identify new and monitor implementation of approved quick impact projects. These projects address urgent humanitarian needs and have been widely appreciated both by the authorities and the local populations in the zone of conflict. UNOMIG also cooperated with the European Commission, conducting two assessment studies of health and electricity in the zone of conflict. These studies, financed by the European Commission, complemented the UNDP assessment of water management, local agriculture and microfinance and are expected to pave the way for the commencement of the European Commission-funded basic rehabilitation

programme in the Gali, Tkvarcheli, Ochamchira and Zugdidi districts in the amount of almost 4 million euros. The programme will focus on electricity, health and income generation and will be implemented by UNOMIG and UNDP.

VII. Financial aspects

25. By its resolution 59/304 of 22 June 2005, the General Assembly appropriated an amount of \$36,380,000 (gross), equivalent to \$3,031,666 per month, for UNOMIG for the period from 1 July 2005 to 30 June 2006. The assessment of these amounts is subject to the adoption of a decision by the Security Council to extend the mandate of the Mission.

26. Should the Security Council decide to extend the mandate of UNOMIG beyond 31 July 2005, the cost of maintaining the Mission until 30 June 2006 would be limited to the monthly amounts approved by the General Assembly.

27. As at 30 April 2005, unpaid assessed contributions to the UNOMIG special account amounted to \$10.4 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to \$2.2 billion.

VIII. Observations

28. Resumed participation of the Georgian and Abkhaz sides in the United Nations-chaired Geneva meetings of the Group of Friends and in meetings addressing various practical aspects of the peace process after a prolonged suspension of direct contacts is an encouraging development. I welcome the incremental progress made so far and express hope that the sides will muster the political will for a more meaningful and pragmatic re-engagement and for seeking solutions at the negotiating table without preconditions. Only a genuine commitment by the Georgian and Abkhaz sides will allow the peace process to eventually progress to a lasting and comprehensive political settlement through peaceful means and on the basis of relevant Security Council resolutions. The United Nations is committed to assist such endeavours. The sustained and coordinated support of the Group of Friends to the continuous efforts of my Special Representative remains invaluable.

29. I appeal to both parties to seize the new emerging opportunities for dialogue and to make best use of the involvement of the international community and the improving regional environment to achieve concrete progress in the agreed priority areas and related confidence-building measures. In this context, I encourage both the sides to formally recommit to the non-resumption of hostilities and the peaceful settlement of the conflict, as well as ensuring the safe and dignified return of refugees and internally displaced persons, at the first stage to the Gali district. I urge the Georgian side to be forthcoming to meeting the Abkhaz security concerns and urge the Abkhaz side to effectively address practical and security concerns of the local population and returnees and to honour its previous commitments of accepting the deployment of UNOMIG's civilian police officers in the Gali district, allowing the opening of a human rights sub-office in Gali, and the teaching of local youth in their native Georgian language. At this juncture, concrete actions would do much to restore confidence between the sides and advance negotiations on the priority areas.

30. The freedom of movement of UNOMIG personnel in implementing its mandated tasks must be respected and unimpeded. The security of UNOMIG personnel remains a major concern. Criminal activities, which also affect UNOMIG and its patrols, highlight the need for the sides to increase their efforts and cooperation in enhancing the security of personnel operating in the zone of conflict. I urge both sides to make concerted and resolute efforts to identify and bring to justice the perpetrators of criminal acts, including the ambush of a UNOMIG bus in Sukhumi in September 1998, the shooting down of a UNOMIG helicopter in the Kodori valley in October 2001 and hostage-taking incidents. Regular patrolling in the Kodori valley remains an integral part of UNOMIG's mandate and I urge both sides to cooperate on security-related matters and actions that are essential for its resumption.

31. With the expected finalization of the agreement with the European Commission, project activities in the zone of conflict are expected to increase. In this regard, I would like to emphasize the need for both the Georgian and Abkhaz sides to actively support these efforts, not least by ensuring security and safety of those who will be working on the implementation of the projects, including UNOMIG, UNDP, the European Commission and other actors. I would also stress the importance of ensuring the safety and security of UNHCR personnel involved in the conduct of the registration and counting process in the zone of conflict.

32. In pursuing both practical activities and a lasting solution to this conflict, UNOMIG continues to play an important and relevant role in preventing a destabilization of the situation on the ground. I therefore recommend that the mandate of UNOMIG be extended for a further period of six months, until 31 January 2006.

33. Finally, I would like to express my appreciation to my Special Representative, Heidi Tagliavini, for her unrelenting efforts to facilitate a lasting political settlement to the conflict, to the outgoing Chief Military Observer, Major-General Hussein Ghobashi, for his leadership of the UNOMIG military observers, and to all the men and women of UNOMIG for their dedicated work in support of the peace process in a volatile and often dangerous environment.

Annex

Countries providing military observers and civilian police personnel (as of 1 July 2005)

<i>Country</i>	<i>Military observers</i>
Albania	3
Austria	2
Bangladesh	7
Croatia	1
Czech Republic	5
Denmark	5
Egypt	5
France	3
Germany	12
Greece	5
Hungary	7
Indonesia	4
Jordan	8
Pakistan	8
Poland	5
Republic of Korea	7
Romania	1
Russian Federation	3
Sweden	3
Switzerland	4
Turkey	5
Ukraine	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	120

<i>Country</i>	<i>Civilian police personnel</i>
Germany	4
Hungary	1
India	1
Poland	1
Switzerland	3
Russian Federation	2
Total	12

