

Unofficial translation

**ABHAZ *de facto* PRESIDENT SERGEY BAGAPSH'S LETTER TO THE CHAIRMAN
OF THE UN SECURITY COUNCIL**

**TO: HIS EXCELLENCY
MR. AUGUSTINE PI MAHIGA
PRESIDENT OF THE UN SECURITY COUNCIL**

**COPY TO: HER EXCELLENCY
MS. HEIDI TAGLIAVINI
SPECIAL REPRESENTATIVE OF THE UN SECRETARY GENERAL**

COPY TO: THE GROUP OF FRIENDS OF THE UN SECRETARY - GENERAL

**Your Excellency,
Dear Members of the Security Council,**

Taking this opportunity the Abkhaz side once again extends its consideration and gratitude to the UN Mission, the Russian Federation the Group of Friends of the UN Secretary General and highly appreciates the role of the UN Mission personnel and the CIS PKF in Abkhazia for their self-sacrificing contribution to preserve peace and stability in the region.

It should be specially stressed, that the presence of the CIS PKF, their constructive cooperation with the UN mission for more than 10 years provides peace and stability. This is an important security guarantee and acknowledgement of the fact, that there are all necessary mechanisms for the continuation of the settlement process.

As for the process of peaceful resolution, the lack of considerable progress here can be explained not only by the complicity of the problem itself, but also by lack of Georgian side's constructive approach to the resolution of the problems. For the whole period of the negotiation process since 1993, it was the Georgian side that several times refused to fulfill reached agreements, and twice - in 1998 and in 2001 - almost led to the resumption of hostilities.

The Abkhaz side was constantly calling the attention of the participants in the negotiation process to those violations.

It is quite obvious that it is necessary to give a new impulse to the process of the political settlement. Reaching of the agreement between the sides on non-use of force accompanied by international guarantees could significantly contribute to this process. Reaching such an agreement between the sides will also permit to continue the process of return of refugees to the Gali region in the format of the agreement reached by the sides with the participation of the UNHCR on conducting in 2006 the registration of refugees which returned to that region.

Progress in comprehensive settlement is possible only with the consideration of the interests of both parties to the conflict. Based on this position we think that "The Basic Principles for the Distribution of the Competencies between Tbilisi and Sukhumi", being proposed for several years to the Abkhaz side can not provide the basis for the fruitful negotiations. This

document totally fails to take into account the real situation and this is the reason why the Abkhaz side can not participate in its discussion. It would be important to observe that the plan imposed for consideration became an obstacle in the discussion of the political component in the negotiation process on the basis of the real situation, whereas the political component used to be the main issue on the agenda of the negotiations of the sides.

For 13 years of its independence Abkhazia has been shaped as a state with young democracy. We proved our self-sustainability by continuous development of the economy and growing domestic market as well as by the existence of all necessary democratic institutions, regular army adhering exclusively to defense strategy, and by rapidly developing institutions of the civil society.

Moreover, Abkhazia itself defines the importance of compliance with the international standards in the field of human rights, security, economic and social reforms. We realize the importance and the necessity of opening human rights offices in any region of Abkhazia including in Gali and we stress Abkhazia's desire to develop democratic institutions and to protect the human rights of individuals irrespective of their nationality

We confirm our devotion to cooperation in human rights protection. We are ready to start discussing the issue of introducing Georgian as the language of instruction in Gali district. In addition we are going to undertake a number of steps aimed at consolidation of stability and law and order in Gali district. Regarding the issue of deployment of the UNOMIG Civil Police component in Gali, we do not reject it however we draw the attention of the international community to our concern about the fact that the Georgian side discusses this issue in the context of subsequent pushing the CIS PKF contingent out of the zone of conflict. We stress that without the peace keeping contingent of the CIS PKF the implementation of UNOMIG objectives would become impossible.

Taking the above into account, we propose the following action plan:

First of all it is necessary to rule out the option of use of force for achieving of political goals. Abkhazia should be confident that the Georgian side will not launch an attack against it. The commitment of the sides for non-resumption of hostilities strengthened by the international security guarantees must be recorded in a document.

A negotiation process that is being conducted on the basis of threats to use force, economic sanctions and blockade loses its objectivity and sense, and thus ceases to be a negotiation process and turns into a process of coercion. It is quite evident that the international isolation of Abkhazia including non-availability of air and sea links with the outer world does not contribute to the settlement. The abolition of all these restrictions as well as provision to the Abkhaz population a chance to enjoy all the human rights will undoubtedly promote the progress in the settlement.

Confidence-building measures are to be implemented in practice. Apart from the renunciation of use of force, it is necessary to stop hostile propaganda and attempts to destabilize the situation in the conflict zone and to discredit the CIS PKF activities.

We said it time and again and confirm once again that we are ready for the implementation of the confidence building measures envisaged by the 2003 Sochi agreements in the areas of return of refugees, restoration of railway communication and rehabilitation of Inguri Hydroelectric Power Plant. The work is already being conducted and it can be augmented by the development of other mutually beneficial economic projects.

We are ready to conduct civilized negotiations on all issues, except on the status of the Republic of Abkhazia, since it was decided by the free expression of will of the peoples of the Republic of Abkhazia at the 1999 referendum. We are also closely following the development of the international practice in this field and see that during recent years the efforts on the settlement of similar conflict situations do not follow the path of incorporation of one of the parties to the conflict into the other one. Examples are – Bosnia and Herzegovina, Serbia and Montenegro, Cyprus, to say nothing about Kosovo.

The Abkhaz being an indigenous population on the territory of its present habitat had created their own state as far back as in the VIII century. The Abkhaz Kingdom that had considerable territory, including the entire territory of today's Georgia, had existed up to the collapse of this integral state, and was known in all the historical sources of the time under the name Abkhaz Kingdom. Since that time and up to the Soviet period, Abkhazia and Georgia had never existed within common borders. Only during the rule of Stalin in 1931 Abkhazia was incorporated into Georgia as an Autonomous Republic. The collapse of the USSR led to the disruption of even those legal mechanisms which against the will of our people had united Abkhazia with Georgia.

In light of the forthcoming consideration of the issues of the Georgian-Abkhaz conflict settlement in the UN Security Council, Abkhazia as party to the conflict and participant in the negotiation process once again appeals to the UN Security Council and the Group of Friends of the UN Secretary-General to consider the issue of participation of the representatives of Abkhazia in the forthcoming session of the UN Security Council, which would give the members of the Security Council the opportunity to hear the opinion of one of the sides to the conflict and get more objective picture of the developments.

Your Excellency Mr. President, distinguished members of the UN Security Council,

Taking the opportunity, the Abkhaz side once again notes the significance of the UN role in the settlement of the Georgian-Abkhaz conflict and expresses deep appreciation to the UNOMIG personnel and the Special Representative of the United Nations Secretary General Ms. Heidi Tagliavini for the efforts taken in quest for solutions acceptable to both parties to the conflict.

Signed

S. Bagapsh

President

Sukhum

20 January 2006

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