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Georgia Terminates Mandate of Peacekeepers in the Abkhazia & S. Ossetia regions, As Parliament Declares Russian Army to Be “Occupying Force”

Prime Ministerial decree requires immediate withdrawal of Russian troops; Parliament act clears way for introduction of neutral, international peacekeepers

The Prime Minister of Georgia, Lado Gurgenidze, has signed a decree that will terminate the so-called peacekeeping operations on the territories of the regions of Abkhazia and South Ossetia. The decree, dated August 27, also requires the immediate withdrawal of Russian Federation Armed Forces from the entire territory of Georgia.

The Georgian parliament, meanwhile, unanimously passed a resolution yesterday that formally deems Russian troops to be “occupying forces,” and declares that Georgia’s regions of Abkhazia and South Ossetia to be under Russian occupation.

Since Russia’s invasion, occupation, and attempted annexation of Georgia this month, the Government of Georgia and the international community have made clear that Russia can no longer play any peacekeeping role in Georgia. The moves by the Government and Parliament provide a legal basis for their withdrawal.

“The world has been unanimous in its condemnation of Russia’s brutal invasion of Georgia,” said Parliament Chairman David Bakradze. “After the devastation of war, it is now time to start building the peace. Today’s resolution, and yesterday’s prime ministerial decree, lay the groundwork for the withdrawal of Russian forces and the introduction of a truly neutral, international peacekeeping operation. Only in this way can we restore order, stability, and security to the lives of ordinary Georgians that have been so violently disrupted.”

The Parliament’s resolution instructs the Georgian government to abolish all those treaties on the basis of which Russian peacekeeping forces were deployed in the Abkhazia and South Ossetia regions. These include the 1994 Moscow agreement, which addressed the situation in the Abkhazia region, and the 1992 Dagomys Agreement (aka the Sochi Agreement) on the conflict in the South Ossetia region.

In his decree, the Prime Minister orders relevant ministries to take necessary measures to implement the Parliament’s resolution. These include formally notifying the following institutions and individuals about the decree and the reasons for Georgia’s actions: the CIS Executive Committee, Heads of CIS member States, the UN Security Council, the UN Secretary General, the OSCE Chairman and Secretary General, the Council of Europe Secretary General and Parliamentary Assembly, and the Presidency of the European Union.

The decree states that the Government will prepare a statement on declaring void the 1994 Moscow agreement; this has been superseded by the six-point ceasefire agreement brokered by French President Nicolas Sarkozy.

The Georgian Ministry of Foreign Affairs also will notify its Russian counterpart of Georgia’s unilateral right to demand withdrawal, based on the 1992 Dagomys agreement. Georgia thus will demand the immediate withdrawal of the peacekeepers from both the Abkhazia and South Ossetia regions, and their replacement with neutral, international peacekeepers.

ADDITIONAL INFORMATION

Parliament Resolution #3483 (18 July 2006)

http://www.parliament.ge/index.php?lang_id=ENG&sec_id=98&info_id=13089

Prime Minister's Decree #550 "On the Implementation Measures of the Resolution #3483 of the Parliament of Georgia dated 18 July 2006"

Unofficial Translation

1. In order to implement Article 1 of the 18 July 2006 #3483 Resolution of Georgian Parliament "On the peacekeeping forces stationed on the territory of Georgia", the necessary procedures will be launched for the most rapid cease of the so-called peacekeeping operations in Abkhazia and the former autonomous region of South Ossetia, and for the immediate withdrawal of the armed forces of Russian Federation from the territory of Georgia.
2. In order to provide rapid halt of the so-called peacekeeping operations in Abkhazia and immediate withdrawal of the Russian armed forces from the territory of Georgia:
 - a) Georgian Foreign Minister E. Tkeshelashvili will inform the CIS Executive Committee, as the depositor of the CIS Heads of States Council 2003 Decision "On the prolongation of the term for the collective peacekeeping forces in Abkhazia, Georgia, conflict zone" – the peaceful operation must be ceased;
 - b) The Georgian Ministry of Foreign Affairs and Office of the State Minister for the Issues of Reintegration (T. Iakobashvili) in cooperation with the Office of Prime-Minister of Georgia will prepare Prime-Minister's letters to the heads of CIS member-states. The Presidents will be notified about sending the relevant Notes to the CIS Executive Committee, and on the decision of Georgia – to stop the peacekeeping operation, as well as about the reasons behind this decision;
 - c) State Minister for the Issues of Reintegration will prepare the statement on declaring void the agreement "On Ceasefire and the Separation of Forces" of 14 May 1994; this has been supplanted by the six-point ceasefire agreement brokered by French President Nicolas Sarkozy;
 - d) The Georgian Ministry of Foreign Affairs will address letters to UN Secretary General and Chairman of the Security Council, OSCE Chairman and Secretary General, Council of Europe Secretary General and the Parliamentary Assembly, and the EU Presidency with clarification of the official position of Georgia.
3. In order to provide for the immediate cease of the ongoing so-called peacekeeping operations in the former autonomous region of South Ossetia and for the immediate withdrawal of the armed forces of the Russian Federation from Georgian territory:
 - a) The Minister of Foreign Affairs of Georgia:

a.a) will notify the Ministry of Foreign Affairs of Russian Federation on the unilateral withdrawal from the 24 June 1992 Agreement on the "Principles of Resolution of Georgian-Ossetian Conflict", and will consequently demand immediate withdrawal of the so-called peacekeepers;

a.b) will address letters to UN Secretary General and Chairman of the Security Council, OSCE Chairman and Secretary general, Council of Europe Secretary general and the Parliamentary Assembly, NATO Secretary general and Parliamentary Assembly, and the EU Presidency with clarification of the official position of Georgia;

b) Georgian State Minister for the Issues of reintegration will make a statement on the Georgia's withdrawal from JCC.

4. The Decree is in force from the day of its signature.

Parliament Resolution #243 (28 August 2008) "On the Occupation of the Territories of Georgia by Russian Federation"

Unofficial Translation

Brief Summary of the Introduction

Russian Federation has been inspiring conflicts on the territory of Georgia since the end of the USSR, main targets being the regions of Abkhazia and South Ossetia. The efforts of Russia led to separatist rebellions and bloody wars, resulting in the ethnic cleansing of Georgian population in Abkhazia, which has been confirmed both by UN (GA Resolution #62/249, 2008, May 15) and OSCE (Final Acts of the 1994, December 6 Summit, 1996 December 1 Lisbon Summit and November 17-18 Istanbul Summit). Since 1993, the two regions have been in fact controlled by Russia. Passports of Russian Federation were illegally distributed in both regions. The main goal of this Russian policy was to prevent Georgia's integration into Euro-Atlantic structures. After it became obvious that this integration could not be prevented by the old means any more, Russia launched a massive military invasion of Georgia on 7 August, 2008, attacking both military and civilian targets. More than 30 Georgian towns and villages have been attacked by Russian soldiers. Yet another ethnic cleansing occurred in and around South Ossetia, as well as in the part of Abkhazia that had been under Georgian control. The 12 August ceasefire agreement has never been implemented by Russia. On August 26 President Medvedev proclaimed that Russia recognized independence of the two Georgian regions, making obvious the long-term Russian plans of annexation of these parts of Georgian territory. This act by Russia has totally delegitimized all legal acts, according to which Russian troops had been stationed in Georgia.

Based on the above-mentioned, Parliament of Georgia resolves:

1. Russian military forces present on the territory of Georgia, including the so-called peacekeepers are proclaimed to be occupational armed formations.

2. The former Autonomous Region of South Ossetia and the Autonomous Republic of Abkhazia are declared as territories occupied by Russian Federation.
3. All armed units acting on the territory of Georgia, with the exception of the units established by Georgian law, are declared to be illegal armed groups.
4. Georgia remains party to the 12 August, 2008 Ceasefire Agreement brokered by European Union and the President of France Sarkozy. At the same time, Georgian government is tasked declare void any other legal act, which foresees presence on the territory of Georgia of armed forces of Russian Federation, and which have been delegitimized by the actions of Russian Federation itself.
5. Georgia remains committed to the 12 August, 2008 Ceasefire Agreement brokered by European Union, and to the ceasefire obligations included in other agreements.
6. Georgian Executive Authority is tasked to break off diplomatic relations with Russian Federation.
7. Georgian Prosecutor General's Office is tasked to investigate cases of ethnic cleansing perpetrated on the territories occupied by Russian Federation.
8. This resolution comes into force upon its publishing.

Deputy Chairman of the Parliament of Georgia

Giorgi Tsereteli