Resolution 1427 (2002)

Adopted by the Security Council at its 4591st meeting, on 29 July 2002

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1393 (2002) of 31 January 2002,

Having considered the report of the Secretary-General of 10 July 2002 (S/2002/742),

Recalling the conclusions of the Lisbon (S/1997/57, annex) and Istanbul summits of the Organization for Security and Cooperation in Europe (OSCE) regarding the situation in Abkhazia, Georgia,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,

Recalling its condemnation of the shooting down of a helicopter of the United Nations Observer Mission in Georgia (UNOMIG) on 8 October 2001, which resulted in the death of the nine people on board, and deploring the fact that the perpetrators of that attack have still not been identified,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Welcoming the important contributions made by UNOMIG and the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS peacekeeping force) in stabilizing the situation in the zone of conflict, and stressing its attachment to the close cooperation existing between them in the performance of their respective mandates,

Welcoming also the agreement on the extension of the mandate of the CIS peacekeeping force for a new period terminating on 31 December 2002,

1. Welcomes the report of the Secretary-General of 10 July 2002 (S/2002/742);

2. Commends and strongly supports the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator as well as of the Group of Friends of the Secretary-General and of the OSCE, to promote the stabilization of the situation and
the achievement of a comprehensive political settlement, which must include a
settlement of the political status of Abkhazia within the State of Georgia;

3. Recalls, in particular, its support for the document on “Basic Principles
for the Distribution of Competences between Tbilisi and Sukhumi” and for its letter
of transmittal, finalized by, and with the full support of, all members of the Group of
Friends;

4. Regrets the lack of progress on the initiation of political status
negotiations, and recalls, once again, that the purpose of these documents is to
facilitate meaningful negotiations between the parties, under the leadership of the
United Nations, on the status of Abkhazia within the State of Georgia, and is not an
attempt to impose or dictate any specific solution to the parties;

5. Underlines further that the process of negotiation leading to a lasting
political settlement acceptable to both sides will require concessions from both
sides;

6. Deeply regrets, in particular, the repeated refusal of the Abkhaz side to
agree to a discussion on the substance of this document, again strongly urges the
Abkhaz side to receive the document and its transmittal letter, urges both parties
thereafter to give them full and open consideration, and to engage in constructive
negotiations on their substance, and urges those having influence with the parties to
promote this outcome;

7. Calls on the parties to spare no efforts to overcome their ongoing mutual
mistrust;

8. Condemns any violations of the provisions of the Moscow Agreement of
14 May 1994 on a Ceasefire and Separation of Forces (S/1994/583, annex I), and
demands that they cease immediately;

9. Welcomes the decrease of tensions in the Kodori Valley and the intention
reaffirmed by the parties to resolve the situation peacefully, recalls its strong
support to the protocol signed by the two sides on 2 April 2002 regarding the
situation in the Kodori Valley, calls on both sides, and in particular the Georgian
side, to continue to fully implement this protocol, and recognizes the legitimate
security concerns of the civilian populations in the area, calls on the political leaders
in Tbilisi and Sukhumi to observe security agreements, and calls on both sides to
spare no efforts to agree a mutually acceptable arrangement for security of the
population in, and in the vicinity of, the Kodori Valley;

10. Calls on the Georgian side to continue to improve security for joint
UNOMIG and CIS peacekeeping force patrols in the Kodori Valley to enable them
to monitor the situation independently and regularly;

11. Strongly urges the parties to ensure the necessary revitalization of the
peace process in all its major aspects, to resume their work in the Coordinating
Council and its relevant mechanisms, to build on the results of the Yalta meeting on
confidence-building measures in March 2001 (S/2001/242), and to implement the
proposals agreed on that occasion in a purposeful and cooperative manner;

12. Stresses the urgent need for progress on the question of the refugees and
internally displaced persons, calls on both sides to display a genuine commitment to
make returns the focus of special attention and to undertake this task in close
coordination with UNOMIG, reaffirms the unacceptability of the demographic changes resulting from the conflict, reaffirms also the inalienable right of all refugees and internally displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement of 4 April 1994 (S/1994/397, annex II) and the Yalta Declaration, recalls that the Abkhaz side bears a particular responsibility to protect the returnees and to facilitate the return of the remaining displaced population, and requests further measures to be undertaken inter alia by the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the Office for the Coordination of Humanitarian Affairs to create conditions conducive to the return of refugees and internally displaced persons, including through quick-impact projects, to develop their skills and to increase their self-reliance, with full respect for their inalienable right to return to their homes in secure and dignified conditions;

13. Urges once again the parties to implement the recommendations of the joint assessment mission to the Gali district, carried out under the aegis of the United Nations, welcomes the agreement of the parties in this regard to explore the possibility of enhancing support for local law enforcement agencies, and calls in particular on the Abkhaz side to improve law enforcement involving the local population and to address the lack of instruction in their mother tongue for the ethnic Georgian population;

14. Calls on both parties publicly to dissociate themselves from militant rhetoric and demonstrations of support for military options and for the activities of illegal armed groups, and reminds the Georgian side in particular to uphold its commitment to put an end to the activities of illegal armed groups;

15. Calls, once again, on the parties to take all necessary steps to identify those responsible for the shooting down of a UNOMIG helicopter on 8 October 2001 and to bring them to justice and underlines that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of UNOMIG, the CIS peacekeeping force and other international personnel;

16. Welcomes constant review by UNOMIG of its security arrangements in order to ensure the highest possible level of security for its staff;

17. Decides to extend the mandate of UNOMIG for a new period terminating on 31 January 2003;

18. Requests the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of this resolution on the situation in Abkhazia, Georgia;

19. Decides to remain actively seized of the matter.