

BASIC PRINCIPLES FOR THE DISTRIBUTION OF COMPETENCES BETWEEN TBILISI AND SUKHUMI

1. Georgia is a sovereign State, based on the rule of law. The borders of the State of Georgia, effective on 21 December 1991, may not be altered except in accordance with the Constitution of the State of Georgia.
2. Abkhazia is a sovereign entity, based on the rule of law, within the State of Georgia. Abkhazia enjoys a special status, within the State of Georgia, which is established by a Federal Agreement, providing for broad powers and defining the spheres of common competences and delegated powers, as well as guarantees for the rights and interests of the multiethnic population of Abkhazia.
3. The distribution of competences between Tbilisi and Sukhumi shall be governed by a Federal Agreement, which shall have the force of Constitutional Law, Abkhazia and the State of Georgia shall abide by the provisions of the Federal Agreement in good faith. They shall not amend or modify the Federal Agreement, nor terminate or invalidate it in any ways, other than by mutual agreement.
4. The distribution of competences between Tbilisi and Sukhumi will be defined, inter alia, on the basis of the Declaration on measures for a political settlement of the Georgian-Abkhaz conflict, signed on 4 April 1994. The rights and competences of Abkhazia will be greater than those enjoyed prior to 1992.
5. The Constitution of the State of Georgia shall be modified in light of the distribution of competences specified by the Federal Agreement, for the elaboration of which the Declaration on measures for a political settlement of the Georgian-Abkhaz conflict, signed on 4 April 1994, and in particular, paragraph 7 regarding "powers for joint action", may serve as one point of reference.
6. The Constitution of Abkhazia, for which the Constitution of Abkhazia adopted on 26 November 1994 may serve as a basis, shall be modified in light of the agreement on the distribution of competences between Tbilisi and Sukhumi as determined by the Federal Agreement.
7. Both the Constitution of the State of Georgia and the Constitution of Abkhazia shall include analogous provisions regarding the safeguard and protection of the fundamental human rights and freedoms of all individuals, including the rights of national minorities, without discrimination. Nothing in the Constitution of the State of Georgia and the Constitution of Abkhazia shall infringe upon the unconditional right of all refugees and displaced persons to return to their homes in secure conditions in accordance with international law.
8. The State of Georgia and Abkhazia shall agree on the composition and procedures of a Constitutional Court, which shall rule on the basis of the Constitution of the State of Georgia, the Constitution of Abkhazia and the Federal Agreement on matters relevant to the distribution of competences between Tbilisi and Sukhumi.