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EMBASSY OF GEORGIA TO THE REPUBLIC OF AUSTRIA
PERMANENT MISSION OF GEORGIA TO THE OSCE AND OTHER
INTERNATIONAL ORGANIZATIONS IN VIENNA

S T A T E M E N T

of the Georgian Delegation

Delivered at the 781st Permanent Council Meeting

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Madam Chairperson,

The eighth round of the Geneva Talks was held on November 11, 2009, where the issues of security and stability in Georgia's occupied Abkhazia and the Tskhinvali Region and the return of refugees and IDPs were discussed. Meetings of the two working groups were held, in which the participants took part in an individual capacity. The Head of the provisional administration of the former South Ossetian Autonomous District Mr. Dimitri Sanakoev and the Chairman of the Government of the Autonomous Republic of Abkhazia, Mr. Giorgi Baramia participated in the Geneva talks. Deliberations were moderated by the UN, EU and OSCE and attended by the representatives from Georgia, the United States and the Russian Federation. Representatives of the proxy regimes also participated in the working groups.

Main issue of a discussion in the first working group was the release of the four Georgian teenagers detained on November 4, 2009 by the Russian occupation forces. The youngsters are currently held hostage by the Tskhinvali proxy authorities. The Co-chairs shared the extreme concern of the Georgian side on this outrageous issue, which requires immediate solution.

Unfortunately, the Russian occupation forces together with their proxy authorities in Tskhinvali continue to disregard their commitments, which they have undertaken within the framework of the IPRM to allow free crossing of the occupation line by the local residents. In order to prevent such incidents in the future, the Co-chairs distributed a document, which describes their views on how the movement across the occupation line could be regulated. This document will be discussed at the next meeting of the Geneva Discussions. The Co-chairs also distributed the document on the Joint Visits within the Incident Prevention and Response Mechanism and called upon the participants to explore all the opportunities provided by the IPRMs in order to avoid incidents in the future.

The Georgian participants once again raised the issue of necessity of full implementation of the August 12, 2008 Ceasefire Agreement and the unconditional

withdrawal of the Russian forces from the occupied regions of Georgia. It was also stressed that an access of the international organizations, particularly the EU Monitoring Mission, to the occupied territories is essential in ensuring stability and transparency in these regions. It is noteworthy that all the participants of the Geneva Talks, except the representatives of the occupant power and its proxy regimes, share these positions and are interested in full implementation of the Ceasefire Agreement and in increased international presence.

Furthermore, the participants of Working Group I discussed the elements of the framework on International Security Arrangements, one component of which is reiteration of an obligation on the non-use of force. Despite the strong resistance from the Russian side and the representatives of the proxy regimes, the Co-chairs will continue looking for a common ground on the document currently under discussion. The Georgian side believes that the document currently under discussion is a good starting point and would like to commend the Co-chairs for taking robust steps towards the right direction. It seems extremely unfortunate and cynical that after having been requesting the conclusion of the non-use of force agreement with Georgia for quite a long period of time, Russia is now resisting the proposed elements, which envisage reiteration of the commitment not to use force and complex set of measures aimed at ensuring security on the ground through international security arrangements.

Working Group I also reviewed the work of the Incident Prevention and Response Mechanism. It is very unfortunate that with Moscow's guidance, the Tskhinvali proxy authorities are attempting to undermine the IPRM format. Even though the IPRMs have failed to solve the most pertinent security problems, we still believe that they represent a good instrument for dispelling tensions in the future. Unfortunately, there is a clear attempt from the occupation forces and its proxy authorities from Tskhinvali to stall the work of the Mechanism.

In the Working Group II, participants continued to discuss a set of comprehensive measures proposed by the Co-chairs aimed at undertaking joint steps to ensure safe and dignified return of the IDPs and refugees. Here too, the position of Moscow and its proxy authorities was extremely negative and cynical. They continue to link the launching of the process of return with signing of the non-use of force document and progress within the Working Group 1, which is stalled precisely due to their unconstructive position. This represents a vivid continuation of their decades long policy aimed at hindering the process of return at all costs. Even though the discussions will continue during the next round, it seems unlikely that substantial steps will be made in this respect, unless the Russian occupation forces and its proxy regimes revise their inhuman positions.

Also, within the framework of the Working Group II, the participants discussed the situation with regard to the provision of the basic utilities - water and gas, to the war affected population around the Tskhinvali Region and in the occupied Akhgori district. Despite the willingness of the Georgian side to overcome the differences in a mutually acceptable way, with involvement of the OSCE and independent experts and through bypassing the politicized positions, it seems to us that Russia and its proxy authorities of Tskhinvali are not interested in improving livelihood of those, who reside on the occupied territories.

The participants of both working groups took time to review the report of the International Independent Fact Finding Mission on the Conflict in Georgia (Tagliavini Report). The Georgian side distributed a document, in which it outlined the major findings of the report. Attention of the participants was drawn to the conclusions of the report about the ethnic cleansing of Georgians during and after the August 2008 war; massive scale violations of the human rights and humanitarian law; refutation of the claim that genocide was committed against ethnic Ossetians; assertion that Russia prepared military operation and that the mercenaries and its Russia's regular, non-peacekeeping troops were deployed in the Tskhinvali region prior to the outbreak of the major hostilities; Russia's large scale military operation on the territory of Georgia and particularly in Abkhazia was a violation of international law; Russia's policy of passportization was illegal; Russia's role in the peace process prior to the August 2008 war in fact was destructive and that recognition of "independence" of Georgia's inalienable, occupied regions violates international law.

Obviously, Russia and its proxy regimes did not agree with these findings of the Mission and attempted to highlight only the part of the report concerning the events of the night of August 7-8. Nevertheless, participants of the Working Group I were reminded that the report clearly states that the "shelling of Tskhinvali... was only the culminating point of a long period of increasing tensions, provocations and incidents" and that "any explanation of the origins of the conflict cannot focus solely on the artillery attack on Tskhinvali on the night of 7/8 August... The evaluation also has to cover the run-up to the war during the previous years and the mounting tensions in the months and weeks immediately preceding the outbreak of hostilities".

Unfortunately representatives of the occupation power and its proxy regimes, again, have not given an answer as to whether they agree with the main findings of the report and with the observations and recommendations contained in the final part of the Volume 1 of the report.

The participants agreed to hold the ninth round of the Geneva Discussions on January 28, 2010.

Thank you Mme Chair.