

Working Session 2

Association “Inva- Sodeystvie”

Mythical Occupation of Abkhazia and South Ossetia

Having a very short time it is so hard to speak on such an important issue as that which regrettably was touched upon yesterday in the statement of the Georgian representative concerning the presence of military bases of the Russian Federation both in Abkhazia and South Ossetia. We found it extremely one-sided, unjust and without any attempt either to offer unambiguous criteria for defining the term “occupation” or to apply appropriate argumentation and facts.

Russian military bases in South Ossetia and Abkhazia were deployed on the basis of Russia's bilateral agreements with these republics and are mutually beneficial. To call the presence of the Russian bases “occupation” is utterly incorrect and does not correspond to reality. According to the *Hague Conventions of 1907*, specifically its "*Laws and Customs of War on Land*" (Hague IV) of 18 October 1907, "*Section III Military Authority over the territory of the hostile State*" states in Article 42: *Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised.* So nothing similar exists either in Abkhazia or South Ossetia today, and we can state this as citizens of these republics. To ignore the existence of the ethno-political Georgian-Abkhazian conflict and the problems surrounding ethnic compatibility between Georgians and Abkhazians after the bloody war of 1992-93 while muddying the waters by seeking to conceal all this under the imagined cloak of a confrontation between Georgia and Russia coupled with this purely mythical occupation is utterly useless from the point of view of understanding the actual situation on the ground in the region.

In the absence of an agreement on non-resumption of military activities between Georgia and Abkhazia/South Ossetia with international guarantees, the people simply see no alternative to the Russian presence in the region. Moreover, the fact that the European states continue to express support for the “territorial integrity” of Georgia within the borders of the former Georgian Soviet Socialist Republic does not promote any change in the Georgian position vis-a-vis recognition of actual reality. When the US Senate (on 29 July 2011) and the European parliament (on 17 November 2011) passed resolutions defining Abkhazia and South Ossetia in these very terms, they were proclaimed by Saakashvili to be "historic documents" laying the foundation for the

(re)-establishment of Georgian control, although what their practical relevance will prove to have been remains an open question.

Georgia launched wars against our republics after the disintegration of the USSR as a consequence of its refusal to respect peoples' desire to preserve their status. Georgia's belief in a "Georgia for the Georgians" in Abkhazia turned to: (a) mass-persecution of Abkhazians during the war; (b) destruction of monuments bearing Abkhazian names; (c) and the deliberate torching of Abkhazia's two state-archives, where historical manuscripts were kept.

Perhaps a thorough analysis carried out to discover the reasons and consequences for the presence of Russian military bases on Abkhazian soil will not turn out to be favourable to Georgia. If Georgia makes political mistakes, these should be appropriately evaluated. Georgia should admit that the pages of history cannot be turned back and stop trying to impose on the whole world a false interpretation of its biased imperial designs. We fully recommend Georgia to acknowledge Abkhazia/South Ossetia as fully authorised negotiating partners rather than "occupied territories" ruled from outside. Such an agreement would definitely create a more favourable and useful atmosphere between the three states, which have essentially been in a state of war for the last 20 years and have at times, suffered severe violations of human rights.