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on behalf of the Organization for Democracy and Economic  
Development – GUAM**

*Working session III*

Mr. Moderator,

It is a matter of great pleasure for me to represent at this Annual Security Review Conference the Organization for Democracy and Economic Development – GUAM and engage in deliberations on the current security situation through the prism of protracted conflicts in the OSCE area. I am particularly encouraged to address the Conference the next day after the GUAM Summit has concluded its work in Batumi, Georgia, and has taken important steps towards strengthening the cooperation within the Organization and further development of its regional significance.

Throughout more than 10 years since its formal establishment, GUAM has transformed into a full-fledged international organization with a distinct identity devoted to promotion of democracy and economic development in the respective countries, and integration into the European and Euro-Atlantic institutions. During this period the Organization has passed through various tests and proved its strong viability and practical relevance, successfully developed vision of its strategic objectives based on the commonality of historical ties, political views and interests.

However, the process of development and integration is still burdened by the unresolved conflicts affecting some GUAM States and undermining international and regional peace, security and stability.

Despite obvious differences between these conflicts, they have almost the same origin, similarly developed scenario, dangerous consequences and geopolitical constituent. The conflicts started from the manifestation of aggressive separatism

and were aimed from the very beginning at seizing the territories by using force. In some instances they were accompanied with fundamental change of the demographic composition of the population in the conflict-affected areas and the most serious international crimes.

GUAM demonstrated that it is an effective instrument to increase awareness of the international community about risks and challenges that its member States are facing with. We elaborated the joint GUAM position on the conflict settlement issue, which is based on respect for the territorial integrity of Azerbaijan, Georgia, and Moldova, return of forcibly displaced persons to their homes, providing normal, secure, and equal conditions of life for all communities of the conflict-affected territories, which would allow to build up an effective democratic systems of self-governance therein within the internationally recognized borders of the respective GUAM States.

We believe that this position represents the best way to achieve the soonest and just peaceful resolution of the conflicts in question and has no viable alternatives. To hold otherwise would be tantamount to accepting the consequences of ethnic cleansing and other serious breaches of the rule of law and human rights, or, in other words, would be the illustration of prevalence of force over justice.

The stalemate in the resolution of these conflicts should be of particular concern not only for the affected countries, but also for the international community at large. We proceed from the strong believe that the only way for reaching a just and comprehensive settlement of the conflicts on the territories of the GUAM States is an approach based on the full and unequivocal respect for the letter and spirit of international law.

Therefore, our priorities include *inter alia* strengthening of the international law system, enhancement of its role and effectiveness in international relations. We believe that there is much more value in working together to improve this system, than to demolish it and follow one's fancy.

The ambiguous reaction of the international community to either secessionist or irredentist claims while addressing the regional crises and conflicts will inevitably contribute to the growing perception of the notorious double standards and selective approach. These alarming trends, if sustained, will serve to generating mutual suspicion and mistrust, reinforcing the perceptions of centrality of military strength in international relations and revitalizing the old-style balance-of-power concept in the world politics.

Taking this opportunity, I would like in conclusion to inform you briefly about the findings of the international conference, entitled "Basic principles for the settlement of the conflicts on the territories of the GUAM States", which was convened by the Azerbaijani Chairmanship in GUAM on 15-16 April 2008 in

Baku and gathered the high level representatives and experts of the GUAM Member States, partner countries and other interested States as well as renowned experts in both international law and international relations.

The Conference has come to the following main conclusions:

- First, from the time the GUAM States attained independence their former Soviet administrative borders are recognized as international and thus protected by international law, in particular by the principle of territorial integrity of States. In this regard, attempts taken to legitimize unilateral secession from those States on the eve and in the aftermath of the dissolution of the USSR were not valid and therefore created no legal consequences whatsoever.
- Second, unilateral secession of a part of the territory from the sovereign State does not involve the exercise of any right conferred in international law and hence cannot be associated with the international legal principle of the right of peoples to self-determination, which apply within precisely identified limits. Moreover, self-determination is *a priori* ruled out when it is realized through the practice of ethnic cleansing and serious international crimes.
- Third, occupation and violent separatism undermine the right to self-determination of the peoples of the GUAM States, which they exercise on their territories within the internationally recognized borders.
- Fourth, international law does not remain neutral when its peremptory norms are breached in an attempt of unilateral secession. Thus, in case of using force for the acquisition of territory and committing serious international crimes, the international community is under the obligation not to recognize the separatist entity, nor render aid or assistance to maintain the illegal situation.
- Fifth, attempts of unilateral secession accompanied by serious violations of human rights and fundamental freedoms, commission of war crimes, crimes against humanity and genocide entail international legal responsibility.
- Sixth, in regard of serious international crimes committed during the conflicts on the territories of some GUAM States, the participants of the Conference underlined the necessity of redoubling measures aimed at ensuring effective criminal persecution of those responsible. In this context, it was recommended to explore the possibility of creating *ad hoc* tribunals or special national judicial bodies with international involvement.
- Finally, the participants of the Conference expressed their solidarity with the efforts of the GUAM States directed at conflict settlement and removing their consequences, and underlined the importance of the development of a

comprehensive and consistent strategy aimed at achieving and maintaining lasting peace, security, rule of law and sustainable development.

Thank you.