



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

Statement by Georgian Delegation

*(as delivered by Ambassador Victor Dolidze at 623th meeting of the Permanent Council)
Vienna, 7 September 2006*

Mr. Chairman,

On September 3, 2006 from the territory under Russian peacekeepers control and responsibility South Ossetian terrorist organization which calls itself a “Defence Ministry” carried out a terrorist armed attack against a Senaki-bound (Georgian city in the western Georgia) Mi-8 helicopter carrying passengers including Georgian Defence Minister, Deputy Chief of Staff and other officials. The crew had to make an emergency landing due to the damage of the helicopter.

Such an act fits neatly into only one category: terrorism. In this context, it should also be noted that there are a number of international air-routes across the Georgian airspace, including those above the Tskhinvali region. Increasingly alarming, against such background, have become the threats of the Tskhinvali regime to shoot down without warning any aircraft flying over the region in the future as well.

This terrorist act, as well as other aggressive actions masterminded by illegal armed gangs of separatist regime is a direct consequence of militarization of the region proceeding against the background of Russian so called peacekeepers’ culpable inaction, and in many cases, even encouragement. Notwithstanding the international community’s repeated protests and calls, illegal arms, including anti-aircraft complexes and military equipment keep flowing and accumulating in the conflict zone from the territory of the Russian Federation, via the Roki tunnel. These are the facts on which international observers report systematically.

At the same time while the only legal checkpoint “Kazbegi-Zemo Larsi” in gross violation of respective Agreement remains closed, illegal checkpoints “Gantiadi-Adler” and “Roki-Kvemo Zamaragi” are functioning. Notably, it is recommended by Russian side to use the latter after the closure of the “Kazbegi-Zemo Larsi” checkpoint.

Georgian side, appraising such acts of the Russian side as a violation of the commitments undertaken, expressed its protest, insisted on the full compliance with the provisions of the Agreement and demanded an immediate release of exact dates for the resumption of the functioning of the ‘Kazbegi-Zemo Larsi’ checkpoint. For the time being, no information of this kind has been received by Georgian side.

Also causing indignation are assessments of the recent incident by the Russian side, which in keeping with the well-established practice of the recent period, put the whole blame squarely on the Georgian side and in fact justified the criminal acts of the separatist regime.

Rather than to condemn recent criminal act of terrorism by the separatist regime Russian Foreign Ministry was quick in its usual notorious statement-designated actions of Georgian authorities as being provocative. Russian Foreign Ministry representative and co-chair of the JCC went even beyond the Ministry's statement, saying, "I do not want to comment on the actions of those who opened fire on the helicopter, but initially the accident was provoked by the Georgian side because Georgian aircraft have no right to violate conflict zone airspace".

It clearly illustrates all the impropriety of using quotes wrenched from their context. The preamble of the Decision concerned makes reference to "unauthorized flights" carried out by helicopters "without identification marks". In this case, however, the identification of the Georgian helicopter involved no difficulty since it bore identification marks and numbers.

As for the insinuations around unauthorized flights, Georgia has a sovereign right to use its own airspace including above conflict zones. It is a fundamental right from which Georgia can not be alienated. It is therefore the competence exclusively of the Georgian authorities to issue a sanction or an authorisation to use any section of Georgian airspace.

Of particular note, in this regard, is the statement made by OSCE Chairman-in-Office Minister Karel De Gucht on September 4, 2006, stating that there is no internationally agreed "no-fly-zone" over the region, which is part of Georgian airspace. According to the OSCE Chairman-in-Office, the firing against aircraft can only be regarded as a criminal act. The same approach is reflected in the spot report of the OSCE mission to Georgia September 4, 2006.

All abovementioned provides yet another proof of the ineffectiveness and complete bankruptcy of the format of Russian-led peace operation and negotiations in the conflict zone, and necessitate its immediate modification.

Mr. Chairman,

As an effect of constructive cooperation and dialogue between the Georgian and Russian delegations, their foreign ministers and valuable efforts of international partners at the Ljubljana Ministerial in December 2005 OSCE member states adopted the Statement on Georgia, which recognized Peace Plan as a basis for the peaceful settlement of the conflict in Tskhinvali region.

Since its adoption Georgian side has been unequivocally committed to implement the Peace Plan. Georgian side has undertaken a series of unilateral demilitarization moves, Georgian Parliament passed with its first hearing draft law on restitution, Georgian Minister of Interior has taken important steps to cooperate with de-facto law enforcement bodies of the region together with OSCE Mission in efforts to combat crime in Tskhinvali Region. Brussels Donor's Conference has been another landmark event towards the implementation of the Peace Plan.

There is a common knowledge and world wide experience that in order to achieve full scale political settlement of the conflicts certain necessary conditions and overall valid framework for the peacekeeping and negotiations should be put in force.

According to the decision of the OSCE Ljubljana Ministerial and declarations from the European Union Georgian side has proposed certain concrete initiatives during the

negotiations both with the Russian side as well as during JCC meetings to increase effectiveness of the mechanisms for peaceful resolution of the conflict.

Non-paper on Main elements of revision of the Agreement “On the Principles of Settlement of the Georgian-Ossetian Conflict” from June 24, 1992 has been handed over to the Russian First Deputy Minister of Foreign Affairs Mr. Denisov on 26 May, 2006. Russian side has made a commitment carefully to study the document and give comments to Georgian authorities in due course, but it has not been the case so far.

What we have offered to the Russian side is to streamline negotiating mechanisms in a way to establish effective guarantees for decisions to be put in practice, to have a bilateral negotiation format involving the Georgian and South Ossetian sides, with the participation of the Russian Federation, OSCE, European Union and the US in the capacity of mediators/guarantors for the peaceful resolution of the conflict.

This has been an approach and a position of Georgian side together with the OSCE mission in Georgia at a last JCC meeting on 17-18 August, 2006 in Moscow. However, co-chairs from Russia and from separatist regime have not consented on this position so far.

The Georgian side has welcomed and supported ideas and proposals in the Food-for-Thought Paper: On Ways to promote Security and Peace in Tskhinvali Region/South Ossetia, Georgia which has been distributed by the United States Mission to the OSCE.

We look forward hearing valuable thoughts on the paper from distinguished delegations soon and stand ready in ensuring subsequent follow up of it.

Thank You