



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

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S T A T E M E N T

**Delivered by Delegation of Georgia at the I Working Session of the
II OSRC**

Thank you Mr. Chairman,
Dear colleagues,
Ladies and Gentlemen,

First, we would like to express our gratitude to the organizers for their work and excellent preparation of the second review conference.

This conference, among many other technical issues, provides a good opportunity to assess present and future implementation of the OSCE commitments in the field of CSBMs.

The Open Skies Treaty serves as an important legally binding instrument. It is correctly considered as one of the main pillars of the CSBMs developed by the OSCE participating states.

This Treaty promotes cooperation, enhances openness and transparency among states parties and highly contributes to achieving the goals of the OSCE – particularly spreading confidence, security and stability. Hence, particular attention must be paid to the full and unconditional implementation of this Treaty.

We agree with our colleagues that the Treaty on Open Skies has been a success story. However, two weeks ago we all witnessed significant Treaty noncompliance by one state party.

We would like to recall the issue of the observation flight conducted by the Romania and the US on 3-7 May, 2010.

In this mission, during the segment 2, the observing parties planned to fly along the internationally recognized Georgian state border in distance of 2.5 kilometers.

After considering presented mission plan, the Russian side informed the observing parties that they would not be permitted to conduct the mission as planned, citing Article VI, Section II, Paragraph 2 of the Treaty and claimed that the projected flight path of the observation aircraft approached to less than 10 kilometers of the border of a non-State party -- Abkhazia. In order to obtain acceptance of the mission plan and continue with the observation mission, the observing parties would be required to alter the plan to maintain the minimum 10 kilometer distance from this border.

By citing Article VI, Section II, Paragraph 2 of the Treaty the Russian Federation has deliberately and illegally restricted the right of the states parties arising from the OS regime to full territorial access on the territory of the observed party.

We consider this as an attempt on the part of the Russian Federation to exploit the Treaty on Open Skies to achieve its own political goals. This is absolutely unacceptable and must not be tolerated. Acts such as this by Russia contradict the spirit and goals of the Treaty and threaten to erode this important component of European Security Architecture. Unfortunately, by such actions as this one Russia “successfully” continues to contribute to the erosion of the arms control regime in Europe. In behaving in this way, Russia has once again attempted to justify the forced redrawing of internationally recognized borders and the violation of international law.

The Russian Federation has violated one of the most significant principles of the international treaty law – *Pacta Sunt Servanda* .

We all should call on Russian side to abstain from unilateral interpretation of International treaties and obligations, as was the case with the CFE and now with the Open Skies Treaty.

Taking into consideration the aforesaid, the Georgian side requests that the relevant qualification be given to the action of the Russian side and calls on all member states of the Treaty, particularly the Russian Federation, to unconditionally comply with the assigned obligations and commitments since the pursuance of the biased political goals and motivations will undoubtedly endanger and negatively affect the entire European security system, thus bringing about the most undesirable consequences.

Thank you.