



Statement
of the OSCE CiO Special Representative on Protracted Conflicts
Ambassador Bolat Nurgaliyev at the OSCE Permanent Council
(Vienna, July 1, 2010)

Mr. Chairman,
Excellencies, Ladies and Gentlemen,

I am thankful for the opportunity to present to the OSCE's political decision-making body along with my wonderful colleagues Ambassador Pierre Morel and Ambassador Antti Turunen our assessments of the current state and perspectives for resolving the highly complex security challenge posed by the protracted conflict dealt with by the Geneva International Discussions.

In my intervention I shall address from an OSCE perspective the topics of process, outcome, and outlook.

The handover from the Greek Special Representative Ambassador Charalampos Christopoulos was smooth and from the outset the Kazakh Chairmanship focused on continuing efforts in the search for mutually acceptable solutions.

Upon assuming the mission of the Chair-in-Office, the first visit of State Secretary-Minister of Foreign Affairs Kanat Saudabayev was to the region of the Southern Caucasus. The Chair-in-Office throughout January-June 2010 has been engaged in extensive consultations on the topics of the Geneva Discussions with all major stakeholders including high ranking officials from Georgia, Russia, the United States as well as the United Nations and the European Union. The main focus has been and continues to be on strengthening the role of the OSCE in the process of addressing security and stability challenges in the region.

Up till now a mutually acceptable format for reestablishing an OSCE presence on the ground, despite quite a number of specific proposals, has not found consensus approval. Nobody outrightly denies the need for a meaningful and cross-dimensional OSCE field presence, status-neutral of course, to respect the sensibilities of all participants. Preparatory consultations with Tbilisi, Tskhinvali and Sukhumi as well as with Moscow and Washington prior to regular rounds of the Geneva Discussions were opportunities to present our proposals to that effect. Unfortunately, major differences in positions prevented substantive discussion of the tabled initiatives. However, we do not intend to discontinue the search for an acceptable format of an OSCE presence.

Confidence building is a dire necessity. That is why we are advocating the resumption of the second Incident Prevention and Response Mechanism in the Georgian-South Ossetian context, specifically with the aim to address concrete problems affecting daily the local communities as well as the whole range of humanitarian problems: missing persons, crossings, return of displaced people, etc. Regular meetings of both IPRMs are indispensable in the light of different incidents along the administrative boundary line.

My second point – the outcome.

What have we – collectively – achieved after 11 rounds since October 2008?

Not everything that counts is quantitative or tangible. Scarcity of practical *deliverables* is not because we, the co-Chairs, have not tried hard enough or have run out of ideas. And it is not because there is lack of determination on our part to move the process forward. But, when we want

it more than the actual stakeholders do, not much can be achieved. At least nothing that would be self-sustaining. What is frustrating is that most of the time we want more and we want it faster than the stakeholders do.

Let me illustrate my point. Building on the Greek Chairmanship's initiative, I have proposed a *Platform for Parallel Activities in the Fields of Gas and Water*, amounting to some 600,000 Euros. As most of you will know, the platform foresees two parallel activities: the resumption of gas supplies to Akhagori by Tbilisi and the repairs of segments of the Tiriponi water irrigation system, which runs on both sides of the dividing line. The platform, in my mind, appears to be a typical win-win proposal: the Akhagori region needs gas; the Georgian villages require water; both local communities would no doubt benefit from the uninterrupted supply of basic utilities. Employment opportunities would be created in South Ossetia by the foreseen repair works. All political or status questions have been deliberately left out – the focus is on the humanitarian nature of the proposed engagement. Yet, as numerous rounds of consultations prove, agreement appears to be elusive. Once again, I remain committed to hold additional rounds of bilateral or trilateral talks, but when there is no will to move, there is little that can be done on our part.

My third point is about the outlook.

The joint contribution of the UN, OSCE and EU to the solution of the crisis on the basis of August 12 and September 8, 2008 agreements is characterized in the presentations of my colleagues and I fully share their content and their spirit.

Posing status and other political preconditions will not be helpful for maintaining the appropriate framework for regular and much needed dialogue between the Georgian and the South Ossetian and the Georgian and the Abkhaz authorities with the aim to reduce tension, bring about normalization of the situation and eventually reach lasting peace and stability in the Southern Caucasus.

A topic for long debate is whether we are at a stage when the use of force is still not excluded, or at a stage of post-conflict management. The parties to the conflict provide contradictory explanations of the logic behind their diverging views. Take, for example, issues of security guarantees, commitment on non-use of force and international security arrangements. For the same set of documents, different participants offer different interpretation of their meaning to the substance of the Geneva Discussions.

It may be fair to argue that in August 2008 the preventive potential of the OSCE was not fully used to protect the ideals of the Helsinki Final Act. Now we can not afford to fail in convincing all the participants that there is no sensible alternative to constant and meaningful interaction. Regular negotiation sessions create the spirit of cooperation and bring participants closer to recognizing that only adoption of a win-win formula can disrupt a vicious circle of mutual distrust and confrontation. Unfortunately, we are not yet at a stage when this particular protracted conflict is ripe for solution. The divergence of goals and values is still too big, though certain indications are there that an escalation of the conflict is unlikely and the sides look for ways to negotiate an appropriate format for lessening the tension. I witness throughout my co-chairing the Geneva Discussions that this seems to be prevailing mood among the participants, though ups are followed by downs.

A recent down was the decision of the Abkhaz participants to temporarily withdraw from future sessions of the Geneva Discussions. As you may know, the Co-chairs made a joint statement about its effect on the process.

Criticism of the role of the Co-chairs and the co-moderators is far-fetched. We always maintain a balanced position, fairly and constructively taking into consideration all tabled proposals, being committed to our mandated role as co-facilitators in consensus-building in all areas discussed in Geneva.

I appeal to all to support the Geneva Discussions since they remain the only *inclusive* forum, where all parties to the conflict are represented, and the only established forum where representatives of Abkhazia and South Ossetia have access to the wider international community. In

fact, the process is *inclusive* in more than one sense. The Geneva process is a unique international negotiating forum where three international organizations share the role of a facilitator. A joint co-chairmanship has proved a successful endeavour – *transparent, flexible, and cost-effective*. The engagement of specialized expertise of the European Commission and the UNHCR – has been instrumental and I'd like to express sincere appreciation of the tireless efforts of the two co-moderators of the Working Group II, who are present here.

With no other permanent and structured mechanisms in place for dialogue between the parties to the conflict, the continuation of talks in the framework of Geneva is the only viable option. Political differences apart, these communities are bound to live side by side. Face to face across the negotiation table, is a proven way to deliver. But *constructive engagement* on behalf of *all* participants is prerequisite for achieving tangible results.

My last point is outside the Geneva framework, but I believe it to be important to mention. The *aspirations* behind the Action Plan for Engagement, currently drafted by the government of Georgia deserve our welcome. I hope that the foreseen mechanisms will be *inclusive, pragmatic and flexible* enough to allow for a truly genuine engagement and co-operation as a way to leave the past behind and be future oriented.

Ladies and gentlemen,

Prior to the Informal Ministerial in Almaty I'd like to emphasize that active involvement in promoting the Geneva Discussions will remain high on the agenda of the Kazakh Chairmanship.

Thank you for your kind attention.

**Address to the Permanent Council of the OSCE
by the United Nations representative, Ambassador Antti Turunen
*Vienna, 1 July 2010***

Mr. Chairman,
Excellencies,

Thank you for the kind invitation to address the Permanent Council of the OSCE, together with my fellow co-Chairs of the Geneva international discussions, Ambassadors Bolat Nurgaliev and Pierre Morel, and for this opportunity to inform you on our work and progress to date.

Ambassador Nurgaliev has just spoken of the process, noting the inclusive nature of this forum, and Ambassador Morel will address the main issues on the agenda and how we, the co-Chairs, propose to overcome the obstacles before us. I will not dwell on these issues, as their respective comments represent the views of all three co-Chairs. At the outset, I want to convey to you my assessment of the recent statements by the Abkhaz participants, which I believe does not represent a withdrawal from the process itself. There is no alternative to the Geneva process and I remain hopeful that we will convene for the 12th round as planned.

But this does raise one important point – this process belongs to the participants, and it is important that they have a voice. All concerns can and must be tackled through an active, open and participatory dialogue. The United Nations is an impartial facilitator, and this is crucial to our being accepted by all participants, as shown in the joint Incident Prevention and Response Mechanism which I Chair. Let me return to this in a moment, after I have outlined the role of the United Nations and our specific contributions.

But first allow me to highlight the excellent level of cooperation that we have established. The frequency of our consultations, joint visits and working-level cooperation is unprecedented in the many years of international engagement in Georgia's conflict resolution processes. This is critical, since the range of issues covered by the Geneva international discussions requires a cohesive, united approach. Each of our organisations brings its own specific and unique value, with the

whole being greater than the sum of its parts. Together, the three international organisations represent the values, the voice and the commitment of the international community. Our ability to continue working together and cooperating in addressing the obstacles before us with a single, united voice remains absolutely critical.

Mr Chairman,

As you know, following the departure of the United Nations Observer Mission to Georgia one year ago, the United Nations Secretary-General, Mr Ban Ki-Moon, who addressed this very Council three months ago, ensured the United Nations would continue to meet its responsibilities by establishing a small Team in support of the Geneva international discussions. My Team currently comprises five professionals. In addition to supporting the United Nations' participation in Geneva, I also Chair one of the joint Incident Prevention and Response Mechanisms, established on 18 February 2009. These facts are well known to you, but I would briefly comment on three specific aspects.

First, the departure of the United Nations Observer Mission in Georgia did not mean the departure of the United Nations. Whilst my Team may be small in number and scope of its work, United Nations agencies, funds and programs remain in Georgia, and indeed are expanding their activities. Three of them - UNHCR, UNDP and the Office of the High Commissioner for Human Rights - are also present in the Geneva discussions, with UNHCR as one of the two co-moderates of Working Group II.

In this context, the United Nations is ready to support any peaceful conflict settlement initiative in Georgia. But our engagement is dependent on consent – the United Nations can operate only with the support of all sides and parties. And they, in turn, must show flexibility and a pragmatic approach if the international community is to have sufficient space in which to operate. The United Nations organisation brings a wealth of experience and support, both in Geneva and on the ground, where we are best placed to implement any practical result reached in Geneva. The Incident Prevention and Response Mechanism that meets in Gali is but one example, but there are many others in the development and humanitarian spheres, where United Nations agencies work closely with our partner organisations. In short, the United Nations remains a committed and reliable partner.

My second point also relates to cooperation and mutual assistance, but specifically in the context of the co-Chairs. As you well know, we are faced with important but seemingly intractable issues. In seeking new approaches, our respective experiences, best practices and lessons learnt are an important area of mutual benefit. The United Nations welcomes such exchanges and further enhancement, from workshops such as the recent UN-OSCE-EU conflict mediation seminar, held in Sweden, to regular working-level contacts and exchanges of knowledge and information between our teams on pertinent issues such as best practices in crossings and confidence building measures. In this regard, the United Nations is ready to share its abundant experience with our partners in an effort to develop a basis for a suitable model for the Georgian context.

Thirdly, let me say a few words on the joint incident prevention and response mechanism, which I chair on a regular basis in Gali. This is perhaps the most tangible, practical and promising outcome of the Geneva discussions so far. The IPRM for Abkhazia has met on a regular basis since its inception. This regularity and continuity has been instrumental in establishing the constructive engagement by all participants, and a positive, business-like atmosphere during what are often difficult meetings. During the past twelve months, one thing has become clear – time is needed to develop a basic level of trust, which in turn has facilitated a deeper engagement on substantive issues by all participants. Today, I am happy to report that the IPRM is a functioning and useful tool for de-escalating tensions, preventing recurring incidents and addressing potential flashpoints through dialogue and regular exchanges, including through use of the established hotline. This forum has an incrementally effective nature, clearly evident by the steadily increasing interaction and dialogue among and between participants. It also fosters an improved understanding of the nature and scope of our work, which continues to evolve on a consensual basis. As a model of our bottom-up approach, the success of the IPRM clearly demonstrates that time and perseverance deliver results. In this regard, I urge all participants to ensure the full resumption of both mechanisms, and indeed to engage in a substantive dialogue on issues of common interest – security and stability – as the only way forward.

On this point, and in concluding, let me return to my earlier comments on consensus. On the specific issue of the IPRM, we have heard calls for the United Nations to become an active participant in both incident prevention mechanisms. The United Nations stands ready to assist and engage wherever and how it can. However, our engagement depends on the needs of the key stakeholders, and rests on the basis of consensus – consensus with our partners, with all participants and with the sides and parties.

In concluding, I remain committed to pursuing our coordinated focus on the fundamental issues of peace, security and development, and stand ready to contribute to the continuing meaningful cooperation between our organisations. In this vein, I would like to express my appreciation to the Kazakhstan OSCE Chairmanship for inviting me here today, and to extend my best wishes for a successful informal OSCE Ministerial meeting in Almaty.

Thank you, Mr. Chairman.



EUROPEAN UNION

**PRESENTATION BY AMBASSADOR MOREL TO THE PERMANENT COUNCIL
OF THE OSCE**

VIENNA, 1 JULY 2010

Excellencies, Ladies and Gentlemen, I am honoured to address the OSCE Permanent Council together with my colleagues - Ambassador Nurgaliev and Ambassador Turunen. Let me express my gratitude to them for the good and close cooperation that we have, and their efforts to advance in our joint task. I would also like to mention that the two co-moderators of the Working Group II, from the European Commission and the UNHCR, are present here and I would allow myself to commend the hard work they are doing.

As you have already learnt from the presentations of the two other co-chairs, the Geneva Discussions remain a difficult, yet a necessary forum. Before I explain to you the vision that I have of the Geneva Discussions and its perspectives, I would like to underline the importance of our involvement, I mean, the involvement of the three international institutions - the OSCE, the United Nations and the European Union, in this endeavour. We, the Co-chairs, represent the will of the three organisations to be engaged in the conflict resolution efforts following the 2008 war in Georgia, and we remain committed to the task that we have received from our respective organisations. And we are determined to continue our efforts, despite the difficulties. In this regard, I fully agree with Ambassador Nurgaliev and Ambassador Turunen on their assessment of the latest developments with regard to the announcements on the temporary withdrawal of the Abkhaz participants from Geneva Discussions. I believe the dialogue is the only way forward. This is the approach of the co-chairs, and I hope, it is shared by all our interlocutors in Geneva. Especially, in the context of the issue that is on our agenda in Geneva right now: the non-use of force and international security arrangements. I believe that people who seek peace cannot afford to refuse the dialogue. We know it can be difficult to conciliate divergences and interpretations of the facts, but however deep the differences may be - the dialogue remains the only choice. We, as Geneva co-chairs, firmly believe in that, and call on all participants to the Geneva Discussions to respect this.

Ladies and Gentlemen, let me start my presentation on the perspectives of the Geneva Discussion with the issue on non-use of force and international security arrangements. This is one of the issues that we have on our agenda since last summer. While admitting that that security concerns of the participants need to be addressed, we have concluded - in numerous debates and consultations with the Geneva participants - that these concerns can be addressed in satisfactory manner only if credible and effective security arrangements would be in place to guarantee that commitments on non-use of force are respected. It is of utmost importance that we, as co-chairs, respect the positions of **all** the participants, and take note of various contributions that we receive. We must admit that deep divergences continue to exist among the participants on the nature of the non-use of force commitment. We have tried to move forward on the basis on converging points and building on the experience on the ground, notably the Incident Prevention and Response Mechanisms. However, the differences in approach to the issue have prevented us from reaching consensus on how to proceed.

In this regard, I must underline that the concern with the security situation on the ground is a concern shared by all. That is why the co-chairs have insisted, by putting forward concrete proposals, on the need for further security confidence building measures. We remain convinced that in parallel to the necessary discussion on the non-use of force and international security arrangements, which is permanently a major point on the agenda, and remains an open issue deserving further efforts, concrete measures could be taken on the ground, in order to improve the security situation and remove the possibility of tensions due to difficulties in communication, misunderstandings or misperceptions. We call this a double track approach.

The same line should be adopted for the Working Group II. It has been over a year now that the participants continue to exchange views on a draft document summarizing measures that could be taken to alleviate the humanitarian situation of people affected by the conflict, and improve the conditions of those living on both sides of the dividing lines. Despite the fact that many of these measures are meant to help the people, whose interests Geneva participants wish to defend, it has not been possible up to now to reach agreement on the package elaborated by the co-moderators. It must be noted, that some steps have been made, and the participants have worked very hard through the text of the package of measures. The practice of informal information sessions on the subjects covered in the draft document has proved to be beneficial and help to have a better clarity on the issues discussed in the Working Group. Let me add that here again, the will and the courage of the participants to engage in concrete actions is a key to more progress towards improving the lives of those affected by the conflict and in need of assistance.

Let me underline that the co-chairs and the co-moderators have always defended the need for concrete action, and disagree with a vision subordinating the progress on humanitarian issues to an agreement on security matters. And we do so not because we would be inclined to take position in favour of one or another participant. No. We take this position because we see - also during our co-chairs trips to the region when we visit the local population and speak to IDPs and people living in the areas affected by the hostilities - we see that action in humanitarian field remains urgent, that the consequences of the conflict continue to affect people's lives, and the need for assistance remains important. Being well aware of their needs we urge for concrete steps improving the humanitarian situation and alleviating the consequences of the conflict that continue, almost 2 years after the crisis of 2008, to afflict a considerable number of people. Furthermore, this protracted and widespread disarray feeds tension, unavoidably.

And finally, I would like to come to the future steps of the Geneva Discussions. The dialogue must continue. The co-chairs will continue their work, and remain engaged in searching for solutions to the issues raised by the Geneva participants. It goes without saying that I fully support the outlook as presented by my fellow co-chairs before. Let me just underline, once more, the need for a constructive and creative approach. We are all aware that the resolution of status issue will take time and considerable efforts, there are no miracles to be expected. However, it is in the interest of all to improve the situation on the ground and provide concrete solutions to the concerns in the matters related to security and humanitarian issues. I argue that unless we start working on it now, unless we strive to achieve concrete outcomes, the momentum can be lost, and Geneva Discussions will lose credibility. What is at stake here is not the credibility of the co-chairs but, much more important, the credibility of Geneva Discussions and in the end, of Geneva participants themselves. As the co-chairs, whatever the challenge, we are ready to take it forward, we are ready to take stock of what we have achieved so far. We are ready to present our views on the process to our respective organisations, and, if needed, ask for endorsement of our action.

Two years after the conflict, we are now that at this stage, when Geneva - despite rhetoric - has become a forum appreciated by all participants, regardless of their position as to the goals and desired outcome of the Discussions. Because it is a unique forum, we all must see it as a unique opportunity to seek solution to the conflict that has lasted for so long and prevented the people from enjoying peace and building prosperity.

Thank you for your attention.