



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

S t a t e m e n t

of the Delegation of Georgia

at the 916th session of the OSCE Permanent Council

Vienna, June 14, 2012

Mr. Chairperson,

Ladies and Gentlemen,

The 20th round of the Geneva International Discussions was held on June 8, 2012. The participants took part in individual capacity in the two working groups, one focusing on security and stability in Georgia's occupied regions of Abkhazia and the Tskhinvali region/South Ossetia and the other on the safe and dignified return of IDPs and refugees to the places of their original residence. The discussions are co-chaired by the representatives of the UN, the EU and the OSCE and attended by the participants from Georgia, the Russian Federation and the United States. The Head of the Provisional Administration of the former South Ossetian Autonomous District and the Chairman of the Government of the Autonomous Republic of Abkhazia as well as representatives of the proxy regimes from Tskhinvali and Sokhumi also took part in the 20th round of the Geneva Discussions.

On June 7, the information session on the legal aspects of the occupation was held. Invited legal experts - Professors Louise Doswald-Beck and Hans Peter Gasser - reviewed the principal sources and relevant concepts of international law pertaining to occupation. By highlighting the crucial importance of illegal military presence and the effective control for determining the fact of occupation, the presentation left little doubt on the nature of Russia's presence in Georgia's two regions. During the discussions in the Working Group I, the Georgian side has yet again demonstrated to the participants that the Russian Federation continues to occupy two regions of Georgia. Another important lesson that could be drawn from the information session is that the human rights need to be protected by those, who exercise the effective

control, no matter what is the status of the regions in question. We hope that this important conclusion will be to the benefit of the residents of the occupied regions.

In the framework of the Working Group I, the Georgian delegation has once again called on Russia to fulfill its outstanding obligation and to reciprocate Georgia's pledge not to use force. Georgia expressed hope that through the good offices of the co-chairs, a tangible progress in this direction will be made soon. It is noteworthy that the co-chairs and the U.S. maintain the similar position on the necessity for the Russian Federation to pledge the non-use of force. Work will continue on this issue during the next rounds and we hope that the positive momentum created by the discussions during the recent rounds will be maintained.

The Georgian side has once again expressed its concern with Russia's plans to hold military exercise "Caucasus 2012" in the fall of 2012. Especially concerning are the contradictory statements of the Russian officials regarding the objectives, nature, location and scale of the drills. The participants from Georgia called on the relevant military and security officials of the Russian Federation to confirm the earlier diplomatic reassurances that these exercises would not involve the military bases outside the Russian territory and namely, the bases in the occupied Georgian regions.

The Georgian side drew the attention of the participants of the Geneva Talks and particularly the co-chairs on the recent attempts of the Russian Federation to orchestrate terrorist acts from the occupied territories, which pose the terminal threat to security and stability of Georgia and the wider region. Deriving from the evidence submitted earlier and the responses provided by Moscow, Georgian participants asked for further clarifications from the Russian side. The Georgian side believes that it is absolutely necessary to internationalize the investigation process of these terrorist acts and to use all instruments available to the sides through the Incident Prevention and Response Mechanisms, as well as other means.

The Georgian delegation once again called on the Russian Federation to meet its obligations under the August 12 Ceasefire Agreement and to withdraw the troops from the occupied Georgian regions. Similar calls were made by other participants as well. Georgia believes that the co-chairs need to reactivate their efforts towards elaborating an acceptable concept of international security arrangements - a comprehensive and sustainable way for ensuring peace, security and stability on the ground. The Georgian side remains of a strong opinion that international peacekeeping and police presence is a necessary component of any international security arrangement.

During the 20th round a significant amount of time was dedicated to finding a solution to the problem, which emerged with regard to the functioning of the Gali IPRM after the declaration of Sokhumi regime not to allow the Head of the EUMM, General Andrzej Tyszkiewicz to Gali. Unfortunately, no solution was found to this issue despite the attempts of the co-chairs and the Georgian side to find a way out. The Georgian side would like to reiterate that if the attempts of the co-chairs to find an acceptable solution, without prejudice to the role of the EUMM and its head in the IPRMs, fails, all responsibility for the ceasing of IPRMs will fall on Moscow and its proxy regime in Sokhumi.

No progress was reported in the Working Group II, despite the attempts from the Georgian side to engage the participants in the constructive discussion over the document on the principles of safe and dignified return of the displaced persons. Participants from Russia and its proxy regimes continued to reject the internationally recognized right to safe and dignified return of the IDPs and refugees and to discuss the concrete proposals related to returns, despite being evident that such stance fundamentally contradicts international law. In the framework of the Working Group II, the Georgian delegation shared with the co-chairs the factual data on the violation of the human rights of the residents of the occupied territories, including the right to education in native language, freedom from persecution and arbitrary detention, and freedom of movement. Calls were made to allow international monitoring of the human rights situation on the ground.

The co-chairs have endorsed the Georgian initiative aiming to build confidence and encourage people-to-people dialogue through humanitarian visits to the sites of particular interest (e.g. cemeteries, cultural and religious sites) on the two sides of the occupation line. Georgian side awaits further progress on the issue and hopes that such sites will be maintained and protected, while the discussions on the visits continue in Geneva.

During the 20th round, participants of both working groups discussed the Status Neutral Travel Documents. Participants from Georgia shared with the interested participants the benefits associated with taking such documents. The Georgian side once again made it clear that the Status Neutral Travel Documents only serve the purpose of de-isolating the occupied regions and opening up for the residents of the occupied regions benefits associated with the freer travel, education abroad and international tourism. In the same context, the necessity for ensuring free movement of the residents of the occupied regions across the ABL was stressed by many participants. The Georgian side expects the co-chairs to table during the upcoming discussions concrete recommendations on the principles of free movement, aimed at ensuring predictability of the crossing regime across the ABL.

Thank you.