



Chairmanship: Georgia

586th PLENARY MEETING OF THE FORUM

1. Date: Wednesday, 22 July 2009

Opened: 10.05 a.m.

Closed: 11.45 a.m.

2. Chairperson: Mr. P. Gaprindashvili

3. Subjects discussed – Statements – Decisions/documents adopted:

Agenda item 1: GENERAL STATEMENTS

None

Agenda item 2: SECURITY DIALOGUE

Presentation by the Russian Federation on lessons learned from August 2008:
Russian Federation (Annex 1), Georgia (Annex 2), Sweden-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina and Montenegro; as well as the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Ukraine, in alignment) (Annex 3), United States of America, Greece (Annex 4), Chairperson

Agenda item 3: ANY OTHER BUSINESS

(a) *Report on the 2009 Annual Security Review Conference by the chef de file for the FSC contribution to the 2009 ASRC: Chef de file for the FSC contribution to the 2009 ASRC (France) (FSC.DEL/147/09 OSCE+), Chairperson, Russian Federation*

(b) *Distribution of the Handbook of Best Practices on United Nations Security Council Resolution (UNSCR) 1540 Export Controls and Transshipment (FSC.DEL/65/09/Rev.1 Restr.): United States of America, Russian Federation*

- (c) *Matters of protocol: Ireland, Chairperson, Hungary, Kazakhstan*
- (d) *Postponement of a visit to an airbase and military unit, to take place from 12 to 16 October 2009: Kazakhstan*
- (e) *Organizational matters related to the OSCE Meeting to Review the OSCE Document on Small Arms and Light Weapons and its Supplementary Decisions, to be held in Vienna on 22 and 23 September 2009: Chairperson of the informal Group of Friends on Small Arms and Light Weapons (Germany), Representative of the Conflict Prevention Centre*

Agenda item 4: CLOSING STATEMENT BY THE CHAIRPERSON OF THE
 FORUM FOR SECURITY CO-OPERATION

Chairperson, United Kingdom, Greece, Russian Federation, United States
of America

4. Next meeting:

Wednesday, 9 September 2009, at 10 a.m., in the Neuer Saal



**Organization for Security and Co-operation in Europe
Forum for Security Co-operation**

FSC.JOUR/592

22 July 2009

Annex 1

ENGLISH

Original: RUSSIAN

586th Plenary Meeting

FSC Journal No. 592, Agenda item 2

**STATEMENT BY
THE DELEGATION OF THE RUSSIAN FEDERATION**

In two and a half weeks' time a year will have elapsed since the day of the treacherous attack by Tbilisi on the peaceful city of Tskhinval and its Russian peacekeepers. Those events greatly shocked not only the Trans-Caucasus but also the entire OSCE region. For a whole year that topic has remained one of the issues dominating the agenda of our Organization, frequently poisoning trust and co-operation in many aspects of its work. For that reason, on the eve of the anniversary of last August's tragedy it seems a good time to analyse what lessons need to be drawn and what concrete steps should be taken to prevent similar military adventures from recurring in the future.

Let us begin with the Trans-Caucasus. The first lesson is an obvious one, namely that there is no sensible alternative to the peaceful political settlement of conflicts. Mikheil Saakashvili flagrantly disregarded that principle and opted for a solution involving the use of force. As is evident from captured Georgian army documents, the military planning for that operation began no later than 2006 and possibly even earlier. Last September, we showed in this room a secret plan dated 2006 for an operation to seize Tskhinval. That plan confirms that the massive destruction in the city and the indiscriminate use of force were deliberate. Suffice it to say, the municipal clinical hospital was among the military targets listed. As for the Russian peacekeepers, the task according to the operational plan was to surround them and, were they to resist, to open fire on them. Against that background, there is an extremely cynical ring to the arguments heard from time to time regarding the alleged "accidental" nature of the events of last August, the Georgian leadership's "tragic mistake", and more along those lines. No, what happened in the early hours of 8 August 2008 was no "accident" and no "mistake", but pre-planned and essentially criminal actions, which resulted in the death of many hundreds of people, the appearance of a large number of refugees and the end of Georgia's existence within its previous borders. In fact, by firing their Grad rocket launchers the Georgian authorities were in effect executing the territorial integrity of their own country. The saddest thing is that, judging by the rhetoric employed by the Georgian leadership, it has still not drawn the proper conclusions from what happened.

In connection with this, there is another, very difficult but necessary lesson to be learned. Saakashvili's attempt to transform a smouldering conflict into a hot one, forcing Russia to extinguish the fire that then broke out at the cost of the lives of its own citizens,

compelled us to take a more sober view of the situation. During the preceding decade and a half, we had endeavoured to assist in the settlement of the Georgian-Abkhaz and Georgian-South Ossetian conflicts within the framework of the concept of the territorial integrity of Georgia. In August it became clear that all these efforts, not only on our part but also on the part of other countries, had proved futile because of the virtually total inability of the present Georgian authorities to reach an agreement. Since 2006, they have blocked the work of all the negotiation mechanisms. Two years later came the attack on Tskhinval, which, we should like to stress, was by no means the first but already the third attempt since the early 1990s to resolve the South Ossetian “problem” by military means. Having suffered a setback, Tbilisi withdrew from all the international agreements that had provided the framework for a peaceful settlement, thereby completely destroying that framework. Thereafter, the hopelessness of further negotiations within the former conceptual framework became obvious. I would imagine that there is not even a single reckless optimist in this room who sincerely believes that the South Ossetians or Abkhaz would voluntarily return to being part of Georgia or would even do so under the threat of fresh use of force. That is now completely unthinkable. At the same time, it became clear that the security and the very survival of the peoples of South Ossetia and Abkhazia could only be ensured by recognizing their right to self-determination and to the creation of independent States with the subsequent establishment of if not good-neighbourly then at least non-confrontational relations between them and Georgia. Russia was the first to find the courage to recognize this objective reality. We are confident that other countries too will sooner or later realize that it is necessary to be guided by the considerations of *realpolitik* and not by speculation that ignores the history of the issue and the actual state of affairs.

Another lesson to be learned concerns the urgent need to conclude Georgian-Abkhaz and Georgian-South Ossetian agreements on the non-use of force. Russia has been persistently raising this question for quite a number of years. Literally a month before Georgia’s attack on Tskhinval, on 9 July 2008, we submitted for consideration by the OSCE Permanent Council a draft decision calling on the Georgian side to immediately sign a document on the non-use of force in the Georgian-South Ossetian conflict. If a decision of that kind had been adopted and if the relevant legally binding agreements had been concluded, the tragedy of last August could have been averted. At the Geneva discussions, the Russian delegation has already presented a set of basic principles for an agreement of this kind. The South Ossetian side has distributed its own draft of a similar document. Sukhum is also in favour of concluding an agreement of this kind without fail.

Unfortunately, here too the Georgian leadership has been unable to draw the necessary lessons and continues to refuse to discuss the topic, although the conclusion of such agreements could reliably rule out a repeat of military action and ensure stability, security and predictability. In formal terms, two arguments against this, both of them unfounded, are usually put forward. First, it is claimed that the signing of agreements with South Ossetia and Abkhazia would almost automatically signify Georgia’s recognition of the two new States. This is a clearly contrived explanation. It is entirely possible to find a status-neutral solution. I might add that paragraphs 5, 7 and 9 of the OSCE Document on Stabilizing Measures for Localized Crisis Situations refer directly to a possibility of this kind.

Just as unconvincing is the second Georgian argument to the effect that if this kind of agreement is to be concluded, then it should be not with Tskhinval and Sukhum but only with

Moscow. Behind this there can clearly be seen a persistent attempt to switch concepts and to depict Russia as a party to the conflict. The answer to this is simple. It was not Russia who violated fundamental principles of international law and a good ten specific agreements having to do with the settlement of the conflict. It was not Russia who aimed fire at a civilian population and peacekeepers. It was not Russia who broke off diplomatic relations with Georgia. It was we in fact who were forced to take up arms, exercising the right to individual and collective self-defence in accordance with Article 51 of the Charter of the United Nations and, over a period of five days, to use force in order to restore peace. However, Russia is not planning to attack Georgia and would strongly advise the Georgian side against nurturing revanchist plans. We see no need to sign a bilateral agreement with Tbilisi. The real problems continue to lie in the realm of Georgian-South Ossetian and Georgian-Abkhaz relations. It is in these formats that there is also a real need to sign agreements on the non-use of force. The refusal to recognize this obvious fact cannot but suggest that Georgian strategists are trying to keep the military option in their arsenal. The concentration and manoeuvres of Georgian security forces near the South Ossetian and Abkhaz borders are evidence of this. Military units are openly being reconstituted as force elements of the Georgian Ministry of the Interior, which it is claimed do not fall under the "Medvedev-Sarkozy plan". These "games" must be stopped.

A further basic lesson to be drawn from the events of last August concerns the danger of a remilitarization of Georgia. Massive arms deliveries from abroad have given rise to an illusion of impunity on the part the Georgian leadership and have led to a temptation to seek a solution to the problem by military means. What is more, arms exports to that country were carried out in violation of the OSCE norms and principles laid down in the Document on Principles Governing Conventional Arms Transfers and the Document on Small Arms and Light Weapons. In view of the role that those deliveries played in unleashing military activities, last autumn Russia proposed that the OSCE Forum for Security Co-operation (FSC) should adopt a decision calling on participating States, in strict conformity with their commitments under the aforementioned documents, to refrain from supplying Georgia with weapons, at least offensive ones. Our Western partners refused to support that draft without providing any serious arguments as to why. A reasonable question arises, namely what is the real value of OSCE norms and principles if they are so manifestly ignored even after the tragedy of last August, a tragedy that demonstrated the inability of the current Georgian authorities to deal responsibly with the weapons they had received. There is information suggesting that a number of countries intend to assist Georgia in restoring its military potential. Possible suppliers have an enormous responsibility for the likely negative development of events in the Trans-Caucasus. This is a matter of principle, and we shall certainly return to it in September during the planned two-day review of the implementation of the OSCE Document on Small Arms and Light Weapons. Meanwhile, however, the aforementioned draft FSC decision on arms deliveries to Georgia remains on the negotiating table.

Turning to the broader international aspects of the consequences of the tragedy of August 2008, we should like first of all to stress the even more obvious need for a substantive readjustment of the European security system, which has demonstrated its total inability to act quickly enough in preventing and stopping adventures similar to the one undertaken by Tbilisi. As for the OSCE, it did not react to those dramatic events until a week after the

military activities had come to an end, when it adopted a decision on additional military monitoring officers. This kind of response can hardly be called adequate.

There is one further example of this kind. Two months prior to the attack on Tskhinval, first at the initiative of Georgia and then of Russia, Chapter III of the Vienna Document concerning military risk reduction was utilized for virtually the first time. During two weeks of intensive work, we proceeded through all the stages – from sending one another notes setting out the issues of concern to holding a joint meeting of the OSCE Forum and the Permanent Council. At that point we went our separate ways, each one on his own. Of course, the discussions held at that time were not without use. For the Russian side they provided an opportunity in particular for drawing attention to the danger of Tbilisi's policy, fraught as it is with the peril of military actions. Unfortunately, we cannot say that our warnings were heeded by everyone in the OSCE, although very soon they were borne out in full.

This once again confirmed the need for new, improved and more effective mechanisms for preventing and resolving conflicts in the OSCE area. We believe that this question needs to be dealt with as part of the drafting of a new Treaty on European Security as proposed by the President of the Russian Federation, Mr. Dmitry Medvedev. These provisions would be legally binding and their implementation would be mandatory.

As for the lessons of last August, we must not disregard the role of the European Union (EU), which under the French Presidency played a fairly active part. The joint search for ways of resolving the problems created by Tbilisi's military adventure resulted in pragmatic co-operation between Russia and the EU, which despite certain rough edges is becoming a stabilizing factor in the Euro-Atlantic region. The agreements signed by the Presidents of Russia and France on 12 August and 8 September 2008 provided the basis for a post-crisis settlement and secured the EU's role as a guarantor of the non-use of force by Georgia against Abkhazia and South Ossetia.

In that context, it is necessary to identify a further lesson to be drawn, this time of a negative kind. The post-crisis statements by the EU contain many criticisms of Russia's recognition of the independence of South Ossetia and Abkhazia. What is at issue here is not even that this criticism paradoxically comes primarily from those countries that half a year earlier had recognized the independence of Kosovo in violation of international law and United Nations Security Council resolutions. To be honest, we are no longer very surprised by double standards of this kind. What is strange, is something else – the EU statements found room for not a single critical comment about Tbilisi. Does this mean that the EU countries regard as normal firing on Russian peacekeepers, using multiple rocket launchers to shell a peaceful city, shooting at South Ossetian refugees on the Zar road and other documented incidents of this kind? The EU's total silence on these points, whether the members of the Union like it or not, looks like encouragement for the aggressor party. I might add that, as far as we are aware, the European Union intends today to issue a fresh collective statement. Let us see whether it has at least something to say about the brutality and crimes of the Georgian army.

The events of last August confirmed that Russia's concerns at the unrestrained and hasty expansion of NATO were justified. It is hardly a coincidence that the attack on

Tskhinval took place just a few months after the Bucharest Summit of the North Atlantic Alliance, where it was stated that sooner or later Georgia would join NATO. All the evidence suggests that Saakashvili took this as a kind of *carte blanche*. Imagine how events could have developed if Georgia had already been a fully fledged member of NATO in August 2008. We leave it to those delegations who wish to do so to ponder this question at their leisure.

It is most regrettable that it has not proved possible to maintain an international field presence in the region, given the new political-legal conditions in effect there. As you know, Russia was prepared to take that step and consistently advocated the extension of the activities of the OSCE and United Nations observers in Georgia, South Ossetia and Abkhazia, respectively. It was not our decision for them to leave the Trans-Caucasus. Neither do we bear any responsibility for that. Nevertheless, the Russian Federation is ready to continue constructive dialogue on these issues in all the formats available, including the Geneva discussions.

We are pleased to note in that connection that the meetings in Geneva have already produced a first result: joint incident prevention and response mechanisms have been established. The adoption of those decisions gives reason to hope that agreements will also be reached on the non-use of force.

The thoughts that I have set out in this statement do not of course deal with the issues in question in their entirety. The events of last August will remain at the centre of attention for politicians and political scientists for a long time to come, while ideas on the lessons to be drawn from them will be expanded and refined over time. The main thing is that the process of considering this tragedy should not become a hostage to stereotypes and ideologically inspired approaches, but should result in a successful search for appropriate ways and means of ensuring stability and security in the Trans-Caucasus and throughout the OSCE region.

I would ask that this statement be attached to the journal of the day.



586th Plenary Meeting

FSC Journal No. 592, Agenda item 2

STATEMENT BY THE DELEGATION OF GEORGIA

Dear colleagues,

As you are aware, my delegation has refrained from raising issues related to Georgia during our chairmanship of the FSC. As I have mentioned before, it would be uncomfortable for us to speak on and debate this very important and painful topic from this position. However, since another delegation has requested discussion of this issue today, I have been instructed to make a statement.

As far as a response to the intervention of the distinguished Russian Ambassador is concerned, I consider that it will be more appropriate to respond to this largely misleading presentation at a later stage, after we pass the chairmanship to the distinguished delegation of the United Kingdom.

Mr. Chairperson, excellencies, dear colleagues,

Almost one year has passed since the tragedy my Russian colleague referred to – the fully fledged war between the Russian Federation and Georgia.

Last year, in August 2008, Russia invaded its neighbour through the Tskhinvali region and Abkhazia by land, sea and air. This large-scale military aggression resulted in the occupation of about 20 per cent of the territory of Georgia. On the territory of a neighbouring State, Russian forces and their proxy militia has conducted ethnic cleansing and committed crimes against humanity that have resulted in the displacement of more than 100,000 persons. In gross violation of fundamental principles of international law, Russia unilaterally has recognized the “independence” of the occupied territories, subsequently turning them literally into military camps of its own.

In parallel with its military build-up, Russia is continuing to undermine the efforts of the international community to bring the conflict between Russia and Georgia to a peaceful solution. Russia has forced the OSCE and UN presences in Georgia to terminate their activities and is continuing to deny access to the war-affected territories to the European Union Monitoring Mission (EUMM) and to providers of humanitarian aid. Together with its proxy regimes, Russia bears sole responsibility for the frequent provocations, incidents and murders that have taken place along the administrative boundary lines.

Regrettably, Russia is opposed to giving serious consideration to the present proposals on introducing international security arrangements – notably international peacekeeping, police and monitoring operations, and due commitments on non-use of force and non-resumption of hostilities – as the best possible measures for building confidence among all the participants in the discussions. Furthermore, Russia is continuing to impede the full implementation of the joint incident prevention and response mechanisms agreed in the Geneva format.

Mr. Chairperson,

I guess it is about time for the Russian Federation to look more carefully at its foreign policy, especially in the context of the situation following the Russian-Georgian war, and to realize that this policy is increasingly leading to Russia's isolation from the international community. During the past months, not even one opinion of Russia has been shared by the international community – on the contrary, all countries have unequivocally called upon Russia to fulfil its obligations under the 12 August 2008 ceasefire agreement, to revoke its unlawful recognition of independence of occupied territories, to allow and facilitate the return of IDPs and refugees, to allow international missions into the occupied territories, and to co-operate constructively on ensuring peace and stability in the region.

Regrettably, the main lesson learned from developments since August 2008 is that Russia is still a destabilizing force in the whole Caucasus region, including North Caucasus, and still an aggressor that continues to refuse to comply with its international obligations.



586th Plenary Meeting

FSC Journal No. 592, Agenda item 2

STATEMENT BY THE EUROPEAN UNION

The position of the European Union on Georgia is well known and has not changed. The EU remains firmly committed to playing a full role in the resolution of this crisis, including in the Geneva talks and on the ground. We recall the European Union's position, that a peaceful and lasting solution to the conflict in Georgia must be based on full respect for the principles of independence, sovereignty and territorial integrity recognised by international law, the Final Act of the Helsinki Conference on Security and Co-operation in Europe and United Nations Security Council resolutions. We recall the conclusions of the Presidency of the Extraordinary European Council of 1 September 2008, in which the European Council strongly condemned Russia's unilateral decision to recognise the independence of Abkhazia and South Ossetia, and reiterate our call for full implementation of the 12 August and 8 September 2008 agreements. We also recall the stabilizing role of the European Union Monitoring Mission in Georgia.

Given the situation on the ground, the EU remains convinced of the urgent need for a continued cross-dimensional OSCE presence throughout Georgia, in particular for the benefit of the civilian population. This presence must include a meaningful monitoring capacity able to operate unhindered across the administrative boundary line. We call again on the Russian Federation to join others in order to reach consensus on the Greek Chairmanship's Draft Decision of 8 May 2009 on an OSCE Office in Tbilisi and the deployment of the OSCE monitors in the framework of the implementation of the six-point agreement of 12 August 2008, for the sake of security and stability in the region.

Mr. Chairperson, the EU reserves the right to return to individual issues raised by the Russian Federation today, at a later stage.

The candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia*, the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro, the European Free Trade Association countries and members of the European Economic Area Iceland, Liechtenstein and Norway, as well as Ukraine align themselves with this statement.

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.



**Organization for Security and Co-operation in Europe
Forum for Security Co-operation**

FSC.JOUR/592

22 July 2009

Annex 4

Original: ENGLISH

586th Plenary Meeting

FSC Journal No. 592, Agenda item 2

STATEMENT BY THE DELEGATION OF GREECE

Thank you Mr. Chairperson,

Greece, while aligning with the EU statement, would like to point out that, from the point of view of the OSCE Chairmanship, there are important lessons to be learned for the OSCE community, namely on the use of existing OSCE mechanisms.

Over the years we have developed a set of mechanisms for early warning, conflict prevention and conflict resolution as well as post-conflict rehabilitation. These mechanisms were partially activated and, indeed their activation worked for early warning of increased tensions in the region, well before the August conflict.

However other mechanisms were proven either too weak to prevent the escalation, or too difficult to activate and too outdated and not in touch with current requirements.

Therefore, working towards more flexible and efficient mechanisms should be one of the priorities for the OSCE, especially in the framework of the Corfu Process. Bearing this in mind, the Chairmanship intends to work towards this direction and looks forward to close co-operation in the months to come, with all participating states also in the FSC framework.

May I ask you to attach this statement to the journal of the day.

Thank you Mr. Chairperson.