



EUROPEAN UNION

OSCE Permanent Council No 1072 Vienna, 22 October 2015

EU Statement in Response to the Report of the Co-chairs of the Geneva International Discussions

The European Union warmly welcomes the Co-Chairmen of the Geneva International Discussions, Ambassadors Angelo Gnaedinger, Antti Turunen, and Herbert Salber, and thanks them for their address. The European Union is committed to supporting conflict resolution in Georgia, including through our co-chairmanship of the Geneva International Discussions and our EU Monitoring Mission in Georgia.

We also warmly thank the Head of Mission of the EU Monitoring Mission, Ambassador Kestutis Jankauskas, who is present with us today, for the EUMM's continuous contribution to the de-escalation of the security situation and confidence building on the ground.

We welcome the constructive atmosphere of the 33th round of the Geneva International Discussions, and acknowledge the Working Groups' substantive discussions despite participants' persistent divergent views.

However, the European Union notes that limited progress was made on a possible joint statement on non-use of force. This is essential for achieving progress on international security arrangements in the region. In this regard, we continue to believe that a clear non-use of force commitment by Russia would be necessary.

The European Union expresses concern about the restrictions to the freedom of movement between the breakaway regions and the rest of Georgia. Continued deployment of so-called border signs, fences and other obstacles at different locations along and beyond the Administrative Boundary Lines, have a negative impact on the daily life of the local population. In particular in accessing education, health care, arable lands and religious sites. The European Union recalls that provocative steps must be avoided, as must action that is detrimental to ongoing efforts to stabilise the situation. We call on the Russian Federation to remove the

fences and other obstacles, such as illegal border signs. We deplore that a further 153 individuals were deprived of access to their land.

We welcome the constructive discussions on cultural heritage, co-operation over archive issues and common environmental threats. However, we regret the lack of substantive discussion on the returns of refugees and internally displaced persons. We underline that the issue of refugees and IDPs and their safe, dignified and voluntary return, is a key agenda item in the Geneva International Discussions. The European Union also notes with concern changes to the language of instruction from Georgian to Russian in 11 formerly Georgian-language schools in Gali district. We join the call of the Co-Chairs upon the *de facto* authorities to protect the universal right to education of the child; this right has to be considered breached if neither the teacher nor the child properly understands the language of instruction. Assistance of the High Commissioner on National Minorities should be sought.

Like previous agreements signed between the Russian Federation and the two Georgian breakaway regions of Abkhazia and South Ossetia, the so-called "treaties on Alliance and Strategic Partnership/Integration" – which include references to a transfer of powers in some areas – clearly violate Georgia's sovereignty and territorial integrity, principles of international law, and the international commitments taken by the Russian Federation, including the 12 August 2008 Agreement and its Implementing Measures of 8 September 2008, and have no legal standing. In this context, we note with concern the declaration of the Georgian breakaway region of South Ossetia on 19 October to hold a referendum on "reunification" with the Russian Federation. The European Union would not recognise its outcome.

At the same time, we are concerned about the continuing Russian military and security related presence and infrastructure reinforcements in the Georgian breakaway regions. We deplore the military exercises in Georgia's breakaway regions which violate Georgia's sovereignty and territorial integrity and contradict OSCE commitments, principles of international law and international commitments of the Russian Federation.

The European Union expresses its concern about the continuous limitation of impartial information about the human rights situation in the breakaway regions. A follow-up to the 2008 ODIHR/HCNM report on the human rights situation remains

essential. Improving the human rights situation and addressing violations without delay in full respect of international law and OSCE commitments is of essence to improve the conditions of the conflict affected population.

We remain convinced, that there is an urgent need for a meaningful cross-dimensional OSCE presence throughout Georgia, in particular for the benefit of the civilian population, including robust monitoring capacity able to operate unhindered across the Administrative Boundary Lines. We encourage the current Serbian OSCE Chairmanship together with the CPC to continue exploring possibilities to return a meaningful OSCE presence to Georgia, which would considerably strengthen the OSCE's engagement in the Geneva International Discussions and Incident Prevention and Response Mechanisms, as well as in implementation of CBMs.

The European Union reiterates its firm support for the sovereignty and territorial integrity of Georgia within its internationally recognised borders. The European Union calls on Russia to fulfil its obligations under the ceasefire agreement of 12 August 2008 and its subsequent implementing measures of 8 September 2008, including providing EUMM access to the breakaway regions.

The European Union thanks the Co-Chairmen of the Geneva International Discussions for their comprehensive address and looks forward to the next round of the Geneva International Discussions scheduled for 8-9 December 2015.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO*, ICELAND+ and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA and SAN MARINO align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.

+ Iceland continues to be a member of the EFTA and of the European Economic Area.