



EUROPEAN UNION

Delegation of the European Union to the Council of Europe

Strasbourg, 12 November 2014

EU Statement on the Secretary General's tenth consolidated report on the conflict in Georgia

The EU thanks the Secretary General and welcomes his tenth consolidated report on the conflict in Georgia and looks forward to his next report expected for April 2015. The EU welcomes the fact that this issue remains high on the political agenda of the Council of Europe. The EU notes that the report covers the period between April and October 2014, building on previous consolidated reports, as well as the Secretariat reports on the human rights situation in the areas affected by the conflict in Georgia, and the report of the Council of Europe activities in the areas affected by the conflict and its updates. The EU actively discusses Georgia's engagement policy towards its breakaway regions with the Georgian government. The EU welcomes the continuation of a bilateral dialogue between the Georgian and Russian authorities, which can contribute to the resolution of this protracted conflict in Georgia.

The EU reiterates its firm support for the independence, sovereignty and territorial integrity of Georgia within its internationally recognised borders and reiterates its concern about the continuing Russian military and security related presence and infrastructure reinforcements in the Georgian breakaway regions of Abkhazia and South Ossetia. In view of the reports about the elections in the Georgian breakaway regions of South Ossetia on 8 June and Abkhazia on 24 August, we recall that the European Union does not recognise the constitutional and legal framework within which these elections have taken place. During the period under review Georgia and EU signed, ratified and started to provisionally apply the Association Agreement, including its Deep and Comprehensive Free Trade Area part, with the European Union. The EU is convinced that this agreement will add more momentum to Georgia's established international relations and ultimately will provide benefits also to its neighbours, including Russia.

The EU urges both Russia and Georgia to fulfil their international commitments and obligations, including those undertaken when joining the Council of Europe. The EU considers the Geneva International Discussions to be the essential forum for discussing and resolving challenges stemming from the conflict in Georgia. The EU calls on the participants in the Geneva International Discussion to continue working together towards sustainable security arrangements. The EU notes that it was agreed to continue working on a draft joint statement by participants on non-use of force at the next round. The EU continues to believe that a clear commitment by Russia on non-use of force is necessary.

The EU also calls for the full implementation of the ceasefire agreement of 12 August 2008 and of the 8 September Implementing Measures of the six-point agreement, including providing the EU Monitoring Mission with access to the breakaway regions. The EUMM has been an important stabilising instrument, but without the access to the breakaway regions of Abkhazia and South Ossetia the Mission cannot fully implement its mandate of contributing to stabilisation, normalisation and confidence building.

The EU calls on all the concerned parties to facilitate and grant unrestricted access to the international community, including the Council of Europe, for the benefit of all persons affected by the conflict and in need of human rights protection, and expresses its concern at the human rights situation in the Georgian breakaway regions of Abkhazia and South Ossetia. Council of Europe should be able

to fully and effectively use its instruments to ensure monitoring of the human rights situation in the Georgian breakaway regions, including through visit of the Human Rights Commissioner.

The European Union expresses concern at the Russian Federation's proposal on a so-called "Draft Treaty on Alliance and Integration" with the breakaway region of Abkhazia in Georgia. We are closely following developments in this regards, which could undermine the security and stability of the region. Such steps violate Georgia's territorial integrity and sovereignty and would contradict principles of international law and Russia's commitments within the Council of Europe.

The EU also notes with concern that the continuing "borderisation" exacerbates the problems of the local populations by creating obstacles along the Administrative Boundary Lines (ABL) and hindering freedom of movement and people-to-people contacts. Alongside, the EU is worried about the potential implications of the possible closure of crossing points along the Abkhaz Administrative Boundary Line. The revision of crossing rules by the *de facto* authorities of South Ossetia has further affected the freedom of movement and livelihood of conflict-affected population, including IDPs. In parallel, the *de facto* authorities have started to issue new South Ossetian "passports". In this context we reiterate our call to ensure full exercise of human rights and fundamental freedoms, including freedom of movement across the ABLs.

The EU is deeply concerned by the fact that in addition to being denied access to South Ossetia by the *de facto* authorities, for the fifth time the Council of Europe has not been allowed to enter the territory of Abkhazia in the course of preparing this report, and encourages the SG to pursue his efforts in view of fact-finding visits to Abkhazia and South Ossetia.

The EU underlines the importance of the right of refugees and Internally Displaced Persons (IDPs) to a safe, dignified and voluntary return. The EU welcomes the steps undertaken by the Georgian authorities for the full implementation of the revised law on IDPs which has been in force since 1 March 2014. The EU reiterates its commitment to help improve the situation of Internally Displaced Persons and refugees from the conflicts and their unconditional right to a safe and dignified return.

The EU welcomes outreach and engagement efforts of the Georgian government towards the *de facto* authorities and populations in Abkhazia and South Ossetia and encourages their further development including through the positive and constructive co-operation between the Council of Europe and the Georgian authorities in implementing confidence building measures and encourages further efforts in this respect. In addition, the EU regrets that no progress has been made towards the resumption of work of the Gali Incident Prevention and Response Mechanism (IPRM) under the UN auspices, which in turn severely impairs joint efforts to address security issues on the ground.

The Candidate Countries "the former Yugoslav Republic of Macedonia"*, Montenegro *, Iceland+, Turkey, 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 the Republic of Moldova, San Marino and Ukraine align themselves with this statement.

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

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