

PC.DEL/544/10
16 June 2010

ENGLISH
Original: RUSSIAN

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXEY DVINYANIN,
DEPUTY DIRECTOR OF THE FOURTH DEPARTMENT OF THE
CIS COUNTRIES, MINISTRY OF FOREIGN AFFAIRS OF THE
RUSSIAN FEDERATION, AT THE 2010 ANNUAL SECURITY
REVIEW CONFERENCE**

15 June 2010

**Working Session II: The role of the OSCE in early warning,
conflict prevention and resolution, crisis management and
post-conflict rehabilitation**

Mr. Chairperson,
Distinguished colleagues,

The problems being considered at this session occupy a special place in the system of OSCE co-ordinates. Despite the rapid processes of globalization, integration, economic and financial monopolization taking place in today's world, we are still far from being able to talk of universal stability and security. Periodically there is an exacerbation of the existing conflict situations in one part of the OSCE region or another, which from time to time results in open armed confrontation with human losses and destruction. This was the case, as we all remember, during the bombardment of Yugoslavia in the spring of 1999 and also during the attack by Georgian troops on the sleeping inhabitants of the peaceful city of Tskhinval and the Russian peacekeepers in August 2008. The need to strengthen the OSCE's anti-crisis potential has never been in doubt. It is important to remember that in many respects the place and role of the OSCE in the changing European security architecture and, consequently, the attitude towards it by the participating States will depend on how quickly and effectively our Organization is able to adapt to present-day demands and demonstrate in practice its relevance in the area of conflict resolution.

Many ideas have been expressed in this regard in our Organization recently, mainly within the framework of the Corfu Process. Useful thoughts have also been heard today, including the remarks by Mr. William Hill, whom the Russian Federation and I personally know from the time of his energetic work as Head of the OSCE Mission to Moldova. It is likely that over time the number of ideas accumulated will exceed a critical mass, which will make it difficult to absorb the most sensible suggestions for use in the OSCE's anti-crisis toolbox. For that reason, I shall dwell in my statement on the basic principles which, in our view, should form the basis for work on increasing the effectiveness of the OSCE in its prompt response to crises and conflicts.

1. As the events of the last few decades have graphically demonstrated, any unilateral measures in the international arena, moreover in violation of the norms of international law and in circumvention of collective intergovernmental bodies, not only fail to reduce tension but further exacerbate the situation and complicate the efforts to find political solutions. Given our experience, the Russian Federation is proposing that we move towards a strengthening of the consensus basis in the work of the OSCE, above all in the area of crisis management, and also the elaboration and adoption of uniform principles for conflict resolution. We might recall that our proposals in this respect were circulated among the participating States in the form of a draft decision and a food-for-thought paper (FSC-PC.DEL/1/10/Corr.1 of 19 January 2010 and PC.DEL/413/10/Corr.1 of 19 May 2010 respectively). We trust that the interim report on the Corfu discussions will take full account of the Russian work in this regard.

We firmly believe that unconditional observance of consensus at all stages of the crisis cycle while strengthening the powers of the collective decision-making bodies (the Permanent Council and the Forum for Security Co-operation) as well as the clearly expressed consent of the parties to the conflict to the measures being proposed by the OSCE to resolve a crisis situation must remain the basis for any OSCE activities in the anti-crisis sphere. The democratic expression of the views of participating States is most fully realized in the consensus formula. A number of international and regional organizations, including NATO and the Commonwealth of Independent States, operate on the basis of this principle as well.

To the opponents of consensus I will briefly note that I cannot really imagine a situation in which an OSCE mission would be sent to a particular region against the will of one or several participating States or, in the event of a conflict involving non-State entities, the host country controlling that part of the territory. OSCE experts will simply be unable to travel to such a country/countries or conflict zone. What then is the point of such proposals to the contrary by our partners, which not only make it impossible for field operations to function on the ground, but also cause additional disagreements among the members of the Permanent Council, further undermining confidence in the Organization and its anti-crisis potential.

2. It is worth going into more detail on the need for OSCE activities to be agreed with the host country. Only through constructive co-operation and respectful dialogue with all the parties involved in a conflict will the Organization be able to count on success in its mission.

Let me give you one example. When the OSCE was involved in the process of a peaceful settlement of the Georgian-South Ossetian conflict in the 1990s and early 2000s, and representatives of South Ossetia were one of the four equal parties in the Joint Control Commission, there were no problems as regards the work of experts and OSCE presences on the territory of the republic. However, after the tragic events of the night of 8 August 2008, the OSCE stopped taking Tskhinval's opinion into account, which inevitably resulted in a loss of confidence in the Organization on the part of South Ossetia and, as a logical result, in problems with the re-establishment of a field mission in South Ossetia.

3. In this connection, a careful and balanced approach should be taken to the possible reorganization of the work of the OSCE Chairmanship in the anti-crisis field. Rather than talking about giving this structure greater flexibility through the expansion of its powers, which in this context means "unaccountability" to the participating States and decision-making bodies, we should instead be talking about making maximum use of the

Chairperson-in-Office's existing capabilities, including in the sphere of preventive diplomacy. The relevant provisions are set out in a number of fundamental OSCE documents, including the Charter for European Security. There is no place for a return to colonial thinking in our Organization, which is founded on collective decisions.

Yet further evidence is the recent example of the response by the Kazakh Chairmanship to the events in Kyrgyzstan. The prompt and effective involvement of the Chairperson-in-Office and his Special Representative in reducing tension confirms the existence among the OSCE Chairmanship's arsenal of sufficient instruments to influence a situation.

4. It must be recognized that increasing the effectiveness of the OSCE in conflict prevention and resolution is impossible without strengthening its legal bases, turning it into a fully fledged international organization that operates according to clear rules that are understandable for all the participating States. We note with regret that at the present time the OSCE is not such an organization. On the contrary, according to fundamental documents, our structure is defined as "a regional arrangement under Chapter VIII of the Charter of the United Nations". A first step – a change of name in 1995 – did not alter the nature of the OSCE. Its conference-based legacy still restricts its work. If we truly want to build up the operational potential of the Organization, including in the anti-crisis area, we cannot avoid adopting an OSCE Charter. Russia, with its allies, submitted such a draft document more than two years ago. We believe that the time has come to give serious thought to its elaboration.

5. The exclusively peaceful means of a settlement and the inadmissibility of the use of force or the threat of force are of major significance in the application of anti-crisis mechanisms. The Tagliavini commission, whose report, I might add, was recently presented by the Swiss diplomat in this room at a meeting of the OSCE Permanent Council, made perfectly clear the tragic consequences of the use of military force by Georgia against the peaceful population of South Ossetia in August 2008. We have drawn attention to the collection of quotes distributed by the Georgian delegation, taken out of context from the Tagliavini commission report under the title "main findings". I might add that that document has nothing in common with the real observations made by the commission's experts.

The main question today as regards the consequences of the Georgian attack on Tskhinval is as follows: why does Georgia stubbornly refuse to assume commitments regarding the non-use of force at a time when Abkhazia and South Ossetia are openly declaring themselves ready to do so at the Geneva discussions on stability and security in the Trans-Caucasus? Anticipating a possible counter proposal from the Georgian side, we should point out straight away that Russia is ready to assume guarantees for the implementation of such commitments, which also involve the non-use of force. However, the parties to such agreements should be the direct parties to the conflicts – Georgia, South Ossetia and Abkhazia. Russia cannot be regarded as a party to the conflict, since it did not attack Georgia and was merely forced to intervene in the interests of protecting the peaceful population of South Ossetia and its peacekeepers. Such activities by the Russian side are fully in keeping with the principles of international law and the Charter of the United Nations.

6. Having dealt with conflicts in the South Caucasus for more than eight years, I should like to take this opportunity to say a few words about Russia's position. There is no point in expecting Russia to change its attitude towards the independence of Abkhazia and South Ossetia or, much less, trying to force it to do so. This is not only useless but also

counter-productive. The decision has been made. This decision is final and irrevocable. As you are aware, every action has an opposite reaction. The events that followed the inevitable repelling of the Georgian aggression against South Ossetia were undoubtedly initially the result of a course of history that no one as yet has been able to reverse. The time has come to recognize the new politico-legal realities in the region and to concentrate at last on a positive agenda for the Trans-Caucasus in the interests of the peoples living there and with a view to ensuring lasting and reliable security. It is time to establish close good-neighbourly relations among all the States of this still unstable corner of the world. And the OSCE, in our view, can and must play a positive role in this.

7. With respect to the thoughts we have heard, the proposals made by Professor Hill seem the most realistic in our view and more importantly could be implemented quickly. They include strengthening and expanding the role of the OSCE Secretariat and, above all, the Conflict Prevention Centre for providing information and assistance. A large institutional memory and collection of factual material have been established in these executive structures. Perhaps we would do well to instruct the senior officials of the Secretariat to place greater emphasis in their day-to-day work on analysing and forecasting situations and on presenting the Permanent Council with various options for response to the particular events in the OSCE's entire area of responsibility, and not just in the former Yugoslavia and Soviet Union.

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

Thank you for your attention.