

Concept Paper

Public discussion

“Current state of the conflict settlement in Georgia, Moldova and Ukraine: Security, Political and Human Rights Implications of the illegal Russian Military presence“ (Riga, 26 February, 2019)

Introduction: Since the proclamation of Independence in 1991, Georgia, Moldova and Ukraine face common threats to Sovereignty and territorial integrity. For many years, the three countries have been actively engaged in the process of peaceful resolution of the conflicts, unfortunately without any progress reached.

Instead of numerous calls and efforts of International Community, Russian Federation continues the blatant violation of principles of International Law, including those enshrined in the UN Charter, Helsinki Final Act and European Convention of Human Rights. Russia’s illegal activities in Ukraine, Georgia and Moldova undermine the European security and the rules based international order. With these activities, Russia continues the policy aimed at retaining the so-called zones of influence over the former Soviet Republics, which started in 1990s.

Despite the openly created obstacles by Russia, the 3 countries Georgia, Moldova and Ukraine have strong determination to benefit of the Eastern Partnership framework and managed to achieve progress in the European integration process. The 3 states signed Association Agreements, which promote political cooperation and economic integration with EU, and with the aspiration to the full-fledged membership.

The panelists will bring to the interested public in Latvia the latest updates in the conflict-settlement processes, national policies and positions.

Background notes:

Georgia

In August 2008, the Russian Federation conducted the full-scale military invasion in Georgia, followed by the illegal occupation of Georgia’s indivisible regions - Abkhazia and Tskhinvali region/South Ossetia. Since then, Russia has been strengthening its military presence on Georgian soil and intensifying the illegal steps towards factual annexation of its occupied territories in full contradiction of International law and the EU mediated ceasefire agreement. Besides, Russia has been provoking Georgia by continuous fortification of the occupation line through installation of barbed wire fences and other artificial barriers, dividing families and depriving the residents of the regions of the right to free movement, property, education and etc. Illegal detentions, kidnappings along the occupation line have become another demonstration of grave human rights violations on the ground. The most tragic incidents however were connected to the deprivation of the right to life.

The security and human rights situation in the occupied regions of Georgia – Abkhazia and Tskhinvali region/South Ossetia remains alarming, especially without any international monitoring on the ground.

Against this background, hundreds of thousands of IDPs and refugees, expelled as a result of ethnic cleansing starting from early 90's, still continue to be deprived of the right to safe and dignified return to their homes. Moreover, occupation power has been actively attempting to remove Georgian trace from the villages by tearing down homes of ethnic Georgians, changing the names of towns, villages and streets.

In response to all these concerning developments, Georgia remains committed to pursue the peaceful conflict resolution policy that is directed towards the de-occupation of Georgian regions, on the one hand, and reconciliation and confidence building between the communities divided by the occupation lines, on the other hand.

The Georgian Government remains in full compliance with the EU mediated 12 August 2008 Ceasefire Agreement. Georgia has many times unilaterally reaffirmed the non-use of force commitment and firmly respected this principle, still awaiting the reciprocity from the Russian side.

Ukraine

Russia launched its well-planned armed aggression against Ukraine on 20 February 2014 with the military operation of its Armed Forces on seizing a part of the Ukrainian territory—Crimean peninsula. Illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol was just the first Russian step aimed at undermining independence and sovereignty of Ukraine. The next step of the Russian aggression was an attempt to destabilize the situation in the eastern and southern regions of Ukraine in order to form a quasi-state “Novorossiya”. Ukraine succeeded to disrupt the full implementation of Russian invasion plans, but Russian regular troops and its proxies occupied certain areas of Donetsk and Luhansk regions of Ukraine.

According to the Office of the United Nations High Commissioner for Human Rights, since the beginning of the Russian aggression against Ukraine more than 3000 civilian people were killed in Donbas including 298 passengers of MH17 flight, as a result of terrorist attack on 17 July 2014, up to 9 000 civilians injured, 2700 soldiers of the Armed Forces of Ukraine killed and 1.5 million IDPs.

Russia continues to illegally occupy Ukraine's Autonomous Republic of Crimea (26 081 km²), the city of Sevastopol (864 km²), certain areas of Donetsk and Luhansk regions (16799 km²)—in total 43744 km² or 7,2% of the territory of Ukraine.

The occupied areas have become a territory of fear and terror, the occupying authorities act by repressive measures, resorting to systematic and large-scale violations of human rights and fundamental freedoms. Economy of Donbas has been completely destroyed. Equipment of main industrial facilities of Donbas was dismantled and transported to the territory of Russia. Situation with flooded mines threatens environmental disaster. Russian authorities do not allow access of

experts for assessing the threats and seeking ways to mend the situation. A 409,7 km section of the Ukrainian-Russian state border in the east remains out of control by the Government of Ukraine.

Moldova

The Transnistrian separatist conflict was inspired from outside Moldova at the end of '80s-beginning of '90s and continuous to receive generous Russian Federation support by all means till today. According to the European Court of Human Rights¹ the separatist regime in Moldova's Transnistrian region was "... set up in 1991-1992 with the support of the Russian Federation, vested with organs of power and its own administration, remains under the effective authority, or at the very least under the decisive influence, of the Russian Federation, and in any event that it survives by virtue of the military, economic, financial and political support given to it by the Russian Federation."

Moldova concluded a cease-fire agreement with Russian Federation in 1992 and despite concluded bilateral treaties and other multilateral arrangements, it struggles to withdraw the Russian Army and its ammunitions from the national territory. Despite the adoption by the United Nations General Assembly Resolution "Complete and Unconditional Withdrawal of Foreign Military Troops from the Territory of the Republic of Moldova" on June 22, 2018, the Russian Federation military activity in the region increased.

The conflict resolution negotiations format 5+2 includes the Republic of Moldova, the separatist regime in Transnistria; the mediators - OSCE, Ukraine and Russia; but also the observers – USA and EU. Moldova implements the policy of positive engagement through confidence building measures aimed to discourage tensions, change realities on the ground and ease the day-to-day life of its citizens residing in the security zone. In contrast, the lack of enforcement of the ECHR decisions engaging the Russian Federation's responsibility for the breaches of human rights in the Transnistrian region of the Republic of Moldova goes against the people legitimate interests and shared European values.

The Role of the International Community

Needless to underline that through destabilizing the security environment in Georgia, Ukraine, Moldova and elsewhere, Russia is testing the resolve of the international society as how far it is willing to go to defend its core principles and values. This is the kind of challenge that no country can address on its own unless the whole international community stays united and robust. It's decisive that the International community stays committed to defending the principles of International law. Russia has to abide the International law and fulfill its international commitments to achieve peace, stability and security in Europe.

¹ European Court of Human Rights Judgement, Case of "Ilascu and others v.Moldova and Russia", 8 July 2004, paragraph 329

Draft Agenda
Public discussion*

“Current state of the conflict settlement in Georgia, Moldova and Ukraine: Security, Political and Human Rights Implications of the illegal Russian Military presence”

Venue: Riga, Strēlnieku iela 4k-2, Riga Graduate School of Law (RGSL), room W42

Date: 26 February 2019

Time: from 10.00 to 11.30

10:00 Welcoming remarks by Prof. Janis Ikstens, Rector of RGSL

10.05 Opening remarks by moderator H.E. Mr. James Pettit, former Ambassador of the USA to the Republic of Moldova

10.10 H.E. Ms. Thea Maisuradze, Ambassador Extraordinary and Plenipotentiary of Georgia

10.25 H.E. Mr. Eugen Revenco, Ambassador Extraordinary and Plenipotentiary of the Republic of Moldova

10.40 Ms. Alisa Podolyak, Charge d’Affaires a.i., Embassy of Ukraine

10.55 Guest speaker: H.E. Mr. Ilgvars Klava, Ambassador, Head of Bilateral Relations Directorate, Ministry of Foreign Affairs of Latvia

11.10 Q&A

11.25 Conclusions by the moderator

11.30-12.30 Refreshments will be offered during the informal talks

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