



SECURITY COUNCIL REPORT UPDATE REPORT



18 July 2008 No. 3

Georgia

Expected Council Action

The Council is expected to have a private (closed) debate on Georgia on 21 July. Georgia requested the meeting on 10 July to discuss the intrusion of Russian military aircraft into Georgian airspace on 8 July. Germany will also attend the meeting as the lead country in the Secretary-General's Group of Friends of Georgia.

Key Recent Developments

On 10 July, Georgia wrote to the president of the Council to request, in accordance with article 35 of the UN Charter, a meeting of the Council with the participation of the Georgian representative to discuss the overflight of Russian military aircraft in Georgian air space. Under article 35 of the Charter:

"[a]ny Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly."

However, a request under article 35 does not automatically trigger a Council meeting. That requires a Council decision under the Provisional Rules of Procedure.

Once a meeting has been convened it is then up to the Council to decide to take action, including for instance under [article 34](#) to:

"...investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security."

On 10 July Russia admitted its fighter jets had flown over the breakaway Georgian territory of South Ossetia two days earlier. The Russian foreign ministry issued a statement that said that the flights took place "to prevent bloodshed and to keep the

situation within legal and peaceful bounds.” It went on to say that the step had helped “cool hot heads” in Tbilisi and prevented the use of force. It also claimed that Russia had received information that Georgian troops were preparing a military operation in South Ossetia to free four Georgian soldiers who had been arrested in South Ossetia.

Georgia called the statement an “unprecedented acknowledgement of aggression” and called on major powers to condemn Russia. It also recalled its ambassador from Moscow in protest.

NATO said on 15 July that it was “concerned” by Russia's statement that its military aircraft deliberately overflew Georgian territory and that the action raised questions about Russia's role as a peacekeeper in Abkhazia and facilitator of talks between Tbilisi and Sukhumi.

On the day Russia admitted to flying over Georgian air-space, US Secretary of State Condoleezza Rice was in Tbilisi where she called for international mediators to take a bigger role in defusing tensions in the region. This week German Foreign Minister Frank-Walter Steinmeier introduced a new approach for calming tensions developed under the framework of the Secretary-General's Group of Friends (Germany leads the Group which consists of the US, UK, Germany, France, Russia and, in New York, Croatia) when he visited Tbilisi, Batumi (where he met Georgian President Mikhail Saakashvili) and Sukhumi. Over the week-end he will visit Moscow where he is expected to have talks with Russian Foreign Minister Sergei Lavrov. The three-phase peace plan envisages a first phase of confidence-building measures, including an end to violence and the return of Georgian refugees to Abkhazia; a second phase of reconstruction; and a final stage focusing on defining the status of Abkhazia. While the proposal is still being refined, initial reactions from Russia and Abkhazia have not been encouraging. Sukhumi called the plan “unacceptable” as Abkhazia is not open to discussing its status and indicated that talks are only possible with Tbilisi if it signs a treaty on non-use of force and withdraws its troops from the upper Kodori Gorge. Tbilisi has said it will not renounce the use of force. Russia appears sceptical of a plan that suggests the return of Georgian refugees to Abkhazia before the situation calms down.

Russian Foreign Minister Sergei Lavrov and US Secretary of State Condoleezza Rice discussed the situation in Georgia during a telephone conversation on 16 July. High level discussions are expected to continue in the next several weeks. French Foreign Minister Bernard Kouchner has said that he will visit Georgia in September in France's capacity as EU president.

The relations between Russia and Georgia have been very tense in recent weeks. Over the weekend of 5–6 July a series of explosions took place in Abkhaz-controlled territory as well as near the ceasefire line on Georgian territory. Four people were killed and sixteen injured. One staff member of UN Observer Mission in Georgia (UNOMIG) was killed and another injured. On 7 July, the Secretary-General condemned the explosions and called for an immediate and thorough investigation of the incidents.

On 8 July Russia circulated a draft resolution on the explosions to members of the Council. Among the key points were:

- a demand for the parties to finalise and sign a document on non-use of violence;
- a request for the Georgian side to take steps to ensure that the situation in the Kodori Valley is brought in line with the 1994 Moscow Agreement and that no unauthorised troops are in that area; and
- a request for the parties, particularly Tbilisi, to refrain from provocative acts, not allow unauthorised military activities in the security zone and resume regular consultations.

On 9 July, the Council held consultations at the expert level on the draft, and it was decided that the matter would be referred to the Group of Friends as some members felt that it was unbalanced and required further negotiation. (The Group of Friends has been in charge of drafting resolutions on Georgia for some years now.) It was agreed in the Group of Friends that a presidential statement would be a more appropriate response. At the time of writing the document was still being negotiated. It appears that if there is no consensus by early next week the statement is unlikely to be issued at this time.

On 15 July, Georgia's parliament unanimously approved an increase of its armed forces by 5,000 soldiers and a 26.8 percent rise (\$209 million) in annual military spending. These increases bring the armed forces to 37,000 and the total military expenditure for the year to \$989.3 million.

Options

The most likely option is for the Council to have a discussion but take no action.

A possible, but unlikely option given Russia's direct involvement, is a presidential or press statement expressing concern over the violation of Georgia's territorial integrity.

Given the sharp escalation of tensions this year, if the Council chooses to play a more active role, one option is for a Council mission to Georgia, South Ossetia and Abkhazia to assess the situation and speak with the parties involved.

Key Issues

The key issue for the Council is what role it can play in calming tensions in the region. The continuing escalation of provocative acts risks eruption into violence if left unchecked.

Another issue is whether the Council needs to recalibrate its focus on Georgia. Over the years, it has focused largely on the situation in Abkhazia and the UNOMIG role there, but given the increase in tensions there may be a need to widen the Council's scope so that it can consider the situation in a more integrated and comprehensive manner.

A future key procedural issue, if it is determined that Russia has become a “party” to the conflict, is what to do if Russia does not agree to “obligatory abstention” from voting on substantive proposals related to the conflict. (Please see our 29 May 2008 *Update Report* for more details on this procedural issue.)

Council Dynamics

While events have heightened the awareness in the Council of the need to focus on this issue, most members do not expect the Council to be able to take any substantive action at this point. The increasing involvement of a permanent member of the Council, Russia, in the conflict has become an additional layer of complexity in an already divisive situation within the Council. Clear US support for Georgia and Russian backing for Sukhumi have already coloured Council positions in the past.

Rather than get too involved many of the other members appear to prefer to let the Group of Friends, led by Germany, take on the task of working out a new plan to bring the parties together. However, if the situation continues to escalate, the Council may have to focus more of its attention and energy on this issue in the future.

UN Documents

Latest Security Council Resolution
<ul style="list-style-type: none">• S/RES/1808 (15 April 2008) extended UNOMIG until 15 October 2008.
Selected Secretary-General’s Report
<ul style="list-style-type: none">• S/2008/219 (2 April 2008) was the latest Secretary-General’s report on the situation in Abkhazia.
Selected Letters to the President of the Council
<ul style="list-style-type: none">• S/2008/453 (10 July 2008) was the letter from Georgia requesting a meeting of the Council to discuss the Russian military aircraft intrusion into Georgian airspace.• A/62/904-S/2008/450 (8 July 2008) was Georgia’s statement on the explosions in Abkhazia• S/2008/342 (27 May 2008) was the letter from Georgia asking for a meeting of the Council over the downing of an unmanned aerial vehicle.• A/62/830-S/2008/299 (5 May 2008) was the letter from Georgia stating that drones were downed on 4 May 2008.