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Freedom in the World 2012 - South Ossetia

2012 Scores

Status: Not Free
Freedom Rating: 6.5
Civil Liberties: 6
Political Rights: 7

Overview

As South Ossetia's November 2011 presidential election approached, officials loyal to outgoing president Eduard Kokoity jailed and threatened opposition figures and changed legislation to prevent the registration of certain candidates. Leading opposition candidate Alla Dzhioyeva appeared to come out ahead in a November 27 runoff against Moscow-backed candidate Anatoly Bibilov, but the Supreme Court annulled the vote over significant electoral violations and called for a repeat election in March 2012, touching off a series of protests. The parliament rejected the terms of a Russian-brokered compromise, and the dispute remained unresolved at year's end. The political standoff took place in a general atmosphere of intimidation and occasional violence, with both Russian officials and the South Ossetian leadership suggesting the annexation of the territory by Russia.

South Ossetia first declared its independence from Georgia in 1920, igniting a war that left thousands dead. Both Georgia and South Ossetia were incorporated into the Soviet Union in 1922, with South Ossetia designated an autonomous *oblast* (region) within Georgia.

As Georgian nationalism grew toward the end of the Soviet era, a South Ossetian independence movement called unsuccessfully for the oblast to be upgraded to a republic in 1989. South Ossetia declared full independence from Georgia in 1990, prompting Tbilisi to abolish its autonomous status. Fierce fighting broke out in January 1991, resulting in a thousand deaths and civilian displacement on both sides; some 40,000 to 100,000 Ossetians fled to North Ossetia in Soviet Russia. In March 1991, a reported 99 percent of South Ossetian referendum voters endorsed independence, and 90 percent voted in favor of seeking to join Russia in a January 1992 referendum, after the final dissolution of the Soviet Union. Both plebiscites were rejected by Tbilisi.

In June 1992, a ceasefire agreement established a Russian-led peacekeeping force, and the Organization for Security and Cooperation in Europe was put in charge of monitoring the ceasefire and facilitating negotiations on a permanent resolution of the conflict.

Torez Kulumbegov led separatist South Ossetia from 1992 to 1993. He was succeeded by Lyudvig Chibirov, who went on to win the newly created post of president in 1996. After a period of relatively cordial relations with Tbilisi, the 2001 election of hard-liner Eduard Kokoity as president of South Ossetia renewed tensions. His Unity Party took the majority of seats in 2004 parliamentary elections; though four seats were reserved for the territory's ethnic Georgian population, only five Georgian villages were able to vote. All of the separatist regime's elections went unrecognized by Georgia and the international community.

In May 2004, recently elected Georgian president Mikheil Saakashvili ordered a campaign to dismantle the multimillion-dollar smuggling operation controlled by Kokoity's regime, triggering skirmishes and causing Ossetians to rally around Kokoity. The two sides agreed to a ceasefire in August, but the separatist government in Tskhinvali rejected Saakashvili's proposal for expanded South Ossetian autonomy in September.

South Ossetia held a joint referendum and presidential election in November 2006, with 99.8 percent of voters on Ossetian-controlled territory reaffirming the bid for independence, according to Tskhinvali. Kokoity, who faced no genuine opposition, was reelected with a reported 98.1 percent of the vote. On the same day, Tbilisi organized a similarly lopsided election and referendum in South Ossetia's Georgian-controlled areas, but the resulting pro-Georgian government was never able to draw significant support away from separatist institutions.

Following weeks of skirmishes along the border, Tbilisi launched an attack on Tskhinvali on August 7, 2008. Russia immediately retaliated by sending troops into South Ossetia, pushing back Georgian forces. Russia also invaded Georgia via Abkhazia, another breakaway Georgian territory in the northwest. Both sides had signed a French-brokered ceasefire by August 16, and Russia eventually withdrew its troops to the confines of South Ossetia and Abkhazia. However, separatist forces retained some territory that was previously controlled by Tbilisi. Moscow, defying international criticism, formally recognized South Ossetia and Abkhazia as independent states on August 26 and subsequently concluded bilateral security agreements with the separatist governments, augmenting its long-term military presence.

In May 2009, South Ossetia held parliamentary elections that resulted in a legislature dominated by Kokoity supporters. The victory came amid accusations that Kokoity had shut out and threatened opposition parties. Public discontent with Kokoity increased further during the postwar reconstruction process, which remained painfully slow throughout 2009 and 2010 despite an influx of Russian aid. Many Ossetians accused Kokoity of embezzlement, and in December 2009, Russian officials released a report finding that only a fraction of the money had been used for its intended purposes. Tskhinvali residents mounted several protests over the reconstruction issue in 2010.

In June 2011, the parliament rejected efforts by Kokoity supporters to lift term limits and allow him to participate in a presidential election set for November. Eleven candidates ultimately ran in the first round of voting on November 13, including several Kokoity loyalists; six other candidates were forced or pressured to withdraw. Opposition candidate Alla Dzhioyeva, a former education minister, and Moscow-backed candidate Anatoly Bibilov, South Ossetia's emergency situations minister, each won about 25 percent of the vote and advanced to the November 27 runoff.

Preliminary results on November 28 gave Dzhioyeva nearly 57 percent, but the Supreme Court annulled the balloting after finding significant electoral violations, ordering a new vote in March 2012. The ruling triggered protests by opposition supporters. Under a Russian-brokered deal reached in early December, Dzhioyeva agreed to accept the court's ruling so long as Kokoity stepped down immediately and the parliament fired the prosecutor general and the Supreme Court chairman. Kokoity duly handed power to prime minister Vadim Brovtsev, but the parliament rejected the other conditions, leading to a standoff that remained unresolved at year's end.

Russia significantly expanded its control over the territory during 2011, and talk of annexation gained momentum in August, when Putin himself raised the possibility of a merger. The issue was politically divisive in South Ossetia, with Dzhioyeva and the

opposition firmly against joining Russia, and Bibilov and many Tskhinvali officials already pushing to start the unification process.

Political Rights and Civil Liberties

Under the separatist constitution, the president and the 33-seat parliament are elected for five-year terms. South Ossetian elections are not monitored by independent observers or recognized by the international community. Most ethnic Georgians have either declined or been unable to participate in such elections.

During the May 2009 parliamentary elections, opposition parties reported significant violations, including alleged coercion of voters in favor of President Eduard Kokoity's supporters. Opposition representation was also reduced as a result of 2008 election laws, which set a 7 percent vote threshold for parties to enter the parliament and required all lawmakers to be elected by proportional representation.

The 2011 presidential election campaign period featured violence and other abuses by Kokoity's government. The leading opposition candidates were prevented from registering after a 10-year residency requirement was added to the constitution in April. Other opposition candidates were beaten or jailed, and one senior member of a recently disqualified candidate's party was murdered in North Ossetia in October.

Russia exerts a dominant influence on South Ossetian politics, and its degree of control increased substantially after the 2008 war. Russians reputedly endorsed by Moscow held key cabinet positions in 2011, including the premiership. Also during the year, the South Ossetian parliament signed a 49-year agreement allowing Russia to build and operate a new military base in Tskhinvali; there were already over 4,000 Russian troops stationed in the territory.

Corruption is believed to be extensive. In 2010, Kokoity's administration faced pressure from Russia and the public to curb the alleged embezzlement of funds earmarked for postwar reconstruction, which became a major pledge of the 2011 presidential candidates. Before the war, the territory reportedly hosted large-scale smuggling and black-market activities.

South Ossetia's local electronic and print media are almost entirely controlled by separatist authorities, and private broadcasts are prohibited. Foreign media, including broadcasts from Russia and Georgia, are accessible. Independent or opposition-oriented journalists in the territory face various forms of intimidation. In March 2011, in what was seen as a politically motivated case, the son of opposition journalist Fatima Margiyeva was convicted of manslaughter for his friend's death by drug overdose and was sentenced to 15 months in jail. Margiyeva had received a two-year suspended prison sentence for weapons possession in 2010.

Freedom of religion has sometimes been adversely affected by the political and military situation. While the majority of the population is Orthodox Christian, there is a sizeable Muslim community, many members of which migrated from the North Caucasus. The educational system reflects government views, and many South Ossetians receive higher education in Russia.

While antigovernment protests were extremely rare before the 2008 war, opposition groups mounted demonstrations following the flawed 2009 elections, and Tskhinvali residents have protested repeatedly in response to the slow postwar construction of new homes and alleged government corruption. In 2011, one human rights activist was beaten and another threatened after leading such demonstrations. Opposition supporters held persistent peaceful protests after the presidential runoff was annulled in late November, though Kokoity at one point said they were unauthorized gatherings and security officials warned of possible violence. Civil society groups operate under the close scrutiny of the authorities, and activists are subject to intimidation.

South Ossetia's justice system has been manipulated to punish perceived opponents of the separatist leadership, while government allies allegedly violate the law with relative impunity. Russian prosecutors have attempted to curb malfeasance by local officials, but the Russian court system itself remains deeply flawed.

Indiscriminate attacks by both sides in the 2008 war killed and displaced civilians, and Ossetian forces seized or razed property in previously Georgian-controlled villages. Authorities in South Ossetia have barred ethnic Georgians from returning to the territory unless they renounce their Georgian citizenship and accept Russian passports. The de facto border with Georgia was tightened in 2011, with several Georgians subjected to detention by Ossetian and Russian border guards. Russian authorities have prevented ethnic Ossetians from entering Georgia, but travel to Russia is unimpeded.

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