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Freedom in the World 2009 - South Ossetia (Georgia)

Capital:

Population:

70,000

Political Rights Score: 7

Civil Liberties Score: 6

Status: Not Free

Overview

After weeks of skirmishes along the de facto border between separatist South Ossetia and Georgia proper, Georgian forces on August 7, 2008 launched an assault on the South Ossetian capital, Tskhinvali, leading Russia to invade the country. After hundreds of people died on both sides and thousands of ethnic Georgians were displaced from their homes, Moscow on August 26 recognized the independence of South Ossetia despite widespread international criticism. Russia's subsequent political and economic takeover of South Ossetia effectively squelched any chance that the region would be reintegrated into Georgia in the foreseeable future.

South Ossetia first declared its independence from Georgia in 1920, amid the turmoil that followed the Russian Revolution and World War I. The bid was rejected by Georgia during its own brief period of independence, igniting a war that ultimately left thousands dead. Soviet forces invaded Georgia in 1921, and the Soviet Union declared South Ossetia an autonomous *oblast* (region) within Georgia in April 1922. With the Ossetians exercising modest control over the territory, Georgian-South Ossetian relations were marked by relative peace and stability during the Soviet period.

By 1989, a South Ossetian independence movement had arisen, partly in response to growing nationalism in Georgia. The movement demanded that the oblast be upgraded to a republic, a step that was rejected by Georgia. In 1990, South Ossetia declared full independence from Georgia, prompting Tbilisi to abolish South Ossetia's autonomous status. Fierce fighting broke out in January 1991, resulting in a thousand deaths and displacement on both sides; some 40,000 to 100,000 Ossetians fled to North Ossetia, then part of the Russian Soviet Federated Socialist Republic. In March 1991, a reported 99 percent of South Ossetian referendum voters endorsed the push for independence, and 90 percent voted in favor of joining Russia in a January 1992 referendum, after the final dissolution of the Soviet Union. Both plebiscites were rejected by Tbilisi.

In June 1992, the Sochi Agreement – a ceasefire pact signed by Tbilisi, Moscow, and Tskhinvali – established a Russian-led peacekeeping force with Georgian and Ossetian components. It also created the Joint Control Commission (JCC), a negotiating framework that focused on security issues, economic rehabilitation, and the return of internally displaced persons (IDPs); the commission was cochaired by Georgia, Russia, and South and North Ossetia. The Organization for Security and Cooperation in Europe (OSCE) was put in charge of monitoring the ceasefire and facilitating negotiations.

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. Parliamentary elections were held in 1994, with the South Ossetian Communist Party capturing a narrow majority.

Though relations between Georgia and South Ossetia were calm and often cordial for the rest of the 1990s, the 2001 election of hard-liner Eduard Kokoity as president of South Ossetia renewed tensions. Kokoity led the first round of voting with 47 percent, followed by Communist Party regional leader Stanislav Kochiyev with 24 percent and Chibirov with 21 percent. Kokoity won the second round with 55 percent. 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. Georgian Interior Ministry troops were sent into the region, bombing roads and using military force to shut down the Ergneti Market, a major trading post and smuggling center. Tensions soon escalated, with dozens of people killed in August amid fears of all-out war. Ossetians, many of whom depended on the market for their livelihood, rallied around Kokoity. By August 19, the sides had agreed to a ceasefire, and in September, Saakashvili offered South Ossetia a proposal for expanded autonomy that was rejected by Tskhinvali.

South Ossetia held a joint referendum and presidential election on November 17, 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, Georgian authorities organized a parallel election and referendum for South Ossetia's Georgian-controlled areas. Dmitry Sanakoyev, an ethnic Ossetian and South Ossetia's former defense minister, won the presidency with the support of about 96 percent of the 57,000 participating voters, according to the electoral commission established for the poll. A reported 94 percent voted in favor of a referendum calling for South Ossetia to form a federation with Georgia. Neither the separatist nor the Tbilisi-backed election was monitored by international organizations.

In 2007, Sanakoyev's parallel government was renamed as a provisional administrative unit, with a base of operations in Kurta, a Georgian-controlled city in South Ossetia. Though the project was cautiously approved by the international community, Sanakoyev, considered a traitor by many Ossetians, was never able to draw significant support away from Kokoity.

Following weeks of skirmishes along the border, tensions peaked in the summer of 2008, with Tbilisi launching an attack on Tskhinvali on August 7. Russia immediately retaliated by sending tanks and ground troops into South Ossetia, pushing back Georgian forces and expanding the zone of conflict by blocking Georgian ports and bombing Georgian civilian and industrial sites. On August 11, though Saakashvili had withdrawn Georgian troops from South Ossetia and called for a ceasefire, Russia opened a second front, sending Russian troops from Abkhazia, Georgia's other breakaway region, into the nearby Georgian town of Senaki. Though both sides had signed a French-brokered ceasefire by August 16, Russia continued its invasion, advancing into the Georgian city of Gori and

only removing its troops on August 22, four days after the promised withdrawal date.

In a move that was denounced by the international community, Russia formally recognized the independence of South Ossetia and Abkhazia on August 26, and it later confirmed plans to keep Russian troops in both territories. The OSCE, which had monitored the conflict for 16 years, subsequently announced that it would be ending its mission in early 2009 due to Russia's refusal to extend its mandate unless the organization recognized the independence of South Ossetia and Abkhazia.

Russia has started several economic rehabilitation projects in South Ossetia, including the construction of a gas pipeline, a water system, and a \$100 million neighborhood funded by Moscow mayor Yuri Luzhkov on the site of a former Georgian-controlled village. The OSCE has reported that several of the economic projects it had funded in the region were deliberately destroyed by Ossetian forces. Russia's Chamber of Control said it planned to audit all funds entering the region, which was considered another move by Russia to control the territory and reduce Kokoity's remaining degree of independence.

In October, Western donors pledged \$4.5 billion to aid Georgia's war recovery efforts.

Political Rights and Civil Liberties

Due to an increasing lockdown by the Russian authorities, little information about South Ossetia's internal situation was available by year's end.

Though South Ossetia has previously conducted elections, they were not monitored or recognized by independent observers, and the lack of legitimate alternate presidential candidates all but ensured victory for separatist leader Eduard Kokoity in 2006. Most ethnic Georgians either declined to or were unable to participate in such elections.

Under South Ossetia's separatist constitution, the president and the 33-seat parliament are both elected for five-year terms. The composition of the government changed rapidly after the war, with Kokoity dismissing his cabinet in October 2008 and replacing most ministers with officials from Russia, allegedly under pressure from Moscow. Aslanbek Bulatsev, a former North Ossetian tax chief, was named prime minister, but he resigned in December amid reports in Russian newspapers of a power struggle between Russia and South Ossetians for control of the territory.

Corruption in South Ossetia is believed to be extensive, though the region was not listed separately on Transparency International's 2008 Corruption Perception Index. The Georgian authorities have accused South Ossetian authorities with involvement in human trafficking, and South Ossetia has been linked to extensive smuggling operations. In 2006, the U.S. Secret Service and the Georgian police uncovered an international counterfeiting operation in South Ossetia, with more than \$20 million in fake bills circulating in the United States and other countries. A Russian citizen was also arrested in 2006 for smuggling weapons-grade uranium through the region.

There is currently little information about access to media in South Ossetia. It is assumed that television and radio broadcasts from Georgia have been blocked since the war. Electronic media are controlled by the state and reflect government positions. The State Committee on Information and Press maintains an English- and Russian-language website that is updated regularly.

The South Ossetian Orthodox Church, which is unrecognized by both the Georgian and Russian Orthodox Churches, continues to practice freely, according to religious monitoring group Forum 18. The government has not restricted academic freedom in the past, with many South Ossetians receiving higher education in North Ossetia or Moscow.

While there were several nongovernmental organizations working in South Ossetia before the war, at least one South Ossetian nongovernmental organization that claims to

be independent has been linked to the government. In December 2008, the founder of an allegedly independent organization for democracy and human rights was recorded providing information to the South Ossetian intelligence service during a visit to Washington, as reported by the Associated Press.

South Ossetia's pre-war criminal code adhered to Georgia's Soviet-era criminal code of 1961 as well as to the 1996 Russian Federation criminal code. Though the death penalty exists in law, South Ossetia has maintained an unofficial moratorium on executions since 1996.

The human rights and humanitarian situation in South Ossetia was dire in 2008. Human Rights Watch (HRW) recorded a number of "indiscriminate and disproportionate" artillery and ground attacks by Georgian forces on South Ossetian civilians, as well as indiscriminate aerial, artillery, and ground attacks by Russian forces that killed and wounded Georgian civilians. According to HRW, some 160 civilians were unlawfully detained by Russian and Ossetian forces under degrading conditions; at least one detainee was killed. At least four Georgian prisoners of war were tortured, with at least three executed.

Ossetian forces razed homes and seized property in previously Georgian-controlled villages, killing at least nine civilians and raping at least two. Ethnic Georgians in one Russian-occupied region of South Ossetia have been subject to harassment, with the possible closure of its border with Georgia proper.

The Sanakoyev-led South Ossetia provisional administration has been moved to Tbilisi, and is now primarily focused on IDP issues. Around 25,000 of the almost 130,000 ethnic Georgians who fled their homes during the war were not expected to return home in the foreseeable future. Within months after the war, the Georgian government, under the auspices of the Georgian Ministry of Interior, constructed almost 4,000 homes for the displaced population and rehabilitated more than 9,300 homes in the buffer zone with South Ossetia.

Before the war, ethnic Ossetians were able to travel freely into Russia and relatively freely into Georgia as well. Russian authorities have since restricted ethnic Ossetians from entering Georgia. Recognized by Russia as citizens of the country, South Ossetians can travel freely into Russia.

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