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Freedom in the World 2016 - South Ossetia

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Freedom Status: Not Free

Aggregate Score: 11

Freedom Rating: 6.5

Political Rights: 7

Civil Liberties: 6

Quick Facts

Capital: Tskhinvali

Population: 51,547

GDP/capita: N/A

Press Freedom Status: N/A

Net Freedom Status: N/A

OVERVIEW

South Ossetia's foreign relations were a prominent topic of public discussion during the year, and fomented discord in the territory's legislature between proponents and critics of closer ties with Russia. In March, South Ossetia's de facto president, Leonid Tibilov, signed a sweeping bilateral treaty on the territory's alliance and integration with the Russian Federation. The agreement aims to synchronize South Ossetia's security and border mechanisms with those of Russia, among other goals. The international community, particularly Georgia, condemned the agreement, arguing that its terms give Moscow excessive control over the territory.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 2 / 40 (+1)

A. Electoral Process: 2 / 12

Under the South Ossetian constitution, the president and the 34-seat parliament are elected for five-year terms. Elections held by the separatist government are not monitored by independent observers or recognized by the international community. Most ethnic Georgian residents have either declined or been unable to participate in elections since separatist forces first seized land in the early 1990s and expanded their control in a 2008 war.

The most recent presidential election was held in 2012, after the Supreme Court invalidated a 2011 vote based on questionable claims of electoral violations. In the second round of the 2011 election, polls had shown Alla Dzhioyeva, a former education minister who opposed Russian annexation of South Ossetia, to be the winner. A new election was called amid protests by Dzhioyeva's supporters, with Dzhioyeva herself barred from running. Four new candidates, all favorable to Russia, competed in 2012. Tibilov, who had led South Ossetia's Committee for State Security in the 1990s, received 42 percent of the vote, followed by human rights ombudsman David Sanakoyev with 25 percent. Tibilov won the runoff with 54 percent.

Parliamentary elections held in 2014 were a substantial improvement from previous ones. Unlike in the 2009 vote, in which only three parties were able to participate, candidates from nine parties succeeded in registering in 2014. The opposition United Ossetia, led by former presidential contender Anatoliy Bibilov, won 20 seats, followed by the Unity of the People party with six seats. The People's Party and Nykhas each captured four seats.

Tibilov, an independent, did not openly support any party. Officials did not arbitrarily bar parties from participating, and of the several individuals who had been denied registration because of alleged failure to meet the five-year residency requirement, the majority were able to register after appealing to the Supreme Court.

B. Political Pluralism and Participation: 2 / 16

In line with his campaign pledge of national unity, Tibilov included members of the opposition in his government. Sanakoyev took the post of foreign minister, Dzhioyeva became deputy prime minister, and Bibilov kept his position of emergency situations minister. Although not all appointees have retained their posts, Tibilov's presidency has signaled some political liberalization. A number of new political parties have been able to register in recent years. These include Bibilov's United Ossetia, which won the most seats in the 2014 elections; New Ossetia, headed by Sanakoyev; and Dzhioyeva's Freedom Square. In contrast, in the lead-up to the 2011 presidential vote, leading opposition figures were prevented from registering, and some opposition candidates were beaten or jailed.

Geopolitical considerations are a major force behind officials' political choices and heavily affect party politics. Tibilov has significantly increased ties with Russia, and officials endorsed by Moscow have gained or maintained key government positions in recent years, many appointed directly by Russia or from Russia's North Ossetia-Alania republic. The year 2015 featured growing antagonism between United Ossetia and the minority parties in the legislature over South Ossetia's relations with Russia and Georgia. In March, 19 United Ossetia legislators passed a vote of no confidence in Sanakoyev, reportedly in reaction to the foreign minister leaking an early draft of the integration treaty with Russia. The foreign minister, who released the draft in January, strongly opposed the treaty's broad provisions for Russian control over South Ossetian security and defense. United Ossetia deputies – strongly favoring closer ties with Moscow – viewed Sanakoyev as an hindrance on negotiations, and Bibilov publicly denounced him for the leak days before the March vote. Tibilov refused to dismiss Sanakoyev, leading legislators to schedule a second vote for April. Although the motion failed amid a boycott by the three minority parties, Tibilov reserved his position and terminated Sanakoyev's appointment shortly thereafter, moving him to the post of state adviser; the maneuver was reportedly intended to prevent further parliamentary conflict.

In 2013, Russian president Vladimir Putin appointed Vladislav Surkov, the reputed architect of Russia's nominally pluralistic but tightly managed party system, as his presidential aide responsible for social and economic issues in South Ossetia and Abkhazia.

C. Functioning of Government: 0 / 12

The ability of elected officials to determine and implement policy is heavily influenced by the Russian government. Both Tibilov and opposition figures have spoken repeatedly of formally uniting the territory with Russia's North Ossetia or joining the Russian Federation directly.

South Ossetian officials reached an agreement on border regulation with Moscow in February 2015. The following March, Tibilov and Putin signed a sweeping treaty on alliance and integration. The bilateral agreement, which is binding for 25 years with the possibility of 10-year extensions, closely integrates South Ossetia's defense, security, and customs mechanisms – among other things – with those of Russia, and charges Moscow with protection of the territory's borders. The treaty received wide condemnation from the international community for giving broad control of the territory to the Russian state. In October, Tibilov announced plans to hold a referendum on the question of South Ossetia's incorporation into the Russian Federation. Officials had not set a date or announced further details at year's end.

The March treaty was the latest in a number of agreements expanding Russia's influence over South Ossetia. A 2013 agreement on interparliamentary cooperation aimed to harmonize Ossetian laws with Russian legislation; a memorandum of cooperation on antiterrorism was signed in 2013 to enhance security and border protection; and a 2011 agreement gave Russia the freedom to build and operate military bases in the territory for 49 years. Roughly 4,000 Russian troops remain stationed in South Ossetia.

Russian aid comprises almost the entirety of South Ossetia's budget, and financial processes and decisions are largely nontransparent. Having pledged to root out his predecessor's allegedly rampant corruption and increase stability, Tibilov initiated an investigation in 2012 into suspected embezzlement involving former president Eduard Kokoity and the disbursal of Russian funds earmarked for postwar reconstruction; a number of allegedly corrupt officials were replaced in the process.

Discretionary Political Rights Question B: -2 / 0 (+1)

During the 2008 war, Ossetian forces seized or razed property in previously Georgian-controlled villages, and large numbers of ethnic Georgians fled the fighting. Authorities in South Ossetia have since barred ethnic Georgians from returning to the territory unless they renounce their Georgian citizenship and accept Russian passports. Of approximately 20,000 ethnic Georgians displaced from their homes in South Ossetia, most have not been able to return. However, conditions for local residents have largely stabilized since the war, particularly due to the absence of open conflict across the administrative line separating the territory from Georgia.

Civil Liberties: 9 / 60

D. Freedom of Expression: 4 / 16

Local media are almost entirely controlled by the authorities. Self-censorship is pervasive, although according to local journalists, outlets have been able to operate under gradually more open conditions since the war. South Ossetia's state broadcasters are subject to frequent blackouts and technical interruptions, and an increasing number of residents rely on online outlets for news and other information. Foreign media, including broadcasts from Russia and Georgia, remain accessible.

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 planned construction of a Russian Orthodox house of worship in Tskhinvali has encountered opposition from local residents. While some merely disagree with the design and placement of the church, other critics

have called the plan an intrusion, noting that the Georgian Orthodox Church retains official jurisdiction over the South Ossetian Orthodox Church.

The government exerts influence over the education system. Many South Ossetians receive higher education in Russia. Private discussion is constrained by the sensitivity of some topics, particularly the territory's foreign relations and geopolitical standing.

E. Associational and Organizational Rights: 1 / 12

While antigovernment protests were extremely rare before the 2008 war, opposition groups mounted demonstrations following the flawed 2009 elections, and Tskhinvali residents protested repeatedly over the slow postwar reconstruction process and related government corruption. In the run-up to the 2014 parliamentary elections, groups were generally able to assemble to support different candidates and platforms without significant intimidation or harassment.

Though some nongovernmental organizations (NGOs) operate in the territory, most are subject to government influence and receive funding from Russia. Activists operate under the close scrutiny of the authorities and have been subject to intimidation in the past. In July 2015, security forces in South Ossetia interrogated Larisa Sotieva, a senior advisor for the United Kingdom-based peacebuilding NGO International Alert, and accused her of committing espionage and teaching local residents how to engineer "color revolutions." After the interrogation, officials banned Sotieva from implementing any International Alert projects in the territory. In October, the leaders of two prominent local NGOs – the Association for Social, Economic, and Cultural Development of South Ossetia and the Women's Association for Democracy and Human Rights – announced that they were preparing to dissolve their organizations due to increasing scrutiny and pressure by officials.

Amendments made to NGO legislation in 2014 increased the oversight capacity of local authorities over NGO activity and subjected organizations with foreign funding to broader and more frequent reporting requirements. The legislation is similar to Russia's infamous "foreign agents" law of 2012.

F. Rule of Law: 1 / 16

South Ossetia's judiciary is not independent. The justice system has been manipulated to punish perceived opponents of the separatist leadership, while government allies reportedly continue to 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.

Physical abuse and poor conditions are reportedly common in South Ossetian prisons and detention centers. Arbitrary arrests of ethnic Georgians have been reported. In April 2015, on Tibilov's initiative, legislators passed an amnesty act that pardoned or reduced the sentences of 20 convicts.

G. Personal Autonomy and Individual Rights: 3 / 16

Freedom of movement in and out of the territory is restricted. Russian authorities have prevented ethnic Ossetians from entering Georgia, but travel to Russia – primarily through the strategic Roki Tunnel, the only land route linking the country to South Ossetia – remains largely unimpeded. Russian troops have been known to detain Georgian nationals near the administrative border for illegal crossing, but usually release detainees with a fine. In July 2015, Georgian officials accused Moscow of violating international law after Russian servicemen moved South Ossetia's administrative border as far as one kilometer further into Georgian territory.

The territory's political and military situation has negatively affected protections for property rights, particularly for local residents close to the administrative border. The extension of the border in July affected private property, with some landowners reporting loss of access to farmland. The territory's high unemployment rate, lacking industry, and poor administrative coordination have all contributed to difficulties in advancing economic reform.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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