

Country/entity	Georgia Russia Ossetia
Region	Europe and Eurasia
Agreement name	Memorandum on Measures of Providing Safety and Strengthening of Mutual Confidence between the Sides in the Georgian-Ossetian Conflict
Date	16 May 1996
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Georgian Separatist Conflicts (1989 -)

The Abkhazia-Georgia Conflict (1992 -)

Much like other conflicts that sprung up in the wake of the collapse of the Soviet Union, the Abkhazia conflict emerged as an ethnic conflict following heightened nationalist awareness among Abkhaz and other minorities residing in the region. In 1978, protests against the Georgianization of Abkhazia emerged from Abkhaz intellectuals. Towards the end of the 1980s, both Georgian and Abkhaz nationalists demanded independence from the Soviet Union. Tensions began following clashes at Sukhumi University between pro-Unity protestors and Abkhaz nationalists in April-July 1989. However, the conflict remained a legal conflict up until August 1992 following the 1991 elections, wherein Abkhazians felt they were under-represented. War broke out between Abkhaz separatists, supported by Russian forces and hired fighters from the North Caucasus. Within Abkhazia, Abkhaz separatists were generally supported by ethnically Armenian and Russian residents. Within Georgia the conflict was exacerbated following conflict in South Ossetia from 1989 onwards in addition to political strife between the supporters of the ousted president, Zviad Gamsakurdia, and the post-coup government led by Eduard Shevardnadze.

Significant human rights abuses occurred, particularly after the capture of Sukhumi in September 1993, after which Georgian residents, which consisted of 45 per cent of the population in 1989, were faced with mass expulsion and ethnic cleansing. Russian Peacekeepers acting under the umbrella of the Commonwealth of Independent States (CIS), were deployed on the Abkhazia-Georgia line following a ceasefire in 1994. Atrocities towards ethnic Georgian's continued with over 1,500 deaths post-conflict. In 1998 fighting re-erupted following a flare up of fighting in South Ossetia. Again it was resolved with a ceasefire agreement. However, as of 2016 the conflict remains unresolved.

The Russo-Georgian War (South Ossetia) (1989 -)

Following heightened nationalist awareness among Ossetians and policies undertaken at the expense of ethnic minorities by the Georgian government led by President Gamsakurdia, calls for Ossetian Independence increased. After clashes broke out in Tskhinvali during a pro-Georgia protest, the conflict began to militarize. When President Gamsakurdia maintained his position after elections in 1990, which were boycotted by South Ossetia, Ossetians organised elections for their own parliament. The central Georgian government reacted by abolishing the autonomous status previously held by South Ossetia. The formation of ethnic militias and increased attacks on civilians escalated on both sides and in December 1990 a state of emergency and an economic blockade were declared. Fighting was haphazard as fighters on both sides were poorly equipped and disciplined. The Georgian National Guard was primarily formed of volunteers due to a lack of resources and as a result fighters often acted out of self-interest. Assaults on Tskhinvali by Georgian forces were repulsed on several occasions, and Georgian forces were also noted to expel Ossetian residents and destroy villages out of revenge and as a means to re-claim territory.

The Sochi agreement (1992) established a ceasefire and security corridor, as well as divided the territory between Georgian and Ossetian administration. Relations deteriorated drastically in April 2008, and following shelling of Georgian villages on August 1, the Georgian military responded in force retaking most of Tskhinvali by August 7. Russian forces intervened on behalf of Ossetian separatists and after retaking Tskhinvali, opened another front in the Kodori Gorge. A ceasefire was brokered on August

Stage	Pre-negotiation/process
Conflict nature	Government/territory
Peace process	South Ossetia peace process
Parties	the Georgian side : the South Ossetian side: The Republic of North Ossetia-Alania (the Russian Federation) The Russian Federation:
Third parties	Through the mediation of: OSCE
Description	Short agreement outlining provisions for the de-militarization of the conflict zone, a re-commitment to the peace effort, an amnesty for those who did not commit military crimes or crimes against civilians during fighting, a tentative mention of peacekeeping forces, and the limiting of check points, as well as the involvement of civil forces.

Agreement document [GE_960516_Memorandum on Measures of Providing Safety and Strengthening of Mutual Confidence.pdf \(opens in new tab\)](#) | [Download PDF](#)

Agreement document (original language) [GE_RU_960516_Memorandum on Measures_RU.pdf \(opens in new tab\)](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Rhetorical
Page 1, Agreed on the following:
... 3. The sides will carry out real measures to provide worthy settlement of the issue of refugees an internally displaced person, who suffered in the Georgian-Ossetian conflict.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 1, guiding by the principle of territorial integrity of states and right of people for self-determination;

State configuration No specific mention.

Self determination Page 1, guiding by the principle of territorial integrity of states and right of people for self-determination;

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 2, 8. The sides express readiness jointly and with assistance of International organizations including NGOs to hold meetings of representatives of the Georgian and Ossetian political and social organizations, scientists with participation of the representatives of the Russian Federation and other countries, “round tables” of the representatives of creative intelligence, also to organize meetings of journalists so as to exchange objective information. The side will take measures for safe movement and staying of the representatives of Mass Media.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 1, confirming the adeptness to the regulations of the UNO Charter, basic principles and decisions of OSCE, to internationally recognized norms of international law;

Page 1, Agreed on the following:

... 2. The sides will take all the necessary measures on preventing and suppressing any unlawful activities, infringing the rights of people on their nationality belonging;

Bill of rights/similar No specific mention.

Treaty incorporation Page 1, confirming the adeptness to the regulations of the UNO Charter, basic principles and decisions of OSCE, to internationally recognized norms of international law;

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Media roles
Page 2, 8. The sides express readiness jointly and with assistance of International organizations including NGOs to hold meetings of representatives of the Georgian and Ossetian political and social organizations, scientists with participation of the representatives of the Russian Federation and other countries, “round tables” of the representatives of creative intelligence, also to organize meetings of journalists so as to exchange objective information. The side will take measures for safe movement and staying of the representatives of Mass Media.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire Security sector→Ceasefire→General commitments
Page 1, Agreed on the following:
1. The sides in the conflict refuse from using or the threat of using force, from putting political, economic and other forms of pressure to each other.

Page 2, 6. On the way of full scale settlement of the Georgian-Ossetian conflict the zone will be de-militarized step-by-step on the basis of special agreements. Peacekeeping forces may present in the demilitarized zone.

Page 2, 7. The sides think it expedient to elaborate in frames of the Joint Control Commission a plan of stage-by-stage cutting down of the number of checkpoints of the Peacekeeping forces, lessening their concentration in places of permanent dislocation, organizing their service with consideration of providing the safety of people.

Police Page 2, 4. The sides agree that those who took part in the armed conflict but who didn't commit military crimes and also crimes against civil people are not subjected to criminal pursuit. In the near future the sides will create necessary conditions for the work of law-enforcement bodies on the investigation of the mentioned crimes and call to account guilty persons.

Page 2, 5. The sides successfully stress the positive character of practicing regular meetings of the representatives of law-enforcement bodies and will comprehensively assist to their work on recovery of criminal situation in the conflict zone.

Armed forces Page 1, successfully stating that on the basis of the Agreement on the principles of settlement of the Georgian-Ossetian conflict and engaging Joint Peacekeeping forces in July 1992 military activities in the conflict zone were ceased;

DDR	Security sector→DDR→Demilitarisation provisions Page 2, 6. On the way of full scale settlement of the Georgian-Ossetian conflict the zone will be de-militarized step-by-step on the basis of special agreements. Peacekeeping forces may present in the demilitarized zone.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	Transitional justice→Amnesty/pardon→Amnesty/pardon proper Page 2, 4. The sides agree that those who took part in the armed conflict but who didn't commit military crimes and also crimes against civil people are not subjected to criminal pursuit. In the near future the sides will create necessary conditions for the work of law-enforcement bodies on the investigation of the mentioned crimes and call to account guilty persons.
Courts	Transitional justice→Courts→National courts Page 2, 4. The sides agree that those who took part in the armed conflict but who didn't commit military crimes and also crimes against civil people are not subjected to criminal pursuit. In the near future the sides will create necessary conditions for the work of law-enforcement bodies on the investigation of the mentioned crimes and call to account guilty persons.
Mechanism	No specific mention.
Prisoner release	No specific mention.

Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory Through the meditation of: CSCE

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.
