

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

<b>Stage</b>	Pre-negotiation/process
<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	South Ossetia peace process
<b>Parties</b>	the Georgian side : the South Ossetian side: The Republic of North Ossetia-Alania (the Russian Federation) The Russian Federation:
<b>Third parties</b>	Through the mediation of: OSCE
<b>Description</b>	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.

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**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 \(opens in new tab\)](#)

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## 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.

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## Gender

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## 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.

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## **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.

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## **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.

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## 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.

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## 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.

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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **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.

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## **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.

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## **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.

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## **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;



<b>DDR</b>	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.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	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.
<b>Courts</b>	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.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.

<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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## **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.

**Related cases** No specific mention.

**Source** UN Peacemaker; [http://peacemaker.un.org/sites/peacemaker.un.org/files/GE\\_960516\\_Memorandum%20on%20Measures%20of%20Providing%20Safety%20and%20Strengthenin](http://peacemaker.un.org/sites/peacemaker.un.org/files/GE_960516_Memorandum%20on%20Measures%20of%20Providing%20Safety%20and%20Strengthenin)

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