

United Nations Security Council
The issues of frozen conflicts|
Finding a peaceful solution for
South Ossetia
Larissa Greul and Lea Bilke



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United Nations Security Council





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A Note from the Chairs

Honorable Delegates,

It is our great pleasure to welcome you to the Security Council. We hope the topic selected for this committee will challenge you to use your critical thinking and reasoning in tackling conflicts, which are existing since more than 100 years, filled with ethnicity, history and emotions. Doing so we expect from you both the pursuit of justice but respect for the will of the people.

The example of South Ossetia might show that frozen conflicts don't mean that problems between parties are just unsolved and that the conflicts lost the potential of leading to a war. The 2008 war proves that the resurgence of conflicts to acts of war should not be underestimated. Thus, on such issues, the utmost caution and sensitivity to international politics and history is required.

LakeMUN unequivocally contributes to the developing of those capabilities. It is our modest aim to spread the passion for international politics and the belief in peaceful solutions. Thereby, we want to enable you to become engaged global citizens who inherently appreciate the globe's diversity but simultaneously value regional customs and traditions.

Taking the time to attend this conference and discuss such issues reflects the great sense of responsibility that you have. Model United Nations is not just an experience where you share information and try to resolve conflicts, but it is also for creating memories, friendships and learning lessons. LakeMUN conference is no different. Proper preparation and full dedication are what will make this conference memorable.

It is the International Community's fate and responsibility to mediate between different positions, to examine the smallest common denominator in order to provide for a compromise – for a solution. Therefore, we wholeheartedly call upon you, Delegates, to abide by the rules of fair debate, respect, and ambition.

We wish you all the best and cannot wait to see your visions unfold.

Yours faithfully,

Larissa Greul, Lea Bilke

I. Introduction

A. Introduction of the committee

On October 24, 1945, the victors of World War II — China, the U.S.S.R., France, the United Kingdom, and the United States — ratified the UN Charter, creating the Security Council and establishing themselves as its five permanent members with the unique ability to veto resolutions. The establishment and nature of the security council is enshrined in Chapter V of the United Nations Charter. Chapters VI, VII, VII and XII all contain provisions pertaining the powers of the Security Council. It is vital to note that passage of a resolution in the Security Council is conditional on the affirmative voting of nine member states and the absence of usage of the veto power, which a certain five states hold.

The main purpose of the Council is investigating any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security. Also it is the obligation of the security council to recommend procedures for peaceful solutions of a conflict and they can call upon other member nations to interrupt their economic or diplomatic relations. The Security Council is able to enforce its decisions militarily, if necessary. (United Nations, 1973)

B. Introduction of the topic

“The events of the recent history of South Ossetia have convinced us once again that our ancestors made the right decision, that Russia is our strategic partner - and will remain so forever.”

- Leonid Tibilow

“The war did not finish in 2008 – it continues every day, because the Russian occupiers are on our land”

- David Katsarava



The frozen conflict of South Ossetia exists since more than 100 years. Deep emotions, different legal ideas and different perceptions of peoples are involved in such a long debate. In Leonid Tibilow's, South Ossetias president from 2012 till 2017, and David Katsarava, organizer of the protests in 2017, statements one can well perceive the long-standing history and the hermitage between the different parties of the dispute. In this long time, mistakes were made by all the parties to the conflict and due to too little communication, bias and misunderstandings, they stopped looking for solutions. This is precisely why the conflict is relevant to the international community, which must not accept the current freeze and must avoid future escalations.

As already mentioned, the problem can also exist because of bias and bitterness between people. This behavior stands in the way of a solution. But through your idealistic and unbiased perspectives on the world, dear Delegates, you have the potential to finally resolve this complex conflict peacefully.

II. Definition of Key Terms

1. Frozen conflict

A frozen conflict is a situation between states or state-like entities in which a previous violent conflict, usually a war, has been replaced by a relative ceasefire. It is characteristic that there are hardly any political and only a few social relations between the parties to the conflict with incompatible legal ideas. There are different claims between the territorial integrity of the internationally recognized states versus the right of peoples to self-determination. The current absence of massive use of force in order to resolve the conflict through an armed victory and a new monopoly of domination is a useful criterion.

Even if final or provisional agreements such as a ceasefire exist, the frozen conflict can thaw again as long as international treaties or military conquests are not accepted or tolerated by the population, and at least one of the parties to the conflict seems to have a new attempt at belligerent revision. (Egbert Jahn, 2009)



2. De facto Regime

This refers to an association of domination which, through the de facto and permanent territorial power of an insurgent group or party, has achieved a certain degree of stability equivalent to that of an internationally recognized state, but without being recognized as a state in that capacity, or to which such recognition is largely refused. This applies not only to entities that claim to be a state - for example in the event of secession - but also to regimes that exercise effective control over a sub-territory of a state whose authority they seek to take over.

The de facto regime is accorded limited international law capability as a state-like entity. It is thus made a partial subject of international law and is thus protected by the prohibition of violence in customary law but must also comply with the prohibition of intervention. (Karl Strupp, Hans-Jürgen Schlochauer, 1960)

3. Autonomous territories

Autonomous territories are territories within a state that manage themselves internally. They have their own legislative bodies and structures but are also subject to the legislation of the higher-level state and are represented by it in foreign and security policy. They are not sovereign states. (Fieser & Dowden, n.d.)

III. History of the Conflict/the Issue

Before entering the deep and complex history of this conflict, it must be mentioned that the region in the South Caucasus is an area with many different ethnicities and cultural influences. Therefore, looking at the history, attention must be paid to this in order to better understand the aspirations and movements.

A. The roots of the conflict

In 1918 Georgia separated from the Russian Empire. Thereby the democratic Republic of Georgia claimed the region South Ossetia for itself. Due to this claim the South Ossetian conflict has ensued in 1918. This conflict lasted until 1920, when Georgia had crushed the uprisings in South Ossetia. 1921 Georgia was annexed by Soviet Russia. During this time, South Ossetia belonged to the Georgian Soviet Republic, but was declared an autonomous territory in April 1922. During the Soviet regime, relations between Georgia and South Ossetia were largely calm. (Souleimanov, 2013)

B. New escalation of the conflict

South Ossetia declared independence from Georgia in 1990, calling itself the Republic of South Ossetia. The independence movements of South Ossetia lead to the Georgian-South Ossetian War. At the sharpest point of the war on 19 January 1992, more than 90 percent of South Ossetians voted in a referendum to join Russia's North Ossetia. The war ended on the 24th of June 1992 when the Russian President Boris Yeltsin and the Georgian President Eduard Shevardnadze signed a ceasefire agreement in Dagomys. (Potier, 2001)

C. The climax of the conflict

In 2004, Georgian President Saakashvili devised a three-stage plan to reintegrate South Ossetia and Abkhazia. However, this was rejected by the affected regions. As a result, checkpoints were built on the transcaucasian Highway between Georgia and the South Ossetia region, which renewed tensions between the parties to the conflict. At the same time,



Russian-Georgian relations deteriorated. In 2006, for example, Russia imposed a ban on imports of wine and mineral water from Georgia. On 12 November 2006, a new referendum was held on the independence of South Ossetia. As a result, 99 percent support for independence and 96 percent support for President Kokoity's re-election were announced. Ethnic Georgians had been banned from taking part in the election. The referendum was also condemned by the EU, the Council of Europe, the OSCE, the US and NATO. In response, an alternative referendum and presidential elections were held in the Georgian-controlled parts of South Ossetia. The question was whether South Ossetia should be reunited with Georgia in a federation. According to the data, more than 94% of the inhabitants living there voted in favour of reunification with Georgia, and also more than 94% in favour of former South Ossetian Prime Minister Dmitry Sanakoyev as president. (Nichol, 2008)

As a consequence of the alternative referendum, an alternative government of South Ossetia was formed for the Georgian-controlled parts of South Ossetia. In April 2007, the Georgian Parliament decided to establish the Provisional Administration of South Ossetia, with its seat in Kurta and Dmitry Sanakoyev as head. In addition, it should be mentioned that Georgia's relations with NATO have been intensified during this period. Since the NATO summit in Bucharest in April 2008, the heads of state or government of the NATO Member States have repeatedly offered Georgia long-term membership (Auswärtiges Amt, n.d.). This posed a new threat to Russia's foreign policy, which is why Russia's exposure to Georgia has deteriorated dramatically. Tensions then eased during the Caucasus War in August 2008. As a result, 158,000 civilians fled in Georgia and South Ossetia.(Nichol, 2008)

D. The ongoing of the conflict

Through the war, Russia became the first state to recognize the independence of South Ossetia and stationed military troops there. Following Nicaragua, Venezuela, Nauru and Syria have recognized South Ossetia as a sovereign state. In addition, under the new 2015 alliance agreements with Abkhazia and South Ossetia, Russia deployed regular military bases in both territories. (the Ministry of Foreign Affairs of Georgia, n.d.)

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Georgia, on the other hand, continued to strengthen its relations with the West. In January 2009, the US and Georgia signed a "Strategic Partnership Charter" and an association agreement was signed between the EU and Georgia on 27.06.14. But, contrary to expectations, the ruling Georgian Dream party, which was re-elected in October 2016, had made improving relations with Russia one of its foreign policy priorities in its governing coalition since 2012. Nevertheless, it reiterated its commitment to Georgia's territorial integrity. (Auswärtiges Amt, n.d.)



IV. Current Situation

A. The “Gavrilov crisis“

In June 2019 Sergei Gavrilov, a member of the Russian parliament, has addressed the interparliamentary assembly on orthodoxy (IAO) in Georgia, a body originally set up to promote relations between Christian orthodox lawmakers. Due to Gavrilov sitting in the parliamentary speaker’s chair and him moreover addressing the forum in his native Russian language, opposition members of the Georgian parliament called for protests. Thousands of, in the words of the opposition member of parliament Giga Bokeria, “ordinary Georgians” tried to storm the parliament, carrying EU flags and placards with anti-Russian claims such as “Russia is an occupier”. Caused by the protest and the hard investigations by the police, using tear gas, water cannon and rubber bullets, more than 240 people needed to be treated in hospital with injuries, according to the Georgian government. (BBC, June 2019)

The interparliamentary session was suspended and Gavrilov later flew back to Russia. As a result of the violence, Irikli Kobakhidze, speaker of the parliament, resigned. While the Georgian president Salome Zurbishvili calls Russia an “enemy and occupier”, the Kremlin convicts the protests as “russophobic provocation”. (Mickinnon in FP, 2019)





B. The flight suspension

The political tension is once more ultimately visible. Vladimir Putin even announced a temporarily flying suspension to Russia on July 8th. The Kremlin justified the ban with the ensuring of Russia's national security and the protection from criminal, unlawful activities. Contrary to that, millions of Russians have travelled to Georgia which makes the claim of insecurity slightly difficult for Russia. Since tourism is on the rise in Georgia, economic impacts may be tremendous. Thus, protests are emerging, while protesters are chanting „no to Russia” and are calling the Georgian Interior Minister Giorgi Gakharia to resign due to his failure of handling the unrest. The situation is even more heated up, after a presenter of Georgia's main commercial TV channel insulted Putins mother. (RFE/RL's Georgian Service, 2019)

C. Elections in 2020

However, the protests have at least already resulted in various concessions. One of them is the government's pledge to use a fully proportional system during parliamentary elections in 2020. (Sharashenidze in ECFR, 2019)

V. Important Actors

1. Georgia

The Georgian parliament passed a resolution declaring South Ossetia “Russian-occupied territories”. It is comparing Russias dominance in South Ossetia with Hitler and Stalin regime and is describing the situation as lawless and undeniably damaging. In 2010, Georgia brought up a strategy regarding the reintegration of both, South Ossetia and Abkhazia. Even though the Georgian government lately tried to implement a Russian policy given its goal of normalization, caused by the immense civil criticism and the outrage at the Gavrilov event, the relations have changed a lot lately.



2. Russian Federation

The Russian media continues to accuse the Georgian government of “Russophobia”. Searching the guilty party, the Foreign Minister of the Russian Federation claims that “Tbilisi deliberately escalated tension on the border through provocative actions”. Moreover he is accusing Georgia of repeatedly refusing going into dialogue.

Since the Gavrilov crisis, the relationship to Georgia massively downgraded, seeing for example the flight suspension. On the 30th of August 2019, the State Department warned of a “military buildup” in the South Ossetian region which may either be an intimidation in order to back away the Georgian government from the boarder or their might be a new offensive in preparation.

3. South Ossetia

The South Ossetian de facto government is heavily influenced by the Russian government. The 2015 treaty between Russia and South Ossetia on alliance and integration charges Moscow with the protection of South Ossetian borders and implementing Russian defense, security and custom mechanisms. This treaty is binding for 25 years. (Freedom House) In 2017, the referendum on changing the regions name into “Republic of South Ossetia-State of Alania” clearly passed, resulting in rumours about potential constitutional changes in order to unite South Ossetia with North Ossetia-Alania, a federal subject of Russia.

On September 1st 2019 South Ossetias de facto authorities claimed, the Georgian army opened a fire on one of their vehicles. Even though Tbilisi denied these accusations, the situation is heated up.

4. European Union

The European Union is according to its press release from February 6th 2009 seriously concerned about the Russian dominance in South Ossetia. EU member states highly emphasize the importance of Georgia’s state sovereignty and territorial integrity. Therefore they urge and expect Russia to act responsibly and to continue implementing the commitments made after the five day war in 2008. The European Union Monitoring Mission in Georgia (EUMM) has recently again called on Russia to prevent further escalation. Lasha Darsalia, member of EUMM, clarified the EU’s position by stating, that South Ossetia has



always been the territory controlled by the central government of Georgia. In addition, EU ambassador Carl Hartzell described the mobilisation of Russian troops as unacceptable.

5. United States of America

The United States took during the Gavrilov crisis a clearer stand than the EU and urged both parties to get into constructive dialogue in restrained language. Morgan Ortagus, US State Department spokesperson called upon the Russian Federation to “utilize all available channels to prevent further escalation along the ABL (occupation line)”. In 2017 US Vice President Pence visited Georgia and once again declared strong US support for Georgia’s territorial integrity within its internationally recognised borders.

Concerning the de facto elections in South Ossetia, the United States of America do not recognize the outcome of the election held on June 9th as legitimate. In the US Embassy Statement on this issue, the United States urge Russia to stick to its obligations under the 2008 ceasefire agreement, drawing specific attention on the withdrawal of Russian forces to pre-conflict positions. (Istrate, 2019)

VI. Relevant Documents

1. Sochi agreement

The Sochi agreement was the ceasefire agreement marking the end of the South Ossetian and Abkhazian conflicts with Georgia. It was signed between Georgia and Russia in 1192 and 1993.

2. Treaty on alliance and integration

The Treaty, ratified in 2015, on alliance and integration between Russia and South Ossetia charges Moscow with the protection of South Ossetian borders and implementing Russian defense, security and custom mechanisms.

3. Six- principle ceasefire agreement, signed in 2008

- a) *The commitment to renounce the use of force*
- b) *The immediate and definitive cessation of hostilities*
- c) *Free access to humanitarian aid*
- d) *The withdrawal of Georgian forces to their places of permanent deployment*
- e) *The withdrawal of Russian forces to their lines of deployment prior to 7 August 2008*
- f) *The convening of international discussions on lasting security and stability arrangements*

4. Security Council Resolution 1808 (2008)

[https://undocs.org/S/RES/1808\(2008\)](https://undocs.org/S/RES/1808(2008))

Resolution on tackling the current crisis in the Georgian region. The resolution passed with no vote against and no abstention.

VII. Questions to Consider

1. In how far can the international community assure the recognition of human rights in South Ossetia?
2. How can the conflict be resolved peacefully in the medium term, considering the interests of all parties?
3. How can future international law be organized in order to resolve upcoming conflicts between the right of peoples to self-determination and the sovereignty of states?



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Georgia protest: Thousands storm parliament over Russian MP's speech

BBC, 21 June 2019

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Russia suspends Georgia flights after violent clashes

BBC, 22 June 2019

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Georgia Ruling Party Head Announces Electoral Reform After Protests

RFE/RL's Georgian Service, 24 June 2019

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