

## THE KYRGYZ REPUBLIC: A NEW POLITICAL REALITY

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### *Introduction*

On 7 April, 2010, President of Kyrgyzstan Kurmanbek Bakiev was removed. The Kyrgyz Republic lived through a second regime change, a unique event in the history of Central Asia.

An Interim Government headed by Rosa Otunbaeva was put together by the leaders of 14 opposition parties, the most prominent among them being O. Tekebaev (Ata-Meken), A. Atambaev (Social-Democratic Party of Kyrgyzstan), T. Sariiev (Ak-Shumkar), A. Beknazarov (United People's Movement), and E. Kaptagaev (Uluu Birimdik). The new government described itself as "usurpers" and "dictators."<sup>1</sup>

The Interim Government disbanded the legislative and executive power branches, as well as all the ministries and the bureaucracy, to concentrate power in its hands. This caused a political default and stirred up a lot of trouble in the country's south.

Between 13 and 19 May, supporters of the former president made an aborted attempt in the Osh, Jalal-Abad, and Batken regions to recapture power in the south. This resulted in the arrest of Usen Sydykov, former head of the Administration of the KR President in 2005-2006, and Iskhak Masaliev, head of the Party of Communists of Kyrgyzstan. The country house of Bakiev's family in the village of Teyit was burned down when supporters and opponents of the former president

clashed in the Jalal-Abad Region; several people were killed.

Between 10 and 16 June, ethnic clashes between Kyrgyz and Uzbeks in the cities of Osh and Jalal-Abad developed into bloodshed. According to official data, 423 were killed and about 2 thousand private houses were damaged (1,690 of them were totally destroyed).

Despite the political instability and tragic events in the south, the Interim Government convened the Constitutional Assembly to amend the Constitution and transform the presidential republic into a parliamentary one. The constitutional changes called for a national referendum to be held on 27 June, 2010.

On the eve, about 100 thousand Uzbeks (citizens of the Kyrgyz Republic) were in the Republic of Uzbekistan as "temporary migrants," while Kyrgyz left the zone of conflict to join their relatives elsewhere. This obviously called for an amendment to the Election Code of the Kyrgyz Republic that allowed citizens to vote at the place they were actually living at the time of the election, rather than at their place of registration.<sup>2</sup> This produced enough votes to amend the Constitution.

This meant that the people were voting for stability and security rather than a new government; on the strength of the referendum results, Rosa Otunbaeva was elected President of the

<sup>1</sup> O. Tekebaev, "My iavljaemsia uzurpatorami i diktatorami," available at [www.24.kg].

<sup>2</sup> See: Decree of the Interim Government of the Kyrgyz Republic No. 94, 1 July, 2010 On Amendments and Addenda to the Election Code of the Kyrgyz Republic.

Kyrgyz Republic for the transition period (until 31 December, 2011).<sup>3</sup>

Parliamentary elections were scheduled for 10 October, 2010; on 10 August, the race officially began. By the time the date of the elections was announced, over 150 political parties had been registered with the Ministry of Justice; 57 of them announced that they intended to run; 29 submitted lists of their candidates to the

Central Election Commission and joined the race.

The election results were baffling: five political parties gained seats in parliament: Ata-Zhurt (K. Tashiev); the Social-Democratic Party of Kyrgyzstan (A. Atambaev), Respublika (O. Babanov), Ar-Namys (F. Kulov), and Ata-Meken (O. Tekebaev), while the pro-government SDPK and Ata-Meken failed to reap the majority of votes, and Ak-Shumkar and UPM, two other pro-governmental parties, did not even reach the 5% barrier. For more detail on the election and its results, see below.

<sup>3</sup> See: Decree of the Interim Government of the Kyrgyz Republic No. 39, 19 May, 2010 On the President of the Kyrgyz Republic for the Transition Period.

## Specifics of the Political Shifts in the Kyrgyz Republic

By late 2009, the Country Renovation course, presidential elections, and reform of the civil service had speeded up the formation of a united radical opposition; social opposition was developing alongside political opposition.

On 1 January, 2010, electricity and other utility fees went up, which prompted unification of the social and political opposition. Protest rallies were scheduled for 6 April, 2010; in the Talass Region they developed into armed clashes with the law enforcers. Under the pressure of a confrontation between the opposition and the government in the capital, which did not abate until late in the night of 7 April, Bakiev unexpectedly left Bishkek for Jalal-Abad.

Confrontation between the supporters and opponents of the former president continued until he left the country for good. Southern Kyrgyzstan was swept by a wave of indignation raised by the much obvious South vs. North opposition and heated by leaflets calling on the people to set up a Southern Kyrgyz Republic.<sup>4</sup> Intervention from the presidents of Russia, Kazakhstan, Belarus, and the United States, as well as Bakiev's departure, halted the dangerous developments that were bringing the country to the brink of a civil war.

The Interim Government steered the country toward constitutional reform; a Constitutional Assembly was set up to represent all sorts of public, civil, and youth organizations, politicians, and lawyers. The country's future constitutional order generated a lot of discussion inside and outside the country. Most of the members of the Interim Government (O. Tekebaev, R. Otunbaeva, A. Atambaev, T. Sariev, A. Beknazarov, and E. Kaptagaev) were convinced that the country was ripe for a parliamentary form of governance. The leaders of Ata-Zhurt (K. Tashiev), Ar-Namys (F. Kulov), and Buntun Kyrgyzstan (A. Madumarov) argued that the country needed strong presidential power and promised to do everything possible to strengthen it. President Medvedev was also very critical of the parliamentary form of governance for Kyrgyzstan.<sup>5</sup>

<sup>4</sup> They appeared on the forum [www.diesel.elcat.kg].

<sup>5</sup> President of the RF Dmitry Medvedev made public his opinion on Russian TV; the information agencies of Kyrgyzstan informed the whole country about it (see: [www.24.kg]).

The new government found it hard to legitimize itself. The national referendum on the new Constitution was scheduled to be held on 27 June, 2010. The new version of the Constitution divided power among the president, the Zhogorku Kenesh (parliament), and the prime minister in the following way:

- *The president* is commander-in-chief of the Republic's Armed Forces; he appoints and dismisses the top commanders of the Armed Forces; appoints the prosecutor general of the Kyrgyz Republic approved by the Zhogorku Kenesh; represents the state inside and outside the country; conducts negotiations and signs international agreements; he is chairman of the Defense Council.
- *The Zhogorku Kenesh* schedules the dates of referendums and presidential elections; amends the Constitution; passes decisions on changes to the state borders; elects a certain number of members of the Central Election Commission and the Auditing Chamber; appoints and dismisses the ombudsman of the Kyrgyz Republic; creates military ranks; and forms coalition governments from among its deputies. The government is personally accountable to the Zhogorku Kenesh.
- *The prime minister* heads the government, conducts negotiations and signs international treaties, and appoints and removes heads of the administrative structures and local state administrations.

The Kyrgyz Republic was one of the first post-Soviet countries to switch to the parliamentary form of governance. The heads of the other Central Asian countries were critical, while the European countries, Japan, Turkey, and the United States approved the novelties. In fact, the system should be described as presidential-parliamentary because the president and the parliament have identical powers and are mutually complimentary.

The huge number of former civil servants and the deputies of the disbanded parliament refused to accept the decrees of the Interim Government and recognize its actions as legitimate. This threatened the referendum scheduled for 27 June, 2010. Some of the regions remained beyond the control of the Interim Government, which caused a political crisis and emboldened the criminal structures.

Between 13 and 19 May, Usen Sydykov, former head of Bakiev's administration and leader of Jany Kyrgyzstan, and governors of the Osh (M. Bakirov) and Jalal-Abad (K. Masirov) regions headed an aborted coup. Those supporters of the former president who tried to capture the regional administrations in Osh and Jalal-Abad were defeated; several people were killed in armed clashes.

## **The Tragic Events in the Osh and Jalal-Abad Regions and Their Aftermath**

The June events could not be dismissed as the country's domestic problem; they threatened stability of the entire region since the Central Asian peoples are not only closely related, they have been sharing the same territory for many centuries.

The expert community is of two minds about the events: the trust which existed between two fraternal peoples (the Kyrgyz and Uzbeks) in the republic was damaged; both ethnic groups feel vulnera-

ble; some of them moved away to become internal migrants, while others preferred to become guest workers in Russia and Kazakhstan. The public mood has been dampened; people are disappointed and pessimistic.

The state structures, international human rights organizations, and leaders of the Central Asian states offer different explanations of the tragic events in the republic's south.

### The State Version

The State Service of National Security of Kyrgyzstan (NSK) was one of the first to come forward with an explanation of what happened in the Osh and Jalal-Abad regions. Its press service pointed out that early in May 2010, emissaries and warlords of the Taliban, the Islamic Movement of Uzbekistan (IMU), and the United Tajik Opposition (UTO) met in the Afghan city of Bahorak (in Afghan Badakhshan); the meeting was also attended by M. Abdullo and two members of the Bakiev family. It was agreed that the IMU should be assisted in its efforts to destabilize the situation in the Kyrgyz Republic; the family of the former president promised a cash incentive of \$30 million.<sup>6</sup> The special services preferred to shift the blame for the conflict onto international terrorists and Bakiev's family.

President of the transition period Rosa Otunbaeva, in turn, set up a National Commission of 29 members to look into the causes and aftermath of the June events. According to Commission Chairman Abdygany Erkebaev, the Commission had planned to publish its results on 10 September, but in the face of the upcoming parliamentary elections the chairman temporarily suspended his powers.

On 17 August, 2010, A. Erkebaev and Zh. Zheksheev published the preliminary results, which stirred up the indignation of the other members.<sup>7</sup>

The preliminary report accused the law-enforcement bodies of inefficiency; the militia had been demoralized and had not prevented distribution of firearms in June.

Six foreign citizens suspected of subversive actions and detained in Southern Kyrgyzstan accused the Bakiev family of igniting the riots.

Zhykar Zheksheev pointed out that on the eve of the riots large numbers of foreign journalists arrived in the south "as though they knew what was coming," since their publications often anticipated the actual events. Today, the Commission is trying to sort things out.

He also insisted that there had been no spontaneous ethnic conflict: the events were carefully planned and organized, although no culprits were found.

Alexander Kniazev, one of the Commission members, scathingly criticized the Commission and its chairman; he said that the results looked dubious, while he himself had been never invited to any of the Commission's meetings.<sup>8</sup>

A report on the results of the Commission's work that accused certain leaders of the Uzbek community of instigating the clashes was published and presented to the parliament and caused three-day long heated debates among the intelligentsia, deputies, and experts.

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<sup>6</sup> Press service of the NSK of the Kyrgyz Republic, 24 June, 2010 (see: [www.24.kg]).

<sup>7</sup> See: A. Abdirasulova, "Chairman of the Commission for Investigating the Events in Osh Flagrantly Violated the Principles of its Work," available at [http://www.ferghana.ru/news.php?id=15396, www.24.kg].

<sup>8</sup> See: A. Kniazev, "The Politics of National Chauvinism Supported by the Government Might Cost Kyrgyzstan Its Statehood," available at [http://www.24.kg/community/80727-aleksandr-knyazev-politika-nacionalnogo.html].

### ***The Version of International Organizations***

On 22 July, the OSCE's PA Special Representative for Central Asia Kimmon Kiljunen informed that an International Independent Commission for Inquiry into the June Interethnic Violence in Southern Kyrgyzstan had been set up on Rosa Otunbaeva's initiative.

The Commission intended to look into all facts related to the flare-up of violence in Osh and the Osh and Jalal-Abad regions; its chairman pointed out that there were too many rumors and too many hypotheses. To find out the truth, the Commission, said its head, intended to gather and analyze all the facts and find a way toward reconciliation; the National Commission headed by Abdygany Erkebaev and the republic's law-enforcement structures would also be involved in the inquiry.

The Commission, made up of members of all sorts of international organizations and independent experts, started working early in August. In January 2010, it was ready with a final report, which it presented to the Government of the Kyrgyz Republic and the interested sides.<sup>9</sup>

The Human Rights Watch published its report on what had triggered the riots in Southern Kyrgyzstan on 16 August.

Its 91-page-long report entitled *Where is the Justice? Interethnic Violence in Southern Kyrgyzstan and Its Aftermath* said in part: "The government investigation into the violence, which left hundreds dead and thousands injured, has been marred with abuses, while ethnically motivated attacks are taking place in the south." The report said that the Kyrgyz authorities should conduct an effective investigation and all guilty should be detained and punished to the full force of the law.

The report is based on over 200 interviews with Kyrgyz and Uzbek victims and witnesses, lawyers, human rights defenders, government officials, and law enforcement personnel. The report also analyzed satellite imagery and photographic, video, documentary, and forensic evidence.<sup>10</sup>

This publication raised another wave of popular indignation: the activists of the Movement of 7 April picketed the U.N. office in Bishkek; politicians and experts voiced their disagreement with the Human Rights Watch's conclusions.

In the wake of the tragic events, Rosa Otunbaeva invited the OSCE Police Advisory Group (PAG) to be stationed in the Osh and Jalal-Abad regions; on 22 July, 56 members of the OSCE Permanent Council passed a corresponding decision.

A memorandum on mutual understanding between the Government of the KR and the OSCE on the OSCE PAG in Kyrgyzstan was drafted on the strength of this decision and signed<sup>11</sup>; Markus Mueller was appointed head of the PAG in Kyrgyzstan.<sup>12</sup>

It was expected that the Group would consist of 32 international representatives (of the middle and higher level, including its head and his deputy); the original term of four months could be extended on the sides' initiative and depending on the state of security in the area.

The country, both the political class and the grass-roots level, was divided: the leaders of Ata-Zhurt, Ar-Namys, the Movement of 7 April, and Azattyk were very critical of the decision and those who had initiated it. On 30 July, Mayor of Osh M. Myrzakmatov and the deputies of the city kenesh, in turn, refused to let the OSCE PAG enter the city.<sup>13</sup> Youth movements in Osh and Bishkek joined the rallies and pickets.

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<sup>9</sup> See: K. Kiljunen, "We Want to Find out the Causes of the Tragedy and the Truth about the June Events in Southern Kyrgyzstan," available at [[http://kyrgyzel.kg/index.php?option=com\\_content&task=view&id=783&Itemid=1](http://kyrgyzel.kg/index.php?option=com_content&task=view&id=783&Itemid=1)].

<sup>10</sup> [<http://www.hrw.org/en/reports/2010/08/16/where-justice-0>].

<sup>11</sup> See: "Foreign Ministry of the KR: The OSCE Police Advisory Group in Kyrgyzstan will be Governed by the Principles of Neutrality, Impartiality, Transparency and Multi-nationalism," available at [[www.24.kg](http://www.24.kg)], 23 July, 2010.

<sup>12</sup> [[www.IA-SA-News](http://www.IA-SA-News)].

<sup>13</sup> [[www.akipress.kg](http://www.akipress.kg)], 30 July, 2010.

Representatives of the ethnic minorities in the Assembly of the Peoples of Kyrgyzstan, some of the NGOs, official structures, and the Foreign Ministry backed the government. In the south, the Uzbek NGOs wanted to see the PAG in their region, while the Kyrgyz NGOs were against it.

Those who were against it feared that this measure might divide the country and launch a Kosovo scenario; it was rumored that the OSCE was prepared to offer government members huge bribes; some people feared that the OSCE policemen might be threatened.

More than anything else people feared that the PAG members might take the side of the one of the conflicting groups, which would distort the true picture and make it necessary to establish external governance in Kyrgyzstan (as happened in Kosovo).

President Otunbaeva was forced to postpone bringing in the PAG; the memorandum signed between the Kyrgyz Republic and the OSCE is being revised and amended.<sup>14</sup>

At around the same time, speaking in the Bukhara Region, President of Uzbekistan Karimov refused to accept the opinion about the ethnic origin: "Neither the Kyrgyz nor the Uzbeks who live there have any reason to fan the tragedy. This action was stirred up, on the sly, by those who call themselves our friends."<sup>15</sup>

## Parliamentary Elections and the Beginning of Parliament-Building

On 9 August, 2010, the Interim Government passed Decree No. 117 On Abolition of the State of Emergency in the Cities of Osh, Jalal-Abad, and Uzgen, the Kara-Suy and Aravan Districts of the Osh Region, and the Suzak and Bazar-Korgon Districts of the Jalal-Abad Region of the Kyrgyz Republic.

The Presidential Decree On the Elections to Zhogorku Kenesh of the Kyrgyz Republic of 9 August, 2010 scheduled 10 October as the election day.

On 9 August, the Interim Government issued a Decree On Recognizing the Invalidity of the Decree of the Interim Government of the Kyrgyz Republic No. 94 of 1 July, 2010 On Amendments and Addenda to the Election Code of the Kyrgyz Republic.

Fifty-seven political parties intended to run for parliament; 29 of them submitted lists of their candidates to the Central Election Commission and were registered.

Late in July, some of the political parties initiated a Forum of Confidence which signed an Ethical Code of the Participants in the Parliamentary Elections-2010. On 11 August, 26 political parties signed the OSCE-supported Code of Conduct of Political Parties drafted by the National Democratic Institute for International Affairs, the International Republican Institute, and USAID.

The pre-election campaign was officially launched on 10 September, 2010.

Three hundred and sixty-five international observers from 31 countries who represented 11 structures, including ODIHR/OSCE, IPA CIS, EurAsEC, the Elections&Democracy International Association, and the Embassy of Brazil, were accredited by the CEC. Under the Election Code, accreditation of international observers should be completed five days before election day.<sup>16</sup>

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<sup>14</sup> See: "Mission of the OSCE Police Advisory Group in Kyrgyzstan: Questions and Answers," available at [www.zpress.kg].

<sup>15</sup> I. Karimov: "I Am Sure that We Shall Live in Peace and Agreement!" I. Karimov's Speech in the Bukhara Region, 18 June, 2010, available at [http://www.kyrgyz-el.kg/index.php?option=com\_content&task=view&id=775&Itemid=1].

<sup>16</sup> [www.shailoo.gov.kg].

On 21 September, 2010, speaking at the first congress of voluntary public order squads, Secretary of the KR Security Council Marat Imankulov said that the government had taken unprecedented security measures to ensure security on election day.<sup>17</sup> It should be said that it was the SDPK candidate who consolidated the efforts of the voluntary public order squads.<sup>18</sup>

I have written above that people feared the coming elections; they did not feel totally secure and remained tense.

Even in these conditions many of the voters were quite sure of their choice; the population's support of the political parties was mounting.

The election campaign was accompanied by rallies of those who protested against the arrests of the Alpha Group fighters and the officers of the State Guard Service accused of killing demonstrators on 7 April in Bishkek. The colleagues of the arrested officers, who threatened to resign, joined the relatives. The human rights activists protested against procedural violations during the investigations; they addressed the General Prosecutor's Office with a statement which said, in part, that the investigators were guided not so much by the Code of Criminal Procedure as by emotions; on 4 October, head of the special services department of the Alpha Group Almazbek Joldoshaliev was released under public pressure.<sup>19</sup>

The election campaign unfolded at the same time as the court cases related to the tragedy in the Osh and Jalal-Abad regions. The human rights organizations were very concerned about the information that the law enforcement and judicial structures had beaten up the accused and threatened their lawyers. Some of the international organizations demanded that security and fairness be ensured.

Despite the fairly active election campaign, during which candidates met with their constituencies, a large part of the population remained ignorant of the coming elections, the voting procedure, and the rights of the voters.

It should be said that all the political parties relied on criticism of the people in power and their rivals rather than on positive programs to pull potential voters onto their side. This means that people knew next to nothing about how the parties intended to realize their ideas and programs.

The international community showed a lot of interest in the election campaign, while the media in foreign countries offered highly varied opinions about the campaign, the parties, and their leaders.

Inside the country, the public was stirred up by information about one of the leaders of a political party that was running for the parliament. The independent media and human rights activists were indignant about the fact that the Russian NTV company interfered in the election campaign of a sovereign country.<sup>20</sup> The Human Rights Council approached President Medvedev.<sup>21</sup>

As distinct from the previous elections, in 2010 the leading political parties and their leaders sought support abroad. Felix Kulov of Ar-Namys was supported by President of Russia Medvedev and President of Kazakhstan Nazarbaev; Omurbek Tekebaev of Ata-Meken sought the support of Kazakhstan, China, and Turkey; Kymchibek Tashiev and Akhmatbek Keldibekov of Ata-Zhurt met with President of Kazakhstan Nazarbaev; Almazbek Atambaev of the Social-Democratic Party repeatedly went to Russia, Turkey, and Kazakhstan, while Omurbek Babanov of Respublika relied on his personal acquaintance with Head of the Administration of the RF President Sergey Naryshkin.

On 10 October, 2010, five political parties were elected; the opposition parties Ata-Zhurt and Ar-Namys gained more seats than the pro-governmental parties Ata-Meken and the SDPK.

On the whole, Ata-Zhurt received 28 seats; the SDPK, 26 seats; Ar-Namys, 25; Respublika, 23; and Ata-Meken, 18.

<sup>17</sup> [[http://www.kyrgyz-el.kg/index.php?option=com\\_content&task=view&id=1348](http://www.kyrgyz-el.kg/index.php?option=com_content&task=view&id=1348)].

<sup>18</sup> [<http://www.24.kg/bishkek24/77266-v-obespechenii-obshhestvennogo-poryadka-v-stolice.html>].

<sup>19</sup> [<http://www.ferghana.ru/news.php?id=15666&mode=snews>].

<sup>20</sup> [<http://www.24.kg/community/83568-sovet-pravozashhitnikov-kyrgyzstana-rassmatrivaet.html>]; <http://thvpi.tk>].

<sup>21</sup> [<http://www.24.kg/community/83592-sovet-pravozashhitnikov-kyrgyzstana-obratilsya-s.html>].

President Otunbaeva entrusted Almazbek Atambaev of the SDPK with forming the coalition government; he failed because the deputies refused to elect Omurbek Tekebaev as speaker of the parliament.

By the end of 2010, Omurbek Babanov of the Respublika Party had put together a coalition government which included the SDPK, Ata-Zhurt, and Respublika; Ata-Meken and Ar-Namys formed the opposition (in full accordance with Part 4, Chapter 1, Art 70.3 of the country's Constitution) and were given the opportunity to set up parliamentary committees for finances and law and order.

Almazbek Atambaev became prime minister; Omurbek Babanov was appointed first vice premier; and Ibrahim Junusov of Ata-Zhurt acquired the post of vice premier.

## Conclusions

- *First*, between 2005 and 2010, the republic changed its regime twice, which caused concern in its Central Asian neighbors. Kyrgyzstan was the first Central Asian country to switch to the parliamentary form of government.

Many influential political figures, however, are still in favor of the presidential form of government.

- *Second*, the constitutional reforms polarized the positions of the international centers of power; the attempts to change the geopolitical map of Central Asia inevitably caused clashes of interests among the major powers in the territory of Kyrgyzstan.
- *Third*, bloodshed in the Osh and Jalal-Abad regions demonstrated that neither the CSTO nor the SCO can influence the domestic developments in their member states. The CSTO leaders announced their willingness to revise their organization's charter to be able to offer its members stronger protection of their state systems and information security.
- *Fourth*, there are signs that the geopolitical gap between Central Asian countries will widen under the impact of the world powers and clashes of their own interests; this will affect the social, economic, and political situation in all the Central Asian countries.

The events of 2010 in Kyrgyzstan created new political relations and institutions; the regime change intensified regionalism, nationalism, and ethnic contradictions. The government pooled forces with civil society to create a new ethnopolitical conception.

The new people are building their vertical of power which will inevitably leave a certain number of regional clans and former bureaucrats out in the cold; redistribution of the spheres of influence is accompanied by protest actions.

Social opposition is taking shape in the country: teachers, doctors, and pensioners (the most vulnerable population groups) are dissatisfied with their incomes.

In 2011, the country will acquire a new president for the next 6 years; in the summer of 2011 the parliament will set the date for the presidential election; all the parliamentary parties will nominate their candidates.

In the summer and fall of 2011, political passions will fly high. The people, who have learned the bitter lessons of the 2010 parliamentary elections when some of the parties capitalized on nationalist sentiments and the "image of a common enemy" to get into parliament, now want stability and ethnic tolerance.