

KYRGYZSTAN'S POLITICAL CRISIS:

AN EXIT STRATEGY

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KYRGYZSTAN'S POLITICAL CRISIS: AN EXIT STRATEGY

EXECUTIVE SUMMARY AND RECOMMENDATIONS

ICG's first report on Kyrgyzstan, published in August 2001, highlighted the potential for crisis facing the country. International attention was then rarely focused on Central Asia but since September 2001 the region has suddenly registered on policy-makers' agendas. Nearly 2,000 U.S. and Coalition troops are now located at Manas Airport near Bishkek, as part of the forces active in Afghanistan, and Kyrgyzstan is playing a key strategic role in the region. Stability in this country is now of fundamental concern to the international community but, since early 2002, it has declined sharply.

The leadership has taken an increasingly authoritarian line towards the opposition, perhaps believing that the U.S. presence gave it more leeway. A popular deputy, Azimbek Beknazarov, was arrested in January 2002, and several opposition newspapers were closed. His arrest provoked protests in the south of the country, particularly in his home territory of Aksy district, in Jalal-Abad province. In confrontations with protestors in March, police shot dead five demonstrators, the first time political protests had turned violent in Kyrgyzstan.

After the shootings, thousands of supporters of Beknazarov protested in the South, demanding the dismissal of charges against him and the punishment of those responsible for the killings. President Askar Akaev dismissed the prime minister and interior minister in late May 2002, leading to the resignation of the whole government. But the protests continued, with demonstrators staging mass marches between southern cities. Tensions mounted as their demands became more radical, including a call for Akaev's resignation, and they threatened to march on Bishkek. It was only when the appeal courts lifted the charges against Beknazarov that the protestors were finally persuaded to go home.

This move calmed the situation temporarily, but the anger of the protestors has hardly abated. And it has not solved the underlying political and economic problems in Kyrgyzstan that have given rise to widespread discontent. Long-term stability remains under threat unless a more comprehensive review of policy is undertaken and serious measures introduced to calm the situation. Many protestors have been emboldened by their apparent success, and it is likely that demonstrations will be renewed. Even if these grind to a halt, Kyrgyzstan is entering a period of uncertainty, as it approaches the end of Akaev's term in office in 2005. As the struggle for power gathers pace during this transition period, there is considerable potential for further conflict.

The way the crisis develops depends on a number of factors, each of which can contribute to escalation or de-escalation.

First, the *political system and the struggle for power*. The increasing concentration of power around Akaev, his family and his close colleagues has led to discontent among rival elites, who seek more participation in both the political sphere and business. The usurpation of power in all branches of government by the ruling elite has led to a crisis of legitimacy – in the leadership, in the courts and in the political system itself. As the leadership has gained more power, it has become more authoritarian in an attempt to defend itself from rising criticism. This move towards authoritarianism has effectively provoked the current crisis. Whether the forthcoming struggle for power will remain peaceful depends on whether the authorities accept the need for fundamental changes to the political system and the electoral process.

Secondly, *the opposition*. Increasingly radicalised, it has little faith in the present political system and now seeks the resignation of Akaev through popular pressure. The president is unlikely to resign voluntarily, and the result of such a strategy is likely to be more confrontation. Only a genuine compromise by the authorities, involving efforts to deal with the roots of the crisis in the political system and to take measures to guarantee free elections in 2005 will dampen some of the radicalism of the opposition.

Thirdly, the *security forces* can either play a neutral role in preserving order or become a political force in their own right. Recent strikes by the police in the South and rising dissatisfaction among the security forces represent a potential threat to peace. Reform of security structures is badly needed.

Fourthly, *popular protest*, provoked by the increasing authoritarianism of the government, but with its roots in a deep socio-economic crisis and a lack of political representation, will continue regardless of agreements made by elites, unless real attention is focused on the problems of the mass of the population. This must cover political issues – winning back people's faith in the constitutional process – economic issues – raising real living standards – and social issues.

Fifthly, the growing *geopolitical competition* in Central Asia may also have a destabilising impact. The U.S. military presence, attempts by Russia to reassert its influence, and the fears of Uzbekistan, Kazakhstan and China that any unrest could destabilise the region, will all affect the internal situation in Kyrgyzstan. States with interests there can either use the political situation to try and improve their own positions at the expense of others, or can cooperate with the aim of promoting stability in the country.

These five factors will decide whether Kyrgyzstan's political crisis is resolved through constitutional means, or develops into a wider crisis, possibly degenerating into conflict. Since the implications of a conflict in Kyrgyzstan are significant for the region as a whole, the interests of the international community are in attempting to prevent any escalation of the crisis.

The main effort in resolving the crisis must be made by Kyrgyzstan's political forces. A genuine effort on the part of the elite to reach a 'new deal' of power-

sharing, in politics and in business, would limit the potential for further unrest and ensure that future political struggles remain within the constitutional framework. But the international community can play a significant role in promoting and supporting such a deal, and making clear to the leadership that future political, economic and strategic relationships depend on real measures being taken.

The international community should become actively engaged in pushing political reform. Without it, economic assistance will at best be wasted, and at worst contribute to the increasing divide between the rulers and the ruled. A common platform among Western states and international organisations should push for real implementation of policies that are currently just government rhetoric. Continued inaction on the part of the leadership poses a serious threat to stability in the country and to the region as a whole.

RECOMMENDATIONS

To the leadership of Kyrgyzstan

1. Re-establish faith in the electoral process by:
 - (a) reforming laws on political parties and on elections, ensuring that technical issues, such as registration and internal party issues, or financial declarations, cannot be used to disqualify opposition candidates;
 - (b) reforming the Central Electoral Commission to include all political forces, by removing the right of the president to appoint members, increasing representation of opposition groups, and reducing the power of the chairman;
 - (c) providing a proper legal basis for NGOs willing to monitor elections and welcoming international monitor missions;
 - (d) seeking, on the basis of such changes, a public commitment by all political forces to contest for power only through the electoral process; and
 - (e) restricting presidential powers to use referenda, which in the past have been abused to extend Akaev's term of office.

2. Institute constitutional reforms to reduce the strength of the presidency so that power is shared more equally also with the government and parliament, ensuring that:
 - (a) the president can serve as a neutral arbiter of political disputes;
 - (b) the parliament has the power to approve all government and presidential decrees; and
 - (c) the number of presidential appointments is cut back sharply, with parliament and a professionally competent judicial council approving all appointments of judges.
 - (d) when and where possible, power is decentralised to elected local officials in a graduated process, the pace of which should depend upon the training and development of better qualified and competent individuals and a system to hold them accountable.
3. Implement reforms of law enforcement agencies designed to regain popular trust in the police, while making it a priority that they are adequately funded and trained.
4. Abandon attempts to pass a law on political extremism and to create superfluous bodies such as a Council for Democratic Security;
5. Adopt a package of laws to ease the transition of power, including:
 - (a) an amnesty on financial crimes associated with privatisation, corruption and illegal business practices, that would lead to the release of Feliks Kulov and provide a measure of protection for the presidential family; and
 - (b) a law providing the first president of Kyrgyzstan legal immunity and guarantees of security when he leaves office.

To the Opposition

6. Develop real strategies of political and economic development of the country over the long term, rather than concentrating on short-term political gains.
7. Unite around a public commitment to ensuring free and fair elections as the only route to a peaceful transfer of power and

cooperate with the government and parliament to develop laws that will allow this to happen.

8. Develop political parties as engines of change rather than the present concentration on individuals, human rights organisations, and committees.
9. Support new laws to enable a peaceful transfer of power, including an amnesty on financial crimes associated with privatisation and guarantees of security for the president and his family;

To the International Community

10. Develop a common platform among the U.S., the EU and the OSCE to push for political reform, based on:
 - (a) a commitment by all political forces to free elections;
 - (b) a reform of law enforcement agencies;
 - (c) a process of constitutional reform that shifts power from the presidency equally to other institutions; and
 - (d) a reform of the judiciary aimed at increasing its independence.
11. Provide financial and technical assistance to underpin these reforms, if it is clear that there is real political will behind them.
12. Provide assistance to widen the scope and ownership of the media and to reform the state media so that it offers broader, independent news coverage, and train journalists in both the independent and state sectors.
13. Link further financial assistance, including assistance from international financial institutions (IFIs), to effective implementation of changes in the political system, without which economic development is unlikely;

To the OSCE

14. Offer a substantial increase in resources, including personnel, to assist in a wider program of political and economic reform.

Osh/Brussels, 20 August 2002

KYRGYZSTAN'S POLITICAL CRISIS: AN EXIT STRATEGY

I. INTRODUCTION

The rhetoric of Kyrgyzstan's leadership has always failed to match reality. A public commitment to principles of democratic development and human rights has masked an increasingly authoritarian regime that has suppressed opposition and concentrated increasing political and economic power among a small group around the president. Widespread corruption has derailed attempts to boost the economy, and the living standards of 80 per cent of the population have been in almost constant decline for the past decade.

Nevertheless, President Askar Akaev has continued to enjoy Western support, particularly following his decision to host an international military airbase in Bishkek in December 2001. But his reputation has been seriously damaged by the killings by police of five protestors in March 2002. A wave of demonstrations in the South have forced the resignation of the government. Despite attempts by government officials to downplay the significance of the events,¹ independent political observers have begun discussing a systemic crisis in Kyrgyzstan, with many warning that the confrontation could descend into armed conflict.²

Many of the elements of Kyrgyzstan's systemic crisis were discussed in a previous report by ICG. Much of that analysis remains valid, and the

recommendations still await implementation.³ But the seriousness of the situation now demands a more urgent implementation of measures to stem the crisis before it spirals out of control.

Kyrgyzstan's early liberal reforms made it a favourite partner for the West as what was widely considered an "island of democracy" in a region dominated by repressive states. President Akaev used his liberal reputation to win huge amounts of foreign aid and loans.⁴ But from the mid-1990s onwards, he moved to limit opposition forces and consolidate power in the presidential apparatus. The presidential and parliamentary elections of 2000 were widely regarded as fraudulent. Akaev's main opponent, Feliks Kulov, was imprisoned on dubious charges.

The judiciary has come under the control of the presidency and has been frequently used to silence political opponents. The media, once the freest in Central Asia, has been under constant pressure from the authorities, with newspapers frequently closed on spurious legal grounds. Human rights activists have been harassed by the authorities, and the police have developed a reputation for corruption and brutality.

The economy has been dominated by virtual monopolies, with major branches under the control of members of the presidential family. Few resources, and a reputation for corruption and lack of legal guarantees, have put off all but the bravest of investors. Living standards, especially in rural areas, have slumped dramatically, and some 500,000 Kyrgyz have left the country to seek work in Russia and other countries.

¹ General Bolot Januzakov, Presidential adviser on links with the public, and former head of the National Security Service, suggested to ICG that it was important not to overdramatise the situation, and that the events were a normal part of Kyrgyzstan's democratic development. ICG interview, Bishkek, 12 July 2002.

² Discussions at the Forum of Civil Leaders, Bishkek, 13 July 2002.

³ ICG Asia Report N°22, *Kyrgyzstan at Ten: Trouble in the Island of Democracy*, 28 August 2001.

⁴ According to UNDP figures, Kyrgyzstan received U.S.\$1.69 billion in foreign loans between 1992 and 2001. See *The Times of Central Asia*, 11 July 2002. p. 3.

Stability has been threatened before: there were armed incursions by the radical Islamic Movement of Uzbekistan into the south of the country in 1999 and 2000. The radical Islamist group Hizb-ut-Tahrir claims to have thousands of supporters in the more conservative and religious South.⁵ Although it denounces violence, its plans to create a caliphate throughout the Fergana Valley have provoked arrests of its members by the authorities, moves that often seem only to radicalise its membership further.

Against this background, a severe crisis in the political system is not surprising. Yet few foresaw the protests of early 2002. The political elite has become complacent, dulled by a widespread belief that ordinary people would never go out on the streets en masse and stage political protests. Many are increasingly divorced from the reality of most people's everyday lives. The shock engendered by the police shootings and the mass demonstrations that followed has forced the leadership to take initial measures to calm the situation. But the question remains as to whether these are enough.

II. THE POLITICAL CRISIS

The country's leadership seemed to take the agreement to locate U.S. and coalition troops in Kyrgyzstan in December 2001 as a green light for moves against the opposition. On 5 January 2002 police arrested and imprisoned Azimbek Beknazarov, a parliamentary deputy who had been outspoken in his criticism of President Akaev. In particular, he had opposed a border treaty that gave China 30 per cent of contested territory.⁶ Beknazarov was charged with abuse of power in his former position as a prosecutor in Jalal-Abad province, in 1995, but few observers believed that the arrest had anything other than political motivations.⁷

The Beknazarov arrest was only the beginning of what seemed to be a new authoritarian trend. On 14 January 2002 the government issued a resolution, No. 20, which severely restricted the activities of independent publishers. The resolution ensured that no publishing house could operate without the government having at least a 10 per cent stake in it and also demanded registration of any other publishing activity, including small-scale printing of bulletins or pamphlets by NGOs.⁸ At the same time, the Uchkun publishing house, which is government-controlled and has a

⁶ The territory in question had been contested since Soviet times, and was located in remote areas on Kyrgyzstan's eastern border. Much of the controversy arose because of the apparent attempt by the president to negotiate the concessions in secret, before presenting them to parliament.

⁷ The case revolved around Beknazarov's failure to bring charges against J. Kamchybekov, who wounded a man during a fight in February 1995. The man subsequently died of his injuries. Kamchybekov argued that he acted in self-defence, an argument accepted by the State Commission on the Aksy events. "On the Results of the Work of the State Commission on the Reasons and Conditions Giving Rise to the Tragic Events of 17 March 2002". Published in *Slovo Kyrgyzstana*, 12 May 2002, pp. 4-7.

⁸ Resolution of the Government of the Kyrgyz Republic, "On Certain Issues Concerning Publishing Activity in the Kyrgyz Republic". The International Centre for Non-Profit Law provided a detailed commentary on the resolution. See ICNL, "Analysis of Main Provisions of Resolution N°20 of the Government of Kyrgyz Republic of January 14, 2002 on Certain Issues Concerning Publishing Activities in the Kyrgyz Republic", Bishkek, 30 January 2002. There were several theories as to why the resolution was adopted. One was the interest shown by USAID in funding an independent printing house. Since the resolution was annulled, the U.S. has again sought to fund such a printing press, despite government opposition.

⁵ See ICG Asia Briefing, *The IMU and Hezb-ut-Tahrir: Implications of the Afghanistan Campaign*, 30 January 2002.

monopoly over newspaper publishing, refused to publish the opposition newspapers *Res Publika* and *Moya stolitsa*, leaving almost no opposition journals in circulation.

In response to the arrest of Beknazarov and the crackdown on the media, opposition activists began to organise anti-government actions. A Committee for the Defence of Beknazarov was set up among his constituents in Aksy district, demanding that he be released from prison pending trial. Protestors began a hunger strike in Aksy district and in Bishkek. One of these, Sheraly Nazarkulov, died on 6 February 2002. In that month, protests began to grow in parts of Jalal-Abad province, where Beknazarov's constituency was located. In late February in Beknazarov's home village of Kara-Suu, parents refused to send their children to school in protest at his continued detention.

There were further small protests in early March, but little response from the authorities. Neither the governor of Jalal-Abad province nor the head of the provincial police visited Aksy to investigate the protests. On 12 March 2002 the trial of Beknazarov began in the southern city of Toktogul, accompanied by a small picket at the courthouse. His trial provoked increasing numbers of people to attend protests. A further unsanctioned demonstration by several hundred people was held in the village of Kara-Jygach on 13-14 March 2002, and a police car was overturned. Some protestors began to block bridges in the area, but they were quickly cleared by police.⁹

At this point few paid much attention to what was going on in the South. Small protests had also emerged following the arrest of Kulov in 2000, but they had quickly faded. The authorities believed that their traditional methods of administrative pressure and the use of law enforcement agencies would deal with the demonstrators, and that protests would gradually die down. They made no attempt to initiate any political dialogue.

⁹ Ministerstvo vnutrennykh del Kyrgyzskoi respubliky [Ministry of Internal Affairs of the Kyrgyz Republic], "Informatsiya o sobytiyakh v Ak-Siyskom rayone Dzhalabadskoï oblasti" [Information on events in Aksy district of Jalal-Abad province], 1 April 2002.

A. THE SHOOTINGS

The government was shocked out of its complacency on 17 March 2002, as the protests started to grow out of control. Some demonstrators began to travel to the small town of Kerben, to protest against Beknazarov's continued detention; others set off for Tash-Kumyr, a minor town on the main Bishkek-Osh road, with the aim of blocking the highway. A group of several hundred travelling to Kerben was stopped by police and local officials near the hamlet of Bospiek. The officials refused to let them travel further, and in the ensuing confrontation, police opened fire killing four demonstrators.¹⁰

The news of the shootings travelled quickly, and protestors in Kerben immediately surrounded the police station, threatening to burn it down. Further clashes, in which one person died, ensued on 18 March in Kerben between police and protestors, whose numbers had now reached over 6,000. There is no real evidence to suggest that the demonstrators had firearms, despite attempts by the authorities to suggest otherwise.¹¹ The violence only died down when it was announced that Beknazarov had been released, although he would still have to face trial at a later date.

There was a shocked response to the killings throughout the country, the first time that political disputes in Kyrgyzstan had turned violent. The government's reaction, however, was slow and ineffective. Initially, it blamed human rights activists such as Tursunbek Akunov for provoking the confrontation.¹² A visit by President Akaev only angered protestors, since he failed to meet anyone

¹⁰ The actual circumstances of the shootings remain disputed. Police claimed that they fired in self-defence, but there is no evidence that any of the protestors had firearms. Stones were certainly thrown at police when they arrested Tursunbek Akunov, a human rights activist, but there seems to have been no real cause to use firearms against the demonstrators.

¹¹ Deputy Minister of the Interior Kalmurat Sadiev claimed that at least one police officer had been shot and wounded by demonstrators. ICG interview, Kerben, 19 March 2002. The State Commission noted that five people died and fifteen were wounded, as a result of gunshots, all of them civilians. "On the Results of the Work of the State Commission on the Reasons and Conditions Giving Rise to the Tragic Events of 17 March 2002". Published in *Slovo Kyrgyzstana*, 12 May 2002, pp. 4-7.

¹² Minister of the Interior Temirbek Akmataliyev was the first to blame Akunov for precipitating the riots. ICG analysts in Kerben on 19 February 2002, however, noticed Akunov's skill at negotiating between the demonstrators and the security forces.

except local aksakals (*elders*),¹³ and stayed for only two hours.¹⁴ But eventually the government promised that a state commission would investigate the incidents, and those guilty would be punished. The governor of Jalal-Abad Province was dismissed, along with several local officials.

Protests escalated again in early May, when thousands blocked the only road from Bishkek to Osh, at the town of Tash-Kumyr. Traffic was stopped for over a week. The protestors had begun to widen their demands, from the release of Beknazarov, to include revocation of the border treaty with China, resignation of several senior officials, and, among some at least, resignation of Akaev himself.

Adding to the rising political passions, on 8 May 2002, the long trial of opposition leader Kulov, head of the Ar-Namys party, ended. He was sentenced to ten years imprisonment, much to the shock of his supporters, many of whom had expected a more lenient sentence given the political situation.¹⁵

The sentencing of Kulov gave additional impetus to demonstrations already planned for 10 May, when parliament was due to vote on the agreement with China. In Bishkek about 150 protestors gathered outside parliament, calling for Kulov's release, and protesting against the agreement, which was ratified. About 50 protestors were briefly arrested on 16 May when police broke up their demonstration, including human rights activists, Ramazan Dyrlydaev and Tursunbek Akunov.

B. AKAEV'S RESPONSE

Akaev, according to people who met him about this time, seems to have believed that the riots were the fault of the opposition, who were conspiring against him, and to have been reluctant to make any concessions.¹⁶ But finally, as rumours suggested that protestors were preparing to march

to Bishkek, he was forced to act. The State Commission on the shootings in Aksy published its report, after many delays, on 17 May 2002, and pointed to the arrest of Beknazarov as the main cause of the unrest.

Under pressure from the international community and some of his own advisers, probably led by the sober-minded head of the security council, Misir Ashirkulov, the president, at a meeting of the Security Council on 22 May, dismissed three key political figures: Prime Minister Kurmanbek Bakiev, Head of the Presidential Administration Amanbek Karypkulov, and Minister of the Interior Temirbek Akmataliyev. According to the constitution, with the resignation of the prime minister, the government was also obliged to resign.

The dismissal of the government temporarily eased tensions and the blockade of the Osh-Bishkek road was lifted. On 24 May, however, the trial of Beknazarov was resumed in Totktogul. He was found guilty and given a one-year sentence. The judge ordered that he had already served long enough in remand, so he was immediately released, but the guilty verdict meant that he would automatically lose his mandate as a parliamentary deputy, something that his supporters refused to accept. They promised to protest further, while Beknazarov appealed.

Following the government's resignation, Akaev suggested that he was ready to form a coalition involving at least part of the opposition. The reality was rather less. On 31 May 2002 he appointed Deputy Prime Minister Nikolai Tanayev as the new prime minister, a move that suggested change would not be as far-reaching as expected. The new government consisted mainly of middle-ranking bureaucrats, mostly closely connected to the presidential family. There were no posts for the opposition, although three parliamentary deputies from pro-government parties were given positions, and there was little increase in southern representation. In particular, there were no ethnic Uzbek ministers, despite apparent promises to widen representation of ethnic minorities. The reshuffle, despite the acclaim with which it was first greeted, made little significant change to the make-up of the political elite.

However, Akaev moved quickly to respond to demands for liberalisation of the media, cancelling the controversial Resolution No. 20. Two major opposition newspapers were permitted to resume printing, and Akaev suggested that a packet of long-

¹³ These figures are commonly known as "service elders" (*dezhurny chal* in Kyrgyz), who are generally pro-government and have in most cases little real authority among much of the population. They have been widely criticised by the protestors.

¹⁴ ICG interviews, Kerben, 27 April 2002.

¹⁵ "Kulova zakatali eshche na desiat let", *Delo No.* 15 May 2002, pp. 3-4.

¹⁶ ICG interviews, western diplomats, May 2002.

awaited laws, with liberal intentions, should be passed by parliament as quickly as possible.¹⁷

C. PROTEST MARCHES

The resignation of the government had little impact on the protestors. Their demands had never included resignation of the government, and Prime Minister Bakiev did not figure highly in their demands for resignations. Their protests became more radical, and they began to call for Akaev's resignation. As one protestor said, "We believed Akaev until the trial [of Beknazarov]. We thought he would free Beknazarov. And now 100 per cent of us do not believe Akaev".¹⁸ New slogans called for his resignation for the first time.¹⁹ Some protestors even demanded the secession of Aksy district from Kyrgyzstan, either to become an autonomous area or to join Russia or Uzbekistan.²⁰

Protestors continued to block the Osh-Bishkek road, and there were frequent clashes with the police, with accusations from the demonstrators of police brutality, and counter-accusations from the police that they were mistreated by the protestors.²¹ In a new tactic, on 12 June 2002, 500 people set off on a 130-kilometre march from Tash-Kumyr to Jalal-Abad, where Beknazarov was to have his appeal heard. Along the way further protestors joined the march, and about 2,000 demonstrators entered Jalal-Abad on 17 June, demanding that Beknazarov be cleared of all charges, that he

remain a parliamentary deputy, and that those directly responsible for the killings be brought to justice. At subsequent meetings, numbers swelled to at least 4,000.²² At the last minute, the Jalal-Abad court announced it would move northward to Toktogul, away from the demonstrators, to guarantee a fair trial.

While the majority of demonstrators remained in Jalal-Abad, a group of several hundred, mostly from Aksy, marched southward toward Osh. The situation seemed highly threatening, with ethnic Uzbeks in Osh promising to hold their own protests, provoking fears for inter-ethnic clashes. As the demands continued to be ignored, the slogans of the protestors grew ever more radical, for example calling for "Death to those who shot our people". For the first time, a few protestors were heard discussing taking up arms against the government.²³

The fear of the authorities that entry into Osh would result in major clashes sparked an intense effort by them and by security forces to prevent the protestors from reaching the city. The politically savvy Osh governor Naken Kasiev took on the role of mediator, promising that Beknazarov issue would be solved. Representatives of the security forces warned protest leaders of the possible consequences were they to go into the city. Despite the urging of some human rights activists for demonstrators to enter, the protestors remained peacefully on the edge of the town, awaiting a verdict on Beknazarov.

With the threat of violence hanging over Osh, a new element entered the equation: the police. The relatives of policemen publicly accused of being involved in the March shootings threatened their own protests. The police, who believed that they were unfairly taking the whole blame for the tragedy, staged a strike in Jalal-Abad and claimed they would join any protest by the relatives of accused officers.

D. TEMPORARY REPRIEVE?

On 28 June 2002 the Tokotogul court closed the case against Beknazarov, allowing him to retain his parliamentary deputy's mandate. This was presented to the protestors as a victory, and they left Osh to

¹⁷ These were: a law on meetings and demonstrations, designed to update a restrictive Soviet-era law; a law appointing a human rights ombudsman; a law on corruption; and a rather more controversial law "on political extremism". See below.

¹⁸ ICG interview, Kara-Suu, June 2002.

¹⁹ Around this time Aksy elders allegedly began conducting a ritual cursing of Akaev, known in Kyrgyz as "kargysh". This is a rare and extreme curse reserved for those accused of serious crimes against the people.

²⁰ This call for secession was not taken very seriously even by protestors. The demand was more about dissatisfaction with the existing political system in Kyrgyzstan than any serious interest in joining neighbouring Uzbekistan. However, there was a strong sense that they would be better off running their own affairs than being ruled from Bishkek. ICG interviews, Tash-Kumyr and Aksy district, June 2002.

²¹ Police arrested seven leaders of the protests in Tash-Kumyr, and 44 others. The latter and one of the leaders were quickly released, but the continued detention of six of the leaders for the next five days provoked yet more discontent among the protestors.

²² Figures for protests are always disputed. The demonstrators claimed that there were 14,000 people in Jalal-Abad.

²³ ICG interviews with protestors, Osh, July 2002. There were even some public speeches among protestors near Osh containing similar threats.

return home. On the same day, parliament passed an amnesty law for all those involved in the Aksy events, both protestors and police, ensuring that no one in the shootings would be brought to justice. The amnesty calmed the fears of police that they would be prosecuted for their part in the shootings, but was condemned by the protestors and by Beknazarov, whose demand for justice against those responsible for the shootings looked likely to go unmet.

Beknazarov and the demonstrators announced that they would end protests until the autumn, when they would again seek the punishment of those responsible. Beknazarov promised that in September protestors would march on Bishkek to seek the resignation of the president.²⁴ A Kurultai (a people's parliament) held on 18 July 2002 made the resignation of Akaev the first demand in its final resolution.²⁵ In the minds of the protestors, responsibility for the shootings now rested not so much on those who pulled the triggers, but at the very top of the pyramid of power, with Akaev himself. Their anger had focused on the president, and they asserted that they would not be content until he was forced out of office.²⁶

The unrest threatened at several times to spiral out of control. After the first killings in March, only the release of Beknazarov stemmed the protests, which were growing increasingly violent. The movement of protestors towards Osh in June also risked escalating into violence, particularly once the police threatened to insert their own political demands. At each stage last-minute and increasingly desperate efforts by the authorities and by mediators stemmed the slide. The protestors themselves were highly disciplined and organised, which probably prevented more violence.

In general, however, the crisis was poorly managed by the authorities. Promises to solve problems went unfulfilled, and the government failed to understand for a long time how deeply felt the grievances were. This failure to grasp the seriousness of the demands runs through the crisis, and reflects the mentality of a political system that has increasingly ignored ordinary people and worked largely for the good of a small elite.

III. ESCALATION OR CONSOLIDATION?

The temporary reprieve in mid-July may lead to a decline in tension and a move towards conciliation among the parties. But there is a greater chance that the crisis will re-emerge, with further protests directed against President Akaev, and the potential for new confrontations with the police and the authorities.

Whether the crisis can be resolved, and stability assured will depend on a number of factors:

- Whether the political system can be made more effective and more democratic;
- the role of the law enforcement agencies;
- the attitudes and strategies of the opposition;
- the attitudes of the population, notably the people of Aksy; and
- the geopolitical competition around Kyrgyzstan.

If the authorities and the opposition fail to grasp the need for compromise, and are unable to implement serious reforms that are accepted by ordinary people, the potential for conflict will be dangerously high.

A. THE POLITICAL SYSTEM AND THE STRUGGLE FOR POWER

Although the protests in the South took place against a background of extreme socio-economic dissatisfaction, the detonator of the conflict was the arrest and imprisonment of Beknazarov, a political move that symbolised the increasingly authoritarian structure of the political system. Increasingly intolerant of criticism, the narrow political grouping that has consolidated around President Akaev had little hesitation about using the courts to dismiss one of his most outspoken opponents. This political system must be changed if further unrest is to be avoided.

There are three fundamental problems with the present system:

- first, an issue of governance, how it functions, and why it fails to channel and respond to grievances;
- secondly, a question of representation, or why many elites, particularly in the South, and

²⁴ "Opravdal li sud deputata Beknazarova?" [Did the court acquit Beknazarov], *Delo No* [Bishkek], 10 July 2002, p.3.

²⁵ Resolution of the People's Kurultai, Kerben, 18 July 2002.

²⁶ ICG interviews, Kerben, 18 July 2002.

among ethnic minorities, feel excluded from power.

- thirdly, succession to the present leadership. Although presidential elections are not until 2005, the campaign has effectively already begun. Unless some genuine changes are made, the transition that is underway is unlikely to be peaceful.

These three issues – how the political system functions, whom it represents, and how it will manage the process of succession – are closely interlinked. The lack of faith, both among opposition politicians and ordinary people, is leading to a crisis of legitimacy not just in the present system, but in the ability of constitutional mechanisms to produce future change.

1. Governance

The domination by a small group around the president has diminished institutions and downgraded the entire political system. Through a series of referenda, in 1994, 1996 and 1998, the president gained increasing constitutional powers, which now ensure the dependence of every branch of government and also the personal careers of almost every government official on him. He has used the judicial system with impunity for political ends; the government has had its powers gradually eroded; and parliament has been sidelined or pressured to adopt presidential proposals.²⁷ The result is an almost feudal system of power, in which the executive, the legislature and the judiciary at all levels are all subordinated to the presidency.

This system has led to a crisis of governance, with a lack of decision-making capability in even the most powerful posts, and a concomitant lack of responsibility for policy among officials at all levels. The lack of willingness to accept responsibility has been felt throughout the crisis. As an opposition leader, Tolekan Ismailova, told ICG:

We spoke to the State Secretary and the Head of the Presidential Administration, and they all said the same thing: "It's not our responsibility"... Power has been usurped to the extent that nobody takes responsibility,

except Akaev. Everyone goes to him, and he says nothing.²⁸

At each stage in the crisis there has been a lack of competent and authoritative figures prepared to meet with protestors and listen to their demands. Officials act in a constant fear of losing their positions, and thus their livelihoods, and are not prepared to take risks. But in many cases they seem simply powerless. One villager commented: "We always talked about our problems to the *akim* and the governor, and they told us: we can't do anything about it. If you can't do anything, we said, – then leave".²⁹

The powerlessness and lack of responsibility of many officials have led to a crisis of trust in the system, indeed to a crisis of legitimacy. With few officials able to respond effectively to grievances regarding economic and social conditions, ordinary people have increasingly sought direct action – pickets, hunger-strikes, demonstrations – to make their voices heard. In its most extreme forms this crisis of authority has led to some members of the protests threatening to take up arms or to secede from the Kyrgyz state altogether.

This problem of governance is made much worse by the widespread practice of buying and selling posts. Very few posts in government service are elected, and most are appointed by the presidential administration, including many local political positions, such as provincial governors. As a result, there is widespread scope for abuse, with alleged payments to officials to occupy certain posts. Not surprisingly, given that government salaries are low, officials then have to concentrate on using their positions to recoup their payments. The result is that many officials do not have the time or inclination to expend energies on the real social problems.

A positive start has been made to cutting down the huge number of appointments made from Bishkek, by introducing elections for local leaders (*akims*) in December 2001, but in some cases the elections were flawed, and the result was merely deeper voter

²⁸ ICG interview, Bishkek, 17 May 2002.

²⁹ ICG interview, Kara-Suu, 2 June 2002. This basic inability of local authorities to do anything about the lives of local people means that even the smallest issues get passed up to Bishkek. One government official gave an example. The villagers of Baitik were complaining that they had not received their pensions. It turned out the problem was a technical issue with the post office. The issue went up to the prime minister before it was resolved. ICG interview, government official, May 2002.

²⁷ See ICG Report, *Kyrgyzstan at Ten*, op. cit..

disillusionment. Elections for as many posts as possible is clearly one way to break through some of the corruption, but this requires an electoral process that is trusted by voters. Until a higher level of responsibility and a lower level of corruption can be achieved in the political system, ordinary people will continue to doubt the utility of the system as a whole, and will turn to their own folk heroes and clan leaders for redress on the outside.

2. Representation

The inability of the ruling elite to spread power and wealth beyond a small group around the president has ensured that significant regional groups and elites feel excluded. This crisis of elites is at the heart of the political impasse. As one southern politician pointed out: "The question of elites is now the most important question in Kyrgyzstan. Everyone thinks that the [problems] of the South are problems of water and land, but above all it's a question about the elite".³⁰ The lack of representation of the southern elite in the political pyramid has led to dissatisfaction among all its representatives of whatever political persuasion.

Regional affiliations and kinship play a significant role in politics, and some have argued that inter-clan rivalry is at the heart of the present crisis.³¹ Some of this clan identification is probably exaggerated but there is widespread dissatisfaction among southern representatives at the domination of politics and business by those from the North. Whether interpreted as clan or merely regional affiliation, it is clear that in all aspects of political and economic power, the South feels excluded. Money flows to Bishkek and stays there, despite the obviously greater needs of the South (and indeed rural areas of the North), where levels of poverty and unemployment are significantly higher. Political power goes to traditional elites, which have tended to come from the North. While there are southern politicians in the ruling elite, they are much less represented than their overall share in the population would suggest.

There was considerable expectation that the new government announced in June 2002 would widen representation of southern elites, other political groups, and ethnic minorities. The result was a disappointment, with most posts going to figures from within the old elite. The new Prime Minister, Nikolai Tanayev, has gained considerable influence during the crisis, but is still seen by many as temporary. The First Deputy Prime Minister, Kurmanbek Osmonov, is a lawyer with limited political weight. Two new Vice-Premiers are from circles close to the president. Kubanichbek Jumaliev, also the Minister of Transport, is thought to be a close personal friend of Akaev and belongs to the inner circle.³²

The other Vice-Premier, Joomart Otorbayev, also has close personal relations to the family, but is more of an independent thinker. He is particularly popular with Western governments, partly because of his liberal economic views, and partly, one suspects, because of his fluent English. The rest of the government consists mostly of uninspiring middle-ranking bureaucrats, many closely connected to the family through friendship or relationships.

Real power lies with a small number of posts in the presidential administration and a number of informal advisers to the president. The situation in Aksy seems to have been under the control not of members of the government, such as the interior minister, but former Head of the Presidential Administration, Amanbek Karypkulov.³³ The Secretary of the Security Council, Misir Ashirkulov, a close colleague of the president, and trusted partly because he has few political ambitions of his own, plays a key role in policy-making. The State Secretary, Osmunakun Ibraimov, remains something of a regime ideologue. Bolot Januzakov, the presidential adviser on links with society, has a background in the security services that gives him considerable insight into the realities of political life. Outside the capital, there are few significant players, but Naken Kasiev has remained a serious national politician while occupying the key position as Governor of Osh. He is widely respected, has few enemies, and is particularly good at charming foreign delegations.

³⁰ ICG interview, Jantoro Satybaldiev, Mayor of Osh, Osh, 21 June 2002.

³¹ Alisher Khamidov, "Kyrgyzstan's unrest linked to clan rivalries", *Eurasia Insight*, 6 June 2002, at www.eurasianet.org

³² Originally one of Akaev's students, Jumaliev was sent as informal personal representative to Aksy directly after the shootings there in March 2002, and it is said that he telephoned Akaev to advise that Beknazarov be released immediately to forestall further bloodshed.

³³ ICG interviews, presidential administration, July 2002.

Members of the presidential family itself also play a considerable political role. The president's wife, Mairam Akayeva, is said to be influential in government appointments. While other members of the family are more involved in business, his elder son is sometimes politically active, quietly lobbying for family interests. Akaev's Kazakh son-in-law, Adil Toigonbaev, is rumoured to have considerable control over key businesses.³⁴

This rather small elite has garnered much of the political and economic power in the country, and guards it jealously. The result of this domination by a narrow elite around the president is that much of the country – both elites and ordinary people – feels underrepresented in the political system. The reason that Beknazarov became such a symbol for the people of Aksy was that he was the only representative whom they felt they could trust in the political elite. Without him, they felt powerless and believed that their economic and social problems would never be solved. In reality, parliamentary deputies have only limited powers to work for their constituencies, but the symbolism of representation is critical in the system.

Moving away from this family-feudal system to one that more adequately reflects the different elites and regional groupings in Kyrgyzstan will be difficult for the leadership, since it implies a dilution of power. But the alternative is to threaten not only political stability but also Akaev's own legacy. Under the present system, a change in leadership means virtually a change in the whole political and business elite. A new leader will be forced to redistribute political and economic power to his own supporters and relatives, and the entire system will merely start all over again.

3. Succession

Against this background, the issue of succession has become critical. Although elections are not due until 2005, Akaev has publicly announced that he will not stand, sparking off speculation as to an eventual successor. If before Aksy there seemed to be a chance that Akaev could promote his own candidate and push him through a manipulated election process, almost everyone in the political

elite now understands that this would likely provoke significant conflict.

The coterie of politicians around Akaev plays a significant role in policy setting and implementation. But none really has the political weight to take over from Akaev soon. They are courtiers rather than leaders. Among those apparently being groomed for the succession, Temirbek Akmataliyev was dismissed as Minister of Internal Affairs in May, despite his closeness to the family, and his political chances seem to have dropped sharply. Other pretenders include Joomart Otorbaev, the newly appointed Vice-Premier. An intelligent technocrat, he probably does not have the political charisma to win a presidential election. Other well-known figures, such as Naken Kasiev, are probably king-makers rather than serious contenders. Vice-Premier Kubanichbek Jumaliev may have higher political ambitions, but will need a much more populist image to make a serious impression.

If the options within the presidential camp look uninspiring, the possibility of a figure from the opposition emerging as president are equally unlikely. Only Feliks Kulov, the imprisoned leader of the Ar-Namys party, has the political weight at present to win an election. Other candidates, such as parliamentary deputy Adakhan Madumarov, are probably too inexperienced to mount a strong nation-wide campaign in 2005. This lack of obvious leaders from the opposition has damped down the enthusiasm of many in their ranks for early elections, and persuaded some to use the final years of Akaev's term to build up a stronger candidate and a new political system.

Stronger candidates will appear by 2005, but it is almost more important to have a reformed political system by then and a mechanism for proper succession. Any such mechanism requires some kind of guarantees for the presidential family. A new leader will bring with him a new team, and given the close connections between business and politics in Kyrgyzstan, this will almost inevitably lead to a re-division of property and business. To avoid this, the political elite needs to consider an amnesty on crimes related to past privatisations and dubious business deals. An attempt to undo some of the previous privatisations will only lead to renewed conflict over business, and an unwillingness by the president's family to give up political power. Such an amnesty would also cover opposition figures such as Feliks Kulov, providing a face-saving way for the government to release him. Without Kulov's

³⁴ See David Stern, "Kyrgyz President admits relative sells to U.S. base", *Financial Times*, 22 July 2002.

participation, no presidential election is likely to be considered legitimate.

Amnesties are always problematic and can lead to resentment over a lack of justice. However they are also often an essential part of a peaceful political transition or an end to repressive rule. Amnesties that enforce an amnesia about past events or are not part of a broader process of accounting and political reform can backfire. Amnesties also need support from the public at large – they must be seen as a step towards better government rather than purely as elites absolving themselves. They require considerable consultation and debate to build public support, something that has not been done in Kyrgyzstan to date. To build this support, an amnesty will have to be accompanied by a mechanism that provides an accounting of events and by some sort of compensation or memorial for victims of violence. The government will also have to decide on the wording and limitations of an amnesty, perhaps attaching it to some form of accounting so that those who admit to past crimes are allowed to go free.

The only way to allow a real change of regime without the threat of violence is to ensure that whoever comes to power, the personal safety and business interests of members of the presidential family will be assured. In many ways this is unfair, given the corruption and dubious business acquisitions that have occurred in the past decade. But there is probably no alternative if the present ruling elite are to be persuaded to give up power peacefully, should an alternative candidate win the elections.

B. SECURITY FORCES: NEUTRAL PLAYER OR POLITICAL FORCE?

The increasing ineffectiveness of the government and rising discontent have ensured that the role of the so-called power ministries has become critical in Kyrgyz politics. The Ministry of Internal Affairs (MVD) and the National Security Service (SNB) have been widely criticised for their role in the Aksy events. The MVD in particular is suffering a crisis, as demonstrated by a strike in late June by policemen in Jalal-Abad, and their widespread dissatisfaction that they are apparently being blamed for the tragedy in Aksy.

But the problems of the MVD go further than just their participation in the events of March 2002. For many ordinary people, the police are the main representatives of government power that they meet on an everyday basis. It is symptomatic of the dislike of the police in rural areas that one of the first demands put forward by protestors in a village in Aksy district in early March was that: "There is no need for the presence of the police in the village, since all questions regarding cattle-rustling and other crimes, the villagers can solve themselves".³⁵ Local police throughout the country are often beyond control of any government, and wield immense power over the everyday lives of citizens. They have developed a reputation for high levels of corruption, and frequent brutality. Since the Aksy events, policemen have not dared to appear in some district villages. According to Beknazarov, the result has been a sharp drop in crime.³⁶

But the problems of the police are also the result of incompetent political management. They are deeply underfunded, which makes corruption almost a necessity, and they often lack training, since few qualified specialists seek work in the police. A hard core of professionals is gradually dwindling, and new recruits of the right standard are hard to find. According to one former police officer, "You can get a job on the telephone, they take people off the street, amateurs. And they don't train them".³⁷ According to officers in Jalal-Abad, their day often starts with a search for petrol for patrol cars, obtained from businesses illegally. Salaries are very low – a senior officer told ICG that his salary was 700 soms (U.S.\$15) after 30 years work in the force, and that most people earned 350-500 soms (U.S.\$7-10)³⁸ – making various forms of extortion and bribery almost inevitable.

After the events in Jalal-Abad, the police went on strike in protest at the continued accusations against them and their poor material conditions. The strike, led by middle-ranking officers, lasted four days, from

³⁵ Ministerstvo vnutrennykh del Kyrgyzskoi respublikii [Ministry of Internal Affairs of the Kyrgyz Republic], "Informatsiya o sobytiyakh v Ak-Siyskom rayone Dzhalabadsloi oblasti" [Information on events in Aksy district of Jalal-Abad region], 1 April 2002, p. 2.

³⁶ "Opravdal li sud deputata Beknazarova?" [Did the court acquit Beknazarov?], *Delo No.* 10 July 2002, p. 3.

³⁷ ICG interview, Osh, 11 July 2002.

³⁸ ICG interview, Jalal-Abad, 12 July 2002.

28-31 June 2002.³⁹ The level of dissatisfaction among the police after Aksy was extremely high, with many officers expressing the feeling that they had been used as a political tool and then left to bear the consequences. As Abdimal Kalbaev, an officer present when the protestors were shot, said: 'They held pickets for 75 days, and the Governor did not go and see them once. And then the authorities accuse us that we have no idea how to hold a dialogue with the people'.⁴⁰

This kind of bitterness is widespread in the police, particularly those who were involved in the Aksy events. The Law on Amnesty was adopted specifically because of the fear that the police would take their own measures if any of their number were arrested. But although the police were often unhappy that protestors were shown too much leniency, much of their anger was directed not against the people of Aksy or the protestors, but against the authorities, the procuracy and frequently other law enforcement agencies, such as the SNB. Although most officers were pleased that the amnesty was adopted, some were concerned that it would merely re-ignite the anger of the protestors.⁴¹

There is a danger that if the authorities continue to try and use the police as a political weapon, and then blame them for the consequences, their loyalty may come into question. Some officers suggested this was unlikely. Head of Jalal-Abad's special forces (*spetznaz*) told ICG that: "the police will never go against the authorities, we gave our oath. The police might protest, but only to solve their own problems".⁴²

But it would be wrong to underestimate the dissatisfaction in the police. As Kalbaev told ICG: 'They didn't believe the popular unrest after Beknazarov's unrest, and they don't believe the police now'.⁴³ His former colleague, Deputy Head of the police in Jalal-Abad, Ryspek Alimbetov,

said: 'The protest of the police is more dangerous than the protests of the Aksy people'.⁴⁴

The amnesty has probably calmed the most dangerous emotions in the police, which stemmed from their fear of prosecution. But deep dissatisfaction with the authorities remains, and in any new political crisis, the police may begin to consider whether they wish to act on behalf of the politicians. The prospect of regional police forces beginning to make their own political decisions is worrying. As one leading officer told ICG, "If the police, who have weapons, turn against somebody, it will be terrible..."⁴⁵

C. THE OPPOSITION: REVOLUTION OR COMPROMISE?

The semi-feudal system of power has weakened the opposition: while some members have been successfully coopted by the authorities, others have been pushed towards more radical positions. There are essentially three groups in the open opposition, a more radical grouping of human rights activists, political figures and parliamentary deputies; the Ar-Namys party of Feliks Kulov; and a much broader and less coherent centrist group. Within each group there are significant differences over tactics, personality issues and programs. Much less influential at present are Kyrgyzstan's weak political parties.

1. "Radicals"

The most active group of the opposition falls into the so-called radical camp. This 'uncompromising' opposition tends to gather around the editor of the *Res Publika* newspaper, Zamira Sydykova, and human rights activists such as Topchubek Turgunaliyev, Tursunbek Akunov, and Ramazan Dyrlydaev, who returned from exile in Vienna in April 2002, and heads the Kyrgyz Committee for Human Rights.

This group also suffers from internal divisions, but has had considerable influence in setting the pace of events, by organising demonstrations, pickets, hunger-strikes and so forth. Its actual popular support is not widespread, particularly in the North, but it does have the ability to mobilise already disaffected sectors of

³⁹ ICG Interview, Col Dosov Syrgabai, Head of Staff of the Jalal-Abad provincial department of the Ministry of Internal Affairs, Jalal-Abad, 12 July 2002.

⁴⁰ ICG Interview, Osh, 11 July 2002.

⁴¹ ICG interviews, police officers, Osh and Jalal-Abad, July 2002.

⁴² ICG interview, Col Baigaz Niyzaliev, Head of Ministry of Internal Affairs Special Forces (Spetznaz) Jalal-Abad province, Jalal-Abad, 15 July 2002

⁴³ ICG interview, Osh, 11 July 2002.

⁴⁴ ICG interview, Jalal-Abad, 12 July 2002.

⁴⁵ ICG interview, Col Dosov Syrgabai, Head of Staff of the Jalal-Abad provincial department of the Ministry of Internal Affairs, Jalal-Abad.

the population. This has led to accusations from the government that it provokes unrest for its own political ends. But both the government and the opposition probably exaggerate their own influence over social protests.

The fact that many of the opposition are human rights activists has not prevented them playing a significant political role. The Kyrgyz Committee for Human Rights is in practice, a largely political movement, although its leaders deny that they seek political power themselves, and refuse to entertain the idea that they should form a political party.⁴⁶ But they have successfully developed a network of supporters in most regions,⁴⁷ and have been actively attempting to persuade people to join protests throughout the country. In most cases, they have been unsuccessful, but they have been closely involved with the protestors in Aksy, assisting in developing tactics and slogans.

But they have not been completely in control of events. As one of the leaders of the Committee in Defence of Beknazarov – the main organisational committee for the protestors – pointed out, Dyrlydaev, as a former policeman, is not trusted by all the protestors. He insisted that they were independent of Dyrlydaev's group: "we are independent from them, and our own committee takes its own decisions".⁴⁸ Attempts by activists to persuade protestors to enter Osh in late June were rebuffed by the leaders of the demonstration.⁴⁹

Although the opposition is accepted as an important part of the protests, they are viewed with some suspicion by some leaders in Aksy. As one told ICG, "They [the Bishkek-based opposition] don't understand the situation ... They demand resignations, but clever people think, where do we go from there ... They are already dividing up positions [in the government] among themselves".⁵⁰

But relations between protestors and the opposition go both ways. If at first the opposition played a role in politicising the residents of Aksy, by July 2002 protestors seemed to be pushing the opposition to adopt more radical stances.

The opposition is strong on tactics, but lacks a strategy. Insistence on the resignation of Akaev has blinded it to the possibility of what might happen after that. When asked whom he would prefer to see in place of Akaev, opposition leader Dyrlydaev told ICG that it didn't matter, the main thing was to force the president to resign.⁵¹

At times, the opposition seems to have indulged in the romanticism of revolution. In several cases, activists have provoked as strong a response from the security forces as possible, in an attempt to raise the political temperature even further. By July 2002 some of the opposition seemed to be moving towards more moderate views, perhaps concerned by the overt radicalism of many protestors. But their main source of political influence is their link with popular protest, and it is unlikely that they will adopt compromises that lose them the support of the Aksy protestors. The demands of protestors are simplistic though genuinely felt, and the interest of the opposition in promoting new laws or other political manoeuvres in Bishkek does not have the resonance of the crowd's slogans. To a certain extent this part of the opposition has become a victim of its own success, and is now being pushed from below to adopt more radical stances.

For many of the Bishkek-based opposition, the events in the South came as a surprise. In the same way that the authorities were shocked to be confronted with a crowd of villagers determined to stand up for their rights and organise themselves, many of the opposition did not immediately understand how to deal with this new phenomenon.

Tursunbek Akunov is probably most at home in this kind of environment, and he played a key role from the very beginning. But none of the Bishkek-based opposition have managed to get the kind of influence and reception enjoyed by the southern deputies who gathered around Beknazarov himself. This so-called "southern opposition" has a very different perspective from its allies in Bishkek, and has more easily followed the pace of the crowd and understood the mentalities of the protestors.

⁴⁶ ICG interview, Ramazan Dyrlydaev, Chairman of the Kyrgyz Committee for Human Rights, Bishkek, 19 April 2002.

⁴⁷ According to Dyrlydaev, the organisation has 25 offices, and 1,000 activists. This may be an exaggeration but it is certainly present and active in all regions of the country. ICG interview, Ramazan Dyrlydaev, Chairman of the Kyrgyz Committee for Human Rights, Bishkek, 19 April 2002.

⁴⁸ ICG interview with member of the Committee for the Defence of Beknazarov, Osh, June 2002.

⁴⁹ ICG interviews, Osh, June 2002.

⁵⁰ ICG interview, Aksy district, June 2002.

⁵¹ ICG interview, Ramazan Dyrlydaev, 19 April 2002.

At their head is the highly influential parliamentary deputy Adakhan Madumarov, and Beknazarov himself. Madumarov emerged at the beginning of the crisis as one of the most influential of the opposition leaders. A clever orator, and extremely popular with crowds, he has the populist touch that many of the present ruling class lack. His Kyrgyz nationalism, however, tends to make him unpopular with ethnic minorities. In May and June 2002 Madumarov faded somewhat from the political scene, possibly holding himself back from the more radical stances of Beknazarov, who emerged as the more obvious leader of this part of the opposition.

Beknazarov is often underestimated, as an ordinary man with few of the obvious skills needed in political life. The more sophisticated political figures in Bishkek have often termed him a pawn in a bigger game. But he has grown through the crisis and now exists as an independent political figure. He has moved to increasingly radical positions, perhaps influenced by the leaders of the Aksy protests.

The influence of the Aksy leaders on the opposition has grown. It will be difficult for the opposition to reach any compromise with the government while retaining popular support. Some are concerned that a march on Bishkek could lead to clashes, but as one local parliamentary deputy admitted: "We are hostages of the situation. If the people march, we will march with them".⁵²

At a Kurultai (popular parliament) held in Kerben on 18 July 2002, seventeen political parties and movements joined forces in a temporary alliance to support demands put forward by the Kurultai. At the top of those demands was the resignation of Akaev, although some more moderate opposition leaders privately admitted that they had agreed to this "to please the people".⁵³ They also created a working group to develop programs on two issues: a constitutional path to the resignation of the president; and the reform of the political system.⁵⁴

There is some confusion in opposition ranks over further tactics. While all opposition parties have publicly gathered around the idea of enacting

constitutional reform before any presidential elections, many are unwilling to see Akaev remain until the constitutional end of his term in 2005. Most seem to have accepted that any change in power must take place constitutionally, but many are convinced it will only happen through popular pressure. As one opposition leader said: "Akaev came to power with a crowd of 20,000 in front of the presidential palace, and he will leave in the same way".⁵⁵

2. Ar-Namys

Among those who joined the new alliance was the Ar-Namys party, led by Feliks Kulov. It has adopted its own tactic, which is closer to the centrist opposition in practice, although there seems little chance of them uniting in a single bloc. The position of Kulov, who still faces another ten years in prison unless he is amnestied, will be important for the succession process. He is the single figure in the opposition who is capable of winning a free election for president. He has publicly opposed the early resignation of President Akaev, again preferring to see a new political system in place before the next elections.

The opposition seemed to have partially forgotten Kulov, but his release reappeared as a key slogan at the Kurultai in July 2002. He will continue to remain a central player because of his potential electoral appeal. The possibility of a deal between him and Akaev is probably past, but his lingering presence on the political scene remains an irritant for the authorities. His release has also become a new concern for many moderate figures, who understand his importance for the political future. Until he is released, it will be difficult for the authorities to claim that they have laid the ground for free elections and a peaceful transfer of power.

3. Centrists

The groups discussed above form the most radical wing of the opposition. Most of them have few inclinations to enter real dialogue with the government. But there is a potential reserve of oppositionists who are increasingly concerned about the possibility of conflict resulting from the movement's radical stances, and seek to promote compromise with the authorities.

⁵² ICG interview, Aksy, 17 July 2002.

⁵³ ICG interviews, Kerben, 18 May 2002.

⁵⁴ ICG interview, Zamira Sydykova, Editor, *Res Publica*, Kerben, 18 July 2002.

⁵⁵ ICG interview, Giyaz Tokombaev, Leader of the Republican Party, Kerben 18 July 2002.

This part of the opposition is headed by NGO leader Tolesan Ismailova, and Chinara Jakypova, a former government minister and head of the Institute for War and Peace Reporting in Bishkek. Both are well-connected in the government and the opposition, and have begun to gather liberal, centrist figures around a 'Forum of Civil Leaders', a rolling round-table for dialogue among different political groups.⁵⁶ Their willingness to talk to government figures has led to accusations from more radical figures of "selling out". But they have based their new tactics on worries that the present stand-off could lead to serious conflict and the concern that the opposition does not have potential figures to replace Akaev, should he be forced to resign. Instead, the Forum leaders are attempting to convince the authorities to change the political system to allow a peaceful transfer of power in 2005. Others in this camp include younger parliamentary deputies, such as Murat Sultanov and Oksana Malevannaya.

This is a small group, but the centrist opposition has managed to gain support in business and the media, and increasingly among some figures in the political elite.⁵⁷ Their views are widely shared by a significant part of the elite, who fear the radical ideas within the opposition, but also are frustrated by the ineffectiveness and corruption that has overtaken the present regime. Dissatisfaction with the present system of governance is widespread, both within the system and outside. Indeed, dislike of Akaev is fairly strong in many government ministries, and among a significant group of former ministers or officials, who now work in the private sector, or in the diplomatic service.

In some ways this "hidden opposition" is one of the most significant groupings, although there is very little to bind them together into some kind of real opposition. Often these are people who have

been passed over for promotion, or have found the increasing authoritarianism of the government not to their taste. But they include some formidable public figures with a strong future in a wider political elite. They are unlikely to act as a single bloc in any way, and each major figure has his own following. But any real moves to more inclusive government will need to take account of these figures. Many will remain publicly loyal until they are sure that the political wind is turning. But personal loyalty to Akaev is thin: in Kyrgyzstan there are few government servants who will fight for the leadership to the end.

4. Political parties

Notably absent from the political debate are political parties. They are weak organisations, usually concentrated on a single leader. As a Forum leader told ICG:

Contemporary political parties do not understand their role. They cannot conduct negotiations with the government, can't work with the population, do not have the trust of people, and do not have a strategy. They can't be taught by international organisations, we need local leaders, who will adapt Western ways...⁵⁸

In most cases, political parties are merely vehicles for individual political figures. Their failure to develop a broader membership base is partly based on a lingering popular suspicion of parties from the Soviet period, but also an identification of most voters with personalities rather than with party programs. This will take time to overcome, but it is important that the present array of human rights organisations, autonomous committees and other groups develop into normal political organisations, with serious programs for the future of the country. One obstacle to such a shift is that international funding is much easier to obtain for NGOs and human rights organisations than for political parties. But the electoral system also does not work in favour of political parties. A change to how parliament is elected could be an important boost to the status of parties and a catalyst for other groups to develop their own party platforms and programs.

⁵⁶ The Forum did not manage to attract as much participation from the government or presidential administration as they had hoped. Some officials have greeted it with scepticism, suggesting that the organisers were merely seeking to attract more funds from Western organisations. ICG interview, Osmanakun Ibrahimov, State Secretary, Bishkek, 15 July 2002

⁵⁷ An interesting figure in this regard is Abdygany Erkebaev, the Speaker of the Legislative Chamber of Parliament. He called publicly for the release of Feliks Kulov at a government-opposition Round Table on 26 July 2002 and has encouraged dialogue with opposition leaders and parties.

⁵⁸ ICG Interview, Tolesan Ismailova, Leader, Forum of Civil Leaders, Bishkek, 17 May 2002.

D. SOCIAL DISCONTENT AND POPULAR PROTEST

One reason that the events in Aksu got out of control was the patronising attitude to ordinary people adopted by many in the political elite. The government was astonished that it was not able to manipulate and control popular sentiment as it had done so effectively in the past. Instead of believing that the protests were the result of real grievances, it accused the opposition of manipulating the crowds and protestors of being drunk or paid to attend demonstrations.

Although there were certainly ways in which the opposition used the demonstrators, and sometimes tried to push them to more radical demands, in general there was a real groundswell of popular discontent behind most protests. Government-inspired accusations that the protestors were paid U.S.\$50 a day to go out on the streets were laughed at by demonstrators⁵⁹ but widely believed among the elite. A leading government minister told ICG that "they [the opposition] gave money to people who came out to demonstrations, [and] got them drunk with spirits".⁶⁰ The reality was very different. Throughout the protests and marches, the Committee ensured remarkable discipline and banned all drinking.

The attempts by the authorities to portray the protestors as merely a rabble with no minds of their own, who were drunk, or were being paid to protest, merely provoked greater discontent. The version of events portrayed by state television was a particular source of anger. According to the State Commission investigating the Aksy events, state television's "tendentious coverage" of Beknazarov's trial further aggravated the political situation in the region.⁶¹ The reporting of events

by state media was one of the most frequent complaints by protestors interviewed by ICG.

The inability of the authorities to comprehend that the Aksy protestors were people with a genuine grievance, who were acting largely independently of any political forces in Bishkek, was a major reason for the inadequate government response. A constant complaint of the protestors was that "Nobody listens to us. Nobody will come and talk with us".⁶² Indeed, a popular song of the protestors included the refrain: "Who can I tell about my woes? Nobody wants to listen to me". One leading local official inadvertently summed up the mentality of the authorities when he told ICG that "There is no sense talking to these people. They refuse to listen to me".⁶³

The participants in the protests came from most generations and most social groups, although unemployed men in their thirties and forties were the most visible. The very effective organisation was achieved by forming a Committee for the Defence of Beknazarov, with further committees representing each village. Members of the committees were usually well-known in each village and commanded authority. In the village of Kara-Jigach, the committee was made up of seventeen people, ranging in age from twenty to 45. In the district committee, there were 21 people, including teachers and lawyers, but all were unemployed.⁶⁴ Each village also provided young men whose job was to maintain order at the demonstrations.⁶⁵

The protestors were able to stay united and preserve discipline partly because most came from the same district and knew each other. This also ensured that there was social pressure on those who may have been less enthusiastic about joining the protests. But in general community backing has been genuine, although the Committees played a key role in mobilising their fellow villagers and ensuring that support remained high.

⁵⁹ As one protestor admitted: "If they paid us U.S.\$50 a day, we would all be out on the streets, from a six-year old child to a 60-year old grandmother". ICG interviews, Aksy, June 2002.

⁶⁰ ICG interview, Bishkek, April 2002. The former prosecutor of Jalal-Abad province, Zootbek Kudaibergenov, claimed that 90 per cent of the protestors were drunk. ICG telephone interview, 18 March 2002.

⁶¹ "On the Results of the Work of the State Commission on the Reasons and Conditions Giving Rise to the Tragic Events of 17 March 2002". Published in *Slovo Kyrgyzstana*, 12 May 2002, pp. 4-7.

⁶² ICG interviews, Tash-Kumyr, 12 June 2002.

⁶³ ICG interview, Jalal-Abad, June 2002.

⁶⁴ ICG interviews with Committee members, Aksy, 18 July 2002.

⁶⁵ The Aksy people had their own ways of enforcing order, apparently threatening to beat anyone who broke the rules, on drinking for example. But Committee members told ICG that they had not had to use this sanction, since nobody had broken the rules. Close relations among the protestors and the strength of social and kinship ties also helped to ensure a strong sense of discipline in their ranks.

These kinship ties and sense of community also explain the remarkable reaction to Beknazarov's arrest.

The attachment to "our man" in Bishkek, and the interpretation of his arrest as an attack on the whole community, is important to understanding the roots of the crisis.⁶⁶ Beknazarov was seen as one of them, from a simple background – his mother was a milkmaid, his father a farmer - who had come to the fore without the usual network of connections and family ties in Bishkek. He was not well known before his arrest, but he has gained the status of something of a folk hero. One protestor told ICG: "I did not know him before, I did not vote for him – I'm from a different constituency. But I would like to have a deputy like him, because he is one of us, we understand him".⁶⁷

The Beknazarov case was the real detonator of the protests, but it emerged against a background of deeply felt economic and political discontent that had been building up for years. Aksy is a very poor district, in which unemployment is rife. Most of those protesting had nothing to lose: they had no jobs to be dismissed from, no business that could fail.⁶⁸ Their attitudes to the government had been formed through years of neglect. Few had supported Akaev at the last presidential election, although official figures apparently suggested otherwise.⁶⁹ A sense that they had been betrayed by the present system and that President Akaev had lost his legitimacy to rule was strongly felt among residents in the region.

Aksy district's poverty is not unique in southern Kyrgyzstan. Indeed, local officials point out that there are districts in Jalal-Abad province that are

even worse off.⁷⁰ There is a serious deficit of irrigated land, and the break-up of collective farms did not lead to the quick development of private farms that was intended. The nearly 80,000 people who used to work on these farms were given tiny plots of land in compensation, enough only for subsistence farming. In some villages – such as Kara-Suu – residents received nothing.⁷¹

ICG interviewed a fairly typical young family in the village of Kara-Suu, Beknazarov's home village. Nobody in the family had a job. The income for five people came from a grandfather's pension and children's welfare payments – a total each month of 700 soms, approximately U.S. \$15, of which 150 soms immediately went to pay for utilities.⁷² Mostly they fed themselves from their own land, a small plot of about one-sixth of a hectare. They owned no cattle,⁷³ and ate meat only twice a month. Their lives were limited to their own region, neither the husband nor wife ever having been to the main cities of Osh and Bishkek. There is no running water or sanitation in the house; they take water from the nearby river. They have no television or radio but every evening they listen to the broadcasts of Prague-based Radio Liberty (*Azattyk*) at their neighbour's house. The husband had been present at almost all the demonstrations.⁷⁴

There are many families in a similar plight, and little hope for an improvement in the situation. As one protestor told ICG:

"There is nothing for young people to do. How can we feed our children? We have no work, all the factories have been destroyed. Everything's

⁶⁶ One Aksy resident told ICG: "When they handcuffed Beknazarov, we felt as if they had put handcuffs on all of us." ICG interview, Kara-Suu, June 2002.

⁶⁷ ICG interview with protestor, Osh, June 2002.

⁶⁸ Those who did have jobs in state structures were apparently threatened with dismissal if they attended demonstrations. ICG interviews, Kerben, 27 April 2002. Committee members told ICG that the identities of teachers who were members of the Committee were kept secret to avoid them losing their jobs. ICG interview, Aksy, 18 July 2002.

⁶⁹ According to one local official, the real figure of support for Akaev at the election was only about 30 per cent, although official results were much higher. ICG interview, Kerben, June 2002.

⁷⁰ ICG interview, Aitmamat Nazarov, head of the Economic Department of Jalal-Abad Province Administration, Jalal-Abad, 16 July 2002.

⁷¹ On average, residents of Aksu district received 0.18 hectares. ICG interview, Aitmamat Nazarov, head of the Economic Department of Jalal-Abad Province Administration Jalal-Abad, 16 July 2002.

⁷² According to residents, the authorities have only recently tried to maintain an electricity supply. They claim that the electricity supply was turned off for weeks on end before the protests. ICG interviews, Aksy, June 2002.

⁷³ Most people have some cattle, but according to residents about 20 per cent of families have none. This family had sold their cattle to pay for a grandmother's funeral rites.

⁷⁴ ICG interview, family in Kara-Suu, Aksy district, 2 June 2002.

been stolen, privatised, sold off. Now there's nothing to do.⁷⁵

One woman from Tash-Kumyr, who participated in the protests, had not worked for twelve years. She survived by selling coal in the winter, walking twelve kilometres to the coal mine and digging by hand all day to find enough to buy her children food and pay for their schooling. "We [are taking part in the protests], because we hope that life will get better; my children will study and we will get some kind of work".⁷⁶

It is not just Aksy district that has experienced this sharp decline in economic prospects, but almost all rural areas outside Bishkek. Attempts by political activists to provoke protests in other regions have largely failed, however. In Osh region, the march of Aksy protestors did not stimulate supporting demonstrations. Only in the capital, Bishkek, were there any significant demonstrations, though the numbers were in the low hundreds, and most people showed no interest in getting involved.

Government officials have been at pains to deny claims that the protestors had support outside their own local district.⁷⁷ It is true that in most southern regions the protestors were viewed with sympathy but not explicitly supported. There were few other demonstrations, and only a small number joined their marches. This was partly because the protestors themselves did not want others to join, fearing that the security services would attempt to infiltrate provocateurs. But also the issues were seen as largely local by people in other areas. If Beknazarov had been their deputy they might have joined the march, but the strong regionalism in Kyrgyzstan undermines any attempt to develop a nation-wide opposition around a single issue based on a single personality.

But the arrest or repression of other political figures can provoke similar reactions in other regions. The reason the crisis is so worrying is that the authoritarianism of the government can produce any number of "Beknazarovs". As one leading parliamentary deputy suggested: "If it hadn't happened in Aksy, it would have eventually

happened somewhere else".⁷⁸ When a human rights activist from Kadamjai in Batken province seemed to have been arrested in Osh in June 2002, his supporters and relatives travelled up to the city to protest. When police officers involved in the Aksy events were arrested in late May, their relatives from Papan district in Osh province also threatened to go out on the streets in protest.⁷⁹ Given the close kinship ties in Kyrgyzstan, such protests – even just by relatives and fellow villagers – can easily gather hundreds of people.

The example of Aksy – where protest marches have brought a kind of victory – may act as a precedent for other communities.⁸⁰ The sense that only direct action can produce any political change is growing, just as faith in the ability of official structures – parliament, the courts, local authorities – to change anything has diminished. Given the concentration of power around the president, and the apparent inability of other officials to resolve problems, inevitably much of the anger of protestors – fairly or unfairly – is focused on the president himself. Certainly the unpopularity of Akaev is widespread, among all social groups and even state officials. As one academic not known for radical views told ICG: "nobody in the country accepts Akaev. When they show him on television, people start swearing and turn off the television".⁸¹

This concentration on the figure of Akaev took firm hold in the minds of the protestors. Overthrowing him has become the number one issue in many people's minds. As one member of the Committee in Defence of Beknazarov told ICG in July:

We will arrange a big march on Bishkek to overthrow the existing government and establish democratic government. The government does not acknowledge us, and we do not acknowledge them. They do not need us, and we do not need them. We will not calm down until the government is gone.⁸²

⁷⁵ ICG interview, Osh, June 2002.

⁷⁶ ICG interview, Osh, June 2002.

⁷⁷ ICG interview, Bolot Januzakov, presidential adviser, Bishkek, 12 July 2002.

⁷⁸ ICG interview, Murat Sultanov, parliamentary deputy, Bishkek, 18 July 2002.

⁷⁹ ICG interviews, relatives of police officer Abdymital Kalbaev, Papan, Osh province, June 2002.

⁸⁰ There have been several smaller pickets and demonstrations over social and economic issues in 2002, many apparently inspired by the Aksy events. In July 2002, for example, people demanding allocations of land blocked roads in central Bishkek.

⁸¹ ICG interview, Osh, May 2002.

⁸² ICG interview, Aksy, 18 July 2002.

This increasingly radical attitude is widespread among the protestors, particularly Committee members, and is fixed largely on the authorities in Bishkek, and on the president in particular. Some in the opposition fear that they will lose control over the protestors, who show little interest in questions of constitutional reform or mechanisms to ensure a peaceful transfer of power.

Certainly there is little chance that they will merely fade away as the authorities seem to hope. As one observer who travelled around Aksy said:

They are now extremely politicised, even grandmothers talk about politics. The people are experiencing the euphoria of the picket. If everything ends, they will be bored – they've spent five months on the pickets already.⁸³

Protestors have learnt how to influence the government, and their experience has been transmitted around the country. The danger is less that a nation-wide rebellion will emerge, united around Beknazarov or the opposition, but that countless unresolved issues will emerge in different communities, each with their own committees and demonstrators, united only in their belief that by overthrowing the existing regime, all their problems will be solved.

1. The Uzbek Community

A good example of how other communities with no connection to the Beknazarov case are emerging with political demands of their own is the ethnic Uzbek community of southern Kyrgyzstan, concentrated in Osh and Jalal-Abad provinces. The danger of the crisis is that many communities, each with their own political demands and political agendas, have sensed the chance to make themselves felt. As the government seems to weaken, and the political balance shifts, different communities and political groups will emerge in different ways.

Since the mass inter-ethnic riots in Osh in 1990, when hundreds of people died in clashes between Kyrgyz and Uzbeks, the latter have kept a low profile, maintaining a public line of strong support for Akaev, while in private expressing frustration

at being excluded from state institutions at regional and national levels. Memories of the conflict are still fresh in both Uzbek and Kyrgyz minds, and shape today's Uzbek attitudes.

The trauma of the killings and the loss of a privileged status enjoyed during the Soviet period contribute to the conservatism of the Uzbek community, which tends to see traditions and purely local interests as the basis of its survival. Uzbeks generally remain prudent and fear that demands for greater representation in government could act as a detonator for new ethnic clashes.

In this context, various political actors are trying to play the Uzbek card within short-term strategic alliances. To retain their support, the authorities in Bishkek have made promises to integrate ethnic Uzbeks into their ranks, yet in the recent reshuffle of the government, the only ethnic Uzbek appointed was Deputy Minister of Regional Development Bakhtiyar Fattahov. This lack of representation was particularly galling for the Uzbeks since Nikolai Tanaev, an ethnic Russian, was named Prime Minister, even though Russians now form a smaller minority in the country.

The opposition sees the Uzbeks as a potential ally to add pressure on Akaev. The southern Kyrgyz opposition often refers to a Kyrgyz-Uzbek southern alliance against the North. During the recent political marches in Tash-Kumyr, Jalal-Abad and Osh, Kyrgyz protestors encouraged ethnic Uzbeks to join. In private, Uzbeks acknowledged the protestors' demands as legitimate and similar to their concerns, yet no one joined the marches, even in densely Uzbek-populated areas. Nevertheless, many private complaints of Uzbek leaders are remarkably similar in tone to those of the Aksy protestors: "Today nobody wants to listen to us, there's not even anyone to talk to about our problems, let alone anyone who could solve them."⁸⁴

Uzbeks feel that any alliance with an opposition group would produce a backlash sooner or later. "The Kyrgyz have always kept us out of politics, so let them solve their problems without us... We have nothing in common with the Kyrgyz opposition – we have our own demands", stressed Uzbek political activist and businessman Azamjan Akbarov.⁸⁵ Some

⁸³ ICG interview, Arstan Kulnazarov, Pro-rector of the Kyrgyz-Uzbek university in Osh, Osh, 31 May 2002.

⁸⁴ ICG interview, Kadyrjan Batyrov, businessman, leader of the Uzbek cultural centre of Jalal-Abad province, 27 June 2002, Jalal-Abad.

⁸⁵ ICG interview, Jalal-Abad, 27 July 2002.

of the opposition overtures to the Uzbek community do cover a strongly nationalist tone that is adopted by leaders such as Madumarov and Beknazarov with their own Kyrgyz electorate.

Distrusting potential partners outside the community, the Uzbeks are seeking new faces for their leadership. On the surface, the community is led by Soviet-style politicians who label themselves "representatives of the Uzbek community" and whose main role is to assure Bishkek that the Uzbeks have no anti-Kyrgyz or separatist sentiments. Such leaders were perceived as necessary to guarantee security after the 1990 ethnic clashes, but have lost much of their support since their conciliatory line with the government has not produced the results the community wanted. Despite promises on political representation, Jalal-Abad province, which is home to 300,000 Uzbeks, does not have a single ethnic Uzbek in the national parliament.

Disappointed by a policy that has brought little benefit, a small group is now emerging to develop new political tactics. While seeking to assert its own political agenda, it strongly rejects any accusations of separatism.⁸⁶ This Jalal-Abad-based group is led by Kadyrjan Batyrov, a successful businessman, who recently built a U.S.\$6 million private university in Jalal-Abad. Batyrov initiated an Assembly of Uzbeks in Jalal-Abad on 20 July 2002, and expressed the urgent need for political representation at the local and national levels.⁸⁷ In a petition addressed to President Akaev, the Assembly asked the government to designate Uzbek as a state language, on a par with Kyrgyz and Russian, requested more cultural rights (Uzbek broadcasting on state television, and an

increase of Uzbek schools) and repeated the necessity for more ethnic Uzbek officials.⁸⁸

Uzbeks in Osh have been less forthright in asserting a new political agenda. Many are afraid of using demonstrations or protests, fearing a repeat of the inter-ethnic clashes of 1990.⁸⁹ But there is also dissatisfaction in the community with the pro-government leadership of Makhamadjan Mamasaidov, President of the Uzbek National Cultural Centre, and frustration that support for President Akaev in the 2000 elections has brought them little. Uzbeks in Osh tend to be better represented in political structures than those in Jalal-Abad, but many of the same complaints can be heard. Unless they receive the attention they feel they deserve, this key electorate may be lost to the central government and begin to develop more aggressive political positions.

E. GEOPOLITICS AND INTERNAL CRISIS

Kyrgyzstan's geographical location and its weak economy make it peculiarly vulnerable to geopolitical shifts. The presence of international coalition forces at the Manas airbase has merely added to the strategic competition around the country. These geopolitical factors could play an important role in either escalating or defusing the present crisis.

U.S. policy has been complicated by the presence of the base. Tough negotiations over that military asset have made it increasingly difficult for the U.S. to push on political issues. Indeed, there is a widespread feeling that the U.S. presence gave the government the impression that it could take more authoritarian actions in early 2002. In reality, U.S. officials have continued to stress human rights and democracy, supporting for example, an independent printing press, much to the discomfort of government officials. Some government officials are increasingly irritated by what they see as U.S. attempts to dictate

⁸⁶ The risks of such a scenario seem indeed low: ethnic Uzbeks see Uzbekistan as a strong cultural pole, yet they have their own strong identity as Jalal-Abad Uzbeks, or Osh Uzbeks. Besides, many Uzbeks are farmers who have been given land in Kyrgyzstan while in Uzbekistan land is still state property, and rural poverty is even worse. Many ethnic Uzbeks who fled Osh province to Uzbekistan after 1990 later returned to Kyrgyzstan, recognising better economic possibilities in their historical homeland.

⁸⁷ ICG interview, Kadyrjan Batyrov, businessman, leader of the Uzbek cultural centre of Jalal-Abad province, 27 June 2002, Jalal-Abad.

⁸⁸ Obrashchenie uchastnikov V konferentsii Jalal-Abadskogo oblastnogo uzbekskogo natsionalnogo kulturnogo tsentra [Petition of the participants of the fifth conference of the provincial Uzbek national cultural centre], Jalal-Abad, 20 July 2002. It is notable that the very first demand of the petition was for reform of the provincial Jalal-Abad Electoral Commission, which the Uzbeks claimed "had discredited itself in previous electoral campaigns for deputies at all levels".

⁸⁹ ICG interview, Adikjan Abidov, activist at the Uzbek national cultural centre (Osh), Osh, 3 July 2002.

political terms over democracy and political reform.⁹⁰ This has led to some disaffection in the government with the U.S. as a partner, a feeling that is matched by some on the U.S side.

Certainly the long-standing belief of the U.S. in Akaev as a liberal reformer has largely gone, replaced with a more sober appraisal of the problems created by the system of governance he presides over. Frustration with the Kyrgyz government is noticeable among many U.S. officials, and promises that "after this conflict is over and our troops have gone home, we will not walk away from Central Asia, and certainly not from Kyrgyzstan",⁹¹ may sound increasingly hollow as that frustration builds.

But there is also dissatisfaction among opposition politicians that the U.S. has not been able to do more to pressure the leadership. There is a strong belief that the military presence has lessened the attention of the U.S. to issues of human rights. Widespread rumours over significant financial benefits flowing to the presidential family from the airbase have also undermined support for the U.S. presence, with opposition leaders arguing that it merely serves to support the present regime and lessen pressure for political change.⁹²

Taking advantage of the difficult political situation, Russia has quickly responded to Akaev's overtures for support. An increased intelligence presence from Russia is widely rumoured, and there is suspicion that some of the government's recent political moves received their inspiration from Russian advisers. Russia has also increased its rhetoric around military assistance to Kyrgyzstan, and took part in military exercises in the southern part of the country in June 2002, aimed primarily at combating any renewed offensive by IMU militants. From 2002 Russian troops will also be based at Kant Airport near Bishkek, as part of a CIS rapid reaction force designed to combat

incursions by radical Islamist groups.⁹³ But Russia's potential influence is limited by its inability to offer financial assistance and by its limited ability to promote investment.⁹⁴ Much of its policy is influenced by its irritation at the U.S. presence, and it does not seem to have a coherent long-term strategy to regain influence in the region.⁹⁵

Kyrgyzstan's other neighbours are also concerned by events in Aksy. Uzbekistan, forever worried by signs of social unrest for fear it might spread across the border, has made no public statements, and coverage in the Uzbek media has been minimal. However, according to an Uzbek diplomat:

The recent events in Kyrgyzstan angered the Uzbek leadership, which believes Akaev is too weak and soft in dealing with the opposition. Karimov would have jailed all the opposition members and demonstrators... Our leadership is afraid of examples that others might follow.⁹⁶

There is no evidence that Karimov has put pressure on Akaev to clamp down harder on protestors, but if the situation escalated, such a private intervention might be likely. The wider implications are also important. The example of Aksy will only encourage hard-liners in Uzbekistan, who believe that democracy will lead inevitably to anarchy and revolution. At a time when small signs of liberalisation are evident in Uzbekistan, it is important that Kyrgyzstan can show that political change can be achieved without violence and without provoking instability.

China is also carefully watching and will be concerned by any threat to stability. It is particularly concerned by the large numbers of ethnic Uighurs in Kyrgyzstan, some of whom it claims are members of separatist and terrorist groups. The shooting of a Chinese diplomat in June 2002 in Bishkek has merely heightened fears of Kyrgyzstan becoming an unstable neighbour.⁹⁷ Perhaps even more significant for the

⁹⁰ ICG interview with Osmonakun Ibraimov, State Secretary, 15 July 2002.

⁹¹ Deputy Assistant Secretary of State for European Affairs Lynn Pascoe, at a hearing on human rights and democracy of the Helsinki Commission on Security and Cooperation in Europe of the U.S. Congress, 12 December 2001.

⁹² ICG interview, Emil Aliev, Head of Staff, Ar-Namys party, Bishkek, 20 July 2002. See also David Stern, "Kyrgyz President admits relative sells to U.S. base", *Financial Times*, 22 July 2002.

⁹³ See Kubat Otorbaev, "Anxieties over new CIS base", *Reporting Central Asia*, 12 July 2002, at www.iwpr.net.

⁹⁴ It does however have some less obvious levers of influence. One is the large loans that Kyrgyzstan owes Russia. The other is the estimated 500,000 ethnic Kyrgyz who work in Russia: Russia has previously used visa restrictions as a political tool against Georgia.

⁹⁵ ICG interviews with Russian diplomats, Bishkek, April 2002.

⁹⁶ ICG interview, July 2002.

⁹⁷ Ibragim Alibekov, "Violence in Kyrgyzstan hints at Uighurs' woes", *Eurasia Insight*, 11 July 2002, at www.eurasianet.org.

Chinese is their concern over the presence of U.S. forces so close to their frontier. Their increasingly friendly relations with Akaev may be partly based on an interest in encouraging the U.S. to leave Kyrgyzstan once the short-term military operation in Afghanistan is over. China is a key economic partner for Kyrgyzstan, with major infrastructure plans, including a transborder railway, in the pipeline. But closer relations will also be limited by the widespread popular and elite suspicion of Beijing.

Kazakhstan, concerned that events in Kyrgyzstan will inspire its own opposition to take more radical measures, is privately encouraging Akaev to act more resolutely against the opposition. Both Uzbekistan and China would also support a crackdown on the opposition if necessary. However, U.S. and other Western influence is important in Kyrgyzstan because of the airbase and the dependence of the regime on financial support from those quarters. Kyrgyzstan's economic position is highly dependent on the goodwill of its Western creditors over its U.S.\$1.7 billion foreign debt. And it is actively seeking Western investment. But the West's role will be positive only if it begins to take political conditions into account in its aid and financial assistance policies.

IV. WAYS FORWARD: KYRGYSTAN'S NEW DEAL?

In the worst-case scenario, the ruling elite faces an ignominious political defeat, and consequent loss of economic power and status. The possibility that its power will collapse totally is low, but not so low that it cannot be concerned. If any opposition leader takes power, there will be a temptation to seek immediate revenge through prosecution of the president and his advisers. A redivision of property is almost inevitable. Even if an apparent colleague of the family comes to power, there is little guarantee that its business interests will be preserved. When politics and business are as closely entwined as in Kyrgyzstan, a change in leadership also means a significant change in economic ownership.

Thus the stakes are very high for Akaev. It is now inconceivable that he could run for a further term, and the option of a negotiated dynastic succession by a member of his family is also out of the question. A shift to a more repressive regime, imprisoning the opposition and implementing an effective state of emergency across the country is also unlikely. Apart from the reaction of the U.S. and other Western countries, which would almost certainly suspend financial assistance, it is not clear that the law enforcement agencies are capable of implementing such a crackdown. In all likelihood it would provoke something close to civil war.

An exit strategy from the present crisis will have to include political and systemic changes and preparation for a peaceful transfer of power through elections. The details of such a strategy need to be developed in negotiations among different political forces. But the following proposals cover many of the issues discussed in this report and reflect many of the ideas presently being discussed among some in the political elite.

A. AKAEV'S NEW STRATEGY: "THE COUNTRY OF HUMAN RIGHTS"

Akaev's own version of a New Deal has been pushed through numerous newspaper interviews and television broadcasts. Its slogan, ironically, is "Kyrgyzstan – land of human rights", an idea backed up by a package of new laws, and a number of new bodies. In his address to parliament on 24 May 2002 Akaev said:

[the Aksy events] must teach us a valuable lesson. We must declare loud and clear the idea of the prevalence of human rights and democratic freedoms over all other goals... a democratic code should be drafted and become a new tool enabling the country to move along the democratic path.⁹⁸

On that day, Akaev submitted four laws to parliament, which allegedly aimed to promote human rights and democratic freedoms as the centre of a new policy. They covered public meetings, a human rights ombudsman, political extremism and corruption. Akaev has also suggested introduction of a Council of Democratic Security, on a parallel with the existing Security Council, which handles classical state security matters.⁹⁹

On 24 June 2002 parliament passed the laws on public meetings and the ombudsman. The law on meetings improves Soviet-era legislation that often forced demonstrators to hold unsanctioned meetings, giving the police an automatic right to arrest them. The appointment of an ombudsman will also be a step forward, although the scepticism of the opposition that such a position will be filled by a pro-government personality is probably justified.¹⁰⁰ Inspired by a similar law under discussion in Russia., the Law on the Fight against Political Extremism offers a vague definition of that concept¹⁰¹ and requires law enforcement officers to maintain a database of potential "political extremist organisations and persons". The law will provide the security organs with a strong pretext for surveillance and harassment of a number of political and religious organisations.

⁹⁸ President Askar Akaev, address to upper house of parliament, 30 May 2002, Bishkek.

⁹⁹ A. Akaev, "Ya gotov rabotat s lyubym kollektivom...", *Shtrikhi novoi kyrgyzskoi ideologii* [I am ready to work with any collectiv..., Features of the New Kyrgyz ideology], *Nezavisimaya gazeta* (Moscow), 4 June 2002.

¹⁰⁰ ICG interview, Ramazan Dyrlydaev, 19 April 2002.

¹⁰¹ "Political extremism is the activity of political parties, religious organisations, non-commercial organisations, representatives of state power bodies and citizens aimed at violent change to the constitutional system of the Kyrgyz republic, forced seizure or retention of power, violation of the sovereignty and territorial integrity of the Kyrgyz republic, organisation of illegal military units, the instigation of national, race or religious enmity, as well as public appeals to commit illegal actions for political purposes". Draft law on the fight against political extremism, 24 May 2002.

The law on corruption is long-awaited but as so often its usefulness will only be measured when it is clear how it will be implemented.

The government's strategy was rounded off with the Law on Amnesty of Persons involved in the Aksy Events, again based on similar Russian legislation from 1994. It was partially designed to end a growing fear that the police themselves would become involved in the conflict, with relatives of accused officers threatening to take the law into their own hands. But it failed to meet the protestors' demands for justice, and has prepared the ground for future action by the Aksy demonstrators. As one of those wounded during clashes in Kerben told ICG, "The amnesty is insulting for us. It is impossible... why do we need this amnesty? They should punish everyone who is guilty".¹⁰² The People's Kurultai that gathered in Kerben on 18 July 2002 made cancellation of the amnesty law one of its first demands.¹⁰³

The protestors will continue to seek their own understanding of justice, and there is a danger that some will seek to take the law into their own hands. Government officials argue that the amnesty law is not ideal, but that it was necessary to prevent the situation with the police growing out of control.¹⁰⁴ Opposition politicians, however, argued that the law was passed to protect the leadership from prosecution.¹⁰⁵ An approach more likely to have found wider support might have adapted the experience of South Africa's Truth and Reconciliation Commission – providing individual amnesties on the basis of full disclosure and a readiness to take responsibility for actions.¹⁰⁶ The amnesty does not necessarily apply to

¹⁰² ICG interview with Abdykul Sadyrov, Aksy, 17 July 2002.

¹⁰³ Resolution of the People's Kurultai, Kerben, 18 July 2002.

¹⁰⁴ ICG interview, Osmonakun Ibraimov, State Secretary, Bishkek, 15 July 2002.

¹⁰⁵ ICG interview, Omurbek Tekebaev, parliamentary deputy, leader of Ata-Meken party, Bospiek, Aksy district, 17 July 2002.

¹⁰⁶ The use of amnesties in international law is controversial. It has been widely used in countries moving from dictatorship to democracy, including Argentina, Haiti and other cases. These amnesties have generally covered all crimes by law enforcement agencies and other government agents during a specific period of time, as a means of persuading such agencies to allow a peaceful transfer of power or to avoid widespread political unrest. Human rights activists have generally opposed such amnesties on the grounds that they leave unpunished crimes against humanity. An exception is the South African experience, where the Truth and Reconciliation Commission gave individual amnesties to those who provided full disclosure to the Committee on their involvement in human

high-level government ministers, but it already seems unlikely that anyone in the elite will take responsibility for the shootings.¹⁰⁷

As stated earlier, any amnesty law that does not win widespread support will just create new problems. International experience with such legislation suggests that any amnesty law should consider including the following issues:

- a form of 'truth commission' before which those requesting amnesty have to testify first;
- a process under which amnesty is only granted to those who request it, creating an element of public admission of wrongdoing;
- a public education campaign on the limits of the law in prosecuting past wrongs and on the process of political reform; and
- compensation, memorials and community reconciliation programs in areas such as Aksy.

The amnesty was adopted hurriedly, under the pressure of events. Akaev returned the law to government and parliament for further reworking in early August 2002, and this has given the government an opportunity to adopt a fresh approach that takes into account demands for justice from the protestors. Since in its present form the amnesty will merely provoke further unrest, it is vital that a new formula is found that forces officials to take responsibility for their actions.

The rest of Akaev's policy statements also seem to be poorly thought through, and often have all the hallmarks of previous slogan-led policies that have

rights abuses. Most agree that this has been effective in forcing individuals to take responsibility for their actions, while avoiding the possible backlash from the security forces that the threat of courts and imprisonment might involve. See Claudio R. Santorum, Antonio Maldonado, 'Political Reconciliation or Forgiveness for Murder - Amnesty and its Application in Selected Cases', at www.forgivenessweb.org.

¹⁰⁷ Despite the fact that the prosecutor general is still continuing its investigation into the shootings, Amanbek Karypkulov, head of the presidential administration at the time of the events, and one of those closely involved in the incident, was appointed Kyrgyzstan's Ambassador to Turkey in July 2002.

had little actual substance. The new bodies are likely to end up as pro-presidential organs, with little independence. The concern is that their creation will detract attention from the real problem, which is how to reinvigorate existing institutions. As the opposition has pointed out, a new Democratic Code or a Council of Democratic Security is superfluous.¹⁰⁸ Kyrgyzstan already has a relatively democratic constitution and a full-time parliament. The proper test for the leadership is to breathe new life into these institutions, rather than create new parallel structures of dubious utility.

B. ALTERNATIVE STRATEGIES: SYSTEMIC REFORM AND POLITICAL CONSOLIDATION

The fundamental problem with Akaev's strategy is that it does not address any of the key factors that gave rise to the crisis in the first place. It does not help to widen participation in the political system beyond the elite; it provides little real defence against the increasing authoritarianism of the regime; it does nothing to regain public faith in the electoral system; and it fails to address widespread social discontent and regional divisions. Above all it reflects an inadequate understanding among the leadership of how serious the situation could become.

Any compromise solution will have to involve a devolution of power from the presidency to the benefit of other elite groupings, and most importantly other institutions. The government must be given powers and responsibilities to enable it to take its own decisions and develop its own policy; the judicial system needs to develop some level of independence, and parliament needs to develop a real independent voice and powers to control government and presidential actions.

Almost everyone agrees the system has to change. As one senior figure in the government apparatus admitted:

We have worked for ten years, and it has led to tragedy. We need to change the functions of the government, we need to completely change the psychology of leaders: they should try and find

¹⁰⁸ Zamira Sydykova, "Novaya 'fishka' prezidenta Akaeva" [President Akaev's new cards], *Res Publica*, 4 June 2002, available at www.respublica.elcat.kg.

ways out of the situation. Everyone should conduct reforms in his own backyard.¹⁰⁹

But the political elite is divided on how change should be implemented and what a new political system would look like. Most opposition politicians are agreed that presidential powers should be reduced, although some members of the opposition with their eyes on the presidency might like to inherit it in its present form. But most members of the political elite understand that the balance of powers between the president, government and parliament has become dysfunctional and unrepresentative, and the time has come to make changes to the system.

1. Reforming the political system

The present system of power and decision-making has reached the point where it is no longer effective in governing the country. It is unresponsive to the demands of the population, and has removed responsibility from many government officials. A new system will inevitably take time to develop, but its main features should include a reduced number of powers for the president and his apparatus, and a greater role for parliament and the government.

Parliamentary deputy Murat Sultanov has called for a semi-parliamentary system, in which the president would act only as the ultimate arbiter in political disputes.¹¹⁰ Representatives of the opposition want to go further, calling for the status of the president to be reduced to that of a symbolic head of state.¹¹¹ Government officials have suggested that the presidential administration should conduct only major strategic functions, leaving everything else to the government and local authorities.¹¹²

Some comparative studies tend to suggest that democratisation in developing countries is best served by a parliamentary system.¹¹³ But since Kyrgyzstan lacks a strongly developed political

party tradition, some strong powers probably need to be retained by the presidency to enable it to intervene in intractable political disputes in parliament. To boost the role of political parties, the share of seats elected through party lists should be raised, perhaps to 50 per cent of the total.

Whatever the exact form of government decided on by any reform, the twin challenges for the system – of representation and of governance – need to be addressed. Increasing the role of parliament in forming a government will answer the need for greater elements of representation in the system, while a quasi-parliamentary system would ensure that government and parliament would be forced to work together on promulgation and implementation of laws, hopefully increasing government effectiveness.

Any serious reform of the political system will need to address the following issues:

- There should be no scope for the president or government to issue decrees with the force of law that do not require parliament's approval.
- The right of the president to appoint a wide range of officials, particularly in the legal system, needs to be severely cut back. The powers of parliament should include approval or rejection of presidential appointments, particularly of judges and prosecutors, though in the latter case a role probably should be developed for professional peer review as well.
- A new system needs to include some mechanism to control the corruption in the appointments system. This may be through introducing a temporary social body, comprising a range of respected public figures, to oversee high level appointments.
- The present concentration of powers in the hands of the president should not be replaced by similar powers for a new post, such as parliamentary speaker. Executive powers should be largely in the hands of the government, responsive to parliament;
- The president should retain a role as guarantor of the constitution, including the rights of ethnic minorities and other groups, and the ability to intervene in political disputes that undermine the ability of the government to govern.

¹⁰⁹ ICG interview, May 2002.

¹¹⁰ ICG interview, 20 July 2002.

¹¹¹ ICG interviews, Giyaz Tokembayev, leader of the Republican Party, Kerben, 18 July 2002; Emil Aliev, leader of the staff of the Ar-Namys party, 20 July 2002.

¹¹² ICG interview, May 2002.

¹¹³ The evidence is far from conclusive. See Jeff Haynes, *Democracy in the Developing World*. (Cambridge, 2001), p. 44.

- The security forces should be under the control of the government, with a strong oversight role for parliament;
- When and where possible, power should be decentralised to local authorities, who should be given the necessary powers and financial instruments to respond quickly to people's needs, and in most cases, local officials should be elected. The speed with which significant decentralisation proceeds, however, should depend upon the training and development of better qualified and competent local authorities and a system to hold them accountable.

2. Reforming the Electoral System

The second key area that requires change is the electoral process. A lack of legitimacy in the whole political system is leading to a lack of faith in elections as a way of changing leaderships. Restoring that faith will involve significant concessions from the government but the alternative is a growing feeling that non-democratic ways to change political power must be sought. Any reforms must involve:

- A new system of appointments to the Central Electoral Commission (CEC) that ensures all political forces are adequately represented.¹¹⁴ The president should not have the right to appoint members of the CEC, and particularly the chairman, who wields unnecessarily large powers. A representative Constituent Assembly might act as an alternative appointments body on a temporary basis. Similar changes are necessary in provincial electoral commissions to ensure that ethnic minorities and diverse political forces are represented.
- A revised law on elections that makes it difficult for the authorities to use technical measures, such as registration dates, internal party statutes, or financial declarations, to ban opposition candidates from competing.
- A public body of respected social and political figures that could act as a neutral

body in election disputes and provide a form of monitoring of pre-election campaigns and the election itself.

- A commitment to allow NGO observation of all elections, regardless of the source of their funding, and an invitation to the OSCE to provide a full monitoring mission.

On the basis of serious changes to the system, a public agreement should be sought among all political forces that they will seek transfers of power only through free and fair elections.

The government would also have to make a commitment to allow independent press to operate and ensure that Resolution No. 20 is not revoked only to be replaced by new laws, decrees or bodies that can again put pressure on the press. The government should accept the establishment of an independent printing house, as proposed by the U.S. In response, independent journalists should accept a code of conduct to curb their own worst excesses and should help build real media outlets that provide objective information.

State television and radio is in serious need of reform. Its tendentious coverage has provoked greater discontent, and it desperately needs to regain some level of balance and more professionalism in its reporting. It could make a significant contribution to the growing debate around political options by allowing talk shows and debates covering serious political issues, with the participation of opposition politicians, to be freely aired.

3. Managing Political Succession

The electoral process must be reformed to ensure a peaceful transfer of power but additional safeguards are probably necessary to encourage the regime.

Primarily, legal guarantees of security and immunity for the president and his family need to be considered. An amnesty on both political and economic issues would provide a measure of reassurance for the existing elite that leaving power would not completely destroy its interests.

A wider form of amnesty might also be considered, covering a larger group. This could be used by the regime to release its most prominent political opponent, Feliks Kulov, who is imprisoned on dubious corruption charges. Such a "zero variant", starting effectively from scratch, would end the

¹¹⁴ At present, the president and the two chambers of parliament each appoint one-third of the members. In practice, this means that only one or two representatives of the opposition ever get an appointment to the Commission.

practice of using old charges against political opponents as occurred in the case of Beknazarov. However, there is widespread discontent with the seizure of considerable economic assets by members of the elite, much of it unfairly, and such an amnesty would provoke considerable opposition.¹¹⁵

But without it, there will be little incentive for the existing elite to leave power peacefully, and even if it does, there will be a period of significant instability while property is again divided among a new political elite. Some legal basis for economic stability is vital, while ensuring that a new government has the ability to operate freely without being dominated by an outgoing administration that still retains almost complete control over business and finance.

Any amnesty in Kyrgyzstan would be limited in scale – this is not a situation in which vast numbers of people have been involved in gross human rights abuses, for example. And it should ensure that it does not act as a precedent, or as encouragement for further criminal activity. Such a law should consider including many of the elements already outlined, such as granting amnesty only to those who request it, thus creating some element of public admission of wrongdoing. It should be accompanied by a public education campaign on the political reasons behind the amnesty. A commission investigating economic losses from privatisations and corruption might oversee the process, and a mechanism of at least symbolic compensation for those who have suffered loss of livelihood or other oppression should be considered.

4. Reforming Law Enforcement Agencies and the Legal System.

The major reform of the law enforcement agencies President Akaev announced after the Aksy tragedy appears to have run out of steam. That initiative should be urgently renewed but with initial emphasis focused on improving the material

situation of ordinary policemen. Any reform should consider:

- ❑ Increased salaries for police officers, and improved financing and equipment, as part of a wider reform aimed at reducing the overall numbers of officers, coupled with a major anti-corruption drive.
- ❑ The subordination of the Ministry of Internal Affairs to the government, creation of a powerful parliamentary body to oversee its activities, and a greater oversight role for local assemblies.¹¹⁶
- ❑ The removal from the MVD of non-policing functions, such as the fire service, passport services, and the like, and demilitarisation of the service by transferring some armed units to the army.
- ❑ The creation of community bodies designed to oversee liaison between communities and the police.
- ❑ Training of police officers in community policing, with the assistance of international bodies, including the OSCE;

Any reform of law enforcement agencies will require additional financing. Some resources could be freed by promoting more efficiency and cutting overall staff numbers. But extra money will be needed, particularly in the initial phases of reform. If genuine political will is demonstrated and a serious reform plan is drawn up, the international community should consider financial help in this area. The potential pitfalls of aid to security service reform are well known, but there is growing international experience in this area, with agencies such as the UK's DFID developing expertise in overcoming the obstacles.¹¹⁷

President Akaev has also announced a significant reform of the legal system to begin in September 2002. As with so many reform programs, this may also end without significant results. Yet the frequent use of courts by the authorities to deal with awkward

¹¹⁵ Similar discussions have taken place elsewhere. In Kenya the opposition has discussed an amnesty on economic and political crimes in an attempt to ease President Daniel Moi out of power, coming up against the same issues of fairness versus a stable transition. See Musikaro Kombo, "Why amnesty is key to transition", *Daily Nation*, 28 April 2001.

¹¹⁶ Such a role is being considered for the city council of Bishkek in discussions over a possible municipal police force for the city. A similar approach might be considered in other regions. ICG interview, Viktor Chernomorets, deputy of Bishkek city council, Bishkek, 19 July 2002.

¹¹⁷ See for example, "Understanding and Supporting Security Sector Reform", and other DFID publications, located at www.dfid.gov.uk.

opponents has discredited the system, and the continued existence of a non-independent judiciary will make any change to the political system almost worthless. A useful start would be an end to the presidential appointment of judges and an end to the attestation process¹¹⁸ that is often used to remove independent judges. Presidential judicial appointments should be made on the basis of recommendation by a professional body, and approved by parliament, and it should be virtually impossible for the president or other political bodies to recall judges after their appointment.¹¹⁹

5. Implementing change

All these reforms have already been relatively well developed by opposition politicians, and even by those within the government apparatus. What is lacking is the political will to push them through. Partly this is a result of the systemic problems that make change so necessary. Since most ministers and key decision-makers are picked primarily from circles close to the president, there is little incentive for them to change the system. But the alternative to changes conducted by the present elite from above may well be less carefully worked through changes adopted under pressure from below.

Ultimately, political will needs to be demonstrated by President Akaev. His proposal for a new Constituent Assembly to discuss the future political system of the country is a positive step but it must be an assembly that really represents the full spectrum of political forces in the country and also has a mandate to push for real change.¹²⁰ If used merely as a delaying tactic or as a way to extend the leadership's powers beyond its present term, it will only increase the frustration of much of the political elite even further.

Very few leaders are brave and wise enough to give up powers that they have accumulated over a

decade, but a long-term vision for the country beyond his term in office could persuade President Akaev that such changes are not only necessary, but are vital to save the country from potential conflict during the transition phase.¹²¹

C. THE ROLE OF THE INTERNATIONAL COMMUNITY

The resolution of Kyrgyzstan's political crisis is largely in the hands of the Kyrgyz themselves. But the international community can play a positive role from backstage by pushing for political reform, supporting dialogue between political groups, and opposing actions of the government and opposition that will only worsen the situation.

The main area of Western influence is in financial assistance to the government. Almost U.S.\$1.7 billion in loans has gone to the Kyrgyz government, mostly from international financial institutions such as the World Bank. Some useful programs have been implemented, and there has been significant macroeconomic reform. But much has been wasted on ineffective programs, and a considerable part has probably simply disappeared into the personal bank accounts of officials. Further assistance must take into account the problems of governance and political stability, focusing on reforms of the political system and the introduction of more transparency.

It is no longer possible to separate political and economic reforms. The latter will only be effective under a political system that improves governance, and promotes stability. Economic reforms have failed to deliver significant change in people's living standards, and will continue to do so until there is a

¹¹⁸ The attestation process involves regular examination of judges on their legal knowledge. The system is far from independent and is widely susceptible to political pressure and corruption.

¹¹⁹ For more details, see ICG Report, *Kyrgyzstan at Ten*, op. cit.

¹²⁰ Provided it has adequate opposition representation, a constituent assembly that meets not just for two days but regularly through the period could be a useful body for the whole transition. It might also act as an arbiter for electoral disputes and provide a monitoring organ for electoral campaigns and the elections themselves.

¹²¹ In what may be an indication that President Akaev has begun to think more expansively about changes needed to defuse his country's political crisis, he reportedly discussed extensive reforms with several members of the opposition who accompanied him on a trip to Malaysia in August 2002 and followed up after returning home with additional members of the opposition, including allies of the imprisoned Feliks Kulov. The president was said to have indicated willingness to share certain powers with parliament, such as judicial appointments and control over the formation and dissolution of governments. Some members of the opposition and civil society were said to have reacted favourably, others sceptically, in the belief that the president was trying to divide his opponents. See Sultan Jumagulov, "Kyrgyzstan: Embattled Akaev to Share Powers", Institute of War and Peace Reporting, August 2002.

shift in policy towards real political and economic change in the provinces. This means a more political role for development agencies, and in particular for the UN, whose poor reputation in Kyrgyzstan is partly based on its ineffective political role, and apparent lack of support for electoral reform, human rights or significant systemic political change.

An example has been UNDP's technical assistance to the Central Electoral Commission, including a U.S.\$1 million grant to help establish a computerised system prior to the 2000 elections. Such assistance was given without any serious follow-up in terms of how the elections were conducted, and the new equipment clearly played no role in minimising electoral fraud.¹²² Technical assistance needs to be linked to political change, with a follow-up and monitoring role built into each program.

Overall, Western assistance has done little to promote democracy in Kyrgyzstan and is partly responsible for the present political crisis. Poorly targeted financial aid has lessened the pressure on the government to push for its own solutions to economic problems and has probably promoted the growing corruption within the system. Strict controls over funding and efforts by international organisations to promote political reform through their contacts with the government are vital.

Further aid – particularly that flowing into conflict prevention programs – should consider the political aspects of development as well as basic welfare needs. Lack of economic development and disputes over resources are not the only potential causes of conflict in Kyrgyzstan; more important at present is the lack of responsive and democratic government.

Obviously development aid remains vital for Kyrgyzstan, but there are other areas that also need increased attention from outside agencies. The media, for example, could benefit from greater assistance. It is essentially divided into publications and outlets for and against the government. Funding more journalist training to develop a wider understanding of objective reporting would be a positive step, as would more work to set up

local radio stations, and support for independent television stations outside the major cities.

The judiciary is another area that needs considerable support. If reforms are begun in any serious way, there should be aid from the international community to try and make them work. Similarly, reform of law enforcement agencies is unlikely to be successful without some external financial assistance and technical aid. This is a controversial area,¹²³ and donors need to be sure that they are not making a bad system even worse, but with proper monitoring and good coordination among themselves, useful assistance is possible here as well.

Support for human rights and opposition groups has become a political issue.¹²⁴ It is in the interests of Western donors to check carefully how their money is being used and question whether all human rights groups are actually fulfilling this function. There is scope for developing more professional human rights groups, with better training and a less political agenda.

The OSCE has played an important role in monitoring the situation and promoting dialogue in the country, particularly in the South. Akaev's rhetoric of a "Country of Human Rights" should be taken at face value. OSCE should offer to the government a significant enlargement of its centre in Bishkek and field office in Osh, and to undertake an expanded economic role and further neutral third party efforts to stimulate political dialogue. The need for the OSCE is particularly felt in the south of the country, where it has played an important role in monitoring the protests. An expanded presence there would be useful for all sides. The OSCE could also play a role in the reform of law enforcement agencies. Programs developed by the new Senior Police Adviser in Vienna deserve financial support from member states.

¹²³ See Dylan Hedrickson, "A Review of Security Sector Reform", Working Paper No.1, Centre for Defence Studies, Kings College London, September, 1999.

¹²⁴ There have been frequent media attacks on organisations that receive foreign funding. The National Democratic Institute (U.S.) has been a particularly favourite target. Its attempts to establish "discussion rooms" around the country that would provide increased information to the local population were described by one speaker as a neo-Bolshevik project designed to replicate the 1917 revolution. Speech at Forum of Civil Leaders, Bishkek, 13 July 2002. State Secretary Osmonakun Ibraimov has also accused Western donors of indirectly funding the protests through their support to human rights groups. ICG Interview, Bishkek, 15 July 2002.

¹²² ICG interview, Natalya Ablova, Director, Bureau on Human Rights and Rule of Law, Bishkek, 19 July 2002.

It would be extremely significant if the main Western political players could develop a common platform on at least the basics of systemic reform. The European Union has a useful starting point within its Partnership and Cooperation Agreement with Kyrgyzstan to place political reform on the bilateral agenda and tie development of the relationship to the authorities actually taking measures to promote long-term stability. The OSCE should be putting the same message across, even on an informal basis. The U.S. also needs to make sure that short-term needs for military cooperation do not detract from its pressure for political reform. But irritation with U.S. pressure is high, and pushing for change will require careful diplomacy and an ability to persuade the leadership that it is in their own interests to move forward with deep reforms. A common message from the U.S., EU, OSCE and other governments and international organisations is more likely to be influential than a policy pushed by the U.S. alone.

V. CONCLUSION

This kind of “New Deal” for Kyrgyzstan may appear overly optimistic, but there are moderate and intelligent people on both sides of the divide who understand that a new way forward is necessary if further crisis is to be avoided. It requires political bravery, and mutual understanding that compromise is not a sign of weakness, but of strength. Above all, it requires a strong instinct of self-preservation, since if the causes of Kyrgyzstan’s political crisis are not addressed, they will return to haunt the leadership.

Kyrgyzstan faces many problems, and far-reaching reforms are needed throughout the system. Economic policy requires a fresh start, with more realistic policies aimed at boosting living standards rather than grandiose plans aimed primarily at donor organisations. However, it would be foolhardy to expect full-scale reform to be implemented successfully before the next presidential elections. The most that can be hoped for is a consensus around key political changes, with a new commitment to free elections, constitutional reform to cut back on presidential powers, and more control over the security forces.

Even if elites agree to a political deal, there is no guarantee that it will be accepted by the Aksy protestors, who have become increasingly radicalised by their months of protest. However difficult, it is vital that the government addresses their understandable demands for justice and does not use the amnesty to allow high-level officials to avoid all responsibility for the killings. First of all, the government needs to initiate a real dialogue with the protestors.

Dialogue between government and opposition is vital, and to the government’s credit, it has initiated and participated in round tables between different groups. But it is important that these bodies are really representative,¹²⁵ and that a proliferation of forums and dialogue mechanisms actually produce results. A large part of the elite is ready for compromise decisions, and a failure by the authorities to act on sensible suggestions by the opposition will merely deepen mistrust even among

¹²⁵ Several key opposition leaders claimed that they were not invited to the government-opposition round table held on 26 July 2002.

moderates. There is still a chance to find compromises among Kyrgyzstan's divided political forces, but to do so requires moves from the government to make changes in the political system that will be lasting and will be accepted as genuine by increasingly sceptical opponents.

Osh/Brussels, 20 August 2002

APPENDIX A

MAP OF KYRGYZSTAN



APPENDIX B

GLOSSARY OF ACRONYMS

CIS	Commonwealth of Independent States	NATO	North Atlantic Treaty Organisation
EBRD	European Bank for Reconstruction and Development	NGO	Non-Governmental Organisation
EU	European Union	NRC	National Reconciliation Commission
ICNL	International Center for Non-Profit Law	PCA	Partnership and Cooperation Agreement
IMF	International Monetary Fund	SNB	<i>Sluzhba natsionalnoi bezopasnosti</i> (National Security Service)
IMU	Islamic Movement of Uzbekistan	USAID	United States Agency for International Development
IWPR	Institute for War and Peace Reporting		
MVD	<i>Ministerstvo vnutrennykh del</i> (Ministry of Internal Affairs)		

APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is a private, multinational organisation committed to strengthening the capacity of the international community to anticipate, understand and act to prevent and contain conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

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August 2002

APPENDIX C

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* The Algeria project was transferred from the Africa Program in January 2002.

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