



*Nations in Transit 2007*  
*Kyrgyzstan*

	1999	2001	2002	2003	2004	2005	2006	2007
Electoral Process	5.00	5.75	5.75	6.00	6.00	6.00	5.75	5.75
Civil Society	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50
Independent Media	5.00	5.00	5.75	6.00	6.00	5.75	5.75	5.75
Governance	5.00	5.25	5.50	6.00	6.00	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	6.00	6.00	6.00
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	5.75	6.25	6.25
Judicial Framework and Independence	5.00	5.25	5.25	5.50	5.50	5.50	5.50	5.50
Corruption	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00
<b>Democracy Score</b>	<b>5.08</b>	<b>5.29</b>	<b>5.46</b>	<b>5.67</b>	<b>5.67</b>	<b>5.64</b>	<b>5.68</b>	<b>5.68</b>

**EXECUTIVE SUMMARY**

Since the collapse of the Soviet Union, Kyrgyzstan has maintained the image of the most democratic of the five Central Asian states. Unlike in neighboring countries, in Kyrgyzstan the first president, Askar Akayev, was an academic who alone among Central Asian leaders openly opposed the 1991 attempted coup in Moscow and ordered the Communist Party disbanded. Akayev allowed an independent media and opposition parties, and though by the end of the 1990s he was moving to rein in their influence, both the independent media and the political opposition continued to be active. Akayev's repeated manipulation of the Constitution led to a crisis during the parliamentary elections of February–March 2005, when Akayev supporters won an overwhelming majority. Demonstrations eventually chased Akayev from power, and the country and opposition leaders, many of them former government officials, came to power.

In 2006, the new president, Kurmanbek Bakiyev, and his government were still trying to gain control over the country. There were some unpleasant developments in the fight against corruption. Opposition to the new president grew, and an embarrassing incident with one opposition leader cost the government some credibility. Promised amendments to the Constitution were slow in coming, and eventually the perceived reluctance of the president to move forward on the issue sparked a massive protest in the capital. The opposition sensed victory when a hastily amended Constitution was approved in November, but Bakiyev supporters in the Parliament reversed many of the changes just before the end of the year. By then, Bakiyev's partner, Prime Minister Feliks Kulov, and his government had resigned, signaling that the crises in Kyrgyzstan were not over.

**National Democratic Governance.** Kyrgyzstan faced many pressing issues when new leadership took over in 2005, and 2006 showed that the new government was still not

capable of handling the country's problems. During the year, the government tried to make good on some of its promises, but as often as not, it was either forced into keeping pledges because of protests or seen to backtrack on promises. A new Constitution providing for a more equal distribution of power among the three branches of government was signed in November, but Bakiyev and his supporters maintained that the new distribution of power would not take effect until after the next presidential elections in 2010. The success of pro-Bakiyev members of Parliament (MPs) in pushing through amendments to the new Constitution just days before the end of the year reversed some of those changes. The opposition is popular among the people and has representatives in the Parliament. *Since the Kyrgyz government was slow to implement reforms and at times seemed helpless to respond to growing crises in the country, while displaying a dangerous, precedent-setting habit of making "quick fix" concessions to quell demonstrations and the opposition, the national democratic governance rating remains at 6.00.*

**Electoral Process.** No national elections were held in Kyrgyzstan in 2006, but there were some by-elections. None of these went smoothly, raising concerns about the country's ability to hold a national election. This is troubling, since some analysts were predicting, with good reason, that there could be early parliamentary elections in 2007. There was violence in the by-elections in the Balykchy and Uzgen districts, and one resulted in a victory for a person many in Kyrgyzstan felt was a criminal. The new Constitution changes the structure of the Parliament and the means for electing half of the country's lawmakers, but that provision, like so much of the new Constitution, was still a matter for debate at the end of 2006. Previous elections in Kyrgyzstan have already demonstrated the difficulties in holding a free and fair poll, and judging by elections in 2006, the situation is unlikely to improve in the near future. *Kyrgyzstan's rating for electoral process stagnates at 5.75.*

**Civil Society.** It would be impossible for any government to get the support of all Kyrgyz civic and political groups but even more impossible to survive politically without some support from civil society. Political parties, nongovernmental organizations (NGOs), and special interest groups had a great deal of influence on Kyrgyzstan's politics in 2006. Such groups played key roles in ousting President Akayev in March 2005, and in November 2006 they again played key roles in forcing a new Constitution. There were numerous, generally peaceful rallies and demonstrations held around Kyrgyzstan during the year. The larger rallies in the capital, Bishkek, were well organized, and organizers and authorities often worked together to ensure these events were orderly. Yet it is somewhat troubling to see that although political and civic groups are able to muster significant public support, the authorities often seem to be responding to protesters' demands merely to disperse the crowds. Still, nearly all groups are able to make their voices heard, and civil society provides a fairly effective check on the authorities. *Kyrgyzstan's civil society rating remains at 4.50 as the active and usually positive role of Kyrgyz civil society in supporting the government in key decisions such as fighting corruption and at the same time exerting pressure on authorities to keep their promises was offset by the lack of vocalization about the Constitution.*

**Independent Media.** One of Bakiyev's campaign promises during and after the 2005 presidential race was to have a completely independent media in Kyrgyzstan. The media started 2006 with almost full support from Bakiyev, though as the year went on there were outlets that increasingly criticized the president and his government and experienced problems as a result. By year's end, not all of the country's media remained independent. Yet independent Internet news agencies like 24.kg and AKI press have become one of the main sources of information about events in Kyrgyzstan for the outside world. *Despite President Bakiyev's decreasing commitment to fostering a fully independent media in the country, most independent outlets in Kyrgyzstan were able to disseminate their material without obstacles. The rating for independent media remains at 5.75.*

**Local Democratic Governance.** For the most part, local democratic governance in Kyrgyzstan was effective in providing for the needs of local populations. Most protests during 2006 were against policies being made in Bishkek, not against inefficiency or corruption in regional or local administrations and not against lack of basic goods and services. But there were changes made because provincial governors, in particular, challenged President Bakiyev's decisions and brought into question how much control the government in Bishkek has over the country's provinces. On the whole, these regional and local officials were able to restore order after the tumultuous events of 2005. *Owing to the fact that regional and local officials seemed to perform their administrative functions capably, though in some cases officials openly defied the president (indicating that connections between the regions and center are not well established), Kyrgyzstan's rating for local democratic governance remains at 6.25.*

**Judicial Framework and Independence.** Kyrgyzstan's judicial system has always been active and was a principal means for former president Akayev to silence critics. But since Akayev's departure, the courts have at times rendered contradictory decisions. This was certainly true when Ryspek Akmatbayev was running for a seat in the Parliament in March and April 2006. The decisions allowing Akmatbayev to run and win a seat were in absolute contradiction to the government's stated policy of keeping criminal elements out of government, yet the courts still allowed Akmatbayev's candidacy. Generally, courts seemed free from government interference or influence when they made their rulings, and a tendency toward what could be seen as vendetta justice against Akayev supporters that started to emerge during 2005 faded in 2006. As the year ended, it was unclear how the new Constitution would change the judicial branch of government, though in theory the changes should enhance its powers and independence. *Kyrgyz courts seem to be independent from government influence, as indicated by decisions that are occasionally at odds with government policies, but large problems still remain in tightening legislation and interpreting the law consistently. Owing to lack of information about the contents of the new Constitution, Kyrgyzstan's rating for judicial framework and independence remains at 5.50.*

**Corruption.** By the start of 2006, the new Kyrgyz government had already identified fighting corruption as its number one priority. President Bakiyev and Prime Minister Kulov complained publicly about corruption in government on many occasions in 2005,

but the fight against corruption faded as the year went on owing to public protests for a new Constitution. In mid-January 2006, opposition lawmakers said it seemed the government did not have the will to confront criminals, and the case of parliamentary candidate Ryspek Akmatbayev demonstrated that this might be true. The problem of corruption took an unexpected turn when President Bakiyev's brother Janysh, the deputy national security minister, was connected to an attempt to frame an opposition lawmaker in September. Kyrgyz independent media then reported on other Bakiyev relatives who held state posts or headed lucrative businesses. During the last months of the year, the fight against corruption did not get much publicity because of more immediate and pressing matters. But as the year ended, there was little evidence that much progress had been made in tackling corruption. *Though some efforts were made at the start of 2006 to fight corruption, the issue practically vanished after media reported on the state posts and successful businesses of President Bakiyev's relatives; thus Kyrgyzstan's rating for corruption remains at 6.00.*

**Outlook for 2007.** The outlook for Kyrgyzstan is not encouraging, as the departure of Prime Minister Kulov makes the government weaker. Along with President Bakiyev, Kulov was the other half of the so-called tandem that symbolically represented the union of the country, with Kulov hailing from the north and Bakiyev from the south. Kulov already left the government once in 1999 and formed his own opposition party, Ar-Namys, and for a time after that, he was Akayev's chief political rival. There is every reason to believe the ambitious Kulov will again go over to the opposition and turn from chief ally into one of President Bakiyev's leading opponents. It is possible, and even likely, that there will be early parliamentary elections in 2007. The Parliament is still packed with supporters of former president Akayev, despite the fact that parliamentary elections in February–March 2005 were the cause of protests that chased Akayev from power. Further, the new Constitution provides for a 90-seat Parliament instead of the current 75-seat body, leading already to a dispute about how many parliamentary seats are needed to form a majority. Another amendment in the new Constitution requires that at least half the seats be filled by party lists, yet the current Parliament was elected by single-mandate districts. Eventual parliamentary elections are sure to cause a frantic period, as there are some 80 registered political parties and movements in Kyrgyzstan.

Economically, there is nothing to indicate 2007 will be any better than 2006. The government is claiming some economic successes, but the country has few exports, and one of the prize joint ventures—the Kumtor Gold Mine—announced toward the end of 2006 that production was down by more than half and gold recoveries were falling. Militants reportedly from the Islamic Movement of Uzbekistan in Kyrgyzstan's section of the Fergana Valley were killed and more taken into custody in 2006, and security will likely continue to be a minor issue there. Many followers of suspect Islamic groups have found havens in the Fergana Valley because Kyrgyzstan's authorities rarely bother them unless they cause problems. The Kyrgyz ombudsman has even called for the group Hizb ut-Tahrir, which denounces use of violence but advocates the establishment of an Islamic caliphate in Central Asia, to be legalized in Kyrgyzstan. These groups are for now aiming primarily at the government in neighboring Uzbekistan, but their presence in Kyrgyzstan is expected to cause further problems, with small outbreaks of violence always possible.

## MAIN REPORT

### National Democratic Governance

Written in 1993, the Constitution of Kyrgyzstan enshrines democratic principles and reflects the willingness of the Kyrgyz government to accept advice from the West while it drafted the document. The policies of President Askar Akayev, who inherited the leadership of the newly independent country, were liberal and enlightened relative to other governments emerging in Central Asia during the same period. But an ever increasing rift opened up between Akayev and the country's Soviet-era Parliament, which worked to strip the president's office of power and purposely held up Akayev's reform proposals. Two days before the new Constitution came into force on May 3, 1993, the Supreme Soviet voted to transfer the powers of head of state from the president to the prime minister.

Akayev called for (and won) a presidential confidence referendum in January 1994, but deputies refused to attend sessions, saying the Parliament had become a house of intrigue. The government resigned in early September 1994, and when more than half of the deputies boycotted a session of the Parliament, Akayev dissolved the body. Subsequent referendums in October 1994, 1996, 1998, and 2003 changed more than half of the Constitution and transferred more power to the presidency. The system of checks and balances among the branches of power was drastically altered, and as a result, the parliaments elected in 1995 and 2000 were much more compliant. The Kyrgyz government became a clearly presidential state with a weak legislative branch and a subservient judiciary. Independent media outlets that criticized the government or government officials were brought to court on libel and slander charges, and several media outlets were shut down. The right to freedom of assembly also suffered temporarily.

Demonstrations, some lasting months, were frequent in Kyrgyzstan in the latter half of the 1990s. Protesters supported opposition figures and independent media outlets facing legal problems, but after a demonstration during the 2000 parliamentary elections, restrictions were placed on the right to assemble and rally. Those rights were partially restored after the March 2002 protests in the southern Aksy district, when police opened fire on demonstrators supporting Senator Azimbek Beknazarov, who had been jailed in January on abuse-of-office charges while in a previous state post. At least five demonstrators were killed. Large protests followed against the authorities' apparent indifference and subsequent attempted cover-up, forcing out the government of then prime minister Kurmanbek Bakiyev in May 2002 and compelling the authorities to ease restrictions on the right to demonstrate.

These demonstrations were a prelude to the unrest that would come in early 2005, when parliamentary elections were scheduled. Raising the stakes in those elections was President Akayev's vow not to seek another term in office in the presidential elections scheduled to take place later that year in October. Akayev supporters in government faced the reality that Kyrgyzstan's only president since the country's 1991 independence would no longer be in a position to help them. Well in advance of the 2005 parliamentary poll, opposition groups sensed a rigged election (based on the conduct of previous polls) and openly voiced their expectation that the election would be neither free nor fair.

Independent media ran stories about a secret meeting of the prime minister with regional and election officials to ensure a victory for Akayev loyalists. Some of these independent media outlets encountered legal problems afterward.

Isolated protests started before the first round of elections in late February 2005 and grew larger when the second round was held in March. Akayev supporters did win—in some cases, 90 percent of the seats—and the protests took a violent turn with the burning of administrative buildings in some places, the blockade of highways, and mass protests in towns and cities around the country. On March 24, a crowd stormed the president's building in the capital, Bishkek, and President Akayev fled the country. Kurmanbek Bakiyev was made acting prime minister, then acting president. Ar-Namys political party leader Feliks Kulov was freed from jail, where he had served 4 years of a 10-year sentence on charges of embezzlement and abuse of office.

Early presidential elections were called for July 2005. In an effort to unify the country after the recent turbulence, Bakiyev and Kulov agreed that Bakiyev would run for the presidency and, after winning, would name Kulov as prime minister. This plan prevented the two from competing, and as Kulov was from the northern Chu region and Bakiyev from the southern Osh region, the “tandem” they formed symbolically linked the country. Bakiyev won the election, taking nearly 90 percent of the vote, and kept his promise to name Kulov as prime minister. The rest of the year, the two fended off one protest after another. Three lawmakers were killed, bringing to light the infiltration of criminal elements into the Kyrgyz government.

The first days of 2006 brought hope that the turbulence had settled, but this state of grace did not last long. In January, Prime Minister Kulov made a statement that law enforcement was not doing enough to fight corruption and crime. His comments offended the national security minister, Tashtemir Aitbayev, and the two exchanged accusations and insults. Toward the end of the month, the Parliament recommended that Bakiyev dismiss Aitbayev, his deputy, Vyacheslav Khan, and Security Council chief Miroslav Niyazov. Their public feud was overshadowed in February, when a conflict between the Speaker of Parliament, Omurbek Tekebayev, and President Bakiyev erupted. Tekebayev eventually resigned but proved even more troublesome to Bakiyev as a leader in the opposition For Reforms movement.

Tekebayev retained his parliamentary seat, helped by the fact that he was an opponent of former president Akayev, and there were others like him in the Parliament. Likewise, there were also Akayev supporters who had kept their parliamentary seats after the former president fled the country. Bakiyev vented his frustration in early February, stating, “Parliament...is becoming a factor that creates an atmosphere of instability in the country,” and hinted that he could dissolve the body.<sup>1</sup> At the same time, Bakiyev indicated the sort of Constitution he believed the country should have, stating, “It's frightening to think what happens if we turn the country into a parliamentary republic.” Less than two weeks later, Bakiyev was quoted by the Russian newspaper *Kommersant* as saying, “The Parliament has turned into a skillfully scripted show. The people have understood that if, God forbid, this form of government is introduced, no breakthrough could be expected in the coming years.” Bakiyev was also quoted as saying, “It is possible to disband the Parliament now, but I am deeply convinced I should not do this.”

In his presidential campaign, Bakiyev promised that drafting and adopting a new Constitution would be a priority for 2006, and the opposition and people of Kyrgyzstan

grew impatient as the year went on with that goal no closer in sight. Most expected that a new Constitution would more equally distribute power among the three branches of government and turn the country from a presidential to a parliamentary form of government, or at least a presidential-parliamentary shared power. But Bakiyev's repeated statements about avoiding a "parliamentary republic" were an indication that the president had no interest in relinquishing power.

On April 17, Tekebayev announced that a number of political parties and NGOs would hold a demonstration at the end of the month to demand that President Bakiyev carry out constitutional reforms. Moving to head off what could have been a major conflict, President Bakiyev, Prime Minister Kulov, and Speaker of Parliament Marat Sultanov met live on national television to debate Tekebayev, opposition MP Kubatbek Baibolov, and others. In comments the following day, opposition leader Omurbek Tekebayev dismissed the debate as having accomplished nothing. Though rain diminished the size of a demonstration organized in Bishkek on April 29, according to some reports around 10,000 people (a sizable amount for Kyrgyzstan) turned out to demand a new draft Constitution, and another 10,000 people turned out for a similar demonstration on May 27.

The day before the May rally, the president indicated that he was concerned about protests when Prime Minister Kulov announced that Bakiyev had ordered the government to come up with a new law on opposition activities. Tekebayev had become the most vocal figure calling for constitutional reforms and in early July stated that the people wanted to see concrete steps taken by the government before autumn. Week after week, Tekebayev repeated this message through the Kyrgyz independent media and in comments to foreign media.

In early September 2006, Tekebayev went to Warsaw to attend an international forum, and upon his arrival, Polish customs officials found 595 grams of heroin in his luggage and detained him. Shock broke out in Kyrgyzstan, with MPs and Prime Minister Kulov saying publicly that such a thing was impossible and vowing to defend Tekebayev. There was more shock when news broke that the drugs had been planted in Tekebayev's luggage at Bishkek's Manas Airport when the deputy was leaving for Poland. An airport employee wrote a letter to President Bakiyev explaining the plot, which was also caught on a security camera and quickly posted on the Internet. The man accused of planning the frame-up was Janysh Bakiyev, the deputy National Security Service (SNB) chief and President Bakiyev's younger brother.

The Parliament "invited" President Bakiyev to address the body and explain the affair. Bakiyev stated that no one was above the law and that he would never use his position to provide special favors or advantages to his family. Janysh Bakiyev was dismissed and later claimed he had played no part in the scheme. The airport official who reportedly authored the letter to President Bakiyev detailing the plot to frame Tekebayev also later said he never wrote the letter. SNB chief Busurmankul Tabaldiyev handed in his resignation. On September 21, a parliamentary commission formed to investigate the Tekebayev heroin affair found that the SNB was responsible for attempting to frame Tekebayev. The Parliament further demanded an investigation of both Janysh Bakiyev for the Tekebayev affair and President Bakiyev's son Maksim for property he had acquired. The Parliament then declared the Bakiyev-Kulov tandem to be unconstitutional, a ruling both men ignored.

On October 2, the For Reforms movement announced it was organizing a massive rally in Bishkek in early November to demand constitutional reforms as well as the resignation of the president and prime minister. Three days later, Prime Minister Kulov sent his draft for a new Constitution to the Parliament for consideration. A week later, Kulov told a forum organized by the For Reforms movement that he favored a new Constitution that provides for a parliamentary form of government, stating, "A parliamentary republic in Kyrgyzstan will reduce tribalism processes and the country's division into the north and the south."

A publicized meeting between For Reform members and President Bakiyev scheduled for October 21 failed to take place. That same day, For Reforms co-leader Almaz Atambayev announced to the independent Kyrgyz Internet news agency 24.kg that Bakiyev was a "political corpse," to which Bakiyev replied he would not respond to proposals made in the form of an "ultimatum." For Reforms leaders met with Bakiyev and other officials at month's end to agree to hold an orderly public rally. On November 2, the scheduled rally started outside the government building in Bishkek. An estimated 15,000 people turned out on the first day, making it the largest rally the Kyrgyz capital had ever seen, even larger than the day Akayev was chased from power. At least several thousand people turned out each day for the week-long rally.

On November 5, Prosecutor General Kambaraly Kongantiyev announced that he was investigating allegations that the opposition was planning a coup. The next day, Bakiyev sent his draft Constitution to the Parliament and intended to go himself until he learned the 51 deputies needed for a quorum were not present. Opposition leader Tekebayev said that was because 31 lawmakers were For Reforms members who would not attend sessions, therefore there could be no vote on Bakiyev's draft Constitution. On November 8, Bakiyev and the government gave in to the protesters' demand for a new Constitution. The Parliament worked late into the night, and just before midnight deputies voted 65 to 1, with 1 abstention, to approve a new Constitution that reduced the powers of the president. Bakiyev signed it on November 9, saying, "There are no losers here."

Prime Minister Kulov presciently noted that the "hasty adoption of the Constitution, without any detailed consideration of all the nuances, creates a dangerous precedent and may be fraught with negative consequences for the country," and as warned, there was immediate confusion about the new laws. President Bakiyev dismissed a governor who had joined the Bishkek rally and appointed a successor a few days after signing the new Constitution. Opposition lawmaker Temir Sariyev questioned whether the new Constitution gave Bakiyev the right to appoint governors. Unfazed, Bakiyev dismissed another governor about a week later and appointed a replacement. Bakiyev's aides said that as a result of an agreement with the opposition, the terms of the new Constitution did not apply to the executive branch until after the next presidential election in 2010.

At the end of November 2006, Tekebayev stated that it did not appear that the authorities were hurrying to put the new Constitution into practice. On December 4, the Parliament was still demanding that the new Constitution be published. On December 21, pro-Bakiyev MPs introduced a proposal for amendments to the Constitution that restored to the executive branch some of the powers the original document took away. The proposal failed to pass on first consideration, but on December 30 it was proposed again and passed, and Bakiyev signed it that day. The Constitution retained an article

abolishing use of the death penalty in Kyrgyzstan, something rights activists have requested for many years. Kyrgyzstan has had a moratorium on the death penalty since 1998, but still in 2006 nine sentences were passed.<sup>2</sup>

## **Electoral Process**

Compared with its Central Asian neighbors, Kyrgyzstan has held the most democratic elections since all gained independence after the 1991 collapse of the Soviet Union. But international observers such as the Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights have never judged any of the country's elections as meeting international democratic standards. Referendums in Kyrgyzstan increased the power of the executive branch and transformed the Parliament from the unicameral Supreme Soviet to a bicameral legislature (1995 and 2000) and then back into a unicameral body in 2005. Though a handful of opposition figures won seats in the Parliament in 1995 and 2000, they were a minority in a body that was rarely able to influence presidential decisions.

The parliamentary elections in February–March 2005 were the catalyst for the protests that eventually ousted President Akayev from office. Opposition groups and independent media warned of vote rigging and state interference in the poll, and when some 90 percent of the deputies elected turned out to be Akayev supporters, including two of Akayev's children, there was reason to believe the tales of electoral manipulation. Akayev left, but the deputies stayed, something of a compromise with opposition leaders, who wanted to avoid further unrest at the time.

In 2006, there were by-elections that provided little in terms of organization but were necessary to replace three deputies elected in March 2005 who were later killed. One of the cases is a complicated affair involving the brothers Akmatbayev from the Balykchy district of the Issyk-Kul province. At the start of 2006, Ryspek Akmatbayev was facing murder charges when he announced he would seek his brother Tynychbek's vacant seat in the Parliament. Tynychbek Akmatbayev was himself killed in the Moldovanka prison riot in October 2005. An investigation into the circumstances of Tynychbek's death uncovered evidence that he, like two other lawmakers killed earlier that year, was involved with criminal groups. Independent media often suggested that Ryspek Akmatbayev was also involved in criminal activities.

With the fight against corruption and criminal influence in government becoming one of the Bakiyev government's primary tasks, Ryspek Akmatbayev's candidacy quickly became a serious problem. The Central Election Commission (CEC) disqualified Ryspek from running on March 29. The next day, protests broke out in Ryspek's voting district, where he was very popular, and demonstrators blocked the lone paved road circling the lake (Issyk-Kul). Ryspek's supporters came in buses to Bishkek to take their protest to the government building. On April 2, Bishkek's Birinchi Mai court overturned the CEC decision, and Ryspek was reinstated as a candidate. NGOs led by the For Democracy and Civil Society coalition staged a protest against Ryspek's candidacy on April 8, but on April 9 he won the election. On April 10, CEC chairman Tuygunaly Abdraimov said Ryspek's registration for the seat was suspended while a review was conducted of the criminal case against him. On April 12, Edil Baisalov, leader of the For Democracy and Civil Society coalition that so opposed Ryspek's candidacy, was attacked

in Bishkek. For many in Kyrgyzstan, there was no need to guess who ordered the attack. President Bakiyev stated on April 13 that criminals were trying to influence the country's politics. The issue was a political powder keg, and the country prepared for more demonstrations and counterdemonstrations, but on May 10 Ryspek Akmatbayev was shot dead in Bishkek.

Less publicized but similarly alarming was the by-election in Uzgen in late June. Adakhan Madumarov vacated the seat there when he was named deputy prime minister (he later became state secretary). On election day, June 25, supporters of the two candidates—Mamat Orozbayev and Sanjarbek Kadyraliyev—attacked each other with bottles and stones in the village of Tuzbel. Cars were set afire, and 27 people (including 10 policemen) were injured in the clashes. The election was postponed until October, when Kadyraliyev won.

CEC chairman Tuygunaly Abdraimov resigned in December, the same day as Prime Minister Kulov and his government. Not long afterward, opposition lawmakers called on President Bakiyev to name a new chairman, most likely because so many felt that early parliamentary elections are unavoidable. The CEC has played a large role in all of Kyrgyzstan's parliamentary elections, at times barring opposition candidates from running and ruling that opposition parties or blocs were formed too late to participate in polls.

To a large extent, the current Parliament consists of supporters of former president Akayev, some of whom have joined with the current opposition to President Bakiyev. More important, the new Constitution changes the Parliament from a 75-seat to a 90-seat body in which half the deputies are to be elected according to party lists. In theory, that should give more political groups an opportunity to get their people into the Parliament. But with some 80 political parties and movements registered at the end of 2006, most of which have fewer than 10,000 members, the process of electing deputies by party lists will be a complicated matter. A new election code is supposed to deal with these issues, but at the end of 2006 there were still no changes to the old code.

## **Civil Society**

Since independence, Kyrgyzstan has exhibited the most vibrant civil society among Central Asian states. NGOs played key roles in the events leading up to March 24, 2005, and continued to do so throughout the year. These groups represent at times widely divergent points of view but were no less active in 2006. Rights groups such as the For Democracy and Civil Society coalition backed government efforts to fight corruption. This was especially true in the case of Ryspek Akmatbayev, when both groups organized rallies to protest allowing Akmatbayev to compete in the poll. Akmatbayev's supporters were also active, and court decisions allowing him to run in and win the election seem due largely to protests by his supporters.

The For Reforms movement was the most influential opposition political force in Kyrgyzstan in 2006 and combines NGOs, political parties, and various other movements. The group organized a November rally in Bishkek to demand constitutional reform, and one week later President Bakiyev signed a new Constitution, the details of which were neither known nor debated and would soon after cause controversy as people tried to decipher the changes and when they would come into effect. Bakiyev's supporters,

though smaller in number, were also present at the rally and clashed briefly with opposition demonstrators in November, resulting in several people being taken to the hospital with injuries.

Other groups also made their voices heard. The Adilet (Justice) and Kylym Shamy (Torch of the Century) human rights NGOs worked to protect the interests of Kyrgyzstan's Uzbek population. Kyrgyzstan's Jamaat (Society) of Muslims threatened to hold a rally on June 30 if the government did not grant their request to acquire a large plot of land on which to build a new mosque in Bishkek. The group said the current mosque held only 2,500, while some 12,000 currently attend Friday prayers. The Kyrgyz government agreed to give land to the group. Additionally, the Muslim women's NGO Mutakalim (Interlocutor) lobbied for the right to wear a veil when having their passport pictures taken.

Law enforcement and security agencies conducted an operation against banned Muslim groups in southern Kyrgyzstan that lasted through the summer of 2006. The operation was prompted by a May incident involving armed militants along the Tajik-Kyrgyz border. Some armed extremists and law enforcement personnel were killed, but there were no reports of a general crackdown on Muslims in Kyrgyzstan's section of the Fergana Valley, though Muhammad Rafiq Qori, the popular imam known for allowing suspected members of the banned Hizb ut-Tahrir to pray alongside other worshippers at his mosque in the town of Kara-Suu, was shot dead in August by security forces in unclear circumstances. Other religious groups in Kyrgyzstan appear to have been free to practice their faith during 2006.

## **Independent Media**

Independent media played a huge role in the political events of March 2005. The ability of the media not only to spread information on statements from the opposition, but also to report on various demonstrations and rallies as they broke out and spread across the country undoubtedly encouraged many in the country to join in. After the March events, a curious situation arose where the state-owned media and independent media were close to working off the same page. State-owned media continued to point to the successes of the state and its officials, and independent media, which often championed the cause of the opposition, continued to report on the promises and goals of President Bakiyev and his administration after they transformed from government opponents to government officials.

But there were signs before the end of 2005 that some media were already facing problems. The most notable case was the Piramida independent television station, which aired programming that sometimes criticized the government. A group of men entered the station in December 2005 claiming they represented new ownership, but they were driven away by station employees backed by opposition MPs. In mid-February 2006, electricity to the station was cut off, and threatening telephone calls were made to the editor and director of the station Yelena Cherniyavskaya. Reporters Without Borders issued a statement on April 28, reporting that in one of the calls, a voice told Cherniyavskaya, "Shut up or get ready to die."<sup>3</sup> In late August, a group of men broke into the station and damaged equipment; in late September, as the station finally prepared to go back on the

air, a masked group beat two station employees, burned equipment, and vandalized the station's transmission tower, causing some US\$200,000 in damages.

In 2005, President Bakiyev promised to make all media in the country independent, but suddenly in early September 2006 he rejected a law passed that would have turned the state-owned television channel MTRK into a public television and radio station, claiming that the country could not afford the cost. Later that month, opposition lawmakers accused the station of running programs that were biased in favor of the Bakiyev family, despite the fact that in 2005 and 2006, the station aired Radio Liberty radio and television programs. In October, the independent Kyrgyz Internet news agency 24.kg reported that Bakiyev was against privatizing the state television channel.

During the November rally in Bishkek, some demonstrators went to the station to demand that the opposition be given airtime. Station chief Kiyas Moldokasymov agreed but later said the government ordered him to cancel that agreement. When the government met the demands of demonstrators for a new Constitution, it also agreed to the creation of a Supervision Council made up of 15 members, 5 each from the president, the Parliament, and the company itself.

Though there were incidents of violence during the November 2006 rally, the week-long event was generally peaceful. However, Reporters Without Borders issued a report on November 20 noting, "Journalists with the 24.kg news agency were attacked by unidentified assailants while covering a pro-government demonstration in the capital, Bishkek, on 7 November. TV Pyramida reporter Turat Bektenov was attacked as he was returning home the same day." The report also pointed out that several media outlets were prevented from providing news coverage on November 2-7.<sup>4</sup> In its annual Worldwide Press Freedom Index, Reporters Without Borders ranked Kyrgyzstan 123 out of 168 countries surveyed in 2006.

### **Local Democratic Governance**

President Bakiyev had conflicts with several provincial officials during 2006, demonstrating that the president could not always rely on regional compliance. In January, Bakiyev named Talas governor Iskender Aliyev to be governor of Jalal-Abad province. The Jalal-Abad governor, Jusup Jeyenbekov, was supposed to become the new governor of Talas province, except that neither Jeyenbekov nor his supporters wanted him to leave Jalal-Abad. Hundreds of people demonstrated in Jalal-Abad, demanding that Jeyenbekov be left at his post there. Jeyenbekov finally met with Bakiyev and agreed to the transfer.

In May, Bakiyev appointed Jantoro Satybaldiyev to be governor of Osh province, but by October there were demonstrations in Osh calling for Satybaldiyev's dismissal. Bakiyev also dismissed Issyk-Kul governor Esengul Omuraliyev in December for opposing the construction of a road linking Almaty, Kazakhstan, to the Issyk-Kul resort areas. During November's rally in Bishkek, Chu governor Turgunbek Kalmurzayev joined the demonstrators, and opposition lawmaker Melis Eshimkanov claimed other governors had also joined the rally. There were no large demonstrations against regional and local officials during 2006, and while officials may have resisted orders from Bishkek, they seem to have done an adequate job of meeting the needs of their constituents.

## **Judicial Framework and Independence**

To what extent the new Constitution will affect the judiciary was not clear by the end of 2006, especially since amendments were made just before year's end. Ostensibly, Kyrgyz courts are free to act and render decisions prior to the adoption of a new Constitution as long as they remain within the boundaries of the Constitution.

During the Akayev era, the courts evolved into a tool to silence critics, particularly independent media outlets and journalists. The judiciary was clearly subordinate to the executive branch. Yet several cases in 2006 displayed a capacity for independent action. In the case of Ryspek Akmatbayev, the Birinchi Mai court in Bishkek overruled a CEC decision barring him from running for a seat in the Parliament, and Akmatbayev's candidacy was protested not only by some in Kyrgyzstan, but by international organizations that at the time called on the Kyrgyz government to remember pledges to purge government of criminal elements.

Following the ouster of President Akayev in March 2005, it appeared that the court system would be used to punish Akayev supporters who remained in the country. But in 2006, charges were dropped against several former Akayev officials, and neither the Office of the Prosecutor General nor the court system seemed anxious to pursue investigations and possible legal suits against Akayev. Similarly, when President Bakiyev's brother Janysh brought a case against the Parliament for connecting him to the Tekebayev affair, a Bishkek court ruled in December that the Parliament had exceeded its authority when it ordered the Office of the Prosecutor General to open a criminal case against Janysh Bakiyev.

There were no publicized incidents where Kyrgyz citizens were unable to take their cases to the courts or where citizens were detained or incarcerated without clear cause. That is not to say that judicial reforms are not needed or that all judges are competent to make rulings. Under Akayev, judges were regularly dismissed for incompetence.

The abolition of the death penalty in the new Constitution resolves the problem of the dozens on death row in Kyrgyzstan. Nine death sentences were passed in 2006, but these will now be changed to either lengthy or lifetime prison sentences.

## **Corruption**

Corruption has always been a major problem in Kyrgyzstan and one that various political leaders, including former president Akayev and current president Bakiyev, have vowed to tackle. Bakiyev himself admitted in 2005 that criminal elements had penetrated the government. The most striking examples of this are the Akmatbayev brothers, Tynychbek and Ryspek. An investigation into lawmaker Tynychbek's murder at a prison riot in October 2005 uncovered evidence that he was linked to criminal groups. The independent media branded his brother Ryspek as a criminal boss during his campaign to occupy his slain brother's seat in the Parliament.

Though President Bakiyev has often spoken about fighting corruption, he faced questions when his brother Janysh was implicated in the scheme to frame opposition leader Omurbek Tekebayev. Revelations that two other brothers of the president were

working at embassies in Germany and China, and another brother and the president's son Maksim were successful businessmen, raised questions about nepotism. Opposition groups seized on this situation, saying the "revolution" of 2005 had merely exchanged the Akayev family for the Bakiyev family.

In mid-September, the International Helsinki Federation for Human Rights and the Kyrgyz Committee for Human Rights released a joint statement stating that unless President Kurmanbek Bakiyev's government made "credible efforts" to tackle "growing corruption, nepotism, and political manipulation of the judicial system," these problems "could lead to serious instability."<sup>5</sup> With the internal political problems that came during and after November's rally in Bishkek, the government could not concentrate on the fight against corruption for the remainder of the year. The situation with corruption, which officials freely admitted was terrible in 2005, did not appear much improved by the end of 2006.

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<sup>1</sup> Just days before Bakiyev made those comments, the Parliament had rejected his nominee for chairman of the Supreme Court, Sultangazy Kasymov.

<sup>2</sup> The Supreme Court on June 23 sentenced Uzbek citizen Otabek Akhadov to death for the murder of three members of a Chinese delegation that visited in 2001 and for the killing of a leader of the Uyghur diaspora in Kyrgyzstan, Nigmat Bazakov, in 2000; on July 15, the Bishkek Regional Court sentenced Makhmutjan Ruzimetov and Sabyrkul Batyrov to death for the murder of MP Erkin Bayaman in September 2005; in August, a court found Yevgeny Golovin, Azamat Zakirov, and Rustam Abdulin guilty of killing MP Tynychbek Akmatbayev during the October 2005 Moldovanka prison riot and sentenced them to death; on October 18, the Bishkek City Court found Madamin Shadiyev, Murali Rakhmanov, and Nurullo Khujayev guilty of involvement in the May 2006 attacks along the Tajik-Kyrgyz border and sentenced them to death.

<sup>3</sup> Freedom House, "Death Threats Made Against Editor of Independent TV," April 28, 2006.

<sup>4</sup> Reporters Without Borders, "Press Freedom Violations Mar Demonstrations Despite Democratic Progress," November 20, 2006.

<sup>5</sup> International Helsinki Federation for Human Rights, "Kyrgyzstan: Frustrations About Corruption and Lack of Fair Trials Are Reaching a Boiling Point," September 14, 2006.