

Kyrgyzstan

by Erica Marat

Capital: Bishkek
Population: 5.1 million
GNI/capita: US\$1,790

The social data above was taken from the European Bank for Reconstruction and Development's *Transition Report 2007: People in Transition*, and the economic data from the World Bank's *World Development Indicators 2008*.

Nations in Transit Ratings and Averaged Scores

	1999	2001	2002	2003	2004	2005	2006	2007	2008
Electoral Process	5.00	5.75	5.75	6.00	6.00	6.00	5.75	5.75	6.00
Civil Society	4.50	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	6.00
Governance*	5.00	5.25	5.50	6.00	6.00	n/a	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	6.25
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	5.75	6.25	6.25	6.50
Judicial Framework and Independence	5.00	5.25	5.25	5.50	5.50	5.50	5.50	5.50	6.00
Corruption	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.25
Democracy Score	5.08	5.29	5.46	5.67	5.67	5.64	5.68	5.68	5.93

* With the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

In March 2005, President Askar Akayev was forcefully ousted by opposition forces on allegations of large-scale corruption. Akayev was replaced by then opposition leader Kurmanbek Bakiyev. However, Bakiyev failed to meet public expectations, quickly succumbing to corruption himself and increasing his authoritarianism over competing political forces. Following two years of political instability, Kyrgyzstan was submerged in fierce competition among political leaders throughout 2007.

Lacking checks and balances, the new Constitution enabled Bakiyev to appoint the government and judges and to secure a majority for his Ak Zhol party bloc in the Parliament. Forceful suppression of opposition demonstrations in April and persecution of independent journalists further marred Bakiyev's regime in public opinion. Bakiyev also showed little ability or wish to curb corruption in government structures and the business sector. Overall, these events were reminiscent of the crucial mistakes made by former president Akayev and the subsequent fall of his regime to the opposition in 2005. Bakiyev has given signs of becoming an even more authoritarian and corrupt leader, driven by short-term goals to centralize his power while failing to design viable economic and political policies.

Still, the president was able to prevail over opposition forces in Kyrgyzstan throughout 2007. He created the powerful pro-regime bloc Ak Zhol, which facilitated Bakiyev-desired results in the constitutional referendum. Ak Zhol controls all state structures and enables the president to hold on to power. Yet Bakiyev faced competition from opposition blocs that challenged the president at the snap parliamentary elections on December 16 and set another opportunity in the 2010 presidential election.

National Democratic Governance. In late 2007, Bakiyev followed other neighboring states by designing a strong pro-regime political bloc to alienate competing political forces from decision making in the government and Parliament. The Constitution (endorsed through a referendum on October 21) allowed Bakiyev to prevail over opposition forces. The president took virtually full control and promoted his newly formed political bloc, Ak Zhol, to Parliament thanks to his leverage over the Central Election Commission and law enforcement agencies. Kyrgyz society, although largely disappointed with Bakiyev, had already experienced a high level of fatigue from the country's political turbulence; a few local civil society activists mobilized protests to Bakiyev's referendum but were forcefully dispersed by law enforcement agencies. At the December 16 snap parliamentary elections, 12 political parties competed for 90 seats distributed by proportional representation. Although at least 3 opposition parties showed ability to win representation, Ak

Zhol won over 70 percent of seats. Kyrgyzstan's political opposition and civil society groups hope to challenge the president during presidential elections in 2010. *With the adoption of a new Constitution designed primarily by Bakiyev, Kyrgyzstan's national democratic governance rating worsens from 6.00 to 6.25.*

Electoral Process. The referendum on October 21, which amended the Constitution and electoral legislation, was marked with widespread falsifications. Hours after the poll, Bakiyev announced a date for parliamentary elections. Although the new electoral legislation encouraged the formation of political parties, the new Constitution granted the president extensive powers over the Parliament, government, and judicial system. The new electoral law contains statutes that set hidden hurdles to parliamentary representation for regional parties, and local nongovernmental organizations (NGOs) called the referendum the “most cynical” in Kyrgyzstan's history. The December 16 parliamentary elections showed falsifications by the pro-regime Ak Zhol party, allowing it to prevail over the largest opposition parties—Social Democratic Party of Kyrgyzstan, Ata Meken, and Asaba. *Bakiyev's mobilizing of state forces to his advantage in the constitutional referendum worsens Kyrgyzstan's electoral process rating from 5.75 to 6.00.*

Civil Society. Several local NGOs were among the most active opponents of Bakiyev's October 21 constitutional referendum. The NGO Interbilim and coalition For Democratic Reform and Civil Society reported mass falsification of referendum results and condemned the president for undemocratic governance. A number of NGO activists joined opposition parties in protest. However, NGOs also played a somewhat negative role by rejecting the World Bank and International Monetary Fund's Heavily Indebted Poor Countries initiative in Kyrgyzstan in January. In mass protests organized by NGOs, local activists appealed largely to emotional arguments against the initiative rather than encouraging rational debate on its economic benefits, and political populism is on the rise among civil society groups. *Kyrgyzstan's civil society remains a strong political force in the country and is able to challenge the government and Parliament thanks to its connections to grassroots and regional representatives; therefore, the civil society rating remains at 4.50.*

Independent Media. A number of mass media outlets experienced difficulties with law enforcement agencies in 2007. Two well-known journalists from Piramida TV requested political asylum abroad, and one journalist from the newspaper *Bely Parokhod* was sued for libeling the government. The brutal killing of freelance journalist Alisher Saipov in October, allegedly organized by Uzbek intelligence and security forces, showed that local journalists are increasingly under threat. About a dozen journalists were attacked by unknown criminals throughout the year. Bakiyev also continued his tactics of appointing opposition journalists to diplomatic posts abroad. Although several newspapers publish daily news and opinion pieces on the latest developments in the country, Kyrgyzstan still lacks mass media outlets that produce analytical reports. The local media market is dominated by Russian-

language outlets. *The government continues to suppress independent mass media, and more journalists fear attacks from the criminal underworld; therefore, Kyrgyzstan's independent media rating worsens from 5.75 to 6.00.*

Local Democratic Governance. In September–October, Bakiyev reshuffled local government members and appointed a new mayor of Bishkek. These extensive changes secured his desired outcomes at the referendum as local government members sought to prove their loyalty to the regime by falsifying voting results. Local government elections took place on October 7 with evidence of widespread falsification of voting results. The local government facilitated Ak Zhol's victory in the December 16 parliamentary elections, thus displaying its disinterest in serving the needs of the local population. *Kyrgyzstan's rating for local democratic governance declines from 6.25 to 6.50.*

Judicial Framework and Independence. In 2007 the Constitutional Court actions demonstrated that judicial independence had deteriorated to a new level. The Court annulled two previous constitutions (those adopted in November and December 2006) only days before President Bakiyev unveiled his own constitutional project. The Parliament expelled three Constitutional Court judges for cooperating with the president and insisted their activities were illegal. The Constitutional Court's chairwoman Cholpon Bayekova's inclusion as one of top five candidates for the largest pro-presidential political party list raised further questions about the court's independence. *Owing to pro-presidential actions by the Constitutional Court, Kyrgyzstan's rating for judicial framework and independence worsens from 5.50 to 6.00.*

Corruption. Bakiyev gained popularity after the regime change in March 2005 owing to his anticorruption slogans. However, three years past the ouster of former president Askar Akayev, corruption rates in public institutions and major economic sectors have been on the rise. The Bakiyev government brokered a number of opaque deals with domestic and foreign investors in the country's major economic areas. The energy sector, a vital source of Kyrgyzstan's gross domestic product, is deeply corrupt, as is the customs service, which benefits only a few government elites. Corruption in the energy sector is often discussed by local media. *Since the scale and number of corruption incidences were on the rise in 2007, Kyrgyzstan's corruption rating worsens from 6.00 to 6.25.*

Outlook for 2008. Kyrgyzstan's ongoing political turmoil is more a sign of the desire of the president and his allies to grab maximum power than an indication of the state's incentive to divide power for more efficient and transparent governance. The goals promoted by the leaders of the Tulip Revolution are becoming a distant reality. Since Bakiyev was unable to conduct a constitutional reform that reflected consensus among political forces, confrontation among various state structures and political parties will likely increase. Furthermore, corruption rates will continue to

stall economic development. The government shows little incentive for designing long-term economic policies and guaranteeing efficient investment in the country's key economic sectors such as hydropower and gold mining. Based on a poor record of fighting corruption and increasing his own powers through a constitutional referendum, Bakiyev will continue to face strong opposition in 2008 in the run-up to the next presidential elections in 2010. His political bloc, Ak Zhol, won the majority of parliamentary seats and occupies the bulk of government positions.

MAIN REPORT

National Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	6.00	6.00	6.00	6.25

Kyrgyzstan's political turbulence, begun in early 2005, continued throughout 2006 and 2007. On December 30, 2006, the Kyrgyz Parliament adopted yet another Constitution that came only weeks after the previous version was endorsed in November. While the November Constitution was achieved after protests in central Bishkek organized by the For Reforms opposition bloc, the December version was concluded rapidly by the Parliament under pressure from President Kurmanbek Bakiyev. Unlike the November Constitution, which secured stronger powers for the Parliament and was regarded as the most liberal among Central Asian states, the December version returned key powers to the president. The Constitutional Court facilitated Bakiyev's consolidation of powers by annulling both the November and December 2006 constitutions and allowing the president to come up with his own constitutional project in September 2007.

Bakiyev was able to use inconsistencies in the November Constitution to his benefit. On December 19, he forced the resignation of the government, including Prime Minister Felix Kulov. This made the Parliament *de jure* incapable of functioning, since according to the November 2006 Constitution, only a Parliament consisting of 90 members (not 75) had the right to form the government. Furthermore, the Parliament could do so only if one party represented a simple majority. Both provisions did not exist when the government resigned. To avoid its own dismissal, the Parliament was forced to quickly adopt Bakiyev's version of the Constitution.

Following approval of the December 2006 Constitution, both the Parliament and Bakiyev were interested in removing Kulov permanently. Most Parliament members, especially the For Reforms bloc, were dissatisfied with Kulov's passive stance against Bakiyev during his run as prime minister. According to the December 2006 Constitution, Parliament was allowed no more than three attempts to approve a prime minister or it would be dissolved. Although Bakiyev twice nominated Kulov to head the government, Parliament rejected the choice in both cases. Had Bakiyev named Kulov a third time, Parliament would have had to approve him to escape its own dismissal. But Bakiyev selected Azim Isabekov, former minister of agriculture and largely unknown to a broader public. Parliament was bound to vote in favor of Isabekov to avoid dismissal, thus ending the two-year Bakiyev-Kulov political tandem.

As an extremely weak political leader, Isabekov lasted only two months as Prime Minister and was succeeded by Almazbek Atambayev. In April, For Reforms

pushed the president to sack First Deputy Prime Minister Daniyar Usenov, who had a reputation for being corrupt. Usenov is notorious for using his vast financial strength to leverage control over regime members and key business sectors in the country. He was replaced by former Minister of Education Nur uulu Dosbol and in October 2007 appointed Mayor of Bishkek.

Kulov's reluctance to support the opposition in the November 2006 protests tarnished his popular approval rating. After being dismissed from the government, he quickly moved into the opposition and formed the United Front bloc, calling for immediate and radical actions against the president. The United Front's plans to organize open-ended mass protests in April and dismiss Bakiyev worried many in the country about the possibility of a civil conflict. Kulov still enjoyed some degree of support among law enforcement structures, with former interior minister Omurbek Suvanaliyev being his closest ally. Some members of the For Reforms bloc joined the United Front in April 2007; however, most expressed concern that should Bakiyev use violence against the opposition, an armed conflict would be inevitable. The Kyrgyz opposition was divided into two camps—those who wanted the president to resign in April and those who preferred to further negotiate on constitutional reform.

The United Front's protests began on April 11 and were forcefully suppressed by the police on April 19. Numerous protesters were arrested and a dozen wounded, while the United Front was not able to achieve any of its goals. Kulov claimed that the government organized a group of provocateurs to disperse the crowds. However, Atambayev and many other opposition and pro-regime politicians blamed Kulov for poor management of the crowds. The clashes led to a split among opposition leaders and a weakening of Kulov's party. The For Reforms bloc also sought to disassociate itself from the April 19 violence. The leader of For Reforms, parliamentarian Omurbek Tekebayev, argued that the opposition had clearly suffered a defeat. In October, two members of United Front were convicted of organizing mass clashes in April and sentenced to four years in prison.

In the months following the April demonstrations, Kyrgyzstan's economy faltered and the country endured steadily rising food prices. The cost of bread in Bishkek increased from an average of 6 soms to 9 soms (US\$0.17–0.25). The government's 10 percent raise in pensions and public salaries could not compete with 30 percent inflation for food products. This demonstrated that the government was unable to foresee price hikes related to inflation in neighboring Kazakhstan and Russia. The government also showed that it lacked a coherent economic strategy even for the short term.

In September 2007, Bakiyev presented his draft Constitution, which was passed by referendum on October 21. The Constitution substantially increased his powers, and most local political observers agreed that the regime likely falsified the final vote tally. Bakiyev made an illusion of having developed his constitutional project as a result of protracted legal debates. With some restrictions, the president is now able to dissolve the Parliament, while presidential impeachment is possible only with an

80 percent vote of Parliament. As soon as Bakiyev set the date for the constitutional referendum, political parties began mobilizing for snap parliamentary elections.

The October 21 referendum was largely reminiscent of former president Askar Akayev's maneuvering in 1994, 1996, 1998, and 2003, when he tailored the Constitution according to his own interests. Although most Kyrgyz experts agreed that the party list system reduced regional divides among political elites and their constituencies, some worried that such a system would in fact exacerbate social cleavages. Prior to the referendum, Kyrgyz voters were not familiar with any party's program and had little experience in differentiating conservative or liberal views. Most voters continued to associate political parties with their leaders, since the party-building process was still conducted from the top down. Furthermore, most political parties were concentrated only in the large cities of Bishkek and Osh.

Kyrgyzstan's Parliament, elected in 2005, had been the most powerful in the country's history. It was able to form strong opposition blocs to the president. However, it also showed its fear of being dissolved through constitutional changes. The Parliament had an opportunity to resist Bakiyev's referendum but decided to allow it to take place, while individual members of Parliament (MPs) increased their political party activities. Following the referendum, Bakiyev promised to form a Parliament and government based on the new Constitution by the end of 2007.

On December 16, Kyrgyzstan held snap parliamentary elections. Twelve political parties competed for 90 seats distributed on the basis of proportional representation. Bakiyev's Ak Zhol won the elections with 48.82 percent of the vote. Although less than half of voters showed their support for Ak Zhol, the new proportional system allowed the pro-regime party to occupy over 70 percent of Parliament seats. The pro-regime Parliament formed a new government composed mostly of old faces who survived the numerous reshuffling efforts of former president Akayev, the change of presidents in March 2005, and the December parliamentary elections. Like Akayev, Bakiyev surrounded himself in the new government with loyal political supporters interested primarily in the continuity of the current political regime.

Electoral Process

1999	2001	2002	2003	2004	2005	2006	2007	2008
5.00	5.75	5.75	6.00	6.00	6.00	5.75	5.75	6.00

The new Law on Elections encouraged the formation of political parties, since elections were changed from a majoritarian system to a party list structure with a 5 percent nationwide electoral threshold. MPs supporting the president and willing to be reelected in the next elections set hidden hurdles in the new Law on Elections to keep competing forces from winning the parliamentary elections. A party must earn 0.5 percent (or 13,500 votes) support in each of the country's seven administrative regions and its two largest cities, Bishkek and Osh, to be represented in the Parliament.¹ This restrictive threshold, called a regional barrier,

potentially limits the chances for political parties that are concentrated in certain regions to gain representation in the Parliament. For instance, Bakiyev's most ardent opponent, Felix Kulov, and his party enjoy support mostly in northern Kyrgyzstan. In a similar manner, political parties supported mainly by ethnic Uzbeks living in southern Kyrgyzstan are unknown to the population in the north.

Bakiyev allowed only one month for Kyrgyz voters to get acquainted with the new Constitution and Law on Elections. This short period of time prevented the opposition from persuading the public about the imbalanced powers the president would receive as a result of the referendum. The ballots contained two questions: only one regarding the Constitution, and one on the Law on Elections. Voters had a choice of either "yes" or "no," with no voting permitted per each constitutional article. For the snap parliamentary elections on December 16, 2007, voters had to familiarize themselves with competing political party programs within a matter of weeks.

On December 3, Edil Baisalov, a member of the opposition Social Democratic Party of Kyrgyzstan (SDPK), published a sample ballot on his personal blog (<http://baisalov.livejournal.com>). In response, the Central Election Commission (CEC) announced its decision to invalidate all ballot papers and create new ones. Baisalov was charged with two criminal allegations: "Impeding the implementation of voting rights and work procedures of the electoral commission" and "Causing material losses by fraud and abuse of trust". Although no trial took place by year end, the SDPK was fined the equivalent of \$570,000.

Outdated records of registered voters indicated that Bishkek had some 330,000 voters, while most experts claimed that roughly 1.2 million people live and work in the capital city. Also, the existing voter lists did not take into consideration the fact that up to 500,000 migrant laborers, roughly 10 percent of the voting population, are currently residing in Russia and Kazakhstan. Although special voting precincts were organized in the largest cities in Russia and Kazakhstan, most migrants never register with Kyrgyz diplomatic missions abroad and therefore are unable to vote. Such logistical issues facilitated falsification of results by the government.

Bakiyev appointed Klara Kabilova, former head of the International Institute for Strategic Studies under the president of the Kyrgyz Republic, as the CEC head. Kabilova's close association with Bakiyev indeed worked in the president's favor. According to the CEC, the October 21 referendum had a 82 percent turnout, with 76 percent supporting the new Constitution and 76 percent supporting the new Law on Elections.² However, the turnout was lowest in Bishkek (roughly 74 percent), where about 20 percent of the country's total five million residents reside. Since more than 50 percent of voters participated in the referendum, its results were recognized by the government.

Roughly 180 international observers were present at the referendum. Commonwealth of Independent States (CIS) observers, along with their counterparts from the Shanghai Cooperation Organization (SCO), supported the referendum results. These assessments should be taken with caution, as members of both organizations have their own substantial problems with democratic elections. Unlike the CIS and

SCO observers, local nongovernmental organizations (NGOs) reported violations and intimidation, including that in the Bishkek suburbs, voters were transported en masse, with the highest turnout noticed at precincts located at schools. The Association for Monitoring Elections and Referenda in the Kyrgyz Republic: Taza Shailoo (Clean Elections)—a new election monitoring network of domestic NGOs, launched in August—expressed “strong doubts about the results of the referendum due to the large number of serious and systematic violations of the laws of the Kyrgyz Republic.”³ The NGO coalition, For Democracy and Civil Society, discovered that members of local voting committees brought up to 600 ballots to ballot boxes.⁴ The coalition also reported that the local governments were instructed to ensure at least a 65 percent turnout in their precincts. Cases of single persons having multiple ballots were also widespread. The NGO Interbilim called the October referendum the “most cynical” in the history of Kyrgyzstan.⁵

For Bakiyev, it was vital to show that the majority of the population in Bishkek was in favor of the referendum. In November, he appointed former first deputy prime minister Daniyar Usenov, his close political ally, as mayor of Bishkek, removing Arstanbek Nogoyev. Usenov’s first decision was to ban public protests in the city. He was able to facilitate results desirable for Bakiyev in Bishkek but complained that the population was much more passive than had been the case with the 2003 referendum.

Bakiyev dissolved the Parliament hours after the referendum and announced that elections would be held on December 16. Several parties showed potential to become the opposition to Bakiyev: Asaba, led by MP Azimbek Beknazarov and former foreign minister Roza Otunbayeva; Ata Meken, led by MPs Omurbek Tekebayev and Bolot Sherniyazov; and the Social Democratic Party of Kyrgyzstan, led by then Prime Minister Almazbek Atambayev. However, only the Social Democrats and Communist Party were able to win a modest parliamentary representation in the December 16 elections. Except for a few candidates, most of the new Ak Zhol MPs have little experience in political or economic issues at the national level. Its top five members include the former chair of the Constitutional Court, Cholpon Bayekova, renowned surgeon Ernest Akramov, and Vladimir Nifad’yev, dean of the Kyrgyz-Slavic University.

Before the 2007 parliamentary elections, the absence of women in Parliament was one of the major concerns among Kyrgyz NGOs. There were both advocates and opponents of setting a special quota for women in the new Law on Elections. The law introduced a 30 percent quota on the candidate lists for female representatives, 15 percent for ethnic minorities, and 15 percent for candidates under 35 years of age. Most political parties preferred to appoint young females with non-Kyrgyz backgrounds to meet all three requirements.

Essentially, the new Constitution endorsed in October did not provide an effective system of government checks and balances. The December elections demonstrated that the fully proportional system failed to eradicate the weaknesses of the majoritarian system, and wealthy candidates still had disproportionate chances of winning. Although political parties will be represented in the Parliament and can

form the government, the president has the right to dissolve both the Parliament and the government, as well as form and annul state institutions. Bakiyev's Constitution does not represent the goals of Kyrgyzstan's Tulip Revolution and fails to foster political development in the country. On the contrary, it will likely provoke new political crises.

Civil Society

1999	2001	2002	2003	2004	2005	2006	2007	2008
4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50

Kyrgyzstan's civil society is the most vibrant in the region. The regime change in March 2005 showed that the state is no longer able to ignore civil society, let alone curtail its activity. Kyrgyzstan's civil society groups have learned to effectively voice their concerns over the government and Parliament's actions and organize peaceful mass demonstrations to promote their ideas. Often NGO leaders are more professional and skilled in voicing ideas than government officials. Civil society representatives are regularly invited to testify before the Parliament and are surveyed by local and foreign mass media outlets. However, the government and civil society groups still lack effective ways of communicating together constructively and continue to view each other as confrontational and competing actors.

Civil society activists were at the forefront of discussions on constitutional reform in November and played a vital role in pushing the government and president to adopt their version of the Constitution. Local civil society groups also showed that they were able to fund-raise domestically and were thus less dependent on foreign investors. The November 2006 protests were financed largely by local businessmen, though business circles cooperating with civil society activists often remain unknown to the larger public.

Local NGOs sent their own observers to the referendum on October 21 and parliamentary elections on December 16. The NGO For Democracy and Civil Society was especially active during the elections. As the electoral process in Kyrgyzstan changed to a party list system, some nationally known activists moved into political parties to participate in the parliamentary elections. These activists were especially welcomed for their experience in the NGO sector, connections at the grassroots level, and nationwide recognition. Several NGOs regularly publish independent reports on local and national elections. The NGO Institute for Public Policy, which acts as a local think tank, was prolific in publishing analytical works on political and economic developments in the country in 2007.

Civil society groups organized a series of actions to prevent the October 21 referendum. The Green Party, composed mostly of young activists, organized a demonstration in central Bishkek with the slogan "No' to the Dictator." Local NGOs were especially concerned that the new Constitution suppressed freedom of speech. According to Maxim Kuleshov, an NGO activist and ardent critic of

the referendum, the formation of a strong pro-presidential bloc could signify the beginning of widespread challenges to freedom of speech in Kyrgyzstan.⁶

However, along with high civic activism, Kyrgyzstan is awash in political populism voiced by various civic and political groups as well as individual advocates. Populism among the NGO community is indicative of its ability to effectively formulate and spread its message. However, Kyrgyz NGOs are sometimes susceptible to emotional and irrational nationalist calls produced by individual leaders within the community. For example, civil society activities contributed to a rise in nationalist feelings after the killing of a Kyrgyz citizen by a U.S. Marine in December 2006. In the months that followed the incident, various civil society groups called for expelling the U.S. military from the country. This gave rise to nationalist moods condemning the West and favoring Russian political and economic engagement in Kyrgyzstan. Also, mass protests organized by NGOs against the World Bank and International Monetary Fund's Heavily Indebted Poor Countries initiative appealed largely to emotional arguments rather than rational debate on the initiative's economic benefits.

The emergence of NGOs promoting a greater role for Islam in state affairs is another trend in Kyrgyz civil society. The most notable such religious movement, Mutakalim, claims to have 30,000 members and successfully lobbied a law allowing women to wear a *hijab* (headscarf) on passport photographs.⁷ The movement also speaks against the celebration of Western holidays, such as St. Valentine's Day on February 14, alleging that these undermine moral values among younger generations and harm social cohesion.

With all their criticism against the government, Kyrgyz NGOs do not always play the role of opposition. Cooperative relations between the state and civic society are noticeable within the Ministries of Defense, Education, Environment, and Health Care. While civil society groups are only beginning to gain strength in neighboring states, NGOs in Kyrgyzstan have moved to defend the rights of sexual minorities and paid-sex workers. More than 7,000 members are registered with the NGO Oasis, which promotes the rights, health issues, and social acceptance of sexual minorities. Oasis also has a representative office in southern Kyrgyzstan. Several youth organizations promoting political participation have also emerged. NGOs dealing with gender issues, civic education, and conflict prevention are especially widespread in Kyrgyzstan. However, although the share of female leaders in the NGO sector is high, they are largely underrepresented in state structures.

Independent Media

1999	2001	2002	2003	2004	2005	2006	2007	2008
5.00	5.00	5.75	6.00	6.00	5.75	5.75	5.75	6.00

Like its civil society groups, Kyrgyzstan's mass media outlets enjoy greater freedom than in neighboring states. After Bakiyev came to power, the government forcefully

assumed control over several TV channels and newspapers. However, a number of independent outlets still publish analytical and informative articles on developments in the country. Online news agencies such as Akipress.kg and 24.kg publish a wide variety of information on all aspects of local life.

As political struggle intensified after Bakiyev announced the constitutional referendum, local media became a common forum for public debates among political parties and their leaders. Government pressure on independent journalists was evident in the cases of Kairat Birimkulov and Turat Bektenov, reporters from the Piramida TV channel who sought political asylum in the West. Piramida was among the first mass media outlets forcefully returned to the government's indirect control by Bakiyev's regime in December 2005.⁸ The popular channel is known nationwide for its news and entertainment programs.

The most shocking development in 2007 was the brutal killing of journalist Alisher Saipov on October 24. A Kyrgyz citizen and ethnic Uzbek, Saipov was known for his austere criticism of the policies of Uzbek president Islam Karimov. According to the Ferghana.ru news agency, Saipov was assassinated by contract killers allegedly hired by the Uzbek regime. Saipov's death raised panic among local journalists, and most of his colleagues in Kyrgyzstan accused the Kyrgyz government of failing to protect independent journalists. Ilim Karypbekov of the Media Institute in Kyrgyzstan claimed that the government has been ignoring the widespread abuse of journalists. During 2007, a total of 12 attacks were reported; in most cases, journalists were severely beaten, and local law enforcement agencies failed to investigate these crimes.⁹ The international community called Saipov's death a grave infringement on the freedom of speech.

Bakiyev neutralized a number of opposition journalists by appointing them to the foreign service. Three widely known journalists, Zamira Sydykova, Rina Prizhivoit, and Kuban Mambetalieyv, were appointed as Kyrgyz ambassadors to the United States, Austria, and the United Kingdom, respectively. These journalists were ardent critics of Akayev's corrupt politics, calling for international attention to the lack of democracy under his leadership. They supported Akayev's ouster in March 2005, but their new foreign service positions quickly turned them from critical journalists into political actors with diplomatic responsibilities.

The Kyrgyz newspaper *Bely Parokhod* is known for publishing controversial articles on corruption among top officials. The newspaper's leading journalist, Elena Avdeyeva, is among the most vocal reporters on embezzlement scandals in state structures, but the newspaper began experiencing difficulties in September 2007. Avdeyeva was persecuted by law enforcement, and she claims that her family has experienced difficulties while traveling internationally. *Bely Parokhod* is one of the few Kyrgyz media outlets (along with Akipress.kg and 24.kg) to earn revenues from advertising and subscriptions.

Like civil society activists, Kyrgyz journalists have learned ways to voice their concerns during periods of political pressure. For instance, Piramida employees staged rallies when their journalists were persecuted by law enforcement, while *Bely Parokhod* threatened to draw the attention of the entire international community to

its problems with government suppression. The Kyrgyz government is not able to muzzle all unwanted reporters or media outlets. On the contrary, the government's attempts to suppress popular independent media have damaged its image and lowered public trust. Although Kyrgyz journalists function in relative freedom, they do not yet promote their interests through professional networks. An association of Kyrgyz journalists does exist but is largely ineffective in protecting reporters or conducting regular activities.

Most of Kyrgyzstan's mass media are published and broadcast in Russian language; only a handful of newspapers and TV channels use Kyrgyz as their main language. The government heavily controls Kyrgyz Television and Radio (KTR), the only media outlet broadcast across the entire country. About a dozen Russian TV channels enjoy widespread popularity in the capital, Bishkek. Russian ORT and RTR TV are widely watched in Bishkek, where more than 20 percent of Kyrgyzstan's five million residents live. Most Kyrgyz get their international news from these two channels, which also broadcast popular entertainment programs. In October, the Kremlin announced it will subsidize the transmission of additional outlets in Kyrgyzstan—RTR-Planeta, Kul'tura, and Radio Rossii.

Since most Russian mass media outlets, especially state-run ORT and RTR TV, usually promulgate pro-Kremlin views, the Kyrgyz public's perceptions of world affairs are similar to those of Russian citizens. Russian mass media were especially successful in building pro-Kremlin attitudes toward the U.S.-led wars in Afghanistan and Iraq, the color revolutions in Georgia and Ukraine, and the war in Chechnya. They also propagate Russian President Vladimir Putin's image as a strong-minded, pragmatic politician. Owing to the pervasive presence of Russian media, the Kyrgyz public's knowledge and trust in Russian policies in Kyrgyzstan and Central Asia is higher compared with their views toward the West.

Very few citizens have access to Western media. Most Western analysis is presented through Russian and, in rare instances, Kyrgyz translations. Although local cable TV providers offer international news channels, they remain largely unpopular. Kyrgyz-language newspapers still lack analysis and critical views of current events. Few outlets, except for the newspaper *Agym*, KTR, and the local broadcast of Radio Free Europe, enjoy wide popularity. The Uzbek service of Voice of America broadcasts in southern Kyrgyzstan.

Kyrgyzstan has the region's highest per capita Internet access, and Web forums are an important medium for opinion exchange. Loosely regulated online discussions at *Akipress.kg* and *Parahod.kg* contain a range of anonymous viewpoints and unofficial information on developments in the political, economic, and social spheres of the country. These outlets regularly conduct public opinion surveys, but their forums are often full of libel, which is poorly controlled by either media or legal channels. Although Kyrgyz law enforcement sometimes prosecutes libel in the mass media, news outlets are never held accountable for information posted on their forums.

Local Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	5.75	6.25	6.25	6.50

Following the announcement of the referendum in September, Bakiyev began the swift reappointment of local governors. The president redistributed positions among members of the pro-regime bloc Ak Zhol. His first major reshuffle began with the appointment of Daniyar Usenov as mayor of Bishkek, replacing Arstanbek Nogoyev, and Svetlana Kulikova, a representative of Moya Strana (part of Ak Zhol), as deputy mayor. Besides facilitating Bakiyev-desired outcomes in the referendum and parliamentary elections, both Usenov and Kulikova restricted mass demonstrations by political parties prior to the referendum (the Green Party sued Usenov on this count). Usenov also prohibited demonstrations on the Bishkek central square, allowing mass gatherings only in remote parts of the city.

Bakiyev also reshuffled a number of local governors, and new governors were forced to join political parties belonging to the pro-presidential Ak Zhol bloc. On October 21, governors were present at voting precincts to personally control the activity of local electoral committees and secure favorable results. Local governors also forced all public employees, from schoolteachers to police, to be present at voting precincts. Furthermore, schoolteachers were instructed to persuade parents to vote in favor of the referendum. Newly appointed governors risked losing their jobs if they failed to meet the regime's demands. Former president Askar Akayev had used similar techniques, appointing new governors before elections to increase the chances of winning.

Local elections were held on October 7 in 3 cities, 1 town, and 14 *keneshes* (village councils)—a total of 296 mandates—and competition was fierce in most precincts. Voter participation was lowest in Jalalabad oblast with 47 percent and highest in Batken oblast with 63 percent.¹⁰ The local elections were followed by numerous court appeals by unsuccessful candidates. Reports of widespread falsification of election results were reported in the cities of Osh and Tokmok. The competition was fiercest in Tokmok, with 123 candidates competing for 30 seats and several candidates violating the Law on Registration. In Osh, voter lists were outdated and incomplete. The CEC criticized Osh mayor Zhumadyl Isakov for poor management of the elections and referendum.¹¹ Falsification at other precincts was reported by some observers but poorly documented.

Judicial Framework and Independence

1999	2001	2002	2003	2004	2005	2006	2007	2008
5.00	5.25	5.25	5.50	5.50	5.50	5.50	5.50	6.00

The Constitutional Court played a vital role in the protracted Constitution changes in 2005–2007. Cholpon Bayekova, head of the Constitutional Court, has served

in this position since 1993; she is known for her cooperation with former president Askar Akayev and supported him in organizing referendums during his reign. She also showed an inclination toward Bakiyev's changing the Constitution to strengthen his own powers. The Constitutional Court openly supported legal reforms initiated by Akayev and has quickly become a backup for the Bakiyev regime.

By showing support for the executive, the Constitutional Court has often confronted the Parliament. On September 18, Parliament expelled three Constitutional Court judges, Chinara Kurbanova, Omurzak Mamyrov, and Svetlana Sydykova, insisting their activities were illegal as they facilitated the Constitutional Court's cancellation of the November and December 2006 constitutions and approved Bakiyev's decision to hold a referendum. But on October 10, all three judges won their cases at the Parliament's court appeal, indicating that the judicial system is consolidated within itself against the Parliament. After the referendum, Parliament Speaker Marat Sultanov admitted that the Constitutional Court was the most difficult state institution for the Parliament to collaborate with.¹²

Trust in Constitutional Court activities has been extremely low among state structures and the general public since Kyrgyzstan's independence. A number of politicians have expressed their concern that the Constitutional Court is a major source of political instability in the country because of its service to the corrupt regimes of Akayev and Bakiyev, and the Parliament has called for an independent commission to investigate the work of the Court.

Regional courts also display a strong dependence on the president. In October, the Sverdlov Regional Court charged well-known journalist Elena Avdeyeva with libel against Saparbek Balkibekov, former General Director of public hydropower company Energeticheskii Stancii, and currently a Minister of Energy and Fuel Resources. Avdeyeva claimed that the court passed sentence without her presence and that Balkibekov pressured the court.¹³ The total fine for Avdeyeva and her newspaper, *Bely Parokhod*, was 50,000 soms (US\$12,000), a high sum by local standards.

Bakiyev's regime used the judicial system to expel unwanted MPs following the March 2005 regime change. Local courts dealt with numerous appeals over contested parliamentary seats following the controversial elections in February–March 2005. A few pro-Akayev MPs, including the president's son Aidar and daughter Bermet, were accused of falsifying election results and stripped of their mandates by local and regional courts.

The right to appoint and dismiss local judges was fiercely contested between the president and Parliament during the November and December 2006 discussions about the constitution. However, in the latest Constitution Bakiyev acquired this right, which will allow him to better control local government and secure desired outcomes where Parliament seats are contested. With the Constitutional Court showing loyalty to the president, local judges will be dependent on Bakiyev as well; thus the president has been able to usurp control entirely over the judicial branch.

Corruption

1999	2001	2002	2003	2004	2005	2006	2007	2008
6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.25

The two years since the regime change in March 2005 have been marred with a rise in crime in Kyrgyzstan. Parliamentarians and government members openly blamed one another for connections with the criminal underworld and their negative repercussions on political stability. Days after the regime change, the rate of contract killings increased, with three MPs assassinated in July–November 2005. Like his Georgian and Ukrainian counterparts, Bakiyev was able to score a sweeping win in the July 2005 election thanks largely to his anticorruption slogans. But his popularity was short-lived as it became clear that the Bakiyev government was not implementing any policies to curb corruption. Frequent reshuffling of government members and confrontations between the president and Parliament over constitutional reform contributed to the rise of corruption at all levels of public institutions.

Hydropower is one of Kyrgyzstan's strategic economic sectors, but it is plagued by large-scale corruption and mounting tensions. The sector produces 12–14 million kilowatt-hours annually, which amounts to a profit of roughly US\$1.2–1.5 million. After the regime change, the energy sector became even more corrupt, with key figures pocketing almost half of all profits in an elaborate graft scheme. In 2006, the energy sector was nearly 8 billion soms (about US\$20 million) in debt, whereas in 2002 the debt was only 2.5 billion soms (about US\$5 million). World Bank and International Monetary Fund observers estimated that annual commercial losses amount to 25–30 percent, or about US\$30 million, though official records report only half that amount. The rest is attributed to lost profits, the public's failure to pay utility costs, or hidden profits gained via the difference in official and unofficial tariffs. According to reports by the Kyrgyz special antimonopoly committee, losses in the energy sector amount to roughly 17 percent (and not the reported 45–50 percent), while public payment losses approach 73 percent (not 50 percent, as reported by energy sector officials). The difference between real and forged indicators is allegedly explained by embezzlement surrounding the energy sector.

Reports of corruption are often voiced in local mass media outlets or on Internet forums. However, these reports, although revealing controversial information about particular political figures, raise little reaction among law enforcement agencies or the prosecutor general. This hints that most corrupt government officials and parliamentarians are able to prevail over law enforcement agencies. Corruption in the energy sector was one of the reasons behind Kyrgyzstan's decision in February to reject membership in the World Bank and International Monetary Fund's Heavily Indebted Poor Countries initiative, as membership would have required reforms and strong efforts to clean up corruption

Given that Kyrgyzstan is a significant regional transit for Chinese goods, its control of the customs service represents a profitable business and another major contributor to the state budget. However, Kyrgyz experts estimate that approximately half of taxes collected are pocketed by the State Customs Committee. The corruption scheme includes three main pillars: tax evasion, money laundering through importing and exporting illicit goods and services, and the protection of highly illegal activities, principally drug trafficking. Customs officers in Osh are especially corrupt, as they provide cover to drug smugglers on the Kharog–Osh–Bishkek route. They allow virtually unhampered passage for drugs imported from Tajikistan to other Central Asian states.

Since Bakiyev's government has failed to implement any visible political or economic changes, most Kyrgyz experts speculate that he will likely be replaced in the presidential elections in 2010. With a government that failed to fulfill the hopes of the Tulip Revolution and a politically charged local public that has proved its ability to impact the state, the upcoming elections in Kyrgyzstan will entail more political, economic, and social turbulence.

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¹ See Nurshat Ababakirov, “Problematic Threshold Angers Political Parties in Kyrgyzstan,” Central Asia–Caucasus Institute, November 28, 2007, <http://www.cacianalyst.org/?q=node/4751/print>.

² See the official results at the Kyrgyz Republic's Central Commission For Elections and Conducting Referenda, <http://www.shailoo.gov.kg/show.php?tp=tx&id=341>.

³ Preliminary Statement of Taza Shailoo on the October 21st Referendum in the Kyrgyz Republic, October 22, 2007, http://www.accessdemocracy.org/library/2336_kg_prelimref_engpdf_08082008.pdf.

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