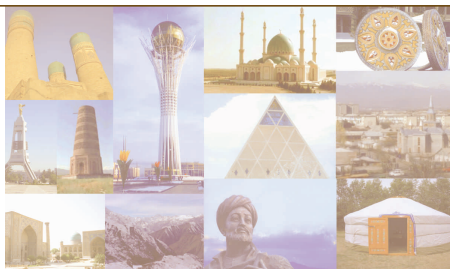


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KYRGYZSTAN

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Bimonthly article

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Highlights

A record number of applications to run for the office of president of the Kyrgyz Republic were filed with the central electoral commission in this period. Of the 83 candidates, 16 were political party nominees and 67 self-nominated.

The country's attention was also drawn to the political battles emerging around the activities of the judge selection council, a new body created to strengthen the independence and transparency of the country's judiciary system, hitherto characterized by a long-standing and justifiable reputation for corruption.

Against this backdrop, the festivities linked with Kyrgyzstan's twentieth anniversary of independence were relatively low-key, marked by a hard-hitting summary of the country's 20 years of independent development, self-criticism being a feature that distinguishes Kyrgyzstan from other countries in the region.

Internal affairs

Although the presidential elections are not due to take place until 30 October, serious political wrangling began in July with the formation of the central electoral commission (CEC). Pursuant to the new legislation, one third of the 12 CEC members were nominated by the President, another third by the parliamentary majority and the other third by the opposition, with all candidates to be approved by the chamber. President Otunbayeva's first attempt to nominate CEC candidates with proven track records as per the 2010 parliamentary elections was unsuccessful, with MPs successfully taking advantage of loopholes in legislation to block the approval of the CEC candidates nominated by the President. A

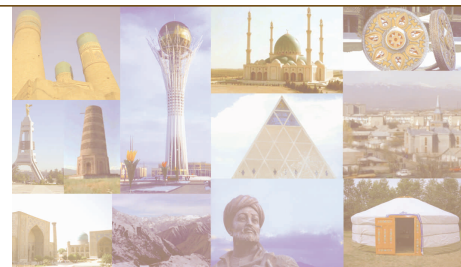
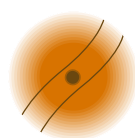
fierce struggle for seats in the CEC led to the calling of an unscheduled session of parliament on 8 July, at which the nominees were finally approved, although by this time the list of presidential nominees no longer included experienced professionals such as the former CEC chairman Akylbek Sariyev.

On 9 July, Bishkek was the scene of a number of conventions of several political parties, which had nominated their own candidates for president. The 876 delegates of the Ata-Jurt political party unanimously nominated Kamchibek Tashiyev, minister of emergencies during the Bakiyev regime, with a reputation for being prone to manhandling his party colleagues within the confines of parliament. Two other MPs from the Ata-Jurt political party, Marat Sultanov and Kurmanbek Osmonov, respectively finance minister and chairman of the Supreme Court during the Bakiyev regime, also availed themselves of the right to nominate themselves, as provided for by Kyrgyz legislation.

Ata-Meken announced that it was nominating its perpetual leader Omurbek Tekebayev to run for president, the most consistent proponent of a parliamentary form of public governance and the father of the Kyrgyz constitution of 2010.

Dramatic events took place during the Ar-Namys convention with party leader and previous prime minister Feliks Kulov refusing to be nominated for the office of president, enabling several of his party members to be nominated and nominate themselves. Heated debates and repeat voting gave a slight advantage to former prosecutor Anarbek Kalmatov, a southerner from the Jalal-Abad province, prompting convention delegates to break ranks and forcing Feliks Kulov to announce a recess and subsequently the need to hold an unscheduled party convention.

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This led to the self-nomination of another prominent Ar-Namys member, former deputy prime minister Akylbek Japarov, representing a northern Naryn province, and a former ambassador to Malaysia and ardent Islam advocate Tursunbay Bakir uulu. The nomination of presidential candidates turned out to be another difficult test for Ar-Namys, beset by infighting and controversies exacerbated by a lack of intra-party discipline.

On 12 July, Butun Kyrgyzstan, which failed to pass the 5% threshold barrier for entry into parliament in 2010, nominated its leader Adakhan Madumarov who earlier held the office of secretary of the security council during the Bakiyev regime. On the same day, during its fifth convention, the Green Party nominated its leader Erkin Bulekbayev to run for president. Former prosecutor general Kubatbek Baybolov and former mayor of Bishkek Nariman Tuleev, currently a member of parliament for Ata Jurt, also nominated themselves. The leader of the Social Democratic Party of Kyrgyzstan (SDPK) and incumbent prime minister Almazbek Atambayev was the last of the political heavyweights to announce his participation in the presidential race and his decision to temporarily resign from his office as required by the national legislation.

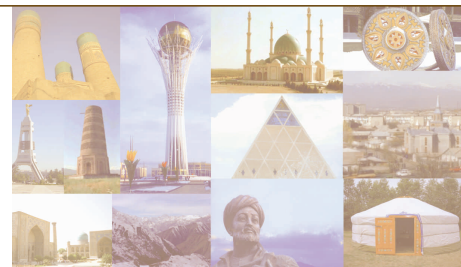
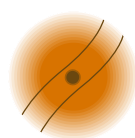
At midnight on 15 August, CEC discontinued accepting applications from candidates for the office of president of the Kyrgyz Republic and announced a record number of candidates, not only for the country but also for the entire post-Soviet space, with a whopping 83 people applying for the job, among whom 15 state employees, 8 MPs, 19 unemployed individuals, as well as officers of various commercial organizations.

Analysts associate the unprecedented number of candidates with political activity in Kyrgyzstan and the emergence of new groups, including youth movements, striving to ensure that the president retains sufficient powers, prestige and privileges.

Important factors include the intention to amend the Constitution yet again and revert to the centralized presidential model of public governance. Several presidential candidates, among whom Nariman Tuleev, Kamchibek Tashiyev and Adakhan Madumarov, openly announced their intention to “rewrite” the country’s Constitution and return broad powers to the president. Among the 83 candidates, the only person who can be considered a consistent proponent of the Constitution and the parliamentary system is the Ata-Meken leader Omurbek Tekebayev.

Important events in the run-up to the elections included the election of mayors in provincial and district centres of Kyrgyzstan on 27 August. The election resulted in 13 local legislatures (keneshes) supporting candidacies proposed by the prime minister. Elections in the towns of Balykchi and Tokmok were ruled void and in another two towns candidates for mayor failed to collect the required number of votes. In early September, President Otunbayeva signed a decree to reschedule the election of members of local legislatures in 14 ayyl keneshes (rural legislatures) and three towns, including the country’s southern capital, Osh.

The selection of members of the Supreme Court and constitutional chamber by the judge selection council in late July resonated negatively in the country. Members of parliament, public organizations, independent media and the judiciary community itself voiced indignation at the selection process. Non-governmental organizations and activists created a civil council to control the judiciary, monitored meetings of the judge selection council and identified a set of procedural violations. For instance, in violation of the law “On Council for Selection of Judges of the Kyrgyz Republic,” that stipulates that decisions of the council must be made by way of open majority voting using personal ballots, members of the judge selection council collectively decided not to disclose the list of name-by-name voting, which is a gross violation of the principle of open voting.



Moreover, the press release disseminated by incumbent justices of the Supreme Court stated that “members of the Judge Selection Council subjectively approached their duties or were fulfilling somebody’s order failing to attempt to understand the essence of the issue considered. We received information that in advance of the contest, lists were prepared based on which certain candidates were to pass in an unobstructed manner.” Joining civil activists and judges, the SDPK MP Daniyar Terbishaliyev disclosed hideous facts of power abuse by the chairman of the judge selection council who not only failed to make the results of the name-by-name voting public but also refused to provide this information to MPs. President Roza Otunbayeva held interviews with candidates for posts of justices of the Supreme Court, broadcast nationwide on the country’s national TV channel, highlighting the incompetence and lack of professionalism of several candidates. This demonstration of the blatant lack of professionalism of the selected candidates prompted the public to question the competence of the actual judge selection council, with public organizations formally asking parliament to revise the composition of the council. Massive pressure from civil society, the media, President Otunbayeva and several MPs led to a decision to dismiss the chairman of the judge selection council nominated by Ata-Jurt, recall several previously selected candidates for the posts of justices of the Supreme Court and constitutional chamber and -most importantly- eliminate contradictions and loopholes in the legislation regulating the activities of the judge selection council. Nevertheless, the importance of reforming the judiciary system in order to further develop and democratize Kyrgyzstan is so acute that issues concerning the transparency of the judge selection council are likely to continue sparking heated political and public debates and battles.

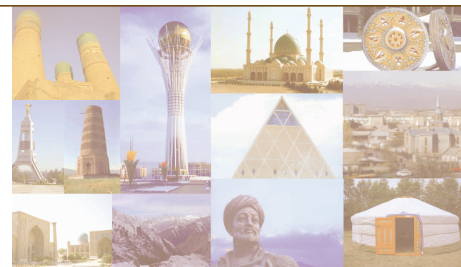
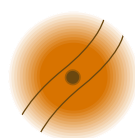
On 31 August, Kyrgyzstan celebrated 20 years of independence. Despite the numerous festive activities, this year’s event was marked by a great

deal of criticism from citizens and government alike of the results of two decades of independent development. Summarizing the results of the last twenty years, prime minister Almazbek Atambayev declared that the country had “lost more than it had built” and that its main achievement was the fact that it had been able to persevere and maintain its integrity. Of all the Central Asian countries, such harsh self-criticism is only possible in Kyrgyzstan and while doubtless worthy of respect, it should be noted in fairness to the country that market reforms and the introduction of democratic institutions are also a major achievement for Kyrgyzstan as a whole.

Foreign and international policy

In July prime minister Almazbek Atambayev travelled to Astana and Moscow where he discussed investments in the Kyrgyz economy, supplies of petroleum products and, more importantly, political and economic stability in the country before and after the upcoming presidential elections. Frequent trips to Kazakhstan and Russia during the pre-election period are standard practice for the Kyrgyz political establishment in an attempt to secure the support of the country’s largest trade partners and political-military allies. During his more recent visits abroad, the prime minister told Russian journalists of his intention to terminate the contract for the transit centre at Manas international airport (current name of the American military base) in 2014, in strict compliance with the treaty.

In August, President Otunbayeva visited Astana to take part in an unofficial summit for heads of states of the Collective Security Agreement Organization (CSAO). The summit was devoted to issues of global and regional stability, ways to improve effective cooperation between the Member States, and strengthening cooperation between CSAO and other international institutions. According to President Otunbayeva, Kyrgyzstan was criticized by its treaty partners, unfairly considering that the situation in



most CSAO countries is just as dangerous as in Kyrgyzstan. In Kazakhstan, Belarus and Armenia, for example, religious extremists are becoming more active, an issue that now constitutes a common problem for Central Asian and post-Soviet space countries.

In late August, the situation of the Chinese mining companies forced the Chinese Ambassador to the Kyrgyz Republic Wang Kaiwen to address the media. While responding to journalists' questions, the Ambassador spoke out against forceful methods for resolving commercial disputes that are causing the Kyrgyz investment climate to deteriorate. He also acknowledged the possibility that rallies and protests by residents in Naryn province demanding the revocation of Chinese mining companies' extractive licenses had been sparked by political considerations.

Economy and business enterprise

The rules for crossing the borders of the countries of the Customs Union -including Russia, Kazakhstan and Belarus- came into effect on 1 July creating additional obstacles for Kyrgyz businesses. Restriction of terms of transport of cargoes across the border to Kazakhstan -one of the primary recipients of Kyrgyz exports- was immediately mirrored in the volumes of exported products. Even though Kazakhstan retained the simplified mode of admittance of agricultural produce from Kyrgyzstan, queues on the Kyrgyz-Kazakh border increased many times. Kyrgyz transporters of textile and light industry products became subject to carpet inspecting and, according to the president of the association of cargo shippers of the Kyrgyz Republic, Temirbek Shabdaniyev, Kyrgyz cargo transportation companies are forced to sit idle on the border for up to two days. As a result of the restriction of rules at the Kyrgyz-Kazakh border, the threshold for the transportation of cargoes under the simplified procedure (within 2-3 hours) was reduced from two tons to 50 kg per person and an emergency demand for so-called cargo "carriers"

emerged (individuals who, for a fee, carry cargoes across the border pretending it is their luggage), which has in turn sparked a new type of job and new streams of corruption which can in a sense be considered the initial outcome of the operation of the Customs Union.

At the same time, economic cooperation between Kyrgyzstan and the main founder of the Customs Union -the Russian Federation- saw obvious progress. On 18 August, the council for foreign trade held its first meeting in the office of the trade representative of the Russian Federation in Bishkek. The newly created council is required to ensure effective cooperation between the Russian Federation states and Kyrgyzstan, unions, associations and conglomerates of manufacturers and exporters, representatives of business circles and state bodies of Russia and Kyrgyzstan. In his opening speech, the Russian Ambassador to Kyrgyzstan, Vladimir Vlasov, expressed Russia's general opinion to the effect that Kyrgyzstan has changed its approach to protecting Russian businesses in the Kyrgyz Republic, creating vast opportunities for Russian investments. Russian state and private investors have traditionally been interested in Kyrgyz energy, mining and banking sectors, as well as transport corridors and logistics. The Kyrgyz side received the proposals put forward by prospective Russian investors with full understanding and support.

Among other positive business developments in the period July-August, there is call to highlight the efforts made by the ministry for economic regulation after conducting business regulatory impact analysis and its decision to repeal several licenses that created unsubstantiated barriers to business development and the conditions and environment for corruption.

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