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Freedom in the World 2011 - Kyrgyzstan

Capital: Bishkek**Population:** 5,304,000

Political Rights Score: 5 *

Civil Liberties Score: 5 *

Status: Partly Free

Status Change Explanation

Kyrgyzstan's political rights rating improved from 6 to 5 and its status from Not Free to Partly Free due to the adoption of a new constitution designed to dismantle the superpresidential system, and genuinely competitive, multiparty parliamentary elections held in October 2010.

Overview

President Kurmanbek Bakiyev, who had grown increasingly authoritarian in recent years, was forced from office in April 2010 amid antigovernment demonstrations. An interim government headed by longtime opposition figure Roza Otunbayeva then oversaw the adoption of a more democratic constitution in late June and genuinely competitive parliamentary elections in October. However, a campaign of violence that largely targeted the ethnic Uzbek population in the south in early June killed hundreds of people and displaced many more. Security forces were negligent, and by some accounts may have been complicit in the ethnic violence.

Shortly after Kyrgyzstan gained independence from the Soviet Union in 1991, Askar Akayev, a respected physicist, was elected president. He easily won reelection in 1995, and constitutional amendments the following year substantially increased the powers of the presidency. International observers noted serious irregularities in the 2000 parliamentary and presidential elections, which yielded another term for Akayev.

Long-standing frustrations in the economically depressed and politically marginalized south culminated in public protests in 2002. Six protesters were killed when police fired into a crowd in the village of Aksy. Four former regional prosecutors and police officials were sentenced to prison in December in connection with the shootings, and additional convictions came five years later, but opposition critics continued to argue that senior officials who authorized the use of force were never brought to justice.

After flawed February 2005 parliamentary elections, thousands of demonstrators protested irregularities and ultimately called for Akayev's resignation. On March 24, protesters and opposition supporters stormed the presidential headquarters in Bishkek. Akayev fled abroad and later resigned.

In the July 2005 presidential poll, former prime minister and opposition leader Kurmanbek Bakiyev captured 89 percent of the vote. His victory was regarded as nearly inevitable after he and Feliks Kulov, his most serious rival, formed a political alliance in May: Kulov withdrew his presidential candidacy in exchange for the post of prime minister. Observers from the Organization for Security and Cooperation in Europe (OSCE) nevertheless concluded that the election represented an improvement over previous votes.

Kulov joined the opposition in early 2007, and in April opposition groups organized demonstrations in Bishkek calling for constitutional reform and Bakiyev's resignation. However,

after demonstrators allegedly attacked police, the authorities violently dispersed the protests, dealing the opposition a significant blow.

The government pushed through its own constitutional changes in an October 2007 referendum, expanding the parliament from 75 to 90 seats and introducing party-slate balloting. Civil society groups criticized the government for using administrative resources to ensure a favorable outcome to the vote. Bakiyev quickly called parliamentary elections for December, which resulted in a legislature dominated by the newly formed progovernment party Ak Zhol and devoid of opposition representation. Amendments passed by the new parliament later that month widened the executive's authority.

The president consolidated his power in 2008 and 2009, sidelining the country's remaining well-known opposition figures. Kulov left politics in May 2008, when Bakiyev appointed him as head of an energy development project. In March 2009, Medet Sadyrkulov, Bakiyev's former chief of staff, was found dead in a burned-out car near Bishkek. Opposition representatives charged that he had been assassinated because he was planning to join them. Bakiyev won another five-year term in the July 2009 presidential election, taking 75 percent of the vote. OSCE observers concluded that the poll failed to meet international standards, citing evidence of fraud, intimidation of opposition supporters, and the misuse of administrative resources, among other problems.

In April 2010, Bakiyev fled the country amid antigovernment protests in Bishkek. A reported 86 people were killed in the street confrontations, with most victims apparently shot by security forces. In early June, ethnic rioting swept the southern cities of Osh and Jalalabad, leaving hundreds dead. Most accounts indicated that Uzbeks suffered the brunt of the violence, and local security forces were accused of abetting attacks on Uzbek communities. A June referendum that international observers deemed generally fair confirmed longtime opposition figure Roza Otunbayeva as interim president through December 2011 and approved a new constitution that shifted power from the presidency to the parliament.

Parliamentary elections held in October were deemed an improvement over Bakiyev-era balloting. The new Ata-Jurt party led with 28 of 120 seats, followed by Otunbayeva's Social Democratic Party of Kyrgyzstan (SDPK) with 26, Ar-Namys with 25, Respublika with 23, and Ata-Meken with 18. Ata-Jurt, the SDPK, and Respublika formed a coalition government in December, leaving Ar-Namys and Ata-Meken in opposition. Almazbek Atambayev of the SDPK became prime minister.

Kyrgyzstan's internal turmoil dominated its relations with the outside world in 2010. As ethnic violence engulfed the south in June, Otunbayeva appealed to Russia for help, but the Kremlin declined to intervene. Uzbekistan briefly sheltered several hundred thousand ethnic Uzbek refugees from Kyrgyzstan, but returned most of them within a week. Both Uzbekistan and Kazakhstan responded to the waves of unrest by closing their borders with Kyrgyzstan for extended periods in 2010. The United States continued to operate a military transit base at Manas airport, though the facility's future remained unclear given the fluid political situation.

Political Rights and Civil Liberties

Kyrgyzstan is not an electoral democracy, though the October 2010 parliamentary elections were considered an improvement over the deeply flawed 2007 parliamentary and 2009 presidential votes. OSCE observers praised the latest campaign's pluralism and other positive features, but the Central Election Commission made a dubious adjustment to the number of eligible voters after the election, reducing the number of parties that cleared the 5 percent barrier for entry into parliament from six to five.

Constitutional changes adopted in the June 2010 referendum expanded the unicameral parliament from 90 to 120 deputies, with no party allowed to hold more than 65 seats. Parliamentary elections are to be held every five years. The president serves a single six-year term with no possibility of reelection, but retains the power to veto legislation. The overall aim of the reforms is to prevent the reemergence of an authoritarian president and a rubber-stamp parliament where the ruling party enjoys a supermajority. However, it remains to be seen how these checks and balances will function in practice.

Corruption is pervasive in Kyrgyz society. The nepotistic practices of President Kurmanbek Bakiyev, whose sons and brothers were prominent in business and government, were a significant source of popular dissatisfaction. In May 2010, the interim government began charging some members of the Bakiyev regime with corruption, although the results were inconclusive. A November trial of Bakiyev regime figures over violence in April degenerated into chaos. In a worrying sign, recordings leaked in May purported to reveal members of the interim government discussing lucrative backroom deals; no investigation ensued.

Kyrgyz-language media experienced less politically motivated harassment after the fall of the Bakiyev government, but Uzbek-language media virtually ceased to exist in southern Kyrgyzstan after the June ethnic violence, during which several Uzbek outlets were attacked. Ownership of the Uzbek-language television stations Osh-TV and Mezon-TV changed after the unrest, with the former ending its existence as an Uzbek broadcaster and the latter reemerging as a Kyrgyz-language channel called Basharat-TV. Ulugbek Abdusalomov, editor in chief of the Uzbek-language newspaper *Diydor*, was arrested on dubious charges in June and later suffered a stroke in detention. Analysis by credible researchers revealed that a number of Kyrgyz-language newspapers published inflammatory material ahead of the ethnic violence. Meanwhile, in April

2010, the interim government transformed the state-run television station into a public broadcaster with an independent oversight board. By year's end, the media landscape was bifurcated along ethnic lines, with significantly improved conditions for Kyrgyz-language media and vastly worse conditions for Uzbek-language media. Economic and infrastructure factors limit internet access in much of Kyrgyzstan, but online media suffered no significant restrictions after the fall of the Bakiyev regime. Clips uploaded to YouTube served as an important source of information about the ethnic violence in June, although several websites also distributed graphic materials intended to inflame ethnic animosity.

The government has generally respected freedom of religion, but all religious organizations must register with the Ministry of Justice, a process that is often cumbersome. A January 2009 law banned proselytizing and private religious education, and the wearing of headscarves in schools was banned two months later. The government monitors and restricts Islamist groups that it regards as a threat to national security, particularly Hizb ut-Tahrir, an ostensibly nonviolent international movement calling for the creation of a caliphate. In May 2010, a group of 18 people previously jailed on "religious extremism" charges were released. However, in September, four ethnic Uzbek imams were found guilty of using mosques as platforms to incite violence despite serious doubts about the prosecution's assertions.

Corruption is widespread in the educational system, and bribes are often required to obtain admission to schools or universities. Teachers have reportedly been forced to subscribe to government newspapers, and authorities in some municipalities require schoolchildren to perform during national holidays and visits by government officials. In June 2010, the People's Friendship University in Jalalabad, founded by an Uzbek businessman, was destroyed during the ethnic violence. In December, teachers went on strike in several locations to protest low wages.

The Bakiyev government had tightened restrictions on freedom of assembly in recent years, and a reported 86 people were killed on April 7 – Bakiyev's last day in power – as police opened fire on demonstrators in Bishkek. Restrictions on freedom of assembly eased significantly under the interim government. The heavy presence of security forces in southern Kyrgyzstan after the June ethnic violence seriously impeded freedom of assembly, however, especially for the minority Uzbek community.

Freedom of association is typically upheld, and nongovernmental organizations (NGOs) participate actively in social and political life. However, rising nationalism affected both ethnic Kyrgyz and ethnic Uzbek NGO activists in 2010. In July, activist Tolekan Ismailova, an ethnic Kyrgyz who had actively condemned violence against Uzbeks in June, left the country after receiving threats. In September, ethnic Uzbek human rights activist Azimjan Askarov was sentenced to life in prison for the murder of a Kyrgyz police official. Rights organizations called for his release, citing credible reports that he was documenting, not committing, acts of violence, as well as evidence that he was mistreated in detention.

The law provides for the formation of trade unions, and unions are generally able to operate without obstruction. However, strikes are prohibited in many sectors. Legal enforcement of union rights is weak, and collective bargaining agreements are not always respected by employers.

The judiciary is not independent and remains dominated by the executive branch. Corruption among judges, who are underpaid, is widespread. Defendants' rights, including the presumption of innocence, are not always respected, and there are credible reports of violence against suspects during arrest and interrogation. Amnesty International and Human Rights Watch documented rights violations at numerous trials of ethnic Uzbeks in 2010, with defendants attacked in courtrooms, abused in detention, and convicted on flimsy or fabricated evidence. UN High Commissioner for Human Rights Navi Pillay stated in July that security forces in southern Kyrgyzstan had subjected ethnic Uzbeks to abuses including arbitrary detention and torture. Ethnic Kyrgyz convicted of attacks on a Meskhetian Turkish community outside Bishkek in April received little or no jail time, and probable ethnic Kyrgyz culprits in the June violence did not even face such basic elements of justice as viable investigations, let alone prosecutions.

The widespread and extensively documented violence against the Uzbek community in southern Kyrgyzstan cast a harsh light on the plight of ethnic minorities. Uzbeks, who make up roughly one seventh of the population, had long demanded more political and cultural rights, including greater representation in government, more Uzbek-language schools, and official status for the Uzbek language. Ethnic tensions began to flare in April with the attacks on Meskhetian Turks near Bishkek, which were followed by attacks on ethnic Dungans and Uighurs in Tokmok. Kyrgyz-Uzbek clashes in Jalalabad in May left at least two people dead. The Kyrgyzstan Inquiry Commission (KIC), an independent international body, put the death toll from the worst outbreak of ethnic violence in June at 470, noting that "the majority of victims were ethnic Uzbeks." Government forces were ineffective at stopping ethnic violence, and may have been complicit in it. The Kyrgyz government did not conduct an adequate investigation of the violence or make a reasonable effort to bring the perpetrators to justice.

The government generally respects the right of unrestricted travel to and from the country. There are barriers to internal migration, however, including a requirement that citizens obtain permits to work and settle in particular areas of the country.

Personal connections, corruption, organized crime, and widespread poverty limit business competition and equality of opportunity. Conscripted soldiers have reportedly been rented out to civilian employers under illegal arrangements, with some forced to work for no pay. The

© UNHCR ethnic violence of mid-2010 seriously affected property rights in the south, as a large number of businesses, mainly owned by ethnic Uzbeks, were either destroyed or forcibly seized during and after the unrest.

Cultural traditions and apathy among law enforcement officials discourage victims of domestic violence and rape from contacting the authorities. Rapes often accompanied the ethnic violence of June 2010. The KIC noted that the government response to the few cases of rape that were actually reported was "inadequate if not obstructive." The trafficking of women and girls into forced prostitution abroad is a serious problem, and some victims report that the authorities are involved in trafficking. The practice of bride abduction persists despite being illegal, and few perpetrators are prosecuted. Women are well represented in the workforce and institutions of higher learning, but poor economic conditions have had a negative effect on women's professional and educational opportunities.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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