

Polity IV Country Report 2010: Kyrgyzstan

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Score:</td> <td style="width: 15%;">2009</td> <td style="width: 15%;">2010</td> <td style="width: 15%;">Change</td> <td style="width: 40%;"></td> </tr> <tr> <td>Polity:</td> <td>1</td> <td>7</td> <td>+6</td> <td></td> </tr> <tr> <td>Democ:</td> <td>2</td> <td>7</td> <td>+5</td> <td></td> </tr> <tr> <td>Autoc:</td> <td>1</td> <td>0</td> <td>-1</td> <td></td> </tr> <tr> <td>Durable:</td> <td></td> <td>0</td> <td></td> <td></td> </tr> <tr> <td>Tentative:</td> <td></td> <td>Yes</td> <td></td> <td></td> </tr> </table>	Score:	2009	2010	Change		Polity:	1	7	+6		Democ:	2	7	+5		Autoc:	1	0	-1		Durable:		0			Tentative:		Yes			<p style="text-align: center; font-size: small;">Authority Trends, 1991-2010: Kyrgyzstan</p>
Score:	2009	2010	Change																												
Polity:	1	7	+6																												
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Tentative:		Yes																													
SCODE	KYR	CCODE	703	Date of Report	31 December 2009																										
Polity IV Component Variables																															
XRREG	XRCOMP	XROPEN	XCONST	PARREG	PARCOMP																										
2	2	4	7	2	3																										
Date of Most Recent Polity Transition (3 or more point change)																															
End Date		15 March 2010		Begin Date		17 December 2010																									
Polity Fragmentation: No																															
Constitution		2007/2010																													
Executive(s)		President Roza Otunbaeva ; appointed acting president, 7 April 2010; confirmed following a referendum of the constitution 3 July 2010 Note: Otunbaeva is prohibited from participating in upcoming elections scheduled for late 2011. Her term expires on 31 December 2011.																													
Legislature		Unicameral: Jorguku Kenesh (120 seats; proportionally elected; most recent elections, 10 October 2010) Ata-Zhurt: 28 Social Democratic Party (SDPK): 26 Ar-Namys: 25 Respublika Party: 23 Ata-Meken: 18																													
Judiciary		Supreme Court, Constitutional Court, Higher Court of Arbitration																													

Narrative Description:¹

Executive Recruitment: Transitional or Restricted Elections (7)

While Kyrgyzstan has often been referred to as the “island of democracy” in Central Asia, the blatant manipulation of the country’s electoral institutions by former-President Akayev undermined the consolidation of democratic politics in this former Soviet republic. While maintaining some degree of democratic legitimacy by holding elections, nevertheless, President Akayev – like his political

¹ The research described in this report was sponsored by the Political Instability Task Force (PITF). The PITF is funded by the Central Intelligence Agency. The views expressed herein are the authors' alone and do not represent the views of the US Government.

contemporaries in neighboring Turkmenistan, Uzbekistan and Kazakhstan – manipulated the political process to extend his terms in office through fraudulent referenda.

President Akayev, who originally gained executive office during the Soviet-era, was reelected to his third presidential term in October 2000 in elections that were neither fair in design nor practice. Although the 1992 Constitution limits any individual to only two presidential terms, President Akayev repeatedly manipulated the political process to prolong his tenure in office. In September 1995 the National Assembly rejected a proposed referendum to extend President Akayev's first term in office. The President subsequently asked the National Assembly to hold early presidential elections in December 1995. This proposal received support and early elections were held. Given the changes in the electoral timetable no opposition candidate was able to effectively compete against President Akayev. Additionally, three rival candidates were de-registered shortly before the election. In the aftermath of the election, Prime Minister Jumaliev subsequently reasoned, and the Constitutional Court concurred, that President Akayev's first term should not be assessed against the two-term limit on executive power. In general, the incumbent president used his powerful office to influence the outcome of all elections while he was in power. His strongest competitors were refused registration because they either were unwilling to undergo, or did undergo and failed, a Kyrgyz language test administered by the government. Election observers reported instances of ballot box stuffing, voter intimidation, and discrepancies in vote counts in the 2000 election. Despite increased public pressure for Akayev's resignation in 2002, the President survived a national referendum in early 2003 that produced significant constitutional reforms and reaffirmed his continued stay in office.

In June 2003 the Parliament authorized lifetime immunity from prosecution for Akayev, suggesting his resignation. This did not occur until after disputed parliamentary election results in February and March 2005 gave way to political turmoil with different parties claiming control over the government. Facing widespread protests against his rule, Akayev fled the country on April 4, and his resignation was ratified by the Parliament on April 11. Opposition leader Kurmanbek Bakiyev was made Interim President by the Parliament, and presided over an interim period marked by widespread political violence and the degradation of rule of law. Elections for a new president were held on 10 July 2005. Bakiyev won by a landslide, although international observers reported a small number of serious irregularities in vote counting and the candidate eligibility process.

Although the resignation of President Akayev marked the beginning of a more democratic executive recruitment process in Kyrgyzstan, democratic consolidation in this country remains in its infancy. This fragile nature of the democratic process was reflected in the 2009 presidential election. In this election, held on 23 July 2009, President Kurmanbek Bakiyev won a landslide victory. Accusations of electoral malpractice were levied against the President both by opposition parties and international observers. His victory was followed by a further crackdown on the severely divided and mostly unorganized opposition. President Bakiyev, who swept into power in 2005 as part of the "Tulip Revolution," was forced from office on 7 April 2010 after more than 80 people were killed in mass anti-government demonstrations in the capital city. Bakiyev's administration, which many had hoped would reform the corrupt political culture of the Kyrgyz system, had been plagued by criticisms of both nepotism and despotism. After years of political deadlock and electoral malfeasance, public discontent erupted in the spring of 2010, forcing Bakiyev to flee, first to his political base in the south of the country and later to Belarus. A reformist transitional government was established and quickly began work on a new constitution. On 3 July 2010 Roza Otunbayeva was sworn in as interim president.

Executive Constraints: Executive Parity or Subordination (7)

Although the 1993 Constitution defines the form of government as a democratic republic, President Askar Akayev dominated the government during his presidency. Referenda in 1996 and 1998, which were marred by serious irregularities, substantially strengthened the powers of the presidency vis-à-vis the legislative branch. While the National Assembly blocked several of Akayev's presidential initiatives, nevertheless, in most areas it did not effectively check the power of the president. The legislature chosen in highly flawed elections held in February 2005 was packed with supporters of Akayev and this legislature was carried over despite the ouster of Akayev as a result of widespread demonstrations in March and April 2005. As a result, the executive and legislative branches remained largely deadlocked through late 2007. In spite of the deadlock, a new constitution was written and pushed through a public referendum on 21 October 2007 by the government. Following the referendum, President Bakiyev disbanded the legislature and announced new legislative elections to be held on 16 December 2007.

In response to increasing political tensions and demonstrations, President Bakiyev had accepted constitutional changes on November 9, 2006, that limited executive authority and increased the authority of the legislature. This reversed some of the strengthening of the presidency of the late 1990s, and restored substantial limitations on executive power. However, in the first legislative elections following the promulgation of the new constitution, President Bakiyev's party, Ak Zol, won every seat in the legislature. While the constitution was reformed, nevertheless, power remained heavily concentrated within the hands of the President. The judiciary, for its part, has also not been a significant check on executive power in recent years. The President has used the courts to limit citizens' rights to due process, particularly in cases involving prominent opposition figures.

President Bakiyev was forced to flee the capital following the outbreak of popular demonstrations and an ill-fated attempt to quell dissent through force; he resigned office on 15 April 2010. A transitional administration was established on 8 April 2010 and a constitutional referendum was held on 27 June 2010. The new constitution, which would make Kyrgyzstan the first parliamentary democracy in Central Asia, was passed with 91% of the vote. The goal of the new constitution was to increase horizontal accountability within the government by limiting both the centralization and abuse of power by the president.

Political Participation: Factional Competition (7)

President Akayev's authoritarian regime employed a highly circumscribed electoral system and favored pro-presidential, "non-partisan" politicians while restricting the political access and activities of other, excluded groups. Both presidential and parliamentary elections held during 2000 were marred by serious irregularities. The government used bureaucratic means to harass and pressure the independent media, nongovernmental organizations, and opposition parties. While there has been a general respect for human rights in Kyrgyzstan since independence, nevertheless, the government has restricted freedom of assembly. Since the 2000 elections the protection of civil and political rights has deteriorated significantly. In reaction to the tightening of political control by the Akayev regime, public political protests against the government increased. In the spring of 2002 mass protests erupted in the south of the country and in the capital. While these protests were triggered by the arrest of southern-based opposition politician Azimbek Beknazarov, the root cause of the rising tide of violence in this country stemmed from the convergence of rising poverty, economic stagnation, regional tensions and the increasingly autocratic ambitions of Akayev. This civil unrest ultimately culminated in Akayev's resignation and self-imposed exile in 2005. The 2005 interim period between President Akayev's resignation and the landslide election of Interim President Bakiyev saw a continuation of this unrest, marked by widespread protests, political violence, and a descent into anarchy in many areas of the country. Although the election of Bakiyev and his willingness to relinquish some powers to the legislature stabilized the country, at least temporarily, the durability of this stability remains to be seen.

Kyrgyzstan, like all its Central Asian neighbors, is marked by intense personal, clan and ethnic rivalries. Persistent tension between "southerners" (which consists of a large Uzbek population) and "northerners" is a constant source of political tension in this country. Whereas the North is Russian-speaking, urbanized and enjoys a disproportionate concentration of political and financial power, the South is heavily populated, ethnically diverse, largely rural and more religious. The South is also more affected by poverty and unemployment. While former-President Akayev was from a northern clan, his main political opponent, Azimbek Baknazarov, represented the southern clans, as did President Bakiyev. In addition to this regional cleavage, political tensions run high between Kyrgyz nationalists and Russian immigrants as well as between the secular government and Islamic militants. While the country is slowly developing a sense of national identity, nevertheless, ethnic, regional and clan-based political networks continue to play an important role in the Kyrgyz Republic. Political parties have only come into play since the ouster of President Akayev; they remain very weak, fluid, and under-institutionalized.

A persistent problem in Kyrgyzstan is the unstable political atmosphere found in the Ferghana Valley. This fertile region, which straddles the borders of Tajikistan, Kyrgyzstan and Uzbekistan, has long been a source of contention between these countries. At present, Uzbekistan controls the central lowlands, Kyrgyzstan its upper reaches and Tajikistan its western access point. Adding additional fuel to the fire is the actions of the Islamic Movement of Uzbekistan (IMU), an armed group which has been actively engaged in a guerrilla campaign in the region since 1998. The stated goal of the IMU is to unify the region under a strict Islamic regime. While most armed activity has been aimed at Uzbekistan, in 1999 the violence spilled over into Kyrgyzstan. While there has been little direct conflict in Kyrgyzstan since this

time, the government is concerned over the possible resurgence of violence in the region and the subsequent refugee problem caused by fighting in Tajikistan and Uzbekistan.

President Bakiyev's Ak Zho party swept all ninety seats in the new established Jorgoku Kenesh (unicameral legislature) in elections that were called by the President three years early. Although twelve parties entered candidates in the election, only the President's party gained the minimum 5% of the nationwide votes and 0.5% minimum vote in each of the country's seven regions and two major cities. The opposition disputed the elections as fraudulent and OSCE election observers decried the election as a "missed opportunity" to achieve legitimate elections.

Following a popular uprising that resulted in President's Bakiyev resignation and departure from the country, a transitional government was formed and a constitutional referendum was held on 27 June 2010. The new constitution, which would make Kyrgyzstan the first parliamentary democracy in Central Asia, was passed with 91% of the vote. The goal of the new constitution was to increase horizontal accountability within the government by limiting both the centralization and abuse of power by the president. While the referendum was deemed to be free and fair by international observers, nonetheless, it did take place in an atmosphere of heightened ethnic tension and strife. Ethnic violence between Kyrgyz and Uzbeks in the south of the country, primarily around Osh, in June 2010 left nearly 400 dead. Most of those killed were Uzbeks who were targeted by Kyrgyz mobs intent on ethnically cleansing the region. This region, which was the stronghold of the ex-president, has long been a cauldron of simmering tensions between the Kyrgyz majority and the Uzbek minority. In the country as a whole, the Kyrgyz represent almost 70% of the population while the Uzbeks constitute nearly 15% (the other two large groups being the Russians and the Uyghurs). However, in the south of the country Uzbeks constitute a much higher percentage of the regional population. All except some 30,000 of Kyrgyzstan's 750,000 Uzbeks live in this region and in Osh they represent over 40% of the city residents. Many Kyrgyz in the south of the country fear the political aspirations of the Uzbek minority. While some fear that Uzbeks want to grab Kyrgyz lands and secede to Uzbekistan, others simply fear that the transitional government, with its base in the north of the country, will be more sympathetic to the Uzbeks than had been the case under the leadership of their hometown hero, Bakiyev. Bakiyev, along with his brothers, established an economic and political empire in the region under his tenure as president. In addition to controlling both the legal and illegal sectors of the economy in the region, Bakiyev appointed loyalists to the family to positions of political and military power. This vast patronage network has become increasingly nervous under the new political order. The Transitional Government accused the political leaders in the south of the country of orchestrating the violence in an effort to derail the constitutional referendum. Many Kyrgyz in the south want to retain the presidential system and have actively sought to resist efforts to transition the system to a parliamentary form of governance. While they did not succeed in doing so, nonetheless, the south continues to operate beyond the control of the central government. In particular, the mayor of Osh, Melis Myrzakmatov, actively rebuffed efforts by the Interim President in August 2010 to remove him from power. Myrzakmatov, who is viewed as a hardline Kyrgyz nationalist, is by all accounts the undisputed leader of this region of the country.

In the wake of the June constitutional referendum, parliamentary elections were held on 10 October 2010. Over 3,000 candidates from 29 political parties competed for the 120 seats in the newly expanded legislature. In a surprising turn of events, the Ata Zhurt party, which is comprised of former members of the Bakiyev regime, won the most seats, although it did not garner enough seats to govern the country by itself. Ata Zhurt is opposed to the new parliamentary system and has argued that it will seek to repeal it. A governing coalition that was proposed in November, between the second-place Social Democrats, Respublica and Ata-Meken, was abandoned after the leader of Ata-Meken (and primary architect of the new constitution), Omurkek Tekebayev, was unable to secure enough votes to become parliamentary speaker. In mid-December the Social Democrats and Respublica agreed to forge a coalition government with Ata Zhurt following weeks of negotiations. On 17 December the leader of the reformist Social Democrats, Almazbek Atambayev, became prime minister while the head of the Ata Zhurt party, Akhmatbek Keldibekov, assumed the powerful position as parliamentary speaker. The deeply divided nature of the governing coalition poses a significant threat to both the newly created parliamentary structure and the stability of the country.