

RELEASE IN FULL

Janysh Bakiyev and a number of key security officers in the south. "Something is being planned to disrupt the referendum," I was told. Beknazarov told me he believed that, following the pattern of the last two revolutions, they anticipated that there would be an attack on administrative offices in the south, following quickly within a few days by attacks in Bishkek. Government leaders I spoke with over the weekend told me they now recognize they had misassessed the data they had, that the Bakiyev plan was obviously to instigate inter-ethnic violence.

Precisely what led to the tragedy in and around Osh is still unclear and requires careful investigation, but people I have spoken with in Osh describe police and army leaders directing the pogroms, and they were able to identify some of these individuals as persons close to the Bakiyevs. Moreover, the timing and some of the specific descriptions of events support this thesis—Bakiyev was the only person who clearly had something to gain from the violence. If that is so, then Bakiyev adopted an extremely cynical, indeed criminal strategy. His objectives would have been to derail the referendum, demonstrate the weakness of the interim government, and fuel calls for an iron-fisted central government through the resurrection of his presidency. The tactics used bear comparison with those used by Slobodan Milosević and Radovan Karadžić as Yugoslavia disintegrated or by the Soviet MVD in the waning days of the Soviet empire in programs like "Operation Koltso." If the government's charges bear out, serious crimes were committed by the Bakiyev faction.

While Otunbayeva publicly states that order has been restored in the south and that foreign intervention is no longer needed, I am not persuaded that this is what she actually thinks. She is anxious to build public confidence in her government and its abilities. Confidentially she acknowledges that the interim government's grip over the situation in the south is extremely weak and that the government does not feel it can necessarily count on the local police and military there, whose loyalties are plainly divided. This in turn suggests that the international community should give active consideration to both the humanitarian and the security dimensions of the situation in the south. My sense remains that Otunbayeva would strongly welcome such an initiative.

2. Internal Workings of the Interim Government. The interim government verges on being completely dysfunctional. It operates as a collection of individual fiefdoms, with leaders engaged in constant squabbles over patronage appointments. Career civil service personnel report being terrorized and extorted. I spent the better part of three days inside the current government headquarters on Staraya Ploshchod and was able to directly observe primitive horse-trading, threats and counterthreats between key government functionaries, sometimes in agitated voices. Roza Otunbayeva and a handful of figures closest to her were exceptions in this process—admonishing others about the unseemliness of their conduct, urging moderation and restraint. But Otunbayeva also acknowledges that the limitations on her own authority and states that she "has to put up with it," at least for the moment. Three government members advised me during meetings of their intention to resign before the end of the month in order to start running for parliament. Significantly, I sense sharp rifts within the government—between Atebayev and Beknazarov, for instance, who could not refrain from criticizing one another in my interviews with them, or between Sariyev and Beknazarov.

Only Otunbayeva (and to a lesser extent her close ally Elmira Ibraimova) appear to be the glue that holds things together, commanding the respect of the other government members. I found that the admiration for Otunbayeva was almost universal—she appears to be the only figure in the government emerging from the interim period with an untarnished reputation. Still the special order under which she has assumed power as "president of the interim government" presents some clear problems for her authority. She has a fixed term into 2011, but she will have no democratic mandate. After the new government is formed, based on the parliamentary elections, they will have democratic legitimacy and she will not—this sets up a situation in which her authority may well be eclipsed or at least made more narrow. Still, all the members of the current government recognize that she has essential skills that they do not—particularly her ability to conciliate and her ability to reach out to other leaders on the international stage.

There is an expectation that the parliamentary elections will result in a weeding out of the government. The next government is expected to be formed through a parliamentary coalition. But only two or perhaps three of the

current seven factions will survive. Much of the bickering and instability in the current government is keyed to the coming game of parliamentary moving chairs—there is an intense struggle now to secure personal loyalty and funds to use in the parliamentary elections; the entire process has an aura of sink or swim about it. Ironically the immediate prospect of parliamentary elections and the sense that they will be genuinely open and fair thus contributes to the ineptness and near chaotic appearance of the current government.

3. Constitution and Referendum. Under the guidance of Tekebayev, the government put forward a proposed new constitution, which it seeks to have confirmed through a referendum vote on June 27. The constitution itself does shift the country further in the direction of a parliamentary democracy, and it contains unusual protection for parliamentary minority factions. Government leaders told me that Kazakh president Nursultan Nazarbayev had waded in on the question of the constitution directly, pressing them to retain a “strong president” system. They say this was coupled with not-very-subtle threats, and that the frontier between Kyrgyzstan and Kazakhstan remains closed, with harmful consequences for the Kyrgyz economy. A major question exists about holding the referendum as scheduled. The events in the south have resulted in the mass displacement of population and if held as planned, a large part of the population in the south would probably be disenfranchised. However, government leaders say that their current problems all come back to legitimacy, and they will not be able to form a government with democratic legitimacy without a new constitution and new elections. Accordingly, they resist any further delays and are even contemplating moving the date of the parliamentary election forward to the last week of August (it is now set for October 10). The crisis in the south presents a severe dilemma in this regards, and it seems that this would have been Bakiyev’s objective in instigating it, if indeed he did.

4. Manas Transit Center. As expected, I discovered that the interim government is deeply fragmented on the question of MTC. One faction headed by Otunbayeva favors a “pragmatic solution” to the base issue under which it will be continued but placed on a more transparent basis in which the economic benefits to the government are clear. Otunbayeva argues that the base can only be accepted under circumstances in which it presents no friction for Kyrgyz-Russian relations; she seeks to have disputes surrounding fuel supply, for instance, resolved directly between the United States and Russia. Another faction, headed by Beknazarov, takes a more demagogic approach, denouncing the base and seeking its closing in internal meetings. Talking with Beknazarov, I had the clear impression that his attitudes were entirely opportunistic—he thinks this will be a good campaign issue to use on the hustings. He suggested rather strongly that he could accept a continued base presence under the right circumstances and that he views threats to close the base as a sort of stick to use to extort more money and other concessions from the Americans. In general, Beknazarov strikes me as hot-headed and crass and an untrustworthy partner in any future discussions. Atembayev also has somewhat demagogic impulses, though they are mild by comparison. Otunbayeva, the third and most senior member of the government engaged on base issues, is the critical voice of reason in the process. My impression based on discussions with numerous figures is that Otunbayeva’s views currently hold sway. However, all the government members are agreed that the economic deal struck by Bakiyev is unfavorable to the Kyrgyz state and that the base must rest on transparent economic concessions and there can be no more under-the-table dealings with political figures.

5. Resolving the Crisis in the South. I believe that two key points should be kept in mind when approaching the humanitarian crisis that has emerged in the south. *First*, the crisis probably has its origins in a raw struggle for power. The interim government’s legitimacy deficit contributed to the problem, because it left the government with weak tools to control the situation in the south. A long-term solution to the problem must involve the creation of governments at the national (Bishkek) and regional (Osh, Djalalabad) levels that have an essential modicum of democratic legitimacy. Delaying this process may only hasten the entire country’s continued descent into chaos. This highlights the need to conduct free, fair and open elections as quickly as possible. *Second*, the last thing the interim government needs is a “Sophie’s choice” between the United States and Russian Federation. International assistance needs to reflect a joint U.S.-Russian approach and showcase U.S. and Russian leadership (not merely participation). With President Medvedev’s visit to the White House now on the horizon, this would be a good opportunity to establish joint sponsorship of an international

humanitarian initiative. Here, I believe, are the essential elements of a program that could achieve U.S.-Russian co-sponsorship:

- **An Appeal for Restraint:** Although the instigation of the conflict appears clearly to rest with ethnic Kyrgyz agitators, including a number in uniform and operating military equipment, at present both Uzbek and Kyrgyz armed groups are involved in random shootings designed to reinforce perceptions of their group being persecuted (rapes etc.) by another. Credible reports are suggesting that there has been political manipulation (including payment of money to drug and other criminal gangs) aimed at fomenting violence. The attack on a sports facility set up by a prominent Uzbek drug baron (murdered several years earlier) in Osh shortly before the violence started also suggests that criminal gangs involved in drug transshipment had another motivation for engaging in the violence. It may be that the violence was an initiative of the deposed president, but once it began, it provided cover for numerous incidents of score-settling and criminal mischief. In these circumstances, a strong appeal for restraint is appropriate and martial law rules including curfews may legitimately be imposed by the interim government. An imprimatur of support from the international community would help establish the authority of the interim government in this process.
- **Exit Corridors for Civilians:** Civilians who feel threatened must be allowed to leave the high risk zones, and access of humanitarian aid, and creation of a safe zone for humanitarian operation should be priorities at locations created to shelter them. The EU, OSCE and UN issued a statement on June 16 calling for a humanitarian corridor in the southern regions of Osh and Jalalabad provinces, as well as of ensuring the equitable distribution of humanitarian aid among those in need. The cooperation of the Uzbek government may be particularly important in this process.
- **Peacekeeping/Policing Operation:** The international community should support special arrangements with broad international legitimacy and participation to enhance peacekeeping and police operations in the affected area. As I noted, even though Otunbayeva made a public statement on June 15 to the effect that foreign military/police intervention was no longer needed, the situation remains precarious and in her confidential discussions Otunbayeva acknowledges the benefits in confidence building that would emerge from an qualified, professional and international presence in the region. Peacekeeping/policing operations should at a minimum include security for designated sheltering areas for refugees and internally displaced persons and monitoring operations in tandem with local police and military, to build confidence in their protective functions.
- **Investigation of Events:** a broad, credible, independent investigation should be undertaken into the events and their origin. The investigation should be under the aegis of an international organization, such as the Security Council or OSCE and it should be conducted by an individual of stature with strong credentials as a fact-finder and prosecutor. The investigation should particularly take cognizance of accusations that crimes against humanity were perpetrated, potentially including crimes of genocide. The involvement of persons exercising ostensible government authority—policemen, military figures, leaders of the civil administration—should be given special scrutiny in this process. The person commissioned to handle the investigation should be specifically empowered to recommend criminal charges be brought against individuals identified in his investigation—either by the criminal authorities of the Kyrgyz Republic or before an international body seized of proper jurisdiction.
- **Effective Post-Conflict Reconstruction.** UN authorities are estimating that as many as 450,000 persons may have been displaced by the current violence. The devastation in central Osh and in numerous villages is reported to be near total. There will be an intense housing shortage and a crisis with respect to food supply and healthcare. The international community under United States and Russian leadership should provide generous support to jumpstart the reconstruction process, prioritizing its assistance to benefit those most egregiously injured by the violence.
- **The Referendum/Parliamentary Elections.** In view of the disruption and violence, the interim government may well conclude that the constitutional referendum must be postponed. However, if it does not

postpone the referendum, then extraordinary measures should be taken to insure that internally displaced persons and refugees are given an opportunity to vote—in both cases this will be a reemphasis of the bond of citizenship and a promise of inclusion in the democratic process that will be critical to the resolution of the crisis. The international community should also mobilize observers in connection with the parliamentary elections to help assure that candidates have fair access to the ballot and to media, that campaigns are permitted to proceed without unreasonable limitations and that voting occurs in a fair and free manner across the country. Special attention in this process should be given to the affected areas to insure that refugees and IDPs have a fair opportunity to vote and are freed from unreasonable limitations in the process.