

Weekly Bulletin

Issue 6, 10 August 2005, review of 2 - 8 August 2005

The Bulletin is published in the framework of the Early Warning for Violence Prevention Project

The information in this bulletin is intended for use by individuals and organizations willing to make a peaceful intervention in a particular conflict situation. The Early Warning Center strives to provide accurate information while disseminating information timely to make prevention and early intervention possible. A variety of sources are used, including eyewitnesses, mass media, civil society representatives, officials and other knowledgeable people.

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1. Alerts

This week there are no new alerts.

2. Weekly review

- On August 2, residents of Kyzyltuu village in Aksy rayon gathered near the building of Jalalabad oblast administration and expressed dissatisfaction with the course of investigation into the embezzlement of 22,7 million soms from the oblast branch of the National bank on March 24 this year. They demanded that law enforcement bodies name and punish those guilty before August 10. The protestors warned that they would organize a protest action if this question were not resolved (www.pr.kg 03/08/05). The deputy of the oblast governor, Kurbanov J., met with them and promised to do everything possible to speed up the investigation. One of the officials from the oblast administration mentioned that the protesters are the relatives of several suspects of the ongoing investigation.
- On August 3, residents of Jeti-Oguz rayon in Issyk-Kul oblast ended the blockade of the road to "Kumtor" mine that started on July 27. This happened after the state commission at a session in the region promised to examine all demands of local residents and make decisions within a period of one month. The state commission, under chairman Kerimkulov M., was created to investigate the issue and to stabilize the situation in the rayon. Within this one-month period, the health of local residents will be inspected and the issue of compensation will be resolved. According to residents of Jeti-Oguz, "Kumtor Operating Company" must pay compensation (www.pr.kg 04/08/05).
- On August 3, deputy Public Prosecutor Jeenaliev N. made an official statement on the unacceptability of statements made by chairman of the Commission on Human Rights under the President Akun T., and addressed to the Public Prosecutor. Jeenaliev stated that the statements do not represent reality. He announced to take measures on bringing Akun T. to account and to make him take responsibility for his statements as foreseen by the law. On the same day, according to News Agency AKIpress, the Coalition "For democracy and civil society" disseminated

a statement expressing a high degree of dissatisfaction with the statement of the deputy Public Prosecutor. The Coalition calls for Public Prosecutor Azimbek Beknazarov “to withdraw the statement of his department and publicly recognize the human rights law that provides protection for individuals to act freely and to criticize the activities of any state agency.”

- On August 4, 2005, 55 employees of eleven post offices of Jalalabad city conducted a protest action next to the building of the regional department of the State Enterprise “Kyrgyzpochtasy” against “the unfair actions of the directors of the oblast and national post service.” Employees demanded a raise in wages of postmen and workers of post offices, allocation of a certain amount of incomes received from communication services for repair of post office buildings and for other household expenditures, curbing of corruption in the post service system, and also resolution of the problem of providing postmen with uniforms. They threatened to organize a long strike in case their demands will remain unsatisfied. The deputy director of the regional branch, Aidarov J. met with protesters and promised to respond to the demands of the employees of city post offices within ten days.
- On August 5 in Jalalabad city, a group consisting of 32 women who presented themselves as members of people’s brigade “Jany Kadam”, blocked the entrance to the new car market “Kelechek” starting at 6 o’clock in the morning till 12 noon. They directed buyers to the old car market that belongs to Shermatov. According to representatives of the law enforcement bodies, protesters behaved aggressively and ignored warnings about measures that could be taken against them in regard to the illegitimacy of their actions. This action was undertaken because the new market “Kelechek”, that was opened two weeks ago, successfully competes with the old market and is located in a better location. Protesters doubt the legality of the new market and intend to repeat the blockade if the new market will not be closed.

3. Trends and expectations

The week from August 1 till August 8 passed without exceptional conflict events. The situation regarding the seizure of lands in Bishkek is (temporarily) normalized. In Barskoon in Issyk-Kul oblast where residents blocked the road leading to the gold mine and made demands on the company “Kumtor” and the government, tensions have reduced due to the creation of a state commission on stabilization. In Bishkek however, hunger-striking employees of the railroad have already several times attempted to be heard by the government on their complaints.

An expert group, which was created with the purpose of **reconsideration of the decisions** made by the civil board of the Supreme Court **on the results of parliamentary elections in six constituencies** came to the conclusion that “all specified cases with violations of the norms of material and procedural law that have led to making unreasonable and illegal decisions, have been considered by the Supreme Court.” These cases can be reconsidered according to chapter 42 of the Civil Code” according to which “legal acts that entered into legal force can be reconsidered based on newly-discovered evidence. Consequently, interested parties have the right to address the Supreme Court independently or through the bodies of the Office of the Public Prosecutor.” (www.pr.kg 05.08.05).

In May of this year, invaders of the Supreme Court building addressed the acting President, the head of the president’s administration, and the speaker of Jogorku Kenesh of the Kyrgyz Republic with the request to resolve the issue of “disputed” mandates on constituencies № 6, 21, 27, 28, 51 and 59. Thereupon, acting President Bakiev K. gave orders to create a working group of legal experts and judges of the Supreme Court for solving this problem. At the initiative of parliament member Eshimkanov M. from Asanbaevo constituency № 6 (one of “disputed constituencies”), members of parliament took a decision to declare the order of the acting President contradictory to the Constitution and recommended cancellation of the order on creation of the expert group. At that time, Eshimkanov M. stated that if the members of the expert group will make the “wrong decision,” he would bring out his supporters to the street (Information Agency “Kyrgyzinfo” 31.05.2005). On July 21, 2005, at a

press conference in AKIpress agency, the supporters of candidates who lost elections in other “disputed” constituencies, reconfirmed their determination to achieve a revision of the decisions of the Supreme Court.

Chairman of the Supreme Court Osmonov K., stated that he does not agree with the conclusions of the expert group. In his opinion, “conclusions of experts... are contradictory to the norms of the Code, and are not stipulated... in either Constitution, or in other legislation” (www.pr.kg 05/08/02). Nothing is known yet about the reaction of Eshimkanov M. and other parliament members to the conclusions of expert group.

Residents of Jumgal rayon announced that they are ready to send their representatives to march towards Bishkek to meet with Public Prosecutor Beknazarov A.. The reason is the start of an investigation by the Ministry of Internal Affairs into the seizure of Open-pit Coal Mine in Kara Keche, after Joldoshbaev K., owner of “Besh Sary” and parliament member submitted a written request. “According to residents of Kyzart and Kuiruchuk villages, if the Ministry of Internal Affairs will continue the investigation one-sidedly, they will take severe measures and seize the regional department of internal affairs.” (www.pr.kg 02.08.05). In June of this year, as a result of protest actions by local residents and subsequent seizure of the Open-pit Coal Mine in Kara Keche, the state commission took a decision that the owner of “Besh Sary” is authorized to receive revenues only from renting equipment to the specially created temporary state enterprise “Komur” (see Weekly bulletin №1). At that time, Joldoshbaev K. submitted a written complaint regarding the illegal capture of the Open-pit Coal Mine, equipment and means of transport by the residents of Jumgal rayon .

Candidate for parliament member Orozbaev M. demands that the results of re-elections in Kurshab constituency be declared as invalid. He accused Madumarov A. of using administrative resources on election day and informed about his intention to appeal against the decision of the CEC to acknowledge the validity of the re-elections in Kurshab constituency (www.pr.kg 03.08.05). In the opinion of the CEC “re-elections at polling stations № 58, 59 and 62 in Kurshab constituency were, on the whole, conducted in compliance with the norms of the Election Code”. In a press release of the CEC on August 2, 2005, the violations that took place cannot form the basis for declaring voting results invalid.” Earlier, Kurshab district election commission pronounced the re-election results “as invalid, referring to clause 4 of Article 46 of the Election Code. The commission notes that during voting violations of Election Code took place, which could have affected the will of voters.” (see also Weekly bulletin №5). However, the CEC has annulled the decision of August 1, 2005 “on recognition of the elections as invalid” of Kurshab election commission, in reference to clause 6 of Article 54, on the basis of clause 2 of article 56 of the Election code.

The hunger strike by members of the trade union of “Department of the Kyrgyz Railroad”, headed by Dokenov E., continues. One of the participants, Gulnara Kerimbaeva, announced to commit self-immolation on the day of inauguration of the President, August 14, 2005, as a sign of protest against the appointment of Isaev K. to the post of director of the Department. According to hunger strikers, Isaev K. is backed by Tuleev K., who is considered corrupt and a monopolist in black and nonferrous metal trade in Kyrgyzstan. This was stated by Kerimbaeva on August 5, 2005. Earlier, several commissions have been dispatched to investigate the situation, but none of them was able to propose recommendations that would satisfy the protesters. As one of the protesters said, they “have no trust in such commissions”. He also mentioned that the trade union had appealed to court, but that the process has been delayed.

On August 3, at a press conference in news agency “AKIpress”, the deputy director of Bishkek Passenger Transportation Agency (БАПТ in Russian) Bondarenko A., stated that in his opinion **drivers of mini-buses would refrain from strikes.** The Agency conducted explanatory meetings with the drivers and managers of the transportation businesses, and as a result they and others assured the Agency that they will refrain from strikes. Bondarenko A. also informed that Bishkek Passenger Transportation Agency has strengthened control over the technical condition of transport vehicles. At

present a commission works weekly on detecting violations committed by drivers of mini-buses (www.pr.kg 03/08/05).

4. Announcements

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Intervention Database: The Early Warning for Violence Prevention Project appeals to organizations and individuals interested in organizing conflict mitigation activities to register in the Project database. The database will allow us to promptly engage you in the development and implementation of violence prevention measures.

Crisis Emergency Fund: The Early Warning for Violence Prevention Project is also announcing a small grant program intended for implementation conflict and violence prevention measures.

For more information about the Database and Emergency Fund please contact Violetta Yan at: 264/27 Manaschi Sagynbaya, phone: 996 (312) 64-43-60, 64-46-58, fax: 996 (312) 64-44-63, e-mail: fti@infotel.kg

About the Project:

The Early Warning for Violence Prevention Project was initiated to prevent violence related to political conflicts by creating a mechanism of forecasting/investigating conflicts and implementing appropriate preventive measures. The project is initiated by the Foundation for Tolerance International and the International Foundation IFES and supported by OSCE, UNDP, and the Swiss and US governments.

In order to closely monitor the situation in the country, the Project created a national network of monitors selected among active members of the civil society and representatives of academic circles, media and law enforcement agencies. Overall, 36 monitors observe the situation throughout the country and maintain permanent communication with the Center for Early Warning.

The Center for Early Warning processes the information collected, prepares recommendations on interventions needed for violence prevention, and publishes a Weekly Bulletin.

The Early Intervention Component develops and implements action plans aimed at prevention of violence in close collaboration with governmental bodies, NGOs and international organizations. The Project also offers small grants for implementation of violence prevention measures.