

Weekly Bulletin

Issue 7, 17 August 2005, review of 9 – 15 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 alerts.

2. Weekly review

- On August 9, about 60 Tajik citizens gathered at the Kyrgyz border post "Tamdyk" and demanded removal of the post. The border post is located at Kok-tash in Batken rayon, 13 km to the south of the village Vorukh in Isfara rayon of Sogd oblast of the Republic of Tajikistan. The group of residents attempted to remove a barrier that hinders passage. Official representatives of border services and local government of the Kyrgyz Republic arrived before long. The residents claimed that they are indignant by actions of the Kyrgyz border guards. According to them, on August 9, the border guards beat up four Tajik teenagers of 11-12 years old. Government representatives persuaded the protesters to leave.
- On August 10, 50 residents of Aktash Ayil Okmotu in Karasuu rayon gathered near the oblast administration building in Osh to protest against the actions of acting governor of the oblast, Artykov A., who released the chairman of Aktash Ayil from his post and appointed a new head of local self-government. Protesters consider that Artykov A. had no legal ground to dismiss the chairman of their Ayil Okmotu and demand his resignation. Current legislation states that if the head of local self-government is dismissed from his post, the first deputy head should carry out his official duties till the next elections take place.
- A small protest action took place on August 11 at the Osh city administration building. About 15 supporters of Bakirov M., former candidate for the post of mayor of the city, protested against the election results. They accused acting governor Artykov A. and his deputy Tezekbaev of exerting pressure on members of the City Kenesh (city council) to vote for a particular candidate. Protesters were dispersed by the police.
- On August 11, another hunger-striking railway employee announced his readiness to commit suicide on the day of inauguration of the President. The hunger strikers are members of the

alternative trade union of the “Department of the Kyrgyz Railroad”. On August 13, one day prior to the inauguration, a meeting of protesters with government authorities took place as a result of combined efforts of several human rights NGOs. Protesters were promised that President Bakiev K. would personally deal with this issue.

- On August 13 in Osh city, the forces of the Department of Internal Affairs prevented a confrontation between several local criminal groups. As a result of an operation near café “Kyrgyzstan”, staff of the Department of Internal Affairs and their colleagues from the Oblast Department of Internal Affairs and of the Drug Control Agency detained 57 people and seized 5 knives, 24 gun cartridges, a fragmentation grenade (РГД-5), a pistol (ТТ) and metal sticks.

3. Trends and expectations

The week from August 9 till August 15 passed calmly. The main event of the week – the inauguration ceremony of president Kurmanbek Bakiev – passed without any remarkable incidents. As expected, Bakiev K. placed the authority of acting prime minister on Felix Kulov. However, this week an increase in border tensions was observed in Batken oblast. The threat of suicide by a few protesting railway employees was another significant event of this week.

In the past week **Uzbekistan** announced its **intention to reinstate a border post on the road connecting Batken and Osh**, near to the Kyrgyz village Airylbas. According to the head of the Department on Law Enforcement and Defense of Batken oblast administration, Eshaliev T., the main argument for establishment of the border post is that Uzbek citizens depart to nearby foreign countries via Osh city. The road Batken-Osh is a strategic route and reinstatement of the customs post would complicate the border crossing by Kyrgyz citizens. In the opinion of Eshaliev T., in case of reinstatement of the border post, Kyrgyzstan would have to take reciprocal measures and block the road connecting the Uzbek enclave Shakhimardan with Uzbekistan. Previously held negotiations on August 9 and 11 remained without result, but on August 17 the head of State administration of Batken oblast Shadmanov A. announced that the Republic of Uzbekistan **withdraws its intention** to reinstate the border post at the specified location (www.pr.kg 17/08/05).

However, border tensions in Batken oblast remain. On August 9, at the border with the Tajik **enclave Vorukh**, citizens of Tajikistan came to the Kyrgyz customs post “Tamdyk” and demanded its removal. This customs post is located on the borders of Vorukh village in Isfara rayon of Sogd oblast of the Republic of Tajikistan.

Earlier, tensions were observed around the **enclave Sokh** of Uzbekistan between Khushier village and neighboring Kyrgyz village Sogment (see Weekly bulletin No. 1). On June 25, ethnic Tajik residents of Khushier village of Sokh enclave seized a mosque in Sogment village. Confrontations between the two ethnic groups continue to take place.

Residents of Osh city and Aktash Ayil Okmotu of Karasuu rayon in Osh oblast continue to express dissatisfaction with the **percieved unfair personnel policy** conducted by acting governor Artykov A., (see Section “Weekly review”). Indignant protesters consider that the governor exceeds his authority through unjust interference in the activities of local self-government and by putting pressure on deputies of Osh city Kenesh during the election of the mayor of the city.

In addition, residents of Shark Ayil Okmotu, which is located in the same rayon, submitted a written statement to the plenipotentiary representative of the president of Kyrgyzstan in the southern region, Almanbet Matubraimov, with the demand to reinstate the former head of Shark Ayil Okmotu (www.pr.kg 10/08/2005). In their opinion, acting governor illegally removed the head of their Ayil Okmotu from the post and appointed his friend and schoolmate to this post.

A step forward in the resolution of the conflict between the **Department of the Kyrgyz Railroad and the "rebellious" trade union of railway employees** headed by Dokenov E. is anticipated. At the moment however, despite broad publicity and hunger strike of railway employees, the conflict remains

unresolved. The situation aggravated after protesters, with the assistance of human rights NGOs, increased public pressure on the government, by conveying information and the threat of committing suicide, if the problem would not be resolved in the near future. As a result of joint efforts of several human rights protection NGOs (“Kylym shamy,” “Youth human rights group” and Crisis center “Sezim”) protesters were met by a significant group one day prior to the president’s inauguration. The group included Orozmat Abdykalikov, deputy head of the President’s Administration, Cholponbek Ubukeyev, advisor of President and head of department on public affairs, Aziz Sokeyev, head of the department dealing with letters and receptions of citizens at the President’s Administration, as well as Isaev K., head of State Enterprise “Kyrgyztemirzholu,” whose resignation is demanded by hunger striking railway employees. Isaev K. presented to the representatives of the President’s Administration a written statement in Kyrgyz language, allegedly written by Kerimbaeva G., about the renunciation of her intention. Protesters and colleagues of Kerimbaeva G. questioned the authenticity of the statement. The children of Kerimbaeva who were present at the meeting neither denied nor confirmed that she had written the second statement (her first statement was about her intention of self-immolation). According to Kerimbaeva’s son, Isaev K. put pressure on her and her family. Persons sent by Isaev K. threatened and attempted to bribe her. According to human rights activist Aziza Abdirasulova, information about alleged forgery and exerting direct pressure on a protester has been submitted to the Office of the Public Prosecutor. As a result of negotiations and following the promise that on August 16 President Bakiyev K. will personally deal with this issue, protesters promised to temporarily stop their hunger-strike and refrain from suicide They will wait for the decisions of the President.

Investigation of the alleged embezzlement of 22,7 million soms from a depository at the **Jalalabad department of the National Bank of the Kyrgyz Republic is close to conclusion.** The accused person, Nurlan Nyshanov, is a resident of Jalalabad city. He is charged with the violation of several articles of the Criminal code, namely article 172 “Illegal acquisition of auto-transport,” article 245 “Embezzlement or extortion of fire-arms or explosives,” and article 169 “Embezzlement of especially large amounts” (www.akipress.kg 11.08.2005). According to the declaration of Batyrbekov M., the former Head of the Jalalabad oblast department of the National Bank of the Kyrgyz Republic (published as a shorthand report on website Gazeta.kg 20.06.05), Nyshanov N. forced Batyrbekov to hand over cash and other valuables from the depository of National Bank. Nyshanov N., who presented himself as the representative of the People’s Power, was accompanied by other persons and threatened with violence. Batyrbekov also implicated that Jenishbek Bakiev, the brother of Kurmanbek Bakiev, was involved. It needs to be noted however that authenticity of the shorthand report has not been proved. At present, the whereabouts of Batyrbekov are unknown. On August 2, the representatives of Kyzyltuu village in Aksy rayon gathered at the building of the regional administration of Jalalabad oblast to express dissatisfaction with the course of the investigation into the alleged embezzlement of the 22,7 million som on March 24 this year. They demanded that law enforcement bodies of oblast complete the investigation as soon as possible.

On August 10, **the party “Erkindik” started the collection of 300,000 signatures necessary for a referendum on the dissolution of the current Parliament.** On August 9, Turgunaliyev T., leader of the party had confirmed on “Vremya peremen” at NTS TV channel that the party continues to actively work on the collection of signatures. In an interview with the project, Kasymov A., the first deputy chairman of the political council of the “Erkindik” party, stated that to date the party has already collected 20.000 signatures from Jalalabad oblast alone, and further collection takes place in other oblasts. He said that the party works seriously to achieve its goal of realizing a referendum to be held on the dismissal of the current Parliament. The party plans to complete the process within two months. At present the Central Election Commission is considering approval of the form for the collection of signatures presented by “Erkindik”.

4. Recommendations

For resolution of the border problems around the enclave Vorukh:

- NGOs, local authorities and Kyrgyz and Tajik customs/border services (in cooperation) – to conduct orientation and practical training for Tajik and Kyrgyz residents in order to explain their rights and obligations as provided by Kyrgyz legislation;
- NGOs, local authorities and Kyrgyz and Tajik customs/border services (in cooperation) – to disseminate leaflets with the text of the appropriate legislation in Tajik and Kyrgyz languages, as well as to hang them on visible places along with graphics for children;
- The administration of Batken oblast and/or administration of Batken rayon (Kyrgyzstan) – to develop a draft of inter-oblast or inter-rayon Agreement “*On the Legal Provisions of Using Natural Resources*” with Sogd oblast or Isfara rayon of Sogd oblast of Tajikistan (instead of annual Request for Permission letters by Tajik administration). This is important in terms of regulating the issue of crossing the border by Tajik nationals in relation with their economical activities at the territory of Kyrgyzstan. Annually in May, the Head of Isfara rayon administration obtains permission from Batken rayon Forestry Service for grazing rights of cattle. This makes full research of the issue impossible, while the agreement draft will require research of a wider range of questions on oblast level such as water, use of pastures and forestry. That is why it is recommended to draft the inter-rayon or inter-oblast annual agreement in order to renew quantitative and qualitative data annually with consideration of the current situation and to secure resolution of all issues that may arise in the future, not limited to those related to the Forestry Service.
- International organizations and the Kyrgyz Government – to recommend the Tajik Government to initiate looking for a long-term solution for over-population in Vorukh enclave (Tajikistan) and the matter of lack of resources as the reason of regular conflicts arising between Tajik citizens and Kyrgyz border officers.

For resolution of the border problems in the villages Khushier and Sogment:

- International organizations and programs – to organize meetings with the aim of exchanging information about their activities and elaboration of a joint plan to resolve the problems in the village Khushier.

For resolution of the border problems around the enclaves in the Ferghana Valley:

The tension around the possible reinstatement of the Uzbek border post near the village Airylbas was successfully resolved as a result of intergovernmental negotiations between representatives of Batken oblast of Kyrgyzstan and Ferghana oblast of Uzbekistan, and the Uzbek government no longer insists on installing the border post the village Airylbas. Thus, possible violence was prevented. However, the possibility of recurrence of a similar conflict between the three countries of the Ferghana Valley remains. It is desirable that the two states develop a pilot model for the prevention of such conflict situations, without proceeding to any forceful measures. In this relation, the following actions are proposed as a pilot project:

- For the state authorities who have competence to make decisions on issues of border and customs service – to apply the Kyrgyz-Kazakh model of joint and successfully functioning customs and border posts (Kordai and Merke). Kyrgyz and Uzbek/Tajik custom and border checkpoints could be joined within an interstate customs treaty, e.g. accompanied with the creation of a shared database of violations of the law etc.). It is recommended to create a single pass line, where travelers would be checked by a joint team consisting of one Kyrgyz and one Uzbek/Tajik official simultaneously;
- For the Kyrgyz Government – to incorporate the successful practice of Kyrgyz-Kazakh joint checkpoints and to work out technical details in order to increase the attractiveness of such a proposition for the Uzbek and Tajik authorities;
- For international organizations – to provide technical assistance in establishing joint customs/border checkpoints, but to avoid those initiatives that may negatively affect the position of Uzbekistan/Tajikistan in relation to the proposed novelty;

- For advocacy/human rights NGOs – to establish new or relocate the existent Public Reception Offices for protecting rights and legal interests of individuals in their passage through customs and border checkpoints.
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5. 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.