

THE PARLIAMENTARY ELECTION IN KYRGYZSTAN

FEBRUARY 5, 1995

Bishkek, Kyrgyzstan



1995

**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

ABOUT THE ORGANIZATION (OSCE)

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At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

REPORT ON THE PARLIAMENTARY ELECTION IN KYRGYZSTAN
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This report is based on a Helsinki Commission staff delegation to Bishkek, February 2-7, 1995. Commission staff interviewed Foreign Ministry and local government officials, journalists, leaders of political parties and candidates. On voting day, Commission staff observed balloting in various polling places in Bishkek and in surrounding rural communities. The Helsinki Commission would like to thank Ambassador Eileen Malloy and the staff of the U.S. Embassy in Bishkek for their consultations and assistance during the staff delegation.

EXECUTIVE SUMMARY

- On February 5, 1995, Kyrgyzstan held its first multi-party parliamentary election since becoming an independent state. Officially reported turnout was 72.8 percent; about 900 candidates contested 105 seats. Because only 16 candidates gained enough votes to win seats outright, run-off elections took place on February 19 between the two top vote-getters in the remaining races. Though not all 105 seats are filled yet, there are enough for a quorum and the parliament has begun to function.
- Kyrgyzstan's new parliament [Jogorku Kenesh] is bi-cameral, as mandated by the results of a referendum in October 1994. The 35-seat lower chamber is a permanent legislative body, while the 70-member upper chamber meets occasionally to approve the budget and confirm presidential appointees. The revamped parliament derives from a certain tendency in Central Asia to copy Moscow's practices -- Kazakhstan's President Nursultan Nazarbaev also wants a bi-cameral legislature, ... la Russia's Federal Assembly. Many observers also assume Kyrgyzstan's President Askar Akaev wanted a bi-cameral parliament to balance the interests of the country's northern and southern regions, and to dilute the legislature's center of gravity and play off one chamber against the other.
- Candidates and parties were largely free to campaign. Nevertheless, there were many reports of pressure and intimidation against individual nominees and their staffs, as well as violations, such as ballot stuffing and multiple-voting, on election day. President Akaev acknowledged these shortcomings, saying that they "corresponded to the current stage of Kyrgyzstan's society."
- Only 161 of the candidates represented political parties, which are very weakly developed in Kyrgyzstan. Consequently, the race featured personalities over policy, which is reflected in the new parliament's composition. The deputies are a mix of former government (central, regional and local) officials, businessmen, and representatives of the intelligentsia, as well as leaders of regional clans. It remains to be seen whether they will use their tenure in the legislature to foster the institutional development of real political parties, or pursue their personal and/or regional interests.
- An air of scandal surrounded the election, despite Kyrgyzstan's reputation as the most democratic state in Central Asia. Opposition movements and parties, as well as many Western diplomats, believed that President Akaev had engineered the dissolution of the previous parliament in September-October 1994 because legislative commissions investigating the government's gold deal with foreign firms were preparing to release information about official malfeasance and other corruption.

- Another point of concern was the attempt by President Akaev to muzzle the press, which had reported on the gold scandal, among other embarrassing issues. The authorities closed Politika and the former parliament's newspaper Svobodnye Gory, both of which had been critical of Akaev and his government.
- The new parliament's priorities include voting on a series of constitutional amendments formulated by a Constitutional Assembly created at Akaev's behest. If implemented, the amendments would weaken the legislative branch and strengthen the executive. This reflects the general tendency in Central Asia and the rest of the Commonwealth of Independent States (CIS), including Russia, to subordinate parliaments to presidents in the name of stability, and to stress the business of governing, as opposed to real, or alleged, parliamentary politicking.
- Another possible initiative before parliament is a referendum on the extension of President Akaev's tenure in office until the year 2000. Such referendums have already taken place in Turkmenistan and Uzbekistan, and one is planned for Kazakhstan on April 29. Though a group of newly-elected deputies has urged a similar referendum for Kyrgyzstan, the government has announced that the possible extension of President Akaev's tenure is "not currently being considered." Nevertheless, the example of neighboring states is at hand, and the temptations may be many -- if parliament does not abandon corruption investigations, if the economy does not pick up, if living standards continue to fall, and if Akaev's position starts to look shaky.
- The United States government considers such referendums a setback to democratic development. In general, the bloom on Kyrgyzstan's rose faded in 1994, with government attacks on the press, disturbing reports of corruption and the "self-dissolution" of the parliament. Nevertheless, despite its flaws and disappointments, Kyrgyzstan remains a far more open society than Turkmenistan, Tajikistan, Uzbekistan, and still outpaces Kazakhstan, where President Nazarbaev dissolved parliament in March and is now ruling by decree until new elections. Washington, therefore, is likely to continue support for Kyrgyzstan, though U.S. hopes and expectations have fallen since the days Strobe Talbott called President Askar Akaev "a true Jeffersonian democrat."

BACKGROUND

Kyrgyzstan, a former Soviet republic in Central Asia, borders Kazakhstan (to the north), China (east), Tajikistan (south), and Uzbekistan (west). The historically nomadic Kyrgyz are Sunni Muslim, but religion traditionally does not play as defining a role in Kyrgyz life and politics as do regionally-based tribal/clan relations, and respect for clan leaders.

While Kyrgyzstan's population is about 4.5 million, Kyrgyz constitute only about 56.5 percent. The largest minorities are Russians (about 19 percent) and Uzbeks (13.5 percent); the latter are especially numerous in the south, where many Tajiks live as well. Osh, for example, Kyrgyzstan's largest southern city and most populous oblast, is overwhelmingly Uzbek, administered by Kyrgyz bureaucrats, with few Slavs. Uzbek-Kyrgyz riots broke out there in 1990, over competition for housing and land.

Kyrgyzstanis and outside observers frequently point to the north-south divide in the country as a perennial feature of Kyrgyzstan's politics. The southern part of the country is more traditional, rural and Islamic; the more urbanized, Westernized northerners have traditionally ruled the country. Southerners complain about being shortchanged in terms of investment, subsidies, and government jobs.

Economy: Kyrgyzstan is one of the poorest new independent states. Its agro-industrial complex mostly produced raw materials for other Soviet republics, on which its industrial sector depended for deliveries and orders. Under President Askar Akaev, Kyrgyzstan pioneered the introduction of market-oriented legislation in the former USSR, freeing prices on many commodities and launching a privatization program. A foreign investment law assured prospective investors that the government would not seize their assets, and equalized their status with that of domestic investors. In May 1993, Kyrgyzstan became the first CIS state to introduce its own currency (som), which was backed by the International Monetary Fund. The IMF and the World Bank designated Kyrgyzstan as the first CIS state to meet their funding requirements, and it was the first to receive loans.

Nevertheless, Kyrgyzstan's economy has been badly hurt by the disruption of trade ties with Russia and other republics. The gross domestic product fell by 19 percent in 1992, and by 16 percent in 1993. Many enterprises have had to close down, exacerbating unemployment; many people who still have jobs have not been paid for months. Even though inflation has been relatively low, living standards have fallen dramatically, as people endure shortages of gas and electricity, and complain constantly about high prices and crime.

In February 1994, Kyrgyzstan joined Kazakhstan and Uzbekistan in a common economic space, although relations among them have often been troubled. After Bishkek introduced its own currency, for example, Uzbekistan feared being flooded by rubles from Kyrgyzstan, and suspended trading relations. Nevertheless, these three neighbors continue to seek areas of agreement in economic activity; the common economic space removed customs posts from borders, and permits the free circulation of capital, goods and labor.

Kyrgyzstan has few proven reserves of oil or gas, but has large deposits of gold, which has attracted foreign investors, and has also caused domestic political crises. In December 1993, the cabinet had to resign over allegations that the prime minister profited from a joint venture set up with a Canadian-based firm to develop Kyrgyzstan's gold. The scandal has had continuing political repercussions (see below).

Politics: Kyrgyzstan has been relatively stable, with no wars, coups, attempted coups, or serious ethnic violence since 1990. Moreover, the country enjoys a reputation as the most progressive, Western-oriented country in Central Asia. Askar Akaev, elected president by the Supreme Soviet in 1990, and then by the voters in an uncontested race in 1991, is the only president of a Central Asian country who did not formerly lead the Communist Party (he did, however, head the department of science, schools and higher educational establishments in the Central Committee of Kyrgyzstan's Communist Party). The press enjoys far more freedom than in Tajikistan, Turkmenistan, Uzbekistan, or even Kazakhstan, where criticizing President Nursultan Nazarbaev can be risky. Political parties in Kyrgyzstan are free to organize, propagandize, hold meetings and publish their newspapers.

Nevertheless, despite its advancement relative to other Central Asian countries, Kyrgyzstan has shown signs of authoritarianism and reversion to Soviet psychology and practices. After the December 1993 gold scandal, Akaev decided to hold, in January 1994, a referendum on whether he should finish his term in office. According to official figures, fully 95 percent of eligible voters participated, of whom 96 percent voted "yes." In May 1994, a law on protecting state secrets restricted the subjects journalists could address.

This tendency came to a head in summer 1994, when Kyrgyzstan experienced the clash between executive and legislative branches that has roiled Russia and other former Soviet republics. Akaev has charged that some deputies "accumulated capital as fast as possible while trying to deceive the electorate with empty demagoguery." He also accused them of "stopping at nothing in the struggle for power," impeding reforms, and being preoccupied with political games.

In fact, executive-legislative branch relations in Kyrgyzstan were more complicated. Parliament had given Akaev most of what he wanted, including an independent currency, privatization, and other IMF-approved measures, although the legislators rejected private ownership of land. But parliament had established commissions to investigate government corruption, focusing on the gold deal and official malfeasance in foreign investments, and privatization of enterprises, land and apartments. The commissions were about to issue reports in summer 1994, when the press and parliament both came under severe attack.

In July, some deputies began calling for the legislature to dissolve itself, with Speaker Medetkan Sherimkulov and Svobodnye Gory [Free Mountains], one of the parliament's newspapers, portrayed as conspiring to overthrow Akaev. The president accused the newspaper of harboring communist sympathies, of publishing anti-Semitic articles, and of irresponsible behavior damaging to Kyrgyzstan's relations with other states, i.e., criticizing their leaders. As the editor of the newspaper told Helsinki Commission staff, however, she had received a report on corruption from a parliamentary commission, had printed it in Kazakhstan, and was preparing to distribute it, but the August 19 edition of the paper was impounded by the Kyrgyz authorities. Akaev suggested that the courts close Svobodnye Gory, which was done the same month. At around the same time, Politika, a supplement to another newspaper, was also closed for criticizing Akaev. The founder and editor of Politika told Commission staff that in January 1995, she and the Soros Foundation—whose programs she directs in Kyrgyzstan -- had been accused of "espionage."

In September, Akaev's government engineered the parliament's dissolution, as members came under severe pressure to boycott the scheduled session. Over half of the deputies stated they would do so, making a quorum impossible, and the government resigned on September 6. On September 29, Akaev announced new parliamentary elections would take place on December 24. When the short time span for the campaign drew criticism from local opposition activists and foreign governments, including the United States, Akaev put off the date to February 5. In September, he also authorized the formation of a constitutional assembly—which had no constitutional basis -- to discuss a new basic document for Kyrgyzstan.

In October, Akaev moved to consolidate his position. A national referendum approved constitutional amendments permitting the constitution to be amended by future referenda, and on creating a bi-cameral legislature. The speaker of the former parliament questioned the need for a bi-cameral legislature in a unitary, not federal, state, but Central Asian leaders often tend to copy Russian initiatives. For example, Kazakhstan's President Nazarbaev has called for a bi-cameral legislature, a la Russia's Federal Assembly. More important, though, most local analysts assumed Akaev hoped to use a bi-cameral parliament to divide and rule, playing one chamber against the other.

Kyrgyz-Russian Relations: As elsewhere in Central Asia, the national renaissance in Kyrgyzstan has disturbed Russians and the Russian-speaking community, which fear second-class status. A December 1993 law gave citizenship to everyone who was a resident of Kyrgyzstan on December 15, 1990, the day sovereignty was declared. But language is a key irritant; the May 1993 constitution designates Kyrgyz as the official language. Though it guarantees the preservation, equal and free development, and functioning of

the Russian language and other languages, Russians and Russian speakers have complained about discrimination. Some 200,000 Russians have emigrated since 1990, and about 40 percent of Kyrgyzstan's 100,000 Germans have also left.

Those still in the country have organized to defend their interests, establishing, among others, the Assembly of the Peoples of Kyrgyzstan, Soglasie [Accord], the Association of Ethnic Russians, and the Slavic Fund. These groups stress equality of treatment and opportunity, regardless of nationality or clan, and urge making Russian Kyrgyzstan's second state language. Soglasie and several other organizations have begun publication of a newspaper called Soglasie in Osh.

Akaev has sought to tread carefully between the demands of Kyrgyz nationalists and the grievances and fears of Russians and Russian-speakers. He has frequently lamented the economic consequences of the mass emigration of Russians and others, and has offered them various inducements to stay. For example, Akaev vetoed laws passed by the previous parliament that would have reserved land and housing to the Kyrgyz people. He and his government issued decrees creating national cultural districts in areas of compact settlement by Germans. In June 1994, Akaev issued a decree blaming the Russian outflow on ethnic hostility and job discrimination, and mandating official status for Russian in regions and enterprises where Russians are a majority, and in technical and scientific sectors. He also ordered the extension of the deadline for using Kyrgyz in business correspondence. Since the December 1993 CIS Summit, he has called for dual citizenship, which, of all the former Soviet republics, only Turkmenistan has instituted. More recently, however, he has argued that dual citizenship would be insufficient, and has urged parliament to pass a law on the rights of national and ethnic minorities, which would give minorities a right to representation in parliament and in local and republic organs of self-government.

Moscow-Bishkek Relations: Moscow has often accused former Soviet republics of discriminating against Russians or the Russian-speaking population, whose interests, Moscow maintains are also at risk in Kyrgyzstan. Akaev's initiatives on their behalf have, to some extent, blunted such reproaches, and he has argued to Moscow that he can only do so much without parliamentary approval.

Moscow and Bishkek in June 1992 signed a Treaty of Friendship, Cooperation and Mutual Assistance, and Akaev has pursued cooperation with Russia in military training and defense. In July 1994, the two countries signed an agreement allowing Russian citizens to serve in Kyrgyzstan's armed forces on a contract basis. Those who stay in Kyrgyzstan can keep the apartments allocated to them for free; those who return to Russia are supposed to receive money from Kyrgyzstan for housing in Russia. An October 1992 agreement delegates the guarding of Kyrgyzstan's borders with China to Russian troops, who serve alongside Kyrgyz soldiers, under Russian control. Akaev signed the CIS charter on collective security, and Kyrgyz peacekeeping battalions are in Tajikistan, where mostly Russian forces are propping up the communist government.

While Akaev has consistently advocated greater integration among CIS states, he has stressed Kyrgyzstan's need for close ties with Russia, especially in the industrial sphere. On the other hand, Akaev has also supported Nursultan Nazarbaev's Eurasian Union initiative, which Moscow has opposed—presumably because it gives too much freedom and weight to the other republics.

ELECTION LAW

Deputies were elected from 105 single-mandate districts for a five-year term. Candidates had to be 25 years old and must have lived in Kyrgyzstan for at least five years; voters had to be at least 18 years old.

Nomination of candidates began three months before the voting. Registered political parties, labor collectives, social organizations and meetings of voters could nominate candidates. Individuals could also nominate themselves. Candidates nominated by labor collectives and voters meetings required 50 signatures; self-nominated candidates needed 500 signatures. Candidates had to deposit an amount equal to five months' minimum salary with the Central Election Commission (CEC). Their money was returned if they won at least ten percent of the electorate in the district. The law also required candidates who served in executive organs at the central or local level, or in the judiciary, to cease working at their official positions after being registered as nominees.

All expenses of the campaign and the election were covered by the state budget, but companies, public organizations and citizens could also contribute to a special fund controlled by the CEC. Established by Akaev in September 1994, the CEC was responsible for running the election. The U.S. State Department's country report on Kyrgyzstan pointed out that Akaev's formation of the CEC contravened the constitution, which gives this duty to parliament. Moreover, the CEC's 15 members included three representatives of political parties, two of whom were members of parties established by the government, while 12 members belonged to "organizations funded or otherwise controlled by the government."

District election commissions registered candidates and organized candidates' meetings with voters; precinct commissions drew up voters lists and administered the actual voting and vote count. These district and precinct commissions were composed of individuals nominated by political parties, labor collectives, and meetings of voters.

Fifty percent of registered voters had to participate for the election to be valid. If more than two candidates ran in a district and neither was elected, i.e., won 50 percent-plus-one, the district election commission was to schedule run-offs between the two highest vote getters within two weeks. The candidate who received the larger number of votes during the run-off won a seat in parliament. New elections, as opposed to run-offs, were to be held within two months if the first election was invalid, or if the run-off did not yield a clear winner.

The election law stipulated the principle of equality among the candidates with respect to exposure in the mass media. As elaborated by the CEC, that meant each candidate received five minutes on television and radio.

STRUCTURE OF PARLIAMENT

The original election law envisioned a single chamber parliament, but the October 1994 referendum sanctioned a bi-cameral legislature. The 35-seat lower chamber (Legislative Assembly) is a permanent legislative body, while the 70-member upper chamber (Assembly of Peoples' Representatives) meets occasionally to approve the budget, confirm presidential appointees, and vote on key laws.

POLITICAL PARTIES

All 12 registered political parties in Kyrgyzstan nominated candidates to the parliament, but parties are generally small, with vague platforms, and lack financial support. Only 161 of the registered candidates represented political parties (the largest number, 40, was from the Communist Party, usually considered the best organized). Apart from political parties, social organizations, such as the Union of Industrialists and Businessmen, or the Slavic Fund, nominated candidates.

The 12 parties run the gamut from Communist, on the left, to Asaba, on the right, i.e., Kyrgyz nationalist. Thus, the communists advocate: strengthening integration among the former Soviet republics, up to and including a political union; a state role in the economy, subsidies to viable collective farms, halting the redistribution of state property, and banning the sale and purchase of land; giving the Russian language appropriate status; and restoring Soviet-era social rights and guarantees. Asaba, on the other hand, stresses the revival of Kyrgyz traditions and language. It only accepts Kyrgyz as members, and backs Akaev's reforms and proposals except for dual citizenship and privatization of land.

In between these extremes, inter alia, are: the Social Democrats, whose vaguely worded program about introducing "democratic socialist principles" into all spheres of life reflects the views of mostly government officials; ErK, which stresses state regulation of the economy on behalf of the Kyrgyz people, and has backing in the business community, while Ata-Meken split off from ErK to adopt a more centrist, pro-government, position; the Republican People's Party, which seeks to be a constructive opposition, and, like the communists, emphasizes social equality; and, the Agrarian Party, which advocates a protectionist policy for Kyrgyzstan's agro-industrial complex.

CAMPAIGN

Kyrgyzstan's parliamentary election was truly multi-candidate: registration took place 5 days after nomination, and over 1000 candidates were registered. By election day, however, about 100 had withdrawn, leaving an average of nine candidates contesting each of the 105 seats (the largest number of candidates in a district was 22). Most candidates were nominated by work collectives and residents, not political parties. The candidates, most of whom had higher education, were of 19 nationalities, but there was a noteworthy discrepancy between the number of Kyrgyz candidates and everyone else, considering that non-Kyrgyz constitute some 46 percent of the population; there were 870 Kyrgyz, 60 Russians, 46 Uzbeks and 10 Ukrainians, with others, such as Kazakhs, Tajiks and Germans, represented in the single digits.

Several of the candidates had legal problems. The Procurator General twice asked the CEC to agree to bring to justice several former deputies, as well as some candidates who were directors of enterprises involved in corruption and embezzlement. One candidate, in fact, ran for office while in hiding from the authorities (and later won). Observers, including President Akaev, openly voiced their concern, or cynical conviction, that many candidates sought a seat in the legislature for the parliamentary immunity that protects deputies from indictment.

Kyrgyzstan received election assistance from various foreign organizations and countries. The United Nations provided the CEC \$20,000 to cover expenses and training. Denmark supplied faxes, printers, computers, as well as 20 tons of colored paper for the ballots, while Turkey provided colored paper for the run-off elections. The Washington-based International Foundation for Electoral Systems (IFES) helped

the CEC produce public service announcements for television, which were broadcast twice daily in Russian and Kyrgyz. In addition, newspapers devoted considerable space to the campaign, publishing candidates' platforms, as well as instructions showing voters how to fill out ballots.

As mentioned above, the election law forbade using non-government sources of funds for campaigning. One of the more unusual and controversial aspects of the campaign, therefore, was the CEC's decision, two weeks before the election, to permit candidates to campaign as they wished, using any financial means at their disposal. Protests by candidates with less money were unavailing.

There were many reports about the use of pressure and bribes. Candidates told of being intimidated into withdrawing, or of local officials who would not give them the mandated airtime on local television, or allow their platforms to be printed in local newspapers. In Talas oblast, candidates alleged that the entire oblast press, radio and television had been ordered to work on behalf of one candidate and against all the others. They also charged that their meetings with voters had been cancelled. Candidates in Naryn Oblast alleged that local authorities dismissed one candidate's trustees and refused another candidate television airtime. Elsewhere, candidates charged that their assistants had been fired from their jobs. And throughout the country, there were allegations that candidates were buying votes with money, gasoline, or other deficit commodities, such as flour, rice, or shoes.

OBSERVERS

About 60 foreign observers monitored the balloting and the vote count. They represented various organizations and countries, including the United Nations, the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), the European Union, several CIS states, and various American non-governmental organizations.

Kyrgyz monitors also observed the election process; it was the first time that they were permitted to do so by law. Each candidate could have up to three observers, who—one at a time -- were authorized to monitor the voting and vote count.

VOTING

On election day, Helsinki Commission staff visited polling stations in Bishkek and in surrounding rural communities in the mountains. Polling stations were open from 7 a.m. to 8:00 p.m.

Most voters in Kyrgyzstan received four ballots: two for the two chambers of the parliament, and one apiece for regional and district representative bodies, to which elections were simultaneously taking place. In Bishkek and Osh, where two candidates were contesting the position of mayor, voters received three ballots: the two parliamentary ballots and another for the mayor's race.

The ballots (colored blue for the lower chamber, white for the upper chamber) contained the candidates' names and their position or profession. Voters had to cross out the name of the candidates they were voting against; it was noted at the bottom of the ballot that a ballot with more than one name left untouched would be invalid, as were ballots not stamped by the election commission.

At many polling stations, the prevalence of older people was notable. This is fairly common in the former Soviet Union, where deeply entrenched patterns among the Soviet-era generation continue to hold sway, despite growing cynicism, apathy and desperation. Many pensioners, for example, complained about not having received their pension for months, yet dutifully came to vote.

The performance of the local election officials in the polling stations visited by Commission staff was quite mixed. In one instance, they allowed two young men to get on the supplementary voters list without passports or any other documents. Elsewhere, however, they staunchly refused to let people vote for others or to vote without the proper documents. One old woman, very annoyed because her name was not on the voters list, wept, complaining about economic hard times and how little had come from elections before this. Another elderly woman who wanted to vote for her son, but was refused, told Commission staff "they don't let people vote so that later they can vote for them."

The local press reported on numerous violations of the sort mentioned above. Vechernii Bishkek's correspondent recounted (February 6) that she had been able to vote nine times for various candidates at polling place No. 65, where election officials gave her ballots. Nor did either of the two local observers notice or object to her "stuffing into the box a wad of ballots the thickness of a volume of the Kyrgyz Encyclopedia."

RESULTS

Officially reported turnout on February 5 was over 72 percent. Only 16 candidates won seats in the first round, necessitating run-off elections. Among the early victors were world-reknowned Kyrgyz author Chingis Aitmatov and two former leaders of the Communist Party.

In the second round of elections on February 19, turnout was about 61 percent. Unlike the first round, candidates did not have to win 50 percent plus one to win a seat. Sixty deputies were elected; together with the 16 who had won seats in the first round, they constituted more than the two-thirds needed for a quorum to convene the legislature.

As during the first round, there were many complaints about violations, such as ballot stuffing. Among the losers was former parliament Speaker Medetkan Sherimkulov, Akaev's bete noir, who charged that officials in his election district had connived to ensure his defeat. On February 27, Akaev established an independent public commission to investigate these allegations. Its 34 members included representatives of parties, trade unions, movements, ethnic associations, media, labor groups, and lawyers.

By March 1, 86 of the 105 seats had been filled. New elections are scheduled in six districts, where less than half of the registered electorate had participated. The following parties have representatives in parliament: Ata Meken (2 seats), ErK (2), Social Democrats (3), Communists (2), Party of People's Unity (2), and Agrarian Party (1).

CONCLUSIONS AND PROJECTIONS

Democratization: The campaign and the voting in Kyrgyzstan's parliamentary election were unquestionably marred by violations, intimidation, official pressure, vote buying, fraud, etc., as conceded by President Akaev himself. Nevertheless, unlike Turkmenistan, Tajikistan or Uzbekistan, which permit no

opposition parties or opposition press, Kyrgyzstan at least allowed for multi-party, multi-candidate contests. Kyrgyzstan's parliamentary election was much freer and fairer than elections or referendums in these other newly independent states of Central Asia.

Moreover, the composition of Kyrgyzstan's new legislature reflects the changes in Kyrgyzstan since 1990. The first-round victory of the country's two previous Communist Party leaders provoked initial alarm that Kyrgyzstan's elections would produce a communist legislature, as in various other countries in the former Soviet Union and Eastern Europe. Those fears proved unfounded. Communist Party/nomenklatura functionaries had dominated the previous parliament, but the new parliament includes only six of the former deputies; the rest are a mix of government officials (central, regional, local), businessmen, representatives of the intelligentsia, and clan leaders. The single largest group (25) is engineers, followed by seven economists, seven teachers, five surgeons and five lawyers.

More than one organization could nominate a single candidate, and party platforms and affiliations are weak, so there is no reason to assume that deputies from any one party/group will act as a unified bloc. Nor is there any certainty that the legislators will develop an institutional sense of loyalty, and become a forum for the development of real political parties. But if they feel their interests are sufficiently threatened, they may respond by acting as a counterweight to an increasingly powerful executive.

The first session of the Jogorku Kenesh opened March 29. Members of the Legislative Assembly elected as speaker a nominee of the Communist Party, Mukar Cholponbaev, a former Minister of Justice. His two deputies are trade union activist Alevtin Pronenko and entrepreneur Daniyar Usenov. The Assembly of People's Representatives elected as speaker Almambet Matubraimov, a former deputy prime minister, from Osh (an obvious gesture to the south). His two deputies are Anatoly Maryshev and Bakhtiar Fatakhov, representing the Russian and Uzbek communities, respectively.

One of the parliament's first agenda items was a motion to annul deputies' immunity from prosecution. The motion did not pass, but deputies did lower from two-thirds to a simple majority the number of legislators required to consent to deprive one of their colleagues of immunity. The failure to deprive deputies of parliamentary immunity, in an atmosphere of widespread suspicion of candidates' financial dealings and motives for running, probably reinforced public distrust of the political process. Such cynicism about "business as usual" would have been exacerbated by the March 27 decision of the independent commission to investigate complaints about the election law violations to disband itself. The Central Election Commission, charged commission members, refused to share documents with them, making it impossible for them to do their job.

Parliament and Executive-Legislative Branch Relations: Kyrgyzstan is not immune to general trends in Central Asia (and throughout the former USSR) towards authoritarianism, strong executive power, and pressure on legislative, representative bodies. One illustrative example are Akaev's charges that the previous parliament had become an arena for political struggle, as opposed to lawmaking. But, as the speaker of the previous parliament pointed out to Slovo Kyrgyzstana (February 7), legislatures are the most natural and obvious place for "politics." Otherwise, they become simply rubber-stamp bodies for government initiatives.

The crux of this struggle will be the powers of the Jogorku Kenesh, which are still undetermined, as are the relations between the two chambers. Akaev appointed a Constitutional Assembly to study how to implement the October 1994 decision to create a bi-cameral legislature, and to consider amendments backed by Akaev on owning land, a new branch of the judiciary, and the restructuring of local government. Public comments and suggestions on the amendments were to go to the Constitutional Assembly by March 25. On March 24, the Constitutional Assembly convened and approved Akaev's amendments, which are now before the new parliament.

These amendments would limit parliamentary power, and threaten the separation of powers and the principle of checks and balances. The amendments facilitate presidential rule by referendum, as he could call one for any purpose, whereas parliament would require a two-thirds majority. Moreover, if the upper chamber rejects the president's choice of prime minister twice in three months, he can dissolve parliament and appoint him anyway. Akaev has also called for a new judicial body, whose members the president would appoint, and for allowing lower level government employees to serve in the Assembly of Peoples' Representatives, which could make them instruments of executive power.

Consideration of these amendments will take up much time in parliament. Opposition-oriented legislators could counter with their own proposed amendments; during the campaign, some advocated amending the constitution so as to include provisions for impeaching the president.

Another possible channel for confrontation is presidential appointments. Akaev now appoints, and removes at will, akims, officials who run regions (like governors). The parliament could press to extend the principle of electing representatives down to the level of regional bosses.

Referendum on Extension of Presidential Term: Throughout the election period, it was assumed that the presidential campaign of 1996, when Akaev would have to run for re-election, would be the focal point of politics in 1995-96. One of the most frequently mentioned contenders was writer Chingis Aitmatov, who enjoys popularity, respect and instant name-recognition among the electorate. Aitmatov had been away from Kyrgyzstan for three years, serving first as Russia's ambassador to Luxembourg, then as Kyrgyzstan's ambassador to Belgium. Nevertheless, he won a parliamentary seat in the first round; the CEC had to bend the rules to let him run, as candidates were supposed to have lived at least 5 years in Kyrgyzstan. Even more flagrant bending would be needed for him to run for president, which requires 15 years' residence in the country.

But on April 4, a group of deputies launched an initiative to start a petition drive for extending Akaev's presidential tenure in office until the year 2000. This tactic has become widespread in Central Asia: Turkmenistan pioneered it in January 1994, followed by Uzbekistan in March 1995, and Kazakhstan in April 1995. Amid the constant swirl of rumors about the cancellation or postponement of Russia's presidential elections, Rossiiskaya Gazeta, the newspaper of the Russian government, has also printed an article urging the same course on Boris Yeltsin. It seemed certain after April 4 that Kyrgyzstan would follow suit, given the progression of events in other countries and within Kyrgyzstan.

On April 12, however, the Embassy of Kyrgyzstan in Washington issued a press release announcing that the possible extension of Akaev's presidential tenure is "not currently being considered by the government." Nevertheless, the example of neighboring states is at hand, and the temptations may be many—if parliament does not abandon corruption investigations, if the economy does not pick up, if living standards continue to fall, and if Akaev's position starts to look shaky.

Economy: Akaev's general economic plan is to turn Kyrgyzstan's agriculturally-based economy towards light industry and microelectronics. Meanwhile, the situation is grim: in January 1995, some 35 percent of Kyrgyzstan's enterprises were totally idle.

The new parliament asked Apas Jumagulov, the previous prime minister (in office since December 1993), to form a new government, reconfirming him in his status. He called for developing new export industries, hydro-electric power, farming, textiles, and, gold mining—on which great hopes are pinned. Jumagulov also urged the privatization of all state and collective farms. Presumably, Akaev and his government will again seek a law sanctioning private ownership of land with a new group of deputies he hopes will be more cooperative.

Another key development issue for Kyrgyzstan is infrastructure, which embraces communications, roads, and an outlet to the sea. On March 22, Akaev stressed the importance of a new highway from China to Pakistan that will run through Kyrgyzstan and is supposed to open this summer, as well as a new railway to the Persian Gulf through Turkmenistan and Iran, which opens next year. Akaev is hoping the completion of these roads will turn Kyrgyzstan from an isolated backwater into a transit country.

Despite these initiatives, Kyrgyzstan's economy is in poor shape. The government is hoping for foreign investment, which depends on stability and continued economic liberalization. These policies, however, risk worsening the already dire economic situation of many Kyrgyzstanis, and newly elected deputies who promised their constituents a better deal may oppose accelerated marketization of the economy.

Relations with Neighbors: To the south lies China, which many Kyrgyzstanis profess to fear. A commonly expressed concern is that many Chinese are working in Kyrgyzstan, simultaneously providing cheap labor and buying up the country's assets. The dread of being swallowed by an enormous neighbor, with which Kyrgyzstan is also involved in border disputes, will likely induce Bishkek to cleave to Moscow. The absence of a common border between Russia and Kyrgyzstan can allay to some degree Kyrgyz fears of being swallowed by a giant Slavic, as opposed to Chinese, state.

Kyrgyzstan's relations with another neighbor are also problematic. Uzbekistan, with over 20 million people, is the growing regional power in Central Asia, as the other countries are well aware. Moreover, Uzbekistan controls Kyrgyzstan's natural gas, so President Islam Karimov has strong influence on Akaev. When articles about the lack of democratization and human rights violations in Uzbekistan (as well as Kazakhstan and Turkmenistan) appeared in newspapers in Kyrgyzstan, authorities in Bishkek pressured editors to tone down their criticism. The unequal relationship between Bishkek and Tashkent also has symbolic form: Uzbekistan still has no embassy in Bishkek, even though Kyrgyzstan has an embassy in Tashkent. At some point, an increasingly powerful Uzbekistan could even threaten to absorb all or parts, especially the Uzbek-populated areas, of Kyrgyzstan.

Tajikistan, also just across the border, does not present the same threat to Kyrgyzstan, although some southerners have expressed concern about Tajik encroachments on Kyrgyz territory, and border disputes may erupt in the future. The experience of that war-torn country is an object lesson for Kyrgyzstan of the dangers of long-suppressed regional grievances, political feuding and outside interference amid ethnic tension.

In July 1994, Kyrgyzstan, Kazakhstan and Uzbekistan agreed to create a comprehensive defense and economic union. The program ostensibly aims at standardizing laws and coordinating finance and economic planning. Inter-state committees for foreign affairs and defense have also been formed. In the economic sphere, as Akaev has noted, the railroads, gas pipelines and international highways that link Kyrgyzstan with the outside world run through Kazakhstan and Uzbekistan, while Kyrgyzstan supplies Kazakhstan with electricity, so integration is essential. But such integration is more essential to relatively poor Kyrgyzstan than to its richer neighbors.

Along with Kazakhstan, Kyrgyzstan signed on March 9 a quadripartite agreement on new roads that will provide link-ups with China and Pakistan. China now accounts for 25 percent of Kyrgyzstan's trade turnover. Kyrgyzstan supplies electricity across Chinese territory to Pakistan. Roads from the latter's capital, Islamabad, connect to the port city of Karachi, ultimately giving Kyrgyzstan access to the ocean.

Human Rights: Kyrgyzstan is indisputably the freest state in Central Asia. There are no political prisoners and political parties can participate in politics. Nor is there any reason as yet to expect any serious deterioration in these regards.

There are, however, troubling trends, especially with respect to freedom of the press. In August 1994, when the attack on the press was in full gear, Akaev decreed the formation of a council on the mass media, which is supposed to "help journalists in their work" and keep the media "from causing political instability and upsetting inter-ethnic accord and civic peace." The head of Akaev's press service, himself a former journalist, has recently charged that "for some newspapers criticism or praise of the president has become an end in itself." The closing of Svobodnye Gory and Politika not only silences those newspapers, it sends a distinct message to all the others. Akaev reportedly rejected in January the passage of a new law on the media, though he said the existing law might be amended. Any new draft or amendments would likely emphasize the virtue of "responsibility" among editors; some of them would resist, but they would have a difficult time without help from more influential institutions, such as a parliament concerned about growing executive power and caprice.

In February, Akaev signalled his intentions by decreeing the establishment of Erkin Too—Svobodnye Gory, to replace two parliamentary newspapers which had been forced to close. The new paper, which appears twice a week, in Russian and Kyrgyz, is now a government newspaper. In early April 1995, Akaev brought a suit against Res Publica, one of the few remaining independent newspapers, which has criticized the president; in this particular case, the paper printed a story alleging that Akaev had received a villa in Switzerland and a house in Turkey. Akaev strenuously denied the charge, and sued for libel. Newspapers in the post-Soviet era do often publish unproved reports and allegations, which may well be the case in this instance. Nevertheless, the media in Kyrgyzstan have reason to fear continuing pressure from the authorities.

While discussions proceed about the press, the government still owns all but one of the radio and television facilities, and television is tightly controlled. Journalists in Bishkek told Commission staff it would be very difficult, if not impossible, to criticize Akaev on television, even if the same material was printed in the press.

The North-South Divide: With the parliament's upper chamber oriented towards regional interests, the perennially aggrieved south will have an established forum for negotiation and power struggles. Kyrgyzstan's relatively few large industrial enterprises are mostly in the north, but the south has about 55 percent of population (after the emigration of Russians and Germans), as well as coal, oil, tobacco, and cotton production. Battles over budgets, subsidies and positions can be expected, with Akaev trying to balance north and south, while retaining the upper hand.

Presidential prerogatives and regional politics collide, and coalesce, in Akaev's stated hopes of neutralizing "tribalism," i.e., regional-based clan politics. During the parliamentary election campaign, he appointed his chief of staff, a northerner, akim of Osh oblast (in the south). Locals reportedly considered the appointment an insult. The practice of appointing akims from Bishkek, already problematic for reasons mentioned above, could also become a lightning rod for regional grievances.

Because of poor infrastructure and rising costs, travel to Bishkek from the south has become expensive, which decreases the contacts between the regions, and heightens the sense of alienation among them. Akaev has called for a new north-south railroad line, but it is uncertain how it will be financed.

Kyrgyz-Russian Relations: Bishkek is negotiating with Moscow over the legal status of Russians and Kyrgyz in each other's countries, and the procedure for individuals to regain their citizenship if they return to Kyrgyzstan after having emigrated to Russia. (Russia has already come to terms with Kazakhstan on these issues.) In March 1995, the two governments signed an agreement on the basic principles of trade and cooperation, pledging to coordinate their economic reforms, and they are gradually eliminating customs duties. Talks are underway on cultural and scientific cooperation, and on Kyrgyzstan's joining the Russia-Kazakhstan-Belarus customs union. To sweeten the deal, Akaev has also proposed to Moscow joint financial-industrial groups, which would give Russia controlling shares in Kyrgyzstan's 29 largest enterprises. In general, it appears that Kyrgyzstan is prepared to cede much of its economic sovereignty to Russia in return for steady orders and supplies, as well as stable relations.

As for enhanced military cooperation, Kyrgyzstan's defense minister has been enticing Moscow to regain its strategic footholds in the country. He has invited Russia to take over formerly Soviet anti-aircraft posts and several military airfields in the corridor between Russia and China, warning, none too subtly, that otherwise NATO might find these assets of interest.

On the home front, facing a new and possibly more malleable parliament, Akaev will likely pursue with greater vigor his longstanding initiatives to assuage Russian concerns and stem the flow of emigration. These include giving the Russian language some formal status, and pressing for dual citizenship, currently prohibited by the constitution. One recent gesture Akaev made to Kyrgyzstan's Russians concerned an important position in local politics. He issued a decree, giving himself the right to nominate candidates for the mayoral race in Bishkek, and chose a Kyrgyz and a Russian; the latter, Boris Silaev, easily won. But *Nezavisimaya Gazeta* reported (February 24) that, as of the second round of voting, there are only five Russians in parliament (along with seven Uzbeks).

Akaev's efforts to reassure Russians in Kyrgyzstan cannot reverse the unraveling of the USSR, the fact that Kyrgyz are favored in government and other positions, and that non-Kyrgyz see a glass ceiling limiting professional possibilities for themselves and their children. Their decision to stay in Kyrgyzstan or to seek their fortune in Russia or elsewhere depends on many factors, primarily their assessment of the dangers and opportunities at home, and the difficulties of life as migrants they will encounter wherever they go.

Crime: Crime and corruption have become extremely serious issues for politicians and the public in Kyrgyzstan, as in other former Soviet republics. The press has reported that humanitarian aid from the U.S. and other Western countries has been stolen and sold for market prices and higher, instead of being delivered to intended recipients. Moreover, Kyrgyzstan, apart from growing its own wild hemp, is located on the route for narcotics trafficking from Afghanistan, which is flooding other CIS states, Europe and the United States with opium and heroin.

On March 25, according to Interfax, Akaev said crime had become so widespread that it was threatening Kyrgyzstan's stability. He has promised stepped-up campaigns against crime, and called for longer prison terms for convicted criminals, and for purging the law enforcement organs. Legislation, however, can effect relatively little relief for violent crime, until or unless the economic situation improves. But the parliament will be under pressure to address corruption, possibly with a law like RICO in the United States, which facilitates crackdowns on organized crime, and by mandating disclosure of officials' financial holdings and dealings. Many deputies, though, for obvious reasons, are likely to oppose such a law, or to try to water down its implementation.

Islam: Though religion does not define Kyrgyz life or politics, Islam is by all accounts becoming more prominent in symbols and people's behavior. Akaev sends greetings to his countrymen on Muslim holidays and emphasizes Kyrgyzstan's Muslim traditions. Slovo Kyrgyzstana (February 4) reported on the opening of a Medres, a religious educational institution, large enough to accept 500 students, in Talas (pupils can be boys and girls at least 15 years old). The Medres, reported the newspaper, was the eleventh in Kyrgyzstan. Mosques are also being built all over the country, and praying and fasting, especially in the south, are reportedly becoming more common. Bishkek has also sought closer relations with Islamic countries outside the CIS, specifically Turkey, Iran, and Pakistan, and has joined the Islamic Conference and the Organization of Economic Cooperation.

But while Akaev will continue his outreach to Islam, his government will likely take measures to prevent it from becoming overtly, and overly, influential politically. Perceptions among Russians of the intensifying Islamicization of Kyrgyzstan could only induce more of them to leave. Akaev can also lean on Article 8 of the May 1993 constitution, which bans religion-based political parties.

Implications for U.S. Policy: In 1992-1993, Kyrgyzstan's relations with the United States were practically idyllic, as Washington saw Kyrgyzstan as the most progressive, Western-oriented state in Central Asia. President Clinton said Kyrgyzstan was a model for former Soviet republics, and Strobe Talbott called President Akaev "a true Jeffersonian democrat." With U.S. aid conditioned on progress towards political democracy and a market economy, Kyrgyzstan seemed beyond reproach, especially when compared to its neighbors.

In 1994, the bloom on this rose faded. The January referendum, in which turnout and support for Akaev resembled Turkmenistan-style elections, caused unease. Akaev's occasional remarks about the unsuitability of Western-style democracy for Kyrgyzstan strengthened doubts about his commitment to democracy. Most alarming were his moves against freedom of the press in the summer, especially the closure of Politika, and the orchestrated dissolution of the parliament in September-October.

With authoritarian tendencies gathering strength throughout the former Soviet Union, especially in Central Asia, Kyrgyzstan will probably be increasingly constrained by its neighbors not to stray too far ahead of the pack in terms of Western-style democracy. At the same time, Akaev, having already moved successfully against the media and the parliament, will try to consolidate these gains, and protect himself against criticism or attempts to undercut his presidential prerogatives.

On the other hand, even a more authoritarian Kyrgyzstan will remain far ahead of Turkmenistan, Tajikistan and Uzbekistan. Comparisons with Kazakhstan are somewhat more problematic, but President Nazarbaev's March 1994 dissolution of the parliament, as well as his April 29 referendum on extending his term of office until 2002, will assure Akaev and Kyrgyzstan first place in the Central Asian democracy race for the foreseeable future. Still, the terms of reference, as well as expectations, in Washington will likely take on a greater relativism, as the CIS countries, including Russia, gravitate towards familiar, tough methods of rule. U.S. executive branch and Congressional pressure will be needed to help ensure that freedom of the press and parliamentary representation in Kyrgyzstan.