CHAPTER FOUR

INTERNATIONAL’S COMMUNITIES POSITION ON DEMOCRACY AND HUMAN RIGHTS IN KYRGYZSTAN AND TURKMENISTAN
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The disintegration of former Soviet Union and the subsequent emergence of independent Central Asian republics changed the balance of power in the region. Due to its geographical proximity to Europe, China, Russia, Middle East and South Asia the region emerged as a distinct geopolitical entity stimulating global attention and interests. Immediately after independence of Kyrgyzstan and Turkmenistan, Western countries focused their attention on the development of democracy and democratic institutions like presidency, parliament, political parties and judiciary. However, after sometime the political system that was adopted in these countries had turned into authoritarianism, where all the powers of the state are concentrated in the hands of the president. Thus, the ruling elites in these republics gradually started consolidating all the powers of the state into their own hands by repressing political opponents, civil and political rights of the people and media. This led to vast human rights violations and also to weakening of democratic institutions in these republics.

The chapter analyzes the views of international community particularly the western countries and the Russia towards the working of democracy and the implementation of human rights in Kyrgyzstan and Turkmenistan since independence.
The US View

After the dissolution of the Soviet Union at the end of 1991, the United States recognized the independence of all the former Central Asian republics and established diplomatic relationships with them. The main focus of the US Government in the initial years of independence of Kyrgyzstan and Turkmenistan was to establish stable democratic regime in these countries. The US Government offered them all possible support to establish democratic institutions based on modern principles of multiculturalism, liberty and rule of law (Aras 1997). During the 1990s the United States began to build its influence in the region. The US Government established diplomatic relations with Kyrgyzstan, and Turkmenistan. In 24 October 1992, the US president George Bush (the father of the present US president, George W. Bush) signed an agreement known as Freedom Support Act (Public Law 102-511) to establish democracy in these newly independent republics of Kyrgyzstan and Turkmenistan. The agreement also made a provision that these republics should pay more attention towards human rights violations and Islamic fundamentalist groups (The Freedom Support Act, 1992). After the Bush administration the new Democratic government under Clinton also viewed that the newly independent states of Kyrgyzstan and Turkmenistan are at the critical point of their democratic transition phase. The US leaders believed that these newly independent states have no experience of democracy and political culture for modernization, and therefore it is the responsibility of the US to encourage them to adopt democracy and establish democratic institutions in their respective countries.
Though the Constitutions of Turkmenistan and Kyrgyzstan have embraced the symbols of democracy such as multi-party system, independent and powerful judiciary, independent media, rule of law, etc, but in practice democracy proper is not realized. According to Freedom House Report during the last five years of his rule, Askar Akayev steadily consolidated his power and misused it to neutralize rivals, intimidate independent media, and manipulate the judiciary (Freedom House Country Report, Kyrgyzstan 2006). When elections were held in these republics, presidents won nearly all the votes, and serious opposition candidates were not allowed to contest the elections. American diplomats have tried to convince these presidents that “winning an election with 60 percent of the vote is just as good as winning with 90 percent,” one senior official said, but “they just can’t internalize that point. They are complete control freaks.” The Central Asian Governments go through the notions of having elections because they need Western economic aid and political cooperation. Central Asian leaders have yielded to U.S. pressure on some occasions, but they have ignored it many times. Secretary of State Colin L. Powell sent a private letter to Akayev, urging him to take steps to restore his early reputation as a democrat in Kyrgyzstan, with little evident result.

Turkmenistan is one of the most tightly controlled republics in the entire Central Asia. Its former communist party leader and President ‘Turkmenbashi’ (Chief of the Turkmen) Saparmurat Niyazov had constructed a personality cult and squandering the country’s mineral wealth on sprawling palaces and rotating golden statues of himself. Due to geo-strategic interests of energy resources, the US put a blind eye on the
political developments and human rights situations in Turkmenistan. According to Christopher Walker, director of studies, Freedom House, Turkmenistan is one of the most repressive states in the world. The government controls all media, which is used principally as an instrument to promote the personality cult of the country’s president, Saparmurad Niyazov. The main features of media control include deep involvement of presidential family and close associates in ownership and management positions at broadcast and print news organizations.

However, after one decade, various US experts believe that these governments have justified their concentration of power in the hands of the executive, the avoidance of elections, the retarded development of participatory government, and their curtailment of civil liberties in terms of national security. However, the irony is that Kyrgyzstan was viewed, in relation to the other four Central Asia republics, the least dictatorial of them. In neighbouring countries, the government’s human rights record is far worse while Turkmenistan is entirely given over to the personality cult of its dictator Saparmurat Niyazov. The authoritarian governments of the region assume that American compulsions of security and their geo-strategic interests in these countries will deflect international criticism of their human rights records and failure to democratize.

After the September 11, 2001 terrorist attacks, America’s focus in Central Asia shifted from democracy and human rights to creating strong security ties with these states (Hill 2002). Soon after September 11 attacks, the US secretary Powell visited Central Asia in December 2001 where he praised
the democratization process of Kyrgyzstan. After the September 11 attacks public statements by US officials have tended to stress military cooperation rather than political and human rights concerns. This led many regional experts to believe that democratization and human rights have been downgraded in the list of US priorities.

According to the US Department of State Country Report on Human Rights Practices for 2002, presidential powers in both Kyrgyzstan and Turkmenistan overshadow the legislative and judicial powers. The governments have not made much progress in the establishment of democratic institutions in these republics. Turkmenistan is viewed as the most authoritarian and repressive state in the entire Central Asia (Human Rights Report: Turkmenistan and Kyrgyzstan 2003). In these countries, unfair elections and unseemly extension of presidential terms increase political alienation, and frustration among the population have led to the formation of clandestine groups seeking to overthrow the undemocratic regimes. While interviewing with IRIN on, 11 Nov 2004, Tracey Ann Jacobson, US Ambassador to Turkmenistan, said that the parliament (Majlis) and the judicial system of the republic have no genuinely independent authority.

In November 2003, during the US Congress debate on Political situation in Turkmenistan, the Congressman Christopher H. Smith of New Jersey said that after the assassination attempt on Niyazov (25 November 2002), the human rights situations in Turkmenistan had further deteriorated. He added that Niyazov’s response to November 25, 2002 has trampled on civilized
norms, even if his allegations are true. In the wake of the arrests, all opposition – real or imagined – has been crushed. Quick show trials of the accused were broadcast on television, after which they received long prison sentences with no access to relatives or international organizations. Some of the opposition leaders have already died in prison. He further said that unfortunately, the U.S. response to Turkmenistan’s blatant disregard for human rights has been shamefully weak. He added that the United States and the international community must condemn the actions of Niyazov’s regime and continue working to bring Turkmenistan towards civilized and democratic norms. According to western experts stronger diplomatic pressure has not been applied, perhaps partly because Turkmenistan has been cooperative in granting over-flight to the US Air Force and has maintained a balanced foreign policy between Moscow and Washington.

In early 2004, US policy makers raised concerns about mass arrests and tortures in the wake of November 2002 assassination attempt and made a request to OSCE to investigate. In April 2004 the US embassy successfully got release of US citizen Leonid Komarovsky, who was accused of involvement in the November 2002 events. The tone of relations was best expressed by Ambassador Tracey Ann Jacobson who said at her Congressional confirmation hearing in 2003 that the US is very much interested in Turkmenistan due to its natural resources and strategic position but there are barriers to cooperation, in particular the leadership’s unwillingness to carry out democratic or economic reforms in the republic. Turkmenistan had “chosen a gloomy path of development copied from the
Soviet Union and the US must focus on ‘training the next generation’ of citizens so that they can make a modern developed state’.

On February 2004, another branch of US government issued a report criticizing the Central Asian republics for abuses of political and civil rights. In the State Department’s annual review of human rights around the world the gravity of the concerns were outlined. Kyrgyzstan was mitigated only by the fact that things appeared even worse in Turkmenistan. Not for the first time, Central Asia report card made dismal reading. Human rights observance remained “very poor” and the governments continued to commit “numerous serious abuses”.

Some Western observers of Central Asia have looked at the region with a skepticism bordering on condescension. There has been speculation that Western-style political democracy is not suited for the region. Democracy isn’t understood by the people and cannot take root until Western-style constitutions are in place. Central Asian Governments will ultimately choose to be authoritarian; and in any case, efforts to implement democracy must take a distant second place to economic reform. Inspired by Samuel Huntington’s theory that some civilizations simply aren’t capable of embracing and institutionalizing liberalism, these skeptical Western attitudes have at least deterred a pernicious crusade that might seriously backfire by ignoring context, history, and culture. Americans have more than once botched well-intentioned interventions on the international scene.
The US has been active at the OSCE criticizing restrictions on religious freedom and lack of international access to prisoners. This pressure coupled with meetings between US representatives and Niyazov, seemed to bear fruits in March 2004. The US State Department has not listed Turkmenistan as a Country of Particular Concern, under the US International Religious Freedom Act as requested by US Commission on International Religious Freedom, preferring to use the threat of listing to seek changes from the regime. Similarly the administration in 2004 issued a waiver under the Jackson-Vanik amendment granting Turkmenistan normal access to US market on the basis that restriction on emigration had been eased in early 2004.

Since the independence of Kyrgyzstan and Turkmenistan, the American Government started various donor programmes to promote democracy and civil rights in these republics (Development Challenge: The Foreign Policy Context, Congressional Budget Justification FY 2004). The US policy goals in Kyrgyzstan and Turkmenistan include fostering stability, democratization, and adherence to international human rights standards. The US priority is to discourage attempts by authoritarian regimes and groups to block or subvert progress towards these goals. Administrative policies also concerned about human rights and civil liberties problems in these newly independent republics. The United States has supported these integrative goals through bilateral aid and through coordination with other aid donors, including regional powers such as Turkey. These and other means are used to discourage radical regimes and Islamic fundamentalists who use repression or violence to oppose democratization.
After the Tulip Revolution (March 2005), a major concern of US policy in Kyrgyzstan and Turkmenistan has been to foster the long-term development of the democratic institutions and policies upholding human rights. The US Secretary of State Condoleezza Rice visited Central Asia in October 2005. The main purpose of her trip to Central Asia was the encouragement and establishment of democracy, after the Tulip Revolution. During her visit she said, “We know the aspiration for democracy and for freedom and for liberty is indeed a universal one, and the United States will stand with the people of Kyrgyzstan as they continue developing a stable and free democracy” (www.newsmax.com). The US Secretary in one interview with Kyrgyz National TV while supporting Tulip Revolution (11 October 2005) said, “We are very impressed with the Tulip Revolution broke out in Kyrgyzstan resulted in the change of regime in the republic. The US government supported the revolution and the people of the country as they decide to pursue democracy”.

After the death of Saparmurad Niyazov the US delegation visited Turkmenistan in August 2007 to discuss human rights with the Turkmenistan officials. During the visit Catherine Cosman, a senior policy analyst at the US Commission on Religious Freedom said that Turkmenistan people feel more optimistic and hopeful about recent changes since Gubanguly Berdymuhammedov became president. She added there is a long way to go in terms of human rights situation. She said, “the government has undertaken a few symbolic steps, so far only symbolic one, and has indicated a willingness to undertake some structural reforms” (Radio Free Europe Radio Liberty, 27 September 2007). United States of
America provided support to Central Asian republics for the democratization of their political system particularly political parties, voters' education and electoral laws, legal and constitutional reforms, media and educational exchanges, holding free and fair elections in the region (Jeffrey 2005). All the Central Asian leaders have given assurances to the United States that they would support democratization in the region, but in reality these leaders have established authoritarian type of regimes in the region. During his visit to the United States of America in 1994, the Turkmenistan President Saparmurat Niyazov and the then US President Bill Clinton signed a charter on Democratic Partnership and respect for human rights.

“There are a number of conflicting policy concerns. The US has formally adopted a position on democracy and human rights and the last State Department report was critical of the human rights situation in Central Asia. But the need to maintain strong bilateral relations, especially military, tends to override this policy requirement,” said Roy Allison, an expert on the region and its security concerns at the Royal Institute of International Affairs in London.

US officials deny that there has been any volte-face on the reforms and improvements they have been pushing for over the past decade. In fact, Assistant Secretary of State Craner told IWPR that these issues have now come to the fore. “Because of September 11 our focus on democracy and human rights in Central Asia is much more intense,” he said. “Central Asia was put to the centre of our thinking; certainly in the security sense, but
also because we are not a country which is concerned only with leaders... It has put the issues of democracy and human rights at the centre of our thinking."

The US continues to spend large sums of money on democracy programmes – 18 per cent of about 290 million US dollars assigned to the five states in 2003, compared with 31 per cent budgeted for security and law-enforcement assistance. US assistance has kept afloat many non-government groups which would otherwise have disappeared – together with the ideas they espouse. American embassies have also scored many successes in raising individual human rights cases.

In the first place, democracy is important to Central Asians. By fostering democracy there, the United States is exporting democracy in the region through ‘coloured Revolutions’ in the CIS Countries. Seven decades of Soviet propaganda have not succeeded in painting America as the enemy. Indeed, all of these nations place the United States first or second as the preferred model of development, economically and politically. This should give comfort to those who fear an “ugly American” syndrome, especially in cultures that are considerably different from the West. The peoples of Central Asia seek greater freedoms, wider access to information, and increased openness; they desire change and want to be partners in the political process. Their participation in this process is based on pluralism and liberalism.
European Union

Soon after the emergence of Kyrgyzstan and Turkmenistan on the map of world after the disintegration of Soviet Union, the European Union took many initiatives to establish stable government in these republics based on democratic principles and secularism which can respect human rights and grant civil, political, social and economic rights to the citizens. The ultimate goal of European Union in these republics is to develop human rights and create stable state which can establish democratic institutions like independent and powerful judiciary, free and fair election commission and independent media (Pantucci 2007). Stability from European Union prospective is more than the absence of conflict. It means peaceful and prosperous states can integrate themselves into today’s globalized and democratic world. These countries lack grassroots networks and political culture that facilitate democracy building in their respective states. In 1995 the EU moved to formalize its ties with the Kyrgyzstan and Turkmenistan through Partnership and Cooperation Agreements (PCAs) which provide the main framework for political dialogue.

Kyrgyzstan signed PCA in 1995, while Turkmenistan signed it in 1998. Respect for human rights is a fundamental condition of PCAs. Through PCAs European Union is trying to move these states in the direction towards greater individual freedom, rule of law and economic openness. The European Union initiative on the development and growth of Democracy and Human Rights (EIDHR) provided funding for NGOs seeking to implement human rights projects. The European Parliament has also been active in promoting democratic reforms in these republics by
sending observers to monitor the parliamentary and presidential elections in these republics. These observers from time to time analyze the working of political process and democratic institutions in these countries.

After the 9/11 terrorist attacks in New York and Washington along with subsequent bombing in Madrid and London pushed the Central Asian republics into the sharp focus of European Union. After these events the European Union made various efforts to promote stability in this region which requires the democracy and rule of law in these republics. In April 2007 foreign ministers meeting, the external relations commissioner Benita Ferrero Walder repeated that democratization, the rule of law and respect for human rights in Kyrgyzstan and Turkmenistan remains high on European Union agenda (Radio Free Europe, 23 April 2007). The Germany for instance is taking various initiatives, through its various political foundations such as Friedrich Ebert Foundation and Bundestag friendship groups to Central Asian republics, in drafting legislation for political parties, encouraging civil society, training journalists, and highlighting the legitimate role of opposition politicians.

According to European Union the level of democratization and human rights situation in the entire Central Asia varied from republic to republic. The human rights situation in Kyrgyzstan is somewhat better than Turkmenistan. Turkmenistan is the only Central Asian country without a Partnership Cooperation Agreement (PCA) with the EU, which in theory could provide a structure within which human rights issues can be discussed. The PCA signed in 1998 was not ratified by the member state.
However, there are other channels to pursue human rights concerns. In 2003 parliamentary session, European Union recommended Turkmenistan to improve the human rights situations in its country. The resolution guided the government of Turkmenistan and Kyrgyzstan to implement all the recommendations of UN and Organization for Security and Cooperation in Europe (OSCE) on human rights. (European Parliament Resolution, 2003: 2). According to the OSCE, the progress of democracy is very slow in these republics, particularly in Turkmenistan. The parliaments are powerless to scrutinize government actions, elections are neither free nor fair, and the states distrust the citizens and paralyze civil society through restrictive bureaucracy (Wegener 2007: 16). The EU Parliament in its February 2008 resolution condemned the persecution of human rights activists in Turkmenistan and requested the government to immediately release all human rights activists (External Relations 20 February 2008).

In early 2007 the European Union announced its new strategy for the establishment of political stability, expansion of democratization and Human Rights in Kyrgyzstan and Turkmenistan. The European Union while mentioning their future goals in Kyrgyzstan and Turkmenistan highlighted that the main goal of European Union in Central Asia is to establish stability and prosperity through peaceful means. In this strategy the European Union along with OSCE, the Council of Europe and the UN High Commissioner for Human Rights will provide training for the establishment of rule of law, democratic institutions and good governance in these states.
European Union believes that Central Asia has yet to conduct an election, presidential or parliamentary, judged wholly free and fair by the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR).

The Russian view

After the disintegration of Soviet Union the key actor and the one having most influence in Central Asia is Russia. In fact, Russia is the largest European power which borders Central Asia. The reasons that make Russia give strategic significance to Central Asia are preservation of national security, legal protection of Russian minorities in Kyrgyzstan and Turkmenistan and economic security (Freedman). It is important to highlight that, traditionally, Russia has considered the region as a strategic buffer against outside threats; consequently, many strategic interests compel Russia to retain Central Asia within its sphere of influence (Freedman). There are various interests and reasons of Moscow to support and establish democratic process in the Kyrgyzstan and Turkmenistan. Firstly, Russia wants to strengthen its role in the system of intergovernmental political and economic relations. Secondly, it wants to transform the Central Asian Republics (C.A.R.) into politically and economically viable states based of rule of law, constitutionalism and separation of power, in order to counter the threat of religious extremism, drug trafficking and arms smuggling. It is necessary to establish stable democratic governments in Kyrgyzstan and Turkmenistan. Thirdly, in order to maintain Russian hold over regional energy resources, in addition to Caspian Sea oil transportation routes, it is necessary that the governments
of these countries must respect the human rights of all the ethnic groups including Russians.

Soon after the independence of Kyrgyzstan and Turkmenistan, the Russian government established diplomatic relationships with both these countries of Central Asia. Since the collapse of the Soviet Union, Russian policy towards Central Asia has moved through three distinct phases. The first, which lasted from 1991 to 1995, saw Russia disengage from Central Asia, as Moscow grappled with domestic upheaval. In the second stage, from 1996 to 2000, Russia sought to restore its once uncontested military-political position in Central Asia, but various instruments designed to promote reintegration, such as the Collective Security Treaty, proved ineffective. In the third stage since Putin’s ascendancy in 2000, Moscow has pursued economic avenues of influence, which had until that point played a secondary role in the thinking of policy planners (Eurasianet 20 March 2001). The governments of Turkmenistan and Kyrgyzstan after some time developed authoritarian trends. According to Russian scholars and media, Turkmenistan was one of the most repressive nations in this world, under President Saparmurat Niyazov (Eurasianet 17 February 2007). Russian parliamentarians have been quite strong in their denunciations of Turkmenistan’s treatment of ethnic Russians and government’s involvement in drug trafficking. In August 2003, Ambassador Andrei Molochov said Moscow was satisfied with assurances that the rights of ethnic Russians would be fully observed. In April 2003 he had called Turkmenistan “reliable factor for regional and international stability”.

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Following NATO’s recent policy announcements of increased engagement in Central Asia, Moscow leaders such as Konstantin Kosachev, the influential head of the Russian State Duma’s Committee for Foreign Affairs, have argued that Russia should use its influence in the region to encourage democracy and show local governments that the Kremlin does not want to re-impose Soviet-style military and economic dominance on the region. Kosachev has stated that Russian clout with the domestic political processes in these countries should be used to promote the development of truly democratic states.

Within Russian political elites, there is some disquiet over Moscow’s conciliation approach. The chairman of the Commonwealth of Independent States (CIS) Affairs Committee in the State Duma, Andrei Kokoshin, dubbed the human rights situation for Russians in Turkmenistan “intolerable”. The then chairman of the Foreign Affairs Committee, Rogozin, claimed to have information showing regime involvement in drug trafficking. There have also been fairly strong media articles, particularly about ethnic Russians. Russian state television broadcast Arkady Mamontov’s investigative programme “Trafik” which examined regime involvement in illicit drug trafficking. The deputy chairman of Russian drug enforcement agency, Alexander Mikhailov, described efforts by his agency to establish cooperation with Turkmen colleagues as a “dialogue of the deaf with the mute”.

Russia could play a very important role alongside the West in the process of development of democracy in the countries of Central Asia. The
President of Russia, the Duma, mass media, political parties, non-governmental organizations and intelligentsia could promote the acceleration of the democratization processes of the peoples of these countries. In the post-Soviet environment, the Russian media still sets the agenda in bringing issues to light. There is an intensive exchange of experience between political parties and social movements and sometimes members of the State Duma address Central Asian leaders arguing for the political freedom of an opposition leader or the media.

However, the conditions required to derive the fundamentally needed reforms are absent. The main reason is the nature of the regimes. In both Kyrgyzstan and Turkmenistan the political elites generally resist changes that do not reinforce their hold on power. External pressures that run counter to this aim are also resisted. As has been observed, “These governments constantly seek to evade foreign relations that entangle them in a perceived web of dependency that prevents the unbridled exercise of the powers at home”. This is one of the main reason why efforts to foster regional cooperation have largely been ineffective. All of these governments are highly suspicious of outside institutions and organizations. They strive to prevent outside actors and factors from stimulating internal forces that could weaken their control or diffuse their power. This political atmosphere has resulted in a decade long process of the consolidation of political and economic power in the hands of small ruling elite. Whether this will continue to be the norm in Kyrgyzstan or Turkmenistan is hard to tell.
India had close and strong economic and trade links with the Central Asia since ancient times (Movlonov 2006: 424). It has been mentioned in many historical documents that the Silk Road passing through Central Asia was the traditional trading route between Central Asia and India since ancient times. After India got independence Jawaharlal Nehru, the first Prime Minister of India, considered Central Asia to be of great significance to India. With the visit of Prime Minister Rajiv Gandhi (who visited Bishkek and Issyk Kul Lake in Kyrgyzstan) in 1985 these contacts became closer. After the disintegration of Soviet Union and the re-emergence of Central Asian republics, India-Central Asia relations have got re-established on new geopolitical situation. Indian policy makers believe that the region is important because of its strategic location and proximity.

The Indian government has emphasized forging closer relations with the Central Asian states. In order to strengthen these diplomatic ties, several high level visits between India and Central Asian nations have been exchanged on regular basis (Movlonov 2006: 426). Since 1992, all Central Asian presidents have visited India (Sachdeva 2005). India has reciprocated these visits at the highest level. India made so much importance to the newly independent region that it immediately opened its embassies in all the five Central Asian republics. India’s foreign policy goals in this region include fostering stability, developing free market and economies, trade and transport through Eurasian corridor. The policy makers in India have never remarked directly about the democratic process and human rights situations in Kyrgyzstan and Turkmenistan. India’s priority in Kyrgyzstan and
Turkmenistan is to discourage attempts by radical regimes or groups to block or subvert progress towards these goals.