

ADDRESSING ETHNIC TENSION IN KYRGYZSTAN

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED TWELFTH CONGRESS FIRST SESSION

JUNE 22, 2011

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June 22, 2011

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The hearing was held at 1:30 p.m. in room 2118, Rayburn House Office Building, Washington, DC, Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe, presiding.

Commissioners present: Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe; and Hon. Benjamin L. Cardin, Co-Chairman, Commission on Security and Cooperation in Europe.

Member present: Hon. Trent Franks (R-8), a Member of Congress from the State of Arizona.

Witnesses present: Dr. Kimmo Kiljunen, Chairperson, Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010; His Excellency Muktar Djumaliev, Ambassador of the Kyrgyz Republic to the United States; Dr. Martha Brill Olcott, Senior Associate, Russia and Eurasia Program, Carnegie Endowment for International Peace; and Dr. Alisher Khamidov, Professorial Lecturer, Johns Hopkins University (SAIS).

HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. SMITH. The Commission will come to order, and I want to welcome all of you to this hearing on addressing ethnic tensions in Kyrgyzstan, the only country in Central Asia where street protests have in recent years twice led to changes in government. Kyrgyzstan is also the only State in Central Asia which has experimented with a parliamentary form of a government, so it stands out in those two very important ways.

But the focus of today's hearing is the terrible ethnic violence that erupted one year ago this month, shortly after the April revolution that toppled former President Bakiyev, and what the Government of Kyrgyzstan should do to address it. In June 2010, ethnic Kyrgyz and ethnic Uzbeks clashed in the southern region of Osh. By the time the worst was over, 470 people were dead, and over 400,000 displaced. Thousands of homes and businesses were destroyed. The clashes drew a dark shadow on the hopes engendered by the ouster of the corrupt Bakiyev government.

To its credit, the Government of Kyrgyzstan requested an international investigation into the events, and I certainly commend President Otunbayeva for that initiative. A response to the Independent International Commission of Inquiry into the Events of Southern Kyrgyzstan in the June of 2010 was formed.

It released its report last month. And our first witness is Kimmo Kiljunen, who chaired that commission.

And it is an excellent report. I am deeply concerned by its conclusions. Especially alarming is the commission's judgment that the systematic nature of some acts committed last June by ethnic Kyrgyz against ethnic Uzbeks, including patterns of murder, rape, and brutal ethnic persecution, could qualify as crimes against humanity. It remains to be seen whether they will be found so in a court of law and whether or not a competent court might take on the case. In any case, such a judgment by such a credible commission of investigation must be taken seriously, and the Government of Kyrgyzstan must investigate these crimes seriously and hold those responsible to account.

I'm also disturbed that the security forces apparently were complicit in the attacks, not only by failing to respond adequately to stop the violence but, according to the commission's report, in some cases even distributing weapons to ethnic Kyrgyz or driving the armored personnel carriers which penetrated the defenses of ethnic Uzbek neighborhoods.

Unfortunately, so far the Government has brought more cases against ethnic Uzbeks, who make up the majority of the victims, and there is credible evidence that torture was used to extract confessions from these ethnic Uzbeks. This also must be investigated—including the case of human rights defender Azimzhan Askarov, who has been sentenced to life imprisonment, despite his credible claim that he was tortured.

Just as disturbing is the ongoing serious human rights abuses against ethnic Uzbeks, including torture, arbitrary arrest and detention, and unfairly conducted trials, which also have been covered in detail by the report. Because the police force is deeply involved in these abuses—it is almost entirely made up of Kyrgyz—victims feel that they have nowhere to turn. Ethnic Uzbek businessmen and migrant workers returning from Russia are particular targets for extortion. Even with the understandable reluctance of victims to report abuses, the Office of the High Commissioner of the UNHCR has documented some 680 cases of arbitrary arrest for ransom since June of 2010, as well as 70 cases of torture in detention. Ongoing human rights violations must stop immediately, and those responsible need to be brought to justice.

President Otunbayeva has said many things—many of the right things in recent days. While laying a wreath in Osh to commemorate the one-year anniversary of the violence, she called for inter-ethnic peace and urged that nationalism not be used for political purposes. She has pledged to purge the police forces, reform the judicial system and fight organized crime.

She told the OSCE recently that, quote, “In addition to the reconstruction of destroyed facilities, we also face a far more difficult task: to restore the lost trust between [both] communities in the south. It is not easy to achieve trust after such a complex conflict.

The level of nationalism and intolerance is very high. In the government's comments on the commission's report: We openly admit," she went on to say, "the existence of serious problems in the field of human rights in the post-conflict period; we agree with many criticisms of the commission in this field; we are ready to change the situation and we need support in implementing the commission's recommendations."

I would ask unanimous consent that my full statement be made a part of the record, because we are pressed for some time this afternoon. And I would also, without objection, include opening statements from other Commissioners, many of whom are on their way here.

First, we will hear today from Kimmo, who is a former member of the Finnish Parliament and currently chairman of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June of 2010. He has been a colleague of long standing at OSCE Parliamentary Assembly, a good friend and a man who has spoken out on human rights everywhere in the OSCE space for many years. And we will now turn to him for his comments.

Kimmo.

DR. KIMMO KILJUNEN, CHAIRPERSON, INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY INTO THE EVENTS IN SOUTHERN KYRGYZSTAN IN JUNE 2010

Dr. KILJUNEN. OK. Thank you very much. And I have to start my short presentation with thanking—two things: First, that it wasn't necessary for me to travel to Washington in this time, due to the fact that we do have the coming week and starting from tomorrow already the biggest summer festivity in Finland and I would sacrifice my family—[chuckles]—to come there. So thanks that we could organize this in this particular way, although obviously I'm not seeing you physically, but we can hear it from each other. And obviously I know you very well already; before, we have been several times.

Second, thanks goes to the American Government and you personally also, in the way that you have given strong support for the International Inquiry Commission, which I have headed, first, obviously, financially—United States of America was the second-biggest financial supporter after the European Union for the commission's work, as well as political support during the process itself of inquiry—several experts and the competence came from your country—but also very important of course after, when we have published our report. I have been very pleased that the U.S. Government has supported it and even after that episode, which was a bit strange, that the Kyrgyzstan Parliament condemned the report and put me personally as a persona non grata and also asked the prosecutor's office, as well as law enforcement authorities, to put accountable those people who have helped us in terms of the report preparation inside Kyrgyzstan. These were obviously severe steps, and I'm very pleased that the international community, including the United States Government, has condemned that process. So these are the thanks.

Then about the commission itself, the work and some of our conclusions, if you allow me first to say a few words about characteristics of the inquiry— because it was a bit *sui generis* type of operation we made—there were several requests by the international community to have an investigation on the events in southern Kyrgyzstan last year. OSCE, European Union, several governments, obviously the United Nations requested this type of inquiry. But at the end it was done via this type of independent inquiry commission, which obviously used the terms of references of the United Nations High Commissioner for Human Rights. It's not typically the references for this type of inquiry, when similar types of human rights violations have taken place throughout the world.

So we used actually very much the U.N. type of formula in terms of our mandate, and the members of the commission were very high caliber. Myself, I was heading it, but we had seven members altogether in the commission, including Ralph Zacklin, the former assistant secretary general for the United National for legal affairs; Philip Alston, who is a professor in Harvard University from Australia, very famous international lawyer; Rein Mullerson from Estonia, former acting foreign minister of Estonia and also vice chancellor of the Tallinn University; Valery Tishkov from Russia, who is a former minister for national minorities in Russia and academician; as well as Brigitte Horbette from France, who has been a member of the Court of Appeal; and Yakin Erturk from Turkey, who has been the former U.N. representative on gender-related violence. So we had a very high-quality commission who worked throughout the period when we started operation at the end of September.

We had around 50 researchers, specialists on the field. We had public officials in Osh and Jalal-Abad, and we were two and half months, close to three months, working in Kyrgyzstan. And thanks very much for the Kyrgyzstan Government that they obviously agreed with the terms, but they also fulfilled the terms. So we had access to information, access to every place where we wanted to go. We could meet every people we wanted inside the country. Obviously, we also made interviews outside the country among the refugees, particularly in Russia and some other countries too. So we made a very extensive inquiry, interviewing over 700 people, and we have lots of audiovisual, other documentary materials in our hands.

We finalized the report so it was released in May, early May this year. CMI, the Crisis Management Initiative, President Ahtisaari's office in Helsinki provided the secretarial/technical support for the commission. So I would say so that it was in that way properly done.

Now some of the conclusions of our report—you already mentioned some of the basics but obviously, our task was to study first, why this tragedy happened; secondly, what happened. Obviously our task was to look at the responsibilities and finally, obviously, make recommendations. And that is roughly the content of the report, and obviously you have had it and I'm pleased that you have even read it and commented [on] it.

In terms of why it happened, of course, the first question in Kyrgyzstan: Who started it and when it exactly started. Obviously

the tragedy itself in Osh, the biggest violence period was 10th to 13th or 14th of July last year. But we can say that the whole process started on the 7th of April, when there was an overthrow of the Bakiyev regime in Bishkek and a new interim government took place and created and generated, obviously, a power vacuum, particularly in the south in Kyrgyzstan, which is a stronghold for Bakiyev, the previous regime.

So obviously a power vacuum, particularly, is explaining the political reasons for the tragedy. One must remember that 20 years ago, in 1990, there were similar type of violent tragedy—roughly even the same time of the year, June, in 1990—in Osh, particularly Osh region and southern Kyrgyzstan. There too it was the same situation, power vacuum, because the Soviet Union was to collapse, and was collapsing, and that generated a problem. That was actually 1991. So it was exactly 10 years ago. And that—20 years ago. And that obviously is—was a major problem and reason for this—for the tragedy itself.

There were three major political players which we obviously looked very carefully in terms of political reasons. Obviously there are former supporters of the Bakiyev regime, who had a stronghold in the south in Kyrgyzstan. They generated during May already several types of violent events, in Jalal-Abad particularly, which created concern. Obviously the interim government itself has a responsibility in the area they're principally controlling.

And obviously one must remember that in southern Kyrgyzstan 40 percent of the population are from Uzbek origin, although in terms of total population it's 14 percent. But in southern Kyrgyzstan the Uzbek population is large and obviously Uzbek political leaders start also to be activated. And that created tensions step by step where, I would say, sowed political fanaticism, used ethnicity as a tool and that obviously generated the process.

There have been, obviously, and when we are looking, criminal elements and other issues which are related, but that's roughly the political context.

What happened? We have a very detailed narrative in our report. I would say so it's the best account on—almost hour by hour, day by day, suburb by suburb, both in Osh and Jalal-Abad, where we are really describing the terrifying events, what happened.

Then comes, obviously, questions of the responsibility. Major issue for us was to qualify the crimes committed in terms of humanitarian law. Obviously the figures—you already mentioned that roughly 470, not more than 500, were killed. The exact number is still lacking, but roughly on that range it is. You mentioned, obviously, displaced people, 3(00,000), 400,000, depending how we are calculating that one, or close to 100,000, took refuge in Uzbekistan. Short time, they returned back.

And obviously it generated big, big problems. Lots of property demolished. Seventy-four percent of the killed people were Uzbeks; 24 percent were Kyrgyz. So that was roughly the relations in terms of killings and obviously in the terms of violence. In terms of properties, dwellings, particularly, it was primarily Uzbek areas which were destroyed in terms of dwellings. In terms of public properties, obviously it was different parts of the cities, also Kyrgyz properties too.

Then, in terms of the responsibilities, first issue for us was to qualify the intent in terms of international law. We clearly came to the conclusion it's not war crime.

The second point, which was addressed, was genocide. We couldn't—the evidence is not enough to say it was a genocide. But in terms of the reasonable suspicion principle we used in the terms of our investigation, it was crime against humanity.

It was widespread, it was systematic and against civilian population particularly—and we addressed that one—particularly attacks in 11th, 12th and 13th against Uzbek mahalas, Uzbek suburbs. There we can say in Osh that this was a crime against humanity, and obviously we need court to take an investigation—prosecution investigation in order to really beyond doubt come to that same conclusion.

Then we obviously looked at the responsibilities in Osh individually. The task—mandate for the commission was very clear: We shouldn't do a criminal investigation, and we couldn't do, obviously. We didn't have the methodologies, competence, and it was not our task either to have a criminal investigation. It's up to the courts in Kyrgyzstan to do, and obviously we asked them seriously to do that.

But we obviously looked how much we have evidence in terms of individual responsibilities, and our evidence wasn't enough to say this or that person particularly should be taken to the court. We don't have—we don't have enough evidence. We know that crimes were committed—particularly lots of crimes in terms of human rights violations were committed and others too, and obviously the court must take those up. And that's important.

Unfortunately, as also you mention in your preliminary—your first statement, there have been court cases, close to a thousand already, this day, but unfortunately, major part—major part of those court cases are against Uzbeks.

I already mentioned that 74 percent of the victims were Uzbeks in terms of killed people. Eighty percent of the court cases are against Uzbeks, and all who have been condemned to date are Uzbeks. So it's obviously disproportionately—[chuckles]—nonbalanced procedure. And unfortunately, all the cases have been—the major evidence have been confession.

And you yourself mentioned and we have evidence that torture has been used. And obviously that's absolutely, absolutely major violation against—major human rights violations. And that should be addressed seriously by the prosecutor's office in Kyrgyzstan, as well as to check the judicial system that it's really working properly in terms of all Kyrgyzstan law and obviously also in terms of international law. These are one of the major parts of our recommendations.

Then we looked obviously at the institutional responsibilities, and of course every governments have a responsibility to protect their people. And irrespective of that fact, which we know, that there was a power vacuum in the south in Kyrgyzstan, nevertheless the interim government have a principal and had a principal responsibility to protect the people, and obviously they failed.

The major issue is about the law enforcement bodies and security forces, and there, unfortunately, we can clearly see that there is a

major question mark. Our conclusion is very clearly so—that there were actually security forces present in the area, but they were not used properly to protect the people. They protected rather the administrative buildings, rather than people, and that obviously is a major failure.

Furthermore, furthermore, clearly there's an evidence that seizure of weapons by troops, military forces, police forces, is a big question mark, and creates a complicity potential. And we are very much asking, the commission is asking—one of the recommendations is that there must be a very proper prosecution investigation on the responsibilities of the security forces, law enforcement bodies, particularly addressing the question of seizure of the weapons. And that's a major, major, major problem there.

Then obviously we recognized also the, let's say, less transparent elements in the society, including the criminal issues and narco-trafficking, these type of problematics, which are playing a major role in southern Kyrgyzstan. They neither—we don't have enough evidence to say this or that gang or this or that group has been responsible, but obviously we can also see the role, in terms of the violence.

In terms of the recommendations, there are concrete, major—more than 50 recommendations, starting [with] very concrete issues, where we are really asking particularly that a strong public stand must be taken by the Kyrgyzstan Government and authorities to condemn ethnic nationalism—ethnonationalism in the country. That's not the way you conduct politics in any country today, and ethnic polarizations should be avoided.

We are proposing different measures how to improve the relations between ethnic groups in southern Kyrgyzstan, how to improve the position of Uzbeks, also in public administration, law enforcement bodies, in police forces as well as in judicial systems; that it would be more balanced than today. We also addressed the question of the Uzbek language. We are not asking Uzbek to become an official language in the language in the country, but certain type of position for Uzbek language in southern Kyrgyzstan should be recognized more proper way than today.

There are lots of those recommendations related to the prosecution processes and court cases which should be seriously taken. And we also are recommending a truth and reconciliation commission should be established more fully, with international support.

Obviously, the reconstruction operation should be started—it has already been started, obviously, we know, but it should be moving further, and obviously also international support is needed there.

Then finally, we are also asking the international community to take seriously both our recommendations, which they have taken—and we are pleased on that one—but also asking the High Commissioner for Human Rights of United Nations, as well as the High Commissioner for Minorities of the OSCE to establish monitoring and follow-up systems, and that way support the Government of Kyrgyzstan in putting forth our recommendations.

Finally, in our report, there's also an annex made by the Kyrgyzstan Government. We are—this is typical nowadays in these types of reporting that there is an annex of opinions of the governments on the report. They are quite critical. Obviously we under-

stand. There are certain areas we can dispute, but principally most important is that the government agrees with our conclusions in the way that the recommendations—they are saying that the major part of them they are taking seriously, and the Government of Kyrgyzstan is aiming to establish a special commission to implement and monitor our recommendations. And I've already now understood that the international community, European Union, United Nations, OSCE, United States—your own country—several governments have supported that initiative and are willing to help Kyrgyzstan Government to implement our recommendations and also creating a monitoring system.

Finally, I want to come back to what—where from I started—concerns the decision by Kyrgyzstan Parliament. I see that they took a very critical—why they took a very critical position was somewhat related—that they wanted to take distance from the commission's report, which is very, very, very unfortunate, particularly if that distance-taking means that they are not supporting the Government's effort to implement the recommendations, because our aim clearly, clearly was reconciliation. And that's very—pity if that's not recognized.

The persona non grata position on myself is a big pity, but more important is that I cannot agree at all—and this is a major, major problem—if prosecutor's office or law enforcement bodies start to somewhat harass and—as they put accountable those people in Kyrgyzstan who had technically helped our commission's work. I am, and the commission members—we are outside from Kyrgyzstan, but there are really people living in the country who have been helpful for our work, and it's out of questions that they should be any way harassed.

And I'm very pleased that the president has indicated that's not the case, it cannot go this way, and also has actually indicated that the Government itself takes seriously our recommendations and are aiming to implement them.

Thank you very much.

Mr. SMITH. Dr. Kiljunen, thank you very much for your report. Thank you for your willingness to come and provide testimony to our commission. You had mentioned that you're hoping people will take notice. Well, as you can see by this Commission hearing, we have taken notice, and we're hoping to help you to get to the bottom of what happened and especially an accountability for those who committed, as you put it, these crimes against humanity.

I would like to ask you, just in terms of definitions—you know, the Convention on the Prevention and Punishment of the Crime of Genocide, the U.N. convention, makes it very clear in Article II that genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group—such as killing members of the group, causing serious bodily or mental harm to the group—and then it goes on with other criteria.

In coming to your conclusion that it's a crime against humanity as opposed to genocide—you know, it doesn't have to be the whole group; it can be in whole or in part. Do you think it does rise to the status of being a crime of genocide? And as you recall, we had serious problems during the Balkan wars of those who would not

call, for example, what happened in Srebrenica a crime of genocide. And I'm just wondering, you know, in terms of definitions, as my first question, what your thoughts are on that.

Dr. KILJUNEN. Thanks very much for the question. Now I must immediately admit I'm not a lawyer in international humanitarian law. I'm not a specialist on that area. So in terms of our report's conclusions, on that particular issue, I relied with the high expertise which we had actually in our commission itself. We had actually four major—[chuckles]—lawyers in terms of international law who really looked very, very carefully conceptually at that issue—genocide, war crime and crime against humanity.

Our evidence is obviously based on reasonable suspicion, that—this is not a court; it's not a tribunal where we are. So it's not a court case itself, but we obviously have evidence.

The evidence what we have, I already indicated, in terms of international law—and there I'm saying what they are, I am repeating what they are saying; as am I saying, I'm not specialist—they say that this is not a genocide. It's not in terms of scale itself; in terms of its process itself, it's not qualifying on those terms.

When they're looking at the concept of crime against humanity, they're also very, very careful on that one. They look at very carefully the Rome Statute and all those issues, and they clearly, as I've indicated—[inaudible]—the three basic issues and very specific events during that process, during that strategy, particular, as I said to you, those attacks against Uzbek mahalas in Osh in 11th and—between 11th and the 13th of June, they were—the way it was done clearly was crime against humanity in terms of the evidence what we have.

Why do we say so? It was widespread. It was widespread; it was systematic one. It was repeated in the same way in different suburbs, in different mahalas, Uzbek mahalas of the Osh, and same way of organizing the attacks there and also robbing, burning and killing. And even there was also sexual violence—also related, but that necessarily—it's one of elements, but was very systematic one and also obviously against civilian population. So those indications are obvious—[inaudible]—where you can come to the conclusions, crime against humanity.

Mr. SMITH. Let me ask you if I—

Dr. KILJUNEN. But in terms of genocide, clearly those experts, the international lawyers say that it wasn't on that scale.

Mr. SMITH. You mentioned that you're hoping that High Commissioner for Human Rights Pillay will do something in response to your report. One, have they done anything? Has the Human Rights Council done anything in response to your report?

And with regards to the ICC, as we all know, one of the criteria is that whether or not there's a competence and a willingness on the part of the government where these alleged crimes have occurred to prosecute, investigate, and prosecute adequately, and then incarcerate those who have committed these crimes. We know that places like Kenya, countries like Kenya, are arguing that they have the capacity and the willingness and the capability to do so and yet the ICC is still asking for certain people who have committed very, very serious crimes there. Do you believe that the

Kyrgyz judicial system has the ability to prosecute and to bring to justice those that have committed the crimes?

Dr. KILJUNEN. First, concerning the U.N. dimensions, High Commissioner for Human Rights. They have contributed very strongly from the start to our investigation. The [terms is ?]—we're really even—we got them from their sources. They helped us to formulate the mandate for the commission. And in terms of expertise in the commission work, we're relying very much on the knowledge.

Very pleased we were obviously when our report was released. Madame Pillay herself immediately—she was maybe one of the first ones to react positively to our report and, in Human Rights Council meeting in Geneva a few weeks ago, as you know, you mentioned, it was clearly mentioned our report as one of those key documents, and high commissioner of human rights indicated that the follow-up work in terms of the high commissioner's work inside Kyrgyzstan will look at our recommendations, and that way they are very supportive.

As regards to ICC, International Criminal Court, there we have a bit different situation now concerning Kyrgyzstan because Kyrgyzstan is not part and parcel of the ICC. They are not—that's not a signatory country for Rome Statute. And one—that's one of the recommendations what we are really saying, that Kyrgyzstan should sign the Rome Statute and, in that way, that would be the preventive issue in terms of the future, similar to other issues, and that we hope.

Your last question was related to the issue that—are we trusting on the juridical system in Kyrgyzstan to put people on—accountable? And here I can say, as I already indicated, that principally we must trust in every country under juridical systems. Practically, obviously we have recognized several hiccups and problems which we already indicated in our report, even that somewhat we are feeling that—and not only feeling, but we are seeing—that the juridical processes have been unbalanced and that way that should be addressed seriously.

I'm very pleased and I noted very clearly here to you also that President Roza Otunbaeva has several times addressed that issue. Also government has said that there should be reform even in terms of juridical system in Kyrgyzstan, that it would be properly in future addressing these questions. And here actually—it's one of the talks and one of the recommendations also we have in our report—it's a powerful international community to help in reforming the juridical system in Kyrgyzstan.

Mr. SMITH. Dr. Kiljunen, we're joined by a Co-Chairman of the Commission, Ben Cardin, who's on a very tight schedule in the Senate, and he has some questions or some comments.

HON. BENJAMIN L. CARDIN, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. CARDIN. Well, Kimmo, first of all, thank you for what you've done. It's good to see you even though it's long distance. It's nice to see—

Dr. KILJUNEN. [Chuckles.] Nice to see you also.

Mr. CARDIN. Looks like you're aging well. That's good. I'm sure—

Dr. KILJUNEN. [Chuckles.] See you in Belgrade hopefully.

Mr. CARDIN. Good. I will be in Belgrade, so I'll look forward to seeing you in Belgrade.

Dr. KILJUNEN. Good.

Mr. CARDIN. Kyrgyzstan is a country in which the OSCE was relevant, that they really got involved, and certain issues were certainly calmed down dramatically. And I think we can take great pride that the process with OSCE had a major impact in reducing the amount of violence and death.

Having said that, as your report points out, there are significant challenges that we need to understand and confront. Now I didn't hear your original point, but looking at the focus of this hearing on the minorities, the Uzbeks, the question is whether the Uzbeks have confidence in the centralized government and whether they will—whether they'll return and stay in Kyrgyzstan, whether they'll be able to economically prosper in Kyrgyzstan, whether they'll get a fair share of the governmental resources, since they are now going to have a very minority status within the government. And these are issues that are not easily resolved. But I thought that your report at least helped us to understand that better, and I hope we can continue to put a spotlight on this to make the type of progress for representation of all people in Kyrgyzstan, and I welcome what you've done, and I can tell you we will treat your information with the greatest amount of attention.

Dr. KILJUNEN. Thanks, and good questions. You are addressing very well the long-term problems, myriad problems in Kyrgyzstan, but as related to Uzbeks. One should remember that the Uzbek community in southern Kyrgyzstan where it's a major community—as I said, there are roughly 40 percent of the population in Osh are Uzbek—they do actually control quite well the economy. They are—by average they are richer than the Kyrgyz population, which is primarily is from countryside dominating in the south. Uzbeks are dominating in the cities. They are more well-to-do, as I said; the Uzbek community.

But, very important, they are somewhat excluded from the public administration, also from the politics of the country. Similarly the Uzbeks are not represented practically at all in law enforcement bodies. Similarly they are not represented in juridical systems. So that there are imbalances which are serious ones in terms of creating long-term harmony in the society.

And obviously Kyrgyz population's economics, living conditions, should be improved, but similar way, the Uzbek population's participation in the public affairs of Kyrgyzstan should be improved in order to really reconcile in the longer term, as I said.

These are typical minority problems, as you put it very clearly, and OSCE obviously—the body where we are—have been—is addressing those issues. As regards the role of OSCE in southern Kyrgyzstan and in terms of our inquiry commission too, it was a bit more complicated.

As you know, I am obviously—I was the special representative of OSCE Parliamentary Assembly in the Central Asia. But OSCE itself didn't actually do the—this was independent commission from OSCE, even independent commission from OSCE Parliamentary Assembly. OSCE was very active after the events, the tragic events, in southern Kyrgyzstan in terms of trying to help to orga-

nize—reorganize or reform the police forces south in Kyrgyzstan. That created quite strong resistance in Kyrgyzstan and, at the end, compromise was found, so this type of technical advisory police group was sent to the southern Kyrgyzstan to help these type of reforms. So OSCE is present there obviously trying to help also the reconciliation process, but it's a long term and long process.

Mr. CARDIN. Look forward to seeing you in Belgrade.

Dr. KILJUNEN. Yes. Thanks.

Mr. SMITH. Dr. Kiljunen, I'd like to ask just a couple of very brief questions; if you would, as best you can, provide answers. And again, I thank you for the gracious grant of your time to be here via this satellite hookup. First—

Dr. KILJUNEN. It's great pleasure for me not to travel there. [Chuckles.]

Mr. SMITH. Okay.

Dr. KILJUNEN. So I can see you here in Helsinki.

Mr. SMITH. Thank you. Could you just tell us about the role of the media during the violence? And we understand—I know your report recommends that the Uzbek-language media be reopened as soon as possible, and yet we note that the Parliament has voted to ban Fergana.ru and limit international media during the upcoming presidential election. Secondly, if you could speak to retaliation: Has there been any retaliation against any of those people with whom you had contact and your group? It's very important if you could get that on the record so we know if there has been such retaliation.

And what is—how would you characterize the reaction of President Karimov to the crisis that erupted last year? And finally, your ability to travel there obviously has been revoked. Are you seeking—if you were able to travel, would you again, you know, hop on a plane and go there, either by yourself or with the other members of your commission? Is there unfinished business that you need to accomplish by an in-country visit?

Dr. KILJUNEN. Thanks very much. Very good questions and—[chuckles]—even with the very detailed questions.

First off, the role of media. You know in America, I know in Finland, we know the present world today—media is a very strong player. It creates the image of the reality in every society; it influence very much in terms of formulating opinions, and that way the responsibility of the media is important. And in our report, we don't have very deep analysis of the media; but what we have is very clearly indicating that media was one of those instruments [that were ?] polarizing and creating stigmas and creating animosities among the ethnic groups. They—it should have been more, let's say, reconciliatory. And that's very unfortunate. We are actually asking in one of the recommendations is that they should create a code of conduct, media, in terms of ethnic balance of the society.

In terms of aftermath—and now I'm telling you my own experience—and you as a politician, myself too—the press conference I had in Kyrgyzstan, in Bishkek, on 3rd of May, was an extraordinary press conference. I have never had so hostile media environment anywhere as there. Some—sometimes they were accusing, attacking very strongly the media representatives against me, and

they were applauding to those questions that they made as if they would testify against me and not myself for giving the report. So the media unfortunately plays in Kyrgyzstan major role and unfortunately even today not necessary helping the reconciliation. That's a severe problem and a severe issue.

Then you ask about the retaliation in terms of the Parliament decision concerning the people who had helped us, and here I am open. Unfortunately there are evidence: At least one person who have helped us, Uzbek origin, has actually left Osh because of harassment related to his technical help to our commission. He has took refuge first in Bishkek, and he's now going to Kazakhstan.

So that is obviously major, major issue if there would be more widespread—and even this one single case is terrifying—that those people who have helped us are somewhat in jeopardy inside the country. That's a major, major problem in terms of the commission's integrity and in terms of future similar type of investigation if done in any part of the world, if the result is persona non grata for the heads of the commission, no travel possibilities for the other commission members, or even harassment against people who have worked. It's absolutely impossible to accept.

Then President Karimov's role in Uzbekistan: Of course, it's a very good question and complicated question. You obviously remember Andijan, 2005. There was a violent episode in Andijan, Uzbekistan, which never, never were investigated properly by international community. Uzbekistan Government didn't allow that to take place, although request was made by different governments and different international organizations.

In this case, in terms of the Kyrgyzstan, 2010, now Uzbekistan Government has been very supportive for international inquiry to take place; in international forums, they have requested it; and they have been different ways supportive. Even how they handle the refugee situation in south and supported the Kyrgyzstan Government to balance the situation has been both agreed in terms of Kyrgyzstan itself, the Government of Kyrgyzstan, as well as by international community. So in that way, President Karimov, the Uzbekistan Government have been very constructive.

Then the last question concerning myself and my commission members in terms of the future: Obviously—and I'm very open here—I'm very, very sad and sorrowed that I don't have the opportunity to travel to Kyrgyzstan. I met some deputies from Kyrgyzstan Parliament here in Finland, a few week ago; I hope I to—I will meet them in Belgrade; and I—we have open discussion, and ask them openly, why you made this decision? I suppose I'm one of the friends of your country—and I am friend of your country—and I wanted to help in terms of reconciliation process. Obviously I wanted to travel there. My commission members want to go there and help in different ways, even if the question is about the truth and reconciliation commission, we might give advice and ideas, et cetera, et cetera.

But now, because of the ban, obvious it's impossible. As I said, the president office and the government has deplored the situation. But obviously it has a legal effect because if Parliament makes a decision, obviously it's a Parliament decision. It's political primarily than legal, one that has also legal consequences. And that means

that I can only contribute for Kyrgyzstan, as I hope to contribute, outside of Kyrgyzstan today, not inside.

Mr. SMITH. Dr. Kiljunen, we're joined today by Ambassador Muktar Djumaliev who will be testifying in the second panel, and I'm just wondering if you had a direct message that you'd like to convey to him or a question, we'd appreciate it. Or if you wanted to think about that for a moment, we are joined by Congressman Trent Franks, who is chairman of the Judiciary's Committee on the Constitution and an expert on the Constitution, but he also wears another hat: He's the chairman of the caucus—the House Caucus on Religious Freedom. So if you had a question for the ambassador—or I could go right to Chairman Franks.

Dr. KILJUNEN. If I can say a few words, first to Muktar Djumaliev, I can say he's my friend. We know each other very well, and thanks for Muktar Djumaliev. He helped very much originally when we were establishing the commission. He gave guidances and took a very responsible way, understanding the difficult tasks for the commissions, and I'm very grateful for that one. So Muktar is in that way my friend, but also obviously a responsible—a responsible civil servant.

I have always one question to him in this case. I hope that he passes the message to Kyrgyzstan Government that what they committed in terms of the—our report, saying that our recommendations are, by major part, valid and important, that I would like that he also confirms that one and particularly, because the idea was to establish a special national commission to look at our recommendations, how he sees the situation just now in the country, in terms of establishing that special commission to look the implementation of our recommendation and monitor—I would like very much to hear his reactions to that one.

Mr. SMITH. OK. He will be in the witness stand just a few minutes from now. I'd like to yield to Chairman Franks for any questions he might have.

**HON. TRENT FRANKS (R-8), A MEMBER OF CONGRESS FROM
THE STATE OF ARIZONA**

Mr. FRANKS. Well, thank you, Chairman Smith. And I just say for those listening here, there is no one in the Congress of the United States that has greater credibility when—as it relates to religious freedom and human rights, than Chairman Chris Smith. He is a hero to all of us, and we appreciate the opportunity just to sit here with you, Mr. Chairman.

Dr. Kiljunen, I also am grateful to you for joining us. I know that there are plenty of things for a fellow like you to do, but we're grateful that you've taken the time. So I just have one question. I know you're dealing with a lot of economic challenges there in Kyrgyzstan. And I wanted to ask you, related to the lack of economic opportunities as well as some of the continued harassment, really, of some of the ethnic Uzbeks, many of them have essentially left the country, and, for those who stay, I'm just wondering if they—if, as an abused and disenfranchised minority population, could it create a situation where those youth of that community are vulnerable to recruitment by extremist organizations, Muslim ex-

tremism, jihadist groups? Is that a potential, or is it something that you've observed in any way?

Dr. KILJUNEN. Thanks for the question. It's a very important one because one of the major claims before the inquiry started was that it's actually the whole tragedy was result of religious extremism and international terrorism. Our evidence anyhow is not actually going to that direction. We couldn't say that it's clearly somewhat organized from abroad or, let's say, religious extremist groups could—had utilized opportunity and created this cause and tragedy itself. They might have played a role; we cannot never say so. But it wasn't systematic, and we couldn't get evidence on that one.

How in terms of future—that was your question—obviously, obviously, always when there is a situation that disharmony is in the society, polarized situation is in the society, obvious that's a breeding ground for any type of extremist elements. So potentially, yes, if the reconciliation process is not properly taking place in Kyrgyzstan, southern Kyrgyzstan, particularly—obviously there is a room for different types of extremism, and I hope that that's not created the situation ripe for this processes.

We know very well that in Fergana Valley and in that region of Kyrgyzstan—it's next door almost—there's lots of room for different types of extremist and terrorist movements, and then that's why this is even more important to address seriously, and that's why we are hoping, and I'm so pleased that the Government of Kyrgyzstan is also willing in terms of their reactions to our report to have for the reconciliation.

Mr. FRANKS. Thank you, Dr. Kiljunen. Perhaps I'll just ask one more question; that'd be all right? I would just ask you finally, sir, what efforts or steps do you know that may be being taken to—by the Kyrgyzstan Government to apply the rule of law to the entire society, whether it be religious freedom or just the general rule of law within the judicial system and other security instruments of the State? What are those steps, and can the OSCE ever be of further assistance in that—to that end or to that goal?

Dr. KILJUNEN. This is a very relevant question. Particularly you should ask Muktar Djumaliev also to respond to that one because obviously he's representing the government there.

I know, as I said, that already the president herself has several times addressed that question: hiccups and handicaps in the juridical system. And I knows also that prosecutors-general's office when we discussed that, they also recognized the problems. But unfortunately it's a long process to reform the juridical system, and you're absolutely correct saying that maybe if it's requested by Kyrgyzstan authorities, maybe the international community could seriously help in this area. I know that European Union, for example, has in—helped in Kazakhstan on giving this juridical system help, and we are also recommending in our report that the—the inter community in that area help Kyrgyzstan Government. So I think it's a major issue you're asking.

Mr. FRANKS. Well, thank you again, sir, for joining us, and thank you, Chairman Smith.

Mr. SMITH. Thank you. Thank you very much, Chairman Trent Franks.

Dr. Kiljunen, thank you so much for, again, appearing before our commission via satellite. Your report was extraordinary. I first read about it when I was traveling, and it came across as an AP dispatch and especially the way that you were being, in my opinion, very much mistreated. So I want to thank you for staying at this because you, like our commission, in your work for years, has been very much focused on human rights. So thank you so much.

Dr. KILJUNEN. Thanks, Chris, and we'll see also you maybe in Belgrade. Thanks very much, indeed.

Mr. SMITH. Thank you. See you there.

I'd like to now welcome our next panel made up of the ambassador, Ambassador Muktar Djumaliev, who arrived in Washington last December to represent the Kyrgyz Republic. He previously served as Kyrgyz ambassador to Switzerland, the World Trade Organization and the U.N. office in Geneva as well as deputy chief of staff to the President and first deputy of minister of foreign trade and industry. A full bio of you as well as our other very distinguished witnesses who will follow on panel three will be made a part of the record.

So, Mr. Ambassador, please proceed as you would like.

**HIS EXCELLENCY MUKTAR DJUMALIEV, AMBASSADOR OF THE
KYRGYZ REPUBLIC TO THE UNITED STATES**

Amb. DJUMALIEV. Thank you, Mr. Chairman, for convening us this meeting today. And this is a very important issue for Kyrgyzstan, and this is a very sensitive issue, and I think this is important for the future stability in Kyrgyzstan and for the—all the reconciliation process. What we are discussing today here—it's really very painful, and this is a very sad story in Kyrgyzstan's history.

I was hearing all the comments done by Kimmo Kiljunen. And, of course, it seems to me that the report itself—and we have already commented and expressed by the government on the comment by, first of all, accepting all the comments done by the commission. And Mr. Chairman, it was the first time experiencing when Kyrgyzstan made access for the international investigations into its territory, and such a precedent never happened in the post-Soviet countries.

The Government of Kyrgyzstan appreciates the importance and value of work done by the International Inquiry Commission and also expresses its thanks to the reputable members for their efforts of contribution towards it to investigate the tragic events that occurred in Kyrgyzstan.

The Government also agrees with number of conclusions and criticism contained in the report, and it does not absolve the responsibility for what happened. The provisional government honestly and openly acknowledged its guilt and responsibility on this address on June 16th, 2010, to the people of Kyrgyzstan and the international community.

Kyrgyzstan's Government is taking and will continue to take all necessary measures to eliminate or minimize the consequences of the tragic conflicts and to prevent the repetition of similar events in the future. Many of the recommendations contained in the report have been implemented by the Government from the day of

the conflict and from the—which was localized. Kyrgyzstan's Government will establish the special commission to implement and monitor implementation of the recommendations of the report and other reports and to research related to the tragic events of 2010 in southern Kyrgyzstan.

However, the Kyrgyz Government believes that the report does not contain sufficient evidence to conclude that there have been made certain acts that can qualify it as a crime against humanity during the June events in the city of Osh. Kyrgyz Government considers unacceptable the visible tendency in the ICC report to take into account to a greater extent the crimes committed only by the members of one acting group while ignoring the deaths or the casualties suffered by the same group and depicting another group as the single suffered and defenseless party.

It is also important to take into account the fact that during the conflict, there were no sufficient political, financial, and law enforcement resources at the disposal of the provisional government to counter the large-scale provocations of the interethnic clashes. However, even under such conditions, the people and the authorities of Kyrgyzstan independently and without outside intervention managed to stop violence and localize the conflict within a few days.

Kyrgyzstan's Government took a great effort to reconcile the parties of the conflict to overcome the consequences of the conflict and still proceed with this. However, there are still tangible tensions and a number of unsolved social economic problems in the conflict zone. In conditions of the start of the presidential campaign, some of the conclusions of the report can be used by the opponents of the democratic reforms to destabilize the situation and strengthen the position of the internal forces.

Kyrgyzstan's Government hopes that necessary conclusions from the events of 2010 will be made by the international community as well, including those organizations that push—that aim to preventing and neutralizing the—eliminating consequences of such conflicts. We have also started work on developing and implementing the concept of ethnic development and consolidation of the people of Kyrgyzstan.

We are doing everything possible to punish all those responsible. All trials are held in conditions of unprecedented openness, but the situation remains difficult, in particular with concerns about the emotional nature of the trials, of the resonant crimes. The new government declared its uncompromising war against criminals and determined to stop the emerging criminal gangs with their authorities. The government has taken urgent measures to normalize the functioning of law enforcement and security agencies. The Defense Council was established as a coordinating and supervisory body. In order to effectively combat drug trafficking, a drug control agency abolished by the previous government has been restored.

We intend to do everything possible to create conditions to strengthen the rule of law, a culture of political dialogue, and open the equitable society. Within a short period of time, we have achieved some qualitative improvements. Independent media is functioning. The opposition has not only ample opportunity to criticize the head of the State, but the ruling parliamentary coalition—

but also actually participates in governing the country by leading three parliamentary committees on budget and finance, law enforcement and the rule of law, human rights and public organizations.

There are supervisory boards established in the ministries to ensure transparency and accountability of the government to the people. We are reforming the judicial system to make it truly independent and introduce mechanisms to ensure quality selections of judges through the council, whose composition is formed with the participation of opposition representatives.

Mr. Chairman, that many people want to ask me today on the Parliament's decision with regard to the Kimmo Kiljunen's report. And as you know, after the report was released, the situation in the country became more tense. The people of Kyrgyzstan were expecting that the report will be objective, balanced, and will contribute for the reconciliation, and we still believe in it. In such a situation, while Parliament agreed with the comments of the government, but it passed an order to the responsible agency to take a decision on the entering of Mr. Kimmo Kiljunen to the Kyrgyz Republic.

In this regard, the—only specialized agencies should decide on this issue. At the same time, the President of Kyrgyz Republic called Parliament of the Kyrgyz Republic to reconsider its decision at the meeting of the People's Assembly yesterday. The President called the Parliament to pay more attention on adoption of the recommendations. Since the government commenced to the report—complemented document, the report of the commission, we believe that the report—

Mr. SMITH. A message, Djumaliev—you're at a very critical point in your testimony, and I am loath to interrupt you—just hold on for one second. I have two minutes to report to the floor for a vote. There are three votes. I will be back within 10 to 15 minutes at the most. So the Commission will stand in brief recess, and if you could then get right back to where you are, because it is a very critical part of your testimony. So we stand in recess for 15 minutes.

[Recess.]

The Commission will resume this hearing, and again, Mr. Ambassador, I apologize for that delay. We had three votes. Nothing I could do about it, but I would now yield to you. Please continue with your statement.

Amb. DJUMALIEV. Thank you, Mr. Chairman. I think I was just completing my statement by saying the—by informing you about the decision of the Parliament on using ban for the Kimmo Kiljunen's entry to the Parliament. So that was my final remarks, which I just informed you that the President called also for the Parliament to reconsider its decision. And it was done yesterday. But at the same time, we also know that the Parliament has accepted the recommendations—the comments of the government, which actually accepts the recommendations of the commission.

So therefore, what Kimmo Kiljunen says today, that's asking me to respond as to whether Kyrgyz Government will establish the commission for the implementation of the commission's report—of course there is a will. There will be established the special commis-

sion to bring together not only the report of the international inquiry commission, but there is also a number of reports which is filed for—six reports have been produced after the violence. And then the commission should work out of these reports and to establish the action plan for the implementation of all this commission's recommendations.

I thank you, Mr. Chairman.

Mr. SMITH. Mr. Ambassador, thank you very much, and thank you for that encouraging news. I'm sure Kimmo will be very—or was very happy to hear that as well.

Just let me ask you a few questions. Can you tell us the main components of your government's new national plan to promote interethnic harmony, and how will that be implemented? And if you could also speak to the credible allegations of torture, rape, mistreatment in detention, especially rape and torture—are those allegations being investigated, and by whom, and are people being held to account? Are there any instances where someone who has abused, in recent weeks, months, days—of being himself arrested and held for those crimes?

Amb. DJUMALIEV. I think the—actually, the main priority for the government is of course the plans for the reconciliation process. This is the priority number one for the government, and we see that this should be the priority also not only for the government, but for all the society.

Just after the government started to develop the strategy on interethnic development—and I believe that it is—we know that the—all the interethnic—all the ethnic minorities and civil society has participated in the development of this strategic document, which will be, or which is already presented to the public yesterday. I think this document should be presented yesterday, and I think there is action plan for the interethnic development which includes all the interests of ethnic minorities there. And this is the actual action plan, which we believe will be adopted in a few days, maybe these days where the assembly of peoples of Kyrgyzstan is gathering together to see these documents and to discuss the plans.

With regard to the cases and violations, rapes and tortures, of course this happened, and nobody can deny about that. And we have almost—more than 5,000 cases, and Kimmo Kiljunen also informed about these cases, and of course it's a huge cases: 5,000. The main purpose for this, of course, for us it is to provide open, transparent, and fair, objective judicial process for all these cases. And the President of the Kyrgyz Republic and the government is doing—putting all the efforts in order to—and we understand that only the fair, objective consideration and fair, objective process can help for the reconciliations. And we do all our efforts for the reforms in the judicial system in the same time. We are also working hard in order to reform our law enforcement system. We are also working hard in order to see what was recommended by Kiljunen's report, that he was saying that there was a lack of representation of other ethnic groups in the judicial system, in the law enforcement system. So all these gaps will be taken into account, and we are in the process of this reform.

Mr. SMITH. Let me ask you, if I could: Do you believe that the political will is there to empower sufficient numbers of prosecutors

to collect evidence? And you know, time is no friend of any prosecution. And if time is allowed to elapse, I would be concerned—I think we all would be concerned—that people’s memories might fade—even though this is very recent, particularly for the people who have been tortured or raped or both in prison. Is this something—if you could answer that—but also, is this something that’s going on current, real-time, right now? Or can you assure us that the security apparatus, the police service is not engaging in these kinds of abuses, like right now, today?

Amb. DJUMALIEV. Thank you. Thank you for this question. So it’s—I cannot say that we still have such a situation right now. That was happened. That was happened before, and we have 5,000 cases which happened on this—what you just mentioned.

I think it is clear that security forces and the law enforcement bodies is taking under control of the situation in the south. And we say that we have localized this situation just in very few days, but of course that was—the violations was—we see the report by the NGOs that there were some cases, also, which is the most—the continuing—the violation in the process. But every case is under the control of the law enforcement representatives there. And there was also mention that the OSCE representatives also—the consultancies there in order to assist our law enforcement representatives to proceed—how to deal with such a difficult situation, which we faced first time in the south of the region.

And I would definitely say that right now, there is no such a situation in which we are worrying about that. Thank you.

Mr. SMITH. My understanding is that there are at least some people in the political parties calling the OSCE community security initiative, the small number of trainers who are unarmed that have been deployed there—matter of fact, an original call for 50 such unarmed OSCE trainers was rejected—they’re calling it an occupation force.

And I’m wondering—it would seem to me that right now Kyrgyzstan needs more, not less, such trainers to have a presence there, particularly when it comes to training police on basic human rights norms. What’s your thought about the community service initiative? Do you welcome it? Does your government welcome it? And more importantly, do you think it should be expanded?

Amb. DJUMALIEV. Mr. Chairman, of course this was a very sensitive issue even we started taking decision to get the OSCE police contingent to Kyrgyzstan. And at the same time, it was even very difficult to get Kimmo Kiljunen’s commission to Kyrgyzstan. But there was a political will that we should do it, and we should decide that we need to make open, transparent investigation process for all this situation.

And with regard to the OSCE, it was also the strong resistance from the public society that we cannot allow to get—to bring the internal police in Kyrgyzstan, that they will investigate all the process. There was the misunderstanding about the OSCE presence in Kyrgyzstan, and I think the government—after the consultations, after the government provides more information to the public society. So finally, we also find that such a formal—which is acceptable both for the OSCE and for Kyrgyzstan—that we, at this stage, after the conflict was localized, we invited the consultants,

not the police because, of course, the public was strongly opposed to getting in the police into the territory of Kyrgyzstan.

Mr. SMITH. What protections does someone have, particularly in detention, not necessarily when they are finally incarcerated but while they are still being interrogated, that would prevent or inhibit torture being imposed upon them? And has the Red Crescent or the International Committee for the Red Cross or any other body like it, but especially either of those two, been allowed unfettered access into the prisons and into pretrial detention?

Amb. DJUMALIEV. At that time where I was actually in Kyrgyzstan—and we also appreciate the Red Cross efforts, which actually works strongly to provide any kind of assistance for the detention places. And I think we should continue to cooperate with Red Cross and Crescent in order to—in this sector. I think—in this issue—I think this is important, and we do appreciate that they have good expertise and good practices to deal with such an issue in such situations.

Mr. SMITH. And as you know, they report only to you. Let me add our Commission's voice in asking that your government robustly get them into the scene. It does have a chilling effect, if you will, on certain police misconduct if there is an ever-increasing presence of those credible international experts who really know how to—I mean, they don't care what government they go to. And they'll do it here in the United States, as you know, as they did in Guantanamo. It's important that they have unfettered access. So I just want to add our voice to that plea that you do more to get them into the country. OK.

Let me ask you—there are number of reports in the media that cite a steady exodus of Uzbeks and other minorities from Kyrgyzstan as a result of the ongoing harassment, attacks and threats of violence, and the loss of properties. What is the government doing to prevent that exodus, and who are acquiring those properties when they are confiscated?

Amb. DJUMALIEV. All these cases, Mr. Chairman, under the investigation now—

Mr. SMITH. Yeah.

Amb. DJUMALIEV. —under the investigation process—and for me, from here, it's very difficult who are they are. And of course this is our Kyrgyz citizens, first of all, who are involved in all of these crimes. And the government is taking all the efforts in order to make the open, fair, transparent process of investigations and to prevent further on these difficult issues.

You mentioned that before the court will conclude, it's very difficult to say that the—differentiate whether it is ethnic—which ethnic groups are involved in this process. But this is the—first of all, the criminal cases—we accept that this is the criminal cases under the investigation process, and we will do our best to punish for all those who are involved in these crimes.

Mr. SMITH. One final question—and I asked this of Kimmo, if he knew anything about this: I'll never forget, in the 1980s, I joined Armando Valladares, who spent almost two decades in Fidel Castro's gulags, was tortured without mercy, and actually wrote a book called "Against All Hope," chronicling his two decades of resistance inside the gulag.

He led the effort at the Human Rights Commission, and I was with him in the late 1980s when he got the U.N. to do a fact-finding mission to Cuba. And they were told they would have unfettered access to people. There would be no retaliation. And almost everyone who spoke to the U.N. investigators were retaliated against.

Now, Kimmo has been to Kyrgyzstan. They have interviewed people. They have spoken to large numbers of people. Other investigators surely will be doing the same as time goes forward, including indigenous people from your own country. What kind of protections do people have who come forward with information or already have, from when they are on board a plane if they're international, so that the retaliation is not imposed upon them and beatings and other misfortunes come their way. Do you have anything in place to ensure no retaliation?

Amb. DJUMALIEV. Of course this is—this is very important—

Mr. SMITH. Yeah.

Amb. DJUMALIEV. —that we would avoid the retaliation after the report has been published. And the government has taken all the efforts in order to prevent any kind of provocation or repetition of such a situation after the reports have been released. And we were waiting, actually, and it was very difficult at that time. We commemorated the one-year anniversary just recently, and I think that the—God bless us—that we will pass through very difficult time of period for us. And the government is doing all the efforts in order to prevent.

With regard to the human rights, with the UNHCR commissions, that we are also cooperating with the international experts there. And just a few days ago, there was a resolution taking on Kyrgyzstan for technical assistance in Kyrgyzstan, and these issues also will be covered under the technical assistance efforts of the international community. Just after the situation happened—the interethnic violence happened in Kyrgyzstan, that was the first resolution under the U.N. High Commissioner commission to call the international community to help Kyrgyzstan in preventing a repetition of such a situation, and we are very grateful that the international community expresses support for Kyrgyzstan. And we are open, also, for cooperating with them because we also feel that we have lack of experience in such a situation, and we also think that international community also should ask, and this will be also lessons for the international community that we were not able to avoid such a situation in advance, that we faced this after the June events.

Mr. SMITH. Kimmo would like, I'm sure, to travel back to Kyrgyzstan. He's denied access or entry. I hope that will be revisited. And an analyst for the International Crisis Group would also like to visit, and that person has been denied a visa. That's something you could look into as to why—I mean, the ICG on a number of countries has provided very useful insights and very fine recommendations to countries that are experiencing crisis, and yet their analyst can't even get into the country. Do you know why they were denied that visa, that person?

Amb. DJUMALIEV. Mr. Chairman, I just talked to the representative of ICG and requesting this issue. I have to find why the visa

was not still issued, and I think there's—I don't know, actually. This is my first time and I've heard that she was not able to get visa from our embassy. But I will check it out, and of course I think there's—there should be no reason. With regard to Kimmo, I told you that the president doing steps further in order to recall the Parliament to reconsider its decision.

Mr. SMITH. Thank you. And I'll only conclude by two things. First, thank you so much for making yourself available to come into a congressional hearing of this kind—a Helsinki Commission hearing—for your answers, which I believe are very candid—and I thank you for that—and for your willingness to work with our Commission going forward, especially on a number of these items that could be very quickly addressed.

And above all, I would ask that those who have committed crimes, that there be no—there is no statute of limitations on crimes against humanity or any other serious capital crime, and I would hope that those who have committed these crimes will themselves face long jail sentences after going through a fair and balanced prosecution. So please— it's very important at the end of this that it's not glossed over and somehow, in a spirit of reconciliation, those who commit crimes don't do time. So thank you.

Amb. DJUMALIEV. Thank you, Mr. Chairman. Thank you.

Mr. SMITH. I appreciate it, Mr. Ambassador.

I'd like to now introduce our third panel, beginning with Dr. Martha Olcott, a senior associate with the Russia and Eurasia Program at the Carnegie Endowment here in Washington. Dr. Olcott specializes in the problems of transitions in Central Asia and the Caucasus, as well as the security challenges in the Caspian region more generally. Dr. Olcott has testified before the Commission before, so we welcome her back.

Then we'll hear from Dr. Alisher Khamidov, professor lecturer at Johns Hopkins University School of Advanced International Studies. Dr. Khamidov began his career as director of the Osh Media Resource Center, a nonprofit independent media association in southern Kyrgyzstan. He later worked at Notre Dame University's Sanctions and Security Project, the NEH Summer Institute and on Eurasian Civilizations at Harvard, and at the Foreign Policy Studies Program of the Brookings Institution. He was in Osh during the June 10th violence, so we look forward to his firsthand account and any suggestions that he might have for our Commission on how we should proceed as well as the country of Kyrgyzstan.

DR. MARTHA BRILL OLCOTT, SENIOR ASSOCIATE, RUSSIA AND EURASIA PROGRAM, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Dr. OLCOTT. Thank you very much. It's an honor to be here to testify before you today.

I would like to focus my comments, which I'm just going to share the highlights of—and I've submitted a written testimony—I'd like to focus my comments on the reaction to the report of the independent international commission of inquiry, the reaction that it evoked in Kyrgyzstan and what may be the implications of this reaction for future political, social and ethnic developments in the country.

I've not traveled to southern Kyrgyzstan since the June violence. I've made six trips to Kyrgyzstan over the past 18 months, and I happened to be in Kyrgyzstan shortly after the report was published and got to interview many of the people. I got to talk with people of various levels of society and government about it.

I think before I go further in my comments, I really want to commend the stellar team that prepared the report. They put in extraordinary effort in what was a tremendously difficult endeavor and came up with a detailed account of terrible acts that destroyed so many lives, and made many, many very useful recommendations. The end product will serve as a lasting indictment of what went wrong in the southern part of Kyrgyzstan last June. And the recommendations they offer reflect much thought and discussion and have provided the President, the Government and Parliament with a great deal to think about. And, as has been noted here today, many of them are already under serious discussions.

I do think, as we go forward, the Government of Kyrgyzstan deserves credit for creating the conditions necessary for the inquiry to go forward. It really was the first of its kind in the region.

I would make one criticism of the report, and this is really what I'm going to focus some of my testimony on, the reaction. The only criticism I would make of the report is that its findings and recommendations were not presented in a way that was designed to make them palatable for the Kyrgyz polity, that—I'm not speaking of the findings themselves, but the question of audience in the report was one—was the Western audience that had really—and the international audience that had really sent them.

And because of it, this very strong reaction—and the people in Kyrgyzstan compare this report to their own homegrown efforts to investigate what occurred—this very strong homegrown action will—I fear will increase the difficulty of implementing some of the very important recommendations that the commission has offered.

The fact that there's been such a loud outcry against some of its recommendations, especially—and I'll come back to this, the fact that in the first paragraph of the recommendations, they urge that the name of the country be changed—the fact that there's been such a loud outcry, including the deplorable statement that Kimmo Kiljunen is *persona non grata*, I think speak to—is a great—demonstrates the amount of political grandstanding going on in Kyrgyzstan today, but it also points out the sharp division of power that we have in Kyrgyzstan.

We've heard today from a representative of the government. Power is really divided right now between a president who, since the June referendum, has very little power, actually—and what she exercises, she exercises with enormous political skill—with a government which has a great deal of power and reports to a Parliament which has no experience in supervising executive power. And this is the atmosphere in which the recommendations are moving forward.

I think that a majority of Kyrgyz citizens would not take exception to the vast majority of recommendations of the report, especially those that deal with public safety and security. And most would probably even support the majority of recommendations on accountability and on the need for criminal and disciplinary ac-

countability, although they would probably counsel you, with a semi-quasi-fatalistic mode, that it may take longer to get these changes implemented than one would like, having been experienced in Kyrgyzstan.

What I think most ordinary Kyrgyz citizens and political figures find difficult to accept is the idea that Kyrgyzstan may have been more morally culpable than—I'm sorry, that ethnic Kyrgyz may have more morally culpable than ethnic Uzbeks in the events of June. And this being pushed in their face by this report is the thing, I think, that they find it really, really difficult to accept, which is one of the reasons why the kinds of confidence building and reconciliation that the commission is talking about and that the president and government have made supporting gestures towards is so critical.

For most ethnic Kyrgyz, I think, it is important to them that the violence lasted only a few days and that it didn't turn into a civil war. In that, they try to take personal and emotional satisfaction in, rather than focus on the questions of responsibility that the report made so clear.

To me, the most controversial recommendations of the commission from the point of view of Kyrgyz polity—and here, I include ethnic minorities of Kyrgyzstan and not just ethnic Kyrgyz, save the Uzbeks, is the idea that the country should be renamed, or that there should be a special status granted to the Uzbek language, a constitutional status. This is very, very controversial, and it is not something that is widely supported outside of the Uzbek community.

I'm going to just switch the—we've been here really a long time, and everything is in the testimony itself. I think it's important, as we go forward, for us to remember that the country is, as a whole, experiencing a trauma, the trauma that brought down the Bakiyev Government and living in this state of incomplete political resolution with an interim president, a very new parliamentary system that's not supported, if public opinion polls are to be believed, by the majority of the population; and on top of it, this trauma in southern Kyrgyzstan.

The trauma that's experienced is experienced differently by those people who are in southern Kyrgyzstan and those people who are living outside of southern Kyrgyzstan. But all groups feel traumatized, and all groups feel aggrieved.

And it's in this environment that the recommendations go forward. And it's in this environment that the recommendations will be considered.

Let me just go to the very last conclusion of my testimony. I think it's really critical that the government and the Parliament—[chuckles]—and the President all be pressured to try to move towards the kinds of efforts at reconciliation, many of which are in the report.

But how should the Helsinki Commission itself respond? Well, defending human rights—I believe that it's important that the Helsinki Commission continue to be what you have been for decades now, strongly defending the human rights of of the entire population of a country, regardless of their ethnic origin.

But I do not believe that the Helsinki Commission should, as the independent investigative commission did at one point, cross the line and become prescriptive about other aspects of nation building.

The lives of ethnic minorities everywhere were disrupted when the U.S.S.R. fell apart, and the situation is particularly sad where people live in communities that their ancestors lived in for generations and now find themselves as minorities. That violence of June 2010 is a tragedy and the victims of violence and their survivors should be compensated, while those responsible should be held accountable.

But the shift away from Uzbek-language education is not a tragedy, nor is the failure to rebuild Soviet cultural institutions in southern Kyrgyzstan. In my opinion, it dilutes the power of the human rights message when outsiders seek to engage in that degree of nation building, even when they do so with the best of intentions.

The political freedom of all citizens of Kyrgyzstan should be defended equally; freedom of press, religion, assembly, evenly applied. And the Government of Kyrgyzstan should continue to be pressed to ensure that legal safeguards are put in place to guarantee that local security and judicial officials apply the law evenly regardless of the ethnicity of the accused or are held accountable for their actions.

But it is my opinion that we cannot even the playing field between ethnic Kyrgyz and the various ethnic minorities of the country. And those international agencies and actors that seek to do so risk losing their credibility with the Kyrgyz polity and the Kyrgyz elite.

The Kyrgyz language is going to dominate in Kyrgyzstan, and those who can't speak it—and actually, most ethnic Uzbeks can—and those who can't speak it will have a harder time in public life in the future. That is the pattern everywhere in the Central Asian region and will be the Kyrgyzstan as well.

The ethnic Uzbeks in Kyrgyzstan face a difficult set of choices in coming years: adapt to the changing political realities in Kyrgyzstan—and this doesn't mean that they shouldn't be introduced—I mean, that there shouldn't be affirmative action pressures to make sure they're introduced in sectors in society where they're under-represented—or think about relocating.

These choices are not of their making, but I do not think that international actors can do much more than press the Kyrgyz Government to respect the basic human rights of all their citizens. To take this more limited approach may make us more effective in trying to ensure that peace prevails in southern Kyrgyzstan, but there will be no guarantees.

And to not take this approach, to not focus on human rights in its purest definition, is to risk that the most important recommendations of the Kiljunen commission don't get their fair hearing in Kyrgyzstan.

Mr. SMITH. Thank you very much. Appreciate it.
Please, Dr. Khamidov.

DR. ALISHER KHAMIDOV, PROFESSORIAL LECTURER, JOHNS HOPKINS UNIVERSITY (SAIS)

Dr. KHAMIDOV. Mr. Chairman, I want to thank you for having me here to address the important question of ethnic tensions in my native country, Kyrgyzstan.

In June 2010, I was among those Kyrgyz citizens of Uzbek origin who fled to the Uzbek-Kyrgyz border, trying to flee the violence. Just like many other Kyrgyz citizens, I cherished hopes that Russia, Kazakhstan and other countries, with which Kyrgyzstan has partnership relations, would intervene to stop the violence. Our hopes were dashed when Kyrgyzstan was told by the Collective Security Treaty Organization uniting these countries that it has to deal with the conflict on its own. And so suddenly, a country where interests of many countries overlapped became no one's backyard.

There are many explanations for what happened in south Kyrgyzstan. There's historical explanations, saying that, oh, these two communities, they hated each other for centuries. There are economic explanations pointing to economic disparities between the two groups. And there are other explanations.

But really, the debate about causes of the conflict misses an important issue. I would argue that, to understand last year's violence, we need to have a more nuanced and holistic view of Kyrgyzstan's past and present. The violent regime change and the bloody interethnic clash in 2010 are actually symptoms of a set of broader and longstanding challenges or, I would call, chronic ailments that have afflicted Kyrgyzstan and other Central Asian republics, including Russia, since independence. If these ailments are not treated properly and adequately, turmoil will continue to increase.

And let me briefly outline what are these ailments.

Twenty years ago, when Kyrgyzstan became independent, it faced four key challenges or ailments. One was dealing with the country's political institution: Should we preserve Soviet-era political institutions, or should we build a really democratic state?

The second challenge was that of the country's identity: Do we want to build a country which will be a home for all ethnic groups, or do we want to create a country which would be run by one ethnic group?

The third challenge related to the country's economy: Should we preserve the country's Soviet-era system with its social perks, or should we create a country which will be driven by market reforms?

And the final challenge was related to foreign policy. Kyrgyzstan was a small country; now it was independent, and now it had to deal with enormous issues of foreign policy. So the real challenge was, do we want to build an independent foreign policy course, or should we stick to Russia?

So those were the challenges. Twenty years later, after two bloody ethnic conflicts, two bloody revolutions, Kyrgyzstan has made full circle, and we're back at square one. We're still dealing with the same challenges.

I'd like to basically address two questions here: why there has been no progress; and the second, where might things end. To un-

derstand these—to answer these questions, it's important to look at the country's history.

Now, there are various explanations to the question of why there has been no progress. Some emphasize the country's history again, saying that it's the nomadic past and its Soviet illiberal past that has made the country more vulnerable to authoritarianism and political volatility. And then there are those who say that, look, Kyrgyzstan is in a bad authoritarian neighborhood; how can a democracy or system develop there? And then, there are those who emphasize economic factors. They say that, look, the country is lacking natural resources; unlike its neighbors, it does not have resources, so it's hard for its elites to create a very robust system.

I would say that the main problem of Kyrgyzstan, actually, has not been lack of resources or other issues. I would say that—I emphasize the role of leadership or lack of it as the major source of Kyrgyzstan's troubles. The major flaw of the Kyrgyz leaders was that they failed to find lasting solutions or effective treatments for the four key ailments or challenges outlined above.

To be more precise, Kyrgyz leaders have continuously undermined stability by engaging in systematic alteration of political rules and arrangements whenever such rules did not suit their immediate political preferences. More importantly, Kyrgyz leaders failed to realize their historic roles as the founding fathers of the new nation and the responsibility that flows from such a realization.

Briefly, President Askar Akayev—let me elaborate just a little bit more—President Askar Akayev, he was Thomas Jefferson of Central Asia. He liberalized the country; he also ushered in economic reforms, but only to change his course in the early 2000s, after the U.S. base was established. This turnaround on his own policies helped to undermine his own rule.

People revolted against President Akayev. The president who came after him—instead of learning the lessons of his predecessor, he continued this authoritarian course. Rather than dealing with various political groups and community members, and rather than really allowing—rather than dealing with these four key challenges, he basically resorted to creating a very authoritarian regime.

So—and actually, I would say that in March 2005, it was an alliance of the wealthy and the poor that toppled an authoritarian regime; in April 2010, it was a combination of economic sanctions from Russia and protests by poor and unemployed residents in such northern towns as Naryn and Talas. All this shows that President Bakiyev, he failed to really create a debate or lead the country to really resolve those four key ailments or challenges.

People who came after him, the provisional government, were not prepared to assume power, lacking broad legitimacy and being driven by their survival instinct. The new authorities engaged in chaotic and populist measures, such as a reversal of utility tariffs imposed by the previous regime, and so forth. But although they realized the need to address longstanding transitional dilemmas, they lacked resources and the strategic direction. They got their sequencing wrong in terms of dealing with the four challenges I mentioned, despite various signals in April that ethnic tension was

really palpable. Authorities focused on the division of political power in Bishkek. So as a result, when the ethnic conflict erupted in Osh, they were not prepared. They lacked control over government security service, let alone rampaging crowds.

So where might things end? I would say that new leaders have made attempts to resolve these longstanding dilemmas, transition dilemmas, but these efforts have been half-hearted and ineffective. Let me describe why.

The first challenge, the division of powers—the parliamentary system is not supported by a lot of people. According to recent polls, the majority of Kyrgyz citizens want to resort back to a presidential system akin to Russia. Decisionmakers in Russia are opposing this parliamentary system; they have been critical of it. Some influential politicians in the Parliament, they want to change the constitution again.

The second challenge, forming a national identity—they're not doing much, actually. There is this assumption in Kyrgyzstan that, look, the Osh events have resolved this identity crisis or challenge by establishing the pre-eminence of the ethnic Kyrgyz and relegating ethnic minorities to a secondary status positions. This view is supported by ethnic Uzbeks and Kyrgyz. As one ethnic Uzbek told me, look, Uzbeks lost, the Kyrgyz won; now, we're secondary and there'll be less conflict.

The government is not challenging this erroneous assumption. It's basically living with the status quo. And this is really promoting all these nationalistic and chauvinistic forces and aggravating tensions. And rather than deal with the conflict in a rather effective way, they are basically adopting the Soviet-style tactic of sweeping the unpleasant events under the rug and putting forward a mantra of friendship of peoples. This strategy is flawed and it resembles the one adopted by Kyrgyz authorities after the June 1990 violence.

So they're also not addressing the third challenge, which is economy. Rather than really promote a debate which would discuss this long-term problem, they are again engaging in populist measures by increasing public spending, salaries, and continuing with these expensive construction projects.

Finally, the Kyrgyz authorities are again following the footsteps of their predecessors in terms of indeterminate foreign policy. Their relations with their neighbors are really bad. Uzbekistan is really pissed off or is livid about the way Kyrgyz authorities dealt with the whole crisis. The Uzbeks are concerned that the revolution will continue. Kazakhs are also unhappy with the instability. Tajiks are also angry.

More importantly, Moscow is unhappy about Kyrgyzstan's choice of policy. And attacks against Russian business are not helping Kyrgyzstan's image in Russia. And Western partners are also becoming suspicious of all these talks in Bishkek about changing the system again.

Finally, Kyrgyzstan finds itself at a crossroad. And so the Osh events, they took their toll, but they provide a window of opportunity to finally tackle these four transition challenges. If the Kyrgyz citizens will have this painful but important debate about how to solve these challenges, and if this process will include all

citizens, Kyrgyzstan is—will have, I would say, a chance to become a real model for Central Asia. If they will fail, Kyrgyzstan is set to continue with this revolutionary and painful ethnic conflict course.

Thank you.

Mr. SMITH. Dr. Khamidov, thank you very much for your testimony, and Dr. Olcott. Thank you for your patience, too, because I know this has been a long day. But frankly, the more we build this record, and we're able to then act upon it—and you provide incisive insights for us to act upon. So I thank you for your written statements, your oral statements, which were extraordinary.

Let me just ask a couple of questions, and then we'll conclude the hearing.

How would both of you or either of you, or whoever wants to address this, assess U.S. policy towards Kyrgyzstan, especially what happened June last year? Have we responded well, robustly? Have we been asleep at the switch? And secondly, on the issue of aid to southern Kyrgyzstan, is reconstruction aid flowing there? How much of it's coming from the U.S.? If you could answer those.

Dr. KHAMIDOV. Yes, thank you, Martha.

Dr. OLCOTT. [Chuckles.]

Dr. KHAMIDOV. U.S. policy towards Kyrgyzstan after the violent events—I must tell you, Mr. Chairman, that the United States has shown genuine interest in Kyrgyzstan, its problems. And I think the people of Kyrgyzstan, they realize it. The United States, among the first, condemned violence and called for peace and took measures to stop it.

But there are also some problems with the U.S. policy. In the perceptions of many Kyrgyzstanis, U.S. policy is not principled. There is this U.S. base and then there are human rights, and the U.S. policy shifts between these two issues.

More importantly, I would say that the Kyrgyzstanis have this perception of themselves as exceptional in the region because they were the first to democratize. And so they think that they are the darling of the United States and other Western countries. And this is the message that the U.S. administration, namely, the Barack Obama administration, has fostered by telling the Kyrgyz that, look, you are a model again; now you will be a model for the Middle East. These kind of reassurances are useful, but they also mislead Kyrgyz citizens. So I would say that U.S. policy has its flaws and its positive aspects.

In terms of reconstruction efforts, I would tell you that a lot of donors have adopted this policy of wait and see. They're concerned; they're not sure that the money that they will allocate to Kyrgyzstan and its regions will be spent properly. There are concerns of transparency, mismanagement, corruption. But they are ready to issue money. The World Bank announced that its ready to approve a \$70 million loan in reconstruction and various projects.

Mr. SMITH. Have we had a consistent policy about torture and rape in the prisons in pre-detention?

Dr. KHAMIDOV. The United States has systematically criticized failures in areas which you mention.

Mr. SMITH. Thank you.

Dr. OLCOTT. In terms of U.S. policy, I know we've had a systematic policy of criticizing rape and torture, but I think abuse in the prison systems in Central Asia is not new. It came to the forefront here because the argument was, it was being—I hate to be so brutally blunt—inequitably applied—that one group was being brutalized more than another group, that Uzbeks were being disproportionately arrested and they were being brutalized.

But I think that it would be a real mistake to see the Kyrgyz system as gentle to Kyrgyz. It has been a brutal judicial system. There have been efforts made to reform it; there have been periods in which reform went faster than others. I think there would be a capacity to soak up more democracy assistance in the area of judicial reform and security system reform than is likely to be on offer.

And I think that this is really an important focus that you raise. There's a difference between U.S. policy and the ability of the U.S. to deliver large amounts of aid on projects that we all recognize as good projects. As you know better than I, there are lots of competing demands on every tax dollar today. And by comparison, the amount of money being spent in Central Asia is very, very small.

And on top of the traditional difficulties of delivering anything other than humanitarian assistance rapidly, what you had aggravating the situation in Kyrgyzstan was the fact that you didn't have a legitimate government for so long. So you went months until you had the elections. And until the last set of the October elections were completed, there wasn't really a government that had the credentials to negotiate many of the larger international financial loan agreements.

So there has been a slower process than people in country would like to see. That's not necessarily a criticism of us.

The last point I would make, though, is that there is one thing I think that the Kyrgyz desperately need as they go into this election period, is a greater sense of awareness of what the economic realities that the country faces are. Part of the victory of populism is that no one is really forced to be realistic in their political rhetoric. They promise—there's one person who was talking about running for president who's talked about raising the GDP to roughly \$9,000 a year, like a four-fold increase in a five-year period—it's impossible. But people can take these propositions as serious ones.

So in addition to talking about interethnic accord, I think if we want democracy to succeed in Kyrgyzstan, we really have to talk about empowering an electorate and a political elite at the lower levels—[chuckles]—of that elite with more knowledge, with working towards increasing the level and quality of political debate.

One last comment about U.S. policy: I don't know that we were asleep at the switch, but the fact that we went through a period where we changed ambassadors—you know, we had a period in which there was an ambassador at the end of the term—it's not my place to say—but was not viewed in the polity as being terribly effective. And then, until we got the new person out there, named and out there, that whole process took months and months. I mean, the new ambassador's been out there just under a month, you know? [Chuckles.] So I don't think we were asleep at the switch,

but I do think that there are periods where we could've been more effective.

Finally, I think it's going to be a challenge for the U.S., as Kyrgyzstan moves, if they hold presidential elections as scheduled, if they keep this timetable and don't experiment again with changing it—this policy has been very much tied at the public level to Roza Otunbayeva as President. It's a weak presidency. She's using power very, very effectively, but she doesn't have very much power.

I think that U.S. policy has to be a policy that interacts equally with all levels of the political establishment. Where power is, we should be interacting directly; that means with the Prime Minister's office and the government and the Parliament, where even if we don't like some of the things they do and we find them politically inexperienced, we really have to get our message across to all these different people and find ways to interact, because we run the risk, when President Otunbayeva's term ends and a new person replaces her, that we will be so identified with the current president and the issues of the base that we will not have the kinds of levers to make a quick adjustment to be effective in the country.

Mr. SMITH. Thank you. The upcoming elections—will these likely be positive? How will the tragedies of June play in those elections, the campaigns? And given the people that are running, where—what happens after post-election vis-à-vis the terrible tragedy?

Dr. Khamidov?

Dr. KHAMIDOV. Mr. Chairman, Kyrgyzstani political actors basically divided into two camps: There are northern politicians, and then there are southern politicians. Most of the southern politicians, they maintain close ties with the regime of the former president, whereas a lot of northern politicians were in the opposition. So really, the fight, or the struggle, is between these two camps of politicians. There is this acting Prime Minister, Mr. Atambayev Almazbek; he's slated to run for presidency. And on the other side, in the southern camp, there are also two or three candidates.

But the problem is that Mr. Kiljunen's report, as well as the other issues, have become caught up in this struggle between these two camps. It's not only Kimmo Kiljunen's report, but also broad issues. The ones that I mentioned, the four challenges, the economy—all of these are becoming problematic.

And I must tell you that many Kyrgyz citizens, they are very much driven by this desire to have a strong leadership. And whoever is going to project himself or herself, that person will get votes.

There are also forces who want the current president to stay, because they're afraid that the struggle between these southern and northern camps may become fatal. We're talking about inter-Kyrgyz conflict. And so there are calls for Otunbayeva to stay for one more year.

Dr. OLCOTT. I agree. I wouldn't bet my pension on the fact that there will be an election in the fall. I mean, I think—and I'm not predicting revolution. I think the situation, even in the south, is pretty stable right now. People want quiet, if they can get it, which is one of the things that are pushing the idea that people are beginning to float that maybe they should wait a year for an election.

There's also the question of changing the form of government. I think, in my opinion, as soon as there is presidential elections, there will be a serious call for constitutional reform that will leave a stronger presidency, a weaker Parliament, but still some form of power sharing that—I think there's enough support for some form of parliamentary power.

But I think it's very difficult to, A, predict whether there won't be popular elite pressure as well as popular pressure for Roza Otunbayeva to stay—even though she's made it clear that's not her intent, that she sees herself as a transitional figure—to stay for another year or two years, whatever the agreement is, and that part of that would be that there is a discussion of constitutional reform. Again, there's a big discussion now—do they have the money for an election? Ms. Otunbayeva said yesterday that there will be new candidates coming out.

I think that everybody in the elite would feel more comfortable moving towards a presidential election if there were some sort of consensus around a candidate, even in advance, and the belief that the election itself wouldn't serve to tear the country apart. And right now there's no consensus. There are several figures that are eager to run, and they are under enormous political pressure, like Kamchybek Tashiev, who's been one of the southern politicians, been at risk of losing his parliamentary immunity and the source of demonstrations in the south.

So there's going to be this building of political tension—[chuckling]—over the next days and months—and I think if the elite feels the tension is at risk of overflowing, they will try to find ways to negotiate among themselves to release it, because I agree with Dr. Khamidov that there were key forces in the country that were active in April and May of last year, and the government didn't read the situation right and didn't move quickly—the interim government, to stabilize the situation in the south in advance of these forces being able to push beyond. I don't think in the next year people are going to make that mistake.

I think it was painful to people ending the stalemate of the last 20 years in the south. Nobody is going to be interested in ending this much more fragile current stalemate in the south. So I think the election's become a real roll of the dice if they move forward. And it'll be interesting to see, as long as you don't have—as long as you're not living there in this moment of great interest, it'll be interesting to see what happens.

But I'm more confident that we're not going to see a repetition of last June in the immediate future. There are always unpredicted events that could happen that would provoke it. If there was sudden destabilization in Uzbekistan for some reason, that would again change—you know, if somebody suddenly died, that would change the political balance. But in the absence of something unforeseen, I'm personally optimistic that we have a window in which to try to be more effective in working towards ethnic consolidation or ethnic reconciliation.

Mr. SMITH. Could I just ask you, with regards to the police and other security personnel that have committed crimes against humanity or allegedly have done so, are you confident that they will

be held to account individually and held—and put into prison for committing those crimes?

Secondly, President Bakiyev, as we all know, is keeping a relatively low profile in Belarus, his current address. What residual influence does he have?

And we also hear that Kyrgyz officials and ordinary people have accused the Uzbeks of seeking to create an autonomous region in Kyrgyzstan for Uzbeks. How do you rate those accusations? Are they credible?

Dr. OLCOTT. [Chuckles.] We'll swap off.

In terms of whether people will be held accountable, I think that this government and the President will make that attempt. If you're asking me to say whether they'll succeed, you know, I think it is always hard to be optimistic that people will succeed in getting an only partially reformed judiciary to behave fully responsibly.

So I think that some people—I hope and think that a portion of those who should be held responsible will be held responsible and that imperfection in doing this will hopefully serve as an inhibiting example. [Chuckling.] I say that as a realist who's spent my whole adult life going to this region.

Bakiyev, the autonomous region—the question of Bakiyev lying low—to me, the question—and this is another one of those topics that they talk about in the report but they don't talk about enough because it's really hard—it's very hard to get people to talk about organized crime, because people are frightened of being killed. And so when you ask these questions or the questions about Uzbek autonomy or any of those things, you're going into this area that people will talk about privately, but people are not comfortable talking about on the record or giving evidence about.

I think that more important than the question of Bakiyev's influence is the presence of organized criminal groups in both countries, in Uzbekistan, in Kyrgyzstan. They've been under much better control in Uzbekistan. And under Kyrgyzstan, there were alliances between some of these criminal groups and, if not the Bakiyev family, people who closely supported them.

This is still there, and that's what I mean by keeping forces under wraps. There's nobody interested in inciting it.

When you talk about an autonomous region, I don't ever believe that that was a serious issue, that the Uzbeks of Kyrgyzstan, who are Kyrgyz citizens, who have lived in their lives in Kyrgyzstan, ever had the goal of creating an autonomous region of the Fergana Valley dominated by ethnic Uzbeks. I think that when people talk about this, they're talking about it not hypothetically but more elliptically; that what they're really saying—and I can't swear I'm right on this—is that they're frightened of organized crime groups at some point where there's regime change in Uzbekistan, whether there's a transfer of power or where the Uzbek regime seriously weakens, that organized crime groups might join hands across borders and destabilize the whole area.

So yes, politicians use the rhetoric of autonomous Uzbekistan—an Uzbek region there, but I think that's—you know, I don't see any evidence of it. But is there a risk that destabilized Uzbekistan and destabilized southern Kyrgyzstan could create a pocket of lawlessness with a lot of Uzbek crime bosses and no shortage of

Kyrgyz, Russian or Tajik crime bosses, either—this is a very international organization—that, I think, is real, and not something that one can ever put their hands on, because it's just too dangerous to talk about, to reveal the identities of people.

Dr. KHAMIDOV. Let me answer briefly. Regarding responsibility of security forces, central government finds itself in a bind. If they move with prosecution of the security forces, they will not have people who will support their regime. They are very weak. They are still fragile. Their control is still fragile, especially in the southern regions.

And then there's this issue of who is not clean. You know, everybody has a fault in the Osh violence—the security services, the provisional government. So if they really bring to accountability some security forces, there is this question of, what about you? You are also complicit in those things.

Regarding Bakiyev, he's toxic, meaning like—nobody wants to [fill it ?] with him. He's finished. I mean, one of the interesting things about Kyrgyz politics is that once people are removed from power, they are nobodies, actually, so they don't have much influence, except for money that they have perhaps pocketed and that they can ship to some people there.

Regarding Uzbek autonomy or claims of autonomy, I've had many conversations with the Uzbeks, and they tell me, like, look, we live in this country; they played a bad trick with us. If they—the Kyrgyz leaders—told us from the very beginning that, look, you are living in a Kyrgyz republic, just stop pushing for political rights, we would have gladly accepted it or, just like in Uzbekistan, we're asking the Kyrgyz to accept the Uzbek domination. And the Uzbeks are saying that they didn't do that. They say that the Kyrgyz Government has allowed a lot of freedoms, they promoted ethnic minority rights, and that kind of encouraged to be more demanding of certain political rights. As a result, this policy led to a collision with various nationalistic groups.

Mr. SMITH. Thank you, Doctor.

Let me just ask one final question, but I would like to let the record show that Ambassador Djumaliev has stayed throughout this entire hearing. We've had hearings before where, as soon as their panel, the ambassador's panel, was over, they're out the door. So I thank you for that, for that courtesy and again for appearing here today.

One final question with regards to the U.N. Human Rights Council, as to whether or not they have listed this as an item for investigation and action to hold Kyrgyzstan to account—have they done anything, as far as you know? And if not, why not? Any idea?

Dr. KHAMIDOV. No.

Mr. SMITH. OK. We'll pursue that and try to get an answer from the Human Rights Council, because it seems to me, when the council was formed to replace the largely discredited Human Rights Commission, which only focused on Israel and more Israel and Israel and then some more Israel, it was—we had promises that there would be very serious scrutinizing of nations, not just when they do periodic reviews, which all nations ultimately have to undergo, but when crises like this erupt. And hopefully it's never too late—[chuckles]—for them to undertake such an investigation,

which will, I think, aid the efforts to give a full accounting and hopefully hold those who have committed crimes to account.

Anything you would like to add before we conclude? Again, I want to thank you for your very, very fine, incisive commentary and analysis. It is of extraordinary value to the Commission, and I want to thank all of you. The hearing's adjourned.

[Whereupon, at 3:40 p.m., the hearing was adjourned.]

APPENDIX

PREPARED STATEMENTS

PREPARED STATEMENT OF HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Welcome to this hearing on addressing ethnic tensions in Kyrgyzstan, the only country in central Asia where street protests have, in recent years, twice led to changes in government. Kyrgyzstan is also the only state in central Asia which has experimented with a parliamentary form of government, so it stands out in two very important ways.

But the focus of today's hearing is the terrible ethnic violence that erupted one year ago this month, shortly after the April revolution that toppled former President Bakiev, and what the Kyrgyz government should do to address it. In June 2010 ethnic Kyrgyz and ethnic Uzbeks clashed in the southern region of Osh. By the time the worst was over, 470 people were dead and over 400,000 displaced. Thousands of homes and businesses were destroyed. The clashes threw a dark shadow on the hopes engendered by the ouster of the corrupt Bakiev government.

To its credit, the government of Kyrgyzstan requested an international investigation into the events and I certainly commend President Otunbaeva for that initiative. In response, the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 was formed. It released its report last month, and our first witness will be Kimmo Kiljunen, who chaired that commission.

It is an excellent report, and I am deeply concerned by its conclusions. Especially alarming is the commission's judgment that the systematic nature of some acts committed last June by ethnic Kyrgyz against ethnic Uzbeks—including patterns of murder, rape, and brutal ethnic persecution—could qualify as crimes against humanity. It remains to be seen whether they will found so in a court of law—and whether or which competent court might take the case. In any case, such a judgment, by such a credible commission of investigation, must be taken very seriously, and the Kyrgyz government must investigate these crimes seriously and hold those responsible to account.

I also am disturbed that Kyrgyz security forces apparently were complicit in the attacks, not only by failing to respond adequately to stop the violence, but, according to the commission report, in some cases even distributing weapons to ethnic Kyrgyz or driving the armored personnel carriers which penetrated the defenses of ethnic Uzbek neighborhoods. Unfortunately, so far the Kyrgyz government has brought more cases against ethnic Uzbeks—who made up the majority of the victims—and there is credible evidence that torture was used to extract confessions from these ethnic Uzbeks. This also must be investigated—including the case of human rights defender Azimzhan Askarov, who has been sentenced to life in prison despite his credible claim that he was tortured.

Just as disturbing is the ongoing serious human rights abuses against ethnic Uzbeks, including torture, arbitrary arrest and detention, and unfairly conducted trials—which is also covered in detail by the report. Because the police force is deeply involved in these abuses, and is almost entirely of Kyrgyz ethnicity, victims feel they have nowhere to turn. Ethnic Uzbek businessmen and migrant workers returning from Russia are particular targets for extortion. Even with the understandable reluctance of victims to report abuses, the Office of the United Nations High Commissioner for Human Rights (UNHCHR) has documented some 680 cases of arbitrary arrest for ransom since June 2010, as well as 70 cases of torture in detention. Ongoing human rights violations must stop immediately, and those responsible brought to justice.

President Otunbaeva has said many of the right things. While laying a wreath in Osh to commemorate the one-year anniversary of the violence, she called for inter-ethnic peace and urged that nationalism not be used for political purposes. She has pledged to purge the police forces, reform the judicial system, and fight organized crime. She told the OSCE recently that, "In addition to the reconstruction of destroyed facilities, we also face a far more difficult task: to restore the lost trust between Uzbek and Kyrgyz communities in the south. It is not easy to achieve trust after such a complex conflict. The level of nationalism and intolerance is very high. In the government's comments on the Commission's report: we openly admit the existence of serious problems in the field of human rights in the post-conflict period; we agree with many criticisms of the commission in this field; we are ready to

change the situation and we need support in implementing commission's recommendations."

I sincerely hope that President Otunbaeva will be able to carry out this policy, and that whoever replaces her after the election this fall—she is not eligible to run—will continue on this path. Her actions show significant commitment to this path. In any case it is clear that many people in Kyrgyz politics have no interest in such a path. Nationalist rhetoric is on the rise. Even high-level government officials now routinely refer to ethnic Uzbek citizens of Kyrgyzstan as the "Uzbek Diaspora," as if they were immigrants from another country, which was responsible for them. In the past several weeks, the Kyrgyz parliament has passed several unhelpful measures, including banning Mr. Kiljunen from entering the country. This has sent a chilling message to other international NGOs working in the country. A Kyrgyz parliamentary commission wrote its own report on the June 2010 violence, and in contradiction to the international report, concluded that ethnic Uzbek leaders and followers of former President Bakiev were responsible for the violence. Parliament also voted unanimously to ban the independent news website Fergananeews.com, because it offered accounts different from parliament's anti-Uzbek narrative.

I look forward to learning from our witnesses their view of the situation, and what they believe the Kyrgyz government should do to address it.

PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN, CO-CHAIRMAN, COMMISSION
ON SECURITY AND COOPERATION IN EUROPE

I welcome this hearing, one year after ethnic violence devastated areas of southern Kyrgyzstan. Let me begin, however, by welcoming an old friend: Kimmo Kiljunen, whom many of us know from his work in the OSCE Parliamentary Assembly. I am pleased to see that Kimmo has continued doing important work in a non-legislative capacity.

In fact, I think he has done very important work in Kyrgyzstan by heading the international investigation into the tragic events of June 2010, which stunned the country and shocked the world. The ethnic violence took place against a backdrop of weak government institutions, endemic problems with the police and judiciary, and growing ethnic nationalism. It erupted in a climate of corruption, and in a place that the United Nations has identified as a leading drug trafficking center in Central Asia. In the local power vacuum left following the overthrow of former President Bakiev and his supporters, I understand that racketeering was thriving and had taken on an ethnic component, as many businessmen vulnerable to extortion were ethnic Uzbek. And while many successful businesses were owned by Uzbeks, they were underrepresented in political life.

So while the violence had an ethnic face, it also appears to have been fed by perceived economic disparities. I believe that economic development and fighting corruption must be a component of any reconstruction and reconciliation program. I am concerned that the process of compensating victims for property damage is too slow and bureaucratic. Bribes reportedly are needed to compete the complicated application process. As a result, many young people are leaving the region in search of work elsewhere, particularly in Russia. Few ethnic Uzbek businesses have reopened, or reportedly reopened under ethnic Kyrgyz ownership, leading to concerns about "raiding" or pressure on minority business owners to sell for a token price.

International assistance has in some cases become a source of ethnic tension as well. Even with good intentions, aid has not always reached those for whom it was intended. For example, a new high-rise apartment building funded by international aid money was intended to house victims of the violence. Yet, while more than three-fourths of the victims were ethnic-Uzbeks, I don't believe any ethnic-Uzbeks received apartments in the new building. Although I understand that this was partly because most preferred to remain in traditional single family houses, it is illustrative of how divisive even an aid program can be.

And property distribution likely will be another stress point. Riots over land disputes in 1990 during the breakup of the Soviet Union left over 300 people dead. A long-stalled land distribution project in Osh has been restarted, opening the door to fresh quarrels.

Obviously, this is a very complicated problem, with many angles and competing perspectives. Kimmo Kiljunen's report is exhaustive, comprehensive and fair. Given the passions that still surround the violence and the possibility of its recurrence, that is a major achievement. I very much look forward to hearing from him and our other witnesses about the results of the international investigation and the recommendations for addressing the current situation and promoting ethnic reconciliation.

BIOGRAPHY OF DR. KIMMO KILJUNEN

Date of birth: 13.06.1951, Finland

Nationality: Finnish

Marital status: four children, four grand-children

Degrees

- M.A. (Social Sciences) Helsinki University 1973
- M.Phil. (Development Studies) Sussex University, England 1977
- D.Phil. (Development Studies) Sussex University, England 1985
- Adjunct Professor (Development Studies) in Helsinki University and Joensuu University 1986

Languages

- Finnish
- English
- Russian
- Swedish
- French (modest)

Work experience in Finland

- Research Assistant, Finnish Institute of International Affairs, summer 1971
- Study Programme Assistant, Institute of Development Studies, Helsinki University, 1972–73
- Liaison Officer, Finnish UN Association, 1974–75
- Researcher, Labour Institute for Economic Research, Helsinki, 1979–81
- Research Fellow, Academy of Finland, 1981–85
- City Counsellor, Vantaa, 1985–
- Director, Institute of Development Studies, Helsinki University, 1986–95
- Member of Parliament, Finland, 1995–2011

International work experience

- Research student, Scandinavian Institute of African Studies, Uppsala, summer 1973
- British Council Fellowship, Institute of Development Studies Sussex University, Brighton 1975–78
- Secretary General, Kampuchea Inquiry Commission, 1980–82
- Secretary General, International Peace Bureau and personal assistant to Nobel Laureate Sean MacBride, Geneva, 1984–85
- Consultant, UNICEF, Kenya Country Office, Nairobi, 1989–91
- Transition Policy Coordinator, UNDP, New York, 1993–94
- Member, UNU/WIDER's Academic Advisory Council, 1993–96
- Member of EU Constitutional Convention, 2002–03
- Conciliator, Court of Conciliation and Arbitration of the OSCE, 2007–
- Chair, Kyrgyzstan Inquiry Commission, 2010–11

Parliamentary functions

- Member, Foreign Affairs Committee, 1996–2011
- Member, Future Committee, 1995–99
- Vice-chair, Grand Committee (European Affairs), 1999–2007
- Member, Defence Committee, 1999–2003
- Chair, WTO sub-committee, 2000–07
- Member, Constitutional Law Committee, 2007–09
- Chair, TUTKAS, Parliamentary Society on Academia, 2007–11

International parliamentary functions

- Parliamentarians for Global Action, International Council member, 1995–99
- Nordic Council, member 1995–2001
- Arctic Council, Parliamentary Standing committee member, 1999–03
- Nordic Council Working Group on Civic Crisis Management, chair, 2001
- WTO Parliamentary Conference, Steering Committee member, 2001–11
- Parliamentary Network on World Bank, vice-chair, 2001–07
- Baltic Sea Parliamentary Conference, chair of the Finnish Group, 2003–05
- Euro-Mediterranean Parliamentary Assembly, member, 2004–2007
- Inter-Parliamentary Union, Finnish Group, member, 2007–11

OSCE Parliamentary Assembly activities

- Vice-chair, OSCE PA Finnish Delegation, 1995–2007

- Vice-chair, Political and Security Committee, 1996–99
- Chair, Political and Security Committee, 1999–2000
- Member, Working Group on Belarus, 1998–2003
- Chair, Working Group on Moldova, 2000–06
- Vice-president, OSCE PA, 2001–04 and 2007–10
- Special Representative for Central Asia, 2007–11

Election observation

- Special Coordinator (Head) of OSCE Election Observation Mission in Moldova 2001 and 2005
Belarus 2001
Macedonia 2002
Kyrgyzstan Feb. 2005, July 2005 and 2007
Tajikistan 2006
- Special Envoy on Elections of OSCE CiO Finland, 2008
- Special Representative on Election Observation of OSCE CiO Greece, 2009
- Special Representative on Election Observation of OSCE CiO Kazakhstan, 2010
- Special Representative on Election Observation of OSCE CiO Lithuania, 2011

Activities on international relations

- Member, Finnish UN-delegation, 34th UN General Assembly, 1979
- Member, State Advisory Board on Relations with Developing Countries, 1981–85 and 1995–99
Expert Member, 1989–92
- President, Finnish UN Association, 1987–91
- Member, State Committee on Environment and Development, 1987–89
- Chair, Isolate South Africa Campaign in Finland, 1988–89
- Member, State Preparatory Committee for UNCED, 1990–92
- Vice chair, Finnish Red Cross, International Committee, 1992–93
- Expert member, State Committee for Sustainable Development 1993–95
- Chair, Finland-South Africa Association, 1995–97
- Chair, STETE, Finnish Committee for European Security, 1995–2003
- Chair, SDP Working Group on Migration Policy, 1997–99
- Chair, SDP Working Group on Nearby regions, 1999–2005
- Vice chair, Carelia Foundation Administrative Board 2000–02
- Chair, Sports Development Aid, 2001–05
- Chair, SDP Working Group on European Union, 2005–

Honours

- President Urho Kekkonen Foundation, Literature Award 1992
- Liputusyhdistys Siniristi ry, “Vuoden liputtaja” Award 2005

Business sector activities

- Delegation Member, Heureka, Finnish Science Center, 1991–93, 1998–2000 and Vice-chair, Governing Council, Heureka, 2009–
- Member, Elanto Representative Council, 1991–2005
- Vice chair of HPY Body of the Representatives, 1996–99
- Vice chair of HPY Holding Ltd Supervisory Board, 1999–2000
- Member of Fortum Supervisory Board, 2007–
- Member, HOK-Elanto Representative Council, 2005–

Books published abroad

- *Namibia—the Last Colony*, (ed. with R.H.Green and M-L.Kiljunen), Longman, London 1981
- *Kampuchea, Decade of the Genocide*, (ed.), Z Press, London 1984
- *Region-to-Region Cooperation between Developed and Developing Countries*, (ed.), Avebury, Aldershot 1990
- *Finland and the New International Division of Labour*, Macmillan, London 1992
- *Statele Lumii Si Drapelele Nationale*, (World States and National Flags), Monitorul Oficial, Bucharest 2001
- *The European Constitution in the Making*, CEPS, Brussels, 2004
- *Riigid ja Lipud*, (States and Flags), A ja O Taskutematik, Eesti Entsuklopeediakirjastus, Tallinna 2005
- *Gosudarstva i Flagi*, (States and Flags), Rosspen, Moscow 2008

Books published in Finland

- *Rotusorron kahleissa* (In the Chains of Racial Discrimination), (ed.), Joensuu 1975

- *Alikehityksen maailma* (The Underdeveloped World, textbook), Tammi, Helsinki 1976
- *80-luvun aluepolitiikan perusteet* (Premises for Regional Policy in 1980's), TTT, Helsinki 1979
- *Industrialisation in Developing Countries and Trade-Related Constraints in Finland*, Labour Institute for Economic Research, Helsinki 1985
- *Kolme maailmaa* (Three Worlds, textbook), University Press, Helsinki 1989
- *Musta-valkoinen Etelä-Afrikka* (Black and White South Africa), (ed. with S. Lehtonen), Kirjayhtymä, Helsinki 1990
- *Sinä ja maailman köyhät* (You and World Poverty), WSOY 1991
- *Suomalaisena YK:ssa* (The Finns in the UN), (ed.), Gummerus, Helsinki 1994
- *Maailman maat ja liput* (World States and Flags), Otava MMM, Helsinki 1995, revised 2000
- *Kansanedustajana Suomessa* (An MP in Finland), WSOY, Helsinki 1998
- *Maapallohaaste* (Global Challenge), (with S. Hassi and S. Pietikäinen), Otava 1999
- *Minun mielestäni Tarja Halonen* (My opinion Tarja Halonen), (ed.), Helsinki 2000
- *Valtiot ja liput* (States and Flags), Otava MMM, Helsinki 2002
- *EU:n perustuslaki—Suomalaisena konventissa*, (The Constitution of the EU, A Finn in the Convention) Ministry of Foreign Affairs, Europe-information, Helsinki 2004, revised 2005
- *A Constitution for the European union*, Parliament of Finland, Helsinki 2005
- *Globalisaatio ja demokratian itsepuolustus* (Globalisation and Self-defence of Democracy), Helsinki 2008
- *Satakolmetoista viikkoa—politiikkaa siltä puolelta* (113 Weeks, Politics from that Side), Vantaa 2009

PREPARED STATEMENT OF AMB. MUKTAR DJUMALIEV

Mr. Chairman,

I thank you very much for convening us this meeting today.

The interethnic conflicts in 1990th and repeated in 2010 in Kyrgyzstan is most painful facts in our history.

Kyrgyzstan passed through most difficult challenges on its way for the democratic development. We faced many obstacles, corruption, authoritarian governance, repressions by clan regime, and still are in a very fragile situation. Interethnic conflict provoked in the country between two friendly countries became inhuman tool to prevent new changes and reforms.

Authoritarian methods of government and deep corruption were accompanied by a sharp deterioration in living conditions, and naturally led to the April People's Revolution and the fall of the anti-people regime.

2010 was the year for Kyrgyzstan's radical democratic change, and at the same time a serious challenge and test of the strength of statehood and unity of the nation.

Our own experience shows that without checks and balances of powers, there is a risk of a return to authoritarian regime. Therefore, for the first time in Central Asia, we have embarked on the construction of a parliamentary republic.

In June 2010 we held a referendum on adoption of a new constitution and election of the head of state. In October, managed to have an open and transparent parliamentary election. In December, parliament formed a coalition government.

And this year we are going to establish a precedent of democratic transfer of power of the President.

These efforts faced with resistance from the revenge-seekers and organized crime, which become a real force in society for the during the period of the ousted regime.

It is with their filing in June 2010 that representatives of the Kyrgyz and Uzbek ethnic groups, who lived for centuries peacefully alongside each other, were "dragged" into the violent clashes.

Unfortunately, during these tragic events hundreds of our citizens were killed.

In difficult conditions, with the joint efforts of citizens of Kyrgyzstan and support of international organizations and governments of several countries, Kyrgyzstan has managed to prevent a humanitarian catastrophe in the south.

Mr. Chairman, for Kyrgyzstan it was the first time experiencing to conduct an international investigation. Such precedent never happened in the Post soviet countries.

The Government of the Kyrgyz Republic recognises the importance and value of the work done by the IIC and thanks its reputable members for the efforts and contribution devoted to investigate the tragic events that occurred in Kyrgyzstan.

The Government agrees with number of the conclusions and criticisms contained in the IIC Report. It does not absolve the responsibility for what happened. The Provisional Government honestly and openly acknowledged its guilt and responsibility in its address on June 16, 2010 to the people of Kyrgyzstan and the International Community.

Kyrgyzstan's Government is taking and will continue to take all necessary measures to eliminate or minimize the consequences of the tragic conflict and to prevent the repetition of similar events in the future. Many of the recommendations contained in the IIC Report have had being implemented by the Government from the day the conflict was localized.

Kyrgyzstan's Government will establish the Special Commission to implement and monitor the implementation of the recommendations of the IIC Report and other reports and researches related to the tragic events of 2010 in the Southern Kyrgyzstan.

However, the Kyrgyz Government believes that the IIC Report does not contain a sufficient evidence to conclude that there have been made certain acts that can be qualified as the crime against humanity during the June events in the city of Osh.

Kyrgyzstan's Government considers as unacceptable the visible tendency in the IIC report to take into account to a greater extent the crimes committed only by the members of one ethnic group while ignoring the deaths and casualties suffered by the same group and depicting another group as the single suffered and defenseless party.

It is also important to take into account the fact that during the conflict there were no sufficient political, financial, and law-enforcement resources at the disposal of the Provisional Government to counter the large-scaled provocations of inter-ethnic clashes. However, even under such conditions, the People and the authorities of Kyrgyzstan independently and without outside intervention managed to stop the violence and localize the conflict within a few days.

Kyrgyzstan's Government took great efforts to reconcile the parties of the conflict, to overcome the consequences of the conflict and it still proceeds with it. However, there is still tangible tension and a number of unresolved socio-economic problems in the conflict zone. In the conditions of the started presidential campaign, some of the ICC conclusions can be used by the opponents of the democratic reforms to destabilize the situation and strengthen the position of the internal revanchist forces.

Kyrgyzstan's Government hopes that necessary conclusions from the events of 2010 will be made by the international community as well, including the organizations that pursue the aim of preventing, neutralizing and eliminating consequences of such conflicts.

We have also started work on developing and implementing the concept of ethnic development and consolidation of the people of Kyrgyzstan.

We are doing everything possible to punish all those responsible. All trials are held in conditions of unprecedented openness.

But the situation remains difficult, in particular, with concerns about the emotional nature of the trials of resonant crimes.

The new government declared its uncompromising war against criminals and is determined to stop the merging criminal gangs with the authorities.

The government has taken urgent measures to normalize the functioning of law enforcement and security agencies. The Defense Council was established as a coordinating and supervisory body.

In order to effectively combat drug trafficking, the drug control agency abolished by the previous government has been restored.

We intend to do everything possible to create conditions to strengthen the rule of law, a culture of political dialogue, and an open and equitable society.

Within a short period of time we have achieved qualitative improvements. Independent media is functioning. The opposition has not only ample opportunity to criticize the head of state and the ruling parliamentary coalition, but actually participates in governing the country, by leading three key parliamentary committees—on budget and finance, law enforcement and the rule of law, human rights and public organizations.

There are Supervisory Boards established in the ministries to ensure transparency and accountability of government to the people.

We are reforming the judicial system to make it truly independent and introduced a mechanism to ensure quality selection of judges through the Council, whose composition is formed with the participation of opposition representatives.

Mr. Chairman, responding to the question addressed on Kyrgyzstan's Parliament decision with regards to the Killjunen's report and PNG I would mention, after the report was released, the situation in the country became even more tense. The people of Kyrgyzstan were expecting that the report will be objective, balanced and contribute for the reconciliation and we still believe on it.

In such a situation, while Parliament agrees with the Comments of the Government, it decided to pass an order to take a decision on Mr. Kimmo Kiljunen entry to the Kyrgyz Republic. In this regard, the specialised agencies will review and decide on this matter.

At the same time, the President of the Kyrgyz Republic called Parliament of the Kyrgyz Republic to reconsider its decision. The President called the parliament to pay more attention on adopting and implementations of the recommendation. Some of the parliamentarians even invited Mr. Kimmo Kiljunen to the Parliament in order to organise him a public hearings.

Today, is a most important to consolidate our efforts in order to avoid repetition of the conflicts in the future and we count on the support of all the friends and partners.

Thank you, Mr. Chairman.

Ambassador Muktar Djumaliev was born on June 22, 1972. Graduated from the National University of the Kyrgyz Republic in 1994, economic faculty; 1997 Law faculty.

2001–2002 study for the Master of International Law and Economics degree in the World Trade Institute, Bern University.

He started his work at the State Committee on Economy of the Kyrgyz Republic as a senior expert on External Economic Relations.

1996—Advisor of the Minister of Finance of the Kyrgyz Republic.

1997—Head of the Department on External Economic Relations and then he was transferred to the National Bank of the Kyrgyz Republic as a Deputy Director on Investments and Coordination of Technical Assistance.

1998—the First Secretary of the Permanent Mission of the Kyrgyz Republic to the United Nations Office and other international organisations in Geneva.

2003—Office of the President of the Kyrgyz Republic, Economic Policy Department

2003—First Deputy of Minister of Foreign Trade and Industry of the Kyrgyz Republic.

June 23, 2004—Ambassador, Permanent Representative of the Kyrgyz Republic to the United Nations Office and other international organisations in Geneva.

In August 20, 2004 Mr. Muktar Djumaliev has presented the Credentials as Ambassador, Permanent Representative of the Kyrgyz Republic to the United Nations Office and other international organisations in Geneva, to H.E. Sergei Ordzhonikidze, Director General of the United Nations Office in Geneva.

In September 23, 2004 Ambassador Muktar Djumaliev has presented the Credentials as Permanent Representative of the Kyrgyz Republic to the World Trade Organization.

In November 23, 2004 Ambassador Djumaliev presented his credentials as Ambassador Extraordinary and Plenipotentiary of the Kyrgyz Republic to the Swiss Confederation.

In June 2010 appointed as the First deputy chief of staff of the Administration of the President of the Kyrgyz Republic.

Since December 2010 appointed for a position of Ambassador of the Kyrgyz Republic to USA and in April 2011 appointed as Ambassador of the Kyrgyz Republic to Canada with residence in Washington.

M. Djumaliev has a diplomatic rank of Ambassador Extraordinary and Plenipotentiary.

PREPARED STATEMENT OF DR. MARTHA BRILL OLCOTT

Thank you for the opportunity to testify before you today.

I would like to focus my comments on the reaction that the report of the Independent International Commission of Inquiry evoked in Kyrgyzstan, and what implications this might have for future political, social, and ethnic developments in Kyrgyzstan.

Unlike the others who are testifying here today I am not an expert on the events of last June, nor have I spent time in southern Kyrgyzstan since the ouster of the Bakiyev government. I have, however, made six trips to Kyrgyzstan over the past 18 months, always in the north, and have been travelling to Kyrgyzstan regularly for the past 21 years, and have travelled extensively throughout the country on numerous occasions.

I happened to be in Kyrgyzstan shortly after the report was published and had the opportunity to discuss its findings with people at various levels of society and government. And so I would like to spend the time allotted to me focusing on why there was so much distress over the report in Kyrgyzstan, and especially in that country's capital, and I will develop these points further in my written testimony that I am submitting for the record.

The stellar team that prepared the report deserves to be commended for applying extraordinary effort to an incredibly difficult endeavor and for coming up with a detailed account of the terrible acts that destroyed so many lives, left countless thousands more physically and or emotionally scarred, and destroyed the property and dreams of tens of thousands more. The human tragedies that the report of the Independent Commission describes in such detail are particularly disturbing to all of us that have deep and longstanding ties to the peoples of the Kyrgyz Republic.

The end product will serve as a lasting indictment of what went wrong in the southern part of Kyrgyzstan last June. It details the provisional government in this part of the country where Bakiyev's support base had been so strong during its first two months in power, and provides some background on the history of tension between the Kyrgyz Republic's two largest ethnic communities.

Its recommendations reflect much thought and discussion, and have provided the President, the government, and the parliament a great deal of policy recommendations to think about, a number of which are already under serious discussion.

This was the first major international investigation led by recognized experts from the Euro-Atlantic community ever held in the region. The government of the Kyrgyz Republic deserves great credit for creating the conditions necessary for the inquiry to go forward and for considering the recommendations of the commission.

The one criticism I would make of the report is that its findings and recommendations were not presented in a way designed to make them palatable for the Kyrgyz polity, who compare it to home-grown efforts to investigate what occurred. This increases the difficulty of implementation of the most important recommendations of the Independent International Commission in the area of accountability and the protection of human rights. This is particularly true now, as Kyrgyzstan is beginning a presidential campaign.

It is important for those of us in the Euro-Atlantic community looking at developments in Kyrgyzstan with the goal of defending a human rights agenda to try and understand why the Independent International Commission's report created such a furor in Kyrgyzstan as we evaluate how to be effective in advancing our agenda. For if we do not, we risk inadvertently increasing the risk of ethnic conflict, and could put the whole democratic experiment in Kyrgyzstan at risk as well.

It would be a mistake to equate equal protection of all citizens before the law, which is unquestionably a necessity for any country to defend and a cornerstone of democracy, with the idea that all ethnic communities living within a country, even if they have lived there for centuries, must have the same constitutional status.

One of the sad things about last June's events is that they mark the end of the idealistic dream that the Kyrgyz Republic could emerge as a multi-ethnic democracy in which all of the country's citizens believe that they have an equal stake in the nation's future regardless of the languages that they speak. It may well be that this was always impossible in the context of the break-up of the U.S.S.R. and the assumptions of ethnicity and nationality which were part of the legacy of the Soviet Union, but until last May, even before the June 2010 events, it was possible to aspire to such a goal.

But now the two decade old inter-ethnic status quo in southern Kyrgyzstan has been disrupted, and I don't believe that it can be reconstituted. Even if it were to be the consensus of all of those living in southern Kyrgyzstan that it should, it is hard for me to believe that the Kyrgyz body politic living in other parts of the country would be supportive of this.

The ethnic Kyrgyz population, and this includes the most “westernized” and “secularized” elements in the country, want to consolidate a Kyrgyz nation, which for the overwhelming majority includes all the ethnic minorities who live within the territory of the Kyrgyz Republic. But there is the expectation that all citizens of the Kyrgyz Republic will learn and use the Kyrgyz language in official life, and that they will know the history of the Kyrgyz people, as well as that of the territory that the Kyrgyz have long lived on.

This belief is why there has been such a loud outcry against some of the recommendations of the Independent Commission. While actions such as the vote in parliament to declare Kimmo Kiljunen *persona non grata* have a large element of political grandstanding about them, at the same time they speak to a deep feeling of hurt on the part of many ethnic Kyrgyz living in Kyrgyzstan.

This said, I think most Kyrgyz citizens would not take exception to the vast majority of the recommendations of the report, especially those that deal with public safety and security, and most would probably even support the majority of recommendations on accountability, on criminal and disciplinary accountability, and on human rights protection and the right to a fair trial. Although, I suspect that on these questions a lot of Kyrgyz citizens would ask with some degree of quasi-fatalism how the international community expects that an already flawed security structure and legal system would be able to rapidly right itself even if it was well-intentioned.

But I also believe that most Kyrgyz ordinary citizens and political figures alike find it very difficult to accept the idea that ethnic Kyrgyz may have been more morally culpable than ethnic Uzbeks in the events of June, or that the Kyrgyz dominated security services have disproportionately applied the force of the law against ethnic Uzbeks. In saying this I am not denying the veracity of any of the findings of the commission, which in great detail argue that this was in fact the case. But accepting such findings as truths is something that many people living in Kyrgyzstan find quite difficult, and those that do accept them try and take comfort in the fact that the violence lasted only a few days, and didn’t turn into a civil war, rather than on focusing on the burdens of moral culpability.

This takes me to the most controversial recommendations of the commission, from the point of view of the Kyrgyz polity, and here I am including other ethnic minorities along with the Kyrgyz, that is the renaming of the country, and of the granting of a special and constitutionally guaranteed status to the Uzbek language. From my point of view, and I say this as an international expert on the region, the commission overstepped the bounds of its mandate, and certainly of good judgment when it made the former recommendation in particular. By asking the Kyrgyz to rename their country the commission made it easier for Kyrgyz politicians to criticize the report, and made the life and death issues at the core of the Independent Commission’s findings—that those responsible for committing “crimes against humanity” must be punished for their actions, and that the government of the Kyrgyz republic is responsible for the equal protection of the human rights of all citizens of Kyrgyzstan.

One of the challenges for the international community in dealing with the Kyrgyz polity, as well as the next Kyrgyz government, is that the country is still going through a national trauma. This is true of the country as a whole, while obviously in the south the trauma is more immediate and potentially more deadly for the well-being of those living in this part of Kyrgyzstan and for the security of the Central Asian region.

But unfortunately, and certainly inadvertently, the report of the commission and especially its recommendations made the trauma of suffered by Kyrgyz citizens of Uzbek ethnicity seem at odds with the greater national trauma, and a threat to it. This is one reason why there was such an emotional and negative response by some, generally outside of the government, to the report.

Let me explain. Most Kyrgyz feel like they are political victims, that they were victimized by the Akayev regime, at least in its later years, and that they were even more abused by the Bakiyev regime. How people describe the form of this abuse varies, from political, in the case of journalists and scholars, to economic, in the case of businessmen who felt victimized by rapacious ruling families or insufficiently protected against criminal interests and their growing economic tentacles. And ordinary Kyrgyz just felt economically quashed by the economic insignificance of their country which, if not losing ground, was not “catching up” and where everything—especially food and utilities—seemed to cost more and more. This has made “Kyrgyzness,” the idea of national consolidation, of taking pride that one’s homeland is now a sovereign state, seem more important to many than ever before. After so much political turmoil—effectively six straight years since Akayev’s ouster—that is one of the few things that many people have left.

But even more importantly, in the aftermath of all the traumas of the past fifteen months, people want to simply move on with their lives, to live quietly and if possible to improve their lot.

This does not directly address the continuing tense situation in the south, although I think that right now there do not seem to be any actors interested in pushing it to the tipping point. I think that this is true both for the population in Kyrgyzstan and those living across the border in Uzbekistan. And I personally give no credence to rumors that the local Uzbek population on either side of the border is pressing for "Uzbek autonomy" in the Kyrgyz republic.

In this regard the very existence of the Independent Commission report is a good thing for this is a good time to press the various government authorities in the Kyrgyz republic to work harder to introduce measures that are designed to increase ethnic tolerance.

But these measures are certain to fall short of those things asked for by the commission. Kyrgyzstan is still in a period of transition and politicians competing for office will seek political gain wherever possible. Even in a relatively poor country like Kyrgyzstan the political prize of the presidency is worth contesting hard for, and I think that the international community should be prepared for the fact that Kyrgyzstan could move back toward a stronger presidential system. Even if it does not, the current parliament may not be able to fulfill its full term, leading to preterm parliamentary elections. But the international human rights community must keep the pressure on those in authority in the Kyrgyz republic to keep national extremist goals from coloring political debate. Fortunately, most of Kyrgyzstan's leading political figures in and out of government share want this as well.

How should the Helsinki Commission respond to the report of the Independent International Commission? While defending human rights of the entire population regardless of ethnic origin, I do not believe that the Helsinki Commission should cross the line and become proscriptive about other aspects of nation-building, as the Independent Commission did.

The lives of ethnic minorities everywhere were disrupted when the U.S.S.R. fell apart, and their situation is particularly sad when people living in communities where their ancestors have lived for generations now find themselves as minorities. The violence of June 2010 is a tragedy, and the victims of violence or their survivors should be compensated, while those responsible should be held accountable. But it debases the loss of human life and the trauma of those who lived through these days to even indirectly equate them with providing constitutional guarantees for Uzbek language education or talk of the need to rebuild Soviet-era cultural institutions in southern Kyrgyzstan. This takes attention away from the real crimes that the report of the Independent International Commission underscored, the failure forces in the south to protect all of the country's citizens.

It dilutes the power of the human rights message when outsiders seek to engage in that degree of nation building, even when they do so with the best of intentions. The political freedoms of all citizens in Kyrgyzstan should be defended equally; freedom of press, religion, and assembly evenly applied, and the government of Kyrgyzstan should continue to be pressed to ensure that legal safeguards are put in place to help guarantee that local security and judicial officials apply the law evenly regardless of the ethnicity of the accused, or are held accountable for their actions.

But we cannot even the political playing field between ethnic Kyrgyz and the country's various ethnic minorities, and those international agencies or actors that seek to do it risk losing credibility with the Kyrgyz polity and with the Kyrgyz elite. The Kyrgyz language is going to dominate in Kyrgyzstan, and those who can't speak it will have a harder time in public life in the future. That is the pattern everywhere in the region and will be the case in Kyrgyzstan, as well. The ethnic Uzbeks who are citizens of Kyrgyzstan face a set of difficult choices in the coming years: adapt to changing socio-cultural realities in Kyrgyzstan or think about relocating. These choices are not of their making. Ethnic minorities everywhere in the region are learning "state" languages, i.e. the languages of the majority population. This should not be the focus of the international community. But all of the Kyrgyz republic's citizens should have the same rights basic human rights, enjoy the same legal protections and the have the right to participate in public life on equal terms. This should be the focus of the Helsinki Commission and of the international human rights community more generally. To take this more limited approach might make us more effective in trying to ensure that peace prevails in Kyrgyzstan's south. But there will be no guarantees.

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Olcott specializes in the problems of transitions in Central Asia and the Caucasus as well as the security challenges in the Caspian region more generally. She has followed interethnic relations in Russia and the states of the former Soviet Union for more than 25 years and has traveled extensively in these countries and in South Asia. Her book, *Central Asia's Second Chance*, examines the economic and political development of this ethnically diverse and strategically vital region in the context of the changing security threats post 9/11.

In addition to her work in Washington, Olcott codirects the Carnegie Moscow Center Project on Religion, Society, and Security in the former Soviet Union. She is professor *emerita* at Colgate University, having taught political science there from 1974 to 2002. Olcott served for five years as a director of the Central Asian American Enterprise Fund. Prior to her work at the Carnegie Endowment, Olcott served as a special consultant to former Secretary of State Lawrence Eagleburger.

Soon after 9/11, she was selected by *Washingtonian* magazine for its list of "71 People the President Should Listen To" about the war on terrorism.

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Selected Publications: *Central Asia's Second Chance* (Carnegie Endowment, 2005); *Kazakhstan: Unfulfilled Promise* (Carnegie Endowment, 2002); *Preventing New Afghanists: A Regional Strategy for Reconstruction* (Carnegie Endowment Policy Brief 11, 2001) *Getting It Wrong: Regional Cooperation and the Commonwealth of Independent States*, with Anders Aslund and Sherman Garnett (Carnegie Endowment, 1999); *Russia After Communism* edited with Anders Aslund (Carnegie Endowment, 1999). Areas of Expertise Olcott is an expert in Central Asia, Russia and Eurasia, the Caspian region, Kazakhstan, Uzbekistan, ethnicity, terrorism, oil and gas policy, natural resources, democracy, U.S.-Russia relations, foreign and humanitarian aid, and Islam. Education B.A., SUNY-Buffalo; M.A., Ph.D., University of Chicago

PREPARED STATEMENT OF DR. ALISHER KHAMIDOV

Introduction

Mr. Chairman, I want to thank you for inviting me here to testify about the ways to address ethnic tensions in my native country Kyrgyzstan.

In early June 1990, when the initial ethnic clashes between the Kyrgyz and Uzbeks erupted in Soviet Kyrgyzstan, I was a 13 year-old boy in an Uzbek-speaking town just outside Osh. I saw crowds of furious young men, armed with sticks, stones, and incendiary weapons, attack each other. I also witnessed firsthand how Soviet troops rolled through the Osh streets and brutally suppressed the riots that claimed the lives of more than 200 people. Exactly twenty years later, when the violence between the Kyrgyz and Uzbeks broke out again, I was a scholar conducting research on ethnic relations in Osh. As the conflict unfolded with a lightning speed, I saw the same furious and unruly crowds of young men; but this time they were armed with firearms, automatic machine-guns, grenades, RPGs and even tanks. Unlike the first clash, no Soviet, Russian or any outside troops intervened to stop the rampaging crowds. As a result, more than 400 people died during the conflict that lasted several days.

During those hot June days in 2010, I was among thousands of other desperate ethnic Uzbeks and Kyrgyz who were displaced by the conflict. I and my relatives fled to the Uzbek-Kyrgyz border near Osh. Uzbek border guards allowed about 100 thousand Uzbek refugees, mainly women and children, to cross the border. I was denied entry. Hunted by my own fellow citizens and unwanted by co-ethnics in Uzbekistan, I, like many Kyrgyz citizens, cherished hopes that Russia, Kazakhstan and other countries such as China would intervene to stop the violence. Such hopes were dashed when Kyrgyzstan was told to deal with the conflict on its own. Suddenly, a country where interests of many countries overlap, became no one's backyard.

Now, when the dust of the conflict is settling down somewhat, we can make sense of what has happened. Some claim that the historical hatred between the two communities precipitated the violence. Others say that economic disparities triggered the conflict. Still others suggest that various extremist groups, local and foreign, had a hand in the violence. In this testimony, I do not deny the relevance of these views. But I would argue that understanding last year's violence in Kyrgyzstan requires us to have a more nuanced and holistic view of Kyrgyzstan's past and present. The violent regime change and bloody ethnic clashes in 2010 are symptoms of a set of broader and long-standing challenges, or "chronic ailments," that have afflicted Kyrgyzstan and its neighbors since independence. If these ailments are not treated adequately, turmoil will continue in Kyrgyzstan.

So what are these ailments? Twenty years ago, when Kyrgyzstan gained independence, its leaders and citizens, like their counterparts in other former Soviet republics, grappled with four key transition challenges that fall under the general rubrics of politics, economy, society and foreign policy. In the political realm, Kyrgyz leaders debated whether they should divide powers more evenly among themselves or preserve Soviet-era institutions of rule. In the economic sphere, leaders were divided into those who promoted liberal market reforms and those who stood for preserving Soviet-era social benefits system. The third challenge was related to the identity of the new state—should Kyrgyz citizens build a multi-ethnic republic or a state ruled by the titular ethnic group (like its neighbors such as Uzbekistan and Turkmenistan)? The final challenge was related to the country's foreign policy—should Kyrgyzstan pursue an independent multi-vector policy or stick even more closely to Moscow?

After two decades of wavering between these alternatives, two revolutions and two bloody inter-ethnic conflicts—the symptoms of unresolved transition ailments—Kyrgyz citizens are grappling with the same challenges again. It is as if the country has come full circle to start at square one in 2010. In this testimony, I seek to answer two questions. Why did this happen? Why there has been no progress? And second, where might things end?

Before proceeding to these questions, it is important to remind us why we should care about this small mountainous country of five million people, the size of South Dakota, located in the remote part of the world. Kyrgyzstan is important because of several factors. The first factor is its geographic location: the country borders China, Kazakhstan, Uzbekistan and Tajikistan (the last two have borders with Afghanistan). Kyrgyzstan is also a member of the World Trade Organization (WTO), Shanghai Cooperation Organization, and numerous other regional inter-state structures. Second, the country is important because of geopolitical considerations. It is the only country in the world that hosts an American and Russian military bases. The U.S.-operated Manas Transit Center plays a key role in the so-called Northern

Distribution Network. Third, there is an ideological consideration. Kyrgyzstan was briefly the darling of the West, serving as a model of democratic development for other countries in the region. Following the establishment of a parliamentary system, President Barack Obama's administration has given an indication that Kyrgyzstan can serve as a model for some Middle Eastern states as they chart their post-authoritarian courses. For Russia and other Commonwealth republics, especially Uzbekistan and Kazakhstan, Kyrgyzstan and chronic instability is a model of what not to follow.

Explaining Kyrgyzstan's tumultuous path since independence

So what explains Kyrgyzstan's tumultuous trajectory since independence? Various answers are given. Some observers emphasize the role of history. They claim that the country's nomadic roots and illiberal Soviet past have made the country prone to authoritarianism and political volatility. Other observers cite economic factors, suggesting that a low supply of natural resources has prevented Kyrgyzstan to turn into an economically prosperous and politically stable country. There are also claims that Kyrgyzstan is located in a "bad authoritarian neighborhood"—a condition that is not conducive to developing a democracy.

All of these explanations are relevant and they may not exclude each other. But today, I will emphasize the role of leadership or lack of it as the major source of Kyrgyzstan's troubles. The major flaw of the Kyrgyz leaders was that they failed to find lasting solutions or effective treatments for the four key challenges, or chronic ailments, outlined above. To be more precise, Kyrgyz leaders have continuously undermined stability by engaging in systematic alteration of political rules whenever such rules did not suit their immediate political preferences. More importantly, Kyrgyz leaders lacked a realization of their historic roles as the founding fathers of the nation and the responsibility that flows from such realization.

Let me describe in detail the way in which Kyrgyz leaders failed to respond to the key transitional challenges. I will start with Kyrgyzstan's first president Askar Akaev who ruled the country from 1990 to 2005. Akaev's initial responses to the challenges of early independence established him as a genuine democratic leader in the West. He liberalized the political space, creating a system in which power was shared more or less evenly between the President, Parliament, and regional authorities through the single-mandate district electoral system. Akaev also liberalized the economy, ushering in massive privatization of state enterprises. In foreign policy, he pursued a balanced and cautious policy toward large powers and neighbors. Eager to quell ethnic tensions, especially after the June 1990 clash in Osh, Akaev promoted a civic idea of Kyrgyzstan as a "common home" for all ethnic groups. This policy, while widely unpopular with the ethnic Kyrgyz majority, sought to give ethnic minority groups a sense of ownership and the Akaev administration much needed votes during elections.

Political and economic liberalization under Akaev had lasting consequences on the country's future trajectory. The economic liberalization policy offered new opportunities for Kyrgyz residents to gain capital outside state institutions and led to the formation of new wealthy class. Seeking to gain seats in Parliament, affluent individuals built ties with the poor in communities across the country by sharing their wealth and by helping community members to solve their day-to-day problems. The political liberalization widened the room for political contestation, allowing Parliament, mass media outlets, and NGOs to assume prominent political roles.

Amidst a rise in opposition activity in the early 2000s, especially after the establishment of the U.S. airbase in Manas, President Akaev began backtracking on his initial liberalizing path, however. His efforts to create a tamed parliament and ensure a managed transition of political power to his hand-picked successor threatened interests of the wealthy class and low-income communities in which the affluent elites invested. As a result, the powerful alliance of the wealthy class and low-income communities resulted in the Tulip Revolution in 2005 and brought to power Kyrgyzstan's second President—Kurmanbek Bakiyev—one of the leaders of the opposition movement.

Having seized power in March 2005, Bakiyev promised to introduce wide-reaching democratic changes. Nevertheless, by the end of his first term, he undid many of Akaev's initial policies that aimed at fostering harmonious inter-ethnic relations, ensuring balance of power among government branches, and maintaining a cautious foreign policy course. Bakiyev relied on the security apparatus and the tamed judiciary which were controlled by his family members to suppress ethnic minorities, religious dissidents and political opponents. In a major change, the October 2007 constitution replaced single district mandate electoral system with party lists, allowing Bakiyev's party *Ak-Jol* to win the December 2007 parliamentary election in a landslide with the help of the pliant government bureaucracy and weak judiciary. Hav-

ing bolstered domestic control, Bakiev began to pursue a very dangerous foreign policy that pitted Moscow against Washington and other large powers.

Bakiev's policies had some grave consequences for his own regime. First, with the alteration of the Akaev-era constitution and centralization of political power in Bakiev's hands, affluent politicians lost the incentive to share their wealth with and provide surrogate public goods to communities across the country which were already reeling from the gradual decline in the delivery of public goods by the state. Second, Bakiev's neglect of inter-ethnic problems emboldened various chauvinistic groups and deepened inter-ethnic tension. Third, Bishkek's indeterminate foreign policy course, as demonstrated by Bakiev's 2009 turnaround on the Manas airbase, alienated Bakiev's allies in Moscow. In February 2009, days after receiving a large financial package from Moscow, Bishkek decided to close the airbase. But when the U.S. government agreed to increase rent payment in June that year, Bishkek allowed the base to stay albeit under a changed status. And finally, Bakiev's decision to increase utility tariffs, a measure designed to improve cash flows to the state coffers, deepened discontent among Kyrgyz residents, especially in the Northern regions where winter lasts several months.

In March 2005, it was an alliance of the wealthy and the poor that toppled an authoritarian regime. In April 2010, it was a combination of economic sanctions from Russia and protests by poor and unemployed residents in such northern towns as Naryn and Talas which had culminated in a violent ouster of an authoritarian ruler. Bakiev's political demise and the concomitant collapse of the country's security services opened a floodgate of pent-up ethnic tension created by years of biased government policy and prepared the ground for the inter-ethnic clashes in June 2010.

The opposition factions that formed the interim government after Bakiev's demise were not prepared to assume power. Lacking broad legitimacy and being driven by the survival instinct in an almost anarchic environment, the new authorities engaged in a number of chaotic and populist measures such as the demonization of Bakiev and his acolytes and reversal of punitive utility tariffs imposed by the previous regime.

Although the new leaders recognized the strategic need to address the long-standing transitional dilemmas, they lacked resources and a sense of strategic direction. As a result, they got the sequencing of actions wrong. Despite various signals that simmering ethnic conflict was ready to explode in South Kyrgyzstan, the new Kyrgyz leaders preoccupied themselves with the division of political powers in Bishkek. As a result, when the ethnic conflict broke out in Osh in early June 2010, the authorities were utterly unprepared to deal with its consequences. Authorities in Bishkek had little if no control over government security services, let alone rampaging crowds. When their pleas for security assistance from the Russia-led Collective Security Treaty Organization were rejected, officials in Bishkek seemed to let the conflict to take its own course.

The bloody conflict ended largely because the blockade of the conflict zones reduced the supply of food; and the rampaging crowds turned into hordes of looters. Rather than deal with the consequences of the conflict in a more effective way, the new leaders' attention again shifted to the distribution of political power. The referendum held days after the violent events, when wounds were still fresh, endorsed the parliamentary system. The December 2010 parliamentary elections enabled five parties, representing a variety of ideological persuasions, to occupy seats in Parliament.

Where might things end?

Kyrgyzstan's new leaders have made attempts to resolve the long-standing dilemmas, but such efforts have been half-hearted and ineffective. Let's consider the first challenge—the division of powers. The new system contains a number of ambiguities regarding the distribution of political powers; and it is now under pressure from various corners. According to recent polls, a majority of Kyrgyz citizens support a strong presidential system akin to Russia. Decision-makers in Moscow have also been openly critical of Kyrgyzstan's transition to a parliamentary republic. Some influential politicians in Parliament appear eager to change the constitution again.

Kyrgyz authorities' response to the second challenge—forming a new national identity—has been largely ineffective. One widespread assumption among citizens is that the June events firmly established the preeminence of the ethnic Kyrgyz in the political and economic spheres. The new authorities appear to be unwilling to challenge such assumptions in a resolute way, thus allowing chauvinistic and anti-Semitic groups and media outlets to disseminate freely materials containing bigotry. Authorities have done little work in the area of reconciliation. Rather than deal with the legacy of the violence impartially and resolutely, according to one observer, the

“provisional government’s Soviet-style instinct was to try and sweep the unpleasant events under the rug and put forward a mantra of ‘friendship of the peoples.’” This strategy is flawed and it resembles the one adopted by Kyrgyz authorities after the June 1990 violence.

There are serious flaws in government’s responses to the third chronic problem—ailing economy. Kyrgyz officials’ are engaging in economic populism as exemplified by the recent raises in public salaries and reversal of utility prices even at a time when the country is facing financial troubles (Kyrgyz debt has reached \$2,5 billion, budget deficit is nearly 10 percent of the GDP) and its donors are hesitant to issue new loans. Leaders in Bishkek are turning a deaf ear to warnings about looming crisis while maintaining an illusion that foreign lenders will save the country.

Finally, the Kyrgyz authorities are again following the footsteps of their predecessors in pursuing an indeterminate foreign policy, which led to the ouster of their predecessor. Relations with neighbors who are concerned about pernicious effects from instability in Kyrgyzstan are still tense. Recent unlawful attacks against Russian businesses in Kyrgyzstan have aggravated Bishkek’s relations with Moscow. Some decision-makers in the Kremlin also suspect Bishkek of pursuing an exceedingly pro-Western policy. Meanwhile, Kyrgyzstan’s Western partners are growing concerned about plans by some politicians to change the current system and restore a super-presidential arrangement.

Conclusion

Kyrgyzstan finds itself at a crossroads again. The violent events in 2010 have taken their toll, but they also provide a new window of opportunity to learn the mistakes of the past and settle on a constructive path. The key lesson is that Kyrgyz leaders and citizens must have a very painful but much needed debate about their fourfold transition challenges before settling down on potential solutions. These solutions must include concerns of all citizens. If Kyrgyz leaders and citizens will succeed in finding such long-lasting solutions and will make every effort to stick to them, their country can become a model for stability and integration of ethnic groups for Central Asia and CIS. If they will fail, Kyrgyzstanis will set themselves again on the path to a violent revolution and a deadly inter-ethnic conflict.

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