

Kyrgyzstan: Prospects for Democratic Change and the Upcoming Presidential Election



SEPTEMBER 26, 2017

**Briefing of the
Commission on Security and Cooperation in Europe**

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The Commission consists of nine members from the United States Senate, nine members from the House of Representatives, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair rotate between the Senate and House every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

The Commission also contributes to the formulation and execution of U.S. policy regarding the OSCE, including through Member and staff participation on U.S. Delegations to OSCE meetings. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from participating States. The website of the Commission is: <www.csce.gov>.

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September 26, 2017

Commission on Security and Cooperation in Europe Washington, DC

The briefing was held at 10:30 a.m. in Room 202, Senate Visitor Center, Washington, DC, Everett Price, Policy Advisor, Commission on Security and Cooperation in Europe, moderating.

Commissioner present: Hon. Shirley Jackson Lee, Commissioner, Commission on Security and Cooperation in Europe.

Panelists present: Everett Price, Policy Advisor, Commission on Security and Cooperation in Europe; Dr. Erica Marat, Assistant Professor, National Defense University; Anthony Bowyer, Caucasus and Central Asia Senior Program Manager, International Foundation for Electoral Systems (IFES); and Marc Behrendt, Director for Europe and Eurasia Programs, Freedom House.

Mr. PRICE. Good morning. Thank you, everybody, for coming. Welcome to our Kyrgyzstan briefing on “Prospects for Democratic Change and the Upcoming Presidential Election.” I hope everybody’s in the right place.

My name is Everett Price, and I’m a policy advisor on the U.S. Commission on Security and Cooperation in Europe, also known as the Helsinki Commission.

Before I introduce our briefing and panel this morning, I would like to begin by recognizing my colleague, fellow Helsinki Commission Policy Advisor and longtime Central Asia expert Janice Helwig, who has provided key support to shaping and realizing this event. Janice is based in Vienna, so she can’t be here today. She’s out there supporting the U.S. Mission to the Organization for Security and Cooperation in Europe, the OSCE. But I hope that she’s watching from the other end of our Facebook Live stream, as I hope many others are as well.

Last week, at the opening of the 72nd Session of the United Nations General Assembly, Kyrgyz President Almazbek Atambayev declared that Kyrgyzstan is changing. The Kyrgyz Republic, he said, is the first and only country in the post-Soviet Central Asia with parliamentary democracy. Indeed, the reasonably competitive electoral politics seen in Kyrgyzstan are unparalleled in the rest of the region. But as a young and unconsoli-

dated democracy that experienced political revolutions in 2005 and 2010, Kyrgyzstan's political institutions remain weak and vulnerable to the influence, both direct and indirect, of its authoritarian past and repressive neighbors. We have convened this briefing this morning to discuss the next signpost in Kyrgyzstan's democratic journey, the presidential election on October 15th.

In many ways, this is a pivotal election for the country. Current President Atambayev is prohibited by the constitution from running for a second six-year term and is abiding by that limit. This is in contrast to leaders elsewhere in Central Asia, who have changed the rules to avoid term limits and remain in power. And unlike in neighboring countries, the outcome of the election does not appear to be predetermined.

On October 15th, the Kyrgyz people will go to the polls to choose among 13 candidates—maybe it's 12 now—a slate that has been winnowed down from 59 who originally filed and further consolidated in recent weeks as political alignments have been brokered. The two top vote-getters could face off in a second round a couple weeks after to determine the final outcome.

Despite the relatively large number of contenders, however, most observers assess that the field is defined by the competition between the two front runners, who both served as prime ministers under the outgoing president. The ruling party's candidate, Sooronbay Jeenbekov, served as prime minister from April 2016 until August of this year. The other leading contender, Ömürbek Babanov, served as prime minister from 2011 to 2012 and is one of Kyrgyzstan's wealthiest businessmen. When asked to describe the nature of the competition between these two men, Polis Asia political analyst Elmira Nogoibaeva said that it comes down to a fight, quote, "between money or administrative resources."

To be sure, the president and his administration have not been shy about expressing their support for Jeenbekov. Atambayev recently appeared to threaten those he believed may be working against his preferred candidate, saying, quote, "Let's not forget that until December 1st I will be this country's president, and I will have sufficient time to severely punish all those who plan disturbances in our country." There are also media reports that Kyrgyz Deputy Prime Minister Duishenbek Zilaliev told state employees in a September 19th meeting that they should support the current government's candidate. There are other concerns about the conduct of the election as well: A main opposition leader has been imprisoned, and media has been harassed for, quote, "insulting the president."

Our first panelist today, Dr. Erica Marat, recently wrote that, quote, "This year's vote will not mark a significant step towards strong governance procedures. Instead, it will present further consolidation of patronage structures in the country." This assessment is doubtless sobering. In addition, Kyrgyzstan's broader framework of human rights protections and democratic institutions have been under threat recently. The country's parliament has been toying with a foreign agents law that would undermine the civil society sector. Atambayev also successfully championed constitutional amendments in December 2016 that weakened human rights protections and strengthened the powers of the president at the expense of the independence of the judiciary. Inter-ethnic tensions, which flared into large-scale open violence in 2010, also remain unresolved.

There are echoes of these worrying domestic developments in Kyrgyzstan's representation in the multilateral forum of the OSCE. In the OSCE, Kyrgyzstan has grown increasingly obstructionist. It downgraded its field missions earlier this year, blocking the

OSCE budget in the process, and also blocked agreement on human rights-focused events in an effort to limit NGO participation.

To examine these political dynamics, election procedures, and broader human rights issues, we have invited an expert panel that I'm honored to introduce to you now. First, to talk generally about the political context and dynamics surrounding the election, we have Dr. Erica Marat. The full bios are in the folders that are on your seats, but I'll just go through just some brief highlights. Dr. Marat is an associate professor at the Defense University's College of International Security Affairs and an expert on security issues in post-communist countries with a focus on military, national, and regional defense, as well as state-crime relations. Marat is currently working on a book exploring police reform programs in post-communist states. Her case studies include Ukraine, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, and Mongolia. She's also written "The Military and the State in Central Asia: From Red Army to Independence," published by Routledge in 2009, and "The Tulip Revolution: Kyrgyzstan One Year After" by Jamestown in 2006.

Next we'll hear from Anthony Bowyer from the International Foundation for Electoral Systems, where he serves as a senior program manager for Europe and Eurasia. Mr. Bowyer's present work includes designing and overseeing implementation of election-focused technical assistance and civic education projects in the South Caucasus and Central Asia, and empowerment of youth, women, ethnic minority groups, and persons with disabilities as part of a program on inclusion in several countries of Eurasia.

And then, last but not least, Marc Behrendt. Marc Behrend is the director for Europe and Eurasia Programs at Freedom House, with over 20 years of experience working in the Eurasia region in peacebuilding, governance, and human rights. Prior to joining Freedom House, Behrendt ran his own consulting firm promoting security and development, primarily in the Eurasia region, and one of the highlights from that time was his participation supporting the Kyrgyzstan Inquiry Commission.

I'm delighted to have such an expert panel here to discuss this topic. So, without further ado, I'd like to turn it over to Dr. Marat. Please just turn on your mics.

Dr. MARAT. Good morning, and thanks for organizing this discussion. I think it is really important for the country and for neighboring countries in Central Asia to be exposed to discussions like this here in Washington, D.C.

Let me start by saying that the upcoming elections in Kyrgyzstan are really the best in Central Asia in terms of competitiveness, unpredictability of the outcome, and general sense of fairness. And the next best example of elections becoming such important governance indicators in post-Soviet Union would be Georgia, Armenia, or eastern parts of the former Soviet bloc.

That said, there are still a lot of old patterns dating back to the authoritarian past of the 1990s and 2000s that prevail today in Kyrgyzstan. And while these elections will be yet another example of frequent elections that are constitutionally defined and not ordered by the incumbent leader, as it usually happens in the Central Asian region, there are issues here to consider still.

What we see today in Kyrgyzstan is a competition between two main leaders. One is representing the pro-presidential party, Sooronbay Jeenbekov, and another is representing the Respublika party, Kmürbek Babanov. And one is relying—because he is from the pro-presidential party—he's relying on the public-sector employees' loyalty and their work in campaigning in his favor across the country, while Babanov, being a wealthy

entrepreneur, is probably spending the most out of all the candidates on promoting himself across the county. So while one is relying on public sector, another is relying on his wealth.

But that in itself is not as big of a problem as some of the underlying processes that are not visible behind this dynamic campaigning that we see in Kyrgyzstan. And what I mean by that is the following: Only candidates with stronger representation in the parliament are able to have a fair chance of winning the presidential post in Kyrgyzstan.

That, in itself, does not seem to be problematic. However, if we look behind what the political parties represented and how they are structured, we see that all the four or five largest political parties in Kyrgyzstan that have nationwide recognition and popularity are clustered around individual politicians as opposed to political ideas. So they're based on loyalty to their founders and to their leaders who, in turn, run for presidential posts. And because the campaigning cycle is only 35 days in Kyrgyzstan, people outside of this political establishment who don't have representation in the parliament, or don't have the backing of a political party, don't have a chance to get nationwide traction or to form a significant challenge to the status quo.

What happens as a result of the elections—be that Jeenbekov or Babanov—we will see further consolidation of those patronage networks within political parties. That, again, the government seats and political parties—less so parliamentary elections—will be formulated based on personal loyalty of various individuals to party leaders. And it becomes problematic because Kyrgyzstan ends up falling into some of the same pitfalls that a lot of other post-authoritarian countries experience; that on the one hand we have competitive and unpredictable and somewhat fair elections. So the electoral season is dynamic and seems not to be favoring a particular candidate.

But on the other hand, what happens in between elections becomes problematic, because politics is guided by patronage relations and the leaders who are elected are not interested in an independent judicial branch. They are not interested in having opposition in the parliament. So they have these incentives to continue installing their loyalists in the government and in the parliament in order to consolidate personal loyalty in politics. So while elections can be democratic in nature, and probably will score results by national standards, what happens in between is suppression of NGOs, of human rights, of political prosecutions, and a lack of reform to establish better governance.

Mr. PRICE. Thank you very much. I think that's a great tee-up, so Anthony can share with us a little bit about what exactly the campaign has been like until now, and some of those other concerns that you've raised.

Mr. BOWYER. Yes, thanks very much, indeed, for the opportunity to speak today on the upcoming presidential election in the Kyrgyz Republic, scheduled for the 15th of October.

As mentioned, I represent the International Foundation for Electoral Systems, which for 30 years has worked in over 145 countries just for citizens' rights to participate in genuine and democratic elections. Integral elections are the cornerstone of a healthy democracy and allow all people to exercise their basic human right to have a say in how they're governed. With generous backing from the United States Agency for International Development and international partners, IFES supports and assists the development of credible electoral processes globally.

In the Kyrgyz Republic, IFES works with its consortium for elections and political process strengthening partners, namely the National Democratic Institute and the International Republic Institute. With my allotted time this morning, I would like to underscore the importance of this election both to Kyrgyzstan and to the U.S. and its cooperation in the region.

This will be an historic vote, ostensibly the first regular transition of power from a sitting president who has completed a constitutionally defined term of office to a successor. We can even use the standard applied elsewhere in Eurasia, and suggest that a country which successfully completes a second peaceful transfer of power via nationwide popular election—the first, of course, coming in 2011 from interim President Roza Otunbayeva to President Atambayev—passes a key test in determining whether the country is truly on a democratic trajectory.

This is important and noteworthy in the region, all but devoid of genuine electoral contests, particularly in resource-poor Kyrgyzstan in relation to the four hegemony exerting pressure upon it. Those, of course, including Uzbekistan, Kazakhstan, China, and, most significantly, the Russian Federation.

The stakes in Kyrgyzstan and Central Asia are high as the country continues to be an outlier among its neighbors in terms of its political vibrancy, and the only one in the region to espouse a parliamentary form of government. Kyrgyzstan approaches the elections in uncertain terms, with one key candidate barred from seeking the presidency, and suspicions—as Erica said—that state administrative sources may be used to benefit preferred candidates. That said, the October 15th vote is shaping up to be a genuinely contested election, for which the electoral authorities have been ardently preparing for the past 10 months.

This election should be regarded as very important to the United States as well, which has invested in promoting democracy and human rights in Kyrgyzstan and in the region for many years, only to see its influence wane in the face of relentless efforts led by outside actors to sideline and discredit the U.S. as a partner. At a time when Kyrgyzstan is subject to unprecedented external pressures and economic political and security spheres, the country looks to the United States and European partners for support and encouragement in its efforts to hold a transparent and inclusive election. To that end, the country's electoral authority and the central election commission has embarked on a plan, supported by U.S.-funded aid organizations, such as IFES and other international partners, to modernize its processes and procedures in an effort to become more accountable and less an extension of the executive branch, as has been the case in the past.

The use of ballot scanning and reporting technology, combined with better trained and more professional election administrators, has increased confidence in the election results since the introduction of such technology in the 2015 parliamentary vote. Similarly, the state registry service, which manages the voter database, employs a biometrical system of voter identification which has provided greater security of the vote overall. The CEC recently embarked on an ambitious program, supported by IFES and others, of assessing polling stations across the country for accessibility by persons with disabilities, and developing infrastructure and procedural improvement plans to accommodate these traditionally marginalized voters. The CEC and the SRS have also undertaken an unprecedented outreach program to educate voters and ensure that as many eligible voters are registered as possible and informed of the election ahead of the 15th of October.

The campaign, as suggested, has thus far been active, though dominated in particular by two of the three former prime ministers running as candidates who served under President Atambayev; of course, Ömürbek Babanov and Sooronbay Jeenbekov. One concern often repeated has been the potential for the misuse of state and administrative resources in support of one of the candidates. And it's a test of the Central Election Commission and civil society organizations observing the process and conducting media monitoring to ensure that the rules and regulations governing campaigns and equitability are observed and enforced.

It is also vital that the sources of campaign finance are scrutinized, disclosed, and regulated carefully under the existing laws, as Kyrgyzstani elections have been marked in the past by irregularities and suspicions of undeclared and undisclosed foreign-originated financial backing of certain candidates and political parties by those countries seeking to buy influence in the region—chief-most among them the Russian Federation—as well as various forms of individual vote buying, which has also been historically a major problem in Kyrgyzstan.

In addition, there have been some reports of university professors ordering students to vote for certain candidates on election day. Now, while none of these cases or suspicions are new, or should be regarded as new to elections in Kyrgyzstan, they do represent potential dangers to the integrity of the election should they take place on a large scale, and must at all costs be guarded against. The assistance provided to election management bodies at all levels by IFES and other international partners, which has included development of new training practices, in-person training and e-learning training modules as part of the preparation of polling officers, has focused on promoting ethical responsibility and neutrality in the administration of the elections by all election officials, irrespective of their political affiliation.

Now, as the U.S. examines its own recent history of presidential voting and possible cases of interference, it needs to continue supporting counterparts in Kyrgyzstan charged with overseeing the transparent vote, one that is representative of the will of the voters in Kyrgyzstan, and continuing to encourage the highest standards of accountability. The assistance provided by the U.S. is regarded as critical, as the U.S. remains an enduring model for genuine and democratic elections.

Now, in a parliamentary democracy, such as Kyrgyzstan, the president, it goes without saying, continues to play an outsized role. Given the tradition of strong presidential leadership in Kyrgyzstan and the region as a whole, this election will most certainly define the country's political, economic, and foreign policy direction for the next six years. Whoever prevails among the now 12 registered candidates competing in the October 15th vote—and we can consider the troika of ex-Atambayev prime ministers among them, two in particular as the leading candidates—will need to deal with the ever-present challenges of economic development, security, and issues of corruption.

One factor to mention that can play a decisive role in the upcoming election is the participation of young and first-time voters. With Kyrgyzstan's demographics skewing young, the participation of voters under the age of 30 can have a major impact. There are over 30,000 first-time voters in this election alone. To that end, under USAID funding, IFES and its partners have been working through both the formal education system and civil society via extracurricular activities to promote civic awareness and responsibility as a way of engaging future generations in the democratic process. Younger voters need to be addressed by the candidates in the election process itself, as they've often been over-

looked and neglected as a key constituency. This has, in turn, resulted in voter apathy and disinterest or, worse yet, compelled many young persons to seek other, pointedly non-democratic or non-peaceful, forms of expression.

Another key voting constituency are women, who represent a potent and key voting bloc, though who, in many cases, lack sufficient information to make informed decisions, particularly in the regions. Labor migrants are another important group of voters. And some candidates have specifically appealed to migrants in Russia and in Kazakhstan to assure that they are eligible to cast ballots out of the country. It should be noted as well that the electoral enfranchisement of ethnic minorities will be closely observed to ensure that these communities are given equal opportunity to cast ballots. Irregularities in the electoral and political process resulting in ethnic discord and disharmony have left an enduring mark in the past, as is well known, particularly in the volatile south of the country.

As part of the CEC's preparation for the election, Chairwoman Nurzhan Shalidabekova embarked on an oblast-by-oblast listening tour to hear from voters of all stripes ahead of the vote, troubleshoot local problems, provide voter education information, and improve overall communication between the CEC, lower-level election commissions, and voters.

As is known, democracy in Kyrgyzstan has been under assault both internally and externally since the events of 2010. Authoritarian regimes in the region have galvanized radicalization of young persons, many of whom have traveled to join the ranks of ISIS and later returned to Central Asia, espousing militant ideals.

Economic pressure and tough energy policies exerted by neighbors, perhaps magnified by Kyrgyzstan's membership in the Eurasian Economic Union, present a challenge to day-to-day living. In addition, an anti-Western worldview, as broadcast from media sources originating outside of Kyrgyzstan, continues to disparage democracy and freedom of speech in the country. More than ever, the U.S. needs to stand by its principles and support democracy, human rights, and genuine elections in what is often a troubled county and a troubled region. Ongoing attention and assistance in democracy and governance would help fortify Kyrgyzstan's parliamentary democracy, which serves as the lone counterweight in the region to its large authoritarian neighbors.

America's interests are best served by having a politically vibrant and diverse democratic ally in central Asia that upholds human rights and inclusivity of participation of all sectors of society, and should continue to encourage Kyrgyzstan to pursue these goals as a key and equal partner amidst the many challenges it confronts both internally and externally. Kyrgyzstan is a country in which the results of U.S. support for democratic transition and genuine elections can be seen in the efforts of state bodies, such as the CEC and the SRS. For these partners, U.S. support is an indispensable part of administering an election on the 15th of October that will be representative of the will of the people and true to the unyielding spirits of the Kyrgyzstani electorate to pursue democratic outcomes in the face of daunting challenges.

I'd like to thank the Commission once again for the opportunity to share thoughts. And I look forward to the ensuing discussion.

Mr. PRICE. Thank you very much, Anthony. I appreciate it. And now to zoom out beyond the campaign dynamics itself and the electioneering, I invite Marc to present his perspective.

Mr. BEHRENDT. Chairman Wicker, Co-Chairman Smith, and members of the Commission, it's an honor to join you today for this important discussion.

Presidential elections in Kyrgyzstan are planned for 15 October 2017. It is expected that for the first time in Kyrgyz history a sitting president will leave office voluntarily as a result of the elections. This should be a landmark victory in the process of democratization. Unfortunately, trends in recent years do not support such optimism. Freedom House publishes each year a number of reports measuring the status of democratic freedoms in the world. The most detailed report for the Eurasia region is Nations in Transit, which covers countries in Eastern Europe and the former Soviet Union.

Using the same methodology year in and year out, these reports effectively illustrate nuanced changes in a number of categories that we believe are necessary for a free society, including national and local democratic governance, effective and fair electoral processes, the freedom of civil society, the independence of the media, the judicial framework and judicial independence, and the level of corruption in the country. After the tumultuous events of 2010 in Kyrgyzstan, the Nations in Transit reports reflected steady improvements over a number of years.

However, beginning in 2014, many of these improvements reversed. Last year Kyrgyzstan dropped further in the Nations in Transit rankings, becoming a consolidated authoritarian regime in our parlance. It has only gotten worse in the run-up to the presidential elections. The media has been a target for government attacks throughout the year. Zanoza.kg, September TV, Radio Azattyk and many individual journalists have faced criminal and civil legal challenges, effectively shutting many of these down.

Zanoza.kg and its reporters collectively face more than \$390,000 in fines for offending the honor and dignity of the president. September TV was closed, allegedly for extremist content. RFE/RL, Radio Liberty, known locally in Kyrgyzstan as Radio Azattyk, was also named in a suit for insulting President Atambayev, though in this case the suit was dropped.

Challenges for the electoral process persist. Last year's referendum amending the constitution was rushed through, the election authority failed to administer the elections impartially, and election day was marred by multiple violations. The situation has not improved leading up to the presidential elections. Amendments to the election law now prevent civil society organizations from independent election observation. They are deprived of full access to polling stations on election day and no longer have legal standing to launch formal complaints of election violations.

The independence of the judiciary further deteriorated with the adoption of constitutional amendments in December, with the active participation of the judiciary itself. Only 1 of 11 constitutional court judges protested changes to the constitution, even though those changes undermined the very independence of the judiciary that the constitutional court is supposed to protect. The unwillingness of the judiciary to fill its role is illustrated by the Supreme Court's failure to adequately review the case of Azimzhan Askarov, who has been imprisoned on trumped-up terrorism charges since 2010, after the U.N. Human Rights Committee urged the government to quash his conviction on the grounds the Kyrgyzstan had violated a number of the articles of the international covenant on civil and political rights, despite the fact that Kyrgyzstan is a signatory to the convention.

Kyrgyzstan's civil society sector has been met with concerted attacks in the past year. After facing off the threat of a draconian draft law on foreign agents that would have

dramatically closed space for civil society to operate in Kyrgyzstan in late 2016, civil society faced increasing reports of intimidation of civic activists, including pressure on international organizations, defamation campaigns against human rights defenders, and surveillance of human rights activists related to the constitutional referendum. That's a quote from Nations in Transit.

Most disturbing is a recent draft law that would revoke Kyrgyz citizenship on the grounds that an individual poses a threat to national security. The oversight process is particularly draconian. The security services would conduct an investigation, refer a case to the prosecutor general, who would in turn refer the case for review by commission within the Ministry of Justice. However, the members of this commission are representatives of the Ministry of Interior, the police, and the security services. Thus, there would be no independent review at all if this law is adopted.

In what government could claim as an effort to limit participation of potential presidential candidates, two politicians were sentenced in August for crimes allegedly committed years previously. In August, the leader of the Ata Meken Party, Ömürbek Tekebaev, will start a four-and-a-half year term in prison, and former MP Sadyr Japarov an 11-year term. A third opposition politician, MP Aida Salyanova, was also sentenced in August, this time to eight years in prison. Such massive arrests of opposition politicians is unprecedented in Kyrgyzstan.

I will conclude with a few recommendations. The United States should urge the government of Kyrgyzstan to drop the draft citizenship law and allow civil society full access to polling stations for independent election observation, explaining the important role that civil society plays in all nations. The United States should hold the government of Kyrgyzstan accountable to its own laws and to the international commitments it has freely undertaken when joining the Organization for Security and Cooperation in Europe, including a commitment to the protection of freedom of the media.

The United States should urge the government of Kyrgyzstan to immediately release Azimzhan Askarov and all other political prisoners, and should drop all charges against them. And lastly, the U.S. Government's support from democracy, rights and governance initiatives in Kyrgyzstan should take into account the need to support the engagement of civil society with its own society, as an alternative to efforts supporting civil society to engage with a reluctant government partner.

Thank you very much.

Mr. PRICE. Thank you very much, Marc.

I think we have a great backdrop for a deep conversation on the upcoming election in Kyrgyzstan. I wanted to pick up on a few of the threads that you all have left us with to dig a little bit deeper into what to expect on October 15th and assess some of the trends that we've discussed thus far. Just first, on a technical point—Marc, you brought up the restrictions on civil society's access to polling stations. I was wondering if, Anthony, do you have any assessment of that? I'm not sure if I may have missed it in your comments thus far, but is that something that's of concern to IFES as well, in terms of the transparency of the election?

Mr. BOWYER. Restrictions on observers are always of concern. And in the past, one of the charges the government had made is that there were simply too large numbers of observers taking part. Well, that's a plus of a system which allows greater transparency. So it is obviously a concern. Civil society in Kyrgyzstan has always been the most vibrant

in the region. And they played an essential role in working as part of the check and balance system on the work of Election Commission and the work of government in general. So it is something that is certainly of concern that one would want to encourage them to reconsider.

Mr. PRICE. I understand. And just to understand the broader election and what the Kyrgyz people are being asked to consider when they go to the polls on October 15th, what are the hottest issues in the campaign today? What's being talked about by the candidates? What are the differences between them? What are their platforms? And that'll go to anybody who feels comfortable answering.

Dr. MARAT. This is a great question. And part of the reason why the electoral campaigning is really improving in Kyrgyzstan is because important issues are being discussed in these campaigns. Usually it's economics, employment. So economy and employment, providing jobs and just increasing general wealth of the population, and preventing further labor migration in Kyrgyzstan.

It is also about national unity. That's a more sensitive topic, about national identity, intercultural, interethnic peace. And finally, it's corruption. There is a lot of populism surrounding the fight against corruption and prosecution of officials who take bribes. Those are three nationwide issues. And also, issues vary depending on the village, on the province, depending on what are the economic or social issues faced by the local population.

Mr. PRICE. And do security issues come up in the campaign? I know there's concern about violent extremism and radicalization trends in Central Asia. Some of that, I know, is also in worker populations that live abroad. But do some of those security concerns come into the campaign?

Dr. MARAT. Yes, they do. Especially radicalization among men and women and returning ISIS followers to Kyrgyzstan. They do come up. And it varies from province to province, but in general there is, I would say, also populism around preventing foreign forms of radical Islam and ensuring that Kyrgyzstan has its own brand of moderate Islamic tradition. That also comes again and again in campaigns.

Mr. BOWYER. Oh, sorry, if I could quickly jump in—thanks, Marc.

Indeed, as Erica suggests, there are local issues at play here as well. Many of those involve infrastructure, or lack thereof, and certain oblasts of the country, as well as land issues. And something that's been a problem in the southern regions, Batken and elsewhere, have been localized conflicts with the territories of Uzbekistan and northern Tajikistan. There have been border skirmishes involving villages that have been quite violent, actually. And this has been something that is of concern to the south.

And if one looks at a recent survey, from earlier this year, there was a poll conducted by our partner at the International Republican Institute, clearly showed that perception of relations with Uzbekistan has been improving, given the new kind of forward-looking relationship between the two presidents, while relations with Tajikistan, conversely, have been declining. And certainly I think that is in many ways related to some of these border issues and land issues that we have seen emerging in the past couple of years.

Mr. BEHRENDT. The only thing I wanted to add was the security issue is also a boogeyman. That's always used to attack critics of the government. So while a lot of the media outlets that we've been talking about have been attacked using the honor and dignity issue, we also find people being attacked for being extremists. September TV was

closed for that reason. And most of the time it's false accusations that are often leveled against ethnic Uzbeks in the country.

Mr. PRICE. That's an important reminder.

Now, one thing that I haven't been able to get a grasp of is whether there is really a difference between the candidates? Both of them were prime ministers under the current president, as I understand it. So, do their agendas diverge? Is there a meaningful difference here to be had that's being presented to the people?

Dr. MARAT. They promise all the same things. They might call it by different names. I don't think there is a significant difference in the content of campaigns between the two leading candidates. One difference that always comes out, but is immediately criticized, is the extent of wealth and economic development that Babanov is promising through deregulation, through creating the right conditions for entrepreneurialism, et cetera. The type of promises he's making are extremely ambitious, but they're also widely criticized as being unrealistic.

Mr. BOWYER. I could pick up on that to something we were talking about before the session started. One difference seen in the frontrunners, if you will, has been the level of energy. Mr. Babanov is very active. He is running a very active campaign. If you're in Bishkek you can't help but see the advertisements for his candidacy. Obviously, there's a lot of money behind that. But also he's been seen outside of Kyrgyzstan having relatively high-level meetings. One caused a bit of a stir recently when he went to meet Nazarbayev in neighboring Kazakhstan.

But just generally, a younger person, a 47-year-old, versus Mr. Jeenbekov, who's perhaps less charismatic in that respect and perhaps showing off less energy—but who does benefit certainly from the semblance, and indeed, the support of the incumbent president, and all of the administrative levers and advantages that that provides? So I think it is quite interesting to look at the dynamism of the two candidates. On an equal playing field, it is quite stark.

Mr. PRICE. That's interesting. It does seem like style over substance to some degree in this campaign. But also as you've all raised previously, the personalized nature of politics is very strong and the political party development has been relatively weak. So it's unsurprising, I suppose.

I wanted to ask: You've both referenced the mini-scandal that took place with Babanov's visit to Kazakhstan to meet with President Nazarbayev. I was wondering, could you explain a little bit more about what that kind of instance of outreach is about? What are the Kazakhs trying to accomplish with that? What is Babanov trying to accomplish with that? And how does that play into a campaign like that? Does that make him more vulnerable as being seen as kind of a stalking horse for one outside power versus another? How does that play into the dynamics with Uzbekistan and some of their other neighbors? How do they exert influence?

Dr. MARAT. OK. So Nazarbayev, as a politician, he's quite popular in Kyrgyzstan. And Atambayev is notorious for not really being able to maintain friendly and diplomatic relations with the neighbors. So I think for Babanov, this was an opportunity to show that he has regional support and he looks presidential. For Nazarbayev, that could, perhaps, be a way of showing his regional dominance. But the way Atambayev and his government have interpreted it as Kazakhstan's intervention in elections in Kyrgyzstan is ironic,

because Atambayev himself, when he was campaigning for president in 2011, he went and met with Vladimir Putin.

Mr. BOWYER. Exactly the point. And if Babanov goes to meet with Putin, then there really could be a shake out as well. But I think he's projecting himself as a statesman and as a potential president. Of course the excuse was, by the Kazakhs, that he was a member of parliament. He's well-known. We can meet with any foreign dignity, and one of his renown and so forth. But does it suggest, Everett, in your question, that perhaps Kazakhstan may favor Mr. Babanov as a candidate? That bears further discussion, further thought, if those are the waves being signaled by this meeting.

It is possible. Although we've heard a lot of the brotherly relations between Kyrgyzstan and the Russian Federation, in fact the polls show a near-universal approval rating for Russia in Kyrgyzstan. It could be possible that Russia is—in fact, more than possible—behind the scenes as well, harboring or perhaps supporting one or the other of the candidates. Perhaps it's Mr. Babanov, perhaps not.

Mr. PRICE. Does there seem to be a favorite from the Kremlin's perspective in this race?

Mr. BOWYER. I have no idea. [Laughter.]

Dr. MARAT. It doesn't seem like there is, but I would say that independent of who is elected, it's not going to be that difficult for the Kremlin to exert influence on whoever's elected. And before the electoral campaign began, Babanov traveled to Moscow, and he had meetings with top officials there. For Jeenbekov, of course, it hurts the relations that Atambayev was able to build with Kremlin if Babanov becomes president. So regardless of who is president, there is going to be a strong presence of Russian influence in Kyrgyzstan's Government.

Mr. BOWYER. And this is vital, given the scores of labor migrants at any one time living and working in the Russian Federation. You mentioned Uzbekistan as well, and I thought it was a very interesting point because we've seen the relationship, with Mirziyoyev becoming president, improve markedly over the past months. And I would think that it would be in Kyrgyzstan's interest to continue that. But at the same time, a change in leadership, to whoever it may be, presents new opportunities. I would imagine the Uzbeks and others will size up whoever wins and decide their approach from there. But it seems to be good politics in this country when candidates travel abroad to showcase their foreign policy credentials, to be doing so as well in this election for those who are able to, and there's not many that can. So I think Mr. Babanov in this sense is being pragmatic as well as running a solid campaign.

As mentioned before, it's no surprise that of these many labor migrants abroad, many are eligible to vote. Not many actually do, but if they did, it could represent a significant percentage of the vote. I don't expect that will happen, but the fact that they are reaching out and they're acknowledging the importance of this community also plays well back in Kyrgyzstan itself for those family members who are left at home.

Mr. PRICE. Now, you've also referenced, several of you, the role of regional affinities and regional origins for some of the candidates and for the politics in Kyrgyzstan. Could you also help us understand and identify those fissures? What are the dynamics there? What do the original origins of the candidates have? What significance does that have in the election?

Dr. MARAT. One positive sign here is that the candidates are not along the north-side divide or identity. And that's usually the issue in Kyrgyzstan, that there are northern politicians and there are southern politicians. Both leading candidates seem to have support across the country, and again, they're not trying to capitalize on the divide. That's a positive sign.

Let me just return to some of the other issues, on fairness and on migration, if I may. When we talk about campaigning, there's already debate and criticism in civil society about this election not being fair. There's already this idea that because this uncharismatic presidential candidate is influencing the public sector and possibly the CEC, the Central Electoral Commission, that elections will not be fair.

And there is a slight possibility that there might be challenges by competing candidates after the elections against Jeenbekov, if he ends up winning. So it's not all beautiful and smooth campaigning. There's already talks about these elections not being as fair as people would have expected them to be.

Also, the migrants—Anthony, you mentioned about biometrics and how that is improving accountability of the voting on election day—I think the problem here is the hundreds of thousands of labor migrants in Russia and in Kazakhstan and Turkey, Europe, China. They were cut off from the process because of those biometrics, because they would have to travel to the embassies to submit their biometric data, and then again travel to go on the voting day. There are not that many representations, foreign representations, in Russia of the Kyrgyz Government to allow all those migrants to vote.

So the bottom line here is that hundreds of thousands of citizens, most of them young entrepreneurs, young migrants in Russia and Kazakhstan, will not be able to cast their votes. That's a big issue. And that's something countries like Kyrgyzstan need to figure out going into future elections. Having this large population abroad, how do you make sure that they also get an opportunity to vote on the election day?

Mr. PRICE. Go ahead.

Mr. BEHRENDT. I have just one other point. I didn't mention it in my remarks, but there has also been a ruling by the city council in Bishkek to exclude key sites in the city, basically all of the most important places—in front of the Parliament, in front of the CEC, in front of the presidential administration—as places where people can manifest or demonstrate. And that exclusion extends beyond the period of when people can launch formal complaints about the election process.

Now, this is quite in contrast to Kyrgyzstan, which historically has been very open to the ability to freedoms of manifestation. But it's being enforced even on an individual level. I think it was in August that one individual literally was detained by the police as an individual single person for holding a sign. So it's not about big groups or anything. It's down to the individual level. And civil society is raising this as a key issue.

Mr. BOWYER. To add on to what Erica said, I would agree completely with the issue of voting from abroad. It's an issue not only for Kyrgyzstan but for many countries. And one potential way, although we're not there yet, to resolve it would be some form of internet voting. You'd have to be very certain that it would be secure, and I think you could, but there's really no way to assure that at this point.

In the past, when there have been elections in countries outside the Russian Federation, at consulates or embassies inside of Russia as well, many migrants who happened to be in those cities working—and there are many in Moscow, St. Petersburg and else-

where—would be hesitant to go to the embassy or consulate because it was used by the Russian authorities as a way to trap people who were in the country illegally. So they were even less incentivized to go and vote, knowing that it may carry some personal risk as well.

Mr. PRICE. Interesting.

If I could just revisit the regional question again, what is that north-south divide? What is that about? What characterizes the fissures? Are there ethnic dimensions there? It's a 101 question.

Dr. MARAT. It's basically this idea that there needs to be a rotation so when there is a candidate who is originally from northern parts of the country, he would need to be replaced by someone from the south. And that ensures that it can be a fair game for all.

But I think this divide is really politicized by the politicians themselves. When they face competition, they appeal to their regional identities to legitimize their competitive edge, to promote themselves. And the idea behind it is that the southerners, candidates from the south, will care more about the population in the south, and vice versa.

But the important point here is that in these elections we don't see these divides being brought up as a way of campaigning.

Mr. BEHRENDT. Just some background on the north-south divide. You know, the south is where most of the country's Uzbeks live. It is culturally part of the Ferghana Valley. It has been part of an urbanized civilization for thousands of years, which is quite distinctly different from the north. The majority population in the south is still Kyrgyz, but nonetheless that relationship between the Kyrgyz and Uzbek national groups certainly flared up into violence in 2010.

One of the reasons for the 2010 violence was control of very lucrative smuggling markets between Afghanistan and Uzbekistan, mostly heroin poppy seed production of one kind or another. So that got politicized into an inter-ethnic conflict. That's one of the ways to explain what happened in 2010. That money is still there, and that is still going on. Maybe it has been just decided upon between elites in the government and that the control of those resources are not actually in dispute right now during this election.

Mr. PRICE. Interesting.

Mr. BOWYER. Politics are, of course, very clan-based in Kyrgyzstan. For the first 15 years after independence, there was the perception that it was the northern clans who were in power and the southerners really out of power. But as we were talking about beforehand as well, as Marc just alluded to, many things could be being discussed in terms of the post-election makeup of the government being discussed right now among the candidates.

A lot of governance decisions are made and positions are made ahead of an election behind closed doors—similar to horse trading, if you like. We may see some of that today with the removal of one candidate who supported Jeenbekov. So this may be continuing. In fact, we may end up with fewer than 12 candidates running on the 15th.

Mr. PRICE. And I wanted to ask about some of the candidates that were excluded from participation. How do you think that that shaped the race?

Dr. MARAT. There were quite a few candidates excluded, and among them, Rita Karasartova and Kamila Sharshekeeva. They are prominent public figures, Karasartova being a civil-society activist and Sharshekeeva working in and being the main founder of the American University in Central Asia. And they are the type of candidates who have

interesting ideas, good knowledge of what it takes to create fair governance structures and improve the conditions for the most vulnerable population in the country.

Karasartova, being a lawyer, had really interesting ideas on constitutional reform and I was hoping they would bring important debates. They would be important participants in political debates leading up to elections, even though none of them would have the opportunity to actually win anything. But they were excluded from the process based on quite silly reasons, the main reason being that the signatures that they collected in their support—and I believe there are 30-plus thousand signatures that they need to collect—were filled out by the same ink color, and possibly by the same person. So it was not verifying, actually, if people really signed for them. They just excluded those based on just how it looked, not what was behind them.

So I think the reason why they were excluded is because they would be bringing important ideas, interesting ideas, which would potentially make the leading candidates look not as intelligent. And it was easy to exclude them because they don't have a political party backing in the Parliament or outside of Parliament.

Mr. PRICE. I also wanted to hear a little bit more about the work of IFES and Freedom House. For IFES's part, what are you going to be looking for after the election in terms of measuring the success of the programming and initiatives that you've been running in the country?

Mr. BOWYER. Well, first of all, we don't. Although we will be conducting a very small-scale technical observation on Election Day, we don't issue proclamations about the elections, such as the OSCE or other partners do. We look more with a relatively modest sample size, but also drawing from the observations of international groups, how the election was administered. Were there problems? Was there the ability to file a complaint and have it reach the courts and have it be resolved amicably, in accordance with the law?

Also looking at the lower-level performance of the precinct election commissions, of which there are some 2,300 or 2,400 scheduled for the 15th, and assessing, I guess, in the big picture overall performance based on number of disputes, based on information from other observers, and also looking at how the Central Election Commission responded to the challenges that they heard about on election day. Were they responsive in guiding the territorial precinct election commissions to react and to problem solve?

Again, all this is presuming that the Central Commission is acting free enough from influence of the executive body. I'm not making that assumption yet. That is the hope. Historically that's not been the case in Kyrgyzstan. It's hopeful that this commission will improve over its predecessors. We'll have to see and assess that on election day itself. I think as well with in terms of the aftermath, we'll take a look with other international partners, other local partners, and hold a series of public forums with the input of various stakeholders to have an open discussion, open forum, about what worked well, what didn't, and always looking ahead to the next elections, be it local, be it national, on what systems and practices can be improved.

Yes, there have been some negative steps. These certainly will factor in the reports that come out of the OSCE, that come out of other groups. And everybody will take a hard look at what needs to be done to change the political will, to have a more open election, if that's the way things are assessed. We'll take a look and certainly not hold back in terms of recommendations.

Mr. PRICE. And for Freedom House's part?

Mr. BEHRENDT. Well, civil society in Kyrgyzstan is going through a crisis. For many years they were held up as the cream of the crop in Central Asia, that they were very vibrant, very active, and very effective. And they had strong relationships for years, and the ability to engage with government, in fact, on state policy.

Those doors seem to be closing, and it's becoming increasingly difficult for civil society to get the attention of the state. And that makes it a question about what their role now is in Kyrgyzstan.

Now, one of the problems civil society all over the Eurasia region has faced is that they've learned to engage in advocating above. They advocate the government. They advocate the international bodies. They're good at producing recommendations. And they haven't spent as much time working with society and they haven't spent as much time convincing society that these principles—human rights, democracy, et cetera—are actually useful to the population and can respond to the public need.

And so one of the things that we're doing after the elections, once things calm down a bit, is we're going to be doing some public-opinion research to actually get a sense of the attitude of the population to human rights and democracy and freedom. And how do they see these ideas, and what are their needs, in the hopes that we can both help the ombudsman's office or the National Preventive Mechanism, the NPM, but also, more specifically, civil-society organizations to reorient their work to actually address these needs that are identified.

We all need to be more effective at articulating human-rights values, and democracy values, and freedom values as universal and human. We've spent a lot of time over the years talking about Western values, European values. And that hasn't served the people of Eurasia very well, because it opens up the criticism that these are all foreign exports.

People care about freedom. People care about justice. They care about their own, when they come up against a system that's not actually responsive to them, when they come up against police that don't treat them the way they feel that they should be treated, or when they come up against problems in governance that aren't fair—that's when they can start seeing that these values are actually their own values. But civil society needs to do a lot more work to talk to them about it, and educate them, and reframe the way they do that.

But overall, it's still very difficult for civil society. Like civil society in Russia or other places, the civil-society space has closed. And we think that the space for civil society to work in Kyrgyzstan has closed significantly. We're not as optimistic as some of my fellow panelists are.

And so what do you do in this closing space, in a new environment? How can you be effective in a "consolidated authoritarian state," is what Freedom House is calling Kyrgyzstan right now. There are things civil society can do. There are opportunities. They still have the ability to register. They still have the ability to work. And so in those contacts within the possibilities to work, what can they do? Really, it's our task to try to help to reorient their activities.

Mr. PRICE. Thank you for sharing that.

I'd like to turn the floor to questions as well.

And I'd like to recognize Congresswoman Sheila Jackson Lee. Thank you very much for coming and for your presence here.

If there are questions, please raise your hand, and Mae will come around with the microphone.

Yes, sir.

QUESTIONER. Muhammad Tahir from Radio Free Europe/Radio Liberty.

Two questions, actually. One is the detention of Tekebayev, how it's playing out in the election; and also detentions of several other politicians, whether it's adding up to increased tension.

And what are the chances of a post-election turmoil, although we are also talking about these allegations by the candidates against each other—use of administrative resources and other things? How are these detentions adding to this tension, and what are the chances of a post-election turmoil?

Thanks.

Mr. PRICE. And in addressing Tekebayev, if you could, for everyone's benefit, also explain a little bit about the background of his case.

Dr. MARAT. Tekebayev is, again, one of the prominent politicians in Kyrgyzstan and, according to him, the founder of the first political party in Kyrgyzstan, Ata Meken. He is also the inspirer, one of the founders of the constitution that was adopted in 2010.

He has been prosecuted for corruption charges that have connections with entrepreneurs in Russia. And those allegations were known for a while, but somehow they became an issue for the judicial branch just before the elections.

It is significant because Tekebayev, even though his ability to win the presidential post is quite slim—the political peak of his career is probably behind—would still be able to represent a formidable challenge to the candidate from SDPK. And he—unlike Babanov, who would be possibly be one of those who can negotiate with SDPK and they can find a deal should he become president—Tekebayev was one of the strongest opponents of Atambayev in the past few years.

And it is difficult not to see his prosecution in a political light, because, again, corruption is ubiquitous in Kyrgyzstan. Everyone is somehow marred by corruption. But who do you prosecute? Who is prosecuted is really important. It sends a message to the rest of the society.

QUESTIONER. And prospects of turmoil.

Dr. MARAT. I wouldn't exclude that. There might be some post-election turmoil if there is a perception that elections were rigged in favor of a certain specific candidate. And it goes beyond national observers, what international observers say, or even civil society says.

Both Babanov and Jeenbekov have quite a robust network of followers who will be present across the country and watching how the other candidate is faring and whether there are any irregularities, busing of voters or anything like that, and report that. So they will be keeping an eye on the election day. And if there is a perception that elections were rigged, there might be a refusal by one of the candidates to recognize the election results. I would not exclude that. And that might create some uncertainty. But again, that's only if there are significant irregularities that are reported or perceived to be taking place.

Mr. BOWYER. I think, if I may add, it goes back to what I suggested earlier about how the election commission, how the CEC, handles these potential irregularities. Is it

perceived as an at least semi-independent body, or is it perceived as an extension of the president, will determine much in what may happen thereafter.

I want to as well point out that we mustn't exclude the possibility of a runoff between these two candidates. That is a distinct possibility, and that would be two weeks after the 15th. And then the stakes are even higher. Then you'll have all eyes truly on the process. And the CEC will be under even a larger microscope to make sure it's working transparently and in accordance with the law.

How it manages these potential instances of dispute, how it reacts to localized cases of perhaps allegations of corruption or maybe violence, will tell much in what the reaction would be from the candidate who is aggrieved. I wouldn't put any bets on there being post-election tumult at this point, but in Kyrgyzstan, again, we've seen it before.

Mr. PRICE. Any other questions?

If I could pick up on something else that has been going around in the news—and analysis generally of the election—is the continued potential influence of Atambayev after the election. Are there ways that you feel that he might be angling to continue to exert his influence beyond the limit of his term? Do you all have any comment on that?

Mr. BOWYER. Well, I think there's a suggestion that Jeenbekov is the vehicle for that potentially, as somebody who is clearly a favored candidate of Mr. Atambayev—that he may see him as a pliable means to continue exerting influence from behind the scenes, or maybe not so behind the scenes, and maybe grooming him for that possibility.

If you look at what the recent moves have been in those who are other candidates who now may be turning to Jeenbekov, they may be looking more towards Mr. Atambayev and his presence as a political force beyond the election. It's a formula we've seen elsewhere in Eurasia. And maybe that's something that will indeed play out. But it would suggest, based on what we've seen so far, that Mr. Jeenbekov may be the very vehicle.

Now, I would also point out that there will be candidate debates coming up. I think at this point they may have three groups of four, four groups of three, which will be quite interesting to see how Mr. Jeenbekov adjudicates himself in a mixed group, which could include perhaps even Beknazarov if he draws the short straw in that regard. It'll be interesting to see how he presents himself on a stage against other candidates discussing various issues.

Mr. PRICE. So they'll break up the 12 candidates into separate segments of debate?

Mr. BOWYER. That was the plan. Now, if they whittle down to fewer than a few candidates, then they may have them all on one stage. So that remains to be seen. But the plan has been, as happened previously during parliamentary elections, to have a random drawing of which grouping of candidates gets to appear on stage for one debate on one night and then the next group on the next night, and so forth.

Mr. PRICE. Well, you might not even have the two frontrunners together on the same stage.

Mr. BOWYER. Possibly.

Mr. PRICE. Interesting.

Are there any other questions from the audience or comments from our panel? Yes, sure, Marc.

Mr. BEHRENDT. Yes, just to speak on this question of whether or not Jeenbekov is going to be the vehicle for Atambayev in the event that he wins. This scenario really

depends on how consolidated Atambayev's power is in the state at the moment. This is one of the things about Kyrgyzstan we've never really known. It's always a sense of if it is a situation of different power groups that are competing with each other for power of the state and that is still in dispute, then, regardless of whether or not Jeenbekov wins, it would be unlikely that he would be able to or be willing to just be the proxy for somebody else.

However, if that power scenario has been consolidated behind the scenes, like it has in the Russian Federation, for example, when Medvedev came into power—it was very clear that Putin continued to own the levers of power in the state—then it was an easy task. This, I think, has always been the question of Kyrgyzstan. To what degree is that competition for the power behind the power still going on?

Mr. PRICE. Well, thank you very much, Marc, and to all of our panelists.

We felt that it was important to convene this kind of discussion at this time because of what an important inflection point this is for democracy in Kyrgyzstan. I think we've benefited from the expertise from all of our panelists in understanding why exactly this election is as pivotal as it is. So I'd like to thank them once again.

And thank you all for attending. And I wanted to also thank the interns that made this possible, in particular John. All these folks who join the Helsinki Commission as interns really function more as fellows, so they do the yeoman's work in making this possible.

Thank you again, everybody.

[Whereupon, at 11:45 a.m., the briefing ended.]



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