

**Testimony of Sam Patten, Senior Program Manager for Eurasia at Freedom House
Before the National Security and Foreign Affairs Subcommittee of the U.S. House of Representatives
Committee on Oversight and Government Affairs
Hearing on “Crisis in Kyrgyzstan: Fuel, Contractors and Revolution along the Afghan Supply Chain”
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Chairman Tierney, Ranking Member Flake and members of the Subcommittee, thank you for the opportunity to speak to you today on behalf of Freedom House about the recent tumult and tremendous challenges now before the people of Kyrgyzstan. In his novel “The Last Tycoon,” F. Scott Fitzgerald wrote that “there are no second acts in American lives.” In view of recent events, a fitting question for this hearing, and for those who are concerned about Kyrgyzstan’s future, is whether there is indeed a second act in store for this mountainous and remote former Soviet republic. Given adequate vision, focus and commitment, it is my belief that there is indeed a chance to correct past mistakes through a ‘second act’ in Kyrgyzstan. It will not be easy, but it is in the long-term national security interests of both the United States and the regional states in Central Asia, that we all –collectively – do a better job this time around. Doing so begins with acknowledging Kyrgyzstan’s cycle of corruption and repression, which has now twice undermined governance to the otherwise unprecedented extent in Central Asia of fomenting regime change. If this “second act” is to usher in greater stability in Kyrgyzstan, it will require the kind of transparency and accountability that can only be achieved by breaking that cycle and strengthening democratic practices.

Freedom House is perhaps best known for its annual surveys – such as *Freedom in the World* – which offers an annual metric of how each country in the world ranks in terms of democracy and the protection of its citizens’ fundamental rights and has assessed freedom in Kyrgyzstan since the country’s independence in 1991. Other Freedom House publications take a more in-depth look at countries’ progress as they work to expand freedom or, as is unfortunately often the case, restrict liberties. Since 1995, *Nations in Transit* has taken a more textured look at the former communist countries of Eastern Europe and the former Soviet Union, including Kyrgyzstan and its neighbors. In addition to this analysis, Freedom House also has conducted democracy and human rights programs on the ground in Kyrgyzstan for over seven years. It is from the standpoint both of analysis and on-ground experience that I am pleased to share with you this morning some observations and suggestions about how Kyrgyzstan reached its current situation, what it faces on the road ahead.

Regression, Repression and Revolution

Earlier this year, in our 2009 *Freedom in the World* ranking, Freedom House downgraded Kyrgyzstan to “Not Free,” a categorization it now shares with many of its neighbors. Shortly after this report was issued, I called on Zamira Sydykova, then the Kyrgyz ambassador in Washington, to explain to her how the report’s authors reached the conclusions they did and what steps could conceivably reverse this downward trend. She listened carefully, and as I was leaving her office she stopped me on the stairs with a question: “It used to be the State Department would talk to us all the time about democracy; now they never mention it and only talk to us about trade. If your State Department doesn’t care about

democracy, then why should we?" Clearly it was a rhetorical question posed by a thoughtful woman, but I was nonetheless at a loss for words on how to respond.

Our basis in downgrading Kyrgyzstan at the end of last year had multiple elements. Freedom of expression was under assault throughout 2009, well before two Kyrgyz journalists investigating corruption cases were murdered in Almaty, Kazakhstan. Criminal and civil charges were regularly imposed against journalists throughout 2008, and that year President Bakiyev pushed through amendments to the media law that essentially comprised state censorship. The Bakiyev government's ban on broadcasting U.S. Government-funded radio as well as that of the BBC earlier this year was preceded by a state-imposed interruption of these broadcast outlets in December 2008. It is worth noting that throughout this period, the popularity of Russian broadcasting in Kyrgyzstan increased, including, surprisingly enough, Russian programming that makes fun of migrant workers in Russia – many of whom are Central Asian. One of the clearest signals of impending change in Kyrgyzstan that analysts point to following the events of April 6-8th was a full-scale assault on Bakiyev's corruption in the Russian press.

The trajectory of political repression in Kyrgyzstan over the past several years is similarly bleak. While the parliament elected after the Tulip Revolution of 2005 is considered one of the strongest in the country's history, President Bakiyev systematically stripped away parliamentary power, first by a referendum in 2007 and later by "diktat." The chairwoman of the Central Election Commission resigned prior to local elections in late 2007, citing intimidation and threats from the President's son, Maksim. Opposition party leader Edil Baisalov – who now serves as interim president Roza Otunbayeva's chief-of-staff – was forced to flee the country after being charged with purported crimes connected to his posting a sample ballot on his website. Two years later, Medet Sadyrkulov, a former head of President Bakiyev's administration who left power to go into opposition, was killed in a suspicious car accident, lending to a mounting sense of conspiracy and fear. The conviction and sentencing to prison of former Minister of Defense Ismail Isakov late last year was certainly one indication of the Bakiev regime's tightening grip. The arrest of Omurbek Tekebayev earlier this month was seen by many as one catalyst for the intensification of the protests in Bishkek.

While there is a clear pattern of increasing repression, the facts do not necessarily support the conclusion that the events of April 6th-8th were simply a popular pushback against an ever more authoritarian executive. When I was in Kyrgyzstan late last month, demonstrations in the regions were focused on the doubling of electricity and gas prices, not about political repression, though public frustration at the ever-more-limited "pressure release valves" in society was clear. First-hand accounts of the violence that came later were chilling. A *Reuters* camera man was badly beaten by the mob in Ala-Too square because he was wearing a flak-jacket and therefore mistaken for a security officer. There were many reasons for the crowds to be angry. The net effect of this outpouring of passion, however, more closely approximated mob rule. "People have tasted blood and learned they could get things if they push hard enough," a friend in Bishkek told me in the midst of that tumult. This sobering characterization was recalled on news of the violence earlier this week that saw ethnic minorities killed over property disputes. The impression, and concern, is that recent events are more Hobbesian than Jeffersonian in nature.

On a television talk show in Moscow earlier this week, former Kyrgyz President Askar Akaev, ousted by the bloodless revolution five years prior, said the difference between recent events and those of the Tulip Revolution was simple and clear. “I told security services then under no circumstances to open fire on the crowd.” Determining precisely what happened earlier this month will require continued investigation, as well as a public, fair and transparent review of the investigation’s findings. The more dispassionate that review is, the better the chance Kyrgyz society has to properly heal these still searing wounds.

Potential Openings for Democracy and Human Rights

The first concerns of the interim government relate to the basic security of the Kyrgyz state. One long-time observer of events in the former Soviet Union wrote on Tuesday about an editorial exchange in Russia’s *Komsomolskaya Pravda* about whether Kyrgyzstan should continue to exist as a country or be absorbed into Russia. The restoration of public order – beyond the necessity of “shoot-to-kill” instructions for security forces in order to prevent looting – follows closely on this. A realistic plan to quickly replenish the state coffers Bakiyev looted on exit will be needed in order to meet the demands of those who demonstrated for change and were more concerned with economic as opposed to political needs. But not far behind these emergency measures, basic democratic institutions are also needed to fill the vacuum of lawlessness in a sustainable way.

Policy-makers in friendly nations can best help this process by supporting processes over personalities. It was, after all, the willingness of some in the U.S. Government to turn a blind eye to Bakiyev’s hardening authoritarianism over the past five years that has put America in such an embarrassing position in the aftermath of recent events. Following my most recent visit to Kyrgyzstan, I traveled to Georgia where I was impressed to learn that many of the embassies there regularly meet with opposition parties to listen to and discuss their concerns. This is one small way of alleviating mounting political pressure and certainly a stark contrast to the account one Kyrgyz opposition figure relayed to *The New York Times* of his visit to the U.S. Embassy in Bishkek immediately preceding the events of earlier this month. “The revolution begins on Wednesday (April 7th),” the opposition figure reportedly told an American diplomat who, the story continues, responded “Oh yeah?” Other opposition figures have complained that the U.S. Embassy found little time for them altogether. The Advance Democratic Values Act, which Congress passed in 2007, calls on senior diplomats to engage with opposition figures and human rights activists. Kyrgyzstan serves as a good wake-up call to embassies where such outreach is not, regrettably, a matter of priority.

A new social contract is on demand, and the draft of a new constitution has already been written. Since one of the fundamental concerns of the interim government is legitimacy, the acceptance of this draft constitution by a public often circumvented in recent years is a priority. That means the interim government must explain the draft to the public and accept the input it hears in the process of doing so. Civil society can be a powerful ally in this process. The Independent Public Commission is an umbrella group of more than a dozen non-governmental organizations – a number of whom Freedom House has

worked closely with over the years – that stepped into the fray over the past couple weeks, first to defuse tensions and more recently to draft legislation for police reform, access to information and electoral reform. These pieces of draft legislation were endorsed at a large meeting this past weekend and referred to the interim government for consideration. During the period of the interim government, the active involvement of civil society groups will remain indispensable.

In looking back at the “color revolutions” in Georgia, Ukraine and Kyrgyzstan from 2003-5, one consistent fact is that no deposed leader was held to account for his crimes. This also follows on the trend of no one being held to account for the crimes of the Communist regime after the collapse of the Soviet Union in 1991. While neighboring Kazakhstan, the current Chair-in-Office of the Organization for Security and Cooperation in Europe (OSCE), is credited for helping avert a civil war by whisking Bakiyev out of the country, at no time during the crisis did it deploy the resources of the OSCE’s Office for Democratic Initiatives and Human Rights (ODIHR), which arguably could have played an important role both in monitoring the evolving situation on the ground and working with all parties towards a peaceful and more orderly transfer of governing authority. It would appear that the Kazakhs view their OSCE chairmanship more as a source of prestige than as the crisis mitigation tool it was designed to be by the architects of the Helsinki Accords in the late 1970s. More important than this unfortunate under-utilization of a time-honored diplomatic institution, however, is the result that the Kyrgyz people will, for the time being, be denied their understandable demand for justice that could best be achieved by holding Bakiyev and the members of his regime to account for their alleged crimes, most notably massive corruption. The difficult job of playing watchdog to judicial procedures in this uncertain environment will fall on the shoulders of civil society, human rights defenders and a vigilant, and hopefully unfettered, media.

Legitimacy will require free and fair elections held at a higher standard than those which, since independence, have been marred by widespread falsification and manipulation. The Kyrgyz people must reasonably believe that they have a greater stake in the outcome of this exercise than any one particular family, clan or region. Public anger at the intertwined repression and corruption was clearly visible in the faces of demonstrators two weeks ago. At a pivotal moment, when it came under the fire of snipers, the crowd surged forward into government buildings because it was then less dangerous to do so than to fall back. That sense of momentum must be harnessed with an eye on the ballot box, and it is commendable that the interim government has committed to elections soon. The Kyrgyz must be able to credibly believe that new elections will constitute a step forward to placing those tendencies towards corruption and autocracy in check. It is a tall order precisely because corruption is so deeply rooted in the governing elite’s sense of entitlement.

In the late Nineteenth Century, Russian Tsar Nicholas II exercised the same civic responsibility that many Americans are doing presently – he filled out his census form. In response to the question of what his occupation was, he replied “Owner,” in reference to the property of the Russian Empire. So long as this mentality persists, as the Bakiyev family demonstrated it does, democratic governance in the former Soviet Union will remain an abstraction. The process of supporting democracy and human rights in countries like Kyrgyzstan requires first and foremost that the ‘owners’ trade in their entitlement for the urgently needed responsibility of ‘stewards.’

Policy Recommendations for a More Durable Engagement in the Region

Others on this panel are better suited to address the history of the Manas Air Station and speak more generally to the question of what effect U.S. military bases have on the development of the countries where they exist. Certainly there are multiple instances of American diplomacy becoming hostage to the whims of authoritarian regimes because of our security imperative to maintain military bases in non-democratic countries. By the same token, however, it is worth reviewing what options diplomatic and defense planners can creatively conceive to free both the U.S. government and the citizenry of the countries in which there are military bases from the perceived cycles of dependence that lead to situations like we have most recently seen in Kyrgyzstan.

The example of South Korea is not necessarily similar to the circumstances in Central Asia, but there a vibrant democracy has grown and flourished alongside American military presence. It is worth the investment of time and energy to conduct a thorough review of “lessons learned” across the board that can be applied in future cases.

The most immediate example of a red flag that the Kyrgyz events raise can be seen in our current relationship with Uzbekistan. Following Uzbek President Islam Karimov’s brutal crackdown on demonstrators in the city of Andijan in 2006, the United States was vocal in its criticism of the human rights abuses that had clearly occurred. Shortly thereafter, the United States was asked to remove military support facilities in the country. As various potential routes for a Northern Distribution Network to supply operations in Afghanistan are discussed by policy-makers in the U.S. Government today, the example of our recent relationship with Kyrgyzstan’s Bakiyev looms darkly. Does indulging a tyrant advance U.S. interests, even in the short run? Are we more motivated by fear of Moscow’s embrace of regional strongmen – traces of which could be seen in a meeting between Karimov and Russia’s President Dmitri Medvedev earlier this week – than the longer-term investment towards stability?

Having participated in democracy building in Iraq and elsewhere, I have every reason to believe that the United States military sincerely wishes to do the right thing and the heavy burden of civil affairs work often falls involuntarily on their shoulders. Blaming the Department of Defense is short-sighted, and its contribution to a “whole of government” approach is too often out-sized only because other government entities – including the Department of State – lack either the resources or the will to be as vocal as necessary from their seat at the table.

The medium to long term success of what America does in Afghanistan is linked to the relationships we foster in Central Asia. A stable and secure Afghanistan can only be achieved by practicing the same values in the Central Asian states that we ultimately wish to see take root throughout the region. Certainly, it is a challenge fraught with contradictions, but the countries throughout the region will look to us, if not for inspiration, than for weaknesses to exploit. Throughout much of the 1990s, Central Asian states looked towards Washington as a hedge against Moscow’s designs on regional dominance. Uzbekistan’s courtship of Washington over the period shows this trend in its most pronounced sense. Now it appears the worm has turned and the despots in the region view the United States essentially as

a hostage to their demands. It is difficult to see how fostering this view any further could be in American interests.

That is why it is necessary to be straightforward, and consistent, about what is on offer, whether in foreign assistance or military cooperation. While Moscow may tell the despots of the region that its support comes without strings attached, the dictators of the region –formerly functionaries in a larger Communist regime – know better. Karimov may appear categorical in his demands that any strategic relationship with Washington come without meddling interference on questions of human rights or rule of law. The cost of abiding by such demands, as Kyrgyzstan clearly shows, is too high. We are fortunate that the interim government in Kyrgyzstan is, for now, willing to talk with us, given what they justifiably perceive as a betrayal. When Karimov's iron-fisted rule over Uzbekistan comes to an end, as it invariably will, what credibility will the United States have with the successor government if we were never seen as being able to effectively challenge the tyrant while he was repressing his people?

By keeping channels of communication open with the opposition, calling on governments to honor free expression and upholding an example of human rights protection do we stand a greater chance of not falling victim to the cycle of dependence on regimes that, due to their kleptocracy and cruelty to their own citizens, have expiration dates we too often see only after they have come to pass. The U.S. energy strategy for the Caspian region in the 1990s came to be known by the slogan "happiness is multiple pipelines." Our consideration of political development scenarios should be equally broad-sighted, and that begins by talking regularly with multiple groups in each country with whom we engage. Rhetoric in this sense also requires resources.

One tangible measurement of our commitment to these values lies in the budget resources we make available to pursuing them. The President's proposed budget this year calls for significant reductions in funds for Governing Justly and Democratically in Uzbekistan, Kazakhstan and Turkmenistan. This may well be an example of being penny-wise and pound foolish. More importantly, it sends the wrong message to autocrats in the region. By viewing the region only as an accessory to the more immediate challenges it borders, America short-changes its chance for a more lasting and stable engagement with the peoples of Central Asia. Today there is an opportunity in the region, though it is easy to see that window quickly closing. In Kyrgyzstan, time is short in which to substantively engage in a process where we can lend value. We must recognize and move on this opportunity before it is too late.

Thank you for the opportunity to share these thoughts with you this morning.