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KYRGYZSTAN

CENTRAL ASIA'S ISLAND OF DEMOCRACY SINKS INTO AUTHORITARIANISM

Bruce Pannier

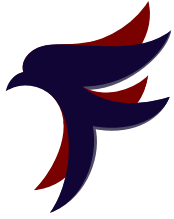


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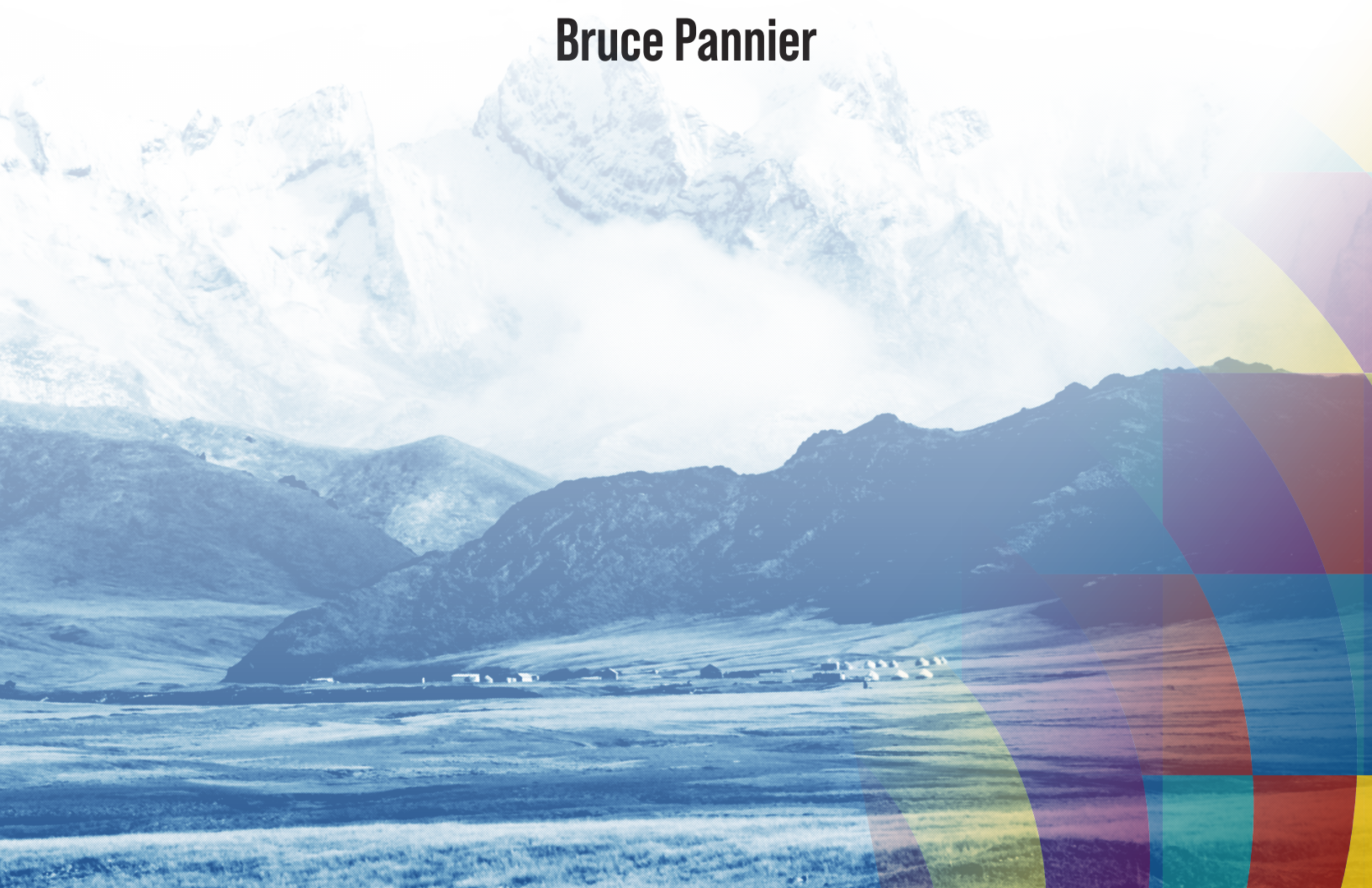
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About the Author

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Eurasia Program

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Executive Summary

In the early 1990s, Kyrgyzstan was often referred to as an “island of democracy” in Central Asia. The “island’s” shores have receded over the years, but relative to its neighbors, Kyrgyzstan remained the most democratic country.

Three distinguishing features of Kyrgyzstan include an active political opposition, a vibrant civil society, and independent media outlets.

The current government is eliminating all three of those distinctions.

Political opposition leaders have been jailed, civil society has been intimidated and prevented from holding public meetings, and independent media have been taken to court and their websites blocked. Worse might be coming soon.

Domestic and international criticisms and appeals that swayed previous Kyrgyz governments are having no effect in persuading those currently in power to turn away from their present course.

Kyrgyzstan is set to join the club of authoritarian governments in the region. The country is almost there already.

A New President

The system has changed since President Sadyr Japarov came to power in late 2020. A January 2021 referendum in Kyrgyzstan approved a new constitution that shifts most powers of government to the executive branch, including giving the president the right to appoint judges. The parliamentary elections of November 2021 resulted in parties that support the president taking an overwhelming majority of the ninety seats.

Japarov's government is taking full advantage of these extended presidential powers to push through its policy changes and push aside critics and opponents to a greater extent than any previous Kyrgyz government was able to do.

Japarov's political career began when Kurmanbek Bakiyev was Kyrgyzstan's president (2005 to 2010). Japarov joined the Ak Jol ("White Path") party Bakiyev created in October 2007. The following year, he was appointed to a top position in Kyrgyzstan's anti-corruption agency, though it bears mentioning that corruption is viewed as having been rampant under Bakiyev's government.

After Bakiyev was chased from power in the April 2010 revolution, Japarov joined his friend's party, State Committee for National Security (GKNB) Chief Kamchybek Tashiyev's newly created Ata-Zhurt (Fatherland). Both were elected to parliament in October 2010.

During a rally in Bishkek in October 2012, when people were calling for the nationalization of the Kumtor gold mine, the most lucrative business operation in Kyrgyzstan, Japarov and Tashiyev were among protesters who tried to seize the government building. They were both arrested, along with another close associate,

Talant Mamytov, and charged with trying to overthrow the government.

All three were convicted in March 2013 and sentenced to only eighteen months in prison. However, they were not in prison that long, as a different court acquitted the three in June 2013 and released them.

Japarov continued to call for nationalization of the Kumtor mine. In October 2013, after days of protests in the nearby northeastern town of Karakol, a crowd stormed the local administration building and briefly took the Issyk-Kul provincial governor hostage. Japarov was charged with helping instigate the disorder and the kidnapping of the governor, but he fled the country before police could arrest him.

Japarov's government is taking full advantage of these extended presidential powers to push through its policy changes and push aside critics and opponents.

Japarov was apprehended along the Kazakh-Kyrgyz border in March 2017. He was tried for the kidnapping of the Issyk-Kul governor in 2013, convicted, and sentenced to eleven years and six months in prison, which is where Japarov was when the revolution of October 2020 broke out.

That revolution was caused by the campaign for parliament in 2020. It was clear well in advance that the election was being rigged. Accusations of vote-buying were rife: There was gerrymandering of voting districts and other alleged violations months before the October 4 Election Day.



Kyrgyz President Sadyr Japarov attends the Shanghai Cooperation (SCO) Summit in Dushanbe, Tajikistan, September 2021. Reuters/Didor Sadulloev

When the results were announced and showed that two pro-government parties Birimdik and Mekenim Kyrgyzstan, who were loyal to then-President Sooronbai Jeenbekov, won more than 75 percent of the seats in parliament, protests started in the capital Bishkek.¹ By the evening of October 5, crowds occupied the government building where the parliament and president reside, the Interior Ministry, the headquarters of the GKNB, and other state facilities.

A group of people also freed Japarov from prison. As in the 2005 and 2010 revolutions, leaders of opposition parties worked to cobble together an interim government, but there were several different groups all claiming the right to form one. While these groups were vying for power, another one emerged supporting Japarov.

Who selected Japarov to be Kyrgyzstan's next leader has never been clear, though

there were suspicious criminal groups who likely played key roles. Whoever it was, they were certainly well organized. A social media campaign supporting Japarov to be the next prime minister was spreading hours after he was freed from prison. On the evening of October 6, 2020, there was a meeting of some thirty members of parliament at a Bishkek hotel surrounded by menacing-looking men in black coats. The deputies attempted to nominate Japarov to be prime minister but lacked a quorum.

On October 14, at the presidential residence outside Bishkek, deputies convened again in sufficient numbers and approved Japarov to be prime minister. On October 15, Jeenbekov resigned. The following day, Japarov was named acting president.

In less than two weeks, Japarov went from prisoner to holding Kyrgyzstan's top two political posts. He quickly brought his friends into his government. Japarov appointed Tashiyev to be GKNB chief on October

16. Mamytov was appointed speaker of parliament on November 4. Karmankul Zulushev was also appointed as Kyrgyzstan's prosecutor general on October 21. Zulushev was one of the judges who acquitted Japarov, Tashiyev, and Mamytov in the June 2013 trial.

Japarov had his close associates in top posts. The new constitution, which some in Kyrgyzstan dubbed the "khanstitutsiya" since it gave the president such vast powers, was passed in a national referendum in April 2021. The stage was set for radical changes in the way Kyrgyzstan was governed.

Opposition Political Parties

Since 1991 independence, there have always been many political parties and movements in Kyrgyzstan. The country's Ministry of Justice currently lists 226 registered political parties in the country. Many are inactive, but several dozen continue to function and participate in presidential and parliamentary elections.

Up until now, this abundance of parties has made it difficult for any Kyrgyz president to avoid criticism from one or more political parties or from parliament, where members of opposition parties have always won seats.

One weakness of Kyrgyzstan's political opposition parties is that they are personality-driven. Most Kyrgyz citizens identify with the leader or leaders of a party. An example would be the Ar-Namys (Dignity) party created by Feliks Kulov, a veteran politician who has served as vice president, Bishkek's mayor, prime minister, and other posts. Everyone in Kyrgyzstan knows Ar-Namys is Kulov's party, but the party's platform is unclear. It is the same with former President Almazbek Atambayev's Social Democratic

Party of Kyrgyzstan, or former Parliamentary Speaker Omurbek Tekebayev's Ata-Meken (Fatherland) party. The leaders are well known, but what the party stands for, outside the leadership's interests, is not always entirely clear.

In such a situation, silencing the leader can often result in silencing the party.

The so-called Kempir-Abad case demonstrated that Japarov's government would be far less tolerant than previous governments to challenges from opposition groups. Japarov has made many promises since coming to power. One promise was to resolve the issue of demarcating Kyrgyzstan's borders.

The Kempir-Abad reservoir was built in 1983 in the then-Soviet republic of Kyrgyzstan, very near the border of the formerly Soviet republic of Uzbekistan. Most of the water from the reservoir has been used by Uzbekistan.

Kyrgyz and Uzbek authorities reached an agreement on this area of their frontier during talks in the spring and summer of 2022. Both parties withheld details of the pending agreement from their citizens.

In late August 2022, some 1,000 people in Kyrgyzstan's Uzgen district, which borders Uzbekistan, gathered to demand Kyrgyz authorities release information about possible exchanges of land, particularly the Kempir-Abad reservoir.² The people of Uzgen considered the reservoir as belonging to Kyrgyzstan.

Others in Kyrgyzstan, including opposition parties, became curious about the details of this border agreement and the Kempir-Abad reservoir.

Tashiyev revealed information about the border agreement only on October 10, 2022, confirming that indeed, Kyrgyzstan would be handing over the Kempir-Abad reservoir to



A man addresses protestors in the village of Tamga in Dzhety Oguz district, May 2013. Hundreds of villagers blocked the road to Kumtor, and threatened to move on the mine if the government did not tear up its agreement with Centerra Gold. Reuters/Vladimir Pirogov

Uzbekistan.

Tashiyev's disclosure about the reservoir came some three weeks after fighting along the Kyrgyz-Tajik border that saw Tajik troops cross into Kyrgyz territory in several areas. Sixty-three Kyrgyz citizens were killed in that fighting,³ and eighty-three Tajik citizens.⁴ Some 140,000 Kyrgyz residents of the border area had to be temporarily evacuated.⁵ The armies of the two countries had already clashed along the border in late April 2021. In that fighting, fifty-five people were killed, thirty-six of them citizens of Kyrgyzstan.

So, the decision to hand over the Kempir-Abad reservoir to Uzbekistan was unpopular with many in Kyrgyzstan who started questioning the government's handling of border issues. These people were not mollified by Kyrgyz government claims that the land Kyrgyzstan was receiving in the agreement was far larger than the land being given to Uzbekistan.

There was another meeting in Uzgen district on October 15, 2022, where more than 600 people threatened to take drastic action against the planned handover of the reservoir⁶ and called for Tashiyev's dismissal.⁷

Several deputies in parliament were complaining about the border agreement and challenging its validity⁸. Firebrand politician Azimbek Beknazarov said Japarov "would be remembered in history as the person who sold Kempir-Abad."⁹

On October 23, 2022, police detained more than two dozen members of the newly created Committee to Protect the Kempir-Abad reservoir. Several were opposition politicians, Beknazarov among them, as well as Bektur Asanov, the former governor of Jalal-Abad Province—where the Kempir-Abad reservoir was located—and more recently a member of the opposition Ata-Meken party. Also detained were former Constitutional Court judge and leader of the opposition Reforma party Klara Sooronkulova, former

Parliamentary Deputy Ravshan Jeenbekov (who ran against Japarov in the January 2021 presidential election), former parliamentary deputy Asiya Sasykbayeva, former GKNB chief Keneshbek Duyshebayev, former Bir Bol (Be United) party leader Jenish Moldakmatov, and former Central Election Commission member Gulnara Jurabayeva.

Twenty-seven people were eventually taken into custody and charged with plotting to overthrow the government¹⁰. There were complaints from civil society groups, members of parliament, the country's ombudsman, and others about procedural violations in the raids and detentions. The investigation process dragged on and only in June 2023 did investigators hand over their case to a court. Information about the case has been declared a state secret and even the defendants' lawyers have complained about receiving access to the state's evidence.

The trial started on June 23, 2023,¹¹ but proceedings have been drawn out and a court ruling seems far away.

Some members of parliament raised objections to the arrests, notably the leader of the Butun (United) Kyrgyzstan party, Adakhan Madumarov, who denied the committee had any intentions to seize power. Right after the twenty-seven people were taken into custody, Madumarov said the arrests demonstrated that a situation of "complete lawlessness" had broken out in the country.¹² Madumarov was a member of the Kempir-Abad committee, but he was not detained with the others due to his immunity, being a member of parliament, from arrest or prosecution.

Madumarov was a leading voice of opposition in parliament, but he was also personally at odds with the Kyrgyz president and GKNB chief.

Madumarov ran against Japarov in the 2021 presidential election, finishing a distant

second. In June 2022, just after parliament released a report criticizing the GKNB's performance against smuggling along Kyrgyzstan's borders, Tashiyev appeared at a session of parliament. Tashiyev addressed parliament saying accusations in the report were baseless. When Madumarov indicated he wanted to take the podium to respond to Tashiyev comments, the GKNB head threatened to break Madumarov's arm and throw him in prison.¹³

Madumarov was a leading voice of opposition in parliament, but he was also personally at odds with the Kyrgyz president and GKNB chief.

When parliament ratified the border agreement with Uzbekistan on November 17, 2022, Madumarov complained there were procedural violations in parliament's ratification as parliament held all three readings of the document that same day. "Between [each reading in parliament] nine days must pass, not nine seconds," Madumarov pointed out¹⁴ and claimed "before the vote, the *siloviki* called deputies and threatened them."¹⁵

Madumarov was immune from arrest. So too were the other five Butun Kyrgyzstan members with seats in parliament. However, the rest of the party's members had no protection from prosecution.

On October 24, 2022, Akyl Aytbayev, a member of Butun Kyrgyzstan's political council and the Kempir-Abad committee, was detained and charged with plotting to overthrow the government.¹⁶ On December



Supporters of Kyrgyzstan's Prime Minister Sadyr Japarov attend a rally in Bishkek, October 2020. Reuters/Vladimir Pirogov

1, 2022, the GKNB said it was investigating Madumarov's aide, Aypperi Kulmurzayeva and two other Butun Kyrgyzstan members for "knowingly using a forged document" when applying for employment in parliament.¹⁷

On July 6, 2023, five more members of Butun Kyrgyzstan were detained and questioned¹⁸ relating to a May 28 by-election. They were all released, but one of the five, Mirlan Uraimov, was convicted in September 2023 on charges of publicly calling for the overthrow of the government.¹⁹ Uraimov's arrest and conviction were not connected to the Kempir-Abad case. He had been arrested in February 2022 but was released on his own recognizance in March 2022.²⁰

Madumarov's turn came in spring 2023. On May 31, a parliamentary commission was formed at the request of the prosecutor general to consider whether it was possible to charge Madumarov, a member of the Kempir-Abad committee, with trying to

overthrow the government.²¹

The proposal was quickly mixed in with accusations Japarov and Tashiyev had been making months earlier about Madumarov's role in a 2009 border protocol with Tajikistan. Japarov and Tashiyev were anxious to find a scapegoat to blame for the disastrous situation along the Kyrgyz-Tajik border that led to the 2021 and 2022 military conflicts.

The issue of the 2009 protocol with Tajikistan had been lingering for some time. Madumarov was secretary of Kyrgyzstan's Security Council in 2009 and signed the protocol for Kyrgyzstan to lease a five-hectare plot of land along the Kyrgyz-Tajik border for forty-nine years. When he was questioned in early 2022 by Kyrgyzstan's prosecutor general about the deal, Madumarov pointed out Kyrgyzstan's parliament never ratified the protocol, so it was nonbinding.

Japarov said that area of the border was



Presidential Palace, Bishkek. (Adobe Stock)

disputed territory and that by signing the agreement, Madumarov had recognized Tajikistan's claim to that land, which Japarov said amounted to treason.

On June 22, 2023, parliament met to consider the matter. Deputies voted not to charge Madumarov with plotting a coup in the Kempir-Abad, case but they did find that Madumarov exceeded his authority when he signed the 2009 border protocol²² and voted to strip him of his deputy's immunity from prosecution.²³

An Interior Ministry commando unit detained Madumarov on the street in Bishkek on September 2 and he was taken to a GKNB detention facility.²⁴ He faces treason charges over the 2009 protocol he signed with Tajikistan.

One other murky event happened in early June 2023, when the GKNB said it had uncovered another plot to overthrow the government. The suspects were members of the little-known Eldik Kenesh (People's Council) political party²⁵. Sixty-four-year-old

Eldik Kenesh Chairwoman Roza Nurmatova was among those arrested. According to the GKNB, the group of "conspirators" included more than 100 people from various walks of life, scattered across Kyrgyzstan, who were assigned tasks to do once the coup attempt started.

As of early November, four people, including Nurmatova, were still being held with a fifth member of the group put under house arrest.²⁶ Authorities still had not released any more details about the alleged plot.

There are still some opposition voices in parliament, but they are few and unable to prevent passage of controversial legislation. The latest example was December 20, 2023, when parliament voted overwhelmingly to approve Japarov's suggestion to alter the emblem on the national flag. Parliament approved the proposal in the second reading and then immediately approved it in the third reading, without any discussion.²⁷ Only five deputies dared to vote against the president's proposal, though it was clear

from posts on social networks that the idea of making changes to Kyrgyzstan's flag was opposed by many people in the country.

The arrests of Madumarov and the politicians involved in the Kempir-Abad case and the Eldik Kenesh affair seem to have sent a message to the political opposition in Kyrgyzstan that those who intend to challenge or criticize the government will end up in jail, facing serious charges. Several months into 2024, opposition political activity is at an all-time low in Kyrgyzstan's more than thirty-two years as an independent country.

Civil Society

Civil society in Kyrgyzstan has always been the most effective force in getting people into the streets to protest. So, this has been the primary force of political change in the country. Since the 1990s, grassroots organizations and regional and national groups have formed and helped unite local populations with common cause across the country to block key roads, occupy main squares in cities and towns, and come out in the hundreds or even thousands to protest outside government buildings. Usually, such civil society groups dissolve when their core issue or issues have been resolved. There are dozens of civic activists in Kyrgyzstan who have been active for decades and are as well-known to the public as leading politicians are.

Civil society groups have led the demonstrations that eventually resulted in Kyrgyzstan's three revolutions. The Committee to Protect the Kempir-Abad reservoir is an example of people in Kyrgyzstan organizing around an issue. Committees or movements created by citizens have supported embattled popular local politicians, resisted mining projects that threatened to cause environmental damage,

demanding local infrastructure or housing improvements, or sought changes in dozens of other mainly socioeconomic matters.

Opposition parties and politicians always played catch-up with the events civil society groups set into motion. Therefore, civil society is potentially the greatest domestic threat for an incumbent Kyrgyz president or government.

At the end of August 2021, Sooronkulova said the Interior Ministry tapped into phone conversations of at least 100 people before and after the January 2021 presidential election.²⁸ Sooronkulova added that most of the phones being monitored belonged to civic activists.

Civil society groups have led the demonstrations that eventually resulted in Kyrgyzstan's three revolutions.

Kyrgyzstan's presidential election and simultaneously a vote on whether voters preferred a presidential or parliament system of government was held on January 10.

The Interior Ministry admitted listening in on phone conversations but said it was part of an investigation into the unrest after the October 2020 parliamentary elections.²⁹ The Ministry said it had obtained permission from the courts to eavesdrop on these people's phone conversations from January 6 to February 10, 2021, and had ceased such activities after that.

Among the twenty-seven people eventually detained in the Kempir-Abad reservoir case, nine were activists: Rita Karasartova, Jenish

Moldokmatov, Perizat Suranova, Ali Shabdan, Nurlan Asanbekov, Taalay Mademinov, Gulgaky Mamasaliyeva, Chingiz Kaparov, and Erlan Bekchoro.³⁰

After Russia launched its full-scale war in Ukraine on February 24, 2022, there were small protests and rallies in Bishkek supporting Ukraine. On March 11, 2022, police banned public meetings in and near the Russian Embassy, the government building in Bishkek, and on Ala-Too Square in the city center. A Bishkek court sanctioned the move. The original ban only lasted until April 11, 2022, but it has been extended every time its expiration approached. On December 28, 2023 the ban was prolonged by another three months.³¹

This prohibition has been effective at preventing groups or individuals from staging demonstrations in the city center where their actions would be highly visible. In the past, other governments attempted to impose such restrictions, but civil society groups ignored these ad hoc rules and protested anyway, further undermining the government's reputation for being able to enforce its restrictions.

It is not only prominent civic activists. Authorities seem to have stricter policies on organizers of local protests.

On June 14, 2023, residents of the village of Selektionnoye, outside Bishkek, protested being without water by blocking the road.³² Blogger Ertai Iskakov, Bakyt Balbayev, and Baktybek Bekbolotov were detained as the organizers of the protest and charged with hooliganism and illegally blocking a road. Prosecutors asked Iskakov, who was livestreaming the protest, be sentenced to five years in prison, and Balbayev and Bekbolotov to four years in prison.³³

Kyrgyz activist Emil Bekiyev was deported from Russia in September 2022 and immediately arrested by the GKNB upon his

return to Kyrgyzstan and charged with inciting ethnic hatred in his posts on Facebook. Bekiyev was a known critic of Japarov's government and had called for Japarov to be impeached. Court linguistics experts determined Bekiyev had posted "provocative video messages and publications aimed at destabilizing the sociopolitical situation in the Kyrgyz Republic" and "video recordings with calls for active disobedience to the legal demands of government officials and for mass riots." He was sentenced to six years in prison.

In March 2022, police banned public meetings in and near the Russian Embassy, the government building in Bishkek, and on Ala-Too Square in the city center.

In August 2023, Olzhobai Shakir, a writer, activist, and critic of Japarov's government, called for peaceful meetings against the government's decision to hand over ownership of four vacation areas (pansionat) at the country's premier tourist area Issyk-Kul to Uzbekistan. Shakir encouraged people to come out on Kyrgyzstan's Independence Day (August 31) and express their objections to the plan.

On August 23, the GKNB detained Shakir and charged him with organizing mass unrest and plotting to overthrow the government.³⁴ On February 26, 2024, Shakir's case was handed over to a new court where the trial process would start for a second time.³⁵ Pensioner Saliya Tashtanova criticized the government at a November 2022 meeting in Uzgen for handing over the Kempir-Abad reservoir to Uzbekistan and demanded



A demonstrator during a protest against the results of a parliamentary election in Bishkek, Kyrgyzstan, October 2020. (Reuters/Vladimir Pirogov)

Japarov and Tashiyev resign.³⁶ Tashtanova posted an appeal on social networks to Japarov and Tashiyev in September 2023 saying, “Prices have risen in the country and there is no justice.” The 70-year-old woman was arrested in early October and charged with calling for the violent overthrow of the government.³⁷

Tashiyev spoke about Tashtanova’s case on October 19, summing up the government’s rigid policy. “They say that they detained a seventy-year-old grandmother. Well, if a person breaks the law, then whether they are seventy, ninety, eighteen, or twenty years old they will answer for it,” Tashiyev said.³⁸ Tashtanova was found guilty on November 22 and fined 50,000 Som (about US\$550).³⁹

In September 2023, there was a proposal in Kyrgyzstan’s parliament to alter the design on the national flag. Some deputies said they felt the curving rays coming off the image of the sun made it look more like a sunflower.

It was actually Japarov’s opinion and he favored straightening out the rays of the sun. He told state news agency Kabar at the end of October, “If this option, God willing, passes, then from now on we will not be dependent.”⁴⁰

Japarov did not say what dependence would be broken by changing the flag and there were many people inside and outside Kyrgyzstan who thought the country had more important matters on which to focus. Parliament adopted the proposal on December 20, quickly passing the bill through its second and third readings without discussion.⁴¹

In December, activist Aftandil Zhorobekov called for a peaceful public gathering in Bishkek to support keeping the old flag. Zhorobekov was detained on December 7 and charged with calling for mass unrest.⁴² On December 8, a Bishkek court ordered Zhorobekov to be held in custody for two

months,⁴³ but he was still in custody as of March 2024 as his trial continued.⁴⁴

Independent Media

Independent media in Kyrgyzstan has been vigilant and bold in covering events in the country, criticizing decisions made by its leadership, and ferreting out corruption among officials. Every Kyrgyz president has come into conflict with one or more media outlets.

Zamira Sydykova, the founder and chief editor of the Res Publica newspaper, was found guilty of slander in 1995 for reporting on then-President Askar Akayev's foreign bank accounts and property abroad. Sydykova was barred from practicing journalism for eighteen months, but she continued her career in media after the expiration of the ban, except for 2005–2010 when she was Kyrgyzstan's ambassador to the United States and Canada.

In 2017, Kyrgyzstan's General Prosecutor's Office sued Kyrgyz website Zanoza.kg and Radio Liberty's Kyrgyz service, known locally as Azattyk, for insulting Atambayev by disseminating allegedly false information. The two outlets were reporting claims from an opposition figure that cargo aboard a plane that crashed at Bishkek airport belonged to Atambayev.

The case against Azattyk was eventually dropped, but Zanoza.kg was found guilty of defamation and ordered to pay the equivalent of US \$175,000, a huge sum in Kyrgyzstan, which led to the media outlet's closure. Japarov's government has similarly been using the law to harass media outlets.

The campaign against independent media outlets started in January 2022 when police raided the Bishkek office of Temirov Live.

The show was hosted by Bolot Temirov and posted on YouTube. Temirov Live regularly reported on corruption in the government. Just a few days before the raid, Temirov Live aired a program on suspicious deals in the state oil industry involving family members of Tashiyev.⁴⁵

Police arrested Temirov after claiming to have found a small amount of marijuana in Temirov's pocket during the raid. Temirov said it was planted on him by police and the drug test the journalist was subjected to came back negative. Temirov was still kept in custody.

Every Kyrgyz president has come into conflict with one or more media outlets.

Temirov Live continued to operate without its host. In late April, just before Temirov's trial was due to start, new charges were filed against him. In addition to illegal narcotic possession, Temirov was also accused of forging documents, using a fake passport, and illegally crossing the state border, charges which Temirov also denied.⁴⁶

Some of the state's evidence in the case was declared secret. Temirov's lawyers said the court rejected their attempts to have access to that information so they could properly defend their client.⁴⁷

In late September 2022, a Bishkek court acquitted Temirov of narcotics possession and illegally crossing the state border but found him guilty of forging documents to obtain a fake Kyrgyz passport. Both the prosecutor and Temirov appealed the court's decision.

At the November 2022 appellate hearing, the court upheld the previous rulings but



Central Bishkek, Kyrgyzstan. (Adobe Stock)

ordered Temirov be expelled from Kyrgyzstan immediately since he did not have valid citizenship.⁴⁸ Temirov was taken from the courtroom to the airport and put on a plane to Russia.

Temirov's media outlet was not the only media outlet that faced problems in 2022.

The privately-owned Next TV television and radio channel was raided by plainclothes police on March 3, 2022. Earlier that day, Next TV had posted claims on its Telegram channel—created by Kazakhstan's former National Security Minister Alnur Musayev—that Kyrgyzstan was secretly providing military assistance to Russia for its recently launched full-scale invasion of Ukraine.

The station's director, Taalaybek Duyshenbiyev, was arrested and he and Next TV were charged with "inciting ethnic, national, religious, or interregional hatred" for

reporting about Musayev's comments.⁴⁹ The station's lawyer pointed out to no avail that Musayev's comments were only carried on Next TV's Telegram channel, not on television or radio. Authorities ordered the suspension of operations at the station. In September 2022, Duyshenbiyev was convicted of inciting interethnic hatred and sentenced to five years in prison. However, that sentence was reduced to three years' probation.

In late October 2022, Kyrgyzstan's Culture Ministry ordered Azattyk's websites to be blocked after it refused to remove a video about the September 2022 Kyrgyz-Tajik border clashes. The Culture Ministry said comments from people in Tajikistan that were included in the video were false. A Kyrgyz court ordered Azattyk's bank accounts frozen. The court case went on until July 2023 when Azattyk finally removed the video and the Culture Ministry dropped its case, allowing it to resume normal operations.

Kyrgyzstan's Kaktus Media faced a similar problem earlier in 2022. Kaktus Media is the successor to Zanoza.kg, which went out of business after the court imposed a stiff fine on the media outlet in 2017.

Matraimov is suspected of playing a role in catapulting Japarov from prisoner to president in October 2020.

In late January 2022, Kaktus Media republished an article from Asia-Plus, an independent Tajik media outlet. The Asia-Plus report was about a recent shooting incident along the Kyrgyz-Tajik border that the report claimed was started by Kyrgyz troops.

The Kyrgyz Prosecutor General's Office suggested Kaktus Media had probably broken the law prohibiting "propaganda of war" by reposting the Asia-Plus article.⁵⁰ Kaktus had already removed the Asia-Plus report before the Prosecutor General's Office made its comment.

Kaktus Media avoided any legal repercussions for reposting the Asia-Plus report, but the outlet's problems were not over. In January 2023, the privately-owned, pro-government outlet Vecherny Bishkek sued ProMedia Plus, the owner of Kaktus Media, for the latter reporting Vecherny Bishkek was dismissing employees ahead of the outlet's closure.⁵¹

Kaktus founder Dina Maslova conceded it had later become clear Vecherny Bishkek was not going out of business but said the Kaktus report was based on information

received from a Vecherny Bishkek employee.

Vecherny Bishkek insisted its reputation was damaged by the Kaktus report and pursued the lawsuit, demanding 50 million Som (about \$550,000) in compensation. The court ruled against Kaktus and after appeals, the fine was reduced to 100,000 (about \$1,100) Som for journalist Dilya Yusupova, who wrote the article about Vecherny Bishkek, and 500,000 Som (about \$5,500) for ProMedia Plus.

Kaktus and Yusupova could not pay the money. On February 29, 2024, Kaktus announced it organized a crowd-funding campaign to cover the court fines.⁵²

Kloop Media, established in 2007, became one of the most vocal and relentless independent media outlets in criticizing the Kyrgyz government and individual officials. Kloop Media partnered with the Organized Crime and Corruption Reporting Project (OCCRP) to produce a detailed report on one of Kyrgyzstan's alleged leading organized crime bosses, former Deputy Customs Service Chief Raimbek Matraimov.⁵³

Matraimov is suspected of playing a role in catapulting Japarov from prisoner to president in October 2020. Kyrgyzstan's recent crackdown on organized criminal groups has seen dozens of people detained⁵⁴ and the country's criminal kingpin Kamchy Kolbayev, also known as Kolya Kyrgyz, killed by GKNB forces in early October 2023. Matraimov was questioned but was not held in custody and subsequently fled the country. Kloop published a report on August 22, 2023 about associates of Japarov and Tashiyev's sons' involvement in a football academy in the south Kyrgyz city of Jalal-Abad illegally built on state land.⁵⁵

The Bishkek Prosecutor's Office sent Kloop a letter on August 28 informing the media outlet an "application" had been filed to close down Kloop Media because its founding

charter did not list media activity as part of Kloop's operations.

Kloop reported later that same day that Bishkek Prosecutor Emilbek Abdymannapov alleged that Kloop's reporting "has a negative emotional-psychological effect on society ... generating fear, anxiety, despair, and panic among a huge number of people ..." ⁵⁶

On September 8, the Culture Ministry demanded Kloop remove a report about politician Jeenbekov being tortured in jail. Jeenbekov was among those detained in the Kempir-Abad case and he also was connected to Next TV.

Kloop refused to remove the report, and on September 12, the Culture Ministry ordered Kloop's Russian-language website to be blocked. In late October, the Culture Ministry ordered Kloop's Kyrgyz-language website to be blocked. On December 12, a Bishkek court started hearing the case for liquidation of Kloop Media.⁵⁷

In the closing days of the trial against Kloop in February 2024, the prosecution called its "experts" who testified Kloop's reporting was "socially irresponsible, and because of [their reporting] the number of people with mental disorders is growing." Another of the state's experts said, "[I]n a secular state, there should be no criticism of the authorities." Yet another expert for the prosecution, responding to a question from Kloop's lawyers about what facts he had proving Kloop's reporting in any way violated the law, responded by saying, "Where do facts come from? Where am I supposed to get these facts?"⁵⁸

On February 9, the court ruled against Kloop and ordered the media outlet closed.

On January 15, 2024, the GKNB raided the Bishkek office of independent media outlet 24.kg, seizing computers and phones and detaining chief editor Mahinur Niyazova and general director Asel Otorbayeva.⁵⁹

The outlet was charged with disseminating war propaganda in its coverage of events in Ukraine. Interestingly, in September 2023, Russia's Federal Service for Supervision of Communications, Information Technology, and Mass Media (Rozkomnadzor), blocked 24.kg in Russia for the Kyrgyz outlet's coverage of the war in Ukraine.⁶⁰

The situation for independent media in Kyrgyzstan promises to become worse.

As of March 2024, 24.kg continued to operate despite its office remaining closed, though ownership of the outlet passed from Otorbayeva, who had been the owner for twenty years, to Almasbek Turdumamatov, a former head of the press service when Bakiyev was president.⁶¹

On January 16, the day after the raid on the office of 24.kg, police raided the homes of current and former journalists of Temirov Live.⁶² Police also raided outlets Politklinika, Ayt Ayt Dese, Alga Media, and Archa Media, all of which have been critical of the government.⁶³ Eleven journalists, including Bolot Temirov's wife Makhabat Tajibek Kyzy, were detained.⁶⁴

The journalists and outlets were charged with disseminating calls for mass unrest.

Japarov commented on freedom of speech in Kyrgyzstan in an interview with state news agency Kabar on February 7. Japarov said, "Those who talk about the lack of freedom of speech are 'false patriots' who, hiding behind the term 'freedom of speech,' do whatever they want, disguising it as freedom of speech and planning to cause unrest in the country."⁶⁵

The situation for independent media in Kyrgyzstan promises to become worse. There are currently two draft laws—one on media and another on “foreign representatives” (non-commercial organizations receiving foreign funding)—that would give authorities sweeping powers to shut down troublesome media outlets.

Japarov withdrew the draft law on media and sent it back for review on March 13, 2024,⁶⁶ but the next day, parliament passed the draft law on “foreign representatives” in its third reading with no discussion before the vote.

Conclusion

Japarov’s government has shrugged off criticism from Western governments and international and domestic rights organizations about the crackdowns on opposition political parties, civil society groups, and independent media outlets.

On February 7, 2024, US Secretary of State Antony Blinken wrote Japarov a letter saying “vibrant civil society has long been the strongest in the region and a key part of democracy in Kyrgyzstan... I am therefore writing to you to express my concerns about the foreign representatives bill.” Blinken added, “This will jeopardize one of your country’s greatest assets.” Japarov responded several days later, writing, “I have to note with regret that the content of your letter has signs of interference in the internal affairs of our state.”⁶⁷

The present Kyrgyz government is waging a campaign of fear to intimidate all potential opponents. The judicial system seems to work slowly when politicians, activists, and journalists are detained, leaving these people languishing in pretrial facilities for months. The court system works quickly when media outlets are alleged to have committed some violation and state bodies move to suspend

the work of these outlets, grant permission to block their websites, or order them closed.

The present Kyrgyz government is waging a campaign of fear to intimidate all potential opponents.

The policy of Japarov’s government is very much “you are either with us or against us,” and those who come out against the government are being charged with crimes, including the liberal use of accusing people of plotting to overthrow the government.

For some thirty years, Kyrgyzstan’s active political opposition, vibrant civil society, and independent media outlets separated Kyrgyzstan from its Central Asian neighbors. In the last two years Japarov’s government has remade Kyrgyzstan into a country that is starting to look very much like its other Central Asian neighbors. The Kyrgyzstan that was an “island of democracy,” is quickly turning into the lost city of Atlantis. 🦋

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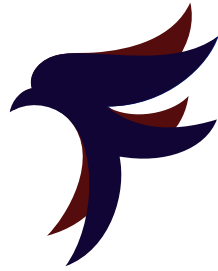
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