

Bill Bowring: Experience in Kyrgyzstan to 2015

- 1 I first visited Kyrgyzstan in April 1999 in order to carry out training of lawyers, including advocates, prosecutors and judges on behalf of the Open Society Foundation (Soros).
- 2 In May 2000 I was invited to participate as an expert in a round-table Conference on ways to ensure compliance of the Kyrgyz legal system with the UN Convention Against Torture, organised by the OSCE (Organisation for Security and Cooperation in Europe)'s ODIHR (Office for Democratic Institutions and Human Rights), in cooperation with the OSCE Centre in Bishkek.¹ The Conference was part of a joint ODIHR-European Commission project on legislative reform in Kyrgyzstan.
- 3 Representatives from all branches of Government, judges from the Supreme and Constitutional Courts, key actors dealing with legal reform in Kyrgyzstan, the prosecutors and prison officials, as well as legal practitioners and NGOs participated in the round table. The participants discussed recent legislative changes in the criminal justice system of Kyrgyzstan and further ways to ensure compliance with the obligations assumed upon accession to international treaties. The participants recognized the recent improvements made, but also pointed to deficiencies as regards implementation. A number of concrete recommendations emerged from the discussions.
- 4 I made the acquaintance of a number of Constitutional Court and Supreme Court judges, as well as senior officials of the Ministry of Internal Affairs (police) and the Office of the General Prosecutor.
- 5 I was involved in follow-up work with these and other Kyrgyz interlocutors on behalf of ODIHR. I also undertook similar expert work on behalf of ODIHR in Kazakhstan and Tajikistan.
- 6 At this time Kyrgyzstan was known as the “Switzerland of Central Asia” and of all the Central Asian states had the most serious engagement with international bodies, the most active civil society, and the greatest readiness to engage in serious legal and

¹ ODIHR Annual Report, November 2000, at <http://www.osce.org/odihr/20463?download=true> (accessed on 16 January 2016)

judicial reform. I can attest to this from my own experience working for the OSCE. I can also compare Kyrgyzstan with my considerable experiences in Russia and Georgia, as well as in Kazakhstan, Tajikistan and Uzbekistan.

- 7 In June 2005 I researched and wrote an expert report for the appeal against refusal of asylum on behalf of an appellant who was a highly visible supporter of former President Akayev. On 13 March 2005 run-off elections to the Kyrgyz Parliament had taken place in 39 districts, amid large-scale protests in the southern part of the country, the relatively wealthy Ferghana Valley, whose capital is Osh. When preliminary election results were published on 14 March, roads were blocked and government offices were seized. On 15 to 17 March protests spread to the north of Kyrgyzstan. On 20 March rioters seized and burned police stations in Jalal-Abad, and a number of people were killed in the disturbances. By 21 March opposition forces were in control of the southern cities of Osh and Jalal-Abad. On 24 March thousands of opposition supporters stormed and ransacked the government buildings in Bishkek, and President Akayev and his family fled. This was the so-called “Tulip Revolution”, following the “Orange Revolution” in Ukraine, and the “Rose Revolution” in Georgia.
- 8 The Supreme Council of Kyrgyzstan appointed Kurmanbek Bakiyev acting President on 25 March 2005. He was re-elected in 2009, but in April 2010, after a civilian uprising resulting in bloody riots in Bishkek overturned the government, Mr Bakiyev reportedly fled to the southern city of Osh. The head of the new provisional government, Roza Otunbayeva, declared that Mr Bakiyev had not resigned and was trying to rally support. On 13 April 2010, Mr Bakiyev said he was willing to resign the presidency if his security was guaranteed. On April 15, 2010, at 19:00, Mr Bakiyev left Kyrgyzstan for Kazakhstan, having signed a resignation letter. Mrs Otunbayeva stated that she would press ahead to bring Mr Bakiyev to trial.
- 9 Mrs Otunbayeva announced that she did not intend to run for the Presidential elections in 2011. The election was held in November 2011 and won by Almazbek Atambayev, leader of the Social Democratic Party and the then-Prime Minister. Mr Atambayev was sworn in as the President on 1 December 2011 and Omurbek Babanov was appointed the new Prime Minister on the same day and was confirmed on 23 December 2011.

- 10 There has been no change of power since 2011.
- 11 In February 2008 I took part as an expert in Human Rights Training for Uzbek and Kyrgyz Human Rights Defenders in Bishkek, Kyrgyzstan, organised by the Human Rights and Social Justice Research Institute at London Metropolitan University, which I founded and of which I was Director until I moved from LondonMet to Birkbeck in 2006. I have remained in contact with the Kyrgyz human rights defenders.
- 12 More recently, in March 2015 I was invited by the British Embassy in Bishkek, Kyrgyzstan, to visit Bishkek and Osh, in the Fergana Valley. The Notes of my visit are to be found on the web-site of the Human Rights Committee of the Bar of England and Wales, which I founded in 1992, and of which I am an Executive Committee Member.² The focus of my visit was Freedom of Religious Belief (FORB in the FCO abbreviation). In this context I had meetings with representatives of international organisations working in Kyrgyzstan, civil society, journalists, advocates, parliamentarians, and representatives of law enforcement and security bodies. I also attended and spoke at the “Central Asian ulema forum on using ideology to combat extremism and terrorism” organised by the UK-supported NGO “Search For Common Ground” (SFCG).
- 13 During this visit I renewed my face-to-face acquaintance with interlocutors with whom I had worked on previous occasions.

² See <http://www.barhumanrights.org.uk/prof-bill-bowring-notes-visit-kyrgyzstan-march-2015> (accessed on 16 January 2015)