

Informal Governance and Corruption – Transcending the Principal Agent and Collective Action Paradigms

Kyrgyzstan Country Report Part 1 Macro Level

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Abstract

This report examines the dialectical relationship of formal and informal governance as well as its effect on corruption in Kyrgyzstan. Despite changes in the formal political system, the logic of informal governance, with its rules and practices, remains in place and is widely applied behind the facade of the formal frameworks. In order to understand why political reforms and anti-corruption movements have failed, this report focuses on practices of informal governance that succeeded in blocking such reforms. Due to its flexible and omnipresent nature, practices of informal governance are capable of adapting to different formal political systems. It is detrimental to the transparency of the political system and impacts on institutional development, yet it also contributes to regime stability, albeit with negative effects on control of corruption outcomes.

1 Introduction

1.1 Informal Governance and Corruption: Rationale and project background

The lack of effectiveness of conventional anti-corruption interventions has been convincingly documented (Mungiu-Pippidi 2011) and is reflected in the so-called implementation gap, whereby countries that have adopted the legal and organizational reforms associated with anti-corruption best practices continue to experience very high levels of corruption. This situation appears to be linked to a lack of empirical support for the assumption that corruption is a consequence of weaknesses arising in the context of a principal-agent model of accountability, which presumes the existence of “principled principals” capable of and willing to enforce the anti-corruption reforms. In response, scholars have sought to re-frame endemic corruption as indicative of an underlying collective action problem (Persson, Rothstein, and Teorell 2013, Mungiu-Pippidi 2013). A problem so far with this latter approach is that, while it can describe why in some contexts corruption has been extremely hard to eradicate, it has not delivered clear recommendations on how anti-corruption practitioners might do things differently. We argue that bringing in the importance and impact of informal practices into the debate helps to overcome the limitations of the principal-agent and collective action approaches. Adopting an informality lens brings to the fore those motivations and patterns of behaviour that are rarely explicitly articulated or taken into account in formal policy making but are nonetheless widely known and observed by the insiders in any given context. Therefore, this line of research has potential towards delivering insights about previously unaccounted drivers of corruption that are useful for purposes of policy making.

This report is part of a research project funded by the Anti-Corruption Evidence (ACE) Programme of the UK’s Department for International Development (DfID) and the British Academy. The project has identified informal practices in selected countries in order to establish their general and specific features in comparative analysis; assess their impact based on the functions they perform in their respective economies and indicate the extent to which they underpin corruption and affect anticorruption policies. The comparative research design involves seven countries from two geopolitical groups - East Africa and Post-Soviet countries - as follows:

- East Africa: Kenya, Rwanda, Tanzania, and Uganda
- Post-Soviet countries: Georgia, Kazakhstan, and Kyrgyzstan

The goal of the research is to produce evidence for the relevance of informality in support of the ‘localisation’ of anticorruption strategies. The rationale would be to conceive anti-corruption as a context-sensitive, inductive endeavour that is operationalised on the basis of observed practices and socially accepted behaviours. This would involve considering how key actors may be incentivised to adopt actions more conducive to better anti-corruption outcomes within the constraints (be them social, economic or political) that they are confronted with and taking into account their own interests and motivations. Innovative interventions would also aim to harness informality for better anti-corruption, working with practices, norms and values that are entrenched and pervasive in the respective societies to improve government accountability and promote the welfare of communities.

1.2 Informal governance in Kyrgyzstan

Since independence in 1991, Kyrgyzstan has experienced mixed developments oscillating between democratisation and semi-authoritarian rule. In comparison to other Central Asian regimes, Kyrgyzstan has a much more competitive political environment, having had a succession of four different presidents

within 25 years.¹ However, it is nonetheless considered to be a semi-authoritarian country with a parliamentary system.

The people of Kyrgyzstan have overthrown the government twice in relatively bloodless revolts, known as the 'Tulip' Revolution in 2005 and the 'Rose' Revolution in 2010. Both revolutions were undertaken in the name of 'people's power' and offered some hope that there would be democratic changes in Kyrgyzstan. The source of people's discontent during the tenures of the first president, Askar Akaev, and the second president, Kurmanbek Bakiev, was their blatant corruption, nepotism among political elites and the resulting poverty of the majority of the population. People's patience was exhausted due to high levels of unemployment; the privatisation of business sectors; and the monopolisation of state positions on the part of the presidents' allies and family members. These were the ideal moments to consolidate anti-corruption forces and take over the expelled presidents and state officials (*chinovniki*).

However, although the political opposition played a big role in overthrowing the president twice, in both cases the incoming political elites reverted to practices similar to those of the regimes they helped to topple. A key reason was that old elites were able to silently block the reforms out of fear of being removed from their traditionally privileged positions (Engvall, 2012). The opposition's attempts to reform corrupt institutions were thus offset by the old elites' countervailing efforts including the continued informal distribution of political offices (Ismailbekova, 2017).

One of the most prominent works on corruption in Kyrgyzstan is The State as Investment Market: Kyrgyzstan in Comparative Perspective by John Engvall (2016). Engvall argues that the state in Kyrgyzstan is akin to a marketplace where politicians and businessmen make investments in order to reap gains. For instance, by buying government positions and paying large amounts of money to political parties, the elites enjoy unparalleled access to state resources and privileges. This, according to Engvall, has become the expected or normal behaviour in Kyrgyz politics as corruption 'is not only pervasive but also standardized and rationalized' (ibid:198).

In contrast, Ismailbekova (2017) asserts that state positions are not sold as a purely economic transaction but that acquiring such positions also necessitates that the recipients fulfil certain criteria concerning kinship, loyalty, obligation and hospitality. In other words, investing in state positions in Kyrgyzstan should not be understood solely as being grounded in rational calculations of making a return on the initial investment, rather they are embedded in local values and expectations such as reciprocity and exchange.

In 2010 Kyrgyzstan adopted a new constitution which transformed the political regime from a presidential to a semi-parliamentary system. However, this move to formally limit the power of the executive according to Engvall (2017) rather than controlling abuse of power has provided the space for new patterns of corruption to emerge in the country. Thus, while under the presidential governments of Akaev and Bakiev, there was strong presidential control over resources, under the post-2010 semi-parliamentary government political parties have much greater control over the distribution of public resources and public procurement decisions. This was mainly because parties emerged as actors with the power to form coalition governments and make top appointments. He concludes that this 'greater political party competition has led to greater competition over [corruption] revenues' (ibid: 2).

Engvall's (2017) argument that different formal constitutional frameworks shape different informal patterns is logical. However, this is not the whole story, as it does not explain how informal networks,

¹ Nursultan Nazarbaev serves as the only president of Kazakhstan since independence; Islam Karimov served as the only president of Uzbekistan until his recent death in 2016; Saparmurat Niyazov served as the only president of Turkmenistan until his death in 2006; and Emomaliy Rahman serves as the only president of Tajikistan since 1994. All of these presidents have been characterized by their authoritarianism.

rules and practices use the framework of formal politics to divert ‘anti-corruption campaigns’ in order to punish those who do not take the side of political leaders selectively and demonstratively. Moreover, it is important to look at the internal dynamics of informal networks in order to better understand regime stability and the causes of corruption to their full extent.

1.3 Conceptual approach

In this regard, Baez-Camargo and Ledeneva (2017) propose analytical tools and distinguish patterns of informal governance to enable a better understanding of authoritarian regimes. They highlight the roles of informal practices and norms adhered to by elite networks in systemically corrupt environments, whereby unwritten rules, rights, and obligations function to channel and steer political influence, sanctions, and resources. Therefore, like formal governance, informal governance has allocative functions distributing resources and power, and is used as the basis to decide on access to or exclusion from the benefits of distribution. The conceptual approach identifies three key patterns of informal governance – namely co-optation, control, and camouflage.

- Co-optation is associated with recruitment into groups or networks. Co-optation is often associated to corruption because it represents a mechanism to regulate access to rent seeking opportunities and typically involves an informal redistribution of public resources. Among political elites, it is often expressed in the form of strategic appointments of allies and potential opponents, who are thereby granted impunity in exploiting the power and resources associated to public office in exchange of mobilizing support and maintaining loyalty to the regime. Co-optation can also be “horizontal” when political and business elites enter mutually beneficial relationships, where financial support for political goals is rewarded with privileged access to public contracts, undue tax exemptions and other illicit opportunities for extracting rents.
- Control mechanisms are instrumental to manage clashes of competing interests and enforce discipline within networks. Examples of informal control mechanisms include the discretionary enforcement of anti-corruption legislation against dissidents and peer pressure through rules of loyalty and reciprocity that tie network members together by creating obligations and responsibilities vis-à-vis the group.
- Camouflage refers to the manner in which informal transactions take place behind an institutional façade of democracy and commitment to the rule of law. This often means that, in contexts with high prevalence of informal practices, formal rules are often manipulated, undercut, diverted, or exploited for the sake of informal interests.

These three modalities, however, are ideal types and are hard to demarcate in practice just as formal and informal channels of governance are deeply enmeshed. The case of Kyrgyzstan furthermore uncovers hybrid types.

1.4 Research design and methods

The research was conducted in various places in Kyrgyzstan, namely: Osh (12- 30 June 2016) Naryn (1-18 July 2016) Zhalal-Abad (19-30 July 2016), Bishkek, Kant, Sokuluk (1-31 August 2016) , and Issyk Kul (September–October 2016).

The research comprised mapping local actors and lineage associations as well as conducting interviews with professors and key informants. For this, it was important to identify those actors that actively engaged in the kinship networks and informal governance, such as representatives from civil society

(Non-Governmental Organisations), lineage associations, state institutions, religious leaders, elderly courts (*aksakal*) and community leaders.

Interviews were conducted with representatives of lineage associations, independent actors (without linkage to lineage associations), police officers, executive Non-Governmental Organisations and citizens. In order to grasp the perspectives of state authorities, interviews were also conducted with the representatives of the state administrations of Naryn, Issik-Kul, Osh, Chuy, and Zhalal-Abad provinces. In addition, focus group discussions were organised with lineage associations in Bishkek, Kant, Naryn, Issik-Kul, and Osh, and Jalal-Abad, where the participants shared their experiences, challenges, and future prospects regarding the lineages. The researcher also participated in the gatherings of the lineage associations in Ala-Buka (Zhalal-Abad province), Bishkek, and Sokuluk (Chuy province). The findings have been anonymised in order to protect the confidentiality of the informants².

This report examines how in spite of popular upheavals and changes in leadership, high levels of corruption continue to persist in Kyrgyzstan. In particular, it delves into the informal practices that influence and often override formal systems of governance. The analysis focuses on the informal governance system, revealing the nature and emergence of the different informal power networks that have evolved under the different political regimes since the independence of Kyrgyzstan (1991–2017). It also identifies key forces defining the modus operandi of power holders: the first president, Askar Akaev and his family networks (1990–2005); the second president, Kurmanbek Bakiev and his circle of trusted collaborators (2005–2010); the third interim president, Rosa Otunbaeva (2010–2011); and fourth president Almazbek Atambaev (2011–2017). The analysis shows how the social upheavals and constitutional changes have brought about formal system change but have failed to uproot the informal governance practices and high levels of corruption that persisted throughout all these formal transformations.

2 Informal governance and the lineage associations: 1991–2005

2.1 Askar Akaev and the transition to Post-Soviet governance regime

The first president of Kyrgyzstan was Askar Akaev; he served the country for almost 15 years between 1991 and 2005. His presidency was bolstered from the beginning by significant popular support as almost 70 percent of constituents supported his candidacy³. He was viewed by many to be an extraordinary and progressive Kyrgyz leader, particularly, in comparison to other leaders in the region who inherited their presidencies from the Central Committee of the Communist Party of the Soviet Union. Indeed, he did not

² Initially, interviewees were not prepared to be open in their responses, therefore, it was necessary to visit them a number of times in order to gain their trust. In addition, some of the rival lineage associations were suspicious and assumed that the researcher was a member of the state security services. Interestingly, the researcher was accepted into to her own lineage group Mongoldor as their own daughter without question, and similarly into her husband's lineage group Solto simply by virtue of being a daughter-in-law.

³ Frunze. Gorodskaya Enziklopedia. Askar Akaev. [http://yiv1999.narod.ru/ABC_0012.htm] Accessed 01.03. 2017

belong to the category of Soviet nomenklatura.⁴ Despite the presence of many political, economic, and social challenges in the early 1990s, Akaev managed to implement significant reforms that would start the process of transition from a socialist system to a free-market economy. The reforms included the gradual abolition of state ownership of the means of production, the introduction of a national currency, and the privatization of common properties (Alymbaeva & Sharsheeva, 2015). These reforms were backed by the majority of Western donors, including the International Monetary Fund and the World Bank.

Kyrgyzstan's first post-independence constitution adopted in 1993 established equal powers of the executive and legislative branches. Nevertheless, the constitution was full of tensions and contradictions as it was influenced both by Western constitutional models and the old Soviet constitution (semi-presidential system with a dual executive⁵ and the tradition of Soviet parliamentarism) (Fumagalli, 2016). This resulted in an uneasy tension between the executive and legislative powers. President Akaev resolved this issue by introducing the use of referenda, which allowed him to effectively bypass the legislature. The first referendum in 1993 led to the passing of substantial changes in the constitution including the abolishment of the position of prime minister and endowing the president with enhanced powers (Huskey, 2007).

The presidential election of 24 December 1995 saw Akaev come out on top again with 72,4 percent of the votes in his favour. The turn-out was high with 86,2 percent of 2,254,348 registered voters participating in the elections. Following this favourable election outcome, Akaev's personal power was strengthened as a result of the electoral mandate received from his allies and supporters, making it easier to pass legal amendments and reforms. In this second five-year period (1995–2000) Akaev began seizing more powers through further changes of the constitution and reforms of the state apparatus. Multiple constitutional amendments (in 1994, 1996, 1998, and 2003) enabled the President to steadily decrease the powers of parliament and the constitutional court, and to increase executive powers to initiate legislation, to define the direction of domestic and foreign policy, to appoint and dismiss the supreme court, the prosecutor general, and the national bank chairman, to take control of government, and to secure permanent impunity for himself and his family (Fumagalli, 2016).

Akaev also intended to reform the constitution in 2005 with the aim of making sure that the next president would not possess these powers. Instead, the plan was that these controlling powers would be ceded to Akaev's parliament. The parliament would then assign these roles to a prime minister, a post which Akaev planned to take, so that he could rule indefinitely. As an alternative, he considered transferring the powers to the speaker of parliament and appointing himself for that position. In either case, with an 'obedient' parliament, Akaev would enjoy all the powers he had as president and continue to manipulate the formal rules to serve his own ends. Thus, manipulation of elections in the subsequent years formed the key precondition whereby Akaev could continue to exercise power either as prime minister or speaker of parliament (Martinovich, 2015).

2.2 Co-optation: Political family networks

The increase in formal presidential powers allowed Akaev to consolidate an informal network that gradually monopolised most sectors of government, business, and parliament. His authority to appoint key positions enabled him to elevate his family and kin to the highest levels within the first five years of his presidency. Apart from the family members' dominance in economy and politics, other influential

⁴ Even Boris Yeltsin, who was considered to be 'the godfather of Russian democracy' said: 'the energy with which Akaev implemented reform is admirable. The country, which has such a leader Akaev, has a great future' (Evplanov, Andrei.2001. Skromnoe obajanie diktatury [http://evplanov.narod.ru/articles/dictat.html] Accessed 01.03. 2017)

⁵ In such a system the president is the head of the state and the prime-minister is the head of the government.

groups surrounding the president emerged, each with varying degrees of influence on decision-making. The informal network of Akaev included key persons of regional groupings (kin members, lineage members) from the Northern region of Kyrgyzstan, influential business elites, his own students, known academics, and family friends (Alymbaeva & Sharsheeva, 2015). These people were either in the state apparatus or in the business sectors, while others were businessmen-turned-state officials. So, there was a symbiosis of kinship, business, and politics.

Akaev's wife, Mairam Akaeva, became the head of the charitable foundation 'Meerim' (Abdysatarov, 2017). The eldest son, Aidar Akaev, controlled several important economic sectors,⁶ and was director of the Kyrgyz office of the Kazkommertsbank (private bank of Kazakhstan); advisor of the finance minister in 2001; and chairman of the Kyrgyz Olympic Committee in 2004 (Bolponova, 2015: 57). The eldest daughter, Bermet Akaeva, was an official advisor of the Aga Khan Development Network and American University in Kyrgyzstan. The president's son-in-law, Adil Toigonbaev, was a businessman who controlled almost all the important industries in the country, with a strong position in the trade of tobacco, alcoholic beverages, building materials, and petroleum products as well as ownership of a media holding that included a daily newspaper *Vecherniy Bishkek* (Evening Bishkek), the KORART television channel, and other mass media and printing outlets in Kyrgyzstan.⁷ The younger children, Saadat Akaeva and Ilim Akaev, were engaged in political and social activities. They led the Public Foundation 'The library of the first president' (Askar Akaev, 2017). The eldest son and daughter were nominated as candidates for deputies of parliament during the 2005 elections and won the parliamentary elections.

The siblings of Askar Akaev also held influential public and private positions: the first brother was head of Manas airport; the second brother was consul general in the United Arab Emirates (UAE); the third brother was head of the consular representation of the foreign ministry; and the fourth was in charge of the biggest national park in Kemin (Akzhol, 2005). In a similar vein, the first sister of Mairam Akaeva was the secretary of the Human Resources Agency, a governor of Talas oblast, and candidate for deputies; the second sister was a candidate for deputies from the province Issyk Kul; the third sister was the second most important person in Talas, which held regional stash and food supplies in the mill of Dan-Azyk. Her brother was a major businessman and the main patron of Bishkek's Osh bazaars (Alymbaeva, 2013). Needless to say, the close members of Akaev's family greatly benefited from the privatization of state properties (Engvall, 2017: 5).

In the second five-year period of Akaev's tenure (1995–2000), the role of the president's family in the economy became even more omnipresent as they consolidated control over some of the most profitable and strategic sectors. The family monopolised entire industries including the production of alcohol, the supply and processing of oil, the sugar sector, and cement production. They also took over the mass media market where Akaev's family monopolised ownership in the newsprint sector (Martinovich, 2015). Notably, the state treasury did not receive any tax money from these industries and businesses⁸.

The nature of the Kyrgyz regime thus became one where control over business reinforced political influence and vice versa. In other words, family members were able to protect their investments by

⁶ Manas International Airport, telecommunication (Bitel, Fonex), sanatoriums 'Avrora', 'Gulkair' and 'Kyrgyzskoe vzmorie', Trading house "Silk Way", Restaurant "Irish Pub", Discs Club "FIRST", Restaurant "STARS", Network of supermarkets "Narodny", Hotel "Bishkek", State Enterprise "Temir", OA "Kumtor", TV channel "NBT", TV channel Pyramid, Tokmak glass factory "Interglass", Station "Mercedes-Barat" Jalal-Abad cotton plant factory, Beauty salon (Akzhol Amanov (2005) Dom kotoryi postroil Akaev. Published 07.02.2005 <http://www.centrasia.ru/newsA.php?st=1107748500>)

⁷ Network of gas stations "SHNOS", telecommunication, The Karabalta sugar factory, Kant cement factory, JSC "Airport Manas" aviation, energy, alcoholic industry JSC "KyrgyzAlco", private TV, and newspapers (Akzhol Amanov (2005) Dom kotoryi postroil Akaev. Published 07.02.2005 <http://www.centrasia.ru/newsA.php?st=1107748500>)

⁸ Dom kotoryi postroil Akaev. Published 07.02.2005 <http://www.centrasia.ru/newsA.php?st=1107748500>

harnessing their influence in the regime in order to secure favourable political decisions. Therefore, belonging to the Akaev's inner circle was key to facilitate informal financial flows and their concealment.

To consolidate his and his family's position, the president proactively recruited individuals into positions of power within the government on the basis of criteria of loyalty, kinship ties and region of origin (referring to Northern Kyrgyzstan, where the president came from). It should be noticed that lineage affiliation in Kyrgyzstan tends to correlate with the country's provincial divisions according to left wing (*sol kanat*) and right wing (*ong kanat*), with different genealogical relations distributed in their own territory according to descent.⁹ Indeed, genealogy is important for constructing social meanings and social acceptance as people establish linkages and understand their sense of belonging to a group on the basis of imagined, shared ancestral figures (Ibid).

Representatives of the core group of Akaev's political elites originally came from the Northern lineage group Sarybagysh, which held the most influential political positions (Alymbaeva, 2013) and had more access to state resources than any other of the Northern group¹⁰ kinship lines of Kushchu, Solto, Tynai, Sayak, Bugu, and Saruu which are prominent over a wide area in Northern Kyrgyzstan. Thus, Sarybagysh elites held key positions such as the public prosecutor's office, the defence and security service, and the security council (Bolponova, 2015: 57). This group was co-opted into the ruling network by virtue of their kinship ties and loyalty to Akaev as well as their wealth and influence, which made them essential supporters of the regime. There was a formal genealogy (a scheme of rules about descent and self- and other-identification and relation) and then there was an 'informal genealogy', comprising the actual practice of applying the rules of genealogy.

Another influential elite network came from the Northern Talas region, where Akaev's wife - Mairam Akaeva- came from. These groups were considered her inner circle and some of them belonged to her lineage group. Influential people in this group, among them Chingiz Aitmatov, had promoted Akaev into high politics by supporting his candidacy, which was key given that they controlled the media, banking, government, territorial-administrative level (governors), and law enforcement in their region.¹¹

In contrast, the Southern region was poorly represented in Akaev's regime. Political appointees from the North were sent to govern and control the Southern part of Kyrgyzstan.¹² These officials and provincial 'loyalists' were very important to the political elite as they helped control and mobilise key state resources at their request and to their advantage.

All seven regional administration and province governors -Naryn, Osh, Zhalal-Abad, Batken, Chui, Talas, and Issyk-Ku- were also appointed by President Akaev. In turn, each governor replicated the same system of co-optation at the grassroots, by appointing low-ranked public officials from their respective regions and sending them to other regions with the aim of controlling them. The governors enjoyed autonomous powers and privileges given to them formally and informally. The latter informal powers stemmed from

⁹ Belonging to the right wing allowed a wide variety of persons, from different towns and families, to come together and claim a common ancestor and identity (Ismailbekova, 2017).

¹⁰ His group included M. Ashirkulov, I. Bekbolotov, Ch. Abyshkaev, K. Kozhonaliev and F. Kulov.

¹¹ These are Toychubek Kasymov (the head of presidential administration), Askar Aitmatov (the head of the Foreign Ministry), Dastan Sarygulov (the head of the state gold mining concern Kyrgyzaltyn), Damir Oskonbaev (head of the Chamber of Accounts), Azamat Kangeliev (governor of Chui Oblast), and Marat Sultanov (Ministry of Finance), Muratbek Malabaev (head of custom service), and Tashkul Kereksizov (the grey cardinal), for more see: Bolponova, Asyl (2015:57) Political Clans of Kyrgyzstan: Past and Present. Central Asia and the Caucasus. Volume 16 Issue 3-4, page 50-62.

¹² These are Bekbolot Talgarbekov (used to be Minister of Agriculture and became a governor of Zhalal-Abad oblast 1997-1998), Kubanichbek Zhumanaliev (used to be the head of presidential administration and became a governor of Jalal-Abad Oblast, 1998-2000), Sultan Urmanaev (used to be Minister of Emergency and became a governor of Jalal-Abad 2000-2002), Zhanysh Rustambekov (used to be State Secretary and became a governor of Osh region), Naken Kasiev (used to be Minister of Health and became a governor of Osh oblast 2000-2005), and Temirbek Akmatyaliyev (State Secretary). See more Engvall, Johan (2017:5) From Monopoly to Competition. Problems of Post-Communism. Pages 1-13, see also details from Kto est kto <http://knews.kg/2011/09/kasiev-naken-kasievich/>.

their social ties with the president, articulated on the basis on reciprocity and loyalty, and reinforced through the hierarchical formal and informal structures of government constructed on the basis of presidential appointments and protégé relations. The governors supported the regime in many ways: from the organization of special feasts for the president to securing votes during election time.¹³

Akaev also established symbiotic relationships with important business groups following the pattern of horizontal co-optation. His own circle consisted mostly of businessmen who financially supported his family members, Akaev's political party, his wife's fund, and other activities of his children. In return, businessmen could secure their own business activities through Akaev's political support and exemption from tax payment.¹⁴ An example of an unofficial power figure in the business world was Aidar Akaev, who was formally an adviser to the Ministry of Finance. He commanded a network consisting of top officials in the sphere of hydropower energy, gas¹⁵, telecommunications, and railway transportation. These were representatives from a younger generation, many of whom worked in business, government, and law enforcement, who had received a good education and thus represented a potentially powerful group of supporters for the president.

Finally, under Akaev's regime, political opposition parties remained weak and without a clear alternative policy programme. This partly due to the fact that in practice they were part of the existing political system, a loyal opposition that would often enter agreements with the government. In fact, many of them maintained frequent contact with government officials and Akaev often resorted to *co-opting* opposing political parties and groups by inviting them to join the government and offering posts in health, defence, or security departments.¹⁶

In conclusion, the Akaev regime developed a formidable power base through the co-optation of networks of strategic individuals and loyal supporters on the basis of the presidential formal constitutional right to appoint positions. These loyalists supported the government in exercising full control over the distribution of lucrative resources of the state, thereby contributing to regime stability and security, while fuelling high levels of corruption.

2.3 Control: social sanctions, demonstrative punishment and selective law enforcement

Two modalities of informal control of the networks built by Akaev are worth noting. The first one alluding to 'soft' enforcement mechanisms of discipline related to how social reputation, status and trustworthiness are constructed in the Kyrgyz culture, and a second group of 'hard' control actions associated to selective enforcement of the laws.

On the first type of informal control, as noted above, kinship elements provided the social "glue" that bound informal groups together during Akaev's tenure. However, while the ideology of kinship dictates criteria for co-optation into the network, it also works as a mechanism of control for enforcing discipline because it hinges upon the unwritten imperatives of trust, obligation, loyalty, and reciprocity vis-à-vis the group. Indeed, it can be said that kinship-affective values help to entrench informal practices because they combine emotions with rationality. The fundamental principles of Kyrgyz kinship include the duty to provide support in times of need (kinship security) as well as the notion that blood relatives never betray or put each other into harmful situations. Failing to uphold these principles leads to social sanctions in

¹³ Interview with M. I Naryn region 12.07.2017, Interview with S.M Osh oblast 23.08.2016

¹⁴ Na krutyh perevalah istrii: Rokovoi pogranichnyy vopros. Published 2010 <https://www.youtube.com/watch?v=FapJ8kJ94Ng>

¹⁵ One of them was Chairman of Joint Stock Company Kyrgyzneftegaz (JSC), Azizbek Orokov from Zhalal-Abad region, who previously headed a number of strategically important enterprises for the republic - Kyrgyzalтын, Makmalalтын.

¹⁶ Iz poslednego doklada Mezhdunarodnoi krizisnoi gruppy. <http://kyrgyzby.narod.ru/archive/2004/recomend.htm>

the form of shaming, which therefore motivates compliance with the social obligations associated to kinship membership. This simultaneously fuels the expectation that lineage leaders in positions of power and influence should “deliver” to the grassroots members of the lineage.

Thus, belonging to the Sarybagysh descent group, or to the Northern lineage groups more broadly, was one of the main informal mechanisms that ensured that unwritten contracts were adhered to and whereby loyalty was expected to be unconditional. The resort to kinship identification as a criterion to accede to public resources and opportunities meant that genealogy was widely used and manipulated by politicians, businessmen, and relatives alike as kinship links are still open to interpretation, manipulation and strategic deployment (Ibid).

The second informal control mechanism involves resorting to the formal laws, usually the criminal code and anticorruption legislation, to selectively punish political opponents. One example of informal control during the Akaev period involved of the leaders of the Kyrgyz opposition, the former mayor of Bishkek and Minister of Interior Affairs, Felix Kulov. While Kulov initially supported Akaev, he later became a visible voice challenging the regime. Subsequently, he became a clear threat to Akaev when he decided to participate in the presidential election of 2000 (Panfilova, 2000). In response, the election results were falsified in the district where Kulov planned to run, and Kulov was arrested and accused of several charges of bribery and abuse of office, which landed him in jail for at least seven years (Evplanov, 2001).¹⁷

Another case of informal control was that of Azim Beknazarov, the chairman of the Parliamentary Committee on Judicial and Legal Affairs, who in 2001 came to be known as an outspoken critic of President Akaev. Beknazarov accused Akaev of being involved in the illegal transfer of 125 thousand hectares of land to China¹⁸ and in another disputed land issue with Kazakhstan (Babakulov & Kubat, 2005). Beknazarov went as far as to attempt to impeach the president by accusing him of betraying the national interests of Kyrgyzstan. Beknazarov was subsequently arrested in the Zhalal-Abad district on charges of abuse of office, accused of failing to open a criminal case against a person incriminated in a murder case in 1995.

Besides these two opposition activists, several other radical opposition party members were taken out of the political race, such as Daniyar Usenov and Omurbek Suvanaliev. There was also a strong informal opposition bloc 'For the power of the people', consisting of parties and individual members from the South. The members of the bloc were quite uncompromising towards the authorities and were involved in civil unrest as, for example, the events in Aksy¹⁹. The bloc was headed not surprisingly led by opposition figures stemming from the politically excluded south such as Bektur Asanov Kurmanbek Bakiev, Adakhan Madumarov, Usen Sydykov, Dosbol Nur uulu and Omurbek Tekebaev.²⁰ These opposition leaders played a crucial role in the organisation of the revolution in 2005 that would overthrow Akaev and his networks of informal power. Although there were attempts at controlling and quelling political opposition, they were not really successful.

¹⁷ While there were daily demonstrations in his defence; they did nothing to bring about his release from prison for many years (Panfilova, 2000).

¹⁸ According to Azim Beknazarov, Akaev started the process of border demarcation before the agreements were ratified in the Parliament of Kyrgyzstan. Akaev and the president of China, Jiang Zemin, signed two agreements in 1996 and 1999. As a result of these agreements, 125 hectares of disputed lands were given to China.

¹⁹ The local population was shot during a demonstration in the village of Bospiek, Aksy rayon of Jalal-Abad province, Kyrgyzstan, on March 17, 2002. They were protesting against the transfer of part of the Kyrgyz territories (90,000 hectares) to China.

²⁰ <http://kyrgyzby.narod.ru/archive/2004/recomend.htm>

2.4 Camouflage: the illusion of inclusive democracy and charitable contributions

While the monopoly over positions of power and influence enabled Akaev's networks to amass personal fortunes at the expense of public resources, throughout his presidency, Akaev formally promoted the establishment of Western models of state governance characterised by fair elections and other principles of liberal democracy, including the protection of human rights, free mass media, and a pluralist society. He thus promoted the slogan: 'We will develop democratically', expressing the intention to transform Kyrgyzstan into 'a second Switzerland', an island of democracy in Central Asia, distinguishable from the other authoritarian countries in the region (Anderson, 1999). Akaev also resorted to populist appeals, asking support for his policies and initiatives from the electorate directly, reminding people of their Soviet past and urging them to accept the Western style of democracy. Akaev claimed that he would secure democracy and freedom, unlike the Communist party secretaries, who used the 'threat' as a tool to motivate people to work. Moreover, he argued for the end of the dominance of Soviet traditional forms of governance, such as total control over people's lives and advocated changing the constitution for that purpose. He warned against the unfair privatisation processes, yet also defended the concept of private property.

At the same time as his government systematically excluded substantial groups from positions of power and influence, Akarev embraced the idea of a plural society comprising diverse ethnic, religious, and racial groups through slogans such as 'Kyrgyzstan is a multi-ethnic society' and 'Kyrgyzstan is our common home' (*Kyrgyzstan - nash obshyi dom*). He spoke about the importance of the Russian language, which was also the language of other large ethnic minorities in Kyrgyzstan. However, unlike in other Central Asian countries, the Russian language became the official state language as a sign of Kyrgyz nationhood. As a result of this tactic, he was successful in gaining public support during his first two rounds of elections and for changes in the constitution (Fumagalli, 2016).

The former first lady's charitable foundation 'Meerim' constituted one conspicuous instance where high level corruption took place under cover of alleged activities to support and protect vulnerable groups in society. According to (Marat, 2006), the 'Meerim' foundation enabled the illegal appropriation of state assets, money laundering, and facilitated covert business negotiations. In fact, the foundation was a vehicle to conclude the transactions by means of which horizontal co-optation between private interests and political elites took place. Private interests gave large sums of money to the foundation, some willingly and some upon request, in exchange of which they would secure political positions and safeguarding of their interests. Co-optation of business interests could be voluntary but also extortive. The First Lady's charitable foundation masked bribery under the pretence that donating to the foundation would provide humanitarian aid whereas in reality the charitable donations comprised a kind of 'shadow tax' that was levied from businesses.²¹

2.5 The Tulip Revolution and the collapse of the Akaev networks

In the parliamentary election of February 27th 2005, the supporters of Akaev obtained the majority of the votes, with the opposition receiving only 10 of the seats in the parliament for figures such as Rosa Otunabeva, Omurbek Tekebaev, Doornbek Sadyrbaev, Bolotbek Sherniazov, Ishak Masaliev, and Muratbek Mukashev. The elections were highly contentious, not least because Akaev allowed his children to be nominated for the parliamentary elections, which greatly angered many people. This 'family succession' in parliament was necessary to instrumentalise an 'obedient' majority for Akaev in order to

²¹ Na krutyh perevalah istorii: "Rokovoi pogranichnyi vopros". God 2001. Pub 26.07.2016 <https://www.youtube.com/watch?v=FapJ8kJ94Ng>

easily remove the limitation on the number of presidential terms, enabling the president to stay in power beyond two terms (Alymbaeva & Sharsheeva, 2015).

During this electoral process, the rampant corruption that had become a notorious feature of the regime, became an increasingly salient topic among opposition leaders as well as average citizens, who repudiated the manner in which corruption had penetrated all the structures and spheres of government. These voices denounced the nepotism and favouritism that prevailed in government appointments at the expense of professionalism and technical qualifications. Moreover, opposition leaders raised accusations of electoral fraud including massive vote buying and the strong use of government power in the districts, where the opposition wanted to run. Popular anger began to grow and voters questioned the veracity of the official election results: 'there were 10 thousand people that supported one single candidate, but the final result shows that there were only 5 thousand votes' (Ibid).

The state authorities responded by using force, organizing anti-protest meetings, and trying to provoke inter-communal clashes (i.e. by provoking 'ethnic' card). At the beginning, the protesters still believed in the president, calling on him to explain the situation, but the president completely ignored their demands. On the contrary, the pro-governmental TV station KTRK started daily smear campaigns against the opposition leaders and protesters, who were called extremists and enemies of the people. The state's repressive stance did nothing but further fuel the popular anger, leading to an overwhelming popular demand for president Akaev to resign for responsibility over the years of corruption and violence under his regime.

Initially, only 4,000 people gathered to protest in the main square of Ala-Too, but later the crowd grew at least ten-fold. There were additional mass protests in all six districts of Kyrgyzstan, and crowds began arriving in the capital city of Bishkek to join the movement. Ultimately, President Akaev and his government were ousted from power by public protest (Marat, 2008) during the 'Tulip' Revolution. Akaev, who was unable to maintain his grip on power, left the country together with the whole family and much of his informal network and received temporary asylum in Russia, where he has remained until this day. Later in 2006, 106 criminal cases were being investigated against Akaev's relatives and his closest associates by the new Kyrgyz prosecutor general's office. Some people from within Akaev's network were publicly sentenced, and others were effectively kicked out of the country.

As the name indicates, the 'Tulip' Revolution was intended to be 'peaceful' (Dilip, 2009), although there was some violence (robbery) and a night of looting in the capital city. After the change of power, the election results in 2005 were declared invalid and power passed into the hands of a group of opposition leaders.

3 Epoch of Bakiev from 2005–2010

3.1 Network re-accommodation in the aftermath of the Tulip Revolution

Following the Tulip Revolution, a presidential election was held in July, of 2005, as a result of which Kurmanbek Bakiev became the second president in the history of an independent Kyrgyzstan.²² In 2000 Bakiev had been appointed Prime Minister by President Akaev but was removed from his post in 2002.

²² Kurmanbek Bakiev was born in 1949 in the village of Masadan in Kyrgyzstan.

Thereafter he became an influential opposition leader and part of the opposition bloc that played an active role in overthrowing Akaev. Kyrgyzstan, once seen as the most stable and liberal of the ex-Soviet Central Asian republics, again gained a great reputation for promoting democracy after the turmoil in 2005.

It is important to note that, prior to Bakiev's election, an opposition political network was formed that included Felix Kulov (from the North) and Kurmanbek Bakiev (from the South), who claimed to join forces in order to avoid the division of the country into North and South. A formal power sharing agreement underpinned this political alliance whereby Bakiev would become president and Kulov would become the prime minister. This arrangement sought to address the excesses of the previous regime that tightly limited access to resources giving rise to power struggles and would prevent the future president from having the same unlimited powers as Akaev did.²³ Rather, power would be shared with the prime minister. Nevertheless, this arrangement did not last as Kulov publicly accused Bakiev of taking power during the 'Tulip Revolution' through organised criminal groups²⁴, such as the criminal leader, Ryspek Akmatbekov. The accusations caused the arrangement between Bakiev and Kulov to collapse.

When Bakiev became acting president, he promised to initiate a constitutional reform in order to create a balance of power between the three branches of government and put an end to the excessive centralisation of power in the executive that had characterised the Akaev regime. However, after the conflict with Kulov and other political leaders, Bakiev backtracked and announced his intention to amend the country's constitution with the aim of dissolving the post of prime minister and strengthening presidential powers even further.²⁵ Bakiev used a similar strategy as that of Akaev in the 1990s by appealing for a direct popular mandate by means of a constitutional referendum. Bakiev used constitutional amendments and formal "direct democracy" instruments (referenda) to promote an informal agenda that would ensure the centralization of his power. The only difference from the presidential constitution under Akaev was that the president could not dissolve the parliament, but the rest of the privileges remained (Fumagalli, 2016). The constitutional amendments and referenda allowed to prolong Bakiev's term in office. The most powerful bodies, such as foreign affairs, defence, the interior ministry and national security service, remained subordinated to the president but not to the parliament. Moreover, Bakiev established the presidential party Ak-Zhol which commanded a strong majority parliament with 71 out of 90 seats (Engvall, 2017) and, in doing so, constructed a system of power in the country in which all its key levers were concentrated in the hands of the president.

3.2 Co-optation: political-family networks

Consistent with the thrust towards an ever more centralised regime, President Bakiev pulled more of his loyal supporters into occupying positions of power. His family members and relatives would soon be found at many levels across government structures and in control over state resources and power. Indeed, the formal restructuring (referenda, constitutional amendments) aimed only to strengthen the power of a small group of people who were loyal to Bakiev (Pannier, 2009) and whom related to the president through patterns of familial, affective, and communal preferences that conditioned and characterized the exercise and influence of the highest public authority.

Thus, Bakiev entrusted the economic course of the country to his younger son, 32 year-old Maxim Bakiev, who was appointed as head of the newly established Central Agency for Development, Investment and Innovation. The main function of this agency was to evaluate the domestic economy and international

²³ Makarov, Dmitry Kirgizia vybory ili voia? – Argumenty i fakty, 22.06.2005 <https://press.try.md/item.php?id=60516>

²⁴ Bek Orozaliev-Felika Kulova likvidiruent kak institute-Kommersant- 10.02.2006 <https://www.kommersant.ru/doc/648646.ru/doc/648646>

²⁵ *ibid*

trade of Kyrgyzstan. The president's son thus became responsible for dealing with all foreign investors, including handling the US\$ 300 million grant Kyrgyzstan received from Russia and controlling all large Kyrgyz business projects (Osmonov, 2009). Maxim Bakiev threatened many business owners to sell their profitable business companies, like the sugar factory 'Kant', the bank 'Promstroybank', as well as the vehicle market '*Kudaibergen*' for low prices, otherwise they had to pay a large amount of money, which is known as *otmetka* (for making).²⁶

While the Kyrgyz economy was controlled by an informal network around the president's son²⁷, the law enforcement and presidential administration were also in the hands of Bakiev's close family. One of Bakiev's brothers, Janish Bakiev, was appointed as head of the national security service and became an outspoken advisor on all power structures of the country. As the head of the presidential guard and state security service, he led one of the most closed power structures in Kyrgyzstan, which only the president could control. Indeed, this structure was endowed with the broadest of powers. The most successful son, Marat Bakiev, became an advisor to the chairman of the state national security service (Bolponova, 2015: 57) and he was engaged with the political investigation of opponents. He also served as the ambassador of the Kyrgyz Republic in Germany. Similarly, one of the president's brothers, Adil Bakiev, was given the post of advisor to the ambassador of the Kyrgyz Republic in China (a country with which Kyrgyzstan has the busiest and liveliest trade networks). Another brother, Ahmat Bakiev, was known to be the uncrowned 'king' or informal leader of the Zhalal-Abad region, while Kanybek Bakiev, the youngest brother, had the most modest position as head of the rural council in the village of Barpy of Zhalal-Abad region.

While Bakiev's immediate family held high positions, his distant relatives from the same lineage, village, rayon, and oblast, who openly showed their solidarity for their own 'native son', contributed greatly to the formation of a grassroot level public administration and the generation of support from local voters. They were responsible for providing control both in the South and North and assisted during elections²⁸.

As a consequence, during Bakiev's regime, the political elites that occupied the positions of most power and influence changed from Northern representatives to Southern representatives. Within one year, there was not a single strong representative from Northern regions like Naryn, Chui, Issik-Kul or Talas. Instead, Bakiev filled important key political positions in state administration, military, and law-enforcement structures with close relatives and loyal supporters from the Zhalal-Abad oblast in Southern Kyrgyzstan.²⁹ Thus, while power was transmitted from one political network to another, the governance mechanisms for exercising power worked in a very similar manner under both Akaev and Bakiev and were influenced by the same informal criteria associated to kinship and regionalism (Alymbaeva, 2013).

Moreover, Bakiev established horizontal links with criminal groups, including that of a known criminal leader – Ryspek Akmatbaev. As the Southerner, Bakiev needed support from the business and political elites in Northern Kyrgyzstan. By establishing an alliance with this criminal leader, he could extend his network because Akmatbaev had authority over business in the North. Ryspek's younger brother, Tynchtykbek Akmatbaev, was elected as deputy in the parliament. Furthermore, by co-opting Ryspek,

²⁶ Interview with the representatives of the sugar factory Kant, see also Taryhtyn tataal ashuulary: "Üi bülöö" közun mai basty". 2008-жыл. Published 15.08.2016. <https://www.youtube.com/watch?v=b13SvwUF8IU>; Saralaeva, L. (2014), Elvira Surabaldieva-doch svoego otsa. Published 20.11.2014. http://www.gezitter.org/interviews/35131_elvira_surabaldieva_-_doch_svoego_ottsa/

²⁷ There were rumours that Maxim was doing secret business deals with China. He was also among the list of members of the Board of Directors of the Latvian-based conglomerate '*Maval Aktiviti*'. It is also known that the President's son controlled shares in the Blackpool Football Club, a football team in the English Championship League. The Kyrgyz people were not ignorant to this ill-use of government money and saw that power was entirely in the hands of the Bakiev family, which had total control over state resources. This attempt was described by many as Bakiev's preparation to pass the next presidency in 2014 to his own son. However, Maxim Bakiev became an influential businessman within a short period of time. Pannier, B. (2009) Bakiev prodolzhaet politiku nepotizma, kotoryi byl prichinoi kraha Akaeva. Azattyk.unalgysy. Published 13.11.2009. [http://www.azattyk.org/a/kyrgyzstan_bakiev_and_his_son/1876167.html] Accessed 12.03.2017

²⁸ Ibid

²⁹ See Annex I and II.

Bakiev could find a counterbalance to other influential political, business, and criminal elements that were backed by various state officials. The criminal groups used threats and violence against state officials. As a result of this strategic alliance, Ryspek was able to enter politics, render himself immune to state prosecution, dictate his interests, and even run for parliament (Marat, 2006: 91-93).

3.3 Camouflage: fabricating an image of elite consensus and party politics

Bakiev claimed that he would work for the interests of the population; that there would not be a repetition of the past (i.e. usurpation of power by one single leader); and that his main issue would be to fight corruption in Kyrgyzstan and implement programmes and projects with a high impact on boosting development. As a result, Kyrgyzstan would become a truly independent and successful state with a high quality of life.³⁰ In order to achieve this, Bakiev suggested, it was necessary to carry out reforms in the governance system, particularly in the law enforcement and judiciary sectors (Ibid). He emphasised the importance of the party system and introduced his pro-presidential party Ak-Zhol (Bright Way) in 2007, stating that the party would represent those citizens committed to the benefit of the people of Kyrgyzstan. After the parliamentary elections of 16th of December 2007, Ak-Zhol received the maximum number of seats: 71 out of 90. One of the strongest opposition parties, Ata-Meken did not overcome the 0.5% barrier in each region of the country that it is necessary under the new law. The government also increased all civil servants' salaries and pensions ahead of the elections and a number of social programmes were launched. All this increased the rating of 'Ak Zhol'; people started to believe in a positive change, but later it became clear that the additional payments were usurped by inflation.³¹

The main basis for the Ak-Zhol party were Bakiev and his informal inner circle since the party structure remained institutionally weak and subordinated to the leader, who exercised control over the party both formally and informally. One can think of this party in terms of a pyramid, consisting of three main echelons: top, middle, and bottom (Bugazov, 2013). The close and distant relatives of the president comprised the top of the pyramid. Businessmen, influential politicians and other party leaders were in the middle of the pyramid. The bottom included supporters of the party from the regions. The middle and bottom echelon members had a reciprocal relationship with the president: they were either loyal to the president or paid a lot to receive lucrative positions, access to resources, and business immunity. Their relationships were based on mutual interests but not on common ideologies or political views (Ibid). Members of parliament belonging to the Ak-Zhol party were rooted in political networks that were based on province of origin, genealogical links, regional ties, and business interests.

Bakiev and his informal networks commanded the real powers hidden behind the formal party system. Indicative of the levels of informality that prevailed under this regime was the fact that the party lists would change pre and post-election. Thus, before the elections, powerful individuals would be asked to collect votes from their region, but in the post-election period, some individuals would be removed and seats would be given to completely different people due to re-negotiations taking place behind the scenes. Rather than implementing the promises given to voters, the party was used as a machine to get parliamentary seats and distribute spoils among different cliques (Ibid).

³⁰ President Kurmanbek Bakiev: Pervyi etap reform vazhnyi shag k stabilnosti i yasnim perspektivam. Novosti politicheskikh partij

³¹ V Parlament Kirgizii proshla lish partiya Bakieva. Dekabrya 2007. <http://www.segodnya.ua/world/v-parlament-kirgizii-proshla-lish-partiya-bakieva.html>

3.4 Control: social sanctions, demonstrative punishment, selective law enforcement and assassinations

Bakiev maintained undisputed control over the regional arena by drawing on the concept of the ‘native son’. He implied that it was important for everyone to be united under this umbrella concept as people who shared common lineages, ancestors, and thus blood relations, with the implicit mechanisms of social control that come tied to this notion of lineage. In doing so, he created multifarious networks within and between different districts along kinship and provincial lines, rather than on the basis of administrative or professional lines. He manipulated identity to postulate the unity of the community and of the province based on patrilocal residence and belonging to the same places, namely, Osh and Zhala-Abad in Southern Kyrgyzstan.

The unifying categories linking people at the village, district, and oblast levels were shared ancestors and genealogical ties extending mainly to the descent groups of Teit, Avat, Sart, Tooke, Bargy, Cherek, Basyz, Munduz, and Börü.³² Indeed, both people and leaders found creative ways of satisfying their own interests within the kinship system by manipulating genealogical identity for various purposes and cultivating the ideological basis for a ruling position (Ismailbekova, 2017). This ideology was widely used because each strong regional leader had a wide range of informal networks composed of kinsmen who were bound by both kinship and pragmatic criteria. The kin members were bound to the president on the basis of loyalty, mutual support in times of need, and norms regarding honour and shame.

In contrast to Akaev’s time, a strong opposition dominated the political landscape under Bakiev’s presidency. Many active opposition groups challenged the Bakievs and accused them of establishing family rule and maintaining ties with criminal groups (Marat, 2006: 91-93). It is important to mention the different types of social sanctions that Bakiev and his family implemented. Bakiev could directly control his own people through direct personal appointments which created a close circle of supporters who were dependent on him. However, informal control was also implemented beyond kinship by means of the collection of compromising material (a practice known as *Kompromat*), not just against opposition groups, but also against co-workers, friends, and allies. Fabricated criminal cases would also be brought against opposition leaders and, in some cases, control was executed through the most violent means. Journalists and experts were physically attacked and it is claimed that one of the president’s brothers, Zhanysh Bakiev, was responsible for the organization of a number of political murders and other crimes. Bakiev’s son, Maxim, seized business through raids (*raiderskiy zahvat*), extorting businesses to pay large amounts of money to be able to continue their operations (*otmetka*) and squeezing out (*otzhat biznes*) competing groups and influential businessmen. When the business could not be ‘squeezed out’ in a legal way or under the condition of insubordination, an administrative resource was used, by constantly sending financial auditors and inspectors to the companies for checks and controls³³.

The most famous victim of *kompromat* and *podtsva* (framing) was the leader of the opposition and ex-speaker of the parliament, Omurbek Tekebaev. First, a video was posted on YouTube where Tekebaev was shown to be in bed with a young woman from the Ministry of Finance. On the second occasion, on the arrival of Tekebaev in Warsaw in September 2006, a Russian stacking doll (*matryoshka*) was found in Tekebaev’s luggage containing almost 600 grams of low-grade heroin. After the investigation, it was clear that the provocation was undertaken by the national security service of Kyrgyzstan under the close supervision of Zhanysh Bakiev.³⁴

³²See annex V

³³ Kurmanbek Bakiev zlouptrebil vlastyu Published 19.04.2010. http://www.kompromat.ru/page_29110.htm (Accessed 24.06.2018)

³⁴ Dubanov, A (2006) Heroin, zoloto, Berezovskiy. Published 13.09.2006. http://www.kompromat.ru/page_25038.htm(Accessed 24.06.2018)

Criminal charges were also raised against another strong opposition leader and former defence minister, Ismail Isakov, in 2010. The Bishkek military court sentenced Isakov to eight years in a prison and his rank as general lieutenant was removed. Isakov was found guilty of illegally registering a state-owned apartment in Bishkek for his son, although his imprisonment was believed to be punishment for his uncovering of systemic corruption in the energy sector of the country while serving as the head of the security council. He also advocated for reforms in the police sector against the president's desire (Marat, 2010). President Bakiev dissolved the Drug Control Agency instead created a new agency, appointing his brothers to personally control the trading in illegal goods.³⁵

Another political leader, Alikbek Dzhekshenkulov had been an active participant in the 'Tulip' Revolution of 2005 and a very close supporter of Bakiev. From 2005 to 2007, he was the head of the ministry of foreign affairs of Kyrgyzstan but he later on resigned and joined the opposition. Dzhekshenkulov was subsequently taken into custody in 2009 on charges of complicity in the murder of a Turkish businessman, who was shot in December 2007 in the Talas region. Another accusation was that he abused the office by causing 17.5 thousand dollars' worth of damages to the state associated to construction work effected on the Foreign Ministry building which was financed with funds provided by the Government of the People's Republic of China'.³⁶

Finally, repression of opposition movements also included resorting to mass killings. According to the final document of the 'State Commission for in-depth study and political assessment of the tragic events' that investigated the killing of 90 young people during the 'Rose' Revolution', 30 of those deaths were politically motivated.³⁷

3.5 The 'Rose' Revolution of 2010

In spite of his early promises, president Bakiev followed similar practices as his predecessor and was ultimately widely accused of appointing his close family members to key positions in the government, violations of human rights and of tolerating rampant corruption. The discontent generated by the excessive behaviours of regime insiders culminated in a second uprising on the 7th of April, 2010 which came to be known as the 'Rose' Revolution. Ordinary people and opposition leaders were angry with the feebleness of political development, the failure of democratisation, economic stagnation, and the instability of the state during Bakiev's time.³⁸ They organised various protests to express their dissatisfaction with the political situation and their living conditions, which deteriorated as a result of a sharp increase in electricity and utility tariffs, political repression, and the sale of strategic state enterprises. Not only were people's concerns ignored by the government but Bakiev gave the order to shoot at people participating in the protest, which only boosted the support to opposition groups and the

³⁵ V Batkene sozdan komitet po zashite Ismaila Isakova Radio Azattyk. Published. 20.01.2010. [<http://rus.azattyk.org/a/3121106.html>] Accessed 22.03.2017

³⁶ Kyrgyzstan: Ex-glava MID Zhekshenkulov pereveden iz SIZO pod domashnyi arest. Published 14.08.2009. [<http://www.fergananews.com/news.php?id=12711>] Accessed 22.03.2017

³⁷ The commission included 24 representatives of NGOs, the media, political scientists and civil servants and made its conclusions on the basis of materials such as analytical articles, reviews, reports, letters, audio recordings, personal conversations, and complaints. They reported that many politicians, deputies, journalists, businessmen and ordinary citizens had been killed under Bakiev's regime. The murdered opponents were deputies of the parliament, namely, Jogorku Kenesh Zhyrgalbek Surabaldiev, Bayaman Erkinbaev Tynychbek Akmatbaev, Ruslan Shabotoyev, Sanzharbek Kadyraliev, and head of the presidential administration, Medet Sadyrkulov. In addition, the following journalists were murdered: Gennady Pavlyuk, Yuri Alexandrov, Almaz Tashiev, and Alisher Saipov. Additional victims of Bakiev's regime were the famous stunt-master Usen Kudaibergenov, the businessman Abdalim Zhunusov, the famous master of sport Raatbek Sanatbaev, and the most influential 'criminal authorities' Ryspek Akmatbaev and Almanbet Anapiyev (see for more 30 zakaznyh ubiystv bylo soversheno v gody pravleniya Bakieva-goskomissia. Neprostoe vremya. Published 12.04. 2011 [<http://www.time.kg/neprostoe-vremya/226-30-zakaznyh-ubiystv-bylo-soversheno-v-gody-pravleniya-bakieva-goskomissiya.html>])

³⁸ There was a common consensus that Kyrgyzstan suffered from 'systematic' corruption. Nevertheless, according to the Transparency International Index, Kyrgyzstan improved its performance as it ranked 136th in 2014 and 123rd in 2015. Local TV widely broadcasted this news three or four times per day, highlighting the progress Kyrgyzstan was able to achieve in terms of development.

main opposition party SDPK. In fact, it later became known that both the army and police supported the opposition party.

According to the chronology of events on the 7th of April 2010, about 90 people were killed and hundreds were injured in their challenge to the authoritarian rule. People stormed government buildings and the president together with his family members were ultimately forced to flee the country, later receiving asylum in Belarus, where Bakiev's family members and close loyal followers remain until this day. Later on, the interim-government led by Rosa Otunbaeva, who played a key role in the protests, declared that the authorities in the capital Bishkek were in control of the army and the situation.

However, supporters of the ousted president Bakiev, rallying in the Southern city of Osh on the 15th of April 2010, attempted to divide the country into South and North (Asanova, 2010). Leaflets calling for the division of Kyrgyzstan into Northern and Southern parts circulated in the South, suggesting that a federal state should be created comprising the Southern and Northern Kyrgyz People's Democratic Republics. The two parts would share an army, a ministry of emergency situations, a currency, human rights protection, and border security. Leaflets with CDs were left in markets and crowded places, where passersby eagerly took them. The CDs included some recorded speeches by the former president Bakiev, in which he blamed the interim government for the deaths of protesters during the unrest and for the subsequent instability (Ibid).

3.6 Interim rule of Rosa Otunbaeva: 2010–2011

After the 'Rose' Revolution, Rosa Otunbaeva was chosen by all opposition leaders to head the interim government of the Kyrgyz Republic from the 7th of April 2010 until the 1st of December 2011 (Osborn, 2010). The case of Otunbaeva is unusual, because she was the only female president, not only in Kyrgyzstan, but all over Central Asia. She declared that new elections would be held within six months and that she would be president only for one year. However, this interim government was plagued with instability and violence as evidenced by the inter-communal conflict between Uzbeks and Kyrgyz that erupted in June 2010 in Southern Kyrgyzstan. As a result of this conflict, more than 470 people were killed, thousands were injured, hundreds of private homes were burned down, and properties were looted. The violence lasted for almost a week.

The interim government also faced major challenges related to its attempts to carry out reforms in order to legitimize the political transition after the Rose Revolution. A draft constitution was proposed that stipulated a mixed form of government that would reduce the powers of the president.³⁹ The draft succeeded and new constitution of Kyrgyzstan was approved in a national referendum in June 2010. The final version espoused the principles of separation of state power into legislative, executive, and judicial branches and stipulated a balance between the different branches through coordinated interaction. In other words, power was decentralised and distributed among the parliament, the president as head of state and the prime minister as head of government. The Constitution granted substantial powers to the prime minister and its government, which would be responsible for domestic policy and certain aspects of foreign policy while the president's power was narrowed down to foreign policy and national security. Under the new constitution presidents could only serve for one term, the number of seats in parliament increased from 90 to 120 seats, and it was prescribed that no single party would be able to hold more than 65 percent of seats in order to prevent the rule of a one-party regime. The prime minister is to be the leader of the most influential party of those forming a coalition to achieve a parliamentary majority. The prime minister is accountable to the parliament and can only be re-elected by its members. In

³⁹ Constitution of Kyrgyz Republic from 27 June 2010.

addition, the interim government issued decrees depriving the former presidents Akaev⁴⁰ and Bakiev from their immunity status in order to carry out investigations against them and their relatives for abuse of authority during the time of their presidencies.

In October 2010 parliamentary elections were held based on this new constitution. This resulted in the election of 5 Political parties to the parliament: Ata-Zhurt (28 seats), Social Democratic Party (26 seats), Ar-Namys (25 seats), Respublika (23), and Ata-Meken (18)⁴¹, with the remaining parties unable to reach the five percent of the regional threshold. The international community praised the election process and outcome as fair and asserted that it adhered to international standards of democratic elections.⁴²

4 Epoch of Atambaev and the parliament from 2011–2017

4.1 From mixed political system to parliamentarism

Almazbek Atambaev was elected president of Kyrgyzstan in 2011.⁴³ Even though Atambaev did not enjoy the same privileges and power as the previous presidents, he was not a completely formal figure either. In fact, Atambaev continued to play a central role in Kyrgyz politics, partly due to the president's power with regard to foreign policy and in part because of his presidential Social Democratic Party, which is the most important political party in Kyrgyzstan (Fumagalli, 2016: 196). The succession of prime ministers under this presidency stemmed from Atambaev's own networks and therefore did not exercise the counterbalancing power implied by the constitutional reform. The following parliamentary election was held in 2015, and this time the competition increased, with six major parties winning seats in the parliament: Social Democratic Party (36 seats), Respublika/Ata-Zhurt (28 seats), Kyrgyzstan (18 seats), Onuguu Progress (13 seats), Bir-Bol (12 seats), and Ata-Meken (11 seats).

Towards the end of his mandate, Atambaev proposed and succeeded in passing follow-up amendments to the country's new constitution in favour of a fully parliamentary system of government, which enhanced the powers of the prime minister and decreased those of the president. Although this seems paradoxical, the informal aim of the constitutional changes was to prevent the next president from grabbing too much power. As Engvall (2017) highlights the change to mixed system and to parliamentarism have increased the relevance of political parties, which now compete in forming their own networks and accessing resources and positions of influence.

4.2 Party Co-optation

A consequence of the 2010 adoption of the new Constitution was that political co-optation became less centralised, more complicated and competitive, and has come to be based solely on party lines. The powerful president was no longer at the centre managing the informal governance of complex networks

⁴⁰ Dekret vremennogo pravitelstva Kyrgyzkoi Respubliki from 12 August, 2010 'O lishenii A Akaeva statusa neprekosnovennosti' // URL: <http://stan.tv/news/17068/?print=3&REID=fpijv7td8j5dl9jiac1enuvpo6>

⁴¹ Shebel, 2010 Parlamentskie vybory v Kyrgyzstane: chto est, kak budet i dolzho byt? 21.10.2010 <http://www.centrasia.ru/newsA.php?st=1287674820>

⁴² Dilbegim Mavloniy (2010) Vybory v Kyrgyzstane okazalis svobodnymi i nepredskazuemymi https://rus.azattyq.org/a/Kyrgyzstan_parliament_/2188322.html

⁴³ Following the constitutional changes, the president could only serve for one term. Under Otunbaeva, he used to serve as the Prime Minister of Kyrgyzstan for one year (2010-2011).

but rather the political parties in parliament came to exercise this kind of power. Additional political networks came from other influential groups. In this case, it is important to highlight the co-optation techniques of three major parties: Social Democratic Party, Respublika, and Bir-Bol.

Indeed, political parties became the heart of the political system in Kyrgyzstan (Engvall, 2017) with party lists being populated mainly by wealthy and influential people. This meant that political parties became the vehicle whereby rich individuals sought power. Joining a political party became important mainly because access to financial resources and rent seeking opportunities was now divided among the political parties that formed the coalition government. Parliament itself, rather than the presidency, became the rent-seeking system epitomising the state-business nexus. Thus, the parties within the coalition government divided not only major ministerial positions, agencies and services, but also lucrative enterprises in the mining, transportation and communication sectors (Engvall, 2017: 8).

Several coalitions formed and disintegrated: first, a coalition was formed between Social Democratic Party, Ata-Zhurt, and Respublika, but dissolved with the latter two joining the opposition. A second coalition included Social Democratic Party, Kyrgyzstan, Onuguu Progress and Ata Meken, but they could not work together and the coalition was officially disbanded. The Social Democrats withdrew from the union, declaring internal disagreements. In response, the president gave the right to form a new ruling alliance to the Social Democratic Party faction. A third coalition of the majority consisted of 68 deputies that were located between the factions of the Social Democratic Party, Kyrgyzstan and Bir Bol parties⁴⁴.

Aspiring politicians invested large amounts of financial resources in order to join a party, ranging anywhere from 50,000 to 500,000 US dollars. Parties in Kyrgyzstan spent money not only on political campaigning, but also on the direct purchase of deputy mandates. A discussion over the price of parliamentary seats was held among the deputies. It became apparent that the deputies returned the money spent for the party by paying for their seats. Thus, the focus in the quest for power and influence changed from simply courting the president in previous governments to acceding to a seat in parliament, which provided a way to cabinet positions and thus significant power. For example: some party members got ministerial or embassy positions and protected their and others business interests (Engvall, 2017: 9; Begaliev & Yntymakov, 2015).

The relationship between state and business in Kyrgyzstan continued to be organized in a symbiotic way indicative of horizontal co-optation practices. Many business elites, especially private companies, benefitted from the support they received from political parties and the president. It was a common phenomenon that in order to protect business enterprises, private actors sought after deputy mandates or government positions. The wives of politicians were usually the owners of large companies, because the law prohibited civil servants or state authorities to engage in business⁴⁵, which did not stop some state officials, who after registering their property to their wives, continued to run their business while attending to their official mandates as public servants. Prominent politicians would register their property not only with their relatives, but also with their drivers and the drivers' relatives. Registering property with members of the close familial networks was thus also a method for concealing funds obtained by illegal means and tax evasion.

⁴⁴ Sozdana novaya koalitsia bolshinstva i v nee voshli tri fraktsii— Omurkulov 03.11.2016
<https://ru.sputnik.kg/politics/20161103/1030104588/omurkulov-zayavil-o-sozdanii-koalicii-bolshinstva-v-zhk.html>

⁴⁵ It was always a law during the previous regimes however it was never enforced.

Atambaev became increasingly distrustful of many opposition leaders. Theoretically, under the new mixed system, opposition leaders could limit his abilities to exercise power in a way they could not before, but in practice they could not challenge him openly. Those who tried to challenge him were jailed.

Unlike his predecessors, Atambaev did not bring his family members into politics. Indeed, there were only a few important people in his circle that played a crucial role in Kyrgyz politics and supported the process of top-down co-optation of loyal supporters. These loyalists were key elites and held positions in the presidential administration, the government, parliament, law-enforcement, and the court; as such they were granted large powers and access to resources. The members of the Atambaev inner circle who played a key role were brought in through their links to the Social Democratic party. For example: the new coalition of the parliamentary majority nominated Sooronbai Jeenbekov as the country's prime minister. This was not surprising as Jeenbekov and his family⁴⁶ were hugely influential in South Kyrgyzstan and very close to Atambaev. In fact, Sooronbai Jeenbekov was a founding member of the Social Democratic Party led by Atambaev. Another important person in the Party was Chynybai Tursunbekov, the speaker of the parliament. Isa Omurkulov was the leader of the pro-presidential faction of the Social Democratic Party of Kyrgyzstan in the parliament and Atambaev's long-time colleague and a member of the Party for almost ten years (Ibid).

Atambaev's networks are based on friendship, 'fictive' kinship (like father-son relationships), and financial power. Farid Niyazov was appointed advisor to the president (Arykbaev, 2016). Isakov Sapar was appointed head of the president's administration in 2017 and later on served as prime-minister (Ibid). Ikramjan Ilmiyanov worked as the personal driver of Almazbek Atambaev for many years. He was considered to be very trustworthy and quickly rose in the ladder to become a top-level state official.⁴⁷ Since November 2015, he served both formally and informally as an advisor to the president (Arykbaev, 2016). Albek Ibraimov (a relatively new person in Kyrgyz politics) was appointed in February 2016 as the mayor of Bishkek. He became one of the key figures in a property scandal surrounding the president, in which the opposition leader and member of parliament, Omurbek Tekebaev, claimed that Ibraimov gave Atambaev 2.7 hectares of land to build a house on in exchange for the post of mayor (Ibid). Chynybai Tursunbekov was considered as the *koshelik* (purse) of Atambaev, meaning that the former financially supported electoral processes of Atambaev.⁴⁸ Atambaev's loyalists have incurred similarly in crimes of corruption but nevertheless enjoyed impunity.

As has been mentioned, the wives of prominent figures belonging to the inner circle of Atambaev were owners of substantial business interest examples being the wife of Bishkek mayor Ibraimov Albekov, Ainura Ibraimova as well as the wife of parliament member Ishaq Pirmatov from the party Bir Bol, Olga Atogurovoy. Ibraimova jointly owned the company TM-ORLAN & Group with Olga Atogurovoy. The company engaged in the wholesale trade of aviation equipment, sales of motor fuel, and lease of gas stations.⁴⁹ Zhogorku Kengesh, the wife of speaker of the parliamentarian Chynybai Tursunbekov, owns a flour milling business and a major recreation centre in Issyk-Kul. The wife of Akylbek Japarov, deputy of the faction Bir Bol, Anara Japarova, owns a large hotel, a restaurant, and a condominium in Bishkek city

⁴⁶ Sooronbai Zheyenbekov is the third son in the large family of Sharip Jeenbekov. The family comes from Kara-Kuldzhi, Osh oblast in southern Kyrgyzstan. The oldest son, Prof Kantoro Jeenbekov, is a doctor of science and serves as president of the Jalal-Abad University of Economics and Entrepreneurship. The second son, Jusupbek Jeenbekov, works as an ambassador of Kuwait (+ Saudi Arabia, Egypt and Qatar). The fourth son, Asylbek Jeenbekov, is an ex-speaker of the Parliament. The fifth son, Jyrgalbek Jeenbekov, lives in the village. The youngest son and now deceased, Iskender Zheenbekov, was a lawyer by profession and at the age of 28 served as a prosecutor of the Osh region. Dose politikov i obshchestvennyy deiyatelei, jivushih v stranah Tsentralnoi Azii, libo svyazannyh s regionom. "<http://www.stanradar.com/bio/full/332-zheenbekov-sooronbaj-sharipovich.html>

⁴⁷ Dose politikov i obshchestvennyh deiyatelei, zhivushih v stranah Tsentralnoi Azii, libo svyazannyh s regionom.

⁴⁸ Interview. Bishkek, Kyrgyzstan. 30 July, 2016

⁴⁹ Za kompaniei jenny mera Bishkeka chislitsya pansionat Deniz published 3/10/16
http://24.kg/vlast/37661_zh_kompaniei_jenyi_mera_bishkeka_chislitsya_pansionat_deniz/

centre, as well as the company "Tridas". There are also the wives of former deputies such as Felix Kulov and Akmatbek Keldibekov, who own medical centres as well as wholesale centres.

By relying on their informal personal networks, the political leaders were able to buy off the opposition, secured votes in the parliament and acquired enough assets to facilitate a good lifestyle. This resulted in enormous powers that allowed the political leaders to evade formal rules, while at the same time protect their own interests and those of their followers. Consequently, 'loyalists' made great efforts to protect their position and power since they too had a shared interest to maintain the status quo.

4.3 'Anti-corruption' as camouflage

Atambaev started his presidency with the intention to establish justice, cleanse political power from corruption, and achieve economic prosperity (BBC, 2017). For this purpose, he launched several initiatives focusing on anti-corruption, democratic accountability, and e-governance 'Taza Koom'.⁵⁰

Judicial reforms were enacted that were aimed at promoting better control of corruption outcomes such as the creation of the Anti-Corruption Service of the state national security committee with Rosa Otunbaeva serving as its head (Usenov, 2016). Also, in 2012, president Atambaev made headways with the development of an anti-corruption strategy. The coordinating body of this initiative was the defence council, but the bodies that carried out the measures were the state national security committee, the prosecutor general's office, the ministry of internal affairs and the state committee for state security. Following this, an anti-corruption law and strategy were adopted and measures to combat corruption were also reflected in the National Strategy for Sustainable Development 2013-2017.⁵¹

The international community recognized the progress of the state in the fight against corruption, while pointing out the need to address shortcomings in the criminal code of the Kyrgyz Republic. This relates in particular to Art. 303 'Corruption', which in the opinion of experts duplicated the provisions of other articles, making it possible to make selective decisions on prosecution.⁵² The Kyrgyz government's 'war on corruption' comprised the trial of high-ranking officials (such as deputies of parliaments, mayors and ministers). Although it was a positive step in the right direction, the outcomes were considered to be disappointing. This was because the president and his administration, while embracing the discourse of a commitment to anti-corruption and good governance, in practice continued to enforce informal control, selectively investigating and prosecuting individual politicians and political enemies. In turn, the anti-corruption institutions turned a blind eye to those who were protected by patronage from above, not the least because they held high ranking positions in the judiciary, law enforcement, registration and educational systems. Instead, they directed their attention to those who did not enjoy such privileged positions and protection⁵³, such as opposition members and other leaders who threatened the regime.

4.4 Informal control: Demonstrative punishment, selective law enforcement and kompromat

One of the first things that Atambaev did after coming to power was to arrest about 20 members of the old regime who killed or ordered to kill people during the 'Rose' Revolution. Nevertheless, the main leaders, Kurmanbek Bakiev, Zhanish Bakiev, and Marat Bakiev, had left the country already in 2010,

⁵⁰ The Taza Koom (Clean Society) project was pitched to the international organisations in Kyrgyzstan (such as the European Bank for Reconstruction and Development, the EU, World Bank, and Asian Development Bank), with the prospect of receiving funding to improve Kyrgyzstan's digital technologies and e-governance. The government stressed that this would reduce corruption and increase the security of citizens. Nevertheless, civil society and opposition leaders remained quite sceptical of this project (Orozobekova, 2017).

⁵¹ Natsionalnaya strategiya ustoychivogo razvitiya Kyrgyzskoi Respubliki na 2013-2017 gody from 21 January 2013 №11. – ch.2, p.2.5.

⁵² OBSE: Borba s korruptzei ne vedetsya na dolzhnom urovne (10.12.2015) // URL: www.gezitter.org

⁵³ Mazykina Yulia 'Kyrgyzstan.Corruption'. Act and Bishkek –«24.kg»23/03/12, <https://24.kg/archive/ru/community/124596-laquokyrghzstan-korruptciyaraquo-akt-i.html/>

leaving only their assistants behind to be interrogated. The criminal cases regarding the events on the 7th of April 2010 in Bishkek ended up in court with a list of defendants who would face severe penalties, headed by former President Kurmanbek Bakiev. A guilty verdict was given to all of them (Zhuk, 2010) and some followers of Bakiev's family were arrested and accused of cooperating with the former leader.⁵⁴

Atambaev also sent members of the opposition Ata-Zhurt party (such as Kamchybek Tashiev, Sadyr Zhaparov, Talant Mamytov, Nariman Tyuleyev, and Ahmatbek Keldibekov) to prison on charges of attempting to seize power during a rally that took place in Bishkek on the 3rd of October 2012 (Baktybaev, 2013). Subsequently, the party Ata Zhurt became an uncompromising enemy of Atambaev with its leader and ex-speaker of parliament, Ahmatbek Keldibekov, moving on to expose grand corruption deals of the government such as the agreement on 'Kumtor' and opposed the sale of 'Kyrgyzgaz' for one dollar⁵⁵. As a counter tactic, Atambaev's circle started searching for compromising evidence in Keldibekov's 10-year role as a speaker. After some years though, all of the aforementioned Ata-Zhurt politicians were released after they paid up to several millions of Soms in fines to the government or had their properties confiscated. A prime example of this is Nariman Tyuleev (a mayor during Bakiev's time), who was sentenced to 10 years in prison for crimes of corruption and 'money laundering' (Aktalov & Imofeenko). Tyuleev returned more than 60 million Soms to the state treasury and was released after serving 4 years in prison.

A new mechanism of informal control has been the use of state television channels to spread negative, unconfirmed information about opposition groups (Turgunbekov, 2013). If other mass media channels (such as Zanoza, Azattyk, Sentyabr TV, and the online newspaper 24.kg) would criticize the actions of Atambaev, he would turn around and accuse the journalists of trying to destabilize Kyrgyzstan ahead of the presidential elections in November 2017 (Ibid). The prosecutor general's office went even further and filed 26 million Som claims against journalists of the Azattyk and Zanoza newsletters. The tension between the authorities and journalists increased after Atambaev publicly criticized Azattyk by saying that the journalists 'work for American money' and spread rumours about him (Irgebaeva, 2017).

Opponents of the constitutional changes advocated by Atambaev became subject to criminal investigations. The main opponents were three members of the Ata-Meken party; a leader of the Ata-Zhurt party, Omurbek Tekebaev; the former justice minister, Almanbet Shykmamatov; and the former general prosecutor and current Member of Parliament, Aida Salyanova. They expressed doubts about the proposed changes of the constitution, claiming that the idea behind the modifications was to bolster the position of elites surrounding the president. Following these strong statements, the prominent politicians were prosecuted.⁵⁶

The anticorruption department of the state committee for national security (GKNB) was increasingly used to attack government critics. For example, President Atambaev showed on national television the details of his meeting with the head of the committee for national security, Abdil Segizbayev. At this meeting, the head of Committee informed Atambaev about the materials provided by the authorities of Belize, in Central America. An offshore company called Megacom belonged to the son of Bakiev (he owned 51% of the shares⁵⁷ which was valued at 167 million dollars), and this company was protected by three Kyrgyz politicians (Almanbet Shykmamatov, Aida Salyanova and Omurbek Tekebayev). In return for their

⁵⁴ See Annex III.

⁵⁵ Karaeva, Elvira (2014) Vystuplenie Atambaeva v Talase burno obsuzhdalis Gezitter.org. Published 25.04.2014 http://ns40.gezitter.org/politic/29527_vystuplenie_atambaeva_v_talase_burno_obsujdalos/ Accessed 24.06.2018

⁵⁶ Please see Annex IV for a more detailed description of the criminal cases against Almanbet Shykmamatov, Aida Salyanova and Omurbek Tekebayev.

⁵⁷ 49% of "Megacom" was nationalized in 2010. (ibid).

protective services, they allegedly received 22% shares of the company's stock, divided as follows: Omurbek Tekebayev: 8% (26 million dollars), Aida Salyanova: 7% (23 million dollars) and Almambet Shykmatov: 7% (23 million dollars).⁵⁸

Omurbek Tekebayev was sentenced to serve eight years in prison for crimes of corruption related to his political activities as member of the 2010 Provisional Government. He was sentenced to serve his time in a strict-security prison; his property was confiscated and he was banned from holding any kind of public office for three years. According to Russian businessman Leonid Maevsky, Tekebayev took the million dollars from him and did not return this sum paid for admission to the management of the company "Alfa Telecom" (MegaCom brand). In 2018, after he was sentenced to prison, Tekebayev was a contender for the post of president of Kyrgyzstan, but the Central Election Committee members deprived him of the opportunity to pass a test of knowledge of the state language. The Central Election Commission furthermore prohibited Tekebaev from taking on the position of deputy of Jogorku Kenesh.⁵⁹

Aida Salyanova (who is currently a member of parliament from the Ata Meken party and awaiting the execution of her sentence) served as prosecutor general of Kyrgyzstan from 2011 to 2015. During her time in office, Prosecutor General Salyanova was under the patronage of President Almazbek Atambayev until, following a quarrel with Atambayev, she was forced to resign her post. Later Salyanova joined Tekebayev, which further deteriorated her relationship with Atambaev. Salyanova was subsequently accused of 'abuse of official office' in December 2016 and sentenced to 5 years of imprisonment. Having given birth in 2015, the execution of her sentence has been postponed until 2029 when her child reaches the age of 14, but in the meantime she is not allowed to leave the country (Hashkovski, 2017; Kapushenko, 2017). Salyanova and her supporters link this persecution to her criticism of President Almazbek Atambaev.

Another group of politicians who were also targeted openly criticised Atambaev for arresting figures in the political opposition. For instance, the interim president from 2010–2011, Rosa Otunbaeva, and her then chief of staff, Edil Baisalov, were blamed for the conflict in Osh in 2010 and incitements of separatism. Edil Baisalov said during a press conference that President Atambaev was looking for "any basis" to imprison him and his team by exploiting inter-ethnic tensions. The security service started publicly revealing the *kompromat* against the members of the 2010 post-revolution interim government, by citing interviews with anonymous informants, especially those who emigrated from Kyrgyzstan following the Osh events in 2010. These people gave "incriminating testimony against Rosa Otunbaeva and some of her colleagues". In addition, Uzbek community representatives made an official video message stating that they had "organized the inter-ethnic conflict in June 2010 following the command of Rosa Otunbaeva" (Lelik, 2016).

4.5 The Presidential elections of 2017

Presidential elections took place on 15 October 2017. Among the twelve candidates who ran for the presidency, three were particularly important: Temir Sariiev, Sooronbai Jeenbekov, and Omurbek Babanov. These three previously belonged to President Atambaev's team each having held the position of prime-minister. Jeenbekov got more than 54 percent of the vote in the presidential elections, while his main rival, Babanov, got only 34 percent of the vote (Crosby, 2017). The rest of the candidates together got

⁵⁸ Vozobnovlenie advokatskoi litsenzii A. Eliseeva bylo nachalom operatsii po prepodnosheniyu M. Bakievu Megakoma? Gezitter.org Published 26.12.2016.[http://www.gezitter.org/politic/56363_vozobnovlenie_advokatskoy_litsenzii_a_eliseeva_byilo_nachalom_operatsii_po_prepodnosheniyu_m_bakievu_megakoma_//], Accessed 05.01.2016

⁵⁹ Sud prigovoril Tekebaeva I Chotonova k vosmi godam lishenia svobody. Sputnik. Published 16.08.2017 More: <https://ru.sputnik.kg/politics/20170816/1034749517/tekebaev-i-chotonov-osuzhdeny.html>

12 percent of the votes. The turn-out was almost 56 percent of 3 million eligible voters, meaning that almost 1,7 million votes were cast.

Since the constitution prohibited Atambaev from running for a second consecutive six-year term; he supported his political ally Jeenbekov, who had served as prime minister under his presidency.⁶⁰ He promised to continue President Atambaev's policy and 'to preserve what has been achieved and to strengthen what has been started' (RFE/RL's Kyrgyz Service, 2017).

Jeenbekov's strongest opponent was Babanov, a young wealthy entrepreneur and former fuel trader from Talas in northern Kyrgyzstan. Babanov started his business in Kazakhstan early in the 1990s and became politically active in 2005 when he entered parliament. Babanov was a prominent critic of the country's first President Askar Akayev and got the post of deputy prime minister during second President Kurmanbek Bakiyev's term in office. During Atambaev's term in office, Babanov was very close to Atambaev and supported his policies although he formally belonged to a 'loyal' opposition serving in fact as the leader of the opposition party 'Respublika Ata Zhurt', but rarely openly expressing criticism towards the president or the government.

Despite a campaign plagued with accusations and smear strategies the elections proceeded peacefully in most regions of Kyrgyzstan except in Osh, which is the second largest city of Kyrgyzstan located in the South, and where there is a sizable Uzbek population. Ethnic violence erupted allegedly because of a campaign speech Babanov gave encouraging people not to be afraid of voting for whoever they wanted. He also mentioned the infringement of the Uzbek people's rights; highlighted the alleged ethnic inequality in the country; the constant pressure of state authorities on Uzbek ethnic groups; and urged them to actively resist this situation in Uzbek *mahalla* [urban districts]. Following the elections, the Prosecutor General's Office of the Kyrgyz Republic opened a criminal case against Babanov for fomenting ethnic tension and attempting to incite the overthrow of the government during the pre-election campaign (Djanibekova, 2017).⁶¹

The newly elected president Sooronbai Jeenbekov comes from Atambaev's inner circle and is expected to continue many of his predecessor's practices, cultivating similar networks. For example, Farid Niyazov, previously Atambaev's advisor, has been appointed to serve in the same position under Jeenbekov and local experts argue that Jeenbekov will guarantee Atambaev's inner circle status and protection from harassment or prosecution. Atambaev himself will enjoy lifelong immunity as stipulated under the new constitution and thus cannot be prosecuted. Many loyal supporters of Atambaev and members of his circle (the most informed and influential politicians and businessmen in Kyrgyzstan) will continue to enjoy their privileges in terms of getting political support. They in turn support the president, whom they rely on for their security and full protection.

⁶⁰ Jeenbekov is an agricultural specialist and accountant by training; he served as Agriculture Minister in 2007 before becoming a governor of Osh oblast from 2010 to 2015. Prior to this, he worked as a teacher and this rhetoric was widely used in his presidential race. The other two leading candidates also served as prime ministers (Sariev and Babanov)

⁶¹ Later the State Forensic Expert Service found that there were no signs of appeals aiming to incite ethnic hatred, provoke people to disobey and overthrow the current authorities (Travlya na Babanova, Center1, 2017b). Nevertheless, the state officials kept accusing Babanov of fomenting ethnic tension, which is a very sensitive topic in Kyrgyzstan. At the moment, Babanov is in Russia and, although he promised to return to Kyrgyzstan following the president's inauguration on 24 November 2017, his hesitation is likely linked to the threat that he might be arrested upon his arrival.

Kalnur Ormushev said the following on this:

it is crucial to underscore the security aspect, because Atambaev's inner circle accumulated a group of enemies and humiliated strong opposition leaders such as Akhmatbek Keldibekov, Aida Salyanova, Omurbek Tekebaev, and Almanbet Shykmatov. If they wanted to 'live well' after Atambaev's tenure, then they would have to support someone who would provide them with this security. They inevitably came to the conclusion that, for example, they would not find support in Babanov's team. These circumstances pushed them to oppose Babanov, with whom they would not find the opportunities for compromise. It is possible to coordinate well with Jeenbekov because there is already a historical precedent for this: from conspiracy to betrayal in the interests of those who promise them well-being and protection (Maslova, 2016).

5 Conclusion

This paper examined the dialectical relationship of formal and informal governance and its relation to and effect on corruption in Kyrgyzstan. Despite the changes of the formal political system from a presidential to a parliamentary style of government, the logic of informal governance and its practices remain and are widely applied behind the facade of formal frameworks. With the first president informality was exercised on the basis of personalized power, whereas with the second a presidential political party was instrumental and later under parliamentarism a plurality of political parties entered the scene. One would assume that it would be much more difficult for the president to pull all the strings under a parliamentary system. However, in Kyrgyzstan, the efficacy of the practices of co-optation and control did not decrease in any way following this constitutional change. Thus, practices related to informal governance are capable of adapting to different formal political systems due to their flexible and omnipresent nature. This contributes to regime stability and change; and has effects on corruption.

Since independence in 1991, Kyrgyzstan experienced mixed developments: the transition to democracy was never complete and the country has remained an authoritarian regime with varying degree of competitiveness in the electoral process but with compromised civil liberties and political rights. At the beginning, all presidents promised justice, commitment to anti-corruption campaigns, the rule of law, and freedom of speech. But during their tenure, Akaev, Bakiev and to some extent Atambaev changed course and embarked on authoritarian practices, even though they kept emphasising in public the importance of democracy in Kyrgyzstan. The **camouflage** of *democracy* has been widely used by almost all presidents of Kyrgyzstan, although some used this rhetoric more than others. It was especially Akaev's idea to project an image of a democratic country both to domestic and international audiences. Under Bakiev, establishing a pro-presidential party was the most popular camouflage, under which he united influential political leaders and wealthy people of Kyrgyzstan. Atambaev used mostly the notion of *anti-corruption campaigns* in order to manipulate his group's interests and legitimately persecute political leaders.

The analysis furthermore showed that every president, upon their appointment, immediately started the process of government restructuring, which aimed only at strengthening the power of a small group of people. **Co-optation** overwhelmingly revolved around close kinship ties and regional identity during Akaev and Bakiev's eras. The two first presidents played a regional card as an identity marker for cultivating loyalists and creating a so-called 'imagined enemy' - 'the Southerners' or 'the Northerners'.⁶² Thus, network building on the basis of kinship and regionalism was used as a tool for political purposes, since

⁶² See Annex IV.

the idea of kinship solidarity was still fundamental in the minds of the people. They highlighted the lack of regional politicians in the parliament and government; the unfair way in which that one side treated the other; and how connections to the provincial political arena were strengthened by promising jobs and rent seeking opportunities in exchange for support. This conceptualisation of “us versus them” was significant as a way of challenging the distribution of resources and power structures as well as enforcing the legitimacy of new elites.

Whereas kinship and regional origin would appear to be fixed, the Kyrgyz experience demonstrates otherwise indicated by the manipulation of otherwise inflexible categories for the purposes of inclusion into and exclusion from the ruling networks. Genealogy and informality were complementary to one another; as a result, genealogy was itself susceptible to practices of informalisation. In Kyrgyz contemporary society, informal networks are organized along kinship and family lines, and they are key in order to access resources, for career advancement, and for dealing with bureaucratic red tape. During the elections, all presidents wanted to maximize the number of kin, but when it came to the distribution of power and lucrative recourses they wanted to limit it to a very close circle. This was an ambivalent approach to setting boundaries to the kin-based group and changing its size depending on the context. Thus, informal governance in Kyrgyzstan is complex, flexible, dynamic, multi-factorial and not reducible to descent.

Atambaev followed a different pattern by balancing South and North through appointments and going beyond the regional division and kinship to incorporate individuals personally close to him (such as his friends, party members, advisers, and even drivers) to positions of influence. This was his way of legitimizing his power in contrast to the previous presidents. In all cases, the practices of co-optation of allies and their excesses in exploiting public authority and resources led to social upheaval. In some cases these challenges were dealt with informal control tactics, but sometimes with blatant use of state violence but also twice led to the overthrow of the sitting president in the cases of the Tulip and the Rose Revolutions, which suggests that the informal practices of the successive regimes have failed to facilitate the development of a stable system of national governance.

The analysis additionally showed that there is no co-optation without **control**; they are two sides of the same coin. All the presidents used top-down or **direct control** by demonstratively punishing and selectively arresting opponents. Under Atambaev, opposition activists were imprisoned on diverse charges falling within the umbrella of corruption. Under Bakiev, however, if opposition leaders had enough *kompromat* against the president they were either murdered or arrested. In the case of Akaev, he used the method of arresting and removing such individuals from their posts.

The issue with **horizontal control** was similar between Akaev and Bakiev, but different in the case of Atambaev. The Kyrgyz case illustrates how informal governance can be exercised by means of different variations of control practices to induce elite cohesion. Atambaev relied heavily on practices of horizontal control (which are more centred on intra-elite enforcement of discipline). Bakiev and Akaev relied more heavily on conformity and peer pressure to ensure network discipline. In the case of kinship-based co-optation, the control issue becomes an interesting aspect, where belonging to the family locks members in but also enables them in an immense way. Therefore, establishing a kinship link enables leaders to maintain “undisputed control”. Loyalists are usually related by genealogical ties or shared ancestors. Therefore, they are aware of their obligation to support relatives, because the kinship system is linked to the honour and shame of a Kyrgyz man and his personal identity is relational (meaning kinship-related). The social costs of not being loyal to your own kin are very significant. Thus, being part of a kin group is like an endowment that the family members of presidents inherit but that also constrain them with the possibilities it opens up.

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