

Policy Brief



# EU-Kyrgyz Republic relations: Maintaining a Foothold

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## Abstract

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2021 was a tumultuous year for the Kyrgyz Republic, as the nation witnessed the president's resignation and the rapid emergence of Sadyr Japarov. The new strongman in Kyrgyz politics wasted no time to introduce constitutional reforms and comprehensively transformed the country's political system. Democracy in the Central Asian state is fragile and the upcoming parliamentary elections on 28 November 2021 may have great implications for the people of Kyrgyzstan as well as for the European Union which seeks to intensify bilateral relations and wants to strengthen its presence in the region.

*Keywords: Kyrgyzstan, Kyrgyz Republic, EU, Central Asia*

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## Introduction

2021 has been quite a consequential year for the democratic Kyrgyz Republic, with the election of a new president as well as the transformation from a parliamentary to a presidential republic following the adoption of a new constitution. These events, coupled with the upcoming elections scheduled on 28 November 2021 may prove to be significant for the relations between the Central Asian nation of 6.5 million people, and its external partners such as the European Union.

Following independence from the Soviet Union in 1991, Kyrgyzstan has been regarded as the [most democratic of the Central Asian nations and often classified as a hybrid regime](#), combining elements of democracy and autarchic sovereignty, as a parliamentary republic. Despite ethnic conflicts and general economic adversity, Kyrgyzstan has been able to construct a rational foreign policy, which values its relations with the EU as one of its major trade and investment partners.

The EU in return holds special regard for Kyrgyzstan in the context of its focus on Central Asia, expressed through the 2007 and 2019 EU Central Asia Strategies developed towards the region. Besides the region boasting an abundance of energy resources important for the EU, there is also increasing opportunity for interconnectivity based on trade.

## The state of Kyrgyz democracy

Despite achieving considerable democratic progress since its independence, the rule of law in the Kyrgyz Republic seems to have degraded in recent times. The resignation of President Sooronbay Jeenbekov, and the consequent, meteoric rise of Sadyr Japarov has seen the republic's steady transformation away from being Central Asia's beacon of democracy. The decline has thereby prompted Freedom House to designate Kyrgyzstan as 'not free' for the first time since 2010, on the basis of the sudden "[irregular seizure of power by a nationalist leader and convicted felon](#)." While something of an outlier in the region, as Central Asian states are generally based around a stable presidential system with rigid tendencies, the Kyrgyz Republic experiences the frequent overthrowing of presidents due to its flourishing civil society movements and vocal opposition. While the republic has enjoyed a generally open and permissive society, this is coupled with an unpredictable political culture in which presidents rarely remain in office for long.

Thus, when parliamentary elections were held in October 2020, it was of little surprise when the results generated a protracted political crisis. Mass protests erupted due to the belief that the election results had been rigged, with three pro-government parties winning almost 100 out of the 120 seats in the Kyrgyz *Jogorku Kenesh* (the Supreme Council). Due to the violence involved and the scale of the protests, numerous government ministers including President Jeenbekov resigned in order to quell the disobedience, citing the need for "[strong leaders](#)" amid the perception that the protests were calling for his removal. Before resigning, Jeenbekov had appointed former member of the Supreme Council Sadyr Japarov as interim prime minister, just a few days after he was released from prison on 6 October 2020 by protestors as they occupied governmental buildings. When freed by protestors, Japarov was serving an 11-year sentence for [kidnapping a regional governor](#) during the 2013 protests.

Japarov then took the role as acting president instead of the speaker of the Supreme Council who had refused to take office, until the position was confirmed at the January 2021 presidential elections with 79% of the vote.

An ODIHR/OSCE preliminary report on the January 2021 presidential election concluded that despite the fact that mostly candidates could campaign freely, the election was “[dominated by one candidate who benefited from disproportionate financial means and misuse of administrative resources, resulting in an uneven playing field.](#)” While Japarov’s rise can in part be attributed to the global trend of populist nationalism and perceived aggrievance towards a shadowy political elite, the republic’s rather unstable political system is also accountable. Political analysts cite the “[anti-establishment appeal](#)” of Japarov, perpetuated by his outside status as a former convict. Japarov skillfully played the card of the Kyrgyz citizenry’s rage at the parliamentary elite, previously tainted with stories of corruption. His anti-establishment rhetoric and unconventional approach to politics even spurred critical voices to [compare him to former U.S President Donald Trump](#).

Japarov’s election victory gave him and his *Mekenchil* party a mandate to put forward a new draft for the constitution. Amongst a number of high-profile changes, the revised constitution [introduced laws](#) that gave the president comprehensive powers, including that of dismissing and chairing state bodies and committees. This has, in effect, reversed Kyrgyzstan’s parliamentary democracy which was in place since the 2010 April revolution. Though its democracy has not been as [vibrant](#) as some observers might contend, placed in the context of Central Asia, Kyrgyz-style democracy was a promising work in progress that required patience.

The move to a presidential system was confirmed in a participatory referendum, held also on 10 January 2021, in which 80% backed Japarov’s reforms in favor of the presidential system. A low turnout of 39.1% hinted at an electorate tired of elections and political instability. To critics, this constitutional reform is simply a “[revolutionary attempt](#)” of Japarov to “[rewrite the existing social contract.](#)” To his supporters, the nationalist appeal of Japarov is well reflected in his support in the most disenfranchised areas of society, particularly the provincial and rural working class living in relative poverty.

Japarov once again consulted the Kyrgyz population with a referendum on 11 April 2021, leaving the question of whether or not to confirm the new constitution left to the citizenry. Nearly [80%](#) of those who voted approved the new constitution as promoted by Japarov, though it is important to note that the turnout was only 36.7%, a figure which defies the idea of a representative democratic engagement of the populace. The new constitution includes an extension to the presidential term, from a single six-year to two five-year terms; it transfers former executive powers from the government to the president; it confers to the president the power to nominate and dismiss judges, the prosecutor general, the election commission as well as other officials, and finally grants the president the power to initiate legislation. Besides the low voter turnout, [international observers](#) noted that the public debate over the new constitution’s draft was given very limited space. It constitutes a setback to the democratization of Kyrgyzstan, as it poses a limitation to the freedom of expression by introducing a form of moral control, and, perhaps even more importantly, a risk to judicial independence.

Further investigating these events in the Kyrgyz Republic, the Kyrgyz populace's preference expressed electorally, for a more presidential system, should not come as a surprise. Research shows that Kyrgyz citizens [generally prefer a form of presidentialism](#) as they regard it as a means to improve government and state accountability. On the other hand, it is possible to argue that the parliamentary system in Kyrgyzstan [never amounted to true parliamentary democracy](#), as the legislature was generally weak and the majority of political power remained with the president.

One year into the contested parliamentary elections in Kyrgyzstan, the country is now ready to cast ballots for the reduced number of parliamentary deputies (previously 120, now 90) under the new constitution and the 2021 election law, which introduced a more complicated, mixed electoral system. The vote is going to decide the composition of the new parliament, one year after the expiration of the mandate of the 2015 elected deputies, and it is expected to have strong implications for the course of democracy in Kyrgyzstan. As [some analysts](#) noted, the elections could be critical in determining the strength of the parliament to monitor presidential decisions, despite the new limitations to its functions, particularly in case the opposition wins the majority of the seats. The results again will be highly dependent on the turnouts. For Kyrgyzstan, the democratic distinctiveness, which has been a unique feature, however structurally weak, since its independence, compared to the other former Soviet Central Asian republics, means that any tilts to authoritarianism naturally could be a matter of concern for some of its partners, specifically the European Union.

### **Kyrgyz-EU relations: A snapshot**

This kind of democratic backsliding will be of concern for many of the Kyrgyz Republic's western partners, including the European Union, for whom politicians in Brussels remain steadfast in their prioritisation of bilateral cooperation. As one of the most active promoters of democratic principles and the rule of law in the region, the EU's presence in Central Asia has been noticeable since the publishing of its [Strategy on Central Asia in 2007](#). Cordial relations were underlined by the opening of a fully-fledged Permanent Delegation Office in Bishkek in 2010, with the EU supportive of "[the success of democratic and legal reforms](#)" in the republic to promote post-conflict reconciliation. Steps to further upgrade bilateral relations were taken in 2019, with the conclusion of negotiations on a bilateral [Enhanced Partnership and Cooperation Agreement](#), capping off a period in which the EU had assigned EUR 174 million from 2014-2020, known as the [Multiannual Indicative Programme \(MEP\)](#), to finance cooperation programmes in Kyrgyzstan in areas including the rule of law (EUR 37.8 million), education (EUR 71.8 million) and integrated rural development (EUR 61.8 million). Brussels' technical role in the reform of the Kyrgyz education system has also been [noted](#). However, despite being finalized in July 2019, ratification of the agreement stalled, reportedly due to delays in the translation process. [Some sources](#) believe this to be the result of concerns in Brussels surrounding the human rights situation in Kyrgyzstan, which could potentially impact the agreement's ratification by the European Parliament. Nevertheless, the final agreement is expected to satisfy EU institutions and member states alike with [EU Special Representative for Central Asia, Terhi Hakala, reportedly expecting ratification in 2022](#).

In the context of the Covid-19 pandemic, the EU has supplemented its aid to the Kyrgyz Republic by providing emergency relief of more than [EUR 43 million](#). This has [targeted](#) everything from social protection and food security, to macro-financial stability and support to

the private sector. Kyrgyzstan has also benefited from the EU's General Scheme of Preferences Plus (GSP+), which allows no-tariff goods on certain Kyrgyz exports, with the EU in return being allowed remit in the area of sustainable development implementation and the suggestion of governance strategies. This [extends](#) to 27 international conventions related to human and labour rights, as well as the protection of the environment and good governance. [The EU](#) will want to see the Kyrgyz government demonstrate clear progress in the implementation of these 27 commitments in the 2020-2021 GSP+ monitoring cycle.

In this regard, the [EU-Central Asia Economic Forum in Bishkek](#) on 5 November 2021 was regarded as an opportunity to inter alia create an open and more integrated regional market and to push for certain reforms. The main topics covered during the forum were green recovery, digitalisation, and the improvement of the business environment. However, the EU took on a rather cautious posture, attempting not to press too hard regarding the potential implementation of contentious democratic reforms. Still, the Hungarian representative, Minister of Foreign Affairs Peter Szijjarto, whose country experienced democratic backsliding itself in recent years, called for relations to be based on ["mutual respect rather than lecturing each other."](#) [Meanwhile Kyrgyz officials emphasized shared values with the EU as well as stressing the country's efforts in curbing corruption](#), in line with President Japarov's self-proclaimed anti-corruption stance.

The Enhanced Partnership and Cooperation Agreement (EPCA) also outlines steps taken to improve Kyrgyz [predictability and attractiveness](#) for EU investors, including provisions made in line with WTO regulations, such as legal compliance to legislation of public procurement, competition, and technical barriers to trade or better access to raw materials.

The EU continues to support the consolidation of democracy in Kyrgyzstan. However, because EU aid comes from [complementary budget support](#), there is less of a requirement for Kyrgyzstan to confer to EU governance guidance and rule of law support. Brussels advocacy for a parliamentary system is also at odds with Japarov's constitutional reforms leading to a presidential system. Overall, the EU could potentially face a rather complicated relationship with Japarov as a nationalistic figure and his new government, not least because his outlook on foreign policy is generally oriented towards Russia as a conventional partner and towards China in economic terms. Both countries are among the [major trade partners](#) of the Kyrgyz Republic. In March 2021, Kyrgyzstan also [received](#) a shipment of 150,000 doses of the Sinopharm COVID-19 vaccine. In this context, the EU would be wise to reaffirm its solidarity with Kyrgyzstan's shared struggle against the pandemic by continuing to donate to the COVAX facility, and including vaccine support in future aid packages. Some EU member states such as [Austria](#), have already announced vaccine donations to Kyrgyzstan and other central Asian states, as well as a continued financial contribution to the COVAX program.

Though official EU statements on the evolving political situation in Kyrgyzstan in early 2021 indicated [existing concerns](#) regarding the country's current path, it may not be wise for the EU to dwell on political events. The 2019 Strategy provides a framework for Brussels to take a more active role in the region, particularly through its support for civil society groups. This sector has largely suffered under Japarov's government thus far, and the [new constitution will inhibit their work further, allowing the government to enact financial constraints and to use vague "moral and ethical values" to regulate civic activity](#). This is particularly worrying considering the crucial [role of volunteer organisations](#) in supporting the distressed Kyrgyz

healthcare infrastructure in the fight against COVID-19 in the country. During the 17th Cooperation Committee, a high-level bilateral meeting, the EU stressed the importance of the Kyrgyz Republic's commitments to the work and freedom of NGOs, emphasising the contributions that a strong and independent civil society "[can make to sustainable reform processes and to socio-economic resilience in times of crisis.](#)" In this regard, Brussels initiated the EU-Central Asia Civil Society Forum, which took place in Bishkek in July 2019 for the first time. This is meant to raise the EU's visibility and to facilitate exchange among "[grassroots civil society, particularly women and youth as agents of change, the private sector, researchers, media, as well as the governments](#)" in the region. Supporting civil society seems to be the best way forward for Brussels, avoiding explicit political legitimisation of the new Japarov administration and adopting a bottom-up approach towards democracy promotion.

Yet the EU and Kyrgyzstan should also continue to explore potential commonalities in the shared desire to fight the climate crisis. With the European Green Deal and commitment to a net zero carbon economy by 2050, the EU is a major global player in this area. Calling on Kyrgyzstan to strengthen its cause for the protection of its natural environment through joining multilateral efforts, the EU stands ready to assist the nation, particularly on issues such as water management and land degradation. The EU will also continue to cooperate on a regional level with Kyrgyzstan, using the framework provided by the EU-CA High Level Conference on Environment, Water and Climate Change in Uzbekistan in January 2019, in order to push its regional commitments to strong environmental governance and effective management of water resources. Work will continue in this regard within the framework of the EU-funded [European Union – Central Asia Water, Environment and Climate Change Cooperation \(WECOOP\) project.](#)

In the context of the ongoing democratic backsliding in the Kyrgyz Republic, the EU has several options at its disposal, yet it needs to tread carefully. It could reconsider its donor aid in the context of political fragility in Kyrgyzstan where the powerbase is shifting. Though thinking in the long-term is certainly important, the dynamic and volatile political situation could necessitate a renewed focus to attempt to prevent further backsliding on the nation's declining freedoms. On the other hand, the EU must continue to realise that its work in the Kyrgyz Republic will take time to produce results. It would not be wise for the EU to consider any rash measures towards the political situation, as cutting funding streams and donor aid, or imposing economic sanctions would merely worsen bilateral relations and mostly affect the local population, with little impact on the people in power who are driving this tilt away from parliamentary democracy. Besides that, Brussels must continue to support the Kyrgyz economy as well as continue cooperation on [issues](#) such as environmental safety, food security, and education reform. Future EU-Kyrgyz cooperation, as well as more broadly, EU-Central Asia cooperation, should be conducted along the lines of [principled pragmatism](#), meaning that "[desirable social change can only be successfully advanced when it is first anchored in a supportive configuration of power and interest.](#)"

The EU must solidify its support for civil society in Kyrgyzstan while continuing to assist the issues it faces economically and environmentally. Meanwhile, the updated Central Asia strategy will be a chance to consolidate EU-Kyrgyz relations within the regional context; solid regional relations to tackle common issues often require regional efforts and solutions.

During the EU-Central Asia Economic Forum in November 2021, Brussels already demonstrated its commitment to maintaining pragmatic cooperation with Kyrgyzstan and other countries in the region, particularly in the economic dimension. However, the European Union should nevertheless continue to address contentious issues such as democratic backsliding in its talks with external partner countries, as it should actively promote the principal values it ultimately wishes to represent.

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