



Anja Mihr *Editor*

Between Peace and Conflict in the East and the West

Studies on Transformation and
Development in the OSCE Region

OSCE ACADEMY
in Bishkek

OPEN ACCESS

 Springer

Between Peace and Conflict in the East and the West

Anja Mihr
Editor

Between Peace and Conflict in the East and the West

Studies on Transformation and Development
in the OSCE Region

 Springer

Editor
Anja Mihr
OSCE Academy in Bishkek
Bishkek, Kyrgyzstan



ISBN 978-3-030-77488-2 ISBN 978-3-030-77489-9 (eBook)
<https://doi.org/10.1007/978-3-030-77489-9>

© The Editor(s) (if applicable) and The Author(s) 2021. This book is an open access publication.

Open Access This book is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this book are included in the book's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the book's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, expressed or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

Copy Editor: Alina Alymkulova and Language Editor: Christian Bleuer

This Springer imprint is published by the registered company Springer Nature Switzerland AG
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

Foreword

‘Between Peace and Conflict in the East and the West’ is the title of the second edition of the OSCE Academy’s edited compilation of the discussion of events and developments in the remarkable years 2020–21. In the light of the global pandemic and dramatic political shifts, from North America all the way across the Organization for Security and Cooperation in Europe (OSCE) region to Central Asia, this compilation has gathered a number of timely contributions describing and analyzing paradigm shifts in the struggles for power and conflict resolution during the global lockdown. The dramatic halt of migration and remittances, the increase in rates of poverty and unemployment, and the despair in coping with mounting challenges in everyday life have turned silent hostilities into protracted violence and war in some regions of the OSCE and triggered the rise of populist movements in others. The wars and border disputes in the Caucasus and Eastern Ukraine and between former neighboring states in Central Asia re-emerged or were exacerbated over the course of the past year. Continuous threats to weakly established border regimes in some regions, the full closure of borders in others, and the constant stress put on general state capacity to manage the pandemic and its multidimensional fallout have put the OSCE’s key policies and efforts for conflict resolution, the promotion of democracy and human rights, and media freedom to a test—not least in a ‘remote’ phase.

In this volume, scholars, academics, and independent researchers sum up some of the most far-reaching developments of transition and transformation over the past years, many of them cumulating or breaking out during the year of the pandemic. In their chapters on Georgia, Moldova, and Ukraine, Gawrich and Oberson highlight how the OSCE Minsk agreements and missions and allied states aim to keep peace and promote dialogue between hostile parties, seemingly against all odds and despite numerous infringements and lockdowns. A closer look reveals the complexity of the challenges ahead: some of the violent conflicts in the OSCE region are between different state and non-state parties or between paramilitaries and faith-based or nationalistic groups. Financing peacebuilding and finding states to take a lead in

peacebuilding becomes a daily challenge for the OSCE. The pathway to peace is often the lack of political will of key stakeholders among the participating States, as Vieira points out in his chapter.

But the OSCE region is also a geographic bridge and land link between China and Europe. Many of its 57 participating States are host to China's Belt and Road Initiative's (BRI) infrastructural projects. China's influence and its penetration of the OSCE region, especially Central Asia, have consistently increased over the past years. The BRI today matters for policy-making in many participating States and hence shapes OSCE policy debates. Murat, Muhamedov, Marat, and Pomfret highlight the political and economic changes this holds for the region as a land linkage between East and West and the challenges the BRI poses for upholding human rights and democratic standards among the participating States, in particular in the wider region of Eurasia.

The dramatic events around the October 2020 parliamentary elections in Kyrgyzstan illustrate the consequences that can follow from COVID-19 and its subsequent lockdowns, the halt of migration, and the closure of borders. In their contributions on developments in Kyrgyzstan and Tajikistan, Stimac and Aslanova, Bakiev, Doolotkeldieva, and Aleef study the effects of religious movements and the adoption of anti-terrorist laws and inquire about the conditions for the rapid rise of populist leaders to power and the role of organized crime in changing and shaping political regimes over the past years.

The rise of civil society and the growth of a mobile, cosmopolitan young elite and their striving for more transparency and accountability across the region point toward opposite trends and developments in the OSCE region. Albania's efforts to finally hold perpetrators to account for past wrongdoings is described by Stasa, and the rising sensitivity to gender gaps in education in Mongolia as shown by Khajikhan give reason to believe that civil society, victims, and gender-bias affected groups are striving for more equality, human rights, and freedom. The effects that COVID-19 had on international collaboration in conflict zones in Georgia, as shown by Javakhishvili, and how the pandemic changed the paradigms of international relations and regionalism in Central Asia, discussed by Dzhuraev, formulate a demand for more research in the region. This is further highlighted by Mihr's study on how global politics and norms impact local actions, adding further complexity to rising 'glocal governance'. Lambert, in the end, shows that a look back into the past can offer advice for the way forward in his discussion of US classified documents from the early 1990s that already back then outlined a possible roadmap between peace and conflict for the Caucasus.

With this second edition, the OSCE Academy in Bishkek aims to highlight some of the recent research and scholarly work conducted over the course of the years before and during the pandemic. The OSCE region is a 'regional laboratory' for global trends of political and societal transformation and development. The rise of civil

society and of protest movements is confronting the (short term) manifestation of autocratic and populist leaders in an era of lockdowns and closed borders. It remains to be seen how the medium and long-term impact of the pandemic will change once more the transformation processes in the OSCE region over the next years.

Bishkek, Kyrgyzstan
April 2021

Anja Mihr
Editor in Chief for the OSCE Academy Book
Series: Transformation and Development in the
OSCE Region, and DAAD Visiting Professor at
the OSCE Academy
OSCE Academy in Bishkek
a.mih@osce-academy.net

Alexander Wolters
Director of the OSCE Academy in Bishkek
a.wolters@osce-academy.net

Contents

Part I From Conflict to Peace in East and West

1	Conflict Management, International Parliamentary Assemblies and Small States: The Cases of Georgia and Moldova	3
	Andrea Gawrich	
2	Peacebuilding in the OSCE Region—An Analysis of the Juxtaposition Between the Conflict Prevention Center with the United Nations Peacebuilding Fund	23
	Maurício Vieira	
3	OSCE Special Monitoring in Ukraine	47
	Frederic Oberson	
4	China and The OSCE’s Security Identity Crisis	77
	Assel Murat and Rustam Muhamedov	
5	China’s Emerging Political and Economic Dominance in the OSCE Region	95
	Uraimov Marat	
6	The Role of Securitization in the Relationship Between State and Religion—The Example of the Kyrgyz Republic	117
	Zrinka Štimac and Indira Aslanova	
7	The Power Shift from Government to Organized Crime in Kyrgyzstan	139
	Erlan Bakiev	
8	The 2020 Violent Change in Government in Kyrgyzstan Amid the Covid-19 Pandemic: Three Distinct Stories in One	157
	Asel Doolotkeldieva	

9 Identity and Power—The Discursive Transformation of the Former Islamic Revival Party of Tajikistan 175
 Dastan Aleef

10 From Landlocked to Land-Linked? Central Asia’s Place in the Eurasian Economy 195
 Richard Pomfret

11 Gender Difference in Households’ Expenditure on Higher Education: Evidence from Mongolia 211
 Tansaya Khajikhan

Part II Further Research and Debates

12 Transitional Justice in Post-communist Societies—The Case Study of Albania 247
 Ines Stasa

13 Covid-19-Pandemic Measures in Conflict Zones in 2020 and 2021—The Case of the OSCE and South Ossetia in Georgia ... 259
 Irakli Javakhishvili

14 American Classified Paper of 1988 and the Case of Nagorno-Karabakh Conflict 267
 Michael Lambert

15 The Corona Pandemic in Central Asia 279
 Shairbek Dzhuraev

16 “Glocal” Governance in the OSCE Region: A Research Proposal 287
 Anja Mihr

Part I
From Conflict to Peace in East and West

Chapter 1

Conflict Management, International Parliamentary Assemblies and Small States: The Cases of Georgia and Moldova



Andrea Gawrich

Abstract The parliamentary assemblies of the Organization for Security and Cooperation in Europe and the Council of Europe have reputations as bridge-building institutions between western and post-socialist countries. However, territorial disputes between member states pose a challenge to the parliamentary diplomacy of these international parliamentary institutions (IPIs). This article examines how IPIs address conflicts in the cases of two small states facing “frozen” secessionist conflicts, where Russia’s hegemony is involved, namely Georgia with its territorial disputes in South Ossetia and Abkhazia along with Moldova and its secessionist dispute with Transnistria. This contribution unpacks IPI strategies by applying conceptual approaches from parliamentary diplomacy, conflict management and small-states literature, as well as the respective arguments on hegemonic strategies.

Keywords Small states · International relations · International organizations · International parliamentary institutions · OSCE · Council of Europe · Secessionist conflicts

1.1 Introduction¹

The parliamentary assemblies of the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe (CoE) have reputations as bridge-building institutions between western countries and post-socialist states. However, territorial disputes between member states pose a challenge to the parliamentary diplomacy of these international parliamentary institutions (IPIs). This article examines the cases of two small states facing “frozen” secessionist conflicts, where Russia’s hegemony is involved: First in Georgia with territorial disputes in South Ossetia and Abkhazia and second in Moldova with its long-standing secessionist territory in Transnistria.

¹ This work was supported by the LOEWE Research Cluster ‘Conflict Regions in Eastern Europe’ at Justus Liebig University Giessen.

A. Gawrich (✉)
Justus-Liebig University Giessen, Giessen, Germany
e-mail: andrea.gawrich@sowi.uni-giessen.de

As both IPIs have members from hostile conflict parties, the IPIs face the dilemma of how to position themselves for or against member state activities and how to contribute to international conflict-management strategies vis-à-vis small states.

This contribution aims at explaining variances regarding both IPIs' strategies to cope with these "frozen" territorial conflicts by applying conceptual approaches from parliamentary diplomacy, conflict management and small-states, as well as the respective arguments on hegemonic strategies. An IPIs self-perception as part of conflict management is best illustrated by the OSCE PA's position: "Their elected status gives parliamentarians the independence and advantages that can at times open doors to dialogue...[when] regional tensions flare, multilateral meetings of parliamentarians can foster communication and promote peaceful solutions" (OSCE PA 2018b).

Evidently, the OSCE Parliamentary Assembly perceives itself as a conflict management actor. It sketches an ideal scenario, which, however, requires the willingness of parliamentarians from conflict states to cooperate. To maintain cooperation is a fundamental challenge of any International Organization (IO) with member countries having (territorial) conflicts and ignoring fundamental IO norms on non-violence. As IO institutions, IPIs are challenged to address (territorial) conflicts where their parliamentarians' home countries are involved.

Against this background, the essential aim of this contribution is to investigate the strategies IPIs apply to cope with such conflicts. The empirical cases are small states as conflict parties as it is assumed that such states face higher vulnerability at the international level. IPIs are understood as additional international arenas for small states to seek support. There are a number of questions deriving from this, which are to be addressed in this article. It will be explored how both the OSCE PA and PACE pursue their ambition to facilitate conflict-related dialogue between high-level authorities from the small states, the secessionist regions and Russia. Further, do they over- or underestimate their role as confidence-building or mediating institutions?

In terms of political stability, territorial conflicts within or between IO member states pose a risk to any IO. They constitute ongoing violations of fundamental IO norms including state sovereignty, territorial integrity and peaceful cooperation. Moreover, hostile states within an IO undermine intergovernmental cooperation and—within their IPIs—the work of parliamentarians. As a consequence, the IO's overall efficiency is diminished.

Although the Parliamentary Assembly of the Council of Europe (PACE) is regarded as the "second most powerful" IPI after the European Parliament (Šabič 2008: 262), neither PACE nor the OSCE PA is particularly powerful due to their lack of budgetary control and inability to check the power of the executive. PACE ranks among the oldest international parliamentary institutions and has managed to expand its influence over recent decades, establishing itself as Europe's "moral conscience" and is seen as a "school of democracy and human rights" for parliamentarians from Central and Eastern European countries (Gawrich 2014, 2017; Habegger 2005). In comparison, the OSCE PA has less formal power and, although it was explicitly created to foster dialogue between parliamentarians from participating states, the

OSCE PA has an underdeveloped institutional infrastructure, restricting its output (Gawrich 2014; Habegger 2010).

Also, consensus mechanisms and bargaining procedures at the intergovernmental level restrict their roles. Generally speaking, IPIs have greater flexibility to address conflicts in a frank manner. They can much easily exchange with conflict parties than national governments would do. Undoubtedly, the Russian annexation of Crimea in 2014 eroded PACE's and the OSCE PA's relations with the Russian delegation and authorities. Yet the two IPIs' responses to other territorial conflicts in the post-Soviet space remain largely unexplored. Building upon previous research on the implications of the hybrid war between Ukraine and Russia (Gawrich 2017), this paper examines the IPIs' strategies towards two small countries engrossed in protracted "frozen" conflicts, namely Moldova (Transnistria) and Georgia (South Ossetia and Abkhazia), as well as Russian hegemony.

This article expands upon three strands of literature: *first*, approaches to IPI diplomacy, *second*, conflict-management strategies and *third*, small-states' foreign policy analysis, including approaches on hegemons within IOs as Russia's role in these conflicts merits consideration.

1.2 Conflict Management and Strategies of Parliamentary Diplomacy

While referring to Burton and Dukes (1990), Michael Butler conceives of conflict management as "any effort to control or contain an ongoing conflict between politically motivated actors, operating at the state or sub-state level, typically through the involvement of a third party" (Butler 2009: 13). He defines *international* conflict management as the "efforts of third parties [to] limit the spread or escalation of a conflict, to minimize suffering and to create an environment for interaction without resorting to violence" (Ibid., p.15).

International actors, at a minimum, employ strategic *conflict containment*. However, in contrast to more powerful actors who might directly partake in international conflict management via classical international conflict management tools (e.g. crafting legal settlements, brokering agreements, setting up monitoring missions, see e.g. Bercovitch and Regan (2004) per Butler 2009: 14), IPIs have more limited capacities. Their tactics are confined primarily to: *first*, encouraging compliance with an IO's authoritative norm (e.g. PACE's membership monitoring, which might refer to territorial conflicts or the OSCE PA's election observations, which usually do not) and *second*, utilizing deliberate, dialogue-based instruments such as informal meetings to mediate between conflicting parties. Whereas the first strategy is rooted in rationalist views (with little potential to sanction), the second is grounded in social constructivist approaches and focuses on persuasion related to IO norms (for dialogue based instruments and socialization within IOs, see e.g. Checkel 2005; for conditionality, see, e.g. Schimmelfennig and Sedelmeier 2005).

The parliamentary diplomacy strategies (Cofelice and Stavridis 2014; Cutler 2006; Jančić 2015a; Weisglas and Boear 2007) IPIs choose might be explained by their lack of substantial powers of control. IPIs compensate for their weak formal power by focusing on control through communication (e.g. with intergovernmental level or member states) or policy dialogue (e.g. monitoring) (Jančić 2014). They predominantly focus on human rights, democracy and conflict management (Šabič 2008, 262f; Marschall 2005, Jun and Kuper 1997; Lotter 1997). The rise in the number of international institutions and networks since the Cold War has forged new opportunities for IPIs to act as norm entrepreneurs, albeit dependent on the different domestic constraints, financial limitations and individual engagement (Šabič 2013).

Based on international liberal peace norms, international institutions seek to contain conflicts within their sphere of influence to mitigate insecurity. Furthermore, both PACE and the OSCE-PA operate under the assumed mandate to uphold European peace. However, they possess limited power and restrict their activities to supervision and dialogue.

Two distinctive IPI strategies are thus evident to approach the cases of Georgia and Moldova (building especially on Cutler 2001, 217; Cutler 2013; Gawrich 2017; Šabič 2008; Marschall 2005, Jun and Kuper 1997; Lotter 1997; Stegen 2000; Šabič 2013):

- (i) *Supervision of compliance with IO rules*, including operational activities in the form of monitoring reports on a country's compliance with IO rules or election observations in member countries;
- (ii) *Conflict-related dialogue*, whereby PAs counterbalance their lack of formal power through soft communicative activities to foster dialogue among conflicting parties at different diplomatic levels.

1.3 Conceptualizing Small States and Hegemons in IOs

Against this backdrop of supervision and dialogue, small states, like Georgia and Moldova, at the international level are considered as vulnerable, lacking both power and capacities (Katzenstein 1985), and pursue a host of strategies (e.g. bandwagoning with great powers) to cope with their disadvantages (Gvalia et al. 2013; Ingebritsen et al. 2006; Mouritzen and Wivel 2005; Thorhallsson 2018).² Two strategies are frequently pursued by small states at the international level:

Status-seeking strategies: Small states suffer from status insecurity more than medium or great powers do (Carvalho and Neumann 2015: 1). Consequently, they aim to improve or maintain their place in the international hierarchy. Status-seeking strategies within an IPI related to frozen conflicts are *operationalized* related to attempts by Moldovan and Georgian MPs' to stress their country's national integrity

² See on indicators *Statistics Times Country Statistics* (2018); Bertelsmann Foundation (2018); *World Population Review Country Statistics* (2018).

within both assemblies. It is assumed that the conflict framing builds on the own countries' victimization within the conflicts.

Shelter Seeking Strategies: They compensate for their vulnerability through joining IOs and allying with more powerful states (Thorhallsson 2018: 26). Hence, they avoid isolation and stagnation. The territorial conflicts in Georgia and Moldova have contributed to domestic social stagnation due to heavy costs, both material, for example in border management, security provisions, trade embargos; and immaterial costs, such as mistrust or hatred between majority and secessionist entities, and Russian propaganda. For the purpose of this article, shelter seeking is understood as Georgian and Moldovan MPs' attempts to push for PACE and OSCE PA activities to blame the Russian government for its role within the secessionist territories. In this regard, IPIs would be perceived as "neutral brokers".

Although status- and shelter-seeking strategies provide appropriate starting points to examine the relevance of both IPIs to Moldovan and Georgian conflict management, the other side of the coin must be considered as well, namely the role of hegemons within an IO involved in the respective conflicts, in this case Russia. As hegemons are active in IOs and spend resources to push them in a certain direction, small states hope hegemons will respond to an IO's directives (Hurrell 1995; e.g. Mattli 2010). According to the self-perception of both IPIs as trust-generating institutions, their activities towards Russian hegemony include blaming and conflict-related dialogue.

Lobell et al. explain a state's behavior (referring to both hegemons and less influential states) within an IO as when a "state has two or more games or arenas in which it must choose between alternate strategies seeking to maximize beneficial outcomes. The opposing actor in each game will be different and will have its own set of strategies and outcomes. Each game can be thought of as a different arena in which a particular factor is the overriding concern" (2015: 150).

Transferred to this field of study, this article operationalizes the hegemonic strategy of Russian representatives, for example, Russian MPs within both PAs and Russian officials communicating with both PAs, to reject accountability for norm violations through their involvement in the Moldovan and Georgian territorial conflicts.

In this context, five types of activities can be identified which actors involved in IPI conflict management efforts might use. The IPIs *first* apply their legal rights to compliance supervision and, *second*, they implement conflict-related dialogues towards the parties of each conflict (hence, Georgia + Russia and Moldova + Russia). The *third and fourth* strategies refer to Georgian and Moldovan MPs' shelter- and status-seeking. Finally, the *fifth* rejection strategy refers to those, which engage with Russian MPs and Russian authorities.

1.4 Short Characterization of the Conflict Cases and Both PA's Initial Positions on the Conflicts

1.4.1 *The Case of Moldova*

The Transnistrian conflict erupted shortly before the dissolution of the USSR in November 1990 when Transnistrian authorities and the central government fundamentally disagreed on Moldova's state language policy and its political orientation (see Axyonova and Gawrich 2018). After increased violence between the Moldovan Army, secessionist and Russian forces in March 1992, a ceasefire was agreed upon in July. Although several hundred died and approximately 100,000 were internally displaced, this has been the least violent post-Soviet territorial dispute.

As concerns both PAs, they referenced the conflict at an early stage: As Moldova became a participating state of the CSCE (later OSCE) shortly after its independence, the CSCE PA (later OSCE PA) demanded the withdrawal of Russian troops from Moldovan territory as well as a ceasefire agreement (CSCE Parliamentary Assembly 1992).

Prior to Moldova's accession to the CoE in 1995, PACE was considerably optimistic on improved prospects for conflict settlement (PACE 1995). However, various international mediation efforts have not resolved the conflict and it persists in a "frozen" or "protracted" state (Baban 2015). Nevertheless, progress at practical and technical levels is visible (Hill 2018). This has been broadly driven by Moldova's Europeanization efforts. Transnistria benefits from Moldovan integration into the EU's Deep and Comprehensive Free Trade Area, which requires trade-related exchange between Tiraspol and Chişinău (Waal and Twickel 2020).

1.4.2 *The Case of Georgia*

The South Ossetian conflict in Georgia has deep historical roots and intensified after the dissolution of the USSR 1991 (see Axyonova and Gawrich 2018), when the Georgian government intended to reincorporate the region. However, South Ossetia pursued reunification with Russian North Ossetia. Russia brokered a ceasefire agreement in June 1992, but hostilities have resumed at frequent intervals, e.g. in 2004, followed by minor conflict spikes in subsequent years. A full-fledged five-day war erupted in August 2008 over Tbilisi's renewed strategy to increase control over South Ossetia. Russian military directly supported secessionist South Ossetia and later recognized the region's independence (Fischer 2016). Hence, the respective ceasefire agreement left the status of the secessionist entity unresolved (BBC 2008) and remains contested by the Georgian government to date.

The Abkhaz conflict similarly has historical and linguist-nationalistic roots (Petersen 2008). After the collapse of the USSR, the 1992 war led to thousands of civilian casualties and 250,000 IDPs (Hansen 1999), followed by a 1993 Abkhaz

counter-offensive aided by the Russian military (Fischer 2016). Russia brokered a ceasefire agreement in May 1994 which largely held. The Russo-Georgian War in August 2008 spilled into Abkhazia and led to the Russian recognition of the region's independence. The conflict in Abkhazia has since remained frozen. As concerns both secessionist regions, there have been no recent substantial changes to the status quo and it is broadly expected to remain frozen for the time being (Waal and Twickel 2020).

When Georgia joined the Council of Europe in 1999, PACE acknowledged Georgia's efforts to improve the political climate through increased exchange with both secessionist regions (PACE 1999). In contrast, the CSCE PA's annual declarations of 1993, 1994 and 1995 never referenced either conflict (CSCE Parliamentary Assembly 1993, 1994; OSCE PA 1995).

1.5 The Moldovan and Georgian Conflict Cases in the PACE

PACE established a considerably powerful monitoring mechanism over time inspired by the accession of new members in the 1990s. This does not allow for immediate sanctions but empowers PACE with naming and shaming capacities (see Gawrich 2015). The annexation of Crimea in 2014 and the ensuing war in Eastern Ukraine marked a turning point in PACE's strategy towards Russia. In April 2014, PACE suspended the Russian delegation's participation rights, which PACE has used sparingly (e.g. not during the Russian-Georgian war in 2008).

This PACE strategy towards Russian MPs in the context of the Ukraine war led to *spill-over effects* in the treatment of the frozen conflicts in Moldova and Georgia: a parliamentary "Sub-Committee on Conflicts between Council of Europe Member States" was established in 2016 to reinforce its conflict-related strategies (PACE 2015; PACE Monitoring Committee 2016b). The Sub-Committee performs specific monitoring activities and encourages conflict-related dialogue between MPs from Russia, Georgia, Moldova and other inter-state disputes in the region.

As concerns Moldova, the conflict in Transnistria has been under constant PACE supervision. The conflict's freezing occurred prior to Moldova's accession to the CoE in 1995 and PACE has consistently demanded "rapprochement" between Moldova and Transnistria (PACE Monitoring Committee 7/13/2015b). PACE's strategy to monitor the social, economic and political conditions both in Moldova as well as in Transnistria evokes criticism from Moldovan authorities given their skepticism towards any quasi-statehood concessions to Transnistria. However, PACE's demand for full reintegration of the country under Chişinău's government does not quell the fears of Moldovan officials (PACE Monitoring Committee 2008a, b, 2012, 2015, 2016a).

Even though the frozen conflicts in Georgia turned hot during the August 2008 war, its two breakaway regions did not receive much attention from PACE's Monitoring Committee before 2008 (PACE Monitoring Committee 2008a). Prior to and after the 2008 war, PACE's overall strategy towards Georgia called for peaceful relations with the secessionist entities. Yet, monitoring reports also reveal patience for Georgia's lack of democratic and institutional progress, acknowledging the challenges the Georgian administration faces in coping with the regions (e.g. PACE Monitoring Committee 2004, 2006). PACE pursues a balanced approach, not only supporting Georgian efforts to unify the country, but demanding Georgian authorities treat non-Georgian minorities fairly (including Russians, South Ossetians and Abkhaz people) (PACE Monitoring Committee 2010), e.g. through demanding fair prosecution of violations committed by *all* conflict parties (including Georgians) after the 2008 war (PACE Monitoring Committee 4/30/2009).

Russia is still regarded as a hegemon in the region and designs its role in all regional organizations covering Eurasia through a number of influential strategies (Willerton et al. 2015). As for the treatment of this still remaining Russian hegemony in these territorial conflicts, PACE did not systematically refer to its activities in Moldova or Georgia and did not repeatedly qualify Russia as an aggressor in these conflicts while monitoring developments (e.g. PACE Monitoring Committee 2002). Instead, PACE mainly referred to shortcomings related to democratic values and human rights violations in the Russian Federation itself (PACE Monitoring Committee 2016a).

Russian hegemonic strategies, on the other hand, are more limited since the Russian PACE delegation had its membership credentials suspended between April 2014 and June 2019 during which its MPs could not vote or participate in the leading Assembly bodies, leading Russia to withdraw from parliamentary participation in 2015 (Steininger 2018). Furthermore, Russia's rejection of PACE's sanctioning of Russian MPs is visible: According to Chairman Leonid Slutsky of the International Committee of the Russian State Duma, the sanctions are "anti-Russian hysteria" and accused PACE of being influenced by a "Russophobic minority" (2018).

PACE reinforced its general commitment to territorial integrity and sovereignty as the Georgian-Russian war in August 2008 compelled the Assembly to formulate a resolution on national sovereignty and statehood (PACE 2011). This document was meant to become PACE's point of reference in future territorial conflicts among member states.

To sum up, Russia was not sanctioned for its involvement in either conflict. Moldova and Georgia were encouraged to increase their internal relations with the secessionist entities (despite profound skepticism) and to treat all people equally. Instead of qualifying Russia as an aggressor too sharply, the 2008 Russo-Georgian War contributed to PACE's norm reinforcement related to territorial disputes in general. Russia's self-imposed role and understanding as a peace broker in Eurasia is well-illustrated by its contribution to the negotiation of the ceasefire agreement, which ended the war between Armenia and Azerbaijan between September and November 2020, as well as its attempt to keep other international organizations out of this conflict zone (Sporrer and Knoll 2021).

As PACE's supervision mechanism towards both small states and the regional hegemon focuses on demanding Moldova and Georgia pursue reunification rather than strongly criticizing Russia, its approach avoids unilateral blaming and emphasizes the responsibility of all conflict parties. Consequently, the status- and shelter-seeking preferences of Georgian and Moldovan representatives could not align with PACE's priorities.

1.6 Conflict-Related Dialogue

Within PACE's conflict-related dialogues, MPs visit Moldova *and* the breakaway Transnistrian region. They have met with de facto secessionist authorities to discuss normalization of relations and a potential conflict resolution (PACE Monitoring Committee 2008b). This strategy is ambiguous as Moldovan authorities fear that PACE MP's dialogue with Transnistrian authorities reinforces its international legitimacy. However, PACE repeatedly demanded conflict-related dialogue between Moldovan and Transnistrian officials (see e.g. PACE Monitoring Committee 2012) and perceives its role as a *platform* for conflict-related dialogue (e.g. multiple PACE presidents have offered the Moldovan parliament dialogue facilitation with Transnistria) (PACE 2006, 2012).

PACE was less successful in establishing dialogue with the authorities from the breakaway regions in *Georgia*, as it failed to arrange meetings in South Ossetia and Abkhazia in 2013. Instead, they held meetings in Tbilisi and Moscow and publicly denounced the contradictory views on the 2008 war (PACE Monitoring Committee 2013). Hence, PACE was more cautious in pushing for dialogue between Georgians and secessionists than in the Moldovan case (PACE Monitoring Committee 2009).

Hence, according to its perceived advantage of parliamentary independence, PACE pursued conflict-related dialogue with all involved parties in both cases. However, the conditions were comparably more conducive in Moldova than in Georgia, where PACE did not get access to the breakaway regions.

1.7 Status-Seeking, Shelter-Seeking and Hegemonic Strategies

Modest use of shelter-seeking and status-seeking strategies can be discerned amongst parliamentary "motions" initiated by Moldovan parliamentarians. Since joining the CoE in 1995, around 65 MPs or substitute MPs have represented Moldova.³ Of

³ For information on the Moldovan PACE MPs, as well as on the activities of single MPs, see <http://www.assembly.coe.int/nw/xml/AssemblyList/MP-Search-Country-Archives.EN.asp?CountryID=28> (accessed 07.01.19). The overall number of MPs of all national delegations depends on the length of the term of each MP. The Moldovan PACE delegation consists of 5 delegates. Furthermore, how

those, more than 30 never participated in any visible parliamentary activity such as initiating a motion, posing a question to the CoE ministers, etc. Generally, the number of Moldovan PACE MPs who initiated motions or drafted declarations and questions related to Transnistria has been low.

Hence, they have infrequently used shelter-seeking strategies: In 1998, a Moldovan parliamentarian supported by nearly 50 MPs from various countries (among them four Moldovans and a handful of Romanians) initiated a motion to condemn Transnistrian separatist activities, however the motion was not heard in the plenary discussion (PACE 1998). In 2000, the same MP initiated a similar motion with the support of around 20 MPs which again failed to reach the plenary (PACE 2000). Both motions called for improved conflict settlement efforts by all conflict parties. A further unsuccessful attempt came after the political climate reignited following the 2014 annexation of Crimea when another Moldovan MP attempted to rally PACE to strengthen legal standards preventing separatism in CoE countries (PACE 2014). Clearly, the moderate shelter-seeking strategy by Moldovan MPs since 1995 failed to gain substantial support due to a lack of interest among other PACE parliamentarians.

Apart from motions related to Transnistria, a spattering of Moldovan MPs supported initiatives related to other regional conflicts (e.g. the Balkan conflicts or the annexation of Crimea) or conflict management in general (PACE 2018). Furthermore, MPs attempted to pursue status-seeking strategies related to Moldova's deficient democracy standards for which a few Moldovan MPs attempted to increase pressure from the CoE to push their governments into a more compliant direction (e.g. PACE 2003, 2016a, d). It can be concluded that Moldovan parliamentarians within PACE were not especially active in employing shelter- and status-seeking strategies. There is no obvious pattern explaining this behavior. Were it due to a lack of experience with PACE's procedures shortly after Moldova's CoE accession, then their activities would later increase, which has not been observable. There is also no pattern in the age of active or passive MPs, hence, their political socialization during the Soviet era or after does not provide an alternative explanation.

The Georgian example strikes a contrast: Since Georgia joined the CoE in 1999, four years after Moldova, the number of total Georgian MPs in PACE is considerably lower, although the size of both countries' delegations has remained at 5 MPs. Of the 58 Georgian MPs and their substitutes, more than two-thirds showed evident parliamentary activity.⁴ Hence, Georgian MPs were considerably more enterprising than their Moldovan colleagues. However, only a small number supported (or initiated) motions, resolutions or written declarations related to the conflicts in South Ossetia or Abkhazia and their consequences, none of which reached the plenary level. Their activities sought to increase pressure on Russia, addressing its influence

often a MP was represented by his/her substitute cannot be traced. Hence, both groups of MPs, representatives and their substitutes, are treated in the same way for this analysis.

⁴For information on the Georgian PACE MPs, as well as on the activities of single MPs, see <http://www.assembly.coe.int/nw/xml/AssemblyList/MP-Search-Country-Archives-EN.asp?CountryID=16> (accessed 08.01.19).

on the separatist territories and its unilateral recognition of both territories. Some of these initiatives explicitly framed the conflicts, e.g. as a Russian “de facto annexation” of both territories and blamed the international community for its “lack of serious international attention” before the 2008 war (PACE 2001a, b, 2002, 2008).

Georgian MPs attempted to use shelter-seeking strategies by blaming the Russian hegemon for its non-compliance with CoE rules and criticizing its annexation of Crimea and hybrid war in Ukraine (PACE 2016c). Similar to Moldovan MPs, Georgian MPs have backed motions or declarations related to other Eastern European conflicts and urged PACE to devote more attention (PACE 2016b).

This evidence reveals how both countries’ delegations deployed status- and shelter-seeking strategies in PACE and that their attempts constituted a modest pattern as they were not especially prolific. Georgian MPs pursued visible parliamentary activities more often than Moldovan MPs and more frequently tried to raise conflict issues at plenary debates.

The Russian delegation is comparably bigger with 18 members in PACE.⁵ Between Russia’s (internationally highly contested) accession to the CoE in 1998 and the suspension of its delegation in 2014, the delegation’s general level of activity rose in the late 2000s. However, any action related to conflicts involving Russia was avoided entirely. What is more: the CoE monitoring reports on Georgia and Ukraine which take into account the challenges imposed on these countries by Russia are flatly rejected by individual MPs. The Russian rejection strategy is also accompanied by a misdirection strategy known as “whataboutism”, by which MPs direct attention away from Russia to other international actors, with “worse” infractions than Russia—without facing sanctions (for more, see Dougherty 2014).

1.8 The Moldovan and Georgian Conflict Cases in the OSCE-PA

The OSCE PA’s capacity to effectively *supervise norm compliance* and *initiate conflict-related dialogue* differs substantially from PACE. The parliamentary work is less institutionalized. The PA has less power to monitor non-compliance among OSCE states or conflict parties due to the lack of a specific monitoring committee. Nevertheless, the OSCE PA’s Rules of Procedure do cover policy-related dimensions which explicitly define a responsibility to “develop and promote mechanisms for the prevention and resolution of conflicts” (Rule 3 Responsibilities and Objectives of the Assembly, par. c) OSCE PA 2018d).

⁵ For information on the Russian PACE MPs, as well as on the activities of single MPs, see <http://www.assembly.coe.int/nw/xml/AssemblyList/MP-Search-Country-Archives-EN.asp?CountryID=35> (accessed 9.1.19).

1.8.1 Supervision

Evidence of the OSCE PA's strategy to supervise participating state compliance is primarily found in the declarations and resolutions announced in its annual plenary sessions, which are the most influential and visible PA documents.

In contrast to the Russian PACE delegation, the Russian OSCE PA representatives were not suspended after the annexation of Crimea. This was attributed to the greater number of presumably pro-Russian national delegations such as Belarus and Central Asian countries. Nevertheless, the OSCE PA was remarkably vocal at its Annual Session declaration in Berlin 2018 when it urged Russia to “withdraw its military units from the territory of Georgia and reverse its recognition of Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia, as independent States”. The PA also articulated its support of “the policy of the Government of Georgia towards a peaceful conflict resolution, directed towards the de-occupation of Georgian regions, on the one hand, and reconciliation and confidence-building between the communities divided by occupation lines, on the other hand” (OSCE PA 2018a).

As declarations and resolutions from other annual sessions show, the OSCE PA's supervision of non-compliance related to the Georgian and Moldovan conflicts has been ongoing (OSCE PA 2013, 2015, 2016, 2017a, 2018a). For example, in a special resolution on Moldova articulated at the 2016 Annual Session in Tbilisi, the OSCE PA deemed the Transnistrian conflict “a serious threat to security and stability in Europe and the OSCE area”, framing the issue as a hazard for all of Europe (OSCE PA 2016). At the 2015 Session in Helsinki, on the 40th anniversary of the signing of the OSCE's founding 1975 Helsinki Document, the OSCE PA adopted a resolution on Russia broadly deriding its non-compliance with OSCE commitments, including its role in the conflicts in Moldova and Georgia, while affirming the “right of Georgia and the Republic of Moldova to be free of coercive external influence from the Russian Federation and [reconfirming] its support for their independence, sovereignty, and territorial integrity” (OSCE PA 2015). However, a specific decision denouncing a hegemon like Russia for its involvement in two conflict areas is rare. Thus, the OSCE-PA's contribution to *conflict containment* by using a strategy of supervision of a hegemon is limited to announcing its position prominently and framing the issue in a particular light.

1.9 Conflict-Related Dialogue

As introduced above, the OSCE PA's self-perception refers to its alleged ability as a facilitator of dialogue in situations of regional tensions (OSCE PA 2018b). The PA's principal strategy in addressing political conflicts is to appoint *Special Representatives* (SR) for various fields of parliamentary diplomacy. Three such SRs have been assigned with mandates relevant to the conflicts under examination.

The *SR on the South Caucasus* was installed in 2010 (OSCE 2011) to promote dialogue and confidence-building measures in the region (Armenpress 2013). The post was held by Bulgarian MP Kristian Vigenin (OSCE PA 2018c), who resigned a few years later due to his lack of power. SR Vigenin concluded that his position “in the current conditions will remain purely ceremonial [as] the situation on the ground does not provide an opening for broader dialogue and initiatives which reach beyond the well-known zone of comfort for the players [and] there is no financial support for his/her work” (Vigenin 2018). Although the SR on the South Caucasus visited Nagorno-Karabakh, the disputed border region between Armenia and Azerbaijan (OSCE PA 2017b), he was not allowed inside the secessionist territories in Georgia, a fact which the OSCE PA lamented in its 2018 resolution (OSCE PA 2018a). Hence, the PA was hindered in establishing conflict-related dialogue in the disputed territories of Georgia. Russia has been made explicitly responsible for the denial of access to international monitors in both regions, whereas the Georgian government’s efforts to normalize relations has been valued highly by PA documents (OSCE PA 2019a).

In 2017, the OSCE PA appointed an *SR on Eastern Europe* whose mandate included “spheres of parliamentary diplomacy, confidence building, reconciliation and dialogue facilitation”. Although this position was held by former OSCE PA Vice-President Kent Harstedt, the SR did not appear to be especially active and the position ceased to exist after Harstedt departed the PA (for the mandates of the individual SRs, see OSCE PA 2019b; OSCE Parliamentary Assembly International Secretariat 2019).

The position of the *SR on Mediation*, created in 2016 for some years pursued conflict-related dialogue. The office was held by former OSCE PA President and ex-Finish Foreign Minister Ilkka Kanerva with a mandate to strengthen “the PA’s preparedness for mediation and dialogue facilitation” (for the mandates and initial reports, see OSCE PA 2019b). SR Kanerva has concentrated on raising the profile of parliamentary mediation among influential OSCE bodies (OSCE PA International Secretariat 2017), and from early she did emphasize the potential outbreak of Transnistrian conflict in Moldova (Kanerva 2016).

In 2000 the OSCE PA established a specific mechanism to foster conflict-related dialogue in Moldova, a *Parliamentary Team* “to promote peace, stability and the rule of law..., while affirming the unity of the State, by engaging in and promoting dialogue between...different sections of the Moldovan population” and with a priority on resolving the status of Transnistria (OSCE PA 2010a), which managed to establish contacts between both conflict parties (OSCE PA 2010b; OSCE PA International Secretariat 2012). High-level meetings with the two conflict parties were also held by then-PA President Petros Efthymiou (OSCE PA International Secretariat 2011b), who emphasized conflict dialogue within the OSCE area as his priority (OSCE PA International Secretariat 2011a, 2016a), as did the then PA President Ilkka Kanerva in 2015 towards Duma representatives. He lamented the “absence of [our] Russian colleagues from the Annual Session” in the aftermath of the Annexation of Crimea. He valued “the important contribution of the Russian Delegation to the OSCE PA” and framed their prospective return to the PA as part of the PA’s attempt to contribute to “a diplomatic resolution to the crisis in and around Ukraine” (OSCE

PA International Secretariat 2015). Similar inclusive approaches towards Russia have been pursued by other PA presidents (e.g. OSCE PA International Secretariat) and build on earlier traditions as could have been shown after the Russian-Georgian war in 2008 (OSCE PA International Secretariat 2008a, c).

Overall, the OSCE PA contributed differently to the conflict-related dialogues in both states. In the case of Georgia, frustration over the SR's lack of success dominated. In contrast, the Parliamentary Team on Moldova initiated dialogue with the conflict parties more successfully. Evidently, the OSCE PA's parliamentary independence, which it frames as an advantage, was only fruitful in the Moldovan case. As for the PA's involvement with the Russian delegation, its attempts to maintain close and positive cooperation has been evident.

In times of growing alienation between Russia and other OSCE participating states, hence, we are witnessing some degree of erosion of the relation between Russia and other European states. Nevertheless, the OSCE's PA strength is its maintenance of channels of communication among members of parliament of all member states, by keeping the dialogue on equal footing and without pressure to produce a specific outcome of any kind.

1.9.1 Status-Seeking, Shelter-Seeking and Hegemonic Strategies

The OSCE PA does not provide detailed information about the activities or initiatives of individual MPs. Hence, there is limited empirical knowledge about its Georgian and Moldovan MPs *status-* and/or *shelter-seeking* strategies. Nevertheless, high-level authorities in both countries have been observed cooperating with representatives of the OSCE PA and thus appreciate the PA's support for dialogue-based solutions to the conflicts (e.g. OSCE PA International Secretariat 2008b, 2010, 2011a, 2018). However, there is no indication that representatives from Georgia or Moldova consider the OSCE PA an institution capable of elevating their international status or providing shelter against threats. This was apparent when the SR on the South Caucasus remarked in early 2018: "My assumption that parliamentarians are more flexible and more free to embrace new options and ideas was wrong in this setting—when it comes to issues of high sensitivity, related to national security and core national interests, Parliaments inevitably respect and follow strictly the general line established by Presidents and governments" (Vigenin 2018).

Although this pessimistic view is mainly directed towards the SR's experiences in pursuing dialogue in the Nagorno-Karabakh conflict, his findings are relevant to all three South Caucasian countries. The SR's conclusion identifies fundamental skepticism towards international parliamentary diplomacy in conflict-prone settings. In high-level politics, members of the OSCE PA tend to primarily follow their own government's foreign policy priorities instead of crossing the lines of national interests towards broader joint parliamentary coalition-building.

In addition, there is no evidence that Russian MPs pursued a strategy related to the country's conflicts with other OSCE states. On the one hand, Russian MPs showed their willingness to dialogue with Georgian MPs at the Fall Session 2008 (see above) shortly after the Russian-Georgian war and repeated this after the start of the hybrid war in Ukraine (see Gawrich 2017). On the other hand, there is no indication that the Russian delegation attempted to divert the OSCE PA's conflict perception.

1.10 Conclusion

Studies on IPI's parliamentary diplomacy strategies regarding territorial conflicts between small states and a hegemon require improved conceptual foundations and empirical tests. This article sets out to identify the strategies with which both PAs operate to address conflicts between member states as well as the outcome of these strategies. Such an approach allows for the following results:

The *Supervision of compliance* is a fundamental strategy in both PAs, albeit far better equipped in PACE than in the OSCE PA. Both PAs deployed their supervision strategies to address the conflicts in Transnistria, Abkhazia and South Ossetia, yet the PAs only intermittently engaged the issue. More generally, Russia's hegemony was frequently monitored and criticized mainly as it pertained to severe regime-related breaches of both IOs' norms. However, criticism regarding the conflict regions was not central to either PAs' Russia-related documents.

As far as *conflict-related dialogue* is concerned, both IOs showed similar ambitions and self-perceptions to act as platforms for dialogue for all conflict parties. Consequently, the ambition to facilitate conflict-related dialogue between high-level authorities from the small states, the secessionist regions and Russia was visible in both IPIs and went hand in hand with the PAs' overestimation of their own capacities. Their rhetoric revealed a struggle to define their own roles as mediators as opposed to mere intergovernmental arenas. However, although there is little evidence of progress in conflict management, the effects of international parliamentary discussions on the conflicts and effects of international parliamentary confidence building through dialogue with authorities might not be measurable as they do not provide visible effects. Nevertheless, more influential intergovernmental formats (e.g. the 5 + 2 talks in Moldova and the Geneva International Discussions on Georgia) were also unsuccessful.

This article's findings have shown there is a tangible gap between the IPIs' perceptions of their capacities as mediation platforms between conflict parties. Furthermore, the Georgian and Moldovan MPs alongside their national counterparts do not (in the case of the OSCE PA) or only to a low degree as in the case of PACE, perceive the PAs as adequate havens for shelter or support in their conflicts. This is mirrored by Russia's reactions as the regional hegemon involved in the conflicts. In the case of PACE, Russia modestly rejected any blame and attempted to pursue diversionary tactics. In the case of the OSCE PA, there was no need to do so.

To conclude, three issues are now clear: *First*, the presumed benefit of IPI MPs in dialogue facilitation cannot be confirmed. One explanation could be that PACE could only feebly suspend conflict parties (a now defunct tool), while the OSCE PA never could. *Second*, the Georgian and Moldovan MPs have shown little effort in encouraging the IPIs' supervision and dialogue mechanisms. This might be explained by an inability to garner the support of MPs from bigger and more influential countries or their relative inexperience at the international level. *Third*, however, although we cannot measure substantial effects, IPIs must be conceptualized as part of multi-track diplomacy in international conflict management, which has been mostly overlooked.

References

- Armenpress (2013) OSCE Parliamentary assembly special representative on south caucasus to visit Armenia, Azerbaijan and Georgia, 5 January
- Axyonova V, Gawrich A (2018) Regional organizations and secessionist entities: analysing practices of the EU and the OSCE in post-soviet protracted conflict areas. *Ethnopolitics* 17(4):408–425
- Baban I (2015) The transnistrian conflict in the context of the Ukrainian crisis. Research Paper No. 122. NATO Defense College Research Division
- BBC (2008) Russia 'ends Georgia operation'. Available at <http://news.bbc.co.uk/2/hi/europe/7555858.stm>. Accessed 3 August 2016
- Bercovitch J, Regan P (2004) Mediation and international conflict management: a review and analysis. In: Maoz Z (ed) *Multiple paths to knowledge in international relations: methodology in the study of conflict management and conflict resolution*. Lexington Books, Lanham, pp 249–272
- Bertelsmann Foundation (2018) Transformation index BTI. Available at <https://www.bti-project.org/en/data/rankings/governance-index/>. Accessed 1 September 2019
- Burton JW, Dukes F (1990) *Conflict: practices in management, settlement, and resolution*. Palgrave Macmillan, Basingstoke
- Butler MJ (2009) *International conflict management*. Routledge, London
- de Carvalho B, Neumann IB (eds) (2015) *Small states and status seeking: Norway's quest for international standing*. Routledge, Oxon, New York
- Checkel JT (2005) International institutions and socialization in Europe: introduction and framework. *Int Organ* 59(04):801–826
- Cofelice A, Stavridis S (2014) The European parliament as an international parliamentary institution (IPI). *Eur Foreign Aff Rev* 19(2):145–178
- CSCE Parliamentary Assembly (1992) Budapest declaration of the CSCE parliamentary assembly
- CSCE Parliamentary Assembly (1993) Final Helsinki declaration of the CSCE parliamentary assembly: CSCE (2) Plen. 15
- CSCE Parliamentary Assembly (1994) Vienna declaration of the CSCE parliamentary assembly: PA (94) 7
- Cutler RM (2006) The OSCE's parliamentary diplomacy in central Asia and the south caucasus in comparative perspective. *Stud Diplom* 59(2):79–93
- Cutler RM (2013) International parliamentary institutions as organisations. *J Int Organ Stud* 4(1):104–126
- Dougherty J (2014) *Everyone Lies: the Ukraine conflict and Russia's media transformation*. Available at <https://shorensteincenter.org/wp-content/uploads/2014/07/d88-dougherty.pdf>. Accessed 1 August 2019
- Fischer S (2016) Not Frozen! The unresolved conflicts over Transnistria, Abkhazia, South Ossetia and Nagorno-Karabakh in Light of the Crisis over Ukraine. SWP Research Paper No. 9. Berlin

- Gawrich A (2014) *Demokratieförderung von Europarat und OSZE: Ein Beitrag zur europäischen Integration*. VS Springer, Wiesbaden
- Gawrich A (2015) Too little, too late? Governance transfer and the eastern enlargement of the council of Europe. In: Börzel TA, van Hüllen V (eds) *Governance transfer by regional organizations: patching together a global script*. Palgrave Macmillan UK; Imprint; Palgrave Macmillan, London, pp 211–226
- Gawrich A (2017) A bridge with Russia? The parliamentary assemblies of the OSCE and of the council of Europe in the Russia-Ukraine crisis. In: S Stavridis, D Jancic (eds) *Parliamentary diplomacy in European and global governance*. Leiden/Boston, Brill Publishers
- Gvalia G, Siroky D, Lebanidze B et al (2013) Thinking outside the bloc: explaining the foreign policies of small states. *Secur Stud* 22(1):98–131
- Habegger B (2005) *Parlamentarismus in der internationalen Politik: Europarat, OSZE und Interparlamentarische Union*. Baden-Baden, Nomos
- Habegger B (2010) Democratic accountability of international organizations: Parliamentary control within the council of Europe and the OSCE and the prospects for the united nations. *Coop Confl* 45(2):186–204
- Hansen G (1999) Displacement and return. *Conciliation Resources A Question of Sovereignty: The Georgian-Abkhaz Peace Process*, pp 58–63
- Hill WH (2018) The Moldova-Transdnistria-Dilemma: local politics and conflict resolution. Available at <https://carnegie.ru/commentary/75329>
- Hurrell A (1995) Explaining the resurgence of regionalism in world politics. *Rev Int Stud* 21(4):331–358
- Ingebritsen C, Neumann I, Gstohl S et al (2006) *Small states in international relations*. University of Washington Press, Seattle, Reykjavik
- Jančić D (2014) The European parliament and EU-US relations: revamping institutional cooperation? In: Fahey E, Curtin D (eds) *A transatlantic community of law: legal perspectives on the relationship between the EU and US legal orders*. Cambridge University Press, Cambridge, pp 35–68
- Jančić D (2015) Globalizing representative democracy: the emergence of multilayered international parliamentarism. *Hastings Int Comp Law Rev* 38(2):197–242
- Jančić D (2015) Transnational parliamentarism and global governance: the new practice of democracy. In: Fahey E (ed) *The actors of postnational rule-making: contemporary challenges of international and European law*. Routledge, London, pp 213–232
- Kanerva I (2016) OSCE group of friends of mediation–meeting. Available at <https://www.oscepa.org/documents/all-documents/special-representatives/mediation/3437-ilkka-kanerva-speech-osce-group-of-friends-of-mediation-meeting-16-nov-2016/file>. Accessed 1 September 2019
- Katzstein PJ (1985) *Small states in world markets: industrial policy in Europe*. Cornell University Press, Ithaca
- Lobell SE, Jesse NG, Williams KP (2015) Why do secondary states choose to support, follow or challenge? *Int Polit* 52(2):146–162
- Marschall S (2005) *Transnationale Repräsentation in Parlamentarischen Versammlungen: Demokratie und Parlamentarismus jenseits des Nationalstaates*. Baden-Baden, Nomos
- Mattli W (2010) *The logic of regional integration*. Cambridge University Press
- Mouritzen H, Wivel A (2005) *The geopolitics of Euro-atlantic integration*. Routledge, London
- OSCE (2011) *Annual report 2010*. Available at <https://www.osce.org/secretariat/76315?download=true>. Accessed 1 September 2019
- OSCE PA (1995) *Ottawa declaration of the OSCE parliamentary assembly*
- OSCE PA (2010a) *Parliamentary team on Moldova visits Chisinau and Tiraspol*. Chisinau
- OSCE PA (2010b) *Parliamentary team calls for political dialogue*. Copenhagen
- OSCE PA (2013) *Istanbul declaration and resolutions adopted by the OSCE parliamentary assembly at the twenty-second annual session: AS (13) DE*
- OSCE PA (2015) *Helsinki declaration and resolutions adopted by the OSCE parliamentary assembly at the twenty-fourth annual session: AS (15) DE*

- OSCE PA (2016) Tbilisi declaration and resolutions adopted by the OSCE parliamentary assembly at the twenty-fifth annual session: AS (16) DE
- OSCE PA (2017a) Minsk declaration and resolutions adopted by the OSCE parliamentary assembly at the twenty-sixth annual session: AS (17) DE
- OSCE PA (2017b) OSCE PA special representative on the south caucasus concludes regional visit in Yerevan with renewed appeal for peace efforts
- OSCE PA (2018a) Berlin declaration and resolutions adopted by the OSCE parliamentary assembly at the twenty-seventh annual session: AS (18) DE
- OSCE PA (2018b) General factsheet: the OSCE parliamentary assembly. Available at <https://www.oscepa.org/documents/factsheet/669-factsheet-english/file>. Accessed 9 February 2018
- OSCE PA (2018c) Kristian Vigenin (Bulgaria). Available at <https://www.oscepa.org/about-oscepa/bureau/vice-presidents/2883-kristian-vigenin-bulgaria>. Accessed 1 March 2019
- OSCE PA (2018d) Rules of Procedure
- OSCE PA (2019a) Luxemburg declaration—resolution on the security and human rights situation in Abkhazia, Georgia, and the Tskhinvali Region/South Ossetia, Georgia
- OSCE PA (2019b) Special Representatives. Available at <https://www.oscepa.org/about-oscepa/special-representatives>. Accessed 1 August 2019
- OSCE PA International Secretariat (2008a) News from Copenhagen
- OSCE PA International Secretariat (2008b) News from Copenhagen
- OSCE PA International Secretariat (2008c) News from Copenhagen
- OSCE PA International Secretariat (2010) News from Copenhagen
- OSCE PA International Secretariat (2011a) News from Copenhagen
- OSCE PA International Secretariat (2011b) News from Copenhagen
- OSCE PA International Secretariat (2012) News from Copenhagen
- OSCE PA International Secretariat (2015) News from Copenhagen
- OSCE PA International Secretariat (2016a) News from Copenhagen
- OSCE PA International Secretariat (2016b) News from Copenhagen
- OSCE PA International Secretariat (2017) News from Copenhagen
- OSCE PA International Secretariat (2018) News from Copenhagen
- OSCE Parliamentary Assembly International Secretariat (2019)
- PACE (1995) Application by Moldova for membership of the Council of Europe: Opinion 188
- PACE (1998) Violations of human rights in the eastern part of the Republic of Moldova. Motion for a recommendation: Doc. 8236
- PACE (1999) Georgia's application for membership of the Council of Europe: Opinion 209 (1999)
- PACE (2000) Resolving the Transnistrian conflict. Motion for a resolution: Doc. 8718
- PACE (2001a) Situation in Georgia and the entire Caucasus region. Motion for an order: Doc. 8958
- PACE (2001b) Actions taken by the authorities of the Russian Federation against Georgia which are incompatible with membership of the Council of Europe. Written Question No. 401 to the Committee of Ministers: Doc. 9268
- PACE (2002) Events of 12 April 2002 in Georgia. Written Declaration No. 339: Doc. 9427
- PACE (2003) Situation in Moldova. Written question No 425 to the Committee of Ministers presented by Mr. Cubreacov and Mrs. Patereu: Doc. 9766
- PACE (2006) Situation in Transnistria: PACE President calls for "rapprochement and dialogue"
- PACE (2008) Declaration on the unilateral decision by the Russian Federation to legalise ties with the Georgian regions of Abkhazia and South Ossetia. Written declaration No. 408: Doc. 11584
- PACE (2011) National sovereignty and statehood in contemporary international law: the need for clarification: Resolution 1832
- PACE (2012) Transnistria: PACE as a platform for dialogue
- PACE (2014) The need to prevent and combat separatist practices. Motion for a resolution: Doc. 13558
- PACE (2015) New sub-committee to deal with 'frozen conflicts' to be created
- PACE (2016a) Constitutional Court of the Republic of Moldova. Question from Mr. Andrei Neguta, Republic of Moldova, SOC. Written question No. 717 to the Committee of Ministers: Doc. 14195

- PACE (2016b) Addressing the humanitarian needs of internally displaced persons: recent lessons and future challenges in Europe. Motion for a resolution: Doc. 13973
- PACE (2016c) Exchange of captives between Ukraine and the Russian Federation: the way to resolve. Written declaration No. 601: Doc. 13957 Second Edition
- PACE (2016d) The continuation of political persecutions in Moldova must be stopped immediately. Written declaration No. 614: Doc. 14112
- PACE (2018) Strengthening the role of young people in the prevention and resolution of conflicts. Motion for a resolution: Doc. 14494
- PACE Monitoring Committee (2002) Honouring of obligations and commitments by the Russian Federation: Resolution 9396
- PACE Monitoring Committee (2004) Honouring of obligations and commitments by Georgia: Doc. 10383
- PACE Monitoring Committee (2006) Implementation of Resolution 1415 (2005) on the honouring of obligations and commitments by Georgia: Resolution 1477
- PACE Monitoring Committee (2008a) Honouring of obligations and commitments by Georgia: Information note by the co-rapporteurs on their fact-finding visit to Tbilisi (26–27 March 2008): AS/Mon (2008) 14
- PACE Monitoring Committee (2008b) Honouring of obligations and commitments by Moldova: Information note by the co-rapporteurs on their fact-finding visit to Chisinau (7–9 September 2008): AS/Mon (2008) 28
- PACE Monitoring Committee (2009) Honouring of obligations and commitments by Georgia: Information note by the co-rapporteurs on their fact-finding visit to Tbilisi (24–27 March 2009): AS/Mon (2009) 16
- PACE Monitoring Committee (2010) Honouring of obligations and commitments by Georgia: Information note by the co-rapporteurs on their fact-finding visit to Tbilisi (22–24 March 2010): AS/Mon (2010) 24
- PACE Monitoring Committee (2012) Honouring of obligations and commitments by the Republic of Moldova: Information note by the co-rapporteurs on their fact-finding visit to Chisinau (28 November–1 December 2011): AS/Mon (2012) 3
- PACE Monitoring Committee (2013) Consequences of the war between Georgia and Russia: Information note on the fact-finding visit to Moscow and Tbilisi (12–16 May 2013) prepared by the co-rapporteurs on the Russian Federation and the co-rapporteurs on Georgia, under the responsibility of the Chair: AS/Mon (2013) 14
- PACE Monitoring Committee (2015) Honouring of obligations and commitments by the Republic of Moldova: Information note by the co-rapporteurs on their fact-finding visit to Chisinau and Comrat (13–16 May 2015): AS/Mon (2015) 20
- PACE Monitoring Committee (2016a) Honouring of Obligations and Commitments by the Russian Federation: Information note on the functioning of democratic institutions in the Russian Federation: AS/Mon (2016) 29
- PACE Monitoring Committee (2016b) Decision to establish a Sub-Committee on Conflicts between Council of Europe Member States: AS/Mon (2016) 39
- Petersen A (2008) The 1992–93 Georgia-Abkhazia war: a forgotten conflict. *Caucasian Rev Int Aff* 2(4):9–21
- Šabič Z (2008) Building democratic and responsible global governance: the role of international parliamentary institutions. *Parliam Aff* 61(2):255–271
- Šabič Z (2013) International Parliamentary Institutions: A Research Agenda. In: Costa O, Dri C, Stavridis S (eds) *Parliamentary dimensions of regionalization and globalization: the role of inter-parliamentary institutions*. Palgrave Macmillan, Basingstoke, pp 20–42
- Schimmelfennig F, Sedelmeier U (eds) (2005) *The Europeanization of central and eastern Europe*. Cornell University Press, Ithaca
- Slutsky L (2018) Russia unlikely to return to PACE in 2019, says senior MP. *Tass, Russian News Agency*, 10 September
- Sporrer W, Knoll B (2021) *What role for the OSCE in Nagorno-Karabakh?*

- Statistics Times Country Statistics (2018). Accessed 28 August 2018
- Stegen J (2000) Die Rolle der Parlamentarischen Versammlung als Motor des Europarats. In: Holtz U (ed) *50 Jahre Europarat*: Baden-Baden, Nomos, pp 79–90
- Steininger S (2018) Managing the backlash? The PACE and the question of participation rights for Russia. Available at <https://verfassungsblog.de/managing-the-backlash-the-pace-and-the-question-of-participation-rights-for-russia/>. Accessed 1 August 2019
- Thorhallsson B (2018) Studying small states: a review. *Small States Territ* 1(1):17–34
- Vigenin K (2018) Concluding report of the special representative on the South Caucasus. Available at <https://www.oscepa.org/documents/all-documents/winter-meetings/2018-vienna-1/reports-21/3652-report-by-special-representative-on-the-south-caucasus-kristian-vigenin/file>. Accessed 1 August 2019
- de Waal T, von Twickel N (2020) Beyond frozen conflict scenarios for the separatist disputes of eastern Europe. Rowman & Littlefield International, London
- Weisglas FW, de Boear G (2007) Parliamentary diplomacy. *Hague J Dipl* 2:93–99
- Willerton JP, Goertz G, Slobodchikoff MO (2015) Mistrust and hegemony: Regional institutional design, the FSU-CIS, and Russia. *Area Stud Rev* 18(1):26–52
- World Population Review Country Statistics (2018). Available at: <http://worldpopulationreview.com>. Accessed 28 August 2018

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 2

Peacebuilding in the OSCE Region—An Analysis of the Juxtaposition Between the Conflict Prevention Center with the United Nations Peacebuilding Fund



Maurício Vieira

Abstract This chapter introduces the perspective on *juxtaposition* to explain how different international organizations cooperate through similar structural departments. Juxtaposition is presented based on an analysis of a relationship between the United Nations (UN) Peacebuilding Fund (PBF) with the Conflict Prevention Center (CPC) of the Organization for Security and Co-operation in Europe (OSCE) with regard to how these respective institutional departments deal with their own notion on *peacebuilding*. Through a qualitative analysis on both the PBF and CPC, juxtaposition enables our comprehension to identify peacebuilding dynamics in both organizations and how the UN and the OSCE collectively design strategies aiming peace.

Keywords Juxtaposition · OSCE · Peacebuilding · United nations · Conflict prevention

2.1 Introduction

In October 2016, the United Nations (UN) Department for Political and Peacebuilding Affairs (DPPA) launched a Liaison Office in Vienna, Austria, in order to deepen the cooperation with the Organization for Security and Co-operation in Europe (OSCE) (DPPA 2020a). The launch of the office was justified based on the need “to advance the Secretary-General’s objective of strengthening partnerships under Chapter VIII [of the UN Charter]” (DPPA 2020a), in which the DPPA and the OSCE would be collectively motivated “by the shared goal to strengthen international security and prevent conflicts using multilateral tools and mechanisms of high-level dialogue” (DPPA 2020a).

M. Vieira (✉)

International Politics and Conflict Resolution, University of Coimbra, Coimbra, Portugal
e-mail: mvieira@upeace.org

University for Peace, UN Mandated, San Jose, Costa Rica

© The Author(s) 2021

A. Mühr (ed.), *Between Peace and Conflict in the East and the West*,
https://doi.org/10.1007/978-3-030-77489-9_2

23

Despite the fact that a partnership between the UN and the OSCE was initiated in 1992 when both international organizations decided to work together in the promotion of peace; launching the office in Vienna is the materialization of a collective effort between the UN-DPPA and the OSCE in the field of international security and prevention of conflicts, based in three main fronts:

First, the UN-OSCE Liaison Office channels expertise from various departments of the UN Secretariat to the OSCE, including by ensuring effective information sharing on relevant peace and security issues as well as relevant policy documents;

Second, the inter-agency forums are regularly organized to facilitate and support high-level and working-level engagements between the OSCE and the UN;

Third, strengthen senior- and working-level engagements between both organizations on various thematic issues on the European continent (DPPA 2020a).

The importance of launching an office in Vienna, as part of a UN's broad role in conflict prevention and peacebuilding, reflects its policy-design embedded in the improvement of its institutional capacity in dealing with emergent conflict needs and, also, on how the UN could benefit from the engagement of different organizations on this issue.

As of writing, Europe is facing the recurrence of hostilities in Eastern Europe, and, among other places, the Nagorno-Karabakh conflict between Armenia and Azerbaijan was—and still is—“one of the several conflicts in the post-Soviet space where the OSCE became involved as a mediator in the peace negotiations” (Gasparyan 2019: 2). Despite the fact that Russia has played a prominent role in the peace process between Armenians and Azerbaijanis in 2020 over the Nagorno-Karabakh territory, the Russian involvement in the conflict had an impact on sidelining not only the Western powers (Roth and Safi 2020) but also the role the OSCE and the UN could play in mediating this conflict. This perspective becomes more comprehensible when taking some historic aspects of this conflict. On the side of the UN, the institution has failed when its involvement intended to bring an end to the fighting among Armenians and Azerbaijanis in 1993 (Bekiarova and Armencheva 2019).

From the OSCE's side, its role through the mediation efforts led by the Minsk Group proved to be not successful in producing a permanent solution to other conflicts, such as in Eastern Ukraine (Askerov 2020, see also chapter by Oberson in this volume). Since the OSCE Minsk Group is co-chaired by the United States, Russia, and France, three of the five UN permanent members of the Security Council, their role is challenged because a sustainable resolution of the conflicts and a peaceful settlement of the conflict puts them in difficult positions, both in the UN Security Council and as members of the Minsk-Group, because they are co-Chairs who were engaging with both sides in the conflict (OSCE 2020e, f, g, h).

This historical context of the conflict reflects not only that their role in the Minsk Groups was the first conflict-mediation effort undertaken by the OSCE, but that the OSCE failing in this mediation “would hurt the institution's credibility to mediate other conflicts” (Cavanaugh 2017: 5). Cavanaugh's argument goes straightforward in criticizing the role of the Minsk Group, since their engagement proved to be “unable to revitalize the peace process” (Cavanaugh 2017: 1). Such criticism complements what Rácz (2020) points out about the role of multilateral diplomacy in mediating

the Nagorno-Karabakh conflict. For him, multilateral diplomatic efforts have little chance of achieving a ceasefire, as well, in the case of the OSCE, it “finds itself hamstrung by its model of consensus-based decision-making, which prevents it from acting quickly when an armed conflict erupts between its own member states” (Rácz 2020: 2).

2.2 Juxtaposition

Embedded in this challenging scenario of finding a conflict resolution and a peacebuilding niche in and for Europe, both the UN and the OSCE are in what I call a *juxtaposition*. Juxtaposition, in the scope of this chapter, reflects a dynamic between external offices from, at least, one of the institutions involved in an interchangeable cooperation through a joint-work on expertise, decisions and partnership. In more pragmatic terms, juxtaposition occurs, for example, when the UN establishes a Liaison Office in Vienna to deal exclusively on issues where the OSCE plays a role through its Conflict Prevention Center. Hence, the juxtaposition builds on the UN experience on peace and security to improve its role in the region OSCE has an expertise. As the UN can be considered a peacebuilding actor due to the way the organization coopted the term into its institutional practices and because its peacebuilding role is based in a partnership with its UN agencies, such as FAO, UNICEF, UNWOMEN, UNDP and WFP, this juxtaposition perspective between the UN and the OSCE reveals another dynamic level of cooperation between international organizations.

Now, the challenge of peacebuilding within the OSCE through its CPC hinges on the fact that it also promotes peacebuilding and post-conflict rehabilitation (OSCE 2020j), associating it to a post-conflict phase in which there is a need for a nuanced approach for promoting and achieving peace as a process after the identification of the societal, economic, political and humanitarian chaos. In this case, juxtaposition, here, works as a process of mutual reinforcement of institutional beliefs and practices. Although these three main objectives aim to reinforce UN and OSCE joint work in the field of peace, security and cooperation, I argue that, in the scope of this chapter, the Liaison Office in Vienna represents a UN desire to diffuse its peacebuilding agenda in the OSCE region through mutual sharing and learning from what was conceived by the role of the UN Peacebuilding Fund (PBF). The PBF is an inherent part of the UN Peacebuilding Architecture (PBA), in conjunction with the Peacebuilding Commission (PBC) and the Peacebuilding Support Office (PBSO), which was created in 2005 by the UN Security Council and the UN General Assembly twin-resolutions (UN Doc. S/RES/1645 (2005), UN Doc. A/RES/60/180) to provide financial support to countries facing post-conflict challenges.

During its functioning since 2005 until October 2020, the UN-PBF allocated funding to 61 countries.¹ From this list, only seven are OSCE-participating states, namely Albania, Bosnia & Herzegovina (BiH), Kyrgyzstan, Montenegro, Serbia, Uzbekistan and Tajikistan, and with the inclusion of financial support to Kosovo based on the UN Security Council Resolution 1244 (1999).² Although they represent a limited number in face of the 57 OSCE-participating states at the time of writing, what is in question in this analysis is not how many OSCE-participating States implement peacebuilding projects or programs with funding from the PBF, but that funding allocations by the PBF evidences, on the one hand, a common ground of a UN peacebuilding agenda these OSCE-participating States are being benefited from, and, on the other hand, a dynamic on money flows, which enables a comprehension of which UN-member states are the main ones engaged in financially supporting peacebuilding in the OSCE region. It is important to mention that the PBF, since then, does not provide a role in specific regions, such as the Caucasus or in the conflict involving Azerbaijan and Armenia, when compared to the role of the PBC in the Sahel region of Africa, due to its importance in mitigating environmental degradation and climate change (Sherman and Krampe 2020; Krampe 2019).

However, a scenario for the PB fund could be an important aspect for future engagement in the OSCE region due to the need for building resilience in the context of post-peace agreement among Azerbaijanis and Armenians led by Russia in 2020. Therefore, my point is not that the OSCE plays a role in the functioning of the PBF to some extent, but that there are different levels of juxtaposition in the dynamics in which they co-exist. Such juxtaposition evidences some nuances to what extent the peacebuilding needs of some OSCE-participating States face interference in the construction of a common agenda for recovery and reconstruction through the UN in the OSCE region; and, also, that being an OSCE-participating States is a labelled condition in which such a label cannot be easily detached from these countries even though they interact in different international organizations rather than the OSCE.

¹ From this list, 6 countries were exclusive on the agenda of the PBC: Burundi, Central African Republic, Guinea, Guinea-Bissau, Liberia and Sierra Leone; while the remaining ones engaged with the PBF through financial support only, which are: Democratic Republic of the Congo, Côte d'Ivoire, Somalia, Mali, Kyrgyzstan, Sudan, Niger, South Sudan, Yemen, Guatemala, Colombia, Madagascar, Chad, Nepal, Sri Lanka, Papua New Guinea, Myanmar, Burkina Faso, Uganda, Haiti, Gambia, Comoros, Cameroon, Solomon Island, Lebanon, El Salvador, Libya, Mauritania, Honduras, Philippines, BiH, Tajikistan, Togo, Zimbabwe, Bolivia, Ecuador, Nigeria, Albania, Tunisia, Congo, Rwanda, Ethiopia, Kosovo, Uzbekistan, Lesotho, Gabon, Kenya, Benin, Tuvalu, Serbia, Marshall Island, Kiribati, Timor-Leste, Montenegro, Tanzania.

² The UN Security Council Resolution 1244 (1999) decides and authorizes UN Member States and relevant international organizations to establish the international security presence in Kosovo (UN Doc. S/RES/1244 (1999)).

2.3 Juxtaposition and Peacebuilding

The notion of juxtaposition between the UN and the OSCE resembles the similarities of the work from the PBF and the OSCE's Conflict Prevention Center (CPC). Nevertheless, before addressing the *juxtaposition* among them, it is important to point out that, historically, both organizations evidence a common background on *juxtaposition* through what became conceived of their partnership through the adoption of the UN Security Council Resolution 1631 in 2005. That was the year that the UN established its current Peacebuilding Architecture.

In the 2005 resolution, the UN Security Council expressed its determination to further develop cooperation between the UN and regional organizations, such as the OSCE—but also others such as the EU, AU or OAS—in maintaining international peace and security (OSCE Annual Review 2005 (2006a: 134), UN Doc. S/RES/1631(2005)). Along with their partnership, the OSCE refers to itself as “the largest and most inclusive regional organization under Chapter VIII of the UN Charter” working closely with the UN through political consultations and practical cooperation (OSCE Annual Review 2009 (2010: 105)).

A result is that today the UN and the OSCE work not only in improving their aims collectively, but being pragmatic in furthering “high level political dialogue, as well as working-level synergies, collaborating in a pragmatic, results-oriented manner” (OSCE Annual Review 2013 (2014: 92)). As 2005 was the year UN and OSCE enhanced each other multilaterally officially, 2015 was the year in which this *juxtaposition* became more pragmatic.

In 2015, the OSCE consolidated its cooperation with the UN in areas such as the conflict cycle, mediation and sustainable development (OSCE Annual Review 2015 (2016: 95)), and in the following year in 2016, enhanced the cooperation among them, focused on priority areas such as peacekeeping and peacebuilding, disarmament and transnational threats, tolerance and non-discrimination, as well as women, peace and security (OSCE Annual Review 2016 (2017: 99)).

Cooperation increased over the years, growing also through the number of conflicts. In 2017, the enhanced interaction through the UN Liaison Office on Peace and Security in Vienna contributed to further strengthening working contacts and institutional dialogue (OSCE Annual Review 2017, 2018: 99), and in 2018, the enduring partnership between the UN and the OSCE advanced in a number of strategic areas that are critically important for peace and security in the OSCE region (OSCE Annual Review 2018 (2019: 91)). In 2019, both organizations endorsed the Joint Statement to Supplement the UN-OSCE Framework for Cooperation and Coordination, in which the parties committed to further enhancing their cooperation in the maintenance of international peace and security and the promotion of respect for human rights, fundamental freedoms and the rule of law (OSCE Annual Review 2019 (2020k: 90)).

Against this backdrop and on the evolution of how the UN and OSCE combined their strengths through *juxtaposition* over the past decade, it becomes clear that their aims and challenges have an encountering point marked by the applicability of

the concept of *peacebuilding*, despite the fact that CPC and PBF were established in different moments in time.

While the CPC was established by the Charter of Paris in 1990, the PBF was embedded in the creation of the UN Peacebuilding Commission in 2005. It is important to emphasize, therefore, that, on the one hand, *peacebuilding* is a core concept for the functioning of the PBF, since the entire Peacebuilding Architecture was institutionally designed from what became conceived by Boutros Ghali's *Agenda for Peace* (UN 1992). On the other hand, within the OSCE-CPC, *peacebuilding* emerges in a fragmented manner, evidencing that it belongs to a conflict cycle approach within four interrelated phases, namely: *early warning*, *conflict prevention*, *crisis management* and *post-conflict rehabilitation*.

In essence, peacebuilding is generally defined and institutionally conceived as a holistic approach aiming for peace, with a framework capable of intersecting different levels of engagement in a conflict context. As defined, peacebuilding is a multi-faceted task that implies a commitment to establishing the military, legal, political, economic, structural, cultural and psychosocial conditions necessary to promote a culture of peace in opposition to a culture of violence (Lambourne and Herro 2008: 279). The perspective Lambourne and Herro (2008) applies for peacebuilding comes from what Galtung (1976) stated for this concept in the 1970s and on how the UN framed it, making *peacebuilding* an international policy in which countries facing post-conflict needs would have access to it. In a different point of view, *peacebuilding* was never mentioned when the establishment of the CPC within the OSCE structure. Nevertheless, the role CPC plays as part of its conflict cycle approach makes *peacebuilding* a coherent and holistic design for countries in need of “early warning, conflict prevention, crisis management, and post-conflict rehabilitation”.

Despite the differences, *peacebuilding* was conceived by the UN and the OSCE, both organizations deal with peacebuilding in a way that enables applicability of this concept into two complementary frameworks. My argument on this aspect refers to the fact that, within the OSCE, peacebuilding is being put into practice through the Conflict Prevention Center that, in parallel, has the support of the UN through the Peacebuilding Fund (PBF). Since the PBF provides financial support to countries facing post-conflict needs, this financial support the UN controls benefits some of the OSCE-participating States, such as Albania, Bosnia & Herzegovina, Kyrgyzstan, Montenegro, Serbia, Uzbekistan, Tajikistan and the territory of Kosovo.

2.4 UN-OSCE Conflict Prevention Center

The idea of the OSCE Conflict Prevention Centre was established by the Conference on Security and Cooperation in Europe (CSCE) during the Paris Summit³ in November 1990. It was as a collective commitment by CSCE-participating States

³ The Paris Summit took place on 19 November 1990 in Paris, and “marked a turning point in the history of the CSCE in the post-Cold War era” (OSCE, 2020j). At the Summit, “the participating

aiming to settle disputes by peaceful means (CSCE 1990: 5). At that time, Europe was facing a collapse as a result of the end of the Cold War, and the CPC emerged more as an agreement between the CSCE-participating States in which it would be required to develop mechanisms for preventing and resolving conflicts among them (CSCE 1990), rather than an institutional practice in the field of peacebuilding at first glance.

As Ackerman (2003) explains, the end of the Cold War was a political aspect that contributed to transforming the CSCE from an international regime to a regional security organization, which made it increasingly engaged in the prevention and management of conflicts. Although its focus was, primarily, at the intrastate level, its preventive capacity role rested on the idea and the necessity to build constructive and cooperative relationships on an interstate level in the Cold War era (Ackerman 2003: 6).

At the beginning of its establishment, the Charter of Paris expressed a desire for an era of democracy, peace and unity in Europe and, within this context, the CPC's design was embedded to provide support with regard to the implementation of confidence and security-building measures (Steinmeier 2016).⁴

Hence, the OSCE-CPC was not established within a specific *peacebuilding* approach or strategy by the OSCE, which the OSCE never had. Nevertheless, its historical process marked by a transition from the auspices of the CSCE to the OSCE evidences where peacebuilding fits into its functioning. Its aims did not advance the concept of *peacebuilding* within the CPC nor contribute to it in becoming a peacebuilding actor in Europe. Any OSCE objectives in this matter are embedded in the Ten Principles of the Final Act from 1975, which reaffirmed CSCE-participating states' "commitment to peace, security and justice" (CSCE 1975: 3).

As the Ten Principles are the landmark for comprehending much of the CSCE/OSCE involvement in peace and security issues in Europe, I would affirm that these principles are the first framework for identifying where peacebuilding lies within the CPC. They congregate a holistic approach, varying from respect for the rights inherent in sovereignty, to the inviolability of frontiers, peaceful settlement of disputes, respect for human rights and fundamental freedoms and equal rights and self-determination of peoples (CSCE 1975). In this regard, the establishment of the CPC within the evolution of the CSCE to the OSCE was a process of aligning itself with the purposes and principles of the Charter of the United Nations from 1945 (CSCE 1975: 4).

States signed the Charter of Paris for a New Europe, adding an active operational structure to the OSCE role as a forum for negotiation and dialogue" (OSCE 2020j).

⁴ That are, first, mechanisms for consultation and co-operation as regards to unusual military activities; secondly, the annual exchange of military information; thirdly, the communications network; fourth, the annual implementation assessment meetings; and fifth, co-operation as regards to hazardous incidents of a military nature (CSCE 1990).

2.5 Communication Network

In addition, much of its role, initially conceived through the 1990 Charter of Paris, focused on information sharing rather than any other institutional practice aiming at stability in the region. Such an assumption is corroborated by the fact that a *communications network* is mentioned as the most successful aim within the CPC since it “complements traditional diplomatic channels with secure and reliable infrastructure that enables information exchange and dialogue” (OSCE 2020j). In the scope of this chapter, information exchange and dialogue among diplomatic fields is one of the main characteristics that enables juxtaposition within international organizations’ bureaucratic structures, since this is what posits them side by side in their respective shared roles and partnerships.

At that stage, CPC was limited in providing a broader role for the advancement of the term *peacebuilding* in the region. An improvement in its role came only when the CSCE faced a transitional phase to the OSCE during the Budapest Summit in 1995. As Cohen points out, while, on the one hand, the 1990 Charter of Paris marked the transition from the OSCE’s role as a forum for negotiation in this confrontational era to an organization for security through cooperation and the promotion of democracy; on the other hand, the Budapest Summit Meeting “cast the OSCE as a ‘primary instrument for early warning, conflict prevention and crisis management’, with a ‘flexible and dynamic’ approach” (Cohen 1999: 8–9).

Evidently, the assertion is that CPC had its role improved while advancing concepts that relate to *peacebuilding* as a core element for its functioning. So far, the OSCE’s peacebuilding does not differ from the UN’s approach for peacebuilding. Rather the OSCE’s design over a conflict cycle is the innovative aspect the organization could contribute to the dynamic of conflict mediation. In this scenario, as Gheciu explains, the OSCE “emerged (...) as the Euro-Atlantic security institution with a clear and innovative mandate to promote a new, cooperative, and inclusive model of security” (2008: 116). Thus the OSCE, in its own regional area, could enable the emergence of new mechanisms, procedures and political instruments to facilitate this role (Cohen 1999: 9).

As Gheciu (2008) argues based on the Charter of Paris, “the security discourse articulated by the OSCE following the end of the Cold War is based on the assumption that the establishment of stable liberal democracies is a key recipe for regional stability and international security” (Gheciu 2008: 116). As the author continues, the OSCE’s approach has been similar to, as well as, a source of inspiration to the EU and NATO (Gheciu 2008: 116). And here I include the approach the UN applied for over its 70 years as well, since these institutions have played—and still play—a role on peace, security, political transitions and stability.

Although CPC emerged to work in the pursuit of collective problem-solving in the former-CSCE region, it was not designed to become a static body under its own domain. Following Cohen, the need to develop a more sophisticated conflict prevention capacity necessitated strengthening of the political instruments and organs

of the CSCE and a reconsideration of the types of intervention that would be feasible (Cohen 1999: 8).⁵

As CPC is inserted in a European political context marked by challenging, mutable and interventionist-driven approach. Embedded on the notion of conflict prevention, crisis management, post-conflict peacebuilding, and peaceful settlement of conflicts (Ackerman 2003: 5). Hence, in order to provide a more elicited explanation of these reasons, one comes to George and McGee, who mentions that the dramatic rise in the conflict that has been seen since the end of the Cold War has burdened the OSCE with “the same challenge as all international organisations” (George and McGee 2006: 81). In this regard, as George and McGee evaluate, what emerged from this period was a new, more sophisticated approach to conflict prevention which entailed creating institutions, structures and tools to address the specific needs of the different stages of the conflict cycle (2006: 84).

The OSCE Budapest Summit in 2006 was the *momentum* for reforming its structure while providing a more pragmatic role for the challenges Europe was facing with the end of the Cold War. During the Summit, the participating member states of the OSCE enabled an improvement of the CPC into a more pro-active role in peace settlements in the region; an improved CPC scope with the adoption of different conceptualizations to designate its role in a post-conflict European context for rehabilitation.

Evidently, the post-conflict rehabilitation concept for the CPC brought it closer to *peacebuilding* as a central aspect of its functioning. However, the OSCE has never explicitly outlined what “post-conflict” means and where the lines are drawn between conflict management, conflict settlement and rehabilitation activities (George and McGee 2006: 89). Despite some scholars arguing that there was vagueness in these concepts within the role of the CPC, the process of institutionalizing *peacebuilding* became expressed in 2011 when the OSCE designed a framework for its role embedded in a conflict cycle approach as it is expressed in the document *Elements of the Conflict Cycle, Related to Enhancing the OSCE’s Capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation* (OSCE Doc. MC.DEC/3/11). The document is based on the Ministerial Council (MC) Decision 3/11 during the Vilnius Meeting. Once again, the document is an alignment of OSCE’s adherence to the Charter of the United Nations (OSCE

⁵ Since its emergence to date, CPC co-ordinates the activities of the OSCE’s field operations, helping to address all phases of the conflict cycle through proactive guidance and advice on relevant tools and instruments (OSCE Annual Report 2005 (2006a): 129; 2007 (2008): 92; 2013 (2014): 43; 2015 (2016): 32); assisting field operations in accordance with respective mandates, being a focal point in the Secretariat for developing the OSCE’s role in the politico-military dimension (OSCE Annual Report 2005 (2006a): 129; 2007 (2008): 92; 2013 (2014): 43; 2015 (2016): 32). In addition, the CPC is responsible for supporting the Chairmanship, the OSCE Secretary General and the decision-making bodies in implementing OSCE tasks in the areas of its conflict cycle (OSCE Annual Reports 2005 (2006a): 129; 2007 (2008): 92; 2013 (2012): 43; 2015 (2016): 32; 2016 (2017): 36; 2017 (2018): 32; 2018 (2019): 32; 2019 (2020k): 32), while promoting regional co-operation with other international organizations (OSCE Annual Report 2013 (2014): 43) aiming to find lasting political settlements for existing conflicts (OSCE Annual Report 2019 (2020k): 32)).

Doc. MC.DEC/3/11) and, most importantly, adequacy of its structure in the face of the challenges in Europe.

But mechanisms of early warning, conflict prevention, and crisis management have always been at the core of the OSCE since early 1990s and were not new, and did not go beyond the basic notion of peacebuilding. For Ackermann, such decisions reflected a “timely document, as other international organizations have developed their crisis- and conflict-response capacities over the years, especially in the case of the European Union” (2013: 9), which required a “concrete action by the OSCE Secretary General, in consultation and co-operation with the OSCE Chairmanship and other executive structures” (Ackerman 2013: 9).

2.6 Peacebuilding Under the CPC Policy

The OSCE recognizes the need for adequacy in conjunction with the role of the UN on the same issues of peace and security, and builds upon a juxtaposition process with the UN, creating a space where both institutions can provide support to each other since they work under the same conceptualization and institutional approaches.⁶ Conflict prevention, conflict resolution, post-conflict rehabilitation and peace-building strategies involve efforts to address violations of human rights and fundamental freedoms, as well as intolerance and discrimination, and the absence of strong democratic institutions and the rule of law, as highlighted by the OSCE today (OSCE Doc. MC.DEC/3/11, page 2–3).

An illustration of the OSCE involvement in peacebuilding through its conflict cycle approach is, on the one hand, through the inclusion of an *early warning* approach; and, on the other hand, through the human dimension within the missions the organization deploys. Examples from the OSCE’s engagement in Ukraine, Caucasus, Tajikistan—to mention a few—and its role on border issues in Fergana Valley between Kyrgyzstan, Tajikistan and Uzbekistan in Central Asia are an evidence of both perspectives of engagement (OSCE Annual Report 2006a, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020k). Nevertheless, the challenge *early warning* and *human dimension* posit to the OSCE reveals its issue of concern or, in other terms, its weakness or fragility: on how to deal with mediation on themes and situations that threaten not only the European territory but the organization as a whole. This becomes more visible during the annexation of Crimea by Russia in mid-March 2014. Such an episode came as a surprise to most analysts who concluded that the absence of the OSCE in Crimea was the reason that

⁶ Such a perspective is corroborated by what peacebuilding embraces for the OSCE’s action in both conceptual and pragmatic terms based on Galtung’s (1976) contribution, when he enabled a comprehension of the term within three stages in the promotion on peace as an interventionist model: peacekeeping, peacemaking and peacebuilding. Based on his study, the term *peacebuilding* reflects a different connotation from the previous two, in which it embraces structures that must be found in order to remove the root causes of civil wars and, hence, being capable to offering alternatives to war in situations where wars might occur (Galtung 1976: 298).

made the international community blind and unable to engage in early crisis response on that specific case (Tanner 2016: 242). In the case of the Caucasus, which includes the Nagorno-Karabakh and Georgia/South Ossetia conflicts, the OSCE paved the way forward by trying to capitalize on the momentum for seeking a comprehensive political settlement (Van Hove 1999: 256). Although the OSCE's role became limited to being an actor capable of providing a direct influence on these issues, its role is now more oriented towards a post-conflict phase in the region. The case of Tajikistan's borders differs to some extent, especially because the OSCE is permanently involved in the training of Tajik, Kyrgyz and Afghan border officials, aiming to detect and intercept illegal border movements and helping them to uncover chemicals used for drug production that are smuggled to Tajikistan from China or Kyrgyzstan (OSCE 2020).

This multidimensional role of the OSCE in these conflict settings above explains the reason for thinking of a juxtaposition within the OSCE-CPC and UN-PBF. This perspective depends on the notion that when the CPC was established in the 1990s, that period was also marked by the institutionalization of the term *peacebuilding* into the UN roots through what was conceived by Boutros-Ghali's *Agenda for Peace* in 1992. At that time, peacebuilding was defined in the context of the aftermath of a civil war as an *ad continuum* strategy responsible for "rebuilding the institutions and infrastructures of nations torn by civil war and strife; and building bonds of peaceful mutual benefit among nations formerly at war" (UN 1992: 2).

Since its emergence in the UN Agenda for Peace, peacebuilding was enlarged by the Brahimi Report which defined it as an activity which is undertaken on the far side of the conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war (UN 2000: 3).

Looking at the above, one can conclude that OSCE-CPC was not built under a *peacebuilding* approach. But its functioning enhanced an institutional practice on peace through what became conceived as an institutional framework in between the lines, which gain strength when other international organizations enhance the term through their own practices.

2.7 Juxtaposition in the Field of Peacebuilding

The *rationale* behind the juxtaposition in the field of peacebuilding lies on what became conceived in Chapter VIII of the UN Charter from 1945 which delimitates UN involvement with other regional organizations. As the former OSCE Secretary-General Lamberto Zannier in 2015 pointed out, Chapter VIII evidences an *encouragement* from the side of the UN-member states that have entered into regional arrangements such as the OSCE (Zannier 2015: 97). It makes every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council and, an *enforcement* action (Zannier 2015: 97). The UN Security Council in return could utilize the OSCE

to keep fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

When the UN provided such an arrangement in its foundational Charter, it did not consider how this joint-work would function at that time, but that such a juxtaposition would be required for an enhancement and improvement of its respective institutional practices. As the 90 s are considered a decade marked by a high level of instability in the world due to geopolitical changes after 1989-collapse, the UN was confronted at that time “with an unprecedented number of challenges to stability and peace in many regions of the world” (Zannier 2015: 97). Within this context, as Zannier points out, new approaches to peacemaking and peacekeeping were emerging as part of the UN role on this matter. Consequently, the UN interests in improving its engagement with regional organizations due to their regional expertise gained in attraction and importance (2015: 97). From that time on, the UN-OSCE joint-work improved what I refer to as juxtaposition among them while defining key strategies in the pursuit of common achievements. After the resolution that gave birth to their joint-work, in 1993 both organizations agreed on the design of the *Framework for cooperation and coordination between the United Nations Secretariat and the Conference on Security and Cooperation in Europe* (UN Doc. A/48/185).

Therefore, the juxtaposition between the UN and OSCE can be seen as a result of international challenges calling for “new approaches to peacemaking and peacekeeping. Zannier argues that over the past decades the UN and the OSCE have worked together, experienced episodes of success and failure, and shared lessons learned” (Zannier 2015: 97). With regard to current conflicts, “lessons learned” can be applied to the notion that organizations build their institutional capacity in combining successes and failures through the improvement of their partnership.

The strength of the juxtaposition between the UN and the OSCE is in the area of post-conflict recovery through joint Commissions. The resolution points out that the Peacebuilding Commission has been an important opportunity for cooperation and close contact with regional and subregional organizations in post-conflict peacebuilding and recovery (UN Doc. S/RES/1631 (2005)). In this regard, juxtaposition between the UN and the OSCE through the establishment of the Peacebuilding Commission is taken as an important aspect of their role in the field of peacebuilding. Through the resolution, the UN was, just to mention a few, stressing the importance of developing regional and subregional organizations’ ability to deploy peacekeeping forces rapidly in support of UN peacekeeping operations and requesting the UN Secretary-General to include, in his regular reporting to the Security Council on peacekeeping and peacebuilding operations under its mandate, assessments of progress in the cooperation between the United Nations and regional and subregional organizations. As it becomes evident, juxtaposition in this case reflects a process in which monitoring and evaluation are inherent part building expertise, establishing cooperation and working through a common agreement on information sharing.

The second landmark dates to August 2013, when the UNSC Presidential Statement underscored the importance of further developing and strengthening cooperation between the UN and regional organizations in the fields of conflict early warning, prevention (UN Doc. S/PRST/2013/12).

In my perspective, the need for enhancing juxtaposition between the UN and the OSCE lies in the notion that the OSCE is a security organization that has much to offer since it is embedded in a comprehensive security concept encompassing three main dimensions of security: politico-military, economic-environmental and human dimensions (Zennier 2015: 99). Hence, it is an organization built on principles that reinforce the UN-led international order while maintaining close contact at senior and operational levels with numerous UN agencies and institutions (Zennier 2015: 102). These two landmarks gain relevance when the Peacebuilding Fund started its operationalization through the financing of peacebuilding projects in Albania, BiH, Kyrgyzstan, Montenegro, Serbia, Uzbekistan, Tajikistan and the Kosovo territory.

2.8 Financing and Building Peace

The above-mentioned Peacebuilding Fund (PBF) is an inherent part of what became labelled as the Peacebuilding Architecture (PBA) under the domain of the UN, in conjunction with the Peacebuilding Commission (PBC) and the Peacebuilding Support Office (PBSO). It was originally conceived when the United Nations' Security Council (UNSC) and General Assembly (UNGA) approved the resolutions establishing the PBC in December 2005 (UN Doc. S/RES/1645 (2005), UN Doc. A/RES/60/180).

In the beginning, the PBF was designed to be a multiyear standing fund for post-conflict peacebuilding and to be funded by voluntary contributions. Its focus was on the immediate release of resources needed to launch peacebuilding activities and the availability of appropriate financing for recovery as well as on the support of interventions that were considered critical to the peacebuilding process ((UN Doc. S/RES/1645 (2005), UN Doc. A/RES/60/180), UN Doc. A/60/984).

Despite the fact that the PBF was designed in late 2005, it gained a formal structure only eight months after the adoption of the UNSC and UNGA's decisions on the PBC in August 2006. At that time, the former UN Secretary-General Kofi Annan launched the *Arrangements for Establishing the Peacebuilding Fund*, which was a document that explained the whole design of the PBF. Financing is an important aspect for peacebuilding since it comes attached to an ideology on what the institution decides must be financed. Money is designated for implementing and disseminating a common agenda, even though this agenda aims at the promotion of peacebuilding. PBF "constitutes a global fund of monies received from voluntary contributions, designed to support several country situations simultaneously" (Lambourne and Herro 2008: 282).

Response Facilities are yet other tools in this context, for example the Immediate Response Facility (IRF) "is designed for wherever peacebuilding opportunities arise

in the immediate aftermath of political crisis or conflict” (PBSO 2014: 9); and the Peacebuilding Response Facility (PRF), “is applied within several years following the end of a conflict to support national efforts and consolidate peacebuilding” (PBSO 2014: 9).

The difference between them depends on the amount of money donated to a specific country and the timeframe to develop the peacebuilding project or program. Since 2005, the PBF has provided financial support to 61 countries and seven of them are the unique ones that are OSCE-participating states, as it is in the case of Albania, BiH, Kyrgyzstan, Montenegro, Serbia, Uzbekistan, Tajikistan; with support also to the Kosovo territory.

The OSCE role in these countries varies from an agenda centered on justice and electoral reform, the rule of law and progress towards gender equality in Albania (OSCE 2020k: 56), to environmental governance and the consolidation of democratic society in BiH (OSCE 2020k: 58). From intercommunity dialogue and gender equality and youth participation in Kosovo to strengthening democratic institutions and building a free, resilient and professional media in Montenegro, and from an accountable security sector in combating organized crime in Serbia (OSCE 2020k: 60–64). Countering terrorism and transnational threats and border management in Kyrgyzstan and in Tajikistan, and so-called transnational threats, transparency in governance, fighting corruption, combating money laundering in Uzbekistan are part of this mechanism (OSCE 2020k: 80–86).

As Table 2.1 evidences below, 25 projects were financed by the PBF in these respective countries, Kyrgyzstan being the one that received more funding for more diversity-themed projects, emphasizing what the UN peacebuilding agenda

Table 2.1 OSCE-participating States benefited by funding from the PBF

Country	Project theme	<i>n</i> of projects	Amount in US\$
Albania	Emergency—W3	1	2,999,745
BiH	Emergency—W3	3	5,933,294
Kyrgyzstan	Democratic Governance	6	8,921,524
	Security	6	5,424,835
	Youth Employment/Empowerment	3	4,605,329
	Public Administration	1	950,200
	PBF Support	1	551,653
	Emergency—W3	17	23,038,916
Kosovo	Emergency—W3	1	2,772,780
Montenegro	Emergency—W3	1	946,335
Serbia	Emergency—W3	1	1,304,364
Uzbekistan	Emergency—W3	1	2,199,370
Tajikistan	Emergency—W3	2	4,600,000

Source UNDP-MPTF (2020)

is, centered on issues of democratic governance, security, the role of youth, and public administration, just to mention a few.

In addition, the emergency relief (W3) evidenced above is a type of financial support common to the three countries. On this point, I would emphasize that *emergency* per se is a type of funding that prioritizes the UN peacebuilding agenda under the main clusters evidenced previously but that has a limited amount of money and faces an urgent need.

In the case of BiH, for example, *Dialogue for the future: Promoting Coexistence and Diversity* was its emergency financial need, in which the project implemented by UNICEF, UNDP and UNESCO in mid-July 2014 would create spaces for dialogue that will enable a country-wide peacebuilding process that promotes coexistence, trust building and appreciation of diversity; increase participation, awareness and influence of *youth in policy dialogue on issues impacting B&H's development and reform agenda*; ensure that education supports greater social cohesion; and that citizens and communities advance common peacebuilding goals through culture (UNDP-MPTF 2020).

When this project was implemented in BiH, the OSCE mission was facing anti-government protests that shook the country in February, and devastating floods and landslides led to the largest post-war humanitarian crisis in May (OSCE Annual Report 2014: 58). One of the responses was to invest in the empowerment and capacity of Youth. The OSCE established the region's first *Youth Advisory Group* in line with the Swiss Chairmanship priority on youth involvement (OSCE Annual Report 2014: 58). The purpose was to empower *youth* and stimulating new ideas within the Mission that would serve as a model to be replicated elsewhere in the region (OSCE Annual Report 2014: 58).

Although the CPC and the PBF were not officially partners in the pursuit of peacebuilding, the role of the OSCE mission in BiH at the same moment the PBF finances a project on enhancing youth role in policy dialogue reflect a synergy that the OSCE designed as part of its approach to peace and to what had been designed by the PBF as a UN model for peacebuilding. In parallel to this project in BiH, the financial support by the PBF also benefited Montenegro and Serbia, while they were implementing the "*Dialogue for the Future*", which aimed for building social cohesion in and between BiH, Montenegro and Serbia. This means that some projects under the PBF bring an integrative component while dealing with conflict issues that tend to negatively spread to neighboring countries or territories.

The neighboring country of Kosovo faced similar challenges. The PBF allowed for investing in the project *Empowering Youth for a Peaceful, Prosperous, and Sustainable Future in Kosovo*, which reverberates to the role OSCE plays in the territory. And that youth also became an issue of concern in Albania, with the PBF approved project on "*Supporting the Western Balkan's collective leadership on reconciliation: building capacity and momentum for the Regional Youth Cooperation Office (RYCO)*".

In Central Asia, in the conflict zone of the Fergana Valley, the inclusion of Uzbekistan under the PBF was for the implementation of *Youth for Social Harmony in the*

Fergana Valley”, aiming at achieving social cohesion within neighboring communities. Across the border in Tajikistan, the *Cross-border Cooperation for Sustainable Peace and Development* was an emergency project under the cluster of security the PBF financed for, and co-implemented by, the FAO, UNICEF, UNWOMEN, UNDP and WFP in 2015. It aims to increase cooperation and trust between communities in pilot Tajik-Kyrgyz village clusters towards mitigating immediate risks of renewed cross-border violence (UNDP-MPTF 2020).

Although throughout the OSCE region the UN involvement through its peace-building funding apparatus is sensitive to such cross-border projects, this specific theme was an often recurring one under the role of the OSCE in Central Asia. The Desk in Central Asia contributed to a CPC-organized expert assessment mission to Tajikistan in order to identify areas for assistance in strengthening border security and management (OSCE Annual Report 2006: 90). Later, it worked with the Centre in Dushanbe and the Tajikistan authorities on the development of border-related projects aimed at strengthening Tajikistan’s borders (OSCE Annual Report 2007: 93). In the year of the implementation of the project in Tajikistan through PBF funding, the OSCE office in Tajikistan continued to lead the unique “international initiative providing capacity-building support of an operational, planning and practical nature for border security and management to the Tajik, Afghan and Kyrgyz border services” (OSCE Annual Report 2015: 86).

In the context of the project financed by the PBF, the OSCE office in that country focused on improving border agencies’ abilities to detect and interdict illegal cross-border movements across both the Tajik-Afghan and Tajik-Kyrgyz borders (OSCE Annual Report 2015: 86). As the PBF finances projects that aim to address emergent issues based on what have been considered challenging aspects for the role of the OSCE, projects under the PBF do not start from scratch, rather they are built upon needs already mapped by the OSCE in which the PBF engage with.

In the case of Kyrgyzstan, a country within the OSCE region that has benefited the most from the PBF, the Desk office has implemented 17 emergency projects in the context of peacebuilding agenda (Table 2.1). Examples are projects that aim at reinforcing security matters,⁷ youth and women,⁸ and public administration⁹ issues

⁷ On security, the project approved was *Infrastructure for Peace - Policy Dialogue and Preventive Action (Kyrgyzstan)*.

⁸ On youth and women, PBF approved the projects *Empowering Youth, Women and Vulnerable Communities to Contribute to Peacebuilding and Reconciliation in Kyrgyzstan*, the one on *Empowering Youth to Promote Reconciliation and Diversity (Kyrgyzstan)*; *Women Building Peace, Trust and Reconciliation in Kyrgyzstan*; *Women as Peaceful Voters & Women as Candidates (Kyrgyzstan)*; and *Building the evidence base to facilitate responsive gender policy and programs for equality and lasting peace in Kyrgyzstan, Women and Girls as Drivers for Peace and Prevention of Radicalization in Kyrgyzstan, Youth as Agents of Peace and Stability in Kyrgyzstan (NUNO)*, *Addressing Social Disparity and Gender Inequality to Prevent Conflicts in New Settlements, Cameras in hand: Transformation and empowerment of Kyrgyzstani girls and boys, Kyrgyzstan’s youth cohesion and interaction towards Uzbekistan, Strengthening capacity of young women and men in Kyrgyzstan to promote peace and security, and Empowering women*.

⁹ On public administration: the project is *Administration of Justice (Kyrgyzstan)*.

in the country; combined with projects on minor issues such as natural resources¹⁰ and media.¹¹

Since the PBF became involved in the OSCE region through the financing of projects considered of great importance for the role in Kyrgyzstan, the PBF also financed a similar project in the neighboring Tajikistan under the same title: *Cross-border Cooperation for Sustainable Peace and Development*. These similar projects in both countries are being implemented by UN agencies: FAO, UNICEF, UNWOMEN, UNDP and WFP. In both countries, these projects “aims to increase cooperation and trust between communities in pilot Tajik-Kyrgyz village clusters towards mitigating immediate risks of renewed cross-border violence.” (UNDP-MPTF 2020).

As cross-border violence and conflicts are a common challenge for both Tajikistan and Kyrgyzstan, not divergent, this issue of concern was a recurrent one with regard to the engagement of the OSCE-CPC in that country. The scenario was marked by a role played by the Central Asia Desk which conducted a Barrier-2015 border security exercise in August 2015 in partnership between the Centre and Kyrgyz authorities, and in close co-ordination with the OSCE Office in Tajikistan (OSCE Annual Report 2015: 84).

The examples taken from the projects financed by the PBF in BiH, Kyrgyzstan and Tajikistan and, in parallel, through the role and engagement of the CPC in these respective countries enable an understanding of where lies the juxtaposition between the UN and the OSCE in the field of peacebuilding.

The analysis is based on the first decade of the PBA (2005–2015) and, hence, prioritizes the same timeframe for analyzing CPC’s role in the same countries PBF engaged with. There is no information of close collaboration among the PBF and the CPC with regard to this specific peacebuilding work. It does not neglect the fact that the PBF and the CPC coexist, but that the partnership among them is restricted to a partnership of a different UN department rather than the UN Peacebuilding Architecture. As the OSCE Annual Report 2007 already points out, the experiences in mediation and conflict resolution among the UN and the OSCE includes a cooperation with the UN Department of Political Affairs (DPA) and the Geneva Centre for Security Policy (GCSP) in organizing high-level consultations to draw key lessons in the OSCE’s area (OSCE Annual Report 2007 (2008: 93)). It can be stated that in the evolutionary aspect of the peacebuilding within the UN, the DPA—created in 1992—was slowly transforming into a peacebuilding concept by UN, following the reform of the United Nations peace and security infrastructure, bringing it together with United Nations Peacebuilding Support Office (DPPA 2020b), which is the manager of the PBF.

¹⁰ On water, PBF approved the *Cultivating Peace - Using Water-based Agriculture to Facilitate Reconciliation among Multi-ethnic Residents of Kara Suu (Kyrgyzstan)*.

¹¹ On media, the project approved was *Strengthening Media Capacity to Promote Peace and Tolerance in the Kyrgyz Republic*.

2.9 OSCE–UN Partnerships

So far the partnership between the UN and the OSCE has evolved as a result of what both organizations do in juxtaposition with each other. Based on BiH, Kyrgyzstan and Tajikistan, the Peacebuilding Fund provided financial support to projects that could represent a dissemination of the institutional values of the UN and at the same time enhance a peacebuilding agenda in these respective countries through a joint-work with agencies and local actors that identify challenging and promising issues to be coopted by the PBF. As became evident from the three OSCE-participating States, there is a cooptation of the UN agenda for peacebuilding and of what the PBF finances in the scenario OSCE operates through the CPC, creating a space for a common ground on projects for peacebuilding.

Based on Lambourne and Herro's analysis of the Australian-led Regional Assistance Mission to the Solomon Islands (RAMSI) and on the US-led interventions in Iraq and Afghanistan, these and other interventions operating outside the UN framework "need to make a particular effort to learn from the UN's extensive experience and to incorporate the priorities identified by peacebuilding theory and best practice, which are being consolidated in the operations of the PBC" (2008: 288). Although they mention the PBC as a reference for UN framework intervention, I would say that it is on the PBF that the framework for peacebuilding becomes more explicit since the PBF is the channel through which countries face eligibility for their respective peacebuilding projects, interact with different UN agencies and local actors in designing the projects, get money for implementing the projects and, hence, coopt an agenda for peacebuilding through the engagement of different organizations rather than the UN.

One can conclude that by lessons learned, the UN intervention framework can work as an external perspective in which the OSCE could adapt to this reality. The OSCE's role, through the engagement of other UN agencies, and as the PBF does through its financial apparatus, is a strategy that could enhance not only the juxtaposition between them, but put the OSCE in a leading position of acting proactively in the region.

Since the PBF depends on voluntary contributions by UN-member states, in the beginning of this chapter I mentioned that juxtaposition reflects that being an OSCE-participating States is a labelled condition in which such label cannot be easily detached from these countries, even though they interact in different international organizations rather than the OSCE. In this specific case, the Peacebuilding Fund is not only a UN body dealing with financing for peacebuilding, but a platform in which OSCE-participating States co-exist, be they donors or recipients of PBF funding.

Table 2.2 illustrated that from the 57 OSCE-participating States, only 29 engaged with the PBF as donors. The OSCE plays a role in the functioning of the PBF, but the amount UN-member states donate for peacebuilding reflects their level of interest in enhancing peacebuilding through the UN framework.

By *level of interest* by the UN-member states, it can be illustrated that these UN-members do not directly fund projects in specific countries through the PBF,

since the PBF finances projects designed under its peacebuilding framework which are institutionally evaluated and scrutinized. What is in question is that the PBF was created for countries facing post-conflict challenges and this notion permeates and motivates UN-member states in their decisions for financing the PBF. Shown below, Sweden and Germany donate the most, followed by countries such as United Kingdom and the Netherlands.

Based on Table 2.2 above, Western European countries are the main donors to the PBF, in contrast to what the PBF receives from Russia, Canada and the United States, respectively (UNDO-MPTF 2020). The point, here, is to evidence that the amount donated by all of them reflects not only what these countries prioritize for peacebuilding and, mainly, how their financial apparatus to peacebuilding through multilateralism impacts on the UN and OSCE role on this field.

Table 2.2
OSCE-participating
States¹² as donors to the PBF
(2005–2020)

Austria	2,108,550	Netherlands	123,055,332
Belgium	8,057,228	Norway	88,463,975
Canada (CIDA)	33,855,496	Poland	580,235
Canada (Gov.)	25,183,829	Portugal	1,069,280
Croatia	148,000	Romania	147,210
Cyprus	40,000	Russia	18,000,000
Czech Republic	356,399	Slovakia	756,828
Denmark	35,609,871	Slovenia	41,688
Estonia	608,028	Spain	17,917,677
Finland	28,286,519	Sweden	208,252,105
France	5,239,740	Switzerland	10,334,452
Germany	183,742,480	Turkey	2,900,000
Iceland	1,000,000	UK (DFID)	156,111,710
Ireland	24,887,958	UK (Gov.)	60,108,240
Italy	9,565,992	United States	550,000
Luxembourg	6,680,330		

Source UNDP-MPTF (2020). All amounts in US\$ from 2005 to October 2020

¹² The OSCE-participating States that did not engage with the PBF in financial terms during the period in analysis: Andorra, Armenia, Azerbaijan, Belarus, Bulgaria, Georgia, Greece, Holy See, Hungary, Kazakhstan, Latvia, Liechtenstein, Lithuania, Malta, Moldova, Monaco, Mongolia, North Macedonia, San Marino, Turkmenistan and Ukraine (OSCE 2020j).

2.9.1 Conclusion

The perspective on juxtaposition between the UN and the OSCE through the Peacebuilding Fund and the Conflict Prevention Center, respectively, enables an understanding that institutional decisions on establishing liaison offices abroad reflect a strategy of diffusion of organizational values and agenda based on a permanent cooperation partnership.

The evidence through the role the OSCE plays in countries that benefited from the PBF, such as Albania, BiH, Kyrgyzstan, Montenegro, Serbia, Uzbekistan, Tajikistan and the Kosovo territory, as well as the peacebuilding agenda PBF finances in countries and territory included in the OSCE region, enables identifying what both organizations understand as being their peacebuilding approaches.

As illustrated in this chapter, the UN involvement in Europe and the OSCE region is underrepresented in comparison to its role in countries in the Africa continent, for example. The UN counts heavily on the peacebuilding engagement of the OSCE and its donors in the region. In respect to Africa, countries concentrate more than 50% of the financial support through the PBF as well as in the quantity of projects financed. In this regard, the role of the Peacebuilding Fund in countries such as Albania, BiH, Kyrgyzstan, Montenegro, Uzbekistan, Tajikistan and Kosovo territory, emphasize how the UN has designed its peacebuilding agenda during the functioning of the UN Peacebuilding Architecture. Its engagement in parallel to the engagement of the OSCE in these respective countries contributed to identify challenges that the PBF could provide support for in alignment to its peacebuilding agenda.

To conclude, the UN and OSCE complement each other through what they design for their respective peacebuilding approaches. It is important to affirm that this complementarity is far from being perfect due to the domain the UN has in the field of peacebuilding. Nevertheless, the promising aspect among them puts both organizations far from competing in this domain, hence the UN withholds its scarce resources and funds wherever the OSCE and its overall Western European member states jump into. This also avoids not only double funding by member-states, but legitimizes the UN decision on launching a Liaison Office in Vienna in order to more closely coordinate the partnership with the OSCE.

Acknowledgements I express my gratitude for the Foundation for Science and Technology (FCT-Portugal) for financing my four-years scholarship as part of the Ph.D. Program in International Politics and Conflict Resolution at the University of Coimbra (2015|2019) under the reference PD/BD/113981/2015. My gratitude also to Dr. Anja Mihr and all editors and professional proofreaders for their cautious review and suggested improvements for this chapter.

References

- CSCE (1990) Charter of Paris for a New Europe. Retrieved from www.osce.org/files/f/documents/0/6/39516.pdf. First Access on 10 August, 2020
- CSCE (1975) Final Act. Helsinki. Retrieved from www.osce.org/files/f/documents/5/c/39501.pdf. First Access on 10 August, 2020
- CSCE (2020) Confidence and security building measures. Retrieved from www.osce.org/secretariat/107484. First Access on 10 August, 2020
- DPPA (2020a). Organization for Security and Co-operation in Europe at the UN. Retrieved from <https://dppa.un.org/en/organization-security-and-co-operation-europe>. First Access on 10 August, 2020
- DPPA (2020b) Peacebuilding and Political Affairs. Retrieved from <https://dppa.un.org/en/about-us>. First Access on 10 August, 2020
- OSCE Doc. MC.DEC/3/11. Elements of the conflict cycle, related to enhancing the OSCE's capabilities in early warning, early action, dialogue facilitation and mediation support, and post-conflict rehabilitation. Organization for security and co-operation in Europe. Ministerial Council. Second day of the Eighteenth Meeting. Retrieved from <https://www.osce.org/files/f/documents/6/b/86621.pdf>. First Access on 13 August, 2020
- OSCE (2006a) Annual Report on OSCE Activities 2005. Retrieved from <https://www.osce.org/files/f/documents/5/a/18847.pdf>. First Access on 13 August, 2020
- OSCE (2006b) Environmental concerns in Ferghana valley to top agenda of OSCE meeting in Bishkek. Retrieved from www.osce.org/eea/47095. First Access on 13 August, 2020
- OSCE (2007). OSCE Annual Report on OSCE Activities 2006. Retrieved from <https://www.osce.org/files/f/documents/3/e/24692.pdf>. First Access on 13 August, 2020
- OSCE (2008) Annual Report on OSCE Activities 2007. Retrieved from <https://www.osce.org/files/f/documents/e/9/31249.pdf>. First Access on 13 August, 2020
- OSCE (2009) Annual Report on OSCE Activities 2008. Retrieved from <https://www.osce.org/files/f/documents/3/d/36699.pdf>. First Access on 13 August, 2020
- OSCE (2010) Annual Report on OSCE Activities 2009. Retrieved from <https://www.osce.org/files/f/documents/2/2/67759.pdf>. First Access on 13 August, 2020
- OSCE (2011) Annual Report on OSCE Activities 2010. Retrieved from <https://www.osce.org/files/f/documents/8/f/76315.pdf>. First Access on 13 August, 2020
- OSCE (2012) Annual Report on OSCE Activities 2011. Retrieved from <https://www.osce.org/files/f/documents/a/d/89356.pdf>. First Access on 13 August, 2020
- OSCE (2013) Annual Report on OSCE Activities 2012. Retrieved from <https://www.osce.org/files/f/documents/2/2/100193.pdf>. First Access on 13 August, 2020
- OSCE (2014) Annual Report on OSCE Activities 2013. Retrieved from <https://www.osce.org/files/f/documents/7/4/116947.pdf>. First Access on 13 August, 2020
- OSCE (2015) Annual Report on OSCE Activities 2014. Retrieved from <https://www.osce.org/files/f/documents/0/4/169971.pdf>. First Access on 13 August, 2020
- OSCE (2016) Annual Report on OSCE Activities 2015. Retrieved from <https://www.osce.org/files/f/documents/3/4/240126.pdf>. First Access on 13 August, 2020
- OSCE (2017) OSCE Annual Report 2016. Retrieved from www.osce.org/files/f/documents/3/d/310856.pdf. First Access on 13 August, 2020
- OSCE (2018) OSCE Annual Report 2017. Retrieved from www.osce.org/files/f/documents/7/0/375964_0.pdf. First Access on 13 August, 2020
- OSCE (2019) OSCE Annual Report 2018. Retrieved from www.osce.org/files/f/documents/6/c/416624_0.pdf. First Access on 13 August, 2020
- OSCE (2020a) Minsk group. Press statement by the co-chairs of the OSCE Minsk group. Retrieved from www.osce.org/minsk-group/463533. First Access on 5 November, 2020
- OSCE (2020b) Minsk group. Press statement by the co-chairs of the OSCE Minsk group. Retrieved from www.osce.org/minsk-group/465018. First Access on 5 November, 2020

- OSCE (2020c) Minsk group. Special meeting of OSCE permanent council held on situation in Nagorno-Karabakh context. Retrieved from www.osce.org/chairmanship/465225. First Access on 5 November, 2020
- OSCE (2020d) Minsk group. Statement by the co-chairs of the OSCE Minsk group. Retrieved from www.osce.org/minsk-group/465711. First access on 5 November, 2020
- OSCE (2020e) Minsk group. statement by the co-chairs of the OSCE Minsk Group. Retrieved from www.osce.org/minsk-group/465879. First Access on 5 November, 2020
- OSCE (2020f) Minsk group. Statement by the co-chairs of the OSCE Minsk group. Retrieved from www.osce.org/chairmanship/466737. First Access on 5 November, 2020
- OSCE (2020g) Minsk group. Statement by the co-chairs of the OSCE minsk group. Retrieved from www.osce.org/minsk-group/466998. First access on 5 November, 2020
- OSCE (2020h) Minsk group. Press statement by the co-chairs of the OSCE Minsk Group. Retrieved from www.osce.org/minsk-group/468204. First Access on 5 November, 2020
- OSCE (2020i) Minsk group. Press statement by the Co-Chairs of the OSCE Minsk Group. Retrieved from www.osce.org/minsk-group/468984. First Access on 5 November, 2020
- OSCE (2020j). Factsheet of the OSCE conflict prevention centre. Retrieved from www.osce.org/cpc/13717. First Access on 10 August, 2020
- OSCE (2020k) OSCE annual report 2019. Retrieved from www.osce.org/files/f/documents/0/9/449104_0.pdf. First Access on 5 November, 2020
- OSCE (2020l) Border management. Retrieved from www.osce.org/programme-office-in-dushanbe/106426. First Access on 5 November, 2020
- PBSO (2014) United nations Peacebuilding Fund (PBF). Guidelines on application and use of funds. Retrieved from www.unpbf.org/wp-content/uploads/PBF-Guidelines-Final-April-20141.pdf. First Access on 20 August, 2016
- UN (1945) Charter of the united nations and statute of the international court of justice. Retrieved from <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>. First Access on 10 August, 2020
- UN (1992) A/47/277-S/24111. An agenda for peace: preventive diplomacy, peacemaking and peace-keeping: report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992. Retrieved from <https://undocs.org/en/A/47/277>. First access on 10 August, 2020
- UN (2000) A/55/305-S/2000/809. Report of the Panel on United Nations Peace Operations. Retrieved from <https://undocs.org/A/55/305>. First Access on 10 August, 2020
- UN Doc. A/48/185. Cooperation between the United Nations and the Conference on Security and Cooperation in Europe. Retrieved from <https://undocs.org/A/48/185>. First Access on 10 August, 2020
- UN Doc. A/60/984. Arrangements for Establishing the Peacebuilding Fund. Report of the Secretary-General. Retrieved from <https://www.undocs.org/A/60/984>. First Access on 10 August, 2020
- UN Doc. A/RES/47/10. Cooperation between the United Nations and the Conference on Security and Cooperation in Europe. Retrieved from <https://undocs.org/A/RES/47/10>. First Access on 10 August, 2020
- UN Doc. A/RES/60/180. Resolution adopted by the General Assembly on 20 December 2005. The Peacebuilding Commission. Retrieved from <https://undocs.org/A/RES/60/180>. First Access on 10 August, 2020
- UN Doc. S/PRST/2013/12. Statement by the President of the Security Council. Retrieved from <https://www.undocs.org/S/PRST/2013/12>. First Access on 10 August, 2020
- UN Doc S/RES/1244 (1999). Resolution 1244 (1999) Adopted by the Security Council at its 4011th meeting, on 10 June 1999. Retrieved from <http://unscr.com/en/resolutions/doc/1244>. First Access on 10 August, 2020
- UN Doc. S/RES/1631(2005) Resolution 1631 (2005), Adopted by the Security Council at its 5282nd meeting, on 17 October 2005. Retrieved from [https://www.undocs.org/S/RES/1631\(2005\)](https://www.undocs.org/S/RES/1631(2005)). First Access on 10 August, 2020.

- UN Doc. S/RES/1645(2005). Resolution 1645 (2005) Adopted by the Security Council at its 5335th meeting, on 20 December 2005. Retrieved from [https://undocs.org/S/RES/1645\(2005\)](https://undocs.org/S/RES/1645(2005)). First Access on 10 August, 2020
- UNDP-MPTF (2020) Multi-partner trust fund office. Trust fund factsheet. The peacebuilding fund. Gateway. Retrieved from <http://mptf.undp.org/factsheet/fund/PB000>. First Access on 10 August, 2020

Secondary Sources

- Ackermann A (2003) The prevention of armed conflicts as an emerging norm in international conflict management: the OSCE and the UN as Norm Leaders. *Peace and Conf Stud* 10(1), 1. Retrieved from <https://nsuworks.nova.edu/pcs/vol10/iss1/1>
- Ackermann A (2010) OSCE mechanisms and procedures related to early warning, conflict prevention, and crisis management. IFSH (ed.), *OSCE Yearbook 2009*, Baden-Baden, pp 223–231
- Ackermann A (2013) Strengthening OSCE responses to crises and conflicts: an overview. IFSH (ed.), *OSCE Yearbook 2012*, Baden-Baden, pp 205–211
- Askerov A (2020) The Nagorno Karabakh conflict: the beginning of the soviet end, in Askerov, brooks and Tchamouridze (eds.), *Post-soviet conflicts: the thirty years crisis*. Lanham, Lexington Brooks, 55–82
- Bekiarova N, Armencheva I (2019) Is the peaceful regulation of the Nagorno-Karabakh conflict—mission possible? In: *Proceedings of INTCESS 2019- 6th International Conference on Education and Social Sciences*, 4–6 February 2019. Dubai, U.A.E. ISBN: 978–605–82433–5–4, Available at SSRN: <https://ssrn.com/abstract=3332351>
- Cavanaugh C (2017) Renewed conflict over Nagorno-Karabakh, council on foreign relations. Retrieved from www.jstor.com/stable/resrep05705
- Cohen J (1999) Conflict prevention in the OSCE: an assessment of capacities. Netherlands Institute of International Relations Clingendael, The Hague
- Galtung J (1976) Three approaches to peace: peacekeeping, peacemaking and peacebuilding. *Peace, war and defense: essays in peace research*, vol 2, Copenhagen, Ejlers, pp 282–304
- Gheciu A (2008) *Securing Civilization? The EU, NATO, and the OSCE in the Post-9/11 World*. Oxford University Press, New York
- George B, McGee A (2006) The OSCE's approach to conflict prevention and postconflict rehabilitation, in Mason T David, Meernik James D (eds.) *Conflict prevention and peacebuilding in post-war societies: sustaining the peace*. New York, Routledge, pp 81–104
- Krampe F (2019) Climate change, peacebuilding and sustaining peace, SIPRI Policy Brief. Retrieved from www.sipri.org/sites/default/files/2019-06/pb_1906_ccr_peacebuilding_2.pdf
- Lambourne W, Herro A (2008) Peacebuilding theory and the United Nations peacebuilding commission: implications for non-UN interventions. *Glob Change, Peace & Sec Formerly Pacifica Rev Peace, Sec Glob Chan* 20(3):275–289. <https://doi.org/10.1080/14781150802390467>
- Rácz A (2020) War in Nagorno-Karabakh: a two-track strategy for the EU, DGAP Commentary—German Council on Foreign Relations, no 3, October 2020. Retrieved from <https://dgap.org/en/research/publications/war-nagorno-karabakh>. Accessed on 10 November 2020
- Roth A, Safi M (2020) Nagorno-Karabakh peace deal reshapes regional geopolitics, *The Guardian*. Retrieved from www.theguardian.com/world/2020/nov/10/nagorno-karabakh-peace-deal-turkey-russia-reshapes-regional-geopolitics. Accessed on November 2020
- Sherman J, Krampe F (2020) The peacebuilding commission and climate-related security risks: a more favourable political environment? SIPRI-IPI Insights on Peace and Security. Retrieved from www.sipri.org/sites/default/files/2020-09/sipriinsight2009_pbc_and_climate-related_security_risks_v2_0.pdf

- Steinmeier F-W (2016) Not a concert of powers, but an ensemble of peace: what we can learn from Helsinki for European security in the 21st century. IFSH (ed.), OSCE Yearbook 2015, Baden-Baden, pp 23–34
- Tanner F (2016) The OSCE and the Crisis in and around Ukraine: first lessons for crisis management, in: IFSH (eds.), OSCE Yearbook 2015, Baden-Baden 2014, pp 241–250
- Van Hoye E (1999) The OSCE in the Caucasus: long-standing mediation for long-term resolutions, In: IFSH (ed.), OSCE Yearbook 1999, Baden-Baden 2000, pp 247–256
- Vieira M (2020a) Framing the fragmentation of peace: an analysis of the UN Sustainable Development Goals (SDGs), Meridiano 47. J Glob Stud 21. Retrieved from <https://doi.org/10.20889/M47e21005>
- Vieira M (2020b) Reflecting on the role of the United Nations peacebuilding fund in Africa, conflict trends 2020/2. Retrieved from <https://www.accord.org.za/conflict-trends/reflecting-on-the-role-of-the-united-nations-peacebuilding-fund-in-africa/>. Accessed 13 Aug 2020
- Zannier L (2015), The OSCE and chapter VIII of the United Nations charter—contributing to global peace and security. In: IFSH (ed.), OSCE Yearbook 2014, Baden-Baden 2015, pp 97–109

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 3

OSCE Special Monitoring in Ukraine



Frederic Oberson

Abstract The OSCE Special Monitoring Mission (SMM) to Eastern Ukraine (Donbas) offers an interesting case study of what international organizations do during a war. The current conflict is tricky and multilayered. The SMM is the only international observing mission deployed permanently in this war zone, but thus far has received little academic scrutiny. Daily reports are published online so that anyone can be part of the observation process and a witness to what is going on in Donbas. But does the mission contribute to a “revival” of the OSCE? Is it an adequate, accurate, and objective monitoring tool? Is it helping to improve the situation in the field and to make life easier for the population? Finally, should the SMM to Ukraine be modified, replaced by another type of mission, or assisted in some way? In answering these questions, the chapter also considers the future of such missions in the context of the current crisis in Nagorno-Karabakh.

Keywords Minsk process · OSCE SMM · Peace building · Peacekeeping · Politics · Russian federation · Secession · Security studies · Soft power · Soldiers · Transnistria · Ukraine · United nations · Watchdogs

3.1 Introduction

In the aftermath of the 2014 Ukrainian Euromaidan protests, pro-Russian and anti-government separatists’ groups aimed for independence from Ukraine in the Eastern part of the country, the Donbas region. These separatist movements followed the March 2014 annexation of Crimea by the Russian Federation and escalated into an armed conflict between the separatist forces and the Ukrainian army. Pro-Russian citizens were supported by volunteers, paramilitaries and materiel from Russia. The conflict is ongoing at the time of writing. The OSCE launched the first Special Monitoring Mission (SMM) to Eastern Ukraine shortly before that conflict and it has lasted until today.

F. Oberson (✉)

Independent Researcher, Ph.D., UNHCR consultant, Mathieu, France

URL: <https://fragmentsoftime.net/>

© The Author(s) 2021

A. Mühr (ed.), *Between Peace and Conflict in the East and the West*,
https://doi.org/10.1007/978-3-030-77489-9_3

There is thus far little written about the OSCE's SMM in member countries, and even less about its current monitoring mission in Ukraine. It rarely shows up in the media. But that Mission offers an interesting case study of what international organizations do during a war, and raises questions about the future of monitoring missions and peacekeeping operations elsewhere in the world. Thus, the case of Ukraine helps us to look closely into the impact and consequences of a monitoring mission and to look deeper into four issues of SMMs:

- (i) Is it an adequate, accurate, and objective tool of monitoring?
- (ii) Is it helping to improve the situation in the field and making life easier for the population?
- (iii) Should it be modified, replaced by another type of mission, or assisted in some way?
- (iv) Do SMMs have a future?

To respond to these questions requires a general understanding of what monitoring means in the context of war and armed conflict. By doing so, this chapter is aiming to contribute to the debates about the role of international organizations in conflict prevention, peacekeeping, and monitoring. One can assess the quality of a monitoring mission's work by looking at the outcome and value such missions have for the local population in terms of peace, stability, and safety, and its role vis-à-vis the expectations of the OSCE participating States.¹

3.2 War in Ukraine

The ongoing conflict and war in Donbas, in Eastern Ukraine, started in April 2014 between Russian militias and Ukraine military forces.² The geographical dimension is very different from previous OSCE experiences and SMMs, such as in Georgia or Transnistria in the 1990s and beyond because the area of Donbas comprises 53,000 km² and hence is larger than Switzerland, and the line of contact on the Russian border is almost 500 km long. The intensity of the fighting also differs significantly

¹ Field research was carried out in July–August 2017, July–October 2018, and February–March 2019, in Kyiv, Kharkiv, Mariupol, and Kramatorsk. Desk research included face-to-face and online interviews of 17 mission members, 3 diplomats, 5 academics, and the general public. All are anonymous, with some exceptions. Survey samples consisted of 42 persons in Kyiv, 31 in Karkhiv, 21 Mariupol, and 14 in Kramatorsk. Focus groups included inhabitants of Kharkiv (7 males, 5 females), Kramatorsk (4 males and 4 females), and Mariupol (5 males and 5 females). I visited the Mission's offices and monitors in Kyiv, Kharkiv, and Kramatorsk. I followed a patrol and witnessed a “window of silence” exercise. For evidence, I analyzed the content of 147 reports published by the Mission (2017–2020), and I compared the SMM with other field missions launched by the OSCE and other organizations. The OSCE SMM never employed me in any way. I am grateful to Dr. Anja Mihr, Alexander Hug and Giselle Weiss, my first readers, for their kind and very useful help. I am also grateful to Pascal Delumeau of the French Foreign Ministry for his support and explanations.

² Unian.info: “OSCE SMM's Alexander Hug: the reality of our work is much more complex than just describing it as blindness,” 15 March 2017.

from other contexts. Since 2014 more than 13,000 people have died, including 3,000 civilians, and 35,000 have been wounded. The main causes of casualties are shelling, namely about 50%; and mines/UXOs (unexploded ordnances), namely about 35% of casualties. Shelling has become a daily routine, meant to keep the enemy on both sides in check. Nearly two million people have left the region, heading either westward to Ukraine or northward toward Russia. Many have become internally displaced persons (IDPs) in the process. More than a thousand persons have been reporting missing and no permanent governmental commission or institution has been set up to handle prisoner exchanges despite ongoing but sporadic exchanges since 2019.

International mechanisms, including the OSCE talks in Minsk, under the auspices of the so-called Minsk-Group mandate for conflict prevention, are seen as inefficient by many, since ceasefire violations occur on an almost daily basis.³ The distance between the trenches at the contact-line is short, under 50 meters in some places, and fighting often breaks out by accident. This unstable stalemate is increasingly pulling the two parts of Donbas apart. But it is not a frozen conflict yet. A comparable situation, rarely invoked in the Western media, is that of Nagorno-Karabakh, which is also considered an “active armed conflict” as defined by the Uppsala Conflict Data Program based at the University of Uppsala.⁴ At the time of writing, that other conflict between two participating states of the OSCE (Armenia and Azerbaidjan) is coming back to the frontline.

As always, civilians, caught between a rock and a hard place, suffer the most. While Russia “Chechnyafies” the problem,⁵ Ukrainian politicians exploit it in the pursuit of personal goals. The immediate questions that come to the mind are, Why all the suffering? and What can be done to stop it? The answer to the first question is very complex; the answer to the second, in contrast, is simple: the sides have only to retire and remove their heavy weapons. However, at present there is neither the incentive nor the political will to make that happen.

One of the reasons for this is that the creation of the two separated republics of Eastern Ukraine, in 2014, was not only a result of dirty politics (Matveeva 2018). The war triggered tremendous generosity on the part of ordinary people from both sides. As help from the state was slow coming, volunteers organized themselves. People in general are resilient, and those living in the conflict zone preserved a strong regional identity and a density of interpersonal linkages (Sasse 2017a). Crossing the contact line has become a daily routine for about 40,000 persons, and represents a counterpoint to the dividing efforts of the parties to this war. In a recent survey, 57% of the respondents on “rebel” territory have family members or friends in the Ukrainian-controlled part of Donbas and are in touch with them at least twice a week (Sasse 2017b). People in Donbas continue to present themselves as both Ukrainian and Russian. When displaced persons in Ukraine were asked who was responsible

³ OSCE Minsk Group website: <https://www.osce.org/mg>.

⁴ <https://www.pcr.uu.se/research/ucdp/methodology>.

⁵ Author’s interview with Andrew Wilson, London, May 2018.

for the war, less than half gave the official answer: The Russian Federation (Sasse 2017a). Hence, the causes of the conflict have many facets.

3.3 A Monitoring Mission Operating in an Active Conflict

The SMM is arguably the first field operation operating for such an extended period of time on both sides of an active conflict and it is the only international observing mission deployed permanently in this war zone. But does it contribute to a “revival” of an international organization that has been mostly ignored by the general public over the last 30 years? To answer that additional question, we need to understand the context in which the Mission was launched, in the wake of the clash between pro-Euromaidan and anti-Euromaidan Ukrainians. *Maidan* is the name of the central square in Kyiv—Maidan Nezalezhnosti (Independence Square) where demonstrators gathered during “Euromaidan” (or “Revolution of Dignity”), which started back in November 2013. The demonstrations started peacefully with people being in favor of a closer trade and working agreement with the EU. But it would have negatively impacted Ukraine’s trade agreements with Russia. When the Ukrainian government eventually aimed to back out of signing the agreement with the EU, a wave of protests started, which came to be known as Euromaidan. Clashes became violent and resulted in deaths, including police officers. Eventually, 98 protesters died in clashes with the police and were later celebrated as the “Heavenly Hundred.” Endemic corruption was but one trigger behind the protests. Many Ukrainians, especially in the Western regions, wanted to be part of the EU. When the incumbent president changed his stance, after an encounter with the Russian head of state, they felt betrayed. At the same time, in Eastern Ukraine, where the population has strong ties with Russia, people watched the protest with a critical eye, the more so when some Maidan activists portrayed Russia as the archenemy and stressed the need to impose Ukrainian as the sole official language. The reaction against Euromaidan came to be known as the “Russian Spring.” Supporters spoke of the “natural borders” of the Russian world and used the concepts of *Malorossiya*, meaning “Little Russia,” the territories of the Black Sea taken from the Ottoman Empire under Catherine the Great and of *Novorossiya*, translated as “New Russia,” or the “ideal land for Russian speakers” (Fig. 3.1).

In response to these events, in February 2014, Russia managed to invade Crimea and soon afterward, the war in Donbas started. Generally speaking, wars of territorial conquest are no longer considered a normal instrument of external policies. The Helsinki Final Act of 1975—and predecessor of the OSCE—consecrated the territorial status quo in Europe, and the UN International Court of Justice in The Hague upheld the *uti possidetis* principle meaning “as you have, so you shall possess.”⁶ Recent attempts to conquer territory by force similar to the Iran-Iraq war, the Falklands War, and the Iraq war failed. But effective deterrence depends on the volume

⁶ Burkina Faso vs. Mali decision (1986).

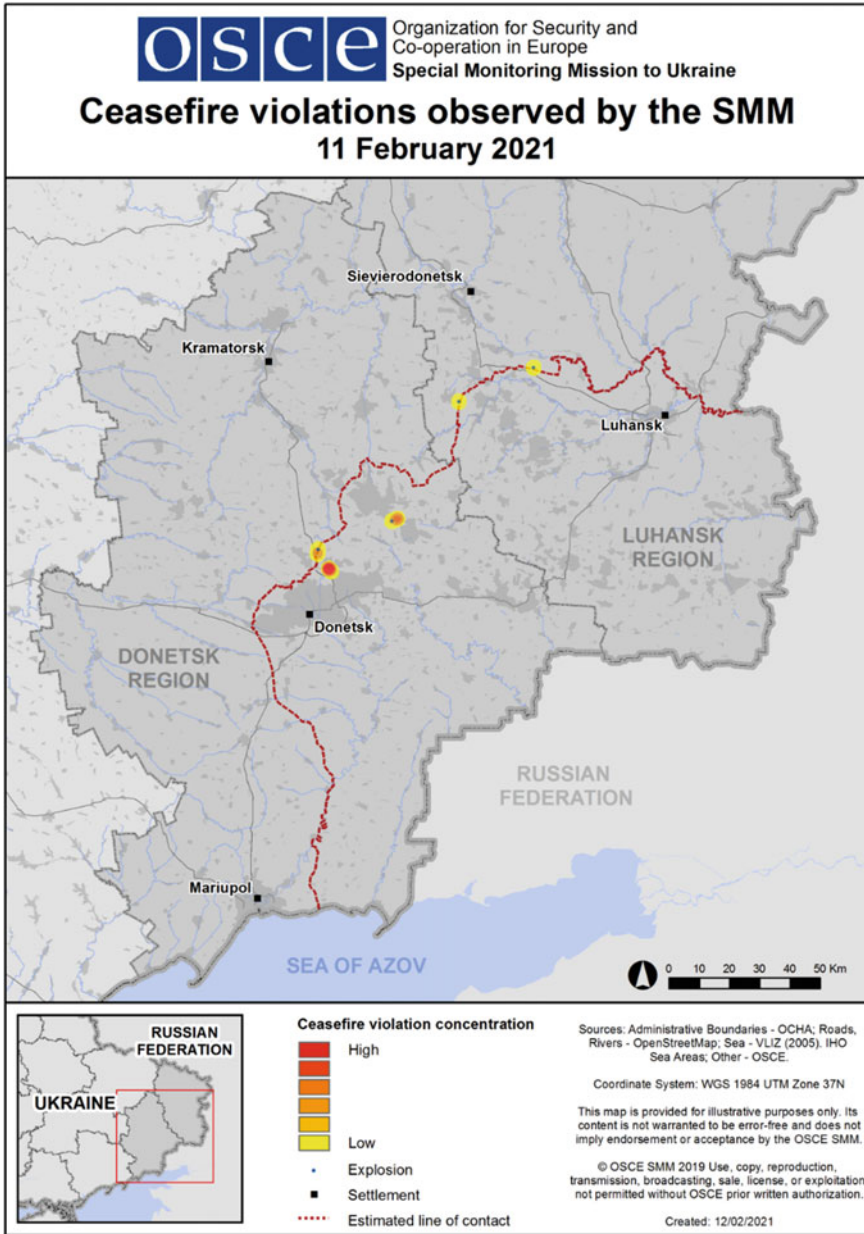


Fig. 3.1 Ceasefire violations observed by the SMM 11 February 2021. *Source* OSCE SMM, 12/02/2021

and quality of forces deployed (Tertrais 2018), and at the time, Ukraine's potential for deterrence was very weak.

What followed in April 2014 was that the Ukrainian authorities launched an "anti-terrorist operation" in Eastern Ukraine. But the army was not prepared. It could only mobilize about 1,500 soldiers and a poorly trained and equipped "volunteers corps" to fill the gap. The war was presented by the Ukrainian High Command as an affair of a few months, an echo of the "fleur au fusil" spirit of 1914 in France, but instead it lingered. The Ukrainian army quickly became more professional and progressively integrated the volunteer groups (Lebedev 2017). Then, in May 2014, a pro-Maidan demonstration in Odessa of about 2,000 people, attended by right-wing activists armed with weapons, clashed with a smaller 300-people-strong anti-Maidan group. 42 of the anti-Maidan group died after a building they were in was set on fire. The gap broadened.

An initial ceasefire was signed in Minsk (Belarus) on 5 September 2014, known as the Minsk-1 agreement. But in February 2015, with Russian help in manpower and militias, the separatists won the decisive battle of Debaltseve, and another round of negotiations was called, resulting in the Minsk-2 agreements. By that time, the OSCE had already launched the SMM, in March 2014. It happened by default, as no other organization was ready for the job. Monitoring peace agreements is traditionally a task undertaken by the United Nations (UN). But after the disastrous experiences during the civil war in former Yugoslavia, the UN Security Council, in which Russia holds a veto, was unable to go back to peacekeeping in Europe. An EU⁷ mission was out of the question due to Russia's opposition, to say nothing of a NATO operation.

3.4 The Role of the OSCE in This Conflict

In a comprehensive study of international election monitoring, Norris noted that "regional intergovernmental organizations possess unique sources of leverage, legitimacy, and long-term engagement that make them—perhaps surprisingly—the most consistently effective norm defenders."⁸ Field operations are rightfully considered to be the backbone of the OSCE's conflict resolution capability. As was written elsewhere, "one of OSCE's most significant comparative advantages is its ability to get actively involved in conflict resolution processes on multiple levels through its network of field operations and the activities of its institutions."⁹ Yet, the OSCE remains generally true to its origins today as a platform for dialogue. The non-binding status of its charter¹⁰ provides that organization with some flexibility. The OSCE is based on consensus by its 57 member states and it exerts no sanctions, which is both

⁷ Today, the EU helps the SMM, contributing to staff costs and assisting in satellite imagery.

⁸ Norris and Nai 2017, pp 55 & 69.

⁹ OSCE conference: Promoting Lasting Solutions, p 4.

¹⁰ Based on the Helsinki Final Act (1975), the Paris Summit (1990) and the Istanbul Charter for European Security (1999).

an advantage, as the member states would never have agreed to a more stringent process, and a drawback.

But since the beginning of the conflict in Ukraine in 2014, we see that the OSCE has been caught in a vortex of diplomatic competition. Against this backdrop, the international organization runs another, separate field mission, at Russia's checkpoints Gukovo and Donetsk on the international border between Ukraine and Russia. But these two small checkpoints are the only ones Russia allows the OSCE to observe along a 400 km border. Moreover, the small size and very limited mandate of that mission make it a very ineffective field operation, consisting as it does of only 20 permanent international staff.

Notwithstanding, war-like armed conflicts in Eastern Europe go back for decades and the tensions between the OSCE and the Russian Federation are not new. Euro-maidan was only the last drop in the bucket that let the violent clash emerge again. It already began at the OSCE Istanbul summit in 1999, when the OSCE member states called for a political settlement in Chechnya and adopted a Charter for European Security. This event marked a turning point, as Moscow started to view the OSCE as a tool in the hands of Western powers and decided to undermine it (Ivanov 2002). Tensions increased between Russia and other participating states after the "color revolutions" in Georgia, Ukraine, and Kyrgyzstan, which Moscow attributed, not without reason, to meddling by the CIA in its former sphere of influence. At the Munich Security Conference in 2007, the Russian president, Vladimir Putin, accused the United States of manipulating international law in violation of fundamental principles such as state sovereignty, and of transforming the OSCE into an instrument designed to promote its foreign policy. Since then, the Russian government has been promoting its idea of comprehensive OSCE reform. At the same time, it has acknowledged the role of the OSCE in Ukraine, while proposing a new setup for monitoring the conflict, as we shall see, namely the Minsk Group and its subsequent agreements.¹¹

In 2014, the SMM was mandated to contribute to reducing tensions, facilitating dialogue, helping foster peace, security, and stability, engaging with authorities at all levels, gathering information, and reporting on the situation.¹² In addition, field missions often perform, as we shall see, functions not initially planned, such as socialization, quiet diplomacy, and good offices. In doing so, they sometimes manage to keep open certain channels of communication.

¹¹ See, for example, the analytical report of the Russian *Centre for Current Politics*, "Бесконечный тупик. Состояние и перспективы процесса политического урегулирования конфликта между Украиной и республиками Донбасса. К первой годовщине минских соглашений," February 11, 2016.

¹² Decision n° 1117 of the OSCE Permanent Council, 21 March 2014.

3.5 The OSCE Mission in Eastern Ukraine (Donbas)

The Mission's initial budget was EUR 5 million in 2014, and it is now around EUR 100 million annually. Of course, as for any mission, the budget is key to its effectiveness and whether it is sufficiently equipped to fulfill its tasks. Intelligence-led missions can now use a whole range of new technologies to support and sustain monitors (Dorn 2016). But it costs money. The OSCE participating States showed some flexibility when it managed to cover the cost of the Mission in its early stage of deployment using savings from other operations and contingency funds.¹³ The remainder was financed through voluntary contributions, mostly from the United States.¹⁴

To make sense, a monitoring mission means a sufficient number of personnel but requires less qualified staff than a capacity-building mission, such as the ones currently deployed by the OSCE in Kosovo, for example, where it was difficult to find experienced policemen and judges to materialize the tasks in the agreements signed with the government in Pristina.

By May 2020, the SMM had 1,280 members, including 723 international monitors and 436 national staff. It is the first OSCE mission of this size and duration *during* a war. All monitors are "seconded," meaning that their respective states pay their salary of approximately EUR 4,500 per month. The head offices (HQ) are in Kyiv, and the monitoring teams work in the ten biggest cities of Ukraine that are Kyiv (12 monitors and 51 staff at the HQ), Donetsk (355 monitors), Luhansk (245), Chernivtsi (9), Dnepropetrovsk (10), Ivano-Frankivsk (11), Kharkiv (10), Kherson (7), Lviv (11), and Odesa (13). Thus, the two de facto republics share the greatest number of monitors at around 600, which makes sense (Fig. 3.2).

Monitoring the war zone is not only a safety challenge and a security threat for OSCE observers and staff, but also an emotional and moral challenge to cope with. Asked to recount a striking memory of the field, one observer said: "When I go back to some villages where I had met people during a previous visit, and find them dead, it is quite upsetting. I tell myself that, as long as I have some emotional reaction it means I am still ok."¹⁵

For their protection, monitors wear flak jackets, helmets, and travel in armored 4 × 4 vehicles. Each team is composed of three monitors, including a paramedic. In April 2017, Joseph Stone, an American paramedic, was killed on patrol when his vehicle accidentally hit an antitank mine on a country road near the village of Prychyb. The other two observers in the car were wounded but survived. It is, so far, the first and only death of a mission member.¹⁶ Since then, monitors are no longer allowed to drive on non-asphalted roads, which further prevents them from observing

¹³ Institute of World Policy (2016), p. 10.

¹⁴ Point 9, Decision 1117, Permanent Council of the OSCE (21 March 2014).

¹⁵ Author's interview with Alexander Hug, Kyiv, July 2018.

¹⁶ <https://www.voanews.com/europe/american-osce-monitor-killed-ukraine-identified-joseph-stone>.



Fig. 3.2 OSCE SMM patrol near the Donetsk Filtration Station during a Window of Silence mission. *Source* (photo: Frederic Oberson, March 2019)

remote places. In May 2015, eight monitors were taken hostage by the separatists for a month, the only incidence of kidnapping involving Mission’s members.

Before each patrol, a security risk assessment is made, both at the base and the Kyiv HQ. Any risk is mitigated with the following measures: getting additional information from the sides, getting additional equipment, changing the route, or canceling the patrol. When they arrive in a location where firing is going on nearby, monitors immediately return to their cars and wait, listening to the firing with microphones installed in their vehicles. If it does not stop, they leave in a direction where they will be safe. Later, they go back to the location, listen again, and consult HQ, which decides whether to allow them to carry on. In areas where violence is known to occur frequently, the monitors drive to the vicinity of the villages they had planned to observe, get out of the car, and listen for 15–20 min. If they hear nothing, they continue their journey. A problem is that they usually do not know if the firing is aimed at them, planned, or simply random. Nevertheless, intentionally targeting monitors is very rare and it only happened, rarely, at the beginning of the conflict.¹⁷

Today’s mission policies, security measures and practice date back to the experiences gained in former Yugoslavia in the late 1990s. Since then, the professionalization of international monitoring has made notable progress. Today, most missions provide guidelines, handbooks, and training to their staff. Drawing on UN experience, the OSCE published handbooks and a code of conduct containing principles such as

¹⁷ Author’s interview with eight OSCE SMM monitors, in Kramatorsk (August 2018) and Kharkiv (February 2019).

impartiality, compliance with human rights standards and discretion. A few instances of a breach of that code occurred in Ukraine that led to a decrease of trust in the mission and its observers. For example, in April 2016, photos of monitors attending the wedding, in June 2015, of a Russian separatist were found on social media. In a post to its official Facebook page, on 7 April, the OSCE expressed regret over the incident: “The unprofessional behavior displayed by the monitors in the picture is an individual incident that should not be abused to cast a shadow on the reputation of other mission members.” The monitors were dismissed,¹⁸ but the picture continued to circulate on social media. Nevertheless, the violations of the code of conduct are infrequent even though most remain unreported, especially when they result from monitors’ naivety and/or lack of training.¹⁹ Some monitors have military training and most have worked previously in other OSCE related missions.²⁰ They all underwent an in-house training program, the “General Orientation Programme,” in Vienna.²¹ It lasts five days and covers basic requirements for new mission members. They also follow a five-day Hostage Environment Awareness Training (HEAT) course, in cooperation with the Austrian Army. The trainees are then invited to the Kyiv HQ for a week of “induction training,” after which they are deployed in the field. During their course of assignment, monitors acquire other elements of training, for example, on weapons recognition or impact-site assessment, as well as a special “outreach” course that instructs them on communicating with the civilian population.

Among other criteria for service, monitors must hold a license for armored vehicles above 3.5 tons. The reason is that they drive the cars themselves, unlike in other missions, to reduce the risk of misunderstanding between international monitors and local drivers who do not speak the same language. Moreover, monitors usually stay in a country for a much longer period than observers of other OSCE missions, which is an additional asset, as it arguably enables them to develop some expertise and best practices.

Question arises whether these technical tools are adequate to the monitors’ tasks. Apart from binoculars, walky-talkies, and microphones, monitors use unmanned aerial vehicles (UAV), static cameras, and satellite imagery for two main reasons. One is to observe at night when fighting mostly takes place and, secondly, because they are often prevented from accessing certain parts of the territory.²² Unmanned vehicles, UAVs, can, for example, work inside the Zolote disengagement area and spot

¹⁸ “OSCE Expresses ‘Regret’ After Staff Shown At Separatist Wedding In Ukraine,” Radio Free Europe, 6 April 2016.

¹⁹ I have, personally, witnessed a few, in countries such as Belarus or Afghanistan. Although they raise doubts about the quality of the mission, they generally do not have a major impact.

²⁰ Stephanie Liechtenstein, Interview with A. Hug, Security & Human Rights Monitor, 24 Feb 2015.

²¹ Dijkstra H, Petrov P & Mahr E (2016), p. 34.

²² UAVs are of three types: mini, mid-range, and long-range. In 2019, the Mission was equipped with 53 mini-UAVs, 11 mid-range UAVs, and only one long-range UAV that is able to fly at an altitude of 5 km and to cover a distance of 160 km. The two sides also use their UAVs to observe each other and to prevent the Mission from working, as the following example illustrates: “while positioned in Raivka (non-government-controlled) to conduct a mini-UAV flight, the SMM observed a non-SMM UAV flying at an altitude of about 70 m over its position for around three minutes. The

a newly dug trench.²³ They can thus be useful, though costly, tools, and are frequently targeted by all sides.²⁴ Another weapon with which observers have to deal is the AK-47, also known as a Kalashnikov. It can easily fire at *small* or *mid*-range UAVs, while the *long*-range ones are targeted by surface-to-air missile systems. Sometimes the observers are able to recover them by risking their lives.²⁵ The Mission's UAVs are also often interfered with by electronic warfare equipment, called jamming. It causes remote SMM pilots to lose their GPS signals. But mid-range and long-range UAVs are equipped with emergency systems using different frequencies that allow them to evade interference most of the time. For example, when the SMM's UAV experienced repeated jamming while flying over areas near Shyroka Balka, the interference could have originated from anywhere in a radius of several kilometers of the UAV's position.²⁶ As the example shows, it is difficult to identify the origin of the attacks.

Another category of technical tools used in SMMs are cameras. In 2019, the Mission in Ukraine counted 13 cameras installed in various areas of the conflict zone and planned to put eight more in place. It contracted a civilian company to install them and a specialized staff such as photo analysts, operators, and IT specialists to evaluate the images. Occasionally, cameras are damaged, or the sides prevent the observers from accessing them. Quoting from experiences, it is reported, for example, that "barbed wire was placed around the mast of the SMM camera in Stanytsia Luhanska [...] which impedes the SMM's access to it";²⁷ or that the camera at the Donetsk Filtration Station recorded an explosion "assessed as an impact 600–800 m south, projectile in flight from north-west to south-west";²⁸ or that the camera at the Oktiabr mining area recorded "a projectile in flight from south-east to north-west and a projectile from south-south-east to north-north-west, followed by a total of twelve undetermined explosions."²⁹

By no means do these stories include a clear statement on responsibility for violations of the ceasefire. Boris Gryzlov, Russia's official representative to the Trilateral Contact Group (TCG), in Minsk (Belarus), declared: "It is very difficult for the OSCE monitors, because shootouts mostly take place at night, and at night the mission doesn't work. They can only register the presence of shots, but do not even determine from which side the grenades, mines, or just someone's bullets are flying."³⁰

Mission left the area/.../ and had to abort (its) mini-UAV flight", See: SMM daily report 84/2020, p. 4 and 6, under "other impediments."

²³ And Second: "On the eastern edge of Popasna (government-controlled), an SMM mini-UAV spotted, for the first time, 46 anti-tank mines /.../ assessed as belonging to the Ukrainian Armed Forces", Daily Report, OSCE SMM, 7 June 2018.

²⁴ Daily report 93/2020, 20 April 2020, p. 6.

²⁵ For example, Daily Report, OSCE SMM, 19 April 2020.

²⁶ Daily Report, OSCE SMM, 8 June 2018.

²⁷ SMM daily report 84/2020, p. 3.

²⁸ Daily Report, OSCE SMM, 7 June 2018.

²⁹ Daily Report, OSCE SMM, 7 June 2018.

³⁰ Sputnik News: "OSCE monitors can't determine who starts skirmishes in D," 21 June 2017.

When asked to comment on that statement, a Mission member said: “It is untrue, partly [...] because the cameras can show, approximately, the provenance of the heavy weapons’ rounds.”³¹ But that is not enough to silence critics, and it would be better if the monitors were able to register the provenance of the shots with greater precision and detail. Nevertheless, it is highly unlikely that reporting a higher number of violations with greater precision will make any difference in bringing the sides to the negotiation table.³²

The “Package of Measures” that is part of the Minsk agreements also refers to the use of satellite imagery to enhance the SMM’s monitoring capacity. The Mission is entitled to obtain imagery through individual OSCE participating states or from the EU satellite center in Spain.³³ This imagery enables monitors to look into the past and observe, for example, whether new trenches have been dug. Acoustic sensors were added more recently, in 2018, in the hope that, under certain circumstances, they would make it possible to determine the origin of a weapon that has just been fired.³⁴

3.6 Mission’s Reporting Scheme

Observers of the monitoring mission cannot intervene, only report. Scholars who have studied the monitoring and reporting work of international organizations such as the OSCE are often focused on election observation, a widely used tool since the end of the Cold War, but less on monitoring missions during a conflict (Kelley 2012, Norris and Nai 2017).³⁵ Judith Kelley has shown that election observation can promote progress only under certain conditions, for example in the case of constructive international incentives, domestic pressures for reforms, less conflict-prone settings, and international monitoring organizations that are persistent, capable, and free of political baggage.³⁶ That is not necessarily the case during a conflict. Viewed through this lens, the SMM meets only a few of the same criteria that apply to election observation missions, since international incentives are far from neutral and constructive in the Ukrainian context, and the ongoing conflict is close to a zero-sum situation, at least in the opinion of major stakeholders (Fig. 3.3).

³¹ Author’s interview with a OSCE SMM monitor, Kiev, August 2019.

³² A Mission member told me (November 2020) that the amount of data the cameras installed on UAVs manage to get is so huge that the Mission lacks the staff to process and analyze it. Therefore, only part of that data shows up in the reports.

³³ In Torrejón. See Frederic Oberson (1998) *Intelligence cooperation in Europe: the WEU Intelligence Section and Situation Centre*, in Politi, A. (ed.). *Towards a European Intelligence Policy*, Cahier de Chaillot 34, EU-ISS.

³⁴ Author’s interview of Alexander Hug, June 2018.

³⁵ Hyde (2011).

³⁶ Kelley (2012).



Fig. 3.3 OSCE SMM camera near a checkpoint in Donbas. *Source* (photo: Frederic Oberson, September 2019)

A comparison with international election monitoring is worth drawing when understanding the limits and possibilities of a mission. During election observation missions, for example, for logistical, financial, political, and security reasons, monitors can only observe a few polling stations, attend a few meetings, and cover only a fraction of the country in which elections take place. Authoritarian governments undertake their utmost to prevent election observers from entering certain cities and towns, or polling stations, to witness possible election fraud. Moreover, election monitors stay for only a limited time in a country, a few days or weeks only, contrary to SMM monitors who can stay up to several years.

Transposed to the context of Ukraine, SMM monitors can theoretically provide credible information, therefore improving transparency and assigning responsibility for some violations and increasing accountability. But there are side effects. Pippa Norris, a political analyst at Harvard University, showed that when international organizations publish reports highlighting problems without identifying remedies and sanctions, it can encourage public cynicism.³⁷ Mechanisms to ensure compliance are essential,³⁸ because without accountability, information about flaws and failures can be ducked by politicians through blame avoidance.³⁹ But international organizations are complicated actors, and monitoring is a complex job. In the case of elections, for which the OSCE has developed expertise, scholars have stressed

³⁷ Norris and Nai (2017).

³⁸ Fox (2007).

³⁹ Hood (2013).

that they involve very complex issues that stretch far beyond E-Day. That said, the collection of strong, substantiated facts not based on hearsay, assumptions, or suppositions go to the very heart of monitoring. Monitors must consider multiple types of evidence and corroborate their findings, according to established standards of proof developed over years.

Against this backdrop and when considering the OSCE Mission's reporting methods and the quality of the information, reports and evidence are essential. Is the SMM reporting adequately, without bias, and with clarity, precision, and relevance, having checked every piece of information? Does the SMM provide relief for the population living in conflict areas?

The SMM is publishing daily reports online, so that anyone can be part of the observation process and a passive witness to what is going on in Donbas. The reports are published in three languages: English, Ukrainian, and Russian. In doing so, the SMM fulfills its duty to make the conflict transparent whilst aiming to be neutral, but it also exposes the organizers to heavy scrutiny and critics, by delivering "very uncomfortable truths," as one Mission member said.⁴⁰

Public reporting is not unique in the history of monitoring, but it is unique within the framework of the OSCE or any other international organization of that quality. Normally reports and evidence from ongoing conflicts are sent to the participating states foreign services or governments only. Another issue is that the local population often view monitors as strangers lost in translation and feel disappointed with the international community. "In the war zone, people have very few contacts with the Mission and know very little about its work. Its image is globally negative and there is a misunderstanding of its work," as one said.⁴¹ But does that mean monitors are not doing their work properly? A Mission member responded: "they call us *blind monitors* because our reports are making them uncomfortable. Monitoring is different from verifying. Its effects are hard to see. We come to a village with a pen and notebook and observe the suffering."⁴² The Mission's credo is to report only facts in a very mobile conflict. "There is always a risk of discrediting the whole mission if we are not careful. If a side opens fire, it may be in response to another fire. As a monitor, you don't always have the full picture."⁴³ There is no hotline, but the public can make reports using an e-mail address. Nevertheless, the Mission does not respond to individual requests. Perhaps a hotline would be a good idea, increasing contacts between the population and monitors who spend most of their time in armored vehicles, working in compliance with very strict security protocols. The SMM might also consider using a crowdsourcing platform such as Ushahidi.

Hence, the Mission issues two types of reports, the *Daily Reports* and the *Spot Reports*, which are written when something important happens between two daily reports. In addition, it produces a *Weekly Summary* for the participating states only. It is a compilation of the Mission's findings. Observers send their drafts to their

⁴⁰ Unian (2017), OSCE SMM's Alexander Hug interview, Unian.info, 15 March 2017.

⁴¹ Author's interview with Ioulia Shukan, University of Paris-Nanterre (Paris, April 2018).

⁴² Author's interview with a SMM monitor, Paris, April 2018.

⁴³ Author's interview with a SMM monitor, Kyiv, August 2017.

head office in Kyiv, which forwards them to OSCE HQ in Vienna for reviewing and clearance before publication.

The *Daily Reports* are by far the most important source of information provided by the SMM. Moreover, a comparison of reports in the earlier years of the mission after 2014 with those published in 2020 and 2021 shows that their structure and content have undergone substantial change. The presentation has improved with the introduction of charts and tables, making them more reader-friendly. The content of the *Daily Reports* is structured in the following way, for example: ceasefire violations, types of weapons used, civilian casualties, disengagement areas and restrictions on the Mission's freedom of movement, damage to houses and civilian infrastructure.

Each report always starts in the same way, informing the reader of whether the Mission recorded more, less, or the same number of ceasefire violations in the two conflict zones, in Donetsk and Luhansk, compared to the previous day. The daily reports also list the number and kind of arms and weapons used, including multiple-launch rocket systems, surface-to-air missile systems, howitzers, tanks, anti-tank guns, mortars, mines and UXOs, automatic-grenade-launchers, heavy machine guns, and small arms fire.

People traveling on the contact line can often see billboards bearing the words: *nié pokidaitié dorogy*, meaning "don't deviate from the road," a warning against mines and other dangerous arms left on the side roads. Eastern Ukraine has become one of the most heavily mined territories in the world and has the highest rate of anti-vehicle mine casualties. Reportedly, it would take 10 to 15 years to demine it.⁴⁴ There has been some limited progress on de-mining, but 262 civilians have fallen victim to these weapons over the past three years.⁴⁵ The OSCE SMM recruited some Mine Action Officers and regularly publishes vacancies for such positions.⁴⁶

Unexploded ordnances (UXOs) are also a big issue. For example, in June 2018, the SMM followed up on reports of a boy injured while handling unexploded ordnance at a hospital in Horlivka. "The boy, who was amputated, told the SMM that he had found a thin pen-like object measuring 10–15 cm in length with a red clasp, which he brought home, where it exploded."⁴⁷ Another example states that monitors spoke by phone with a woman's fiancé who found her lifeless on the floor inside a house in Shyroka Balka on 9 April 2020, covered in blood.⁴⁸ These are only two of the many examples of gloomy life in the war zone. They show that when the monitors observe, meet the population, and report on casualties, they contribute to informing journalists, scholars, or anyone wishing to understand the realities in the field.

⁴⁴ <https://112.international/conflict-in-eastern-ukraine/austria-allocates-11-million-for-mine-clearing-of-Donbas-32839.html>.

⁴⁵ <https://www.osce.org/special-monitoring-mission-to-ukraine/450589>.

⁴⁶ For example: <https://jobs.osce.org/vacancies/mine-action-officer-vnsmus01124>.

⁴⁷ Daily Report, OSCE SMM, 7 June 2018.

⁴⁸ Daily Report 93/2020 issued on 20 April 2020.

3.7 Withdrawal of Weapons

Observing the withdrawal of weapons is an important part of the SMM's mandate. Unfortunately, the Minsk-1 and -2 agreements are vague on this key issue and the fight over interpretation leads to tensions.⁴⁹ Furthermore, the agreements include no instructions on the sequence in which their provisions should take place. To make things worse, the numerous denials of access to many sites are another hindrance to the Mission. For example, as reported by monitors, in violation of withdrawal lines, in non-government-controlled areas, the SMM saw three stationary self-propelled howitzers (2S1 Gvozdika, 122 mm) close to an abandoned building about 2 km southwest of Donetsk city's Kirovskiy district⁵⁰; and in "violation of withdrawal lines, in government-controlled areas, an SMM mid-range UAV observed six self-propelled howitzers (2S3 Akatsiya, 152 mm) in Yablunivka."⁵¹ The cases illustrate that the Mission's monitors report precisely on the type of violations of the disengagement process, independently and transparently, which could contribute to establishing the responsibilities of the sides. But they frequently observe weapons that cannot be verified as withdrawn, as their storage does not comply with the criteria for identifying them that were set by the Mission on 16 October 2015, in its notification to the signatories of the Minsk agreements' Package of Measures. The withdrawal of weapons is part of any demilitarization effort, also known as DDR process (Demilitarization, Demobilization and Reintegration) of any peace building and conflict managing process, which is also applied by the UN in conflict zones. It is the first step to peace, but as in the case of the Donbas, not successful yet. But when we look at similar long-lasting violent conflicts and DDR processes, such as the Good Friday Agreement in Northern Ireland in 1997, we see that demilitarizing the 2,500 men in arms was a very difficult task. In comparison, the armies of the two self-declared republics of Eastern Ukraine are more than ten times larger, to say nothing of the Russian military that equips the paramilitaries with weapons and resources (Fig. 3.4).

So far, military positions have remained almost unchanged on the line of contact between the warring sides, since the Battle of Debalstve (2015). Both sides use heavy weapons, target populated areas, lay more mines, and prevent the Mission's patrols from carrying on their work. The stakeholders are using the conflict to pursue their interests, with few incentives to find a solution. The ceasefire might even reduce the perception of injury that motivates parties to make compromises.⁵² In this context, the war allows for a whole array of manipulations and narratives. At present, the population is still resilient. But, as a Mission member said, quoting Simon Perez: "Although there is a light at the end of the tunnel [the civilians are the ones keeping that light on], the problem is that there is no tunnel [no process through which the hopes and the needs of the people can be put forward]."⁵³

⁴⁹ Kadri Liik (2015), *The Diplomatic Battle for Ukraine*, ECFR article online, 27 April 2015.

⁵⁰ Daily Report, OSCE SMM, 13 February 2018.

⁵¹ Daily Report, OSCE SMM, 3 February 2018.

⁵² Tanner, F. (2017), *Advantages of a Civilian Mission*.

⁵³ Author's interviews with A. Hug, Kiev, June 2019.



Fig. 3.4 Mines near a checkpoint in Donbas. *Source* (photo: Frederic Oberson, March 2019)

Another task is to monitor the disengagement process in pilot areas that have been agreed upon, in Minsk, on 21 September 2016. In 2020 there are only three disengagement areas, namely Stanytsia Luhanska, Zolote, and Petrivske. The last two were added after Russia applied diplomatic pressure to have them on the list. That part of the monitoring record is also negative, as reflected by the reports. Two of the pilot areas (Zolote and Petrivske) saw *some* disengagement just after the agreement was signed; but the sides fully re-engaged in the fight soon afterward, undermining the spirit of the disengagement areas.

3.8 Contact Line and Freedom of Movements

The sides make life very difficult for the population, and manning of checkpoints on both sides is appalling. But the fact that so many civilians cross the contact line indicates that people don't believe in this conflict.⁵⁴ There should be more crossing points or, as they are called, "entry-exit checkpoints" (EECPs), working around the clock, with fewer bureaucratic procedures. The five crossing points are Maiorska, Marinka, Hnutove, and Novotroitske in Donetsk and Stanytsia Luhanska in Luhansk. The latter is a pedestrian-only bridge that about 150,000 people cross monthly. It was repaired in November 2019, after much negotiation between the conflicting parties.

⁵⁴ A report estimated the total number crossing every day from 27,000 to 42,000. See UNHCR, "Crossing the line of contact," November 2017.



Fig. 3.5 OSCE SMM monitor near the contact line, hearing some shots. *Source* (photo: Frederic Oberson, March 2019)

It is unclear to what extent the Mission played a role, but it is probable that the repetitive mentions of the disastrous state of the bridge in the reports contributed to pressure on stakeholders.

OSCE observers are frequently prevented from fulfilling their tasks, as reflected in many reports. There are two main types of restrictions, namely those that the Mission imposes itself and those that are imposed by the sides. Denial of access is more frequent than conditional access. For example, when “a group of National Guard officers, citing orders from their superior, denied the SMM entry to a military compound in Manhush (government-controlled), 111 km south of Donetsk”,⁵⁵ or when “at a checkpoint south of Stanytsia Luhanska bridge (...) members of the armed formations denied the SMM passage, referring to the closure of the checkpoint due to COVID-19.”⁵⁶ Moreover, observers sometimes face pressure and harassment: “We faced more and worse impediments and incidents in non-government-controlled areas, including aggression, intimidation, harassment, and violence”⁵⁷ (Fig. 3.5).

But there are also success stories to be told, namely the “Windows of Silence” that are temporary local ceasefires that enable maintenance and repairs of vital civilian infrastructure. Observers and monitors conduct simultaneous patrols, on both sides of the contact line, and coordinate by radio or telephone. Since June 2018 the Mission

⁵⁵ Daily Report, OSCE SMM, 13 February 2018.

⁵⁶ SMM Spot Report 15/2020.

⁵⁷ Cheysheva, O. (2017) “Interview with Alexander Hug”, One Quart Magazine, May 2017 (<https://onequartmagazine.com/life/05/2017/oksana-chelysheva-interview-with-alexander-hug/>).

dispatched around 40 patrols every day around the Donetsk Filtration Station (DFS), securing the water supply for around 300,000 people on both sides of the line. The local population sees that as positive: “the SMM has a poor image amongst people I met in Donbas. Nevertheless, the fact that it facilitates repair work is seen as positive.”⁵⁸ But the infrastructure is often damaged during the night, and the teams have to start from scratch the next day. Per Fischer, the Coordinator of the Economic Working Group at the Minsk Talks, said that the SMM helps improving the life of the population in a number of ways, such as the payment of the water bills by the separated republics, which has to be done in cash, due to the war, and brought every month to the contact line, under the auspices of the SMM. Another positive thing he mentioned is the Windows of Silence tool, making repair work possible. “It is a success, but very shaky.”⁵⁹

The Mission negotiates with the sides to obtain explicit security guarantees before sending its patrols, but it cannot be certain that local fighters will abide by them. For instance, on 13 April 2020, a patrol at the non-governmental controlled railway station in Yasynuvata was monitoring adherence to a localized ceasefire to facilitate the operation of the Donetsk Filtration Station, when they heard explosions, despite having been provided security guarantees.⁶⁰ As a Mission member commented: “Very often, when we ask for security guarantees, the sides continue to fight, but to a lesser degree. It is difficult to explain to civilians what these localized cessations of fire, so-called “Windows of Silence,” are good for, not least because the OSCE is not a humanitarian agency but facilitates the access of those who can deliver aid or repair infrastructure.”⁶¹ Here is another example: “in Luhansk region, the SMM monitored adherence to a Window of Silence and facilitated reportedly a transfer of funds from non-government to government-controlled areas in relation to a water utility payment.”⁶² Moreover, the Window of Silence tool confronts the monitors with a dilemma when they need to find a balance between secrecy, for the protection of civilians, and transparency to report on the conflict on a daily basis. But it is a tool that has proven essential in enabling repair of basic infrastructure such as water, gas, electricity, and telephone communications. In this sense, the Mission can rightfully be called a facilitator of humanitarian aid and civilian relief.

⁵⁸ Author’s interview with Ioula Shukan, an academic working on Ukraine, Paris, April 2018.

⁵⁹ Author’s Skype interviews with Per Fischer, 10 October & 1st November 2018. Since May 2015, the four working groups (Political, Humanitarian, Economic, Security) within the Trilateral Contact Group (TCG) are meeting every two weeks in Minsk (Belarus), at the Hotel & Conference Center. The Minsk negotiation format is one of the rare arenas where the separatists can receive attention and express their views in front of a panel of experts, since their representatives are present in each of the four working groups.

⁶⁰ OSCE SMM Spot Report 12/2020.

⁶¹ Alexander Hug’s interview with the author, Kiev, June 2018.

⁶² Daily Report, OSCE SMM, 8 June 2018.

3.9 Impact of SMM

The purpose of any mission is not only to *inform* about a conflict but also to contribute to *improving* the situation and to making life easier for the population. This second aim is taken for granted by domestic and international actors. Unsurprisingly, the Mission claimed to have been proven effective in deterring violence and reducing tensions.⁶³ Nevertheless, its work has not yet been subjected to a thorough examination. Given the great number of obstacles, skeptics would argue that such a mission is unable to bring about any change. But, theoretically, its presence might raise the cost of violence.

Nevertheless, as this study shows, violence and compliance with rules are a matter of degree and gains are never global, but restricted to certain domains, which, of course, is better than nothing. SMM staff can ease and improve conditions on the ground in various ways and reinforce the utility of such missions in the long run. By their repeated patrols and daily reports, they help to provide basic needs to the population to water, electricity, heating, etc., and by doing so improving the commitment of local actors to keep up telephone communication, crossing points and even prisoner exchange. Arguably, monitors even play a role in deterring an escalation of violence, in certain cases. But these glimmers rarely last, making the work of the Mission a task similar to that of Sisyphus, condemned to roll a boulder up a hill forever. Lastly, given the limited framework of this study, it is impossible to determine whether this SMM has had any success in helping to improve the behavior of the OSCE and its participating States, as the mechanisms of influence and diplomacy are very difficult to assess.

3.10 Learning from Experience

“It seems highly unlikely at least in the near term that a need would arise for an OSCE military peacekeeping force as opposed to a civilian one,” Ambassador Adam Kobieracki, Director from Conflict Prevention Centre of the OSCE, concluded in 2013 in Vienna.⁶⁴ Ever since its first SMM in 2014, the OSCE had the possibility to deploy a military peacekeeping force, but has not done it so far. In Ukraine, it is already cooperating with other UN agencies and missions, in particular the Human Rights monitoring mission in Ukraine (HRMMU), but not in the context of a “helmed” one. In the 1990s and beyond it proved capable of working closely with the UN in Kosovo, within the “pillar system,” when the OSCE was in charge of the institution-building pillar, within the framework of UN Security Council Resolution 1244. But the 567-staffed OSCE mission in Kosovo was under a different mandate

⁶³ My interviews with 14 Mission members, in 2016–2020. See also the factsheets published by the SMM, which are stressing its role in reducing tensions.

⁶⁴ OSCE conference: Promoting Lasting Solutions, p 7.

and in close cooperation with 5000 NATO soldiers, 360-staffed UN mission and even 150 staff from the EU. An exception, so far, not the norm.

Nevertheless, there have been attempts for peacekeeping missions already back in 2015. In light of the Minsk agreements, the Ukrainian government in Kyiv, followed by Moscow, proposed a UN peacekeeping mission for Ukraine in 2015. Russia circulated a draft UN Security Council resolution that was a hybrid arrangement, with UN peacekeepers protecting SMM monitors, while the Ukrainian draft was about a robust operation enforcing the ceasefire, under Chapter VII of the UN Charter, but with no reference to the SMM. Two years later, Russia launched another proposal, but Kyiv disagreed on the question of the mandate and insisted that the future mission should not include peacekeepers from Russia. Some OSCE officials reacted negatively to both proposals, stating they did not require any force for protection: “Why bother with a blue helmet force? It would be another obstacle for us. There is no peace to be kept yet (...) It won’t make any difference in the field.”⁶⁵

Thus, SMM monitors often find themselves in the middle of a political entanglement they have no power to address. With little leverage, they are at the mercy of the political will of participating states (Lehne 2015). They work as auditors, providing third-party evidence to accusations of violence and malpractice, but cannot impose costs on those responsible for violations, let alone sanctions. For that reason, some say that other forms of field action are needed, so-called “second-” and “third-” generation missions that include a strong mandate and enough armed personnel to enforce compliance. In this respect, does the SMM need to be transformed into a peacekeeping mission or to be associated with a second mission with a peacekeeping mandate?

Some believe it does. The Hudson Institute for policy research stated that the SMM mission played an “important and courageous role” in monitoring the conflict, but lacked the leverage to resolve it. Nevertheless, even if a major peacekeeping operation became feasible, “it would be prudent to keep the SMM in place as a fallback in case the new force stumbles.”⁶⁶

If we look at the different types of missions and monitors deployed in recent history (Doyle and Sambanis 2006), we see that the SMM monitors can only serve as observers without any enforcement powers, let alone a military mandate. Other types of missions have stronger powers, for example those that have ‘policing’ in their mandate, such as the so-called “second-generation” missions, which are addressing the roots of conflicts, for example: economic reconstruction, reform of the police, army, judiciary, and elections. As for the “third-generation” missions, they are authorized to use force. Nevertheless, the SMM is partly undertaking tasks devoted to these other categories, since it plays the role of an intermediary between the sides and of a facilitator of humanitarian aid and economic reconstruction, through the “Windows of Silence” tool.

⁶⁵ Author’s interview with a Mission member (OSCE SMM), Kiev, June 2018.

⁶⁶ Gowan, R. (2018), “Can the United Nations Unite Ukraine?,” Hudson Institute, February 2018, Hudson Institute, pp. 11 & 20.

Adaptive peacebuilding and monitoring have been receiving more attention in recent years (de Coning 2018). Some argue, drawing on the ongoing experience of Georgia, that unarmed missions without a mandate for enforcement have little effect on peace duration when they operate in the context of ongoing conflicts since 2009, and that they may even increase the level of aggression toward the civilian population. To take a position in that debate, I will look at other conflicts and field missions, using a comparative analysis.

There are examples of successful monitoring missions over the past decades. One of them is the EU Monitoring Mission in Aceh Province, Indonesia, deployed when the separatists signed an agreement with the government after almost 30 years of war, in 2006.⁶⁷ That mission, which had both civil and military components, successfully monitored the disarmament, human rights, and amnesty processes.⁶⁸ Amnesty, in particular, was essential, as fighters only agreed to disarm once they were convinced they had a future similar to what transpired in Nicaragua, when the war between the Sandinistas and the CIA-backed Contras ended after many efforts to find a solution.⁶⁹ But the time is not yet right for this approach in today's Ukraine, where the questions of amnesty and local elections, among others, still divide the population and politicians.

Another example worth mentioning, although it can hardly be called a success, is the UN mission to North and South Cyprus, an island that has been divided by the Greek and Turkish speaking inhabitants for more than 50 years. The Mediterranean island has been ridden by conflict over territory, sovereignty, and identity, despite the efforts of international monitoring and peacekeeping. American diplomats such as Henry Kissinger and the government of Turkey played a significant role in this affair because of the strategic importance of Cyprus.⁷⁰ Talks finally resumed in 2014, but no signs of progress are in view, despite the UN commitment. Nothing is more revealing than this stalemate, full of the dawdling and backtracking of the main players, as Lawrence Durrell showed in the autobiographical work *Bitter Lemons*, about the three years he spent on Cyprus.⁷¹ Former British Prime Minister Anthony Eden sums up the problem in his memoirs: "For geographical and tactical reasons, the Turks have the most rights in Cyprus, for reasons of race and language, it is the Greeks, for strategy, the English."⁷²

Transnistria, officially part of Moldova and bordering Ukraine, is yet another region within the OSCE region that provides for comparison. Russia exercises a dual role as mediator and party to the conflict in Transnistria, and the OSCE initiated a

⁶⁷ Institute of World Policy (2016), "Conflict Settlement Practices Around the World: Lessons for Ukraine," p. 11.

⁶⁸ Schulze, K. (2009), "AMM (Aceh, Indonesia)," in ESDP: The First Ten Years (1999–2009), Grevi, G., Helly, D. & Keohane, D. (eds.), Institute for Security Studies, Paris, France.

⁶⁹ Oberson, F. *¡Sandinista! The Clash en Nicaragua* (www.fragmentsoftime.net).

⁷⁰ Brendan O'Malley & Ian Craig (1999), *The Cyprus Conspiracy: America, Espionage and the Turkish invasion*, I. B. Tauris, London.

⁷¹ Faber and Faber, London, 1957.

⁷² Anthony Eden (1960), *Full circle*, Cassell, London, p. 405.

mediation but achieved very little, for more than 20 years. Moldova is still offering the region autonomy, while Transnistria insists on international recognition and a loose confederation of equals. In 2003, Moscow proposed a federation with autonomous status, the “Kozak memorandum,” named after Vladimir Putin’s confidant, Dmitri Kozak. But the final draft provided for long-term status for Russian military forces, and for that reason, the Moldovan president withdrew his initial approval. The status of the Transnistrian Moldovan Republic (TMR) remains unclear to this day. It finds itself in an existential dilemma between its uncompromising political orientation on Russia and its economic connectedness with Moldova, Ukraine, and the EU. Moreover, its geographical situation would make unification very costly for Russia, while reintegration in Moldova would come at an even greater cost (Fischer 2016). This dilemma is similar to that of Eastern Ukraine. The only success is the two bilateral accords agreed between Ukraine and Moldova, on November 2015, with the support of the UE border assistance mission, to fight smuggling and illicit trade at the border.⁷³

The Republic of Georgia is another country where the combined efforts of the OSCE and EU achieved very little. The head of the EU investigation team on the 2008 Russo-Georgian War recalled the challenges she had to deal with when, for the first time in its history, the EU created an independent fact-finding commission to determine what went so badly wrong and how to avoid a repetition. According to her, “a factor for that war was the lack of progress, for more than 15 years, in the resolution of the two frozen conflicts of Abkhazia and South Ossetia, despite the presence of the UN, the OSCE, and the EU. The international community looked the other way as if it had given up on upholding an increasingly fragile cease-fire.”⁷⁴ Indeed, from 1993 to 2008, UN observers were deployed to monitor the secessionist region of Abkhazia, but that small mission, the United Nations Observer Mission in Georgia, found itself “substantially dependent on Russia’s policies and preferences.”⁷⁵

The last, but not least, comparison is the current conflict in Nagorno-Karabakh. At the time of writing, thousands of lives have already been lost as a consequence of the worse fighting since the 1990s between Armenia and Azerbaijan in that disputed enclave, showing that the conflict was not frozen at all. It also has geopolitical implications, since Russia and Turkey hold strategic interests in the region. When full-scale fighting resumed a few months ago, the OSCE was sidelined. A ceasefire brokered by Russia came into effect in November 2020, after Azerbaijan retook much of the land it had lost during the 1992–1994 war. Moscow deployed around

⁷³ For a recent global survey, see: https://unece.org/fileadmin/DAM/trade/Publications/ECE_TRADE_433E.pdf.

⁷⁴ Heidi Tagliavini, “Lessons of the Georgian Conflict,” 30 September 2009, *The New York Times*.

⁷⁵ Bruno Coppieters, “The UNOMIG,” in Joachim A. Koops, Borrie MacQueen, Thierry Tardy, and Paul D. Williams, *The Oxford Handbook of United Nations Peacekeeping Operations* (Oxford: Oxford University Press, 2015), p. 446.

2,000 peacekeepers and the ceasefire deal allowed Azerbaijan to keep the territories it recaptured, a concession that fueled outrage in Armenia.⁷⁶

Why wasn't the OSCE more active in the current temporary settlement? Russian President Vladimir Putin explained that, given the urgency,⁷⁷ "there was no time for holding additional consultations within the framework of the OSCE Minsk Group." Co-chaired by the United States, Russia, and France, that group had also been in charge of negotiating a peaceful settlement. It is unclear at the time of writing what role the OSCE will play in the future. Nonetheless, some elements of the recent ceasefire were based on the peace plan that had been negotiated within that OSCE framework over a period of many years. Moreover, the High-Level Planning Group of the Minsk Group was mandated to devise a plan for a multinational OSCE peace-keeping force. The group could, in the near future, propose a plan to replace the Russian peacekeepers, but only if the stakeholders agree, in particular the Biden administration in the United States, which took office in January 2021. As OSCE chair in 2021, Sweden could also play a role.

Consequently, the OSCE could very well be asked to use the expertise and lessons learned from Ukraine over the last five years to set up a mission in Nagorno-Karabakh that would resemble the OSCE SMM in Donbas.

One additional problem is that the COVID-19 pandemic is currently preventing Minsk Group visits to the field and most meetings are taking place virtually, making it even harder for the OSCE to get involved more actively.

3.11 Conclusion: Future Challenges for the OSCE SMM in Ukraine

The OSCE's SMM in the Donbas region of Ukraine provides a good example for the possibilities and limits of international conflict monitoring missions. Until recently, no one really knew whether international monitoring was a good idea, because it had received little real scrutiny.⁷⁸ The situation has improved a little over the last years, with several analyses and surveys on some missions.

It is important to stress that the OSCE can only monitor, not resolve, the conflict, not having neither the means nor the mandate to do it. Only the sides can initiate a sustainable peace process. Nevertheless, the SMM is worth receiving more attention due to its importance, size, funding, and duration. It is an example for review and lessons-learned systems.⁷⁹ But the current conflict in Eastern Ukraine has been

⁷⁶ It was also found that around 1,000 Syrian fighters working for a private Turkish company has been deployed in the region, as reported by *The Guardian* (<https://www.theguardian.com/world/2020/oct/02/syrian-recruit-describes-role-of-foreign-fighters-in-nagorno-karabakh>).

⁷⁷ Stephanie Liechtenstein, "With Multilateral Efforts Bypassed in Nagorno-Karabakh, OSCE Struggles to Find Role," IPI Global Observatory, 3 December 2020.

⁷⁸ Kelley (2012).

⁷⁹ Tammikko, T., Ruohomäki, J. (2019), p. 5.

suffering from a lack of member states interest in recent years, and the current COVID-19 crisis is bound to make things worse (Mustasilta 2020). Moreover, the COVID-19 confinement resulted in a reduction of the Mission's staff, with the repatriation of a number of international monitors (based on individual choice), and social distancing for those who stayed.⁸⁰

War is a deceptively simple event. One side fights another in order to gain or preserve territory and they tend to create a new reality of their own and prevent any attempts at ending the conflict. SMMs have to respond to this reality.

Starting as a war of attrition, the fight in Ukraine progressively transformed itself into a war of position and is now driving toward a “frozen”—or “protracted”—conflict, similar to the situations in Transnistria and northern Georgia. It could last for decades, but if it does, it is not the fault of the OSCE SMM, which is not the root cause of the conflict. Hence, it cannot resolve it, but only ease it and facilitate a peace building process, based on the evidence it has and the neutrality it aims to provide.

Fundamental provisions of the Minsk Agreements are not implemented in the field. When the sides re-commit themselves to implementing the ceasefire, the violations drop drastically on the following day, but fighting resumes a few days later.⁸¹ These cycles of commitment and re-commitment are creating fatigue, and a war routine is well installed, as a quote from an interview with a Ukrainian soldier illustrates when explaining: “Our mornings begin with militant attacks—the separatists wish us ‘good morning,’ and we return favors [...] and yesterday is repeating.”⁸² A gray economy is also well-entrenched, reducing the willingness of stakeholders to seek a negotiated settlement; the ecological situation is also appalling.⁸³ Nevertheless, studies have mapped economic connectivity, underlining connections across the divide (Mirimanova 2017).

The current conflict in Ukraine is tricky and multilayered, but certainly not absurd. It is not a *Catch-22* situation.⁸⁴ It is at the nexus of many conflicting interests of a political, geopolitical, economical and emotional nature. At the root of the problem is the total absence of trust between the sides, who not only lack the will to implement the peace process but also fear that if they were to endeavor to start unilaterally, they would be abused by the other. Ultimately, this conflict can only be resolved through dialogue and trust. Meanwhile, the SMM continues to facilitate an indirect dialogue between the sides.

Against this backdrop, what are the real achievements of the Mission, the biggest the OSCE has deployed so far? The effects of international observation have been

⁸⁰ Author's Skype interview with Ambassador Çevik, the Mission's Chief Monitor, 24 April 2020.

⁸¹ For example, there was a 90% drop from 4 to 9 March 2018, followed by a rise of about 500 violations, on 10 March. OSCE SMM Daily reports, March 1st-12, 2018.

⁸² “Hero of Ukraine Valeriy Chibineev,” Unian.info, 7 December 2016.

⁸³ “The Real Price of Coal in the wartime Donbas: a human rights perspective,” Heinrich Böll Stiftung, Kyiv & Justice for Peace in Donbas, 2017, p. 21.

⁸⁴ In “*Catch-22*”, his satirical novel of 1961, Joseph Heller depicts a tricky problem and a no-win, absurd situation.

documented in a series of studies focusing on elections (Hyde 2011; Kelley 2012; Donno 2013; Norris and Nai 2017). These authors built their assessment on the logic that international observers provide unbiased information, therefore deterring malpractice, raising the cost of cheating, and triggering diplomatic pressure. In Ukraine, the SMM is the only actor that can provide that sort of information.

There is evidence that international monitoring is ineffective unless it is coupled to mechanisms of accountability and compliance, ranging from soft to hard power, including agreements, re-commitment to ceasefires, applying diplomatic pressure, and providing technical assistance. In that respect, the Mission has shown that by developing soft power it was able to provide both credible information and technical assistance, which I have attempted to assess in this chapter. It also proved flexible. But it cannot solve the conflict outright and can only bring small improvements to the everyday lives of the people living in the war zone. I suggest that some improvements are due to a combination of diplomatic engagement, mediation, shaming, and long-term monitoring. I also argue, with Walter Kemp, that the Mission is a test of OSCE capacity and effectiveness (Kemp 2016). Few have praised OSCE missions so far, apart from the small one deployed in Kyrgyzstan, in 2005.⁸⁵ Assessing the SMM in 2015, a panel of experts published a report stressing the need to strengthen the OSCE's operational capability.⁸⁶

Furthermore, the concept of organizational learning can help to assess whether the Mission has undergone changes resulting from lessons-learned (Argyris and Schön 1978, Adebahr 2009). But it is difficult to be sure that changes actually result from learning and not from other factors, such as decisions taken by the sides to the conflict. Still, I would argue that, for five years, SMM monitors have improved their skills and developed best practices that will guide future missions. The SMM is therefore a solid, if incomplete, step toward the professionalization of international monitoring and its capacity-building process. As monitors improved their skills, their reports became more precise and accurate. This is a matter of methodological progress (using the lessons-learned process and assessment of prior field missions). In comparison, the EU has not been able to better learn to deploy its civilian capabilities.⁸⁷ The Mission has assumed the multiple roles of observer, monitor, journalist (i.e. war correspondent), chronicler, witness, mediator, and facilitator (of humanitarian aid, mainly). But it is often wrongly *perceived* as playing the role of investigator, law enforcement officer, peacekeeper, or watchdog.

The OSCE SMM in Donbas has consistently provided stakeholders with objective information as to the realities on the ground, even though that information may be incomplete. Everyone is nonetheless able to make an assessment on facts and not on hearsay, unverified rumors, or allegations, which are known to have triggered violence in other conflicts. But the observation tools and methods of the Mission are

⁸⁵ Rybachenko A, (2016), p. 23: “the OSCE center in Bishkek was key to developing a timely and effective crisis response.”

⁸⁶ Interim Report & Recommendations of the Panel of Eminent Persons on European Security as a Common Project.

⁸⁷ Dijkstra H, Petrov P & Mahr E (2019), p. 2.

far from satisfactory. Not only are the monitors prevented from entering certain areas in the war zone, but their tools are often damaged or destroyed: “Our observation tools are limited. Our cameras are regularly sabotaged and our UAVs are shot down. We have limited access to the border.”⁸⁸

The mandate and toolbox of the OSCE were assessed as being well-tailored to conflict resolution during moments of ripeness for third-party action, but only if equipped with the political will of the participating states.⁸⁹ This statement summarizes the crux of the conflict in a nutshell.

References

- Adebahr C (2009) *Learning and change in European foreign policy*. Nomos, Baden-Baden
- Argyris C (1982) *Reasoning, learning, and action: individual and organizational*. Jossey-Bass, San Francisco, CA
- Besemeres J (2016) *A difficult neighbourhood: essays on Russia and East-Central Europe since world war II*. Australian National University Press, Melbourne
- Birchfield VL, Young AR (eds) (2018) *Triangular diplomacy among the United States, the European Union and the Russian federation: responses to the crisis in Ukraine*. Palgrave Macmillan, London
- Boulègue M (2016) *The political and military implications of the Minsk 2 agreements*, note no. 11/2016. Fondation pour la recherche stratégique, Paris. Accessed 18 May 2016
- Bonnot M (2014) *Des Etats de facto*. L'Harmattan, Paris
- Brodie B (1974) *War and politics*. Macmillan, London
- Centre for Current Politics, Moscow (2016) *Analytical report, Бесконечный тупик. Состояние и перспективы процесса политического урегулирования конфликта между Украиной и республиками Донбасса. К первой годовщине минских соглашений*. February 11, 2016 (the Minsk process from a Russian perspective)
- Cúneo M (2018) *A United Nations Peace-keeping Force for Ukraine?* CARI
- De Coning C (2018) *Adaptive peacebuilding*. *Int Aff* 94(2):301–317
- Devin G, Smouts MC (2011) *Les organisations internationales*. Armand Colin, Paris
- Dijkstra H, Petrov P, Mahr E (2019) *Learning to deploy civilian capabilities: how the UN, OSCE and EU have changed their crisis management institutions*. Cooper Conflict
- Dijkstra H, Petrov P, Mahr E, Dokic K, Horne Zartsdahl P (2018) *The EU's partners in crisis response and peacebuilding: complementarities and synergies with the UN and OSCE*. *Global Aff* 4(2–3):185–196
- Donno D (2013) *Defending democratic norms: international actors and the politics of electoral misconduct*. Oxford University Press, USA
- Dorn A (2016) *Smart peacekeeping: toward tech-enabled UN operations*. International Peace Institute, pp 5–14
- Doyle MW, Sambanis N (2006) *Making war & building peace: United Nations peace operations*. Princeton University Press, Princeton, NJ
- Fischer S (ed) (2016) *Not Frozen! The unresolved conflicts over Transnistria, Abkhazia, South Ossetia and Nagorno-Karabakh in light of the crisis over Ukraine*. In: SWP Research Paper, Berlin
- Fox J (2007) *The uncertain relationship between transparency and accountability*. *Dev Pract*:663–671

⁸⁸ Author's interview with 5 different SMM monitors, June 2018, February 2019, in Kyiv, Kramatorsk and Kharkiv.

⁸⁹ OSCE conference: Promoting Lasting Solutions, pp 2–3.

- Giuliano E (2015) *The origins of separatism. popular grievances in Donetsk and Luhansk*. PONARS Eurasia, Washington
- Gowan R (2019) *Can the United Nations Unite Ukraine?*. Hudson Institute. <https://www.hudson.org/research/14128-can-the-united-nations-unite-ukraine>
- Gressel G, Liik K, Wesslau F (2016) *Donbas: an imported war*. ECFR (article online). Accessed 3 Nov 2016
- Harland D (2018) *The lost art of peacemaking*. Oslo Forum, HD (Center for Humanitarian Dialogue) Research Paper, Lausanne
- Hood C (2013) *The blame game: spin, bureaucracy, and self-preservation in government*. Princeton University Press, Princeton, NJ
- Hyde SD (2011) *The Pseudo-democrat's Dilemma: Why Election Observation Became an International Norm*. Cornell University Press, Ithaca, NY
- International Crisis Group (2016) *Russia and the Separatists in Eastern Ukraine*. Eur Central Asia Brief 79. Accessed 5 Feb 2016
- Institute of World Policy (2016) *Conflict settlement practices around the world: lessons for Ukraine*
- Ivanov IS (2002) *The new Russian diplomacy*. Nixon Center and Brookings Institution Press, Washington DC
- Kelley JG (2012) *Monitoring Democracy*. Princetown University Press, Princetown, NJ
- Kemp W (2016) *OSCE peace operations: soft security in hard environments*. International Peace Institute, pp 4–5
- Koops JA, MacQueen B, Tardy T, Williams PD (2015) *The Oxford handbook of United Nations peacekeeping operations*. Oxford University Press, USA
- Kemp W (2016b) *OSCE peace operations: soft security in hard environments*. New York International Peace Institute, USA
- Lebedev AC (2017) *Les combattants et les anciens combattants du Donbass: profil social, poids militaire et influence politique*, IRSEM, Etudes, n 53
- Lehne S (2015) *Carnegie endowment for international peace*. Retrieved 23 Aug 2020 from <http://www.jstor.org/stable/resrep12952>
- Levinger M (2018) *Forging consensus for atrocity prevention: assessing the record of the OSCE*. *Genocide Stud Prev* 11(3):60–74
- Liechtenstein S (2020) *With Multilateral Efforts Bypassed in Nagorno-Karabakh, OSCE Struggles to Find Role*. IPI Global Observatory. Accessed 3 Dec 2020, <https://theglobalobservatory.org/2020/12/multilateral-efforts-bypassed-nagorno-karabakh-osce-struggles-find-role/>
- Liechtenstein S (2015) *Interview with Alexander Hug: Political will has to be translated into operational instructions on the ground*. *Secur Hum Rights Monit*. Accessed 24 Feb 2015
- Litra L, Medynskiy I, Zarembo K (2016) *Assessing the EU's conflict prevention and peacebuilding interventions in Ukraine*. *Inst World Pol*. Accessed 31 Oct 2016
- Marangé C (2017) *Les Stratégies et les Pratiques d'influence de la Russie*. *Études de l'IRSEM*, Paris (France), no 49
- Matveeva A (2018) *Through times of trouble: conflict in Southeastern Ukraine explained from within*. Lexington Books, London (UK)
- Mirimanova N (2017) *Economic connectivity across the line of contact in Donbas, Ukraine: an under-utilised resource for conflict resolution*. HD (Center for Humanitarian Dialogue) Research Paper, Lausanne
- Mustasilta K (2020) *From bad to worse?: The impact(s) of Covid-19 on Conflict Dynamics*. European Union Institute for Security Studies (EUISS)
- Nilsson C (2016) *Revisiting the Minsk II agreement: the art and statecraft of Russian-brokered cease-fires*. *Center for Strategic and International Studies (CSIS)*, pp 18–20
- Norris P, Nai A (eds) (2017) *Election watchdogs: transparency, accountability and integrity*. The Electoral Integrity Project, Oxford University Press, USA
- OSCE conference (2013) *Promoting lasting solutions: approaches to conflict resolution in the OSCE Area*. Vienna Accessed 16 Sept 2013

- Panel of Eminent Persons on European Security as a Common Project (2015) Lessons learned for the OSCE from its engagement in Ukraine, interim report & recommendations
- Pisarenko A, Umland A, The OSCE's special monitoring mission to Ukraine: the SMM's work in the Donbas and its Ukrainian Critique in 2014–2019, draft paper
- Popescu N (2014) First lessons from the Ukrainian Crisis. European Union Institute for Security Studies (EUISS), Paris
- Reilly B (2015) Timing and sequencing in post-conflict elections, Center for Research on Peace and Development (CRPD) KU Leuven. In: Working paper no: 26
- Remek E (2018) The OSCE and the crisis in Ukraine: focussing on the theoretical characteristics of the European crisis management concepts, players, tools, vision. *Acad Appl Res Mil Sci* 17(2):95–110
- Rybachenko A (2016) OSCE field operations after the Ukraine Crisis in search of a new strategy? In: Freist-Held R, Klie D (eds) *Dialogue, consensus, comprehensive security, field action: Why the OSCE needs a new impetus now*. Polis, pp 19–23
- Sasse S (2017a) The displaced Ukrainians: Who are they, and what do they think? ZOiS Report
- Sasse S (2017b) The Donbas—two parts, or still one?: The experience of war through the eyes of the regional population? ZOiS Report, May 2017
- Schulze K (2009) AMM (Aceh, Indonesia). In: Grevi G, Helly D, Keohane D (eds) *ESDP: the first ten years (1999–2009)*. Paris (France), Institute for Security Studies
- Shukan I (2016) *Génération Maïdan: vivre la crise ukrainienne*. Éditions de l'aube, Paris (France)
- Tanner F (2018) Sustaining civilian missions in conflict zones: the case of the OSCE special monitoring mission to Ukraine. *Swisspeace*
- Tammikko T, Ruohomäki J (2019) The future of EU civilian crisis management: finding a niche, FIIA (Finnish Institute of International Affairs), no. 262. Accessed May 2019
- Tertrais B (2018) The causes of peace: the role of Deterrence, *Recherche & documents*, no 02/2018. *Fondation pour la recherche stratégique*, Paris. Accessed Jan 2018
- Tytarchuk O (2015) Strengthening the OSCE special monitoring mission to Ukraine: a way to peacekeeping? *East Eur Secur Res Initiative Comment*. Accessed Apr 2015
- Umland A (2018) Re-imagining & solving the Donbass conflict: a four-stage plan for Western and Ukrainian Actors. *Foreign Policy Assoc*. Accessed 29 Aug 2018
- Zellner W (2016) Conflict management in a confrontational political environment. In: Samuel G, Oleksandr T, Maksym K (eds) *International crisis management: NATO, EU, OSCE & Civil Society*. IOS Press, Amsterdam, pp 47–53

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 4

China and The OSCE's Security Identity Crisis



Assel Murat and Rustam Muhamedov

Abstract This study attempts to explore how China as an external actor bordering the OSCE region facilitates and amplifies the norm contestation in the OSCE's wider region. We argue that China can use the OSCE's internal leadership and security crisis for its own strategic advantage by further weakening the OSCE participating States' commitments in the human dimension and their support for democratic institutions. We discuss the aforementioned through the case of the persecution of Muslims in Xinjiang. The research findings indicate that China uses its policy tools to accomplish its objectives: it seeks to expand and strengthen the network of supporting states in regard to Xinjiang; it uses its diplomats as outlets of propaganda and disinformation to deny the persecution of Muslims in Xinjiang and to present China as a benign actor; it uses multilateral institutions such as Shanghai Cooperation Organisation as a platform to build support for its alternative regional security governance model. We conclude that this policy posture undermines the work of the OSCE and trust in its values, norms, and practices.

Keywords Xinjiang policies · OSCE identity crisis · OSCE commitments · The BRI · Authoritarianism · Democratic norms contestation

4.1 Introduction

In a time of debates about revolving and changing national identities, it is worth looking at how geopolitics also change and impact the policies and identities of International Organizations, such as the Organization for Security and Cooperation in Europe (OSCE). We look at how the OSCE's 54 participating States respond to the organizations' bordering states, namely to China's policies and human rights

A. Murat (✉) · R. Muhamedov
Independent Researcher, OSCE Academy, Bishkek, Kyrgyzstan
e-mail: a.murat@osce-academy.net

R. Muhamedov
e-mail: r.muhamedov@osce-academy.net

© The Author(s) 2021
A. Mihr (ed.), *Between Peace and Conflict in the East and the West*,
https://doi.org/10.1007/978-3-030-77489-9_4

abuses in the western Chinese region of Xinjiang, all whilst upholding their OSCE commitments.

In July 2020, the OSCE was thrown into a crisis that was caused by three member states, Turkey, Tajikistan, and Azerbaijan, who objected to the reappointment of the organization's representative for freedom of the media and the head of the human rights office. In the ensuing infighting, all four senior OSCE officials and candidates for these positions failed to be reappointed, leaving the organization rudderless (Hall et al. 2020). This political impasse undermined the OSCE's vital work in seeking concerted solutions to alarming processes that have shaken the region: the COVID-19 pandemic's disruptive impact on all spheres of human activity, the re-explosion of the violent conflict between Armenia and Azerbaijan in Nagorno-Karabakh in late September 2020, political turmoil in Kyrgyzstan in October 2020, and Belarus following the fraudulent elections in August 2020, which led to massive human rights violations and a breach of constitutional rights within these states. Though the organization continued to perform its important duties at a minimum level in the field of election observations and peace building, its overall responsive capacity was noticeably impaired.

This decline in trust in multilateralism and the political polarization among the member states in the OSCE is not completely novel, however. For over two decades now, the OSCE has been perturbed by the identity crisis caused by participating States' diverging attitudes toward the institution's core norms, values, and practices (Lehne 2015; De Waal 2017). The OSCE has a strong normative identity; it embraces a vision that consolidated democratic institutions, respect for human rights and rule of law are crucial prerequisites for genuine security and stability, both at the national and regional levels because they help resolve "political, economic, social, and environmental challenges at multiple levels of society" (Lewis 2012). Accordingly, the OSCE advances a holistic approach to security, placing both humans and the state at the core of its agenda. It seeks to facilitate the diffusion of these democratic values and practices through constructive dialogue with its participating States, aspiring to build a "security community" in its wider region—a community of states united by common goals and shared values (as is stated in 1990 Charter of Paris, 1999 Charter for European Security, 2010 Astana Commemorative Declaration). Rhetorically, all the participating States support this identity and vision; in reality, however, political elites in a number of the OSCE participating States have been persistently challenging it, refuting the promotion and upholding of the values they rhetorically support (Dunay 2017; Lehne 2015). This provides us the platform to discuss how external actors can use this "security gap" to pursue their strategic interests.

Much of the literature on the subject focuses on the dynamics of these processes as inner developments in the OSCE-wide region. In this chapter, we seek to explore how China, being an external actor bordering the OSCE region, and member states of Mongolia, Kazakhstan, Russia, Kyrgyzstan and Tajikistan, all with diverging security vision and strategic interests, facilitates and amplifies the norm contestation in the OSCE's wider region. China and the OSCE converge in expressing certain threat concerns, such as extremism and terrorism. Given this, China welcomes the OSCE's efforts in contributing to the stability in regions, such as in Central Asia, that are

crucial for the success of its geostrategic projects, such as the Belt and Road Initiative, which cuts through most of the OSCE region.

At the same time, the OSCE and China have fundamental divergences in how they conceptualize threats, how they signal their root causes and identify proper responses. China champions the state-led security discourse, seeking to protect the vital interests and preferences of its authoritarian ruling regime. Therefore, Chinese authorities clearly acknowledge that the OSCE's robust democratic identity can constrain their increasingly assertive efforts to circumvent and revise democratic rules and norms of the international order to better accommodate their interests.

Against this backdrop, we argue that China can use the OSCE's internal leadership and security crisis, as indicated above, for its own strategic advantage by further weakening the OSCE participating States' commitments in the human dimension and their support for democratic institutions. We looked into how Chinese authorities legitimize their repressive policies in Xinjiang internationally, specifically the persecution of Muslim minorities in western Chinese territories. One may wonder and ask why we selected this case, as China is not an OSCE participating State and hence, how do these developments relate to the OSCE and its work?

First of all, as the continuing fighting and the ensuing political crisis in Afghanistan demonstrate—another bordering state to the OSCE—the developments that occur at the doorstep of the OSCE do have implications on the OSCE participating States and the organization overall, causing unease due to the possibility of a spillover into the OSCE-wide area. Second, due to this reasoning, the OSCE has been strengthening dialogue and relations with Partners for Co-operation, a number of states in Asia and the Mediterranean region, seeking to promote its vision to ensure stability in the neighboring regions. The OSCE's and its participating States' reactions to the situation in Xinjiang send a strong signal to its partners about the organization's ability to stand for its ideals and to pursue its security vision that is based on liberal values.

We selected this issue as a case study because it provides a fertile ground to discuss the argument we put forward. The findings of our study indicate that China uses a number of policy tools to attain its objectives: it seeks to expand and strengthen the network of supporting states in regard to Xinjiang; it uses its diplomats as outlets of propaganda and disinformation, notably those diplomats who are engaged in “wolf-warrior diplomacy” to deny the persecution and to present China as a benign actor; it uses multilateral institutions, namely the Shanghai Cooperation Organisation (SCO), as platforms to build support for its alternative regional security governance model.¹ We conclude that this policy posture undermines the work of the OSCE and trust in its values, norms, and practices.

¹ Though the authors attempted to discern key developments regarding the subject, this study has limitations that are derived from the scope and focus of the research. This study does not claim to provide a comprehensive and in-depth analysis of the motives behind each of the OSCE participating states' reaction on the issue (Xinjiang policies), particularly the possible multitude of underlying factors that influence the policy approach. Instead, the study focuses on the implications these reactions can have for the OSCE's institutional cohesion and its liberal normative agenda.

The academic literature on this issue is only recently emerging. The currently scarce literature is mainly devoted to discussing: the implications that Xinjiang policies have for Sino-West and Central Asia relations (Bitabarova 2018; Raza 2019; Hayes 2020); for bilateral relations with China, particularly given the shared ethnic identity and kin state relations, such as a study on implications for China-Kazakhstan relations (Bitabarova 2018; Liao 2019; Bohr et al. 2019); reactions of Muslim states, given the shared religious identity (Kelemen and Turcsányi 2020). At the time of writing, there are no studies that explore the issue in linkage to regional security architectures in-depth. Russo and Gawrich (2017), and Gawrich in this volume, explore it *inter alia*, examining the implications of “overlapping” and “nesting” membership of post-Soviet states in a number of security structures that have conceptual divergences.

We seek to contribute to this emerging literature and spur further discussion on China-OSCE relations in light of the latter’s strong normative identity as outlined above. The findings of this study can contribute to discussions on how China’s security interests relate to the OSCE, what policy instruments and narratives China uses to advance its position and how, whether it succeeds in its endeavors, and what course of action is required to effectively counterbalance them, to name but a few. In addition, we seek to contribute to larger discussions on Central Asia states and OSCE relations, and the role of external actors in these processes. In the proceeding parts of this chapter, we first recapture China’s core security interests and China’s policies in Xinjiang, followed by a discussion of the OSCE participating States diverging reactions to Xinjiang policies, and end with a conclusion that summarizes the key findings.

4.2 The Xinjiang Case and China’s Core Security Interests

Xinjiang is China’s northwestern province and home to predominantly Muslim ethnic communities, the largest of which are the Uighurs, officially recognized as one of the 55 national minorities in China. In recent years, members of Muslim communities have faced a massive crackdown by Chinese authorities, suffering arbitrary incarceration, forced labor, sterilization, and round-the-clock intrusive surveillance, as discussed below.

Since 2017, human rights groups, UN officials, foreign governments, policy experts, and scholars have been drawing international attention to the issue of the drastic expansion of the detention facilities network in Xinjiang, where local Muslims have been arbitrarily held and subjected to mistreatment (HRW 2018; Amnesty International 2018; Bitabarova 2018; Raza 2019; Hayes 2020). Former detainees, who fled China, shared their stories of inhumane conditions there, such as sleep deprivation, torture, interrogations, sexual abuse, and forceful renouncement of their cultural and religious identity. In addition, detainees were forced to demonstrate “loyalty to the Chinese Communist Party” by pledging, singing praises for communism, and

learning Mandarin (HRW 2019b). UN human rights experts reported that more than a million people were held in these facilities at the time (Soliev 2019).

Uighurs have also been subjected to forced labor; reports indicate that around 50,000 former detainees were relocated to other parts of China to work in low-tech or textile factories since 2017; many of these factories are linked to 83 global brands. These laborers reportedly experience similar living conditions as in detention camps: they are forbidden to observe religious practices, are subjected to ideological training, and are forced to live in segregated dormitories (Graham-Harrison 2020). China has also been eager to control the reproduction rates in the region. Chinese authorities have been administering injections, implanting intrauterine contraceptive devices, enforcing surgical sterilization, and “using internment as punishment for birth control violations”; as a result, natural population growth in the province has declined rapidly in recent years (Zenz 2020).

These repressive measures are aided further with an intrusive surveillance system. The 2019 Human Rights Watch report shed light on how authorities use the Integrated Joint Operations Platform, developed by major state-owned military contractor China Electronics Technology Group Corporation, and other applications to harness masses of data on local Muslims (HRW 2019a). Authorities use this data to arbitrarily detain persons or restrict them in their movement. The data interpretation algorithm is discriminatory; it marks local Muslims as *suspects* from the start, using dubious criteria for detecting “suspicious” behavior (HRW 2019b). In addition, authorities collect biometrics, including DNA samples, fingerprints, iris scans, voice samples, and blood types of all local residents aged 12 to 65; use GPS tracking, require installing mobile activity monitoring applications, and maintain a system of *virtual fences* (Leibold 2020; Godbole 2019).

The evidence suggests that authorities are expanding the detention facilities network; the 2020 report prepared by the Australian Strategic Policy Institute, using satellite imagery analysis, shows that it now includes 380 facilities, expanded or newly built since 2017. Furthermore, 61 facilities were constructed or renovated in the last year alone, around 50% of which were high-security facilities (Ruser 2020). The available scarce data also suggests that public security spending in Xinjiang has been steadily ramped up, increasing tenfold in the past decade and outpacing other administrative units (Feng 2018).

China strongly defends its case, rebuking the outside criticism of its policies in Xinjiang. In the beginning, Chinese authorities denied the existence of detention camps in the province. Upon being confronted with the evidence that suggested otherwise, Beijing pivoted to presenting these facilities as “vocational education and training centers”, which served two major purposes: to help largely backward local population develop marketable skills and better integrate, and to insulate them from being influenced by extremist ideas (Maizland 2020). Referring to the past “outbursts of violence” in the province, officials claim Xinjiang hosts radical extremists who threaten to destabilize the region (Bhattacharji 2012). The fact that the region has not experienced a terrorist attack since December 2016 is often reiterated by the officials as an indication of the success of its policy posture in Xinjiang.

The Xinjiang case transcends far beyond Xinjiang itself; it represents the qualitative shift in China's foreign policy in light of the reassessment of its role as a rising power in the international order. The 19th National Congress offered a glimpse on how China envisages its engagement with this order in the years to come; it aspires to expand its influence, seeking to "take an active part in reforming and developing the global governance system" (Mazarr et al. 2018) and offer "Chinese wisdom and a Chinese approach to solving the problems facing mankind" (Tao 2017). At the heart of this ambition is the urge to safeguard the unconditional rule of the Chinese Communist Party, the legitimacy of which depends on its ability to deliver economic growth, protect the sovereignty, and territorial and functional integrity of the state, and insulate itself and the country from democratic ideas (Mazarr et al. 2018). This aspiration to become a leading global power bears a considerable significance to the present and the future of the OSCE.

Nevertheless, China and the OSCE converge on certain security issues, particularly when it comes to Central Asia; both identify combating terrorism, drug trafficking, militant groups, and organized crime, and fostering development as important goals to deliver regional stability and security (Wuthnow 2018).

Notwithstanding, today China and the OSCE diverge in their deeper normative foundations; simply put, they do not speak the same language when it comes to defining what the threats are and how to deal with them as is exemplified by the Xinjiang case. The OSCE's understanding of security proposes constraints on state sovereignty as the state itself can be a source of insecurity, exacerbating social inequality, marginalization, and exclusion as can be seen in the discussion above. China, on the other hand, advances an alternative set of norms and beliefs that prioritize state sovereignty and non-interference in domestic affairs. For the political regimes that rely on authoritarian practices akin to those of China, this set is a compelling alternative to legitimize their own repressive actions, both domestically and internationally. Given that a number of the OSCE participating states are still failing to commit to genuine democratic development, for the OSCE this means that the more attractive this Chinese model becomes in its region, especially if linked to tangible economic, financial, and political dividends, the greater are the prospects for norm contestation and for the proliferation of polarized positions. Consequently, the space for mutual understanding shrinks further, leading to lesser opportunities for finding effective and concerted solutions to common threats. Furthermore, the emphasis on the state-led security discourse that China endorses risks downplaying and silencing actors, such as civil society institutions, that have played critical roles in supporting and promoting the OSCE's democratic ideals and their benefits for the common good at the local levels. The ensuing part of our study discusses these points in more detail in the context of China's attempts to legitimize its actions in Xinjiang internationally and the reactions of the OSCE participating states to these attempts.

4.3 The Reactions of the OSCE Participating States to the Xinjiang Case: Support, “Neutrality”, and Contestation

China is eager to form a “global partnership framework” and has been active in its efforts to expand its partnership network, establishing new ones and strengthening the existing ones, such as the SCO in 2003 and launching the BRI in 2013. By consolidating this “block” of states, China strives to attain several objectives as follows. It gains an invaluable means to secure the success of its grand project that has global outreach. It also gains important leverage in shaping the favorable international environment to advance its interests that resonate with like-minded states. China uses this partnership network to stifle the criticism of liberal states on sensitive issues, such as human rights violations and other dubious activities.

Furthermore, China seeks to gain a strategic advantage in the number of supporting states to circumvent and weaken those international norms and practices that constrain its actions or do not correspond to its internal practices (Mazarr et al. 2018, 19). As such, China intends to “*change the rules of the game*” to accommodate its needs. To exemplify this, China uses international human rights platforms, such as the UN Human Rights Council and its human rights mechanism and procedures. One of them is the Universal Periodic Review on Human Rights (UPR), to which China adheres and submits reports on its human rights compliance and performance. During the 2009 and 2013 UPR, China has successfully mobilized authoritarian states that have been receiving China’s investments and aid to stifle the criticism for its poor human rights record. The “block” of sympathizing states defended the rhetoric that China made accomplishments in its efforts to protect human rights. In 2013, support was attained from Cuba, Pakistan, Russia, Saudi Arabia, Ukraine, Uganda, Venezuela, Uzbekistan, Yemen, and several African states, and hence also OSCE participating States. During the 2018 UPR, a similar strategy was employed by China to avoid negative responses to the concerns raised over Xinjiang re-education camps (Chen 2019).

Western states oppose Chinese narratives about the peaceful intentions of re-education camps, expressing concern and condemnation instead. Notably, during the UN Human Rights Council’s 41st session in Geneva in July 2019, twenty-two states prepared a collective document that urged China “to uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council”, requesting the UN Human Rights Council to consider this document (Mills 2019; Liao 2019). Given the aforementioned, the increase in numbers of China’s sympathizers can shift the balance in the former’s favor. As a result, it can give China an additional leverage to better legitimize its stance or block unwanted decisions, appealing to the number of supporters. Overall, such a strategy can undermine trust in the role of existing formal institutions, their mechanisms, and the ideals they stand for. The expansion of the partnership network affects the involved states’ behavior not only in formal institutions.

Due to the fact that China's partnership network is mainly strengthened by the financial stimulus the country gives to many states along the BRI; states that significantly benefit from them willingly refrain from engaging in actions that can repel their major lender. This also relates to a number of the OSCE participating States as well, primarily the bordering states. For instance, Turkey initially criticized Xinjiang policies at the beginning of 2019 as part of broadcasting its "leader of the Muslim world" narrative. This posture changed following Erdogan's visit to China later that year, where he stated that "the peoples of China's Xinjiang region live happily in China's development and prosperity" (Reuters 2019). Given that China is Turkey's second largest trade partner (Alemdaroglu and Tepe 2020), the criticism would have likely undermined this beneficiary trade relationship for the latter. Similarly, Serbia under Vucic's leadership has become vocal in supporting China on several sensitive issues because of China's investments; Vucic expressed support for China's policy stance on Hong Kong and Taiwan and promoted a positive image of China in Serbia during the COVID-19 pandemic (Conley et al. 2020a). As can be seen, China conveniently uses its economic might as leverage to ensure their partners' "self-censorship", which also helps it to avoid an "imposing actor" image. In addition to the "self-censorship", some states feel compelled to align their foreign policy posture with China's interests.

China's financial stimulus packages, particularly under the BRI project, elevate the risk of a "debt trap"; de facto forming dependencies. This allows Beijing to take a higher-status partner role, influencing how partners set their political, security and economic agenda. Consequently, the economic dependence becomes politicized and transforms into a "dominant and subordinate" interrelation (O'Neill 2014). China conveniently exploits such interrelations to expand its strategic presence and influence the regional processes as was the case in Sri Lanka. The latter's inability to repay its loans to China forced it to relinquish the country's port in exchange for a 99-year-long lease. Through this move, China got the opportunity to establish a strategic foothold, both in commercial and military terms (Ferchen and Perrera 2019). Relinquishment can take other forms as well, common being permitting access to natural resources: Angolan oilfields, cocoa fields in Ghana, and goldmines in Tajikistan (Mattlin and Nojonen 2015, 713; Eurasianet 2018).

In total, twenty-five states that are part of the BRI project are classified as being susceptible to the debt trap, including some of the OSCE participating States, namely Kyrgyzstan and Tajikistan (Hurley et al. 2018). In regard to the latter two, the "debt trap" places an additional burden on the political elite, which already has to support China's policies in the international arena. It has a distressing effect domestically, pressing state institutions to deal with escalating tensions that result from growing inequality, increasing unemployment, and frustration with government's handling of resources (Nurgozhayeva 2020). In themselves, these manifestations showcase the failure of these states to pursue their OSCE commitments in the human dimension.

China does not discuss political conditionality beforehand (Tian 2018, 21; Umarov 2020); partners have to adapt to them as they go, such as adhering to the “One-China” principle or supporting China’s narratives on global issues, including on Xinjiang, which often leads to deportation of Uighur asylum seekers (Mattlin and Nojonen 2015). These discussions are hidden from the public eye, and China has been continuously criticized for attaining its objectives through opaque means, such as “behind the closed door” negotiations (Hayes 2020, 44). Thereby, this policy approach presents another fundamental challenge to the OSCE; China’s engagement has a deleterious effect on the rule of law and governance in its participating States. This effect is most pronounced in Central Asia and Western Balkans, where democratic institutions and practices are either non-existent, weak, or are strongly undermined.

Chinese investments attract authoritarian governments because they do not require political and/or economic conditionality (O’Neill 2014). As was pointedly stated by the now former President of Kazakhstan, Nursultan Nazarbayev, in his interview to Chinese journalists: “China has never dictated [its] own conditions and China has never told [us] how to live as the West did”, adding that “China does not provide help under the condition to become as China, which is attractive and appealing” (Radio Azattyk 2019). China does not require transparency or public accountability; moreover, Chinese authorities are often themselves involved in compounding the corruption and poor governance to secure their interests (Tian 2018; Nurgozhayeva 2020). In 2016, the Chinese Consulate General provided a mayor of the Kyrgyz city of Osh with a Toyota Land Cruiser as a gift, causing disapproval in Kyrgyz society, which interpreted it as a bribe (Toktomushev 2018). Likewise, in 2016, Kazakhstani leadership attempted to benefit from land rent initiatives that would allow the leasing of land to foreigners for up to 25 years. This initiative was perceived by the public as one that would benefit Chinese companies seeking to make further inroads in the country; following mass protests the leadership dropped the initial proposal (Kassenova 2017; Toktomushev 2018). Similar developments are occurring in the Balkans as well, where a number of high-profile corruption cases involving Chinese investments have been put under the spotlight, such as the Kicevo-Orhid highway project in North Macedonia (Conley et al. 2020b). The implications of such practices for the OSCE are immense; they further strengthen local patronage networks and political opportunists who directly benefit from the lack of transparency and accountability that Chinese investments are associated with. Furthermore, the lack of conditionality significantly speeds up the lending process for showcase projects, which can be used to boost local political figures’ public image, particularly during election campaigns. These practices, hence, erode trust in consolidated democratic institutions and practices, and undermine their responsiveness to citizens’ needs. China is also keen to accuse “the West” of politicizing human rights. China holds the strong conviction that the liberal normative agenda reinforces Western hegemony and that liberal values are inapplicable to the developing world (Mazzar et al. 2018). This view strongly resonates among the states that have political systems akin to China’s. As Roza Nurgozhayeva, Vice President-General Counsel at Nazarbayev University in Kazakhstan (2020) argues, China’s political model serves as “a robust reference

point that helps States to protect the regime’s legitimacy”. The table below illustrates this point; thirty-five states supported China during the 41st UN Human Rights Council’s session as discussed above, refuting claims that China violates human rights in Xinjiang province. Instead, these states emphasized China’s *remarkable success* in human rights observation (Mills 2019). Notwithstanding, the majority of OSCE participating States condemn China’s policies in the Xinjiang province as illustrated in Table 4.1.

China being a “robust reference point” for some of the participating States amplifies this “politicizing human rights” message that has already been often employed by a number of the OSCE participating States in regard to the organization’s norms and practices. The OSCE participating States that condemn China’s policies in Xinjiang are the ones that strongly support the OSCE’s democratic identity and put the organization’s human dimension issues on equal footing with politico-military ones. Not all the OSCE participating States share the same vision; since the early 2000s, a

Table 4.1 ‘States response to China’s policies in Xinjiang’

	States that support China’s policies in Xinjiang	States that condemn China’s policies in Xinjiang
2019	Algeria, Angola, Bahrain, Belarus , Bolivia, Burkina Faso, Burundi, Cambodia, Cameroon, Comoros, Congo, Cuba, Democratic Republic of the Congo, Egypt, Eritrea, Gabon, Kuwait, Laos, Myanmar, Nigeria, North Korea, Oman, Pakistan, Philippines, Qatar, Russia , Saudi Arabia, Somalia, South Sudan, Sudan, Syria, Tajikistan , Togo, Turkmenistan , United Arab Emirates, Venezuela, and Zimbabwe	Australia, Austria , Belgium , Canada , Denmark , Estonia , Finland , France , Germany , Iceland , Ireland , Japan, Latvia , Lithuania , Luxembourg , the Netherlands , New Zealand, Norway , Spain , Sweden , Switzerland , and the UK
2020	Angola, Bahrain, Belarus , Burundi, Cambodia, Cameroon, the Central African Republic, China, Comoros, Congo, Cuba, Dominica, Egypt, Equatorial Guinea, Eritrea, Gabon, Grenada, Guinea, Guinea Bissau, Iran, Iraq, Kiribati, Laos, Madagascar, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Pakistan, Palestine, Russia , Saudi Arabia, South Sudan, Sri Lanka, Sudan, Syria, Tanzania, Togo, Uganda, the UAE, Venezuela, Yemen, Zimbabwe	Albania , Australia, Austria , Belgium , Bosnia and Herzegovina , Bulgaria , Canada , Croatia , Denmark , Estonia , Finland , France , Germany , Haiti, Honduras, Iceland , Ireland , Italy , Japan, Latvia , Liechtenstein , Lithuania , Luxembourg , the Marshall Islands, Monaco , Nauru, the Netherlands , New Zealand, North Macedonia , Norway , Palau, Poland , Slovakia , Slovenia , Spain , Sweden , Switzerland , the United Kingdom , and the United States

Table 4.1 States that have explicitly expressed their position on China’s policies in the Xinjiang province, specifically in regard to the persecution of Muslim minorities by Chinese authorities. States highlighted in bold are OSCE participating states. Sources Catherine Putz “2019 Edition: Which countries are for or against China’s Xinjiang policies” in the Diplomat, accessed November 25, 2020, <https://thediplomat.com/2020/10/2020-edition-which-countries-are-for-or-against-chinas-xinjiang-policies> and Catherine Putz “2020 Edition: Which countries are for or against China’s Xinjiang policies” in the Diplomat, accessed November 25, 2020, <https://thediplomat.com/2019/07/which-countries-are-for-or-against-chinas-xinjiang-policies/>

number of post-Soviet states led by Russia intensified their criticism of the OSCE, accusing it of “double standards” and political bias, and using its human rights rhetoric to meddle in what they regarded as their internal affairs. In reality, unwilling to engage in genuine democratic transformation, they became simply “irritated” with the OSCE’s “capacity to put a spotlight on their more dubious activities” (De Waal 2017; Dunay 2017). These states, though, often expressed their discontent with the organization’s emphasis on human rights in a rather reactive and defensive manner. Having a strong reference point now embodied by China, they can make their stances more pronounced and use the organization’s consensus-based decision-making to undermine the institution. For instance, Tajikistan was repeatedly criticized by the OSCE officials for human rights violations, such as restrictions of fundamental political freedoms and poor conduct of elections.

As a result, in 2020, Tajikistan and Turkey blocked the reappointment of Ingibjorg Solrun Gisladottir as the head of the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR). And in the same year, as mentioned earlier, Tajikistan and Azerbaijan similarly blocked the reappointment of Harlem Desir as the OSCE Representative on Freedom of the Media (Pannier 2020). Such actions impair the proper functioning of the OSCE and its institutions and put the organization into an identity crisis, especially its tasks in vital areas, such as in conflict zones, which require strong leadership and common positions. Furthermore, these actions intend to pressure the organization to dial down its harsh rhetoric against human rights violators in return for their support in passing through crucial decisions.

The “nesting” or “overlapping” membership of some of the OSCE participating States in the structures, where China is able to exert strong influence, can similarly contribute to the norm contestation as outlined above. China uses its membership in regional organizations, particularly the SCO, to make its narratives more appealing and legitimize its actions through multilateral means, as is the case with Xinjiang policies. China is keen to use this multi-track strategy to secure its interests: by actively participating in such formats, it projects an image of a reliable partner to ease fears of its growing assertiveness. At the same time, it uses regional organizations to strengthen its position as a regional hegemon (Mazarr et al. 2018; Lewis 2012).

As mentioned earlier, the SCO and the OSCE share some of the key security concerns (Russo and Gawrich 2017), but overall have diverging perceptions on the relevance of human rights, including minorities’ rights when defining security. The OSCE views minorities’ struggle for autonomy (in some cases separatism) as a fundamental human right and legitimate action, while the SCO is against such conceptualization, labeling it as a security threat (Lewis 2012). As such, the SCO states can use vague definitions of such a “security threat” to support and legitimize their repressive responsive measures. In regard to Xinjiang, China defends its case by referring to combating the “three evils”, namely separatism, extremism, and terrorism and its corresponding narratives. In a similar vein, this discursive construct is used by other SCO members to pursue oppressive measures to intimidate activists and other groups disfavored by the ruling regime, to limit personal freedoms and rights, and to expand security services’ oversight. This course of action has implications for the OSCE as five out of six SCO member states are also OSCE participating States. These

states are also authoritarian political systems that have long voiced criticism over the OSCE's democratic identity. Using the SCO and its rules as a reference point, they appealed to the need to reshape the norms to better reflect the consideration of each state's domestic legislation and individual political context, thereby avoiding criticism (Ambrosio 2008; Russo and Gawrich 2017).

In addition to actions in the offline space as discussed above, China is similarly proactive in contesting democratic norms and institutions online. China fully realizes the benefits of shaping the online "discourse power", taking advantage of the Internet's reach, and its decentralized and democratic nature. China strives to formulate and disseminate the narratives that align with the interests of the ruling regime and suppress dissent. In this regard, the "wolf-warrior diplomacy" is a development worthy of note. This is the approach that is increasingly being used by China's diplomatic corps to defend China, even aggressively. More than 170 Chinese diplomats are online now, using social media as a "bully pulpit" (Brandt and Schafer 2020). China's Foreign Ministry spokesperson, for instance, mocked American concerns over the Xinjiang case, pointing to examples of racism in the United States, denoting that it was in fact the US that had issues with human rights (Zhu 2020). Chinese diplomats have used these platforms to deflect the criticism over Xinjiang and to spread the content that promotes the positive image of its human rights practices, and to spread conspiracy theories over the coronavirus pandemic and its outbreak (Brandt and Schafer 2020). In addition, Chinese diplomats follow the same strategies during interviews when responding to questions on Xinjiang. For instance, on May 28, 2019, Zhang Xiao, Chinese ambassador to Kazakhstan, was asked about the detentions of Kazakhs in re-education camps and he angrily denied this, labeling it as disinformation (RFERL 2019). Chinese officials reverse the criticism over Xinjiang policy as an anti-Chinese element as it happened in the case of China's ambassador to the UK, who denied the abuses of the rights of the Muslim minority in Xinjiang (The Guardian 2020). The implications of such actions are evident; upon necessity, Chinese diplomats can similarly shape and promote content that will sow frustration and amplify false messages to erode citizens' trust in democratic institutions or erode trust in multilateralism and cooperation between actors to the strategic benefit of their home country.

China's online assertiveness manifests itself in another crucial way. China is one of the leading powers in terms of digital development, making a significant leap in recent years. Given the growing importance of the information space for geopolitical contestation, China is eager to shape the global information architecture according to its preferences. It tries to lead in several strands. First, it expands the market for its surveillance technology that is being actively used in Xinjiang. A study published by the Open Technology Fund documented sales of these types of technology to over 73 states, including to democracies (Dirks and Cook 2020). The OSCE region is no exception; Kyrgyzstan, Uzbekistan, and Tajikistan are installing Chinese surveillance systems as part of their "safe city" initiatives (Yau 2019a, b), Turkmenistan is also considering such cooperation. The import of these technologies raises two major concerns: first is its potential use by the authoritarian regimes of the region to curb

dissent or intimidate human rights activists, following the similar use of these technologies in Xinjiang; the second point is directly related to China, as by exporting their products into new areas, China can spy on governments and gain access to sensitive data as was the case with the African Union scandal (Gramer et al. 2020). In addition, the export of such technologies allows China to enhance algorithms of their own AI-enabled technologies, which can be used to intimidate activists and regime critics at home and abroad (Jardine 2019; Yau 2019a, b).

Second, China is also interested in shaping the international norms that govern the information space; along with Russia, it endorses a vision that places significant authority in the hands of the government, which would enable it to “pull the plug” and disrupt the Internet if it is used to challenge the regime, as has been recently demonstrated in Belarus during mass protests against Lukashenka’s regime. China’s actions and strategies in the online domain are equally deleterious to the OSCE’s normative agenda as its offline actions and strategies.

Despite these alarming developments, several OSCE participating States are already emulating the Chinese model of Internet governance, among them Russia, Kazakhstan, and Turkmenistan; many other states are debating of following suit. As digital development is the defining reality of our times, the ability of the OSCE to counterbalance China’s efforts in this strand will mean much for security, protection of fundamental human rights, and inclusive and sustainable development in the OSCE-wide area in the foreseeable future.

4.4 OSCE Security Identity Crisis

As was stated in this study, we attempted to demonstrate that the case of Xinjiang is not limited to China alone; it needs to be viewed as part of the larger agenda that China is pursuing regionally and globally, namely how it penetrates OSCE security and human rights policies. The Chinese Communist Party has long sought to establish an unchallenged control over China’s restive regions, such as Xinjiang, Tibet, and Hong Kong, and is currently pursuing these goals. Furthermore, the Chinese ruling regime continues to undermine the stability in South Asia region, projecting its hard power and intimidating the neighboring states. As China’s foreign policy and BRI is actively making inroads in the OSCE-wide area, mainly in the form of investment projects, the aforementioned developments along with policies in Xinjiang demonstrate that if required, China will not shy away from securing its interests by all means possible. Thereby, we aimed to illustrate how China can undermine the vision of security that is promoted by the OSCE and how this will affect the organization and its participating States. Whereas the OSCE and overall ODIHR aims to reconcile security measures with human rights norms and democratic standards, for example in terms of human security and the concept of securitization, China uses security policies to combat its internal and external political enemies.

We conclude that China’s security approach challenges the OSCE by undermining its participating States’ commitments in the human dimension, particularly

in Western Balkans and Central Asia where democratic institutions are either non-existent or are not strongly consolidated. China advances an alternative set of norms and beliefs, including through multilateral means, which is regarded as compelling to the states that similarly have poor records of human rights protection and are ruled by authoritarian elites. China's actions have a deleterious effect on good governance and rule of law, contribute to endemic corruption and poor transparency and accountability, which aggravate further the living conditions of the general public in a number of the OSCE participating States. The public's growing discontent, hence, can lead to instability and even conflict, particularly in those states that have not developed adequate institutions of civic engagement and resolution of societal concerns. Altogether, these actions amplify the already existing identity crisis in the OSCE, contributing to the value-based division and undermining the OSCE's responsive capacity to pressing security challenges and threats. It is highly likely that the OSCE will continue to be perturbed by the ongoing security identity crisis in the foreseeable future, causing unease to its democratic majority as it makes the OSCE region vulnerable as a whole. The future relevance of the organization depends on how this democratic majority of states can revitalize the dialogue so as not to alienate the states that are failing to fulfill their commitments and push them toward China's orbit of interests, while not compromising the democratic values that underpin the organization.

References

- Alemdaroglu A, Tepe S (2020) Erdogan is turning Turkey into a Chinese client state. <https://foreignpolicy.com/2020/09/16/erdogan-is-turning-turkey-into-a-chinese-client-state/>. Accessed 25 Nov 2020
- Ambrosio T (2008) Catching the 'Shanghai Spirit': how the Shanghai cooperation organization promotes authoritarian norms in central Asia. *Eur Asia Stud* 60(8):1321–1344
- Amnesty International (2018) China: where are they? <https://www.amnesty.org/en/documents/asa17/91113/2018/en>. Accessed 30 Aug 2020
- Bhattacharji P (2012) Uighurs and China's Xinjiang Region. <https://www.cfr.org/backgrounder/uighurs-and-chinas-xinjiang-region>. Accessed 15 Aug 2020
- Bitabarova A (2018) Unpacking Sino-Central Asian engagement along the new silk road: a case study of Kazakhstan. *J Contemp East Asia Stud* 7(2):149–173
- Bohr A, Brauer B, Gould-Davies N, Kassenova N, Lillis J, Mallinson K, Nixey J, Satpayev D (2019) Kazakhstan: tested by transition. <https://www.chathamhouse.org/sites/default/files/2019-11-27-Kazakhstan-Tested-By-Transition.pdf>. Accessed 28 Aug 2020
- Brandt J, Schafer B (2020) How China's 'wolf warrior' diplomats use and abuse Twitter. <https://www.brookings.edu/techstream/how-chinas-wolf-warrior-diplomats-use-and-abuse-twitter/>. Accessed 25 Nov 2020
- Chen Y (2019) China's challenge to the International Human Rights Regime. *Int Law Politics* 51(1179):1180–1221
- Conley AH, Hillman EJ, McCalpin M, Ruy D (2020a) Becoming a Chinese Client State. The Case of Serbia. The Center for Strategic and International Studies, Washington, D.C
- Conley AH, Hillman EJ, McCalpin M, Ruy D (2020b) China's "Hub-and-Spoke" strategy in the Balkans. The Center for Strategic and International Studies, Washington, D.C

- De Waal T (2017) The battered OSCE is needed more than ever. <https://carnegieeurope.eu/strategieurope/68760>. Accessed 6 Aug 2020
- Dirks E, Cook S (2020) China's surveillance state has tens of millions of new targets. <https://foreignpolicy.com/2019/10/21/china-xinjiang-surveillance-state-police-targets/>. Accessed 29 Aug 2020
- Dunay P (2017) The OSCEs of Central Asia. *Central Asian Surv* 36(3):300–312. <https://doi.org/10.1080/02634937.2017.1297926>
- Eurasianet (2018) Tajikistan: Chinese company gets gold mine in return for power plant. <https://eurasianet.org/tajikistan-chinese-company-gets-gold-mine-in-return-for-power-plant>. Accessed 30 Nov 2020
- Feng E (2018) Security spending ramped up in China's restive Xinjiang region. <https://www.ft.com/content/aa4465aa-2349-11e8-ae48-60d3531b7d11>. Accessed 27 Nov 2020
- Ferchen M, Perra A (2019) Chinese infrastructure deals are a two-way street. <https://carnegietsinghua.org/2019/07/23/why-unsustainable-chinese-infrastructure-deals-are-two-way-street-pub-79548>. Accessed 28 Aug 2020
- Godbole A (2019) Stability in the Xi era: trends in ethnic policy in Xinjiang and Tibet Since 2012. *India Q* 75(2):228–244
- Graham-Harrison E (2020) China's white paper on forced labour suggests unease at western pressure. <https://www.theguardian.com/world/2020/sep/18/china-white-paper-forced-labour-xinjiang-uighurs>. Accessed 28 Nov 2020
- Gramer R, Detsch J, Haverty D (2020) China's building projects in Africa are a spymaster's dream. <https://foreignpolicy.com/2020/05/21/china-infrastructure-projects-africa-surveillance-spymasterdream/>. Accessed 25 Nov 2020
- Hall B, Peel M, Hopkins V (2020) OSCE faces crisis as infighting leaves it rudderless. <https://www.ft.com/content/cb06d5d1-57a3-4ce0-90b2-cadd7fdb55fc>. Accessed 27 Nov 2020
- Hayes A (2020) 'Interwoven 'Destinies': the significance of Xinjiang to the China dream, the belt and road initiative, and the Xi Jinping legacy. *J Contemp China* 29(121):31–45
- HRW (Human Rights Watch) (2018) Eradicating ideological viruses. Chinese Campaign of Repression against Xinjiang's Muslims. https://www.hrw.org/sites/default/files/report_pdf/china0918_web.pdf. Accessed 23 July 2020
- HRW (Human Rights Watch) (2019a) China's algorithms of repression. Reverse Engineering a Xinjiang Police Mass Surveillance App. <https://www.hrw.org/report/2019/05/02/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass>. Accessed 20 Aug 2020
- HRW (Human Rights Watch) (2019b) Joint statement of 22 states. https://www.hrw.org/sites/default/files/supporting_resources/190708_joint_statement_xinjiang.pdf. Accessed 13 Aug 2020
- Hurley J, Morris S, Portelance G (2018) Examining the debt implications of the belt and road initiative from a policy perspective. <https://www.cgdev.org/sites/default/files/examining-debt-implications-beltandroad-initiative-policy-perspective.p>. Accessed 26 Aug 2020
- Jardine B (2019) China's surveillance state has eyes on Central Asia. <https://foreignpolicy.com/2019/11/15/huawei-xinjiang-kazakhstan-uzbekistan-china-surveillance-state-eyes-central-asia>. Accessed 28 Aug 2020
- Kassenova N (2017) China's silk Road and Kazakhstan's bright path: linking dreams of prosperity. *Asia Policy* 24(1):110–116
- Kelemen B, Turcsányi RQ (2020) It's the politics, stupid: China's relations with Muslim countries on the background of Xinjiang crackdown. *Asian Ethn* 21(2):223–243
- Lehne S (2015). Reviving the OSCE: European security and the Ukraine Crisis. http://carnegieendowment.org/files/CP_249_Lehne_OSCE.pdf. Accessed 30 Aug 2020
- Leibold J (2020) Surveillance in China's Xinjiang region: ethnic sorting, coercion, and inducement. *J Contemp China* 29(121):46–60
- Lewis D (2012) Who's socialising whom? regional organisations and contested norms in Central Asia. *Eur Asia Stud* 64(7):1219–1237
- Liao JX (2019) China's energy diplomacy towards Central Asia and the implications on its belt and road initiative. *Pac Rev*:1–33

- Maizland L (2020) China's repression of Uighurs in Xinjiang. <https://www.cfr.org/background/chnas-repression-ughurs-xinjiang>. Accessed 7 Aug 2020
- Mattlin M, Nojonen M (2015) Conditionality and path dependence in Chinese lending. *J Contemp China* 24(94):701–720
- Mazarr M, Heath T, Cevallos AS (2018) China and the international order. RAND Corporation, Santa Monica
- Mills T (2019) Saudi Arabia and Russia among 37 states backing China's Xinjiang policy. <https://www.reuters.com/article/us-china-xinjiangrights/saudi-arabia-and-russia-among-37-states-backing-chinas-xinjiang-policyidUSKCN1U721X>. Accessed 23 July 2020
- Nurgozhayeva R (2020) How is China's belt and road changing Central Asia? <https://thediplomat.com/2020/07/how-is-chinas-belt-and-road-changing-central-asia/>. Accessed 17 Aug 2020
- O'Neill DC (2014) Risky business: the political economy of Chinese investments in Kazakhstan. *J Eur Stud* 5(2):145–56
- Pannier B (2020) How Tajikistan blocked terms extensions for key OSCE officials. <https://www.rferl.org/a/how-tajikistan-blocked-term-extensions-for-key-osce-officials/30738021.html>. Accessed 27 Aug 2020
- Radio Azattyk (2019) Nazarbayev: Kitay v otlichii ot Zapada nikogda ne diktuyet svoi usloviya. <https://rus.azattyq.org/a/29909889.html>. Accessed 29 Aug 2020
- Radio Free Europe/Radio Liberty (2019) China's Kazakh ambassador angrily rejects Xinjiang crackdown allegations. <https://www.rferl.org/a/china-s-kazakh-ambassador-angily-rejects-xinjiang-crackdown-allegations/29968606.html>. Accessed 29 July 2020
- Raza Z (2019) China's 'political re-education' camps of Xinjiang's Uyghur Muslims. *Asian Aff* 50(4):488–501
- Reuters (2019) China says Turkey president offered support over restive Xinjiang. <https://www.reuters.com/article/us-china-turkey/china-says-turkey-president-offered-support-over-restive-xinjiang-idUSKCN1TX1L7>. Accessed 30 Aug 2020
- Ruser N (2020) Exploring Xinjiang's detention system. <https://xjdp.aspi.org.au/explainers/exploring-xinjiangs-detention-facilities/>. Accessed 27 Nov 2020
- Russo A, Gawrich A (2017) Overlap with contestation? Comparing norms and policies of regional organizations in the post-Soviet space. *Central Asian Surv* 36(3):331–352
- Soliev N (2019) Uyghur violence and Jihadism in China and beyond. *Counter Terrorist Trends Analyses* 11(1):71–75
- Tao Y (2017) Get ready for an even more assertive China. <https://thediplomat.com/2017/11/get-ready-for-an-even-more-assertive-china/>. Accessed 20 Aug 2020
- The Guardian (2020) China's UK ambassador denies abuse of Uighurs despite fresh drone footage. <https://www.theguardian.com/world/2020/jul/19/chinas-uk-ambassador-denies-abuse-of-ughurs-despite-fresh-drone-footage>. Accessed 20 Aug 2020
- Tian H (2018) China's conditional aid and its impact in Central Asia. In: Laruelle M (ed) *China's belt and road initiative and its impact in Central Asia*, p 21
- Toktomushev K (2018) One Belt, One Road: A New Source of Rent for Ruling Elites in Central Asia. In: Laruelle (ed) *China's belt and road initiative and its impact in Central Asia*, p 77
- Umarov T (2020) What's behind protest against China in Kazakhstan? <https://carnegie.ru/commentary/80229>. Accessed 10 June 2020
- Wuthnow J (2018) Asian Security without the United States? examining China's security strategy in maritime and continental Asia. *Asian Secur* 14(3):230–245. <https://doi.org/10.1080/14799855.2017.1378181>
- Yau TY (2019a) Smart cities or surveillance? Huawei in Central Asia. <https://thediplomat.com/2019/08/smart-cities-or-surveillance-huawei-in-central-asia/>. Accessed 23 Aug 2020
- Yau TY (2019b) China taking Big Brother to Central Asia. <https://eurasianet.org/china-taking-big-brother-to-central-asia>. Accessed 25 Aug 2020
- Zenz A (2020) Sterilizations, IUDs, and coercive birth prevention: the CCP's campaign to suppress Uyghur birth rates in Xinjiang. <https://jamestown.org/program/sterilizations-iuds-and-man>

[datory-birth-control-the-ccparticipatingStates-campaign-to-suppress-uyghur-birth-rates-in-xin-jiang/](#). Accessed 27 Nov 2020

Zhu Z (2020) Interpreting China's wolf warrior diplomacy. <https://thediplomat.com/2020/05/interpreting-chinas-wolf-warrior-diplomacy>. Accessed 20 Aug 2020

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 5

China's Emerging Political and Economic Dominance in the OSCE Region



Uraimov Marat

Abstract The presence of China in the OSCE region is becoming resilient, particularly after Beijing began providing infrastructural loans to OSCE states. The size of the issued infrastructural loans in less developed economies is disproportionate to national economies, resulting in the borrowing countries becoming incapable of paying back the loans. In this chapter, I argue that China's practices of infrastructural loans and China's overall standing on minority issues and democratization contradicts the OSCE core principles and undermines OSCE integrity. To illustrate this, I use, first, the example of the promotion of non-democratic practices through non-transparent procurement, surveillance of civilians, and supply of police hardware for suppression and control of political dissidents (based on evidence from Eastern and Central Europe, and Central Asia) and, for the second example, I illustrate the violation of minority rights in re-education camps in the Xinjiang region (based on political and civic reaction from Central Asia), which Chinese authorities call "Vocational Education and Training Centers." The first example helps to analyze how Chinese foreign loans contradict the democratic commitments of the borrowing countries. Chinese infrastructural loans promote non-democratic practices in borrowing countries through unfair, non-transparent procurement in infrastructural development projects. The Chinese side also provides surveillance systems and anti-protest police vehicles and ammunition which help to undermine individual rights and freedoms. The second example helps to analyze the reaction of Central Asian Muslim countries toward China's treatment of kin-groups, namely the lack of critical reaction of CA states despite their OSCE-membership and commitment toward promotion of individual rights and freedoms (including freedom of faith). China has been providing infrastructural loans to most OSCE member states over the past two decades; and these member states have not officially responded to Chinese treatment of their own

The present publication is the outcome of the project "From Talent to Young Researcher project aimed at activities supporting the research career model in higher education", identifier EFOP-3.6.3-VEKOP-16-2017-00007 co-supported by the European Union, Hungary and the European Social Fund.

U. Marat (✉)
Doctoral School of International Relations and Political Science, Corvinus University of
Budapest, Budapest, Hungary
e-mail: marat.uraimov@stud.uni-corvinus.hu

kin-groups, such as Kazakh, Kyrgyz, and Uyghur minorities—according to the OSCE core principles on minority rights. The OSCE core principles are categorized under the “human dimension” to ensure OSCE states’ “respect for individual rights and fundamental freedoms” and their commitment to “abide by the rule of law; promote principles of democracy; strengthen and protect democratic institutions” Yamamoto (2015). Most likely if there were no infrastructural loans from China, the OSCE countries under analysis would respond to Chinese domestic policy toward ethnic minorities critically. Most likely, by providing surveillance and police machinery, China tends to support the existing political regimes in borrowing countries and, by its non-transparent procurement, it does not encourage enforcement of laws.

Keywords Infrastructural loans · Minority issues · Democratization · OSCE · OSCE-states · OSCE-principles · Non-transparent procurement

5.1 Introduction

China’s emerging political and economic dominance in the OSCE region and its consequences for development and transformation can be best illustrated by the case of Chinese infrastructural loans in the region. The reasons and need for these loans date back to the beginning of the OSCE in the 1990s in the aftermath of the collapse of communism. In the newly emerged states, an economic and political vacuum appeared across the Central Asian region. In response, emerging and great powers sought to increase their influence and presence in the region, through organizations such as the BRICs and the European Union.

Other organizations such as the OSCE slowly became a player in maintaining regional security, political transition and democracy, which became a new political ideology to secure economic development at large. Meanwhile, a political transition in this region was in some states more successful, such as in the Baltic states or Central Europe, or less a success as in Tajikistan (Foroughi 2010) and post-Yugoslav states (Woodward 1995) which endured periods of civil war and severe conflict. Economically, these states faced more difficulties such as hyperinflation and productivity deficits and looked for any economic and financial opportunity from abroad (Gordon et al. 2013; Sakwa and Webber 2010). Soon, but not among the first, Chinese loans and investments gained more and more influence, even before the official launch of the 2013 Belt and Road Initiative (BRI). Since the 1990s, Chinese investment and enterprises in the OSCE region became resilient, particularly after Beijing began providing foreign aid and foreign investment to OSCE states in Albania as early as in the 1950s (in the form of development aid among communist states) and in Central Asian states since the 1990s (Copper 2016a, b). The size of issued infrastructural loans and investments in less developed economies is disproportionate to their national economies, resulting in the borrowing countries becoming incapable of paying them back.

In this chapter, I will illustrate and argue that China's practices of infrastructural loans and its contradicting policies conflict with the OSCE core principles and undermines OSCE integrity in terms of observing individual rights and fundamental freedoms and rule of law. China, in contrast to Western countries, puts human rights and democratization issues secondary, because China emphasizes the importance of and thus gives priority to "securing economic and security interests" along with "regime survival" (Chen and Kinzelbach 2015).

This is best exemplified by the Chinese promotion of non-democratic practices, for example, non-transparent procurement, surveillance and police hardware for suppression and control of political dissidents; and the responses and reactions of OSCE member states overall in Central Asian states toward re-education camps in the Xinjiang region that imprison their kin-groups.

Although on the UN level these states oppose Chinese policies in the Xinjiang region in Northwestern China, the Kazakh and Kyrgyz governments did not officially respond¹ to Chinese treatment and human rights violations of Kazakh, Kyrgyz and Uyghur minorities in China. One could argue that if there were no infrastructural loans and investment policies from China, Central Asian States would respond to Chinese domestic policy toward ethnic minorities critically. China tends to support the existing political regimes in borrowing countries and its non-transparent procurement does not encourage enforcement of laws.

This argument can best be illustrated by benchmarking Chinese domestic policies toward its national minorities against OSCE and ODIHR core commitments, mandates, and functions. For example, the mandate of the OSCE High Commissioner on National Minorities (HCNM) and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) has the aim to stress OSCE's standing as an organization that stands for minority rights and freedoms, as well as its democratization efforts. Later, the chapter discusses China's infrastructural loans (major projects) in the OSCE states and argues for China's promotion of non-democratic practices in the OSCE region, namely it discusses promotion of non-transparency, supply of surveillance and police hardware for suppression and control of political dissidents in less developed OSCE member states. The final part examines re-education camps in Xinjiang and the reaction of the OSCE participating states receiving Chinese funds, in particular the Kyrgyz and Kazakh governments.

5.2 China's Economic Policies

China has become one of the world's most rapidly growing economies over the last 40 years thanks to Deng Xiaoping's unprecedented economic reforms of 1979. Since 2010 after surpassing Japan, it has been the world's second largest economy

¹ They officially responded that this matter is Chinese domestic policy and Chinese domestic affairs to which they cannot interfere. In other words, the Chinese action has been approved despite it breached OSCE and other international norms on minority treatment.

in terms of real gross domestic product just behind the United States. It was only in the mid-1970s when Beijing launched its “open door” policies. In 1982 the country adopted an “independent foreign policy” framework (Lijun 1994). With the aim of opening China to the world, China initially launched so-called “special economic zones.” These economic zones were designed to support the export of Chinese goods following Deng Xiaoping’s emphasis on development of foreign economic relations and the Politburo’s third plenum meeting decision in 1978 (Ibid.). Initially, four economic zones were established in 1979, but later in 1984, given the successful experience with existing economic zones performance, the Politburo approved the status of “special economic zones” in fourteen other seaside cities and the island of Hainan (Barnett 1985).

According to Garver (2016), the Chinese economic rise that took root after the “open door policies” consists of two major steps: (1) promotion of export and (2) import of technology. The author continues, noting that China imported technology with the profits it gained from exports (Ibid.). Imported technology was utilized to improve the competitiveness of Chinese products, including technology. However, from 2005 a new task was set up, according to which China was not targeting the import of new technology, but rather making an effort to “turn the PRC into a global leader in technological innovation” by 2050 (Garver 2016, p. 699). According to this plan, China aims to become a world “center” of technology and innovation.

Despite a long year history of Chinese aid, there is no agreement on how to properly define it. Although China officially declares its foreign aid and/or foreign investment as “South-South cooperation” in the White Papers issued in 2011 and 2014, and in other official publications, China avoids using certain terms for its financing (Carter 2017, p. 2). The White Paper only presents five principles of Chinese financing for how to deliver aid (State Council 2011, 2014). The White Paper does not differentiate between types of existing financing instruments, but prefers to list “grants (aid gratis), interest-free loans and concessional loans,” and eight forms of aid known as “complete projects, goods and materials, technical cooperation, human resource development cooperation, medical teams sent abroad, emergency humanitarian aid, volunteer programs in foreign countries, and debt relief” under the category of “Chinese financial aid flows” (State Council 2011).

China’s format of aid is different too. Bräutigam, for example, notes that China does not provide financing to other countries in cash, despite emergency situations (Bräutigam 2009). She also notes that Chinese financing is usually “delivered in kind, as exports of Chinese goods and services” (Ibid., p. 125). Others stress the “government-to-government” model that leads the Beijing-way of investing (Carter 2017, p. 2; Poskitt et al. 2016, p. 5). However, this model gives little room for other non-state or private actors to be part of the negotiation processes (Bräutigam 2009; Copper 2016a, c; Tian 2018). In addition to the lack of agreement on Chinese foreign investment, Bräutigam argued that China’s aid programs lack transparency and therefore create uncertainty (2011).

Finally, China tends to support non-democratic governments that show a high level of corruption (Bräutigam 2009; Copper 2016a, b, c; Dave 2018; Tian 2018; Toktomushev 2018), for example in Tajikistan or Turkmenistan.

Against this backdrop, one can conclude that China is pragmatic and considers merely economic incentives vis-à-vis governments, therefore it is not concerned about partnering with undemocratic systems. On the other hand, Chinese loans are attractive for most developing countries or countries under crisis because China does not ask for a political conditionality in exchange, let alone any positive human rights record. Loans and grants of the World Bank, European Union or US financial institutions, in contrast with the Chinese government, are accompanied with conditions related to economic reforms, democratic governance, observance of human rights and freedoms, transparency, etc., making financing access difficult to less-democratic regimes (Copper 2016c). Copper (2016c), in his book “China’s Foreign Aid and Investment Diplomacy,” wrote: “*Western aid, including US Foreign assistance is also said to be “tied” to efforts to promote democracy and human rights, which makes it less effective in promoting development and thus less attractive to African leaders.*” (p. 82).

Therefore, there is a tendency for less democratic developing countries to prefer contracting with Chinese rather than other investment giants, which impose their own conditionality such as rule of law-based compliance and requirements, as well increasing the transparency of investments and level of accountability. China observes non-intervention principles into the internal affairs of investment-recipient countries and allows them to choose own development model (Tian 2018).

This makes China a flexible investor in comparison with the western investors that put forward many conditionalities. For example, since 1960 China has invested in African countries dominated by patronage politics, such as Zimbabwe, Sudan, Democratic Republic of the Congo and Zambia in Africa and Myanmar, Burma and Cambodia in Asia (Copper 2016b, c), whereas western investors do not risk investing in volatile unstable countries (Kazianis 2011). Finally, China tends to solve domestic problems through providing foreign investment. For example, China provides foreign investment to Muslim countries like Indonesia because it “proved an effective tool” (Copper 2016b, p. 2) to build diplomatic relations and polish its bad reputation vis-à-vis Muslim countries and hence to resolve its own “Islamic problem at home and with countries of the Middle East.” (Ibid.)

Less democratic states within the OSCE region and with weak state institutions are also primary aid receivers from Beijing. These regimes risk managing aid in non-transparent and unaccountable ways, resulting in debts. Beijing’s loans are ostensibly opaque and troublesome to weak states and put these countries in over-debt and dependent on China. For instance, in 2020, Kyrgyzstan’s external debt to China reached 1,774 million USD, while the country’s budget is 163 billion Kyrgyz soms.² Thus, China remains a leading loan-owner for Kyrgyzstan. According to the report issued in 2018 by the Center for Global Development, Kyrgyzstan is listed among

² Ministry of Finance of Kyrgyz Republic. 2018. “Структура государственного внешнего долга КР по состоянию на 31.05.2020 года—Новости ведомства—Министерство финансов Кыргызской Республики.” (The structure of the state external debt of the KR as of 31.05.2020—Department news—Ministry of Finance of the Kyrgyz Republic) Accessed at <http://www.minfin.kg/ru/novosti/mamlekettik-karyz/tyshky-karyz/2020-zhyldyn-31-mayyna-karata-mamlekettik-tyshky-k>.

eight states which are overly indebted to China and could suffer from debt distress. The report states: “*We find that of the 23 countries identified above, there are 10–15 that could suffer from debt distress due to future BRI-related financing, with eight countries of particular concern. These countries are Djibouti, the Kyrgyz Republic (Kyrgyzstan), Lao People’s Democratic Republic (Laos), the Maldives, Mongolia, Montenegro, Pakistan, and Tajikistan.*” (Hurley et al. 2018, p. 11).

Four Central Asian OSCE member states (Tajikistan, Kyrgyzstan, Montenegro, and Mongolia) are highly indebted due to the disproportionate size of loans compared to the countries’ GDP. China’s resulting economic policies pose many challenges. For instance, Tajikistan was already unable to pay back a Chinese loan in 2011 and was forced to cede 980 km² to Beijing (Karrar and Mostowlansky 2020) and in 2019 the Tajik government was criticized for leasing Tajik land to a Chinese mining company.³ In 2020, as the Kyrgyz government was not able to service its debt to China, they attempted several times to request Beijing to reschedule and restructure the debt, but China kept silent in response. The Kyrgyz government sought help from the population and launched a money collection campaign to return the debt.⁴

As a consequence, China is often depicted both as a peaceful power and as a “threat” or “neo-colonial” power, and authors like Yahuda note that Chinese leaders endeavor to deny the political consequences of economic relations (Yahuda 1997). Whereas others, such as Heilmann and Schmidt, note that China has increasing geo-political aspirations by highlighting that “Chinese leaders have decided to play a larger role in shaping international mechanisms through the G20, becoming a “rule maker” rather than a “rule taker” when it comes to such things as regulating financial markets, stabilizing the international monetary system, and preventing protectionist practices” (2014, p. 27).

On the local level, for example, in relations between the South-East Asian Economic Association (ASEAN) and China, there are complaints about unfair trade relations. For example, Indonesian and Thai producers claim that their markets are flooded by Chinese goods, while Malays worry that China’s increasing influence might turn into a threat (Ibid.). This bias in trade relationships will not easily be resolved despite the 2020 agreement on a trade union between China and ASEAN.⁵

Similar tensions occurred between China and Central Asian states in response to the inflow of Chinese workers into construction works and an anxious labor market. For instance, in Tajikistan, a non-experienced Chinese firm took construction of the Dushanbe–Khujand–Chanak highway in 2010 despite there being local companies with good experience (see Pantucci and Lain 2017). For example, in 2017

³ Radio Free Europe, Radio Liberty. 2019. “Silver Lining? Tajikistan Defends Controversial Decision To Give Mine To China.” Accessed at <https://www.rferl.org/a/silver-lining-tajikistan-defends-controversial-decision-to-give-mine-to-china/30199786.html>.

⁴ Радио Азаттык. 2021. “Өкмөт бюджет толтурууда элден жардам сурайт.” (Radio Free Europe, Radio Liberty. 2021 The government is asking its population for help with budget shortfalls) Accessed at <https://www.azattyk.org/a/kyrgyzstan-budget-help/31036352.html>.

⁵ VOA News. 2020. Trade Deal Raises Questions About China’s Dominance. Accessed at <https://www.voanews.com/east-asia-pacific/trade-deal-raises-questions-about-chinas-dominance>.

in Kyrgyzstan,⁶ and in 2009, 2010, 2012, 2014, 2015 and in 2018 in Kazakhstan,⁷ Chinese labor in local markets led to public dissatisfaction and even resulted in violent conflicts between Chinese workers and local residents. Later in 2019, so-called “Chinese expansionism” was blamed during public protests that gathered more than 300 people in Bishkek, the capital of Kyrgyzstan⁸ and which continued in 2020. In Kazakhstan, the protestors were demanding transparency when dealing with China, while in Pakistan⁹ and in Kyrgyzstan¹⁰ rallies were held against depleting natural resources being exploited by China.

Depending on the recipient country's economic and resource capacity, China pursues either political or economic benefits, or even both. However, this is not to say that trade and commerce are more important for China than its political interests or vice versa. Many scholars note that China has been successful in applying its economic strength by providing aid and loans to accomplish its foreign policy objectives. Among its successes cited is recognition of the One China policy and political support in international arenas for China's game-changing behavior on different agendas, including human rights. Today, Chinese infrastructural loans are issued to Chinese partner states—along with its political conditionality—in search of natural resources, enhancing trade connections and establishing new market zones.

5.3 Chinese Investments in the OSCE Region

Chinese investment interests in the OSCE region have matured since the 1990s after the initiation of the so-called second phase of “foreign investment” in the 1980s with pragmatic considerations promoting trade and commerce (Copper 2016a). More precisely, Chinese foreign investment into and infrastructural loans to other countries, with its economic and political gains, have been provided after 1978 when Deng

⁶ Радио Азаттык. 2013. “Массовая драка в Куршабе. ФОТО.” (Radio Free Europe, Radio Liberty. 2013 Mass fight in Kurshab. Photo.) Accessed at https://rus.azattyk.org/a/kyrgyzstan_kurs_hab_mass_brawl/24819123.

⁷ КАРАВАН Медиа Портал. 2018. “Противостояние казахстанцев и китайцев: в чем причина конфликтов, происходящих на китайских нефтяных предприятиях.” (Karavan Media Portal. 2018. Opposition of Kazakhs and Chinese. What causes conflicts occurring in Chinese oil enterprises.) Accessed at <https://www.caravan.kz/news/protivostoyanie-kazakhstancev-i-kitajjcev-v-chem-prichina-konfliktov-proiskhodyashhikh-na-kitajjskikh-neftyanykh-predpriyatyyakh-423556/>.

⁸ Радио Азаттык. 2019. “Чем может обернуться для Кыргызстана усиление антикитайских настроений?” (Radio Free Europe, Radio Liberty) Accessed at https://rus.azattyk.org/a/kyrgyzstan_china_politics/29703213.html.

⁹ Nikkei Asian Review. 2018. “Pakistan struggles to contain rise of anti-China sentiment.” Accessed at <https://asia.nikkei.com/Spotlight/Belt-and-Road/Pakistan-struggles-to-contain-rise-of-anti-China-sentiment>.

¹⁰ Радио Азаттык. 2018. “В Кадамжае началось расследование по факту удержания китайских предпринимателей в контейнере.” (Radio Free Europe, Radio Liberty) Accessed at <https://rus.azattyk.org/a/29513370.html>.

Xiaoping resumed power as head of the Chinese communist party and government. Under his unprecedented economic reforms, China has embarked on a free-market capitalist economy path which boosted the country's economic growth by opening its doors to Foreign Direct Investments (FDI) and international trade. As a result, the Chinese ability to sustain high savings and low consumption rates could increase the Chinese potential of giving and offering infrastructural loans, mostly in a manner of traditional "tribute diplomacy," especially when it comes to small developing states with minor geopolitical significance.

Due to the unequal economic development of OSCE region since the early 1990s, the former post-Soviet as well as Balkan states are most vulnerable to Chinese attractive infrastructural loans, despite development and investments efforts have been carried out by other stakeholders such as the European Union (Pavličević 2019). These countries have been destinations for Chinese FDI, in particular after and during global financial crisis of 2008. For instance, there are more than 1600 "green" Chinese enterprises in the EU countries of South East and Eastern Europe, which employ more than 50 thousand local workers (Szunomár and Biedermann 2014). However, it should be noted that Chinese state-owned enterprises are also perceived as a subject for "political guidance directly from the Communist Party," because around 72% of Chinese investments in Europe came from state-owned enterprises. Meanwhile, engagement of the Chinese private investor sector is low (Ibid., p. 24).

Since 2013, the BRI project has been the most discussed investment project in the OSCE region. It aims to connect countries and regions with China through its land and sea routes and crosses the entire region via pipelines, railroads, roads, and air.¹¹ Millions of Chinese cargo containers cross the region every year by land and sea routes,¹² for instance, through newly-built railroad going from China through Kazakhstan the number of cargo containers have increased from 2,000 containers in 2011 to 42,000 containers in 2015¹³ in this Eurasia region, China had begun to provide infrastructural loans much earlier than when it announced the BRI. It is important to note that through the BRI, China contributes to the promotion connectivity benefiting economic growth and development of OSCE member states by increasing the flow of trade and investment and by developing and maintaining transport infrastructure (Wolff 2018). According to two White Papers that were issued in 2011 and 2014 by the Chinese government, the policies intend to connect infrastructure of countries under the BRI to enable buying and selling, to promote open markets, enhance and build joint financial markets with China, and to reinforce "people-to-people"

¹¹ Mercator Institute for China Studies. 2018. Mapping the Belt and Road Initiative: this is where we stand. Accessed at <https://merics.org/en/analysis/mapping-belt-and-road-initiative-where-we-stand>.

¹² Freight Waves. 2019. Port Report: China's massive growth in ocean box shipping and over-the-road trucking. Accessed at <https://www.freightwaves.com/news/port-report-chinas-massive-growth-in-ocean-box-shipping-and-over-the-road-trucking>.

¹³ Forbes. 2016. Why The China-Europe 'Silk Road' Rail Network Is Growing Fast. Accessed at <https://www.forbes.com/sites/wadeshepard/2016/01/28/why-china-europe-silk-road-rail-transp-ort-is-growing-fast/?sh=2557054659ae>.

contacts.¹⁴ China is largely investing in the improvement and construction of transport infrastructure connecting Beijing with the west and the rest of the world. In this context, the OSCE member states in Central Asia and East-Central Europe have become transit corridors for Chinese commodities, as have Kazakhstan, Serbia and Poland, on the way to the western parts of Europe, including to Germany, Italy and France.

5.4 OSCE Policies on National Minorities and Democratization

The OSCE High Commissioner on National Minorities (HCNM) and Office for Democratic Institutions and Human Rights (ODIHR) are the two main structures within OSCE along with others which work to ensure and to promote minority rights and democratization in the OSCE region. Their norms and standards in transparency, accountability and participation, and their overall respect for minority and human rights in the OSCE region often have been hindered by foreign investments and policies of third countries, such as China, (Bräutigam 2009; Copper 2016a, b, c; Dave 2018; Tian 2018). HCNM and ODIHR run their offices and programs throughout the OSCE region, with intense activities, in particular in post-Communist states in Eurasia. Post-Communist OSCE member states are described as weaker democracies and economies and yet with a number of ethnic, linguistic and religious minority groups issues concerning OSCE's two main structures (Dave 2018; Tian 2018). The recent report issued by a democracy measurement project at the University of Gothenburg in Sweden, the V-Dem research project, overall demonstrates that democratic backsliding in the region is worryingly occurring broadly in post-Soviet countries (see Lührmann and Lindberg 2019). This backsliding opens the doors to non-transparent, opaque and "governments only" agreement between China and its counterparts (Bräutigam 2009; Copper 2016a, b, c; Tian 2018). Yet, OSCE minority, democratization, and human rights policies programs are aimed at avoiding exactly this, namely that the governments were transparent and less able to make economic or trade agreements behind closed doors without including other actors or groups that are affected by it in the negotiation process (Mihir 2020).

Back in July 1992, as a response to inter-ethnic tensions after the fall of communism and the collapse of the Soviet Union which led to the establishment of many new republics that are today the main target of Chinese investments, the Helsinki Summit decided to establish the OSCE High Commissioner on National Minorities due to the alarming rise of violence and discrimination against ethnic, linguistic and religious minorities in the OSCE region. HCNM has ever since developed an alerting and conflict prevention mechanism, and according to its mandate the High Commissioners' office in The Hague carries out "'early warning' and, as appropriate,

¹⁴ Mercator Institute for China Studies. 2018. "Mapping the Belt and Road initiative: this is where we stand." Accessed at <https://www.merics.org/en/bri-tracker/mapping-the-belt-and-road-initiative>.

‘early action’ at the earliest possible stage in regard to tensions involving national minority issues” (Diacofotakis 2002). HCNM works independently, in a confidential manner and applies a “quiet diplomacy” approach. The High Commissioner undertakes regular visits to the OSCE member states to assess national minorities’ situation and provides recommendations to governments to improve inter-ethnic relations. According to key principles and guidelines adopted since 1996,¹⁵ and to the ODIHR’s activities such as human rights monitoring, OSCE participating states commit themselves to observe and promote minority rights, individual rights and freedoms, rule of law and democratic values in general.

However, since China began its financial intervention, these values among OSCE participating states increasingly became of little importance, at least because of their financial dependence, if not because of the fear of losing a “sponsor.” In particular, tender procedures of the OSCE states are undermined because the Chinese side intervenes into domestic procurement regulations, for example, resulting in a breach of rule of law in the OSCE region. Chinese surveillance equipment and police machinery received by some OSCE member states such as Kyrgyzstan, Kazakhstan, Tajikistan, and Uzbekistan, as part of unspecified bilateral agreement, are used to monitor and suppress opposition protests, breaching OSCE core principles of individual rights and freedoms. Finally, the Kyrgyz and the Kazakh governments did not, so far, officially respond to Chinese treatment of their kin-groups in Xinjiang, even after the launch of international reports in 2017 that illustrated the breach of minority rights, individual rights and freedoms in the North-Western Chinese province. According to human rights watch report (2018), “Xinjiang’s domestic policy¹⁶ has also had implications abroad. [...] targeting people with connections to an official list of “26 sensitive countries”, including Kazakhstan, Malaysia [...]” (p. 4). These countries are characterized as “the governments [having] close relationship with Beijing” (p. 5). For instance, Kazakhstan preferred “developing good relations with China” to “supporting ethnically and culturally close Uyghur population in Xinjiang” (Burkhanov 2018, p. 154). Based on it, “the Chinese government has stepped up pressure on other governments to forcibly return Uyghurs in their countries to China” (p. 4). It might indicate that Chinese partner-countries are not only in solidarity with each other regarding the Chinese principle of non-interference but also “supports Beijing’s fundamental diplomatic and political stances prior to receiving any funding” (Tian

¹⁵ HCNM core documents are: The Hague Recommendations Regarding the Education Rights of National Minorities and Explanatory Note (1996), The Oslo Recommendations Regarding the Linguistic Rights of National Minorities and Explanatory Note (1998), The Lund Recommendations on the Effective Participation of National Minorities in Public Life and Explanatory Note (1999), Guidelines on the use of Minority Languages in the Broadcast Media and Explanatory Note (2003), Recommendations on Policing in Multi-Ethnic Societies and Explanatory Note (2006), The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations and Explanatory Note (2008), The Ljubljana Guidelines on Integration of Diverse Societies and Explanatory Note (2012).

¹⁶ Beijing introduced specific policy “Strike Hard Campaign against Violent Terrorism” in Xinjiang, a tool used by local governments to effectively fight crime, that have been “highlighted the abusive nature of these drives” leading “to numerous arbitrary arrests and summary executions” (Human Rights Watch 2018, p. 12).

2018, p. 26). Hence, one can correlate that the financial dependence to China of some member states is challenging the integrity of OSCE principles as outline by HCNM and ODIHR.

5.5 Non-transparent Policies in OSCE Region

Not long after China announced the BRI in 2013, its investment and loan policies became key world financing strategies. As stated earlier, China is providing foreign aid, loans and infrastructure investments to developing countries, including the OSCE region. Central Asian Countries, as well as countries in Western Balkan or Belarus, are key target countries for Chinese investments and loans.¹⁷ However, it is important to note that these states might receive infrastructural loans and investments under different conditions because there are not yet any single loan issuing regulations introduced by Beijing to manage its capital (Copper 2016a; Dave 2018). It is likely that China is applying multifarious approaches in designing its capital to look unique and different from traditional donors and creditors (Ibid.). As practices of financing infrastructure projects demonstrate, Beijing is using its economic strength for attaining its long- and short-term goals. In other words, the way China provides investment and infrastructural loans is designed not only to manipulate but also to outmaneuver established international and regional rules and norms (Ibid.). Chinese investments and infrastructural loans tend to support non-democratic practices (Bräutigam 2009; Copper 2016a, b, c; Dave 2018; Toktomushev 2018). One can speak in turn about non-transparent procurement by Chinese companies and Chinese goods, Chinese support of surveillance and provision of police equipment which is used by the incumbent regimes to repress and control political dissidents (Cave et al. 2019; Dave 2018; Tian 2018).

First, Chinese investments and infrastructural loans in the OSCE region are accompanied by Chinese goods and products, Chinese labor forces and workers (See Laruelle 2018). It is argued that infrastructural projects rely on Chinese companies and Chinese labor to guarantee efficient investment given that underdeveloped countries where China bankrolls projects can be lacking in professionals with required technical skills. However, the Chinese “guaranteed contract” approach promotes non-transparency and violates domestic procurement policies, which contradicts the

¹⁷ According to China Global Investment Tracker (CGIT), Kyrgyzstan between 2013 and 2020 has received in total USD 4.34 billion foreign investment and construction finances. Because the amount cited by CGIT is larger than the total debt of Kyrgyzstan to China, these numbers might include other unspecified foreign aid, including police machinery and ammunitions. Tajikistan, in contrast to Kyrgyzstan, received its biggest share of loans during the pre-BRI period. Tajik total foreign investment between 2013 and 2020 amounted to USD 540 million which is 25% of the total numbers Tajikistan received since 2005. With regards to Belarus, CGIT reports that the country received in total USD 6.03 billion from 2005 to 2020. Similar to Tajikistan, the largest share (around 70%) Minsk received comes to the pre-BRI period.

OSCE's rule of law and anti-corruption commitments. China's way of doing investment in OSCE member countries contributes to anti-democratic and non-transparent practices. In the OSCE participating states discussed below, China is both an investor and contractor with a potential winning position that questions its transparency.

In 2015, Hungary—which is facing a serious investigation by the European Commission for its breach of rule of law and high level of corruption—was the first European country that welcomed China's BRI under which a 350 km railway road between Budapest and Belgrade in Serbia was planned. The Budapest and Belgrade railway connection was planned to be invested in by China and partially by Hungary. The non-transparent procurement process for the Chinese investment to construct a high-speed railway connection between Budapest and Belgrade resulted in serious discussions among the EU administration and western countries. The 166 km section in Hungary on the Budapest-Belgrade high-speed railway, which has an estimated value of USD 2.9 billion, became a procurement scandal case in 2017, according to the Warsaw Institute (2019), because it breached the EU procurement procedures as no public and transparent tender was announced. The Chinese company took a "guaranteed contract" and was considered as a preferred contractor to construct the railway in 2020. The EU's accusation of a non-transparent procurement by Hungary resulted in a special investigation commission by the EU to check the issue of the EU's internal procurement regulations breach (Ibid.).

In a similar way, in other Eastern and Central European states, China again promoted non-transparent procurement. In Montenegro, although not an EU member state, China used its own company to construct a road to connect Bar port with Serbia with an €800 million loan from the Exim Bank of China.¹⁸ Whereas in Macedonia China had invested and launched the construction of a 57 km road connection with a €373 million loan from Exim Bank of China by the state-owned Chinese Sinohydro company, the project was later stopped by the Ministry of Transport and Communication due to incompliance that disadvantaged the state budget for a sum of €155 million.¹⁹

The EU's concerns about Chinese engagement within EU member states, as well as in its neighboring states—of which many seek long-term membership in the EU—as the investor and contractor in 16 + 1 states, are legitimate. Chinese investment practices violate both domestic and EU procurement rules and procedures, according to which these practices are evaluated as non-transparent and non-competitive.

Unlike Eastern Europe, Central Asian states are even more vulnerable to Chinese non-democratic practices because they are not EU members nor under EU membership consideration. Therefore in these countries, EU norms and standards concerning protection of fundamental rights and freedoms are not under consideration when it comes to receiving infrastructural loans, let alone negotiation of respective issues between the governments of borrower and loan issuer (see Laruelle 2018). For

¹⁸ Reuters. 2014. "Montenegro, China's Exim Bank agree \$1 billion highway deal." Accessed at <https://www.reuters.com/article/montenegro-highway-idUSL5N0SP4BI20141030>.

¹⁹ Balkan Insight. 2017. "Poor Planning Halts Macedonia Highway Projects." Accessed at <https://balkaninsight.com/2017/06/20/poor-planning-halts-macedonia-s-highway-projects-06-20-2017/>.

example, Kyrgyzstan's procurement in favor of a Chinese company in 2017 became a true nightmare while modernizing its largest heating plant.²⁰ The Chinese company, the Tebian Electric Apparatus company (TBEA), rehabilitated and equipped "TEC Bishkek" under Chinese infrastructural loans in 2017.²¹ However, the heat plant experienced an accident (leakage) right after its renovation.²² Local popular grievances after the accident resulted in serious investigations and imprisonments of high-rank state officials with corruption charges.²³ As was later revealed, the Chinese contractor of the "TEC Bishkek" never provided the Kyrgyz government with a detailed budget. Prices in the budget were unrealistically increased.²⁴ The Kyrgyz side seemed to be aware only about a total amount of budget without its per-item prices. The notorious Chinese TBEA company was also a contractor to construct the Datka-Kemin electricity transmission line project in June 2012 in Kyrgyzstan.²⁵ Under the Datka-Kemin electricity transmission line project, two objects were constructed: (1) a national power transmission line from Datka to Kemin and (2) a substation in Kemin. The total cost of the project was evaluated at 389.74 million USD.²⁶ Despite the project being successfully accomplished in 2015, in 2018 it was discovered that the budget was groundlessly increased against market prices.²⁷ With the rise of BRI, Kyrgyzstan is anticipating a number of BRI-related infrastructure project loans supplied by the Chinese EXIM Bank. These include several hydropower plants, a railway connecting China, Kyrgyzstan, and Uzbekistan, a number of road constructions, and the finalization of Central Asia–China gas pipeline, during the implementation of which non-transparent procurement in favor of China is most likely to occur.

In the same way, when constructing highways in Kyrgyzstan with Chinese infrastructural loans, only Chinese labor was used despite the local labor surplus.²⁸ Exclusively Chinese companies were involved in construction activities using exclusively Chinese labor and recruiting only a modicum of local labor—mainly for administrative and translation purposes (Garibov 2018; Jaborov 2018). During the construction of the Bishkek–Naryn–Torugart corridor, Chinese labor prevailed over local (Dirk van der Kley 2020). Of note is that Kyrgyz labor migrants in Russia and Kazakhstan

²⁰ The New York Times. 2019. *A Power Plant Fiasco Highlights China's Growing Clout in Central Asia*. Accessed 20 September 2020. <https://www.nytimes.com/2019/07/06/world/asia/china-russia-central-asia.html>.

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Азаттык Ыналгысы. 2018. "Датка-Кемин экинчи ЖЭБ болобу?" (Radio Free Europe, Radio Liberty. 2018. Would Datka-Kemin be the second TEC (Heat power plant)) Accessed 20 September 2020. https://www.azattyk.org/a/kyrgyzstan_energy_corruption/29488097.html.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Радио Азаттык. 2015. "В Кыргызстане 70% иммигрантов—граждане из Китая." (Radio Free Europe, Radio Liberty 70% of immigrants in Kyrgyzstan—citizens of China) Accessed 20 September 2020. <https://rus.azattyk.org/a/26936205.html>.

by February 2017 made up 594 thousand people,²⁹ clearly demonstrating the internal labor surplus in Kyrgyzstan. This practice does not bring in any social capital development or contribution to the well-being of communities along the BRI.³⁰ According to some, China needs to employ its workers abroad in order to affect the unemployment situation in China, which has been a problem for Chinese leaders as it could “engender social and political instability” (Copper 2016b, p. 120). However, one of the main reasons behind the usage of Chinese labor forces and workers, as well as using only Chinese products in infrastructure projects abroad (Copper 2016a, c; Jaborov 2018), including the artificial increase of market prices, as the case of TEC Bishkek³¹ confirmed, is because Beijing tries to significantly save on its expenses (see Laruelle 2018). In other words, much of the capital is returned back to China, minimizing its risk of investment returns (Ibid.). Taking this into consideration, it might be true that China stands in a winning position.

Second, along with Chinese infrastructural loans, OSCE member states in Central Asia received security-related equipment³² and support in an effort to maintain agreements with the countries’ leaders on infrastructural loans with Beijing’s relative winning terms and position unquestioned. China’s achievement of relative gains with weak governments can be explained by recipient country leaders’ personal interests throughout the whole process of loan agreements (Bräutigam 2009; Copper 2016a, c; Tian 2018; Toktomushev 2018). Since the terms and conditions of infrastructural loans are kept secret and could be known only to the leaders of recipient countries (Ibid.), incumbent leaders appear to be convenient for China to cooperate with until loan-related interests and goals are no longer being attained (Ibid.). For instance, a bilateral infrastructural loan contract between China and Malaysia signed in 2016 was recently questioned by Mahathir Mohamad, the new Prime Minister of Malaysia, after an assessment of the loan contract signed by his predecessor Najib Razak found that the terms of the deal were not favorable to Malaysia.³³

As a result of raising and uncovering unknown details of a “secret” project, China had to reconsider and had no other choice than to give concessions.³⁴ To avoid

²⁹ Российский совет по международным делам (РСМД), Аналитики и Комментарии. 2017. “Кыргызстан в ЕАЭС: результаты участия. Часть вторая.” (The Russian Council on Foreign Affairs (RSMD), Analysts and Comments. “Kyrgyzstan in the EAEU: participation results. Part two.”) Accessed at https://russiancouncil.ru/analytics-and-comments/columns/eur-asian-economy/kyrgyzstan-v-eaes-rezultaty-uchastiya-chast-vtoraya/?sphrase_id=1721103.

³⁰ BBC News. 2017. “China’s secret aid empire uncovered.” Accessed at <https://www.bbc.com/news/world-asia-china-41564841>.

³¹ The New York Times. 2019. A Power Plant Fiasco Highlights China’s Growing Clout in Central Asia. Accessed at <https://www.nytimes.com/2019/07/06/world/asia/china-russia-central-asia.html>.

³² Радио Азаттык. 2019. “Китай передал Кыргызстану полицейскую технику на миллионы долларов.” (Radio Free Europe, Radio Liberty. 2019. China donated millions of dollars worth of police equipment and machines to Kyrgyzstan.) Accessed at <https://rus.azattyq.org/a/29978604.html>.

³³ The Diplomat. 2019. *Malaysia: Revised China Deal Shows Costs Were Inflated*. Accessed at <https://thediplomat.com/2019/04/malaysia-revised-china-deal-shows-costs-were-inflated/>.

³⁴ Ibid.

similar situations, China tends to support regimes in power by providing surveillance and police equipment. China believes that weak governments are interested in preserving their power through suppression of anti-government protests, as well as using administrative resources or even sometimes through manipulation of voting results in elections which raise OSCE concerns.

For instance, the Central Asian states of Uzbekistan, Kazakhstan, Tajikistan, and Kyrgyzstan have recently signed contracts with Chinese surveillance companies on the installation of high-technology cameras in the streets of the main cities.³⁵ Huawei, China's controversial telecommunication giant, is also engaged in surveillance projects of the region, which are being accused by the West of using 5G technology for cyber espionage. Social activists and citizens of the region are against street video monitoring system with facial recognition technology as it poses risks to private data and human rights, and as it is unclear whether a foreign country (China) has access to data collection and processing. Additionally, China's involvement in this regard is associated with its surveillance system over its Muslim population in the Xinjiang region where scandalous "re-education camps" are built to forcefully detain and re-educate Muslims against their will and without trial. In particular, in politically unstable Kyrgyzstan which experienced its third coup-d'état since independence and which has a vibrant opposition, Chinese water cannons were used by the police to suppress opposition-led protests in 2020 in Bishkek in support of presidential candidate Sadyr Japarov.³⁶ It is important to note that similar police equipment was not used for peaceful protests. For instance, in June 2020 and December 2019 during Bishkek protests organized by civil society groups and labelled as "Реакция," "РЕакция 2.0,"³⁷ and "РЕакция 3.0" ("Reaction," "Reaction 2.0," "Reaction 3.0"),³⁸ called for the now ex-president Sooronbai Jeenbekov to offer a "reaction" toward Azattyk journalists' investigation into corruption in the customs system, and for Jeenbekov's reaction to a draft law on information manipulation. By providing surveillance and police machinery made in China, China tends to support the existing political regimes of partner-countries they invest in, by enhancing merely its domestic development policies, particularly those efforts to reduce local unemployment and enhanced domestic stability in mind (Copper 2016a, c; Jaborov 2018;

³⁵ Eurasianet. 2019. "China Taking Big Brother to Central Asia: China is exporting its model of invasive, all-encompassing surveillance to Central Asia." Accessed at <https://eurasianet.org/china-taking-big-brother-to-central-asia>.

³⁶ Kloop blog. 2020. "Митинг в поддержку Жапарова завершился разгоном, есть задержанные." (The rally in support of Japarov ended in dispersal, there are some detainees) Accessed at <https://kloop.kg/blog/2020/03/02/live-miting-storonnikov-zhaparova-v-bishkeke/>.

³⁷ Радио Азаттык. 2020. "Реакция 2.0: В Бишкеке прошла акция против коррупции и цензуры." (Radio Free Europe, Radio Liberty. 2020. Reaction 2.0: Action against corruption and censorship was held in Bishkek) Accessed at <https://rus.azattyk.org/a/30331476.html>.

³⁸ Радио Азаттык. 2020. "Реакция 2.0: В Бишкеке прошла акция против законопроекта «О манипулировании информацией.» (Radio Free Europe, Radio Liberty. 2020. Reaction 2.0: In Bishkek, action was held against the bill "On information manipulation.") Accessed at <https://rus.azattyk.org/a/30696065.html>.

Tian 2018). Development in third countries serves primarily China's domestic interests (Ibid.). Chinese non-transparent procurement does not encourage enforcement of laws.

China remains a leading loan-owner to Central Asian states. This broadly means that the countries indebted to China have to act in accordance with Chinese interests and to share China's standing on democracy and sensitive issues, such as minority and human rights. As I discuss in the following section of the chapter, two Central Asian states—Kazakhstan and Kyrgyzstan—kept silent toward Chinese inhumane treatment of their kin-groups, the ethnic Kazakhs and Kyrgyz in Chinese detention camps (Human Rights Watch 2018), despite strong local civic displeasure toward re-educational camps and treatment of ethnic kin in China.

5.6 Re-educational Camps in Xinjiang and Reactions

With a population of 22 million, the Xinjiang Uyghur Autonomous Region (XUAR)³⁹ of China is located in the western part of the PRC, and here a Turkic Muslim minority make up the largest percent of the population (around 60%) of the region, which includes Uyghurs, the largest linguistic, ethnic and religious minority, and ethnic Kazakhs and Kyrgyz who share common culture, religion and the Turkic language. This part of China is less developed with its poor infrastructure and depressed socio-economic life in comparison to the fast-developing Chinese East. The presence of ethnic Kazakhs and Kyrgyz in the territory of present-day China is due to those groups fleeing from their homeland during the Central Asian mass revolt of 1916—also known as “Urkun”—against the expansion of the Russian Empire.⁴⁰ After Xi Jinping's rise to power in 2012, the minority issues related not only to Muslims, but also to other non-Muslim groups, became increasingly questioned by the Chinese authorities (Human Rights Watch 2018). Their cultural and religious freedoms, for example, to learn and speak their native language and exercise their religion, had worsened, with minorities increasingly became suppressed and monitored (Ibid.).

International reports and evidence of re-education camps and facilities had appeared already by 2016 after Chen Quanguo, the new governor of Xinjiang, was appointed as a chief Communist Party Secretary of the region (Ibid.). These

³⁹ The locals in particular Muslims name the region as East Turkistan (Uyghuristan).

⁴⁰ International Institute for Asian. 2016. “The Time of Ordeal: a story of the 1916 revolt in Central Asia.” Accessed at <https://www.iiias.asia/the-newsletter/article/time-ordeal-story-1916-revolt-central-asia>.

camps are a legacy of “the cultural revolution” which took place from 1966 to 1976 in China, during which millions of political opponents, dissidents, and minorities were imprisoned, tortured, executed, enslaved, and “reeducated” in camps (Hauling 2005; Human Rights Watch 2018; Zainab 2019). Some western officials characterize Chinese re-education camps as “modern-day slavery camps,”⁴¹ because the imprisoned people are forced to work without payment.⁴² Since 2016 many Chinese Uyghurs, Kazakhs, and Kyrgyz have begun disappearing or have been later found detained in the political education camps (Ibid.). Relatives and friends living abroad, concerned about their disappearance have raised the alarm and made known to the public the existence of political education camps in Xinjiang which purposefully targeted the Muslim population in the region. Chinese officials have explained its extraordinary policy measures as necessary for combatting increasing religious extremism of Xinjiang’s Muslim population. However, Chinese officials’ explanation justifies these camps, but cannot clarify the legality of their actions after it was revealed that China was hiding the process of re-educating Chinese Muslims. Accusations against the Chinese government have been made not only by international human rights organizations, such as Human Rights Watch, which have mentioned “mass arbitrary detention, torture and mistreatment” (Human Rights Watch 2018, p. 111) of the Turkic population of the Muslim faith in Xinjiang and their family members but also during protests against Chinese authorities in cities in Kyrgyzstan⁴³ and Kazakhstan,⁴⁴ where the protesters who showed solidarity with their kin in China, who were imprisoned and deported by their police forces. For example, in 2017, several residents of Bishkek have publicly addressed the Kyrgyz government and the President to assist in releasing detained relatives and friends in Xinjiang camps from the Chinese KizilSu Kyrgyz Autonomous Prefecture (KKAP), who after returning to KKAP disappeared,⁴⁵ despite possession of Kyrgyz citizenship. A Chinese ethnic Kyrgyz who has been living in Kyrgyzstan for a long time was detained in China by forcing his relatives to call him and ask him to travel back to KKAP if he wants his relatives to be released. In this regard, the Ministry of Foreign Affairs of Kyrgyzstan did not react to the Kyrgyz citizen’s illegal imprisonment owing to the Chinese counterpart reasoning that the Chinese ethnic Kyrgyz did not renounce his Chinese

⁴¹ BBC News. 2020. “Xinjiang: China defends ‘education’ camps.” Accessed at <https://www.bbc.com/news/world-asia-china-54195325>.

⁴² Democracy Now. 2020. “Modern-Day Slavery”: China Is Forcing Muslims into Forced Labor, Prison and Indoctrination Camps. Accessed at https://www.democracynow.org/2020/1/9/inside_chinas_push_to_turn_muslim.

⁴³ 01.KG. 2018. В Бишкек прошла акция по защите прав этнических кыргызов в Китае. (Action to protect the rights of ethnic Kyrgyz in China was held in Bishkek). Accessed at <https://www.01.kg/news/2249574/v-bisheke-prosla-akcia-po-zasite-prav-etniceskih-kyrgyzov-v-kitae>.

⁴⁴ The Diplomat. 2021. Small Protests Persist Outside Chinese Consulate in Kazakhstan. Accessed at <https://thediplomat.com/2021/02/small-protests-persist-outside-chinese-consulate-in-kazakhstan/>.

⁴⁵ Азаттык/налыгысы. 2017. “Кытайлык кыргыздар басым кччггнн айтууда.” (Radio Free Europe, Radio Liberty. 2017. Chinese Kyrgyz say that pressure has intensified) Accessed at https://www.azattyk.org/a/kyrgyzstan_china_ethnic_minority_rights_kyrgyz/28688593.html.

citizenship before applying for Kyrgyz citizenship.⁴⁶ Another young ethnic Kyrgyz from China, a grandson of the Manas-epic-teller Jusup Mamai, who was a student in a university in Bishkek, and a popular figure performing the Kyrgyz dance Kara Jorgo on Kyrgyz TV programs and radios, was incarcerated in a re-education camp after visiting China, on condition that his relative would be released. However, the Kyrgyz government, as a deeply indebted country to China, had to ignore the Chinese mistreatment of ethnic Kyrgyz, even if some of the detained also held Kyrgyz citizenship. Similar cases were reported from Kazakhstan where two Chinese ethnic Kazakhs faced litigation in Almaty in December 2019 for illegally crossing the state border from China to Kazakhstan in pursuit of asylum and safety. Two months earlier they had been informed by the Kazakh authorities that they will be deported back to China despite applying for asylum.⁴⁷ There is mutual agreement on deportation between the two governments, sending back those who illegally cross the state borders, even without a public hearing. Another 43-year-old ethnic Kazakh woman with her family, born in Ili Kazakh Autonomous Prefecture of the XUAR province in China, entered Kazakhstan in the same illegal way. She had to apply for asylum in Sweden with the assistance of the United States Embassy in Almaty and the United Nations High Commissioner for Refugees after her asylum application was rejected by the Kazakh government.⁴⁸

In brief, the Kazakh and the Kyrgyz governments preferred to not intervene in Chinese domestic policies and instead decided to maintain bilateral agreements. Nor do they pose any sanctions upon China for the detention without trial in re-educational camps of ethnic Kazakh and Kyrgyz living in China's North-Western province. By this political practice, the governments violate OSCE norms and standards on minority and human rights. Kyrgyz ex-president Sooronbai Jeenbekov, during the Annual Press Conference with journalists in 2018, stated that Kyrgyzstan cannot intervene into the domestic affairs of China due to bi-lateral agreements.⁴⁹ In a similar way, the Kazakh government is afraid to openly comment on these issues and to criticize Chinese mistreatment of ethnic minorities. At the same time, Kazakhstan and Kyrgyzstan are some of the largest recipients of Chinese infrastructural loans and Foreign Direct Investment (Vakulchuk and Overland 2019), which increased since 2013. Financial dependency, among other, makes these countries vulnerable and explains well why Kazakhstan and Kyrgyzstan did not officially respond to Chinese

⁴⁶ Ibid.

⁴⁷ Радио Азаттык. 2019. "КНБ: перешедших границу этнических казахов передадут обратно в Китай." (Radio Free Europe, Radio Liberty. 2019. KNB: ethnic Kazakhs who crossed the border will be transferred back to China) Accessed at <https://rus.azattyq.org/a/30311302.html>.

⁴⁸ Радио Азаттык. 2019. "Сайрагуль Сауытбай, не получив убежища, покинула Казахстан." (Radio Free Europe, Radio Liberty. 2019. Sairagul Sauytbai, not receiving asylum, left Kazakhstan.) Accessed at <https://rus.azattyq.org/a/kazakhstan-sayragul-sauytbai-pokinula-kazakhstan/29978459.html>.

⁴⁹ Радио Азаттык. 2018. "Жеэнбеков о китайских кыргызах: Это граждане Китая, мы не можем вмешиваться." (Radio Free Europe, Radio Liberty. 2019. Jeenbekov on the Chinese Kyrgyz: They are citizens of China, we cannot interfere.) Accessed at <https://rus.azattyk.org/a/29664421.html>.

mistreatment of ethnic minorities, even if that silence means that they violate and disregard core principles on the protection of ethnic, linguistic, and religious minorities. One can only speculate whether, if there were no infrastructural loans from China, both countries would respond to Chinese domestic politics toward ethnic minorities critically.

5.7 Conclusion

As illustrated by the cases of the Kyrgyz and Kazakh response to China's detention policies and infrastructural loans, China's overall standing on minority issues and non-transparent practices contradict the HCNM and ODIHR core principles. Consequently, this dilemma undermines the OSCE's integrity. The re-education camps in Xinjiang region and the promotion of non-democratic practices, namely non-transparent procurement, surveillance, and police equipment for suppression and control of political dissidents in the OSCE region are examples of a breach of OSCE's norms and values. This broadly means that countries indebted to China have to act in accordance with Chinese interests and share China's standing on governance and the treatment of religious minorities.

Various sources define Chinese financing as foreign aid, investment and loans at the same time, while China tends to avoid any definition on development or governance and prefers miscellaneous interpretations. For example, the meanings of "Chinese way and characteristics" or "Chinese way of reaching harmony" are not always clear to outsiders. However, what is clear is that Chinese foreign financing and the BRI's primary goal is largely aimed at the strengthening of its domestic economic development, and overall to increase unemployment in China, not outside China, as well as boosting its political influence in the international arena and overall in Eurasia.

Like elsewhere, China is a leading loan-owner to many OSCE member states, not only to the less developed countries but also to countries that already receive large sums of EU funding, such as Central and Eastern European countries. The presence of China in the OSCE region became resilient after Beijing began providing infrastructural loans to those countries that are within the BRI realm. As demonstrated, the size of the issued infrastructural loans in less developed economies are disproportionate to national economies, making debtor countries incapable of paying back the loans. Financial dependence on China makes these countries vulnerable in terms of OSCE's norms and standards of fundamental freedom rights, good governance, and rule of law and for this reason undermines the impact of OSCE programs to promote democracy and human rights.

References

- Barnett D (1985) *The making of foreign policy in China: structure and process*. Westview Press, Boulder and London, 173 pp
- Bräutigam D (2009) *The Dragon's gift: the real story of China in Africa*. Oxford University Press, Great Britain
- Bräutigam D (2011) Aid 'with Chinese characteristics': Chinese foreign aid and development finance meet the OECD–DAC aid regime. *J Int Dev* 23:752–764. <https://doi.org/10.1002/jid.1798>
- Burkhanov A (2018) The impact of Chinese silk road strategy on national identity issues in Central Asia. A media review. In: Laruelle M (ed), *China's Belt and Road Initiative and its impact in Central Asia*. Washington, D.C., pp 153–161
- Carter B (2017) A literature review on China's aid. K4D Helpdesk Report. Institute of Development Studies, Brighton, UK
- Cave D, Hoffman S, Joske A, Ryan F, Thomas E (2019) *Mapping China's technology giants*. ASPI International Cyber Policy Center, Issues Paper Report No. 15/2019
- Chen D, Kinzelbach K (2015) Democracy promotion and China: blocker or bystander? *Democratization* 22(3):400–418
- Copper JF (2016a) *China's foreign aid and investment diplomacy, volume I, nature, scope and origins*. Palgrave Macmillan, New York
- Copper JF (2016b) *China's foreign aid and investment diplomacy, volume II, history and practice in Asia, 1950-present*. Palgrave Macmillan, New York
- Copper JF (2016c) *China's foreign aid and investment diplomacy, volume III, strategy beyond Asia and challenges to the United States and the international order*. Palgrave Macmillan, New York
- Diacofotakis I, Yeorgios (2002) *Expanding conceptual boundaries the high commissioner on national minorities and the protection of minority rights in the OSCE*. Ant. N. Sakkoulas Publishers, Greece
- Dave B (2018) Silk road economic Belt: effects of China's soft power diplomacy in Kazakhstan. In: Laruelle M (ed) *China's Belt and Road Initiative and its impact in Central Asia*. Washington, D.C., pp 97–108
- Dirk van der Kley (2020) Chinese companies' localization in Kyrgyzstan and Tajikistan. *Probl Post-Commun* 67(3):241–250. <https://doi.org/10.1080/10758216.2020.1755314>
- Foroughi P (2010) Tajikistan: nationalism, ethnicity, conflict, and socio-economic disparities—sources and solutions. *J Muslim Minor Affairs* 22(1):39–61
- Garibov A (2018) Contemporary Chinese labor migration and its public perception in Kazakhstan and Kyrgyzstan. In: Laruelle M (ed) *China's Belt and Road Initiative and its impact in Central Asia*. Washington, D.C., pp 143–152
- Garver JW (2016) *China's Quest. The history of the foreign relations of the People's Republic of China*. Oxford Press, New York
- Gordon CE, Kmezić M, Opardija J (eds) (2013) *Stagnation and drift in the Western Balkans: the challenges of political, economic and social change. Interdisciplinary studies on Central and Eastern Europe.*, 10 Peter Lang AG, Pieterlen
- Hauling F (2005) *Re-education through labour in historical perspective*. University of Hong Kong Faculty of Law Research Paper No. 10722/44879. *China Quart* 184:811–830. SSRN: <https://ssrn.com/abstract=1809425>
- Heilmann S, Schmidt DH (2014) *China's foreign political and economic relations. An unconventional global power*. Rowman & Littlefield, Plymouth, UK
- Human Rights Watch (2018) *Eradicating ideological viruses: China's campaign of repression against Xinjiang's Muslims*. Report
- Hurley J, Morris S, Portelance G (2018) *Examining the debt implications of the Belt and Road Initiative from a policy perspective*. Center for Global Development, Washington DC
- Jaborov S (2018) Chinese loans in Central Asia: development assistance or "predatory lending"? In: Laruelle M (ed) *China's Belt and Road Initiative and its impact in Central Asia*. Washington, D.C., pp 34–40

- Karrar HH, Mostowlansky T (2020) The Belt and Road as political technology. *Polit Space* 38:834–839
- Kazianis H (2011) Deception, development or interdependence? China's approach to African trade. Harvard University, E-International Relations Students
- Laruelle M (ed) (2018) China's Belt and Road Initiative and its impact in Central Asia. The George Washington University, Central Asia Program, Washington, D.C., p 2018
- Lijun S (1994) China's "independent foreign policy". *Pacific Focus* 9:5–45
- Lührmann A, Lindberg SI (2019) A third way of autocratization is here: what is new about it? Democratization, First View Online
- Mihr A (2020) Transformation and development studies in the organization for security and cooperation in Europe (OSCE) member states: studies in the organization for security and cooperation in Europe (OSCE) member states. <https://doi.org/10.1007/978-3-030-42775-7>
- Pantucci R, Lain S (2017) China's Eurasian pivot: the Silk Road economic Belt, Whitehall papers. Routledge Journals, Abingdon
- Pavličević D (2019) Structural power and the China-EU-Western Balkans triangular relations. *Asia Eur J* 17:453–468
- Poskitt A, Shankland A, Taela K (2016) Civil society from the BRICS: emerging roles in the new international development landscape, IDS Evidence Report 173. IDS, Brighton
- Sakwa R, Webber M (2010) The commonwealth of independent states, 1991–1998: stagnation and survival. *Eur-Asia Stud* 51(3):379–415
- State Council (2011) China's Foreign Aid. The State Council of the People's Republic of China. http://english.gov.cn/archive/white_paper/2014/09/09/content_281474986284620.htm
- State Council (2014) China's Foreign Aid. The State Council of the People's Republic of China. http://english.gov.cn/archive/white_paper/2014/08/23/content_281474982986592.htm
- Szunomár Á, Biedermann Z (2014) Chinese OFDI in Europe and the Central and Eastern European region in a global context. In: Conference: Asia-pacific economic association, Korea Institute for industrial economics and trade, and research center for international economics, University of Washington jointly organizing the 3rd Twin conferences, Seoul
- Tian H (2018) China's conditional aid and its impact in Central Asia. In: Laruelle M (ed) China's Belt and Road Initiative and its impact in Central Asia. Washington, D.C, pp 21–33
- Toktomushev K (2018) One Belt, One Road: a new source of rent for ruling elites in Central Asia? In: Laruelle M (ed) China's Belt and Road Initiative and its impact in Central Asia. Washington, D.C, pp 77–85
- Vakulchuk R, Overland I (2019) China's Belt and Road Initiative through the lens of Central Asia. In: Cheung FM, Hong Y-y (eds) Regional connection under the Belt and Road Initiative: the prospects for economic and financial cooperation. Routledge, New York, p 21
- Warsaw Institute (2019) Special report on China's influence in Balkans and Central and Eastern Europe. Warsaw Institute (04/19/2019)
- Wolff S (2018) Economic diplomacy and connectivity: what role for the OSCE? <https://www.birmingham.ac.uk/Documents/college-social-sciences/government-society/iccs/news-events/2018/Osce-Report.pdf>
- Woodward SL (1995) Balkan tragedy: chaos and dissolution after the cold war. The Brookings Institution, Washington D.C.
- Yahuda M (1997) How much has China learned about independence? In: Goodman DS, Segal G (eds) China rising. Nationalism and interdependence. Routledge, London and New York, pp 6–27
- Yamamoto MM (2015) OSCE principles in practice: testing their effect on security through the work of Max van der Stoep. First High Commissioner on National Minorities 1993–2001
- Zainab R (2019) China's 'political re-education' camps of Xinjiang's Uyghur Muslims. *Asian Affairs* 50(4):488–501. <https://doi.org/10.1080/03068374.2019.1672433>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 6

The Role of Securitization in the Relationship Between State and Religion—The Example of the Kyrgyz Republic



Zrinka Štimac and Indira Aslanova

Abstract In this paper, we discuss the challenges of developing secular framework in relation to religion in Kyrgyzstan, the first Central Asian republic where democratic institutions were established after the collapse of the Soviet Union and which has been strongly challenged in maintaining its democratic achievements during the Tulip Revolution and other revolts in 2010 and 2020. The question we aim to answer is how processes of securitization shape the relationship between state institutions and religious organizations, knowing that Kyrgyzstan is still influenced both by the Soviet understanding of secularism and by models of secularity and governance from countries and societies with different histories and conditions of development. We look at different phases of the relationship between state and religion starting with the regime change and the establishment of a democratic state. Secondly, the establishing of a legal framework for state policy on religious organizations. Thirdly, the time of the adoption of measures to protect the interests of all citizens, believers and non-believers, and the beginning of the process of active influence of state policy on the situation in the religious sphere. And finally, the new (mis)understanding of the relations between the state and religion, both on the side of the state and religious organizations. Our theoretical point of departure is the concept of securitization, and from there on we take a discursive approach focusing on the different actors in this arena, such as state institutions and the various religious organizations and groups.

Keywords Securitization · Kyrgyz Republic · State · Religion

Z. Štimac (✉)
Georg-Eckert Institute, Brunswick, Germany
e-mail: Stimac@leibniz-gei.de

I. Aslanova
Kyrgyz-Russian Slavonic University, Bishkek, Kyrgyzstan
e-mail: aslanovaindira@gmail.com

6.1 Introduction

The interlinkage between religion and security is an emerging area of study within securitization theory, and its implications for research are still open. Apart from securitization theory, we introduce the normative approaches of “spiritual security” and “human security”, as they shape both the context of the main discourses as well as the perception and the action of different actors in Kyrgyzstan.

Since Buzan et al. and the theoretical approach of the Copenhagen School three main concepts have been developed and discussed: securitization, sectoral security and regional security complex theory.¹

Securitization was first embedded in theories of international relations (IR), looking into the role of identity and culture for security.² Within this school, there is a strong focus on speech acts. It can be paraphrased as such: “by labeling something a security issue [...] it becomes one”.³ Other authors claim that, “when an issue or problem has been securitized, the issue gets additional values such as threats and defense, and is often associated with solutions that come from the state only”.⁴ Hence, classical concepts of security put the state on the frontline of guaranteeing the safety and security of its citizens, with the concept of securitization this focus shifts toward other actors and stakeholders, such as civil society and religious organizations.

Consequently, the Copenhagen School has opened the following questions for analyses, namely, who defines what is and is not a security issue, and secondly, where does the securitization take place? Securitization can take place at the level of state, society or international systems; and in a diverse set of sectors such as economic, military, political and educational. This approach based on discourse has been criticized by Thierry Balzacq, who introduces the structural argument and claims that “securitization theory can capture that the power of the elite can shape certain issues as threats and determine how to deal with these issues”.⁵

According to Claire Wilkinson, the critique of the securitization theory is based on the question of whether it is suitable for analyzing the situation in countries like Kyrgyzstan at all. Some voices point to the fact that although new epistemologies are introduced into the IR theories, the underlying assumptions on which these are built are rarely questioned.⁶ Consequently, securitization theory does focus on identity and culture but in a very specific way based upon Euro-American-centric views of

¹ Buzan, Barry/Ole Wæver (2003): *Regions and Powers: The Structure of International Security*. Cambridge University Press.

² Buzan, Barry/Wæver, Ole/de Wilde, Japp (1998): *Security: A New Framework for Analysis*. Boulder, London: Lynne Rienner Publishers.

³ Carsten Bagge Laustsen/Ole Weaver, 2000: In Defence of Religion: Sacred Referent Objects for Securitization, *Millennium—Journal of International Studies* 2000 29, p. 708.

⁴ Buzan, B. O. (1998). *Security: A New Framework for Analysis*. Colorado: Lynner Rienner, p. 62.

⁵ Balzacq et al. 2015. “Securitization” revisited: “theories and cases.” *Sage Journals International Relations* 201, Vol 30 (4) 494–531.

⁶ Wilkinson C. (2007). The Copenhagen School on Tour in Kyrgyzstan: Is securitization theory useable outside Europe? *Security dialogue*, 38 (1), 5–25.

Westphalian assumptions that put the nations as the main identity of a state and national identity as collective identity.⁷ Wilkinson claims that “the focus on state-level politics means that the analysis is in danger of obscuring informal politics and their dynamics, which can possess significant influence and legitimacy”.⁸ This is highly relevant for Central Asia. Nevertheless, she concludes that “securitization theory is [...] ideally suited to an exploration of security discourses and their relative successes”.⁹

When religion is analyzed in the context of threat and security, there are two perspectives. The first is when religion and religious freedom are exposed to a threat, as in Weaver.¹⁰ The second perspective analyzes how religion is framed as a threat in itself.¹¹ Sune Lægaard does not differentiate between religion as theology, religion as identity and religion as politics—to mention only a few. According to Lægaard, securitization processes in relation to religion are “processes where political actors put single religion out for special political concern. This opens the way for political measures in relation to religiously defined objects that would otherwise not be considered permissible”.¹² In both perspectives, namely religion under threat and religion as a threat, the question of freedom of religion or the question of what consequences the process of securitization has for certain internationally guaranteed rights is decisive.

6.2 Spiritual Security

In the context of Central Asia, most of the countries including the Kyrgyz Republic are defined by the influence of the Soviet and post-Soviet heritage when it comes to dealing with religion. One of the elements of this heritage touches upon the legal position of Churches and religious communities and the idea of “spiritual security”. According to the historian Julie Elkner: “The concept of spiritual security [...] can be traced to the March 1992 Russian federal law on security [...]. At the time, an emphasis on ‘spiritual values’ [...] was intended to flag a shift away from Soviet militant atheism and from state persecution of religious believers”.¹³ Another point by

⁷ Ibid., p. 10.

⁸ Ibid., p. 10.

⁹ Ibid., p. 13.

¹⁰ Carsten Bagge Laustsen/Ole Weaver, 2000: In Defence of Religion: Sacred Referent Objects for Securitization, *Millennium—Journal of International Studies* 2000 29: 705–739

Balzacq et al. 2015. “Securitization” revisited: theories and cases.” *Sage Journals International Relations* 201, Vol 30 (4) 494–531.

¹¹ Sune Lægaard (2019): Religious toleration and securitization of religion. In: *Spaces of Tolerance. Changing Geographies and Philosophies of Religion in Today’s Europe*. Edited By Luiza Bialasiewicz, Valentina Gentile, Routledge.

¹² Ibid., p. 2.

¹³ Julie Elkner: Spiritual security in Putin’s Russia <http://www.historyandpolicy.org/policy-papers/papers/spiritual-security-in-putins-russia>.

Elkner is that the government's focus on spiritual security is designed "to preserve and strengthen traditional Russian values". The traditional values "invoked in connection with Russia's spiritual security often turn out upon closer inspection to have their roots [...] in the Soviet past, and in the Soviet regime's attitude towards ideological subversion in particular".¹⁴

According to an OSCE report, "in Russia [today], for example, many officials rely on the term 'spiritual security', when they mean that the state must defend a religious foundation for the public welfare. Sometimes this may result even in the expulsion of foreign missionaries, whose preaching has nothing to do with violence or hatred [...]".¹⁵ As we will show, both traditionalism and spiritual security are important elements when dealing with the legal position of religious organizations in Kyrgyzstan. The concept of spiritual security has been criticized intensely. According to Patricia Duval: "The very concept of State "spiritual security" violates international human rights law and standards that countries have committed to". She claims: "Although religions are totally legitimate in ensuring the orthodoxy of beliefs and practices of their followers, the intervention of States in this matter is illegitimate under international human rights standards and the principle of State neutrality in religious matters. [...] It is interesting to note that religious minorities considered as a threat to the spiritual security or health or wellbeing of citizens continue to be systematically labeled as "cults" and repressed".¹⁶

6.2.1 *Human Security*

Another normative framework on the issue of security is focusing on identifying existential threats to individual human security. According to Rita Floyd, "[it] offers an outlet to all those dissatisfied with security analysis, who are more interested in achieving securitization than simply analyzing it".¹⁷ Here we concentrate on the

¹⁴ Ibid.

¹⁵ Aleksandar Verkhovsky: Discrimination against religious groups in the context of security concerns Address to the Advisory Panel of Expert. <https://www.osce.org/cio/15606?download=true>.

¹⁶ Patricia Duval: The Concept of Spiritual Security and The Rights of Religious Minorities <https://freedomofbelief.net/articles/the-concept-of-spiritual-security-and-the-rights-of-religious-minorities>. Article 9.2 of the European Convention on Human Rights provides for very specific limitations which can be allowed to restrict the right to freedom of religion or belief. Those limitations have to be prescribed by law and necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others. Similarly, Article 18.3 of the International Covenant on Civil and Political Rights provides that "Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others".

¹⁷ Floyd, Rita: Human Security and the Copenhagen School's Securitization Approach: Conceptualizing Human Security as a Securitizing Move. *Human Security Journal*, Volume 5, Winter 2007, p. 45.

documents provided by the OSCE and especially by the Council of Europe through the activities of the Venice Commission.

In the publication “Freedom of Religion or Belief and Security. Policy Guidance” of 2019, the OSCE/ODIHR defines the relationship between religion and security as follows: in OSCE terms, security is understood as “comprehensive, co-operative, equal, indivisible and grounded in human rights [...] and has three complementary dimensions: politico-military, economic and environmental, and human”.¹⁸ In discussing security-related issues in the human dimension, the OSCE policy paper offers an example from Kyrgyzstan. From the comments by the Venice Commission on the provisional Kyrgyz laws on the freedom of religion, it can be seen what kind of limitation of these rights is at issue.¹⁹ Even though the OSCE does not address these individual problems in Kyrgyzstan explicitly in the main text, but rather in a footnote, it does filter issues relating to (a) the registration of new religious communities, (b) “extremist” speech and literature, (c) screening, monitoring and searches in places of worship and meeting places, and (d) restrictions on conversion and limitations on religious or belief community activities that have a foreign connection. As we will show below, the state in Kyrgyzstan has detected these issues as potentially problematic for national cohesion and thus for the national security of the state.

6.3 Phase One: New Political Structures and New Religious Rights in 1991

At the time of the collapse of the USSR, The Republic of Kyrgyzstan introduced a democratic regime and built institutions led by a multi-party system, a constitution that embraced fundamental freedoms and rights, and free elections. On 12 October 1991, Askar Akayev was elected president and in May 1993 a new constitution was adopted. The president took a clear course toward democracy and liberalization of the legislation. Consequently, the Supreme Board of the Kyrgyz Republic, only a few months after independence, adopted the Law “On Freedom of Religion and Religious Organizations” on 16 December 1991,²⁰ which aimed to restore the position and role of religion in society and to establish relations between state institutions and religious organizations.²¹ This law, based on the norms of the Final Document of the Vienna Meeting of 19 January 1989, minimized state and legal interference in the activities of religious organizations regardless of their provenance, ensured their

¹⁸ OSCE/ODIHR: Freedom of Religion or Belief and Security. Policy Guidance, p. 9.

¹⁹ Ibid, “Joint Opinion on Freedom of Conscience and Religious Organizations in the Republic of Kyrgyzstan”, OSCE/ODIHR and the Venice Commission, CDL-AD(2008)032, 28 October 2008. [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2008\)032-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2008)032-e).

²⁰ The Law of the Kyrgyz Republic “On Freedom of Religion and on Religious Organizations” of December 16, 1991. Laws and regulations adopted by the eighth session of the Supreme Council of the Kyrgyz Republic of the twelfth convocation. Chap. 1. Bishkek, 1993, pp. 251–259.

²¹ Ismayilov N.A. Constitutional and legal framework for religious organizations in the Kyrgyz Republic. Bishkek, 2008, p. 28.

full participation in public life and, for the first time in the history of the Republic, provided for the effective independence of religious organizations from the state.²² Moreover, the law also guaranteed freedom of religion to all religious movements, enabled free missionary activities and open access to foreign religious educational institutions. According to official data, at the time of the Declaration of Independence there were 103 actively operating religious organizations, the largest of which were the Russian Orthodox Church (26) and various Islamic organizations (40).²³ By the end of Akayev's presidency in 2005, about 1,800 Islamic organizations, 300 Christian organizations as well as Jewish, Buddhist and other new religious movements and institutions were registered. At that time, each religious group must have registered separately and must have at least 10 resident founding citizens.²⁴ The only restriction here was the establishment of political parties based on religion. As a result of this development, reports from organizations such as the US State Department and the Helsinki Committee have stated that Kyrgyzstan guarantees the highest level of human and ethnic minority rights in the whole of Central Asia.²⁵

6.3.1 Securitization Through Religious Organizations

In the first decade of political and institutional transition of the country, representatives of various churches and religious communities showed themselves to be those who gave the discourse a special character. Already in 1994 both the leadership of the Spiritual Administration of Muslims of Kyrgyzstan (SAMK, declare to represent Sunni Islam, Hanafi school), represented by Mufti Kimsambai Azhya, and the Russian Orthodox Church (ROC), represented by Father Vladimir Savitsky, appealed to the government. They demanded a change to the existing Law on Religion to restrict the activities of “non-traditional” religions.²⁶ According to Nazira Kurbanova, the reason given was that the new religious movements represented an unwelcome “religious and cultural expansion through the tradition of alien. Moreover, they are said to be “a factor of threat to state and national security and a source

²² Kurbanova N.U. Religion in social and political life of Kyrgyzstan at the turn of XX–XXI centuries. Bishkek, 2010, p. 25.

²³ Cited by: Kurbanova N.U. Religion in social and political life of Kyrgyzstan at the turn of XX–XXI centuries. Bishkek, 2010, p. 23.

²⁴ Kabak D., Esengeldiev A. Freedom of religion in the Kyrgyz Republic: overview of legal provision and practice. Bishkek, 2011, p. 15.

²⁵ Kyrgyzstan. Political conditions in the post-soviet era. Alert series. September, 1993. Washington DC, p. 4.

²⁶ Kimsambai azhy, father Vladimir Savitsky. To the government of the Kyrgyz Republic. Sects—a threat to peace/Appeal of the leaders of the Muslim clergy and the Russian Orthodox Church in Kyrgyzstan. Word of Kyrgyzstan. 04.10.1994, p. 4.

of tension in society”.²⁷ Such dictates were widely disseminated in the mass media and public discourse.²⁸

As a result of this discourse and the insistence of “traditional” religious organizations, in August 1995 the government adopted a resolution “On the religious situation in the Kyrgyz Republic and the role of the authorities in shaping state policy in the religious sphere”. The document notes that “there is indeed a deliberate introduction of various religious denominations and movements, which affects not only the public, but also official religious centers and associations. While Christian missionaries of a Protestant nature aim at a continuous evangelization of the population of the Republic, including the indigenous population, the missionaries of “holy Islam” are obsessed with the idea of building an Islamic state”.²⁹ Consequently, the government has recognized the missionary activity of Islamic preachers and preachers of so-called “non-traditional religions” as the main cause of instability in the religious sphere.

As a consequence of the growing sentiment against the so-called sects, a number of important legal and administrative acts have been adopted with the aim of systematization the activities of religious organizations and establishing control over “destructive phenomena” in the religious sphere.³⁰ A number of religious organizations, such as Akramya and Hizb-ut-Tahrir,³¹ were banned because they pose a “threat to state and public security and social stability”. Another consequence of the initiatives was the establishment of the State Commission for Religious Affairs (SCRA) by Presidential Decree in 1996. The main tasks of this Commission were the formulation and implementation of the State’s religious policy.

²⁷ Kurbanova N.U. Religion in social and political life of Kyrgyzstan at the turn of XX–XXI centuries. Bishkek, 2010, p. 151.

²⁸ Look at: Sects—a threat to peace. Word of Kyrgyzstan. 04.10.1994, p. 4; Kakhanov N. Word about longevity. Komsomolskaya Pravda. 26.07.1996, p. 8; Kakhanov N. Crumbs of conquered truth. Word of Kyrgyzstan. 19.12.1996, p. 13; Andreeva V. What did Adam and Eve sow in the garden of Eden? Vecherniy Bishkek. 13.12.1996, p. 3; Psychological portrait or secrets of totalitarian sects. Vecherniy Bishkek. 10.10.2000, p. 4; Pletneva M., Skorodumova E. Afraid of Alien Prophets. Vecherniy Bishkek. 08.09.2000, p. 10. etc.

²⁹ Resolution No. 345 of the Government of the Kyrgyz Republic of 10 August 1995 “On the religious situation in the Kyrgyz Republic and the tasks of government bodies in shaping government policy in the area of religion”.

³⁰ Decree of the President of the Kyrgyz Republic of 14 November 1999 «On measures to implement the rights of citizens of the Kyrgyz Republic to freedom of conscience and religion»; temporary regulations: Temporary Regulations on the registration of religious organizations; Temporary Regulations on the registration of missions of foreign organizations; Temporary Regulations on religious education. Government Decision No. 20 of 17 January 1997 on the implementation of Government Decision No. 345 of 10 August 1995 “On the religious situation in the Kyrgyz Republic and the tasks of the authorities in shaping State policy in the religious sphere”. Resolution of the Government of the Kyrgyz Republic dated February 19, 1998 “On the organization and implementation of pilgrimages to Mecca (Hajj Umra)” and others.

³¹ Thomas Kunze, Michail Logvinov: Islamistische Bedrohungen für Zentralasien, P. 141, Hizb ut-Tahrir lehnt politische Kompromisse ab und akzeptiert als einziges Ordnungsmodell allein einen auf der Scharia basierenden islamischen Staat. Jeder Verfassungsartikel und jegliche Rechtsprechung sollen aus der Scharia abgeleitet werden. OSCE Jahrbuch.

However, these processes of opening up toward religious freedom were first seen as ambivalent and finally as negative by individual public figures and by the academics. Policy makers, media and some intellectuals criticized the “excessive liberality” of the law and the “implified registration system for different faiths, movements and sects, and the almost unlimited freedom of action”.³² As a result, the position that described new religious actors as destructive, extremist and occult began to spread in the country. In addition, the propaganda of Islamic fanaticism, which is mainly represented by Hizb-ut-Tahrir, was increasingly perceived.³³

The conversion of ethnic Kyrgyz as well as representatives of other ethnic minorities to some Christian free churches (different Pentecostal denominations, Seventh Day Adventists, Baptists, etc.) and Jehovah’s Witnesses as a result of active missionary activity was discussed in a socially extremely critical manner. The converts were regularly perceived by the local population as traitors not only to the “religion of the fathers”³⁴ but also to the people as a whole.³⁵ This is not surprising, since official data on the number of believers in the country were also based on the ethnic component—the statement of over 80% of the Muslim population of Kyrgyzstan.³⁶ At this point, it becomes clear that many people in Kyrgyzstan make no distinction between ethnic and religious identity and often perceive them as one identity. This provides not only a direct link between religion and ethnicity, but also fertile ground for discourse on “traditional – non-traditional religions” and for the prejudiced use of terms such as “destructive sects”, “totalitarian cults” in the media and the speeches of officials.³⁷

³² Kurbanova N.U. Religion in social and political life of Kyrgyzstan at the turn of XX–XXI centuries. Bishkek, 2010, p. 26.

³³ Kurbanova N.U. Religion in social and political life of Kyrgyzstan at the turn of XX–XXI centuries. Bishkek, 2010. Murzakhalilov K., Mamataliev K., Mamayusupov O. Islam in conditions of democratic development of Kyrgyzstan: comparative analysis. *Central Asia and Caucasus*, 2005, No. 3 (39), pp. 53–65. Maltabarov B.A. Religious organizations as a special form of volunteerism in the Kyrgyz Republic. *Bulletin of KNU*. 2014. <http://arch.kyrlibnet.kg/uploads/KNUMALTABAROV.B.A.2014-2.pdf>.

³⁴ T. A. Abdyrakhmanov, N. U. Kurbanova. Problems of ethno-confessional relations in modern Kyrgyzstan: search for solutions/Islam in CIS. 03.11.2010. http://www.islamsng.com/kgz/opinion/404#_ftn2.

³⁵ T. A. Abdyrakhmanov, N. U. Kurbanova. Problems of ethno-confessional relations in modern Kyrgyzstan: search for solutions/Islam in CIS. 03.11.2010. http://www.islamsng.com/kgz/opinion/404#_ftn2.

³⁶ Alisheva A. Religious situation in Kyrgyzstan. *Central Asia and the Caucasus*, 1999. https://cac.org/journal/cac-05-1999/st_09_alisheva.shtml.

³⁷ Look at: Sects is a threat to peace. *Word of Kyrgyzstan*. 1 October 1994, p. 4; Lytkin Y. Hypocrisy. *Vecherniy Bishkek*, 10 February 1995, p. 3; Skorodumova E. Will God save us? *Epicerter*. *Vecherniy Bishkek*, 24 November 1997, p. 2.

6.3.2 *Local and Regional Standards on Security*

In the first years of the new republic, there were a number of local and regional events that shaped the way security and religion were dealt with and understood. For example, the Batken Conflicts, caused by the militant “Islamic Movement of Uzbekistan” (IMU), of 1999 and 2000, gave new impetus to the legal situation. The Kyrgyz government adopted an action plan to combat religious extremism and prevent the politicization of Islam. A number of local scholars considered Afghanistan and the Taliban and their support for the IMU and the Uighur separatists as a direct threat to Kyrgyzstan and predicted the destabilization of the entire region.³⁸ The politicization of religion was seen in line with religious extremism, moreover, as its manifestation. Related to this is the recognition of Hizbut-Tahrir as an extremist organization and the prohibition of its activities in Kyrgyzstan and other Central Asian states. The main sources of Islamist ideas were considered to be the strengthening of the influence of “external” Islam and preachers from Saudi Arabia and other places.

The urgency of the fight against religious extremism and terrorism was also made clear by the processes taking place in the international arena. As a result of the terrorist attacks of 9/11 in 2001 and the subsequent military actions in Afghanistan, international organizations and governments in a number of countries have been forced to review existing approaches to ensuring international and national security. The concept of securitization received more attention in the aftermath of the attacks and the wars that followed. Some researchers stated that at the time of these events there was a “stable tendency in the world to shift the focus of the fight against terrorism toward “hard” measures, forced tightening of legislation and the introduction of various types of restrictions on civil rights and freedoms”.³⁹

At the regional level, two actors are of relevance to security policy in Central Asia: the Russian-dominated Collective Security and Treaty Organization (CSTO) and the Russian and Chinese-dominated Shanghai Cooperation Organization (SCO). Within the framework of both organizations, the actors have modified and signed various treaties in accordance with the new need to guarantee regional security. For example, the Collective Security Treaty signed in 1992 was transformed into the Collective Security Treaty Organization in 2002. One of the main areas of cooperation of the CSTO was the “fight against terrorism, political and religious extremism”.⁴⁰ Another important document is the Shanghai Convention on Combating Terrorism, Separatism and Extremism of 15 June 2001,⁴¹ which established cooperation in

³⁸ Knyazev A. A. Security problems in Kyrgyzstan and Central Asia in the context of the Afghan war history, 1990s. Summary of the thesis. Bishkek. 2001. Scientific Library of Theses and Abstracts disserCat. <http://www.dissercat.com/content/problemy-bezopasnosti-kyrgyzstana-i-sentralnoi-azii-v-kontekste-istorii-afganskoi-voiny-199#ixzz4hbTo9C56>.

³⁹ Ostroukhov V.V. Actual challenges of countering international terrorism at the present stage. Law and security. No. 3–4 (8–9) December 2003. http://dpr.ru/pravo/pravo_6_1.htm.

⁴⁰ CSTO Secretary General Nikolay Bordyuzha: We are a single security space. 22.05.2008. http://old.redstar.ru/2008/05/22_05/1_01.html.

⁴¹ Shanghai Convention on fight against terrorism, separatism and extremism. <http://eng.sectsc.org/documents/>. It is worth mentioning the previously signed agreements such as the Bishkek

the regional anti-terrorism field, defined terrorism and other fundamental concepts necessary for the criminalization of terrorist acts and proposed an institutional system for their implementation.⁴² Although they were of paramount importance for the region, they were criticized mainly by non-governmental organizations. For example, reports by the International Federation for Human Rights state that “the tragedy of 9 September 2001 gave new impetus to the justification of a strict security policy, often leading to repressive measures against civil society and to serious violations”.⁴³ Another report by the same organization claims that human rights violations result directly from the norms of regional cooperation and from the implementation of relevant agreements. In concrete terms, human rights violations include “violations of the right to privacy, freedom of expression, peaceful assembly and association, the right to asylum and protection from torture, which are increasingly documented. The victims of these violations have little or no access to effective remedies at national level”.⁴⁴

6.4 Phase Two: Religious Extremism Versus Securitization

During the presidency of Kurmanbek Bakiyev, who won the elections after the so-called “Tulip Revolution” in March 2005, the laws that are still in force today were passed. During this period, the state intensified its activities related to the problems that “require urgent solutions: problems of proselytism, interdenominational conflicts, the intensification of extremism in society”.⁴⁵ To address these problems, in May 2006 the Government adopted Resolution No. 324 “On the Concept of Public Policy in the Religious Sphere of the Kyrgyz Republic”. The Concept emphasized the Sunni Islam of Hanafi school and the Russian Orthodox Church as the traditional religious associations of the country and stressed that “interreligious and state-religious relations in Kyrgyzstan depend largely on the state’s relations with these religious

Memorandum on Cooperation and Interaction of Law Enforcement Agencies and Special Services of the Republic of Kazakhstan, the People’s Republic of China, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan dated 2 December 1999, the Agreement on Cooperation of the Member States of the Commonwealth of Independent States in Combating Terrorism dated 4 June 1999, and others.

⁴² Chernyadieva, N. A. Antiterrorist agreements of CIS and SCO: the main problems of intercontractual coordination (in Russian). *Eurasian Security*. 3 (82)2015. https://www.eurasialaw.ru/index.php?option=com_content&view=article&id=7280:2015-04-23-05-57-58&catid=557:2017-03-14-14-06-29&Itemid=821.

⁴³ Publication of a report: “Shanghai Cooperation Organisation: a vehicle for human rights violations”. <https://www.fidh.org/en/region/europe-central-asia/publication-of-a-report-shanghai-cooperation-organisation-a-vehicle>.

⁴⁴ *Ibid.*

⁴⁵ Kurbanova N. U. Religion in social and political life of Kyrgyzstan at the turn of XX–XXI centuries. Bishkek, 2010, p. 29.

organizations.⁴⁶ The significance of “The Concept” lies above all in the fact that a broad social discourse about so called traditionalism of religions has been initiated.

In June 2006, during the Kyrgyz national conference of legislation on religion in Bishkek, the State Secretary of the Kyrgyz Republic A. Madumarov proposed to tighten legislation in the religious sphere and to put all financial flows from abroad in support of religious communities under strict control of the state.

The aim was to minimize religious extremism in the country. In this context, he said: “This is in the interest of the security of the Kyrgyz citizens. A large number of religious personalities are coming to us. What do they teach? What are they raised with? The state is obliged to know all this”.⁴⁷ The background of these statements reflects the Soviet understanding of secularism, which is still widely in place in the post-soviet Central Asia, today, namely prioritizing state control over freedoms and individual responsibility, and which overlap with the current notion of security. At the same time, the obligatory registration procedure for all entities from the religious sphere was discussed and appropriate reforms were introduced in the legal framework of Kyrgyzstan. Consequently, the first document signed by President Bakiyev three days after his inauguration, on 17 August 2005, was the law “On Combating Extremist Activities”.⁴⁸

There are different interpretations of this anti-extremism law. According to the lawyer Leyla Sydykova, the response of the Kyrgyz government and other governments in the region to the rise of religious extremist groups since 2002 shows “a fairly high degree of urgency in the fight against extremism, which is actively gaining strength and is taking on not only a regional or local, but also an international character of propagation”.⁴⁹ She also points out that this circumstance formed the basis for the development of the Model Law “On Combating Extremism” by the Inter-parliamentary Assembly of CIS Member States in 2009.⁵⁰ However, the political analyst at the National Institute for Strategic Studies in Kyrgyzstan Iqbol Mirsaitov assumes that China, in particular, had a major influence on Kyrgyz policy in the drafting and adoption of the law.⁵¹ The reason for this lies in the Uighur minority in China, who from the Chinese perspective are considered separatists and who are said to have been involved in secret activities in Kyrgyzstan and Kazakhstan. Mirsaitov paraphrased that “The law was passed primarily to please a strategic partner and

⁴⁶ Concepts of state policy in the religious sphere in the Kyrgyz Republic. Approved by Resolution No. 324 of the Government of the Kyrgyz Republic on 6 May 2006 (expired). <http://Cbd.minjust.Gov.kg/Handeln/anschen/Ru-Ru/57409?Cl=ru-ru>.

⁴⁷ The Kyrgyz leadership intends to tighten its legislation on religion. <https://24.kg/archive/ru/community/4118-2006/07/12/4414.html/>.

⁴⁸ Zhusupaliev E. Kyrgyzstan has adopted a law on combating extremism. 07.09.2005. <http://www.fergananews.com/articles/3951>.

⁴⁹ Sydykova L.C. Fighting extremism in Kyrgyzstan: problems of legislative regulation. KRSU Newsletter. 2016. Volume 16, No. 6, pp. 84–87, p. 84.

⁵⁰ Ibid.

⁵¹ From an interview with Iqbol Mirsaitov to the news agency “Fergana”, 07.09.2005. Zhusupaliyev E. V. Kyrgyzstan adopted a law on combating extremism. <http://www.fergananews.com/articles/3951>.

neighbor like China”.⁵² This opinion shared some other analysts who stated that there are still no serious extremist structures in Kyrgyzstan that could threaten the state order. However, it should be noted that the accelerated adoption of the law was also influenced by armed attacks by extremist groups that took place in the south of the country from March until July 2006, when disparate clandestine groups, splintering from the IMU, attacked law enforcements and important services in Osh and Djalal-Abad regions.⁵³

Further legal measures to combat extremism followed shortly, such as the 2006 law “On Countering Extremist Activities”. It lays down the basic principles of counter-terrorism and the organizational and legal framework for preventing and combating extremism and the subsequent terror that could come from extremist groups. To implement and monitor the law, an anti-terrorism center was established under the authority of the National Security Body of the Kyrgyz Republic.⁵⁴ The terms “extremism activities” and “anti-terrorism center” indicate that the state law lacks differentiation between extremism, violent extremism, and terrorism. Although the Law on “Countering Extremist Activities” does not define “religious extremism”, the list of the extremist and terrorist banned organizations indicates that all of them have a religious background.⁵⁵ Moreover, at that time this list was published solely on the website of the State commission for religious affairs of the Kyrgyz Republic.

The former head of the State Department for Religious Affairs of the Government of the Kyrgyz Republic, Toigonbek Kalmatov, claimed that “about 500 religious organizations operate illegally, including the already forbidden radical Hizbut-Tahrir party, Satanists, the White Brotherhood, the Maharishi cult and others”.⁵⁶ He proposed further tightening state control over religious organizations by developing the relevant legal framework. The way was paved for a new law. Consequently, the Kyrgyz Parliament, also called the Supreme Council or Jogorku Kenesh, adopted a “Resolution on the Establishment of a Parliamentary Commission to Investigate the Religious Situation in the Kyrgyz Republic” (NR. 409-IV) on 22 May 2008. This resolution emphasized, the members of Jogorku Kenesh noted that on the basis of appeals by citizens, politicians and scientists various totalitarian groups, reactionary sects and extremist movements were operating illegally in the countries. These “illegal operations” included the participation of Kyrgyz youth in Protestant organizations, the activities of missionaries, preachers of Islam, also called daavatists, the uncontrolled and non-approved construction and opening of mosques, madrasas and churches, and also the lack of control of religious education as well as of the Hajj

⁵² Ibid.

⁵³ “Hot” Spring and Summer 2006 of the law enforcement agencies and special services of Kyrgyzstan. 23.08.2006. <https://24.kg/archive/ru/news-stall/5705-2006/08/23/6027.html/>.

⁵⁴ Law of the Kyrgyz Republic No. 178 dated 8 November 2006 “On Combating Terrorism”. <http://cbd.minjust.gov.kg/act/view/ru-ru/1971>.

⁵⁵ For the list of organizations whose activities are prohibited in the Kyrgyz Republic see: State commission for religious affairs of the Kyrgyz Republic. http://religion.gov.kg/ru/religion_organization/blocked.

⁵⁶ Kyrgyz authorities intend to strengthen control over the activities of religious organizations. Interfax-Religion. 12 July 2007. <http://www.interfax-religion.ru/?act=news&div=19219>.

organization.⁵⁷ They all posed a threat to inter-ethnic harmony. The Parliamentary Commission had one month to inquire on the religious situation and the relations between state and religion and to make proposals for improving the legislation.

The results of the analysis formed the basis for the Law on Religious Freedom and Religious Organisations, which was approved in December 2008. The main provisions of this law were: the prohibition of proselytism, the transfer of the legal authority of registration of organizations and missionaries to SCRA, and the increase in the number of initiators in the registration of religious groups from 10 to 200.⁵⁸ Government officials made no secret of the fact that the new law was an attempt to “protect society from the existence of small sects”⁵⁹ The counter-terrorism law has been subject to constant criticism. Ever since, human rights organizations have considered the increase in the number of believers as discrimination against religious minorities, as it significantly limited their ability to obtain registration. Some experts noted that it was possibly precisely the state’s “measures that could lead to the state being the main cause of the radicalization of the religious part of the Muslim population”.⁶⁰ Due to the lack of distinction between religious radicalization and political terrorism within the legal frameworks, counter-terrorism raids have been misused to deal with radicalization in the country (HRW report <https://www.hrw.org/report/2018/09/17/we-live-constant-fear/possession-extremist-material-kyrgyzstan>).

6.5 Phase Three: New Polarizations, New Clashes

Since the change of constitution and shift of political system in 2011 after dramatic and violent clashes in 2010, a new episode in the relationship between state and religion was marked by the presidency of Almazbek Atambayev, from 2011 to 2017. He started using stronger nationalistic rhetoric. The president publicly positioned himself against religious extremism, allegedly imported from outside the country. He condemned the so-called Arabization of the population and the wearing of the headscarf, and strongly opposed any “harmful” influence of Western culture such as LGBTIQ rights, or of other sexual minorities. The president also left a train of inconsistent policy of introducing secular values, which seemed to have the opposite effect

⁵⁷ Resolution of the Jogorku Kenesh of KR “On establishing a parliamentary commission to study the religious situation in the Kyrgyz Republic” dated May 22, 2008, # 409-IV. <http://cbd.minjust.gov.kg/act/view/ru-ru/50383>.

⁵⁸ Law No. 282 of 31 December 2008 on Freedom of Religion and Religious Organizations in the Kyrgyz Republic. <http://cbd.minjust.gov.kg/act/view/ru-ru/202498>.

⁵⁹ Kurbanova N.U. Religion in social and political life of Kyrgyzstan at the turn of XX-XXI centuries. Bishkek, 2010, p. 30.

⁶⁰ Expert assessment of risks and security based on the results of a study of the religious situation in the Jogorku Kenesh of the Kyrgyz Republic. 05.11.2008. <http://www.easttime.ru/analitic/3/11/516p.html>.

and intensifies opposition between secular and religious positions in the country.⁶¹ Similar to the religious-traditionalist positions, one can find foreshortenings in the secular positions: an increased rejection of religious lifestyles and the manifestation of any form of religiosity in public life, as well as the perception of any religious activity as attempts at proselytizing.

With regard to religion, the concept of state policy in the religious sphere (2006) as well as the Law on Religious Freedom (2008) continued to apply. In the meantime, however, both have come under criticism from human rights organizations and religious organizations. There was an active debate in the media whether these documents should be understood as too “liberal” or as “reactionary”. Local human rights organizations such as “Open Viewpoint”, “Kylym Shamy” and others have sometimes spoken of a tightening of legislation and its implementation, which has resulted in a preference for traditional religious organizations.

Meanwhile, so-called “traditional religious organizations”, which had long been regarded as religious communities loyal to the state, also found themselves in growing tension with the government and, in particular, with SCRA. The tensions between the Spiritual Administration of Muslims of Kyrgyzstan (SAMK), the largest religious organization in the country, and SCRA are particularly striking. The trigger for these tensions since 2010 was the question of whose competence the organization of the Hajj lies—SAMK or SCRA. In 2011, there was an open confrontation between the Director of the State Commission, Ormon Sharshenov, and the Muslim-led Muftiate, in which both institutions lost much of their public credibility.⁶²

Tensions also arose with the second “traditional organization”—the Russian Orthodox Church in Kyrgyzstan. It had, up to then, been loyal to all state initiatives in the field of religion. Here the trigger was the question about the new registration of the Russian Orthodox Church. The Russian Orthodox Church encountered difficulties in re-registration due to a change of name of the diocese in connection with the revival of the principle of territorial division of metropolitan areas, which was applied in pre-revolutionary Russia. After introducing a new religious law in 2008, all changes in religious structure must go through SCRA, and all organizations that have “head offices” were automatically understood to be a mission. So Russian Orthodox Church in Kyrgyzstan faced a challenge not to belong to the local “traditional” religious organization any longer, but to be understood as a missionary of foreign Russian religious organization.

⁶¹ Indira Aslanova. Challenges and Achievements in The Implementation of the Concept of State Policy in the Religion Sphere in Kyrgyzstan. Cabar Asia, 06.12.2016. <https://cabar.asia/en/indira-aslanova-challenges-and-achievements-in-the-implementation-of-the-concept-of-state-policy-in-the-religion-sphere-in-kyrgyzstan/>.

⁶² Bakyt Nurdinov: We have a record where the head of the State Commission for Religious Affairs proposes to slaughter the Supreme Mufti, 2011. K-news. <http://knews.kg/2011/12/bakyt-nurdinov-u-nas-est-zapis-gde-glava-goskomissii-po-delam-religiy-predlagaet-zarezat-verhov-nogo-muftiya/>; Mufti of Kyrgyzstan has sued the director of the Commission on Religious Affairs. Islam in CIS. <http://www.islamsng.com/kgz/news/3587>; Ormon Sharshenov: “I have never called anyone to ‘kill’ Mufti Chubak azhy Jalilov”. K-news. <http://knews.kg/2011/12/ormon-sharshenov-ya-nikogo-i-nikogda-ne-prizyival-raspravitsya-s-muftiem-chubakom-ajyi-jalilovyim/>; There are millions around the Hajj organization. May 14, 2015. <https://rus.azattyk.org/a/27015292.html>.

6.5.1 *Public Discourse and Media*

In comparison to other Central Asian countries, Kyrgyzstan enjoys thus far a relative free media. Therefore, media analysis can be used to analyze the public perception of religion. Media content analysis on religious issues for 2012–2013 shows that the reporting was mainly related to the requirements to strengthen the control of religious organizations and to the fight against and prohibition of so-called sects and cults.⁶³ In particular, the nature of the Unification Church's activity and the connections of important politicians to it were the subject of heated debate. Another main topic was the influence of the so-called Islamic factor.

Overall, the rise of extremist religious groups, the increase in the population's religiosity and the wearing of visible religious symbols in secondary schools were discussed among citizens and religious activists groups. Muslim NGOs raised the question of banning the wearing of headscarves for the leaders and teachers of some secular schools. This problem contributed to social division not only along religious but also along ethnic lines. For example, representatives of indigenous ethnic groups have a rather neutral view when it comes to wearing traditional Islamic clothing, which is often a requirement for girls from the ninth grade upwards. These groups see this not only as an expression of ones' own religious but also as an ethnic identification as a guarantee for a good moral education. On the other hand, representatives of other local ethnic groups tend to see this as a manifestation of religious extremism and an attempt to impose Islam on children. This problem is most acute in the northern part of the country in the Kyrgyzstan provinces of Chui and Issyk-Kul and in the capital region of Bishkek.

The specific context in which the idea of the "Islamic factor" became a particularly sensitive issue was the (intended) projections of two foreign-produced films.

The movie "I am gay and Muslim" depicting a young Moroccan man and his struggle for identity, and that was supposed to be screened in 2012 at the Human Rights Festival in Bishkek, was banned by the local district court as a film with "extremist views" because it depicted homosexuality among male Muslims.⁶⁴ Another film that caused massive discontent was the screening of "Muslim Innocence" in 2012. The film was criticized for its presumably blasphemous content.⁶⁵ Both films had been produced abroad, the first in the Netherlands and the second in the USA, and both led to widespread negative public response—often without having watched it because the films had not been screened broadly. Even if these

⁶³ Indira Aslanova, Galina Kolodzinskaya. Forecast of the Development of the Religious Situation in the Kyrgyz Republic until 2017 (non-Islamic sector). Analytical note, AUPKR, Bishkek 2013. Unpublished manuscript.

⁶⁴ The film "I am gay and a Muslim" was declared extremist in Kyrgyzstan. September 28, 2012. <https://www.interfax.ru/russia/268114>.

⁶⁵ Protest against the film "Innocence of Muslims" in Bishkek. September 25, 2012. <https://rus.azattyq.org/a/24719174.html>. Innocence of Muslims: a dark demonstration of the power of film. September 17, 2012. <https://www.theguardian.com/film/filmblog/2012/sep/17/innocence-of-muslims-demonstration-film>.

films did not reach a broad audience, the responses at that time also reflected the extent to which Islamization of society had already taken place.

6.5.2 *The State Concept and Its Revision*

State bodies, including the SCRA, regulating the constitutional setting on freedom of religion noted the need to revise “The Concept”. They argued that it no longer meets the new threats and is not consistent with the new version of the Constitution (2010) in a number of provisions. In the countries’ Sustainable Development Strategy for 2013–2017, this revision was expressed as a necessity to revise the concept of state policy in the religious sphere of the Kyrgyz Republic as stated in the Law No. 324 from 2006 and to provide for necessary changes in the legislation on the religious sphere. In essence, development strategy focuses on ensuring security and combating radical religious movements. It is also indicative that the Defence Council, although it does not fall within the direct competence of this body, approved of this strategy.

In assessing the government’s new initiatives to reform the religious sphere, the political scientist Nurgul Esenamanova noted that thus far “no serious or clear state policy on religion was pursued throughout the independence of Kyrgyzstan”.⁶⁶ She argues that the consequences of these processes were manifold. First, the penetration and development of radical ideologies among different population groups; Second, the stratification of Islamic society under the influence of various currents that emerged from outside; Third, religious illiteracy leading to dogmatism and a maximalist understanding of the principles of Islam; Fourth, the manifestation of extremist organizations with the main purpose of overthrowing constitutional power and building a theocratic state; Fifth, the active, sometimes intrusive attempts to convert other citizens to their own forms.⁶⁷ In this context, the government decided to publish a new concept of state policy in the religious sphere for the period from 2014 to 2020 that was developed along with representatives of civil society and religious organizations and signed by the President in 2014 and which emphasizes the coordination between state and religious organizations in preventing extremism.

6.6 Conclusion

In conclusion, it can be said the process of entanglement of the development of a secular state and the freedom of religion is counteracted by the interlinkage of ethnicity with religion in Kyrgyzstan. During the transition period in the 1990s, the

⁶⁶ Nurgul Esenamanova. To what extent the Concept in the religious sphere can solve the problem of radicalization of Islam? <https://cabar.asia/ru/nurgul-esenamanova-naskolko-kontsepsiya-v-religioznoj-sfere-sposobna-reshit-problemu-radikalizatsii-islama/>.

⁶⁷ Ibid.

country not only saw a change in the religious landscape of Kyrgyzstan, but also the first legal regulation of religious organizations. Religious freedoms that were guaranteed to all religious actors were enshrined in law in 1991. This phase also saw the beginning of the discourse on the threat of “the spread of non-traditional religious movements”, such as foreign missionary groups of Christian and Islamic origin. The climax of the development is the initiative of the Spiritual Administration of Muslims and the Russian Orthodox Church to withdraw religious rights from the new religious movements, cults and Islamic extremists. This was followed on the one hand by the banning of various Islamic and Protestant organizations, and on the other hand by the establishment of a State Commission for Religious Affairs, in order to outsource religious affairs from the highest state authorities. These divergent developments, which were already evident in the first phase, laid the foundations for ever-increasing ambivalence in this area. It is striking that security problems are being addressed both by politicians and by representatives of “traditional” religious organizations in similar ways. Moreover, both sides find in the same actors the danger for national and inter-religious cohesion.

This is followed by a phase of strengthening conceptual and legal security, and bringing in the concept of securitization, namely by looking into how religious norms contradict or reconcile with the state’s interest for safety and security in the country. During the Presidency of Kurmanbek Bakiyev from 2005 to 2010, several laws were passed with the intention to combat extremist activities. These laws make it possible to prohibit financial support for religious institutions from abroad, review religious content in religious media, and reform the registration procedure to the detriment of religious communities in terms of numbers. At the same time, however, the question of which authority can judge what or who is a “sect” and/or an “extremist” remains open. The Law on Religious Freedom and Religious Organisations of 2008 reflects an extremely negative attitude toward small organizations of Protestant origin, whose religious rights were minimized accordingly.

The state Concept on public policy in the religious sphere adopted in 2006 supported the idea that the Islamic Hanafi school represented by SAMK and the Russian Orthodox Church are traditional religions and close to the state. The discourse on traditionalism, which had begun in the first phase, experienced not only a continuation but also a practical anchoring in the mentioned policy. Analytically speaking, there are different opinions about what aggravated the security threat at this phase. On the one hand, this lies in “authoritarianism and regionalism”.⁶⁸ On the other hand, it lies in external factors, discourses and actors who provide decisive impulses.⁶⁹

In the third phase, after the political shifts and reforms in 2011, further elements can be identified that call for more security and at the same time polarize society. In his official speeches, the then president linked Sunni Hanafi religious identity with the Kyrgyz national identity. On the other hand, he tried to strengthen a secular position by condemning the wearing of religious symbols. By this, the president

⁶⁸ Personal interview with *Ikbol Mirsaitov*. 20.05.2017.

⁶⁹ Personal interview with *Emil Juraev*. 22.05.2017.

understood above all the wearing of headscarves. His statements, in which he tries to combine different positions in the secular state, have ambivalent effect. Even in the third phase of government policy,⁷⁰ and in corresponding decrees and discourses on religion as a factor of threat to national security, the state names and repeats the same problems as at the beginning of the Republic: lack of control of religion by the state, missionary work, extremism and terrorism, and “non-traditional” religions.

The results of the analysis point to that the political and the religious field, defined as traditionalist, are hierarchically related to each other, but that they overlap to some extent and pursue similar interests. Structurally, politics and religion meet at the place of the highest decision-makers. On the one side there are the state institutions, such as courts, councils and law makers and on the other side, influential leaders of religious communities, which have shown a high affinity to each other, too. In terms of content, they overlap at the point where risks and necessary safeguards are interpreted into society as they assume a similar understanding of the risks and threats. By minimizing the number of stately acknowledged “small religious groups”, religious missionaries but also politicians in state bodies which do not share the “traditional” positions, the representatives of the state and stately acknowledged religious institutions can shape the political processes and structures solely among themselves. One of the results is that state security measures strongly supported by different religious actors have increased with every phase of the state. However, the desired security effects are not achieved. On the contrary, the threat to the freedom of religion has been criticized by human rights organizations but has not been discussed thoroughly at any governmental level.

As illustrated above, both governmental institutions and parliament on one hand, and the representatives of “traditional” religious organizations acknowledged by the state (here SAMK and ROC) on the other, have not only similar understanding of the meaning of “religious” threats but also similar understanding in regard with the concept of the state.

At this point, it can be concluded that the question of religious freedom is defined solely at the position of the highest political and religious power. This confirms Balzaq’s statement that the power of the elites (political, religious) has a strong influence on the notion of securitization. In theoretical terms discussed in the introduction, in Kyrgyzstan we do not find either or situation: Either religion is under threat, or religion is a threat for society. The case study shows that at the same moment when certain religious groups are perceived as a threat by the religious actors with the highest religious power, such as SAMK and ROC, the very idea of religious freedom is immediately under threat.

Additionally, securitization discourse is representative for the discourse on the formation of the nation state, with challenges such as high internal and external heterogeneity, and the struggle to shield the state from threats of any kind. This “search” for a state *ex negativo* may be motivating for the state elites for a while, but it does not offer any further prospects for the future along which development can

⁷⁰ Compare the Government Decision of 1995, the Security Council Decision of 2007 and the Defence Council Decision of 2014.

bring changes in this respect. Both in engaging with the threats through radical religious groups and with the conception of the state, religious and political stakeholders deal solely with collective identities. Consequently, this understanding creates simplifications in the understanding of current issues. The result is that in spite of a local tradition of ethnic and religious plurality, the nation state that only defines one or two religions as “traditional”, leads to one in which ethnicity, national and religious identity overlap. Following this, the state neither allows enough room for the originally intended religious rights, nor does the state put a stop to religious extremists.

Furthermore, the analysis shows that the control of selected religious organizations such as Jehovah’s Witnesses, The Local Church of Jesus Christ, The Church of Scientology and The Unification Church, which are understood as sects, radical groups and hence threats to national security, is not well thought out. Firstly, it is not clear on the basis of which elements of numerically small religious organizations can be understood as a threat to national security. The most important argument is that their origin is claimed not to be national. Secondly, it is not clear how religious extremism is exactly defined by the government. The current arguments range from the wearing of a headscarf to calling for an Islamic state. As a result, an increasing number of Islamic religious organizations, such as Tablig Jamaat and Yakyn Inkar, and individuals are perceived as a threat to national security, leading to increased security activities that affect more and more people. Since this argumentative multiplication of threat scenarios is fed by local, regional and international discourse, it is constantly gaining new legitimacy.

This lack of fit between problem and solution has far-reaching consequences: it underpins the split between different positions in society and leads to ever more violations of religious rights. Consequently, the question must be asked whether the one-sided perception of specific religious groups as a threat that entails more and more securitization—is the right way. Or whether the securitization is rather functionalized in order to circumvent other still outstanding questions.

References

- Abdyrakhmanov TA, Kurbanova NU (2010) Problems of ethno-confessional relations in modern Kyrgyzstan: search for solutions. *Islam in CIS*. 03.11.2010. http://www.islamsng.com/kgz/opinion/404#_ftn2
- Aleksandar Verkhovsky. Discrimination against religious groups in the context of security concerns Address to the Advisory Panel of Expert. <https://www.osce.org/cio/15606?download=true>
- Alisheva A (1999) Religious situation in Kyrgyzstan. *Central Asia and the Caucasus*. https://ca-c.org/journal/cac-05-1999/st_09_alisheva.shtml
- Balzacq et al (2015) Securitization revisited: theories and cases. *Sage J Int Relat* 201, 30(4):494–531
- Buzan BO (1998) *Security: a new framework for analysis*. Lynner Rienner, Colorado
- Buzan B, Wæver O (2003) *Regions and powers: the structure of international security*. Cambridge University Press
- Buzan B, Wæver O, de Wilde J (1998) *Security: a new framework for analysis*. Lynne Rienner Publishers, Boulder, London

- Carsten BL, Weaver O (2000) In defence of religion: sacred referent objects for securitization. *Millennium J Int Stud* 29:705–739
- Chernyadieva NA (2015) Antiterrorist agreements of CIS and SCO: the main problems of inter-contractual coordination (in Russian). *Eurasian Security* 3(82). https://www.eurasialaw.ru/index.php?option=com_content&view=article&id=7280:2015-04-23-05-57-58&catid=557:2017-03-14-14-06-29&Itemid=821
- Concepts of state policy in the religious sphere in the Kyrgyz Republic. Approved by Resolution No. 324 of the Government of the Kyrgyz Republic on 6 May 2006 (expired). <http://Cbd.minjust.gov.kg/Handeln/ansehen/Ru-Ru/57409?Cl=RU-RU>
- CSTO Secretary General Nikolay Boryuzha: We are a single security space. 22 May 2008. http://old.redstar.ru/2008/05/22_05/1_01.html
- Expert assessment of risks and security based on the results of a study of the religious situation in the Jogorku Kenesh of the Kyrgyz Republic. 05 November 2008. <http://www.easttime.ru/analytic/3/11/516p.html>
- Floyd R (2007) Human security and the Copenhagen School's securitization approach: conceptualizing human security as a securitizing move. *Human Secur J* 5
- Indira A, Galina K (2013) Forecast of the development of the religious situation in the Kyrgyz Republic until 2017 (non-Islamic sector). Analytical note, AUPKR, Bishkek, 2013. Unpublished Manuscript
- Indira A (2016) Challenges and achievements in the implementation of the concept of state policy in the religion sphere in Kyrgyzstan. *Cabar Asia*, 06 December 2016. <https://cabar.asia/en/indira-aslanova-challenges-and-achievements-in-the-implementation-of-the-concept-of-state-policy-in-the-religion-sphere-in-kyrgyzstan/>
- Ismayilov NA (2008) Constitutional and legal framework for religious organizations in the Kyrgyz Republic. Bishkek, p 28
- Julie E. Spiritual security in Putin's Russia. <http://www.historyandpolicy.org/policy-papers/papers/spiritual-security-in-putins-russia>
- Kabak D, Esengeldiev A (2011) Freedom of religion in the Kyrgyz Republic: overview of legal provision and practice. Bishkek
- Knyazev AA (2001). Security problems in Kyrgyzstan and Central Asia in the context of the Afghan war history, 1990s. Summary of the thesis. Bishkek. Scientific Library of Theses and Abstracts disserCat. <http://www.dissercat.com/content/problemy-bezopasnosti-kyrgyzstanai-tsentralnoi-azii-v-kontekste-istorii-afganskoi-voiny-199#ixzz4hbTo9C56>
- Kurbanova NU (2010) Religion in social and political life of Kyrgyzstan at the turn of XX–XXI centuries. Bishkek
- Kyrgyzstan (1993) Political conditions in the post-soviet era. Alert series. September 1993. Washington DC, p 4
- Law No. 282 of 31 December 2008 on freedom of religion and religious organizations in the Kyrgyz Republic. <http://cbd.minjust.gov.kg/act/view/ru-ru/202498>
- Law of the Kyrgyz Republic No. 178 dated 8 November 2006 “On Combating Terrorism”. <http://cbd.minjust.gov.kg/act/view/ru-ru/1971>
- Maltabarov BA (2014) Religious organizations as a special form of volunteerism in the Kyrgyz Republic. Bulletin of KNU. <http://arch.kyrlibnet.kg/uploads/KNUMALTABAROVBA.2014-2.pdf>
- Murzakhaliyev K, Mamataliev K, Mamayusupov O (2005) Islam in conditions of democratic development of Kyrgyzstan: comparative analysis. *Central Asia Caucasus* 3(39):53–65
- Nurgul Esenamanova. To what extent the Concept in the religious sphere can solve the problem of radicalization of Islam? <https://cabar.asia/ru/nurgul-esenamanova-naskolko-kontseptsiya-v-religioznoj-sfere-sposobna-reshit-problemu-radikalizatsii-islama/>
- OSCE/ODIHR and the Venice Commission, CDL-AD(2008)032, 28 October 2008. [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2008\)032-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2008)032-e)
- OSCE/ODIHR: Freedom of Religion or Belief and Security. Policy Guidance, p 9

- Ostroukhov VV (2003) Actual challenges of countering international terrorism at the present stage. *Law Secur* 3–4(8–9). http://dpr.ru/pravo/pravo_6_1.htm
- Patricia Duval. The concept of spiritual security and the rights of religious minorities. <https://freedomofbelief.net/articles/the-concept-of-spiritual-security-and-the-rights-of-religious-minorities>
- Resolution No. 345 of the Government of the Kyrgyz Republic of 10 August 1995 “On the religious situation in the Kyrgyz Republic and the tasks of government bodies in shaping government policy in the area of religion”
- Resolution of the Jogorku Kenesh of KR “On establishing a parliamentary commission to study the religious situation in the Kyrgyz Republic” dated May 22, 2008, #409-IV. <http://cbd.minjust.gov.kg/act/view/ru-ru/50383>
- Shanghai Convention on fight against terrorism, separatism and extremism. <http://eng.sectesco.org/documents/>
- Shanghai Cooperation Organization: a vehicle for human rights violations. <https://www.fidh.org/en/region/europe-central-asia/publication-of-a-report-shanghai-cooperation-organisation-a-vehicle>
- Sune L (2019) Religious toleration and securitization of religion. In: *Spaces of tolerance. Changing Geographies and Philosophies of Religion in Today’s Europe*. Edited By Luiza Bialasiewicz, Valentina Gentile, Routledge
- Sydykova LC (2016) Fighting extremism in Kyrgyzstan: problems of legislative regulation. *KRSU Newsletter* 16(6):84–87, 84
- The Kyrgyz leadership intends to tighten its legislation on religion. <https://24.kg/archive/ru/community/4118-2006/07/12/4414.html/>
- Thierry B et al (2015) Securitization revisited: theories and cases. *Sage J Int Relat* 201 30(4):494–531
- Thomas K, Michail L (2015) Islamistische Bedrohungen für Zentralasien, p 141, Hizb ut-Tahrir lehnt politische Kompromisse ab und akzeptiert als einziges Ordnungsmodell allein einen auf der Scharia basierenden islamischen Staat. Jeder Verfassungsartikel und jegliche Rechtsprechung sollen aus der Scharia abgeleitet werden. *OSZE-Jahrbuch* 2015, Baden-Baden, S. 135–147
- Wæver O (1995) Securitisation and desecuritisation. In: von Lipschutz RD (ed) *On security* HRSG. Columbia University Press, New York, pp 64–86
- Wilkinson C (2007) The Copenhagen School on tour in Kyrgyzstan: is securitization theory useable outside Europe? *Secur Dialogue* 38(1):5–25
- Zhusupaliyev E (2005) Kyrgyzstan has adopted a law on combating extremism. 07 September 2005. <http://www.fergananews.com/articles/3951>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter’s Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter’s Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 7

The Power Shift from Government to Organized Crime in Kyrgyzstan



Erlan Bakiev

Abstract Organized crime (OC) groups in Kyrgyzstan have reached a level where they are competing with governmental authorities and institutions. Leaders of OC groups can assign members of their groups into law enforcement positions and parliament. It is safe to claim that the absence of rule of law and legal gaps encourage organized crime groups to flourish. From an economic point of view, privatization and capitalization of the economic system in the process of democratization have been in the interest and favor of the development of criminal organizations. Organized crime gangs can easily fill their chests by benefiting from the legal gaps. For instance, all the jewelry store owners at the major markets in Bishkek, Kyrgyzstan pay fees to an OC gang for their safety and security. Small business owners have been taken under control by organized crime to resolve economic disputes or just because they are in their area of control. Moreover, gangs and groups operating in the South Kyrgyzstan, as well as in Talas and Bishkek, deal with drug trafficking. The cultural aspect of this issue focuses on the importance of the clan ties and network connections in Kyrgyzstan and its use by organized crime. The networking used by the OC also includes utilization of the Internet and social media, consequently it became difficult to counter them during the process of globalization and the whole of society being integrated with the internet and social media, the fight against organized crime has become more difficult. Challenging existing socio-cultural structures, to increase law enforcement and combat clan-based subculture and informal law practices, such as the “thieves” “laws” and “brotherhood hierarchies” of organized crime, have been an almost impossible endeavor over the past 30 years. Consequently, breaking the network of OC and destroying its nationwide functions is a challenge, not only in Kyrgyzstan but in many post-soviet countries.

Keywords Organized crime · Rule of law · Kyrgyzstan · Politics · Central Asia · Crime and punishment

E. Bakiev (✉)
Ministry of Interior of the Kyrgyz Republic, Bishkek, Kyrgyzstan

7.1 Introduction

Since the declaration of independence in 1991, Kyrgyzstan has experienced many turbulent political periods. Recent uprisings in the last decade and bloody ethnic clashes between Uzbeks, Tajiks and Kyrgyz groups, as well as border conflicts in the south of the country, exhibit those hard times (Hanks 2011; Rezvani 2013). Because of the economic, social and political instability, organized crime (OC) groups have always tried to extend their spheres of influence by proclaiming war at the state level. The Tulip Revolutions led both the first and second presidents of Kyrgyzstan, Askar Akayev and Kurmanbek Bakiev, to fall from power in 2005 and 2010 because citizens demanded an end to corruption. Right after the Tulip Revolution in 2010 that marked a shift in government and major constitutional reforms, the interim president, Rosa Otunbayeva, had to accept that members of organized crime groups entered into parliament by means of the elections of 2011 (Donis 2011). Her statement “organized crime groups came to parliament” is a confirmation that criminals have gained political support and strong influential connections from above (Donis 2011). The other lamentable situation is in the business arena, where organized crime groups control the sources of income by intimidating and blackmailing business owners. For instance, after the revolution in 2005, the Kyrgyz government faced the problem of unlawful seizures of land and private businesses (Kaputadze 2007). Allegedly over 1,300 businesses were damaged during the revolution, resulting in losses of at least one billion som (around 24 million US dollars) (Saralaeva 2006). After the cancellation of parliamentary elections in October 2020 and the power vacuum thereafter, criminal groups attacked and seized several gold and coal mines in Issik Kul, Naryn and other regions of Kyrgyzstan and blackmailed and intimidated business owners. In some cases, they set fire to equipment and physically attacked workers (BBC, 8 October 2020). Moreover, Demirtepe (2006) claims that in Kyrgyzstan since the 2005 “revolution”—caused by the authoritarianism of President Akayev’s regime—organized crime gained a level of parallel power with the government. OC groups took advantage of long-lasting chaos after the 2010 uprising and ethnic clashes through a complex and dynamic set of goal-oriented processes (illegal activities), such as drug trafficking, robbery and racketeering.

Despite the large amount of research done on organized crime and criminal organizations, there is no specific consensus on its definition, namely that organized crime has various aspects in its definition. The consensus of researchers focuses on four main elements, a continuing organization, an organization or group that operates rationally for profit, by the means of force or threats, and the need for weak and corruption governmental institutions to maintain immunity from law enforcement (Albanese 2000). On the other hand, Maltz (2000) claims that organized crime leaders need public demand for certain services that they can provide. The aim to monopolize that sector puts restrictions on membership, ideology and specialization. The groups operate in secrecy and are opaque in their planning.

Mcillwain (1999) describes crime organizations in three different paradigms in his piece on crime organizations. The first paradigm is an institution that appears as a

criminal organization and reflects the institutional approach. The second perspective is that there is an exchange between power and the need for power. This power gap is filled by an OC group that rejects the institutional approach. The third paradigm focuses more on the work and function of criminal organizations, hence the outcome (McIlwain 1999). The earlier paradigm dating from the 1960s, despite being outdated, perfectly describes the situation in Kyrgyzstan today, where OC groups switched from street gangs to criminal enterprises.

Heads of OC groups, as Ibraimov (2011) states, have helped financially—after the 2010 revolution—members of its groups to gain substantial political influence by becoming members of parliament (MPs) and mayors. Media reporting has alleged that several MPs have direct connections with organized crime (Demirtepe 2006). Kaputadze (2008) emphasized the same opinion and claimed that neither the tulip revolution in 2005 nor the 2010 shift in government could solve the issue of organized crime and the state, and the government subsequently failed to maintain judicial reforms. It is safe to claim that after every political crisis, such as in 2020, organized crime groups try to get involved in the political games of the country.

The recent 2020 parliamentary post-election crisis is evidence of the abovementioned statement. After the election protests on 5–6 October 2020, the prime minister and other top officials had to step down, and President Sooronbay Jeenbekov in the following days left office under pressure of opposition and protestors, leading to a power gap in the country. Under these circumstances, various political groups were staking claims on power and the country was thrust into insecurity and instability. Looters sought to exploit the situation and decision-makers reported being subjected to pressure by organized criminal groups.

There were concerns about the growing influence of organized criminal groups, with members of parliament claiming that decision makers were subjected to pressure by such groups. For instance, a week after the cancellation of the parliamentary elections, on 13 October, 2020, Deputy Parliament Speaker Aida Kasymalieva expressed support for interim prime minister and later presidential candidate Japarov, while also saying that she had been intimidated by his supporters. In particular, she said that members of organized criminal groups had threatened to burn down her house, kill her and rape her (Kudayarov 2020).

In order to examine the influence of organized crime on Kyrgyz society and political institutions, this chapter illustrates this issue under three approaches, first, the legal; second, the economic development; third, the sociocultural. These approaches derive from the Theory of Social Capital and Deterrence. It explains how organized crime leaders fear and at the same time avoid being arrested and serving prison time. Nevertheless, due to the high level of corruption and low level of rule of law, in the legal context, the “vigilante groups”, that is to say members of OC, feel safe and comfortable because of the gaps in the penal codes and criminal judiciary, and consequently the lack of deterrence and enforcement of criminal law and judicial sentences. Deterrence theory states that crime can be prevented if organized crime members believe the costs of committing a crime outweigh the benefits (Zinring and Hawkins 1973). However, that is not the case in Kyrgyzstan because the law does not deter criminal organizations. Statute 248 of the Penal Code of the Kyrgyz Republic

codifies a penalty of seven years for creating and participating in an organized crime group activity, but which also has various gaps for avoiding punishment.

From an economic point of view, excessive privatization and capitalization of the economy, such as mining and public services in the process of democratization, have been in the interest of organized crime in the post-Soviet countries. Criminal organizations can easily fill their chests by making use of legal gaps. Business owners at the main marketplaces such as the Osh bazaar, the Dordoi market in Bishkek and small businesses operating in the cities have been extorted by organized crime to resolve their financial disputes with their debtors or government. Moreover, small business owners were forced to pay fees just because their businesses were in a specific area that these gangs controlled.

This sociocultural change is best explained by the Theory of Social Capital which states that organizations that have better access to valuable social resources are more successful in their performance (Bordieu 1986; Coleman 1990; Portes 1998). If we consider a criminal organization as a societal actor that constantly looks for new strategies to maximize its profit, then we can easily understand the strategy of organized crime which looks for ways to increase clan ties and network connections.

Needless to say, considering that OC is a global phenomena (Schloenhardt 1999; Bouchard 2020), especially with the globalization processes, the financial activities of organized crime have also become a global problem. To better understand organized crime and take stronger measures, the content of the organization must first be discovered, and then the legal, social and political situation that causes the gangs to benefit and still stand. Criminologists in the United States before the 1960s categorized economic crimes separately from the crimes related to organized crime (Schloenhardt 1999). As a result of the research analysis in this area, organized crime tries to increase its income just like other legal organizations. According to Schloenhardt (1999), the agenda in a country and the new laws and regulations draw the path to financial activities of organized crime. These activities can be observed especially in autocratic and developing countries. The economic activities of organized crime are very intensive in the countries with antidemocratic laws and governments, and they are also regularly observed in countries with high levels of corruption. Kyrgyzstan, which could not reach both socioeconomic and political stability after the collapse of the Soviet Union, was a very suitable place for organized crime gangs.

7.2 Economic Power of Organized Crime Groups

Since Kyrgyzstan declared its independence and started a free market strategy, the heavy industry sector that once existed in the Kyrgyz Republic was sold out shortly after independence in 1991. During the Soviet Union, the Kyrgyz republic with its dominating heavy and light industry factories had a developed infrastructure, especially machinery factories and construction equipment factories. The collapse of the industrial sector that came with the privatization process made Kyrgyzstan predominantly an agricultural country. Rapid and radical changes, made without

considering the real economic situation of the state in the agricultural sector, led to the impoverishment of the villages and caused internal migration (Tugut 2008). The changes in the legal and economic systems of the USSR in the late 1980s and early 1990s, the privatization process and the formation of cooperatives in all areas were determined as the starting point of the shadow economy (Valieva 2006). With the collapse of the Soviet Union, the privatization opportunities led to the formation of the shadow economy and the worsening of the criminal situation. Moreover, Valieva (2006) states that one of the social causes of shadow economies in former USSR countries is extortion.

Van der Hulst (2009) claims that criminal organizations are not different from private entrepreneurs that operate within the legal frameworks and that constantly look for new opportunities, structures and strategies to maximize profits. Organized crime groups recruit employees, cooperate or build unions with business partners, politicians and even provide social benefits and bridge social structures if this serves their best interest (Van der Hulst 2009). In order to generate economic income, the organized crime groups in Central Asia commit crimes related to drug and human trafficking (Marat 2006). The United Nations report in 2006 states that annually in Kyrgyzstan there is an approximately 1.2 billion USD shadow economy (UN 2006).

Both in the drug trafficking and human trafficking sector, the city of Osh, located in the south of Kyrgyzstan, is one of the most prominent locations and a hub for traffickers and the busiest transit city for human trafficking to the Middle East, Europe and Russia. Smugglers and kidnapped persons were caught with Kyrgyz passports and attributed this to Kyrgyz officials being linked to organized gangs via corruption (Marat 2006). Consequently, in the fight against organized crime, the economic resources of these groups should be blocked. The human trafficking and internal migration process have turned into one of the most important social problems since the beginning of the 1990s. New slums that are growing around the big cities have neither the necessary infrastructure nor the right conditions. The unemployed youth from the settlements that formed because of this internal migration is involved in all kinds of crimes. For instance, Azat Tinaev, who robbed a betting office and killed the saleswoman in 2010, was from the slum established in the suburb of the capital city Bishkek (Kopitin 2010). He was part of an OC group and recruited in these suburbs to which economic hardship in the villages led him. It also causes the young population to migrate abroad, especially to Russia and Kazakhstan, but also to Turkey and Dubai. Moreover, this process caused an internal migration where the youth who migrated to big cities showed a tendency to get involved in various crimes. Organized crime members usually acquire their own environment, often by engaging in wrestling, boxing and other martial arts. Therefore, many organized crime members and leaders were champions in a sport or individuals who were in these circles (Kopitin 2010).

Sokolov-Mitric (2007) emphasizes how far such organized crime can reach using the shadow economy. For example, the organized criminal gang “Uralmash” formed by young athletes living around the Uralmash machine factory in St. Petersburg, Russia and the founders of the gang were young athletes (Vorobyev, S., Habarov,

A., Teerentyev, S., Kurdumov, S. and others) and the Tsuganov brothers (Sokolov-Mitric 2007). As it was with all the organized crime gangs and mafia groups in the former USSR states, the “Uralmash” gang initially brought the small businesses and cooperatives under their control. Lately, they have expanded their activities and were focusing on larger businesses and larger business owners.

There were dozens of gangs like “Uralmash” in Russia and in the early period of Kyrgyzstan’s transition process in the 1990s, and the desire to expand their influence led to bloody clashes and deadly rivalries between the gangs (Sokolov-Mitric 2007). The “Uralmash” gang turned into the most effective organized crime and business group of the region, and controlled approximately 200 companies, 12 banks and co-founded nearly 90 companies. Moreover, the “Uralmash” gang allegedly assisted the governor of Sverdlov province in Russia, Eduard Rossel in the 1999 elections and helped Yeltsin in the presidential elections in 1996 (Sokolov-Mitric 2007). Gifts and favors, for example, have been issued to the former president of the Russian Federation, Boris Yeltsin, that illustrated how trustworthy he was for the Russian government at that time (Mostovshikov 1999). Similar to the Russian Mafia, organized crime groups in Kyrgyzstan have always operated publicly under government eyes. They have established their own financial foundations, copying the organizational structure of the “Uralmash” gang. Members of these criminal gangs became parliamentarian and council members among governmental institutions in Kyrgyzstan. The weak economic security of the country and the powerful organized crime disrupt the economic reforms and the social, political structure of Kyrgyzstan from the roots. The lack of political will or fear of governmental officials are just a few reasons that explain the flourishing of the shadow economy and economic crimes that led to widespread corruption in all economic and political sectors.

7.3 Rule of Law Against Organized Crime in Kyrgyzstan

One of the most important tools in the fight against OC groups is deterrence, where a gang member should think about the consequences of his/her illegal activity. The Deterrence Theory posits that crime can be prevented if the measures force criminals to think about the outputs and the deterrent effects of crime prevention programs and policies that are a function of a potential offender’s perceptions of the certainty, severity, and swiftness of punishment (Nagin 2013). There are two mechanisms of deterrence, the first is when it is oriented toward the general population and the second a special deterrence which involves punishment administered to organized crime members with the intent to discourage them from committing crimes in the future (Braga et al. 2018).

Against this backdrop, legal deterrence strategies seek to directly influence perceived sanctions, such as penalties or prison sentences, risks among offenders by communicating directly with them about the consequences of their actions (Zinring and Hawkins 1973). In other words, focused deterrence strategies are intended

to prevent crime through the advertising of the law enforcement strategy and the personalized nature of its application (Braga et al. 2018, p. 6).

The Soviet criminal and criminal proceedings laws left their legacy in the penal code of Kyrgyzstan after its independence in 1991. For instance, Kyrgyzstan utilizes the majority of the statutes of the criminal and criminal proceedings laws of the former Soviet Union (Berman 1947). In other words, these laws are codified, and lawmakers stated the exact sanctions to every type of crime. After the collapse of the Soviet Union, Kyrgyzstan, as with many other former Soviet states, has inherited the criminal law and other laws on combating organized crime directly from the old system. But these new states are no longer closed environments in which courts or law enforcement mechanisms operate. Chernik (1999) states that the fight against organized crime and criminal organizations in the USSR was already insufficient and more so in a globalized world today. Moreover, in the last years of the Soviet Union there was a consensus among scholars, practitioners and policy makers on the need for developing a special assessment system for laws on organized crime and crimes related to corruption (Chernik 1999). In the declaration sent to the President of the USSR, the Supreme Council of the USSR and the High Council of the Union Republics, one of the most important issues raised was an organized crime and legal reform on the fight against corruption (Chernik 1999). However, since then any serious steps and legal reforms have been done in Kyrgyzstan in this context.

There were two attempts to amend the law on organized crime in Kyrgyzstan which were expected to be the most important steps in this area (Nochevkin 2011). For instance, in the 2013 draft law, because of the controversy of the definition of criminal organizations in the old law, the amended version offered to initiate a criminal case even for minor crimes if the suspect is to be proven a member of an organized crime group. Moreover, the draft law offered a labeling mechanism for registering all members of criminal organizations and gangs. However, the proposed drafts did not include mechanisms for deterring corrupt prosecutors and judges who abetted organized crime. Since both law drafts of 2013 and later another one in 2018 did not include preventive measures, these efforts had not deterred organized crime from committing crimes.

Osmonaliev (2013) states that in the early 2000s criminal organizations reached an unprecedented scale because they did not see any legal, or otherwise, sanction regime in the country that could stop them from filling the power gaps explained earlier. The state could not even protect private business and small enterprises and that led to the rise of OC. The government failed to launch crime prevention policies and proactive policing or any form of punitive criminal justice. Consequently, some 25 years after independence, the legal enforcement system was paralyzed in the fight against organized crime (Osmonaliev 2013).

Because of both political and public pressure, the authorities were rushed in passing the new organized crime and witness protection laws to untie their hands in the fight against organized crime. Moreover, because organized crime and corruption are interconnected, it was important to take into consideration the preventive measures on corruption in combination with organized crimes within the proposed

law amendments. However, because of the lack of procedural mechanisms, the new draft of law on organized crime has remained in suspense until present times.

According to the theory of organizations, an organization, even an OC group, in order to continue as an institution must have a secure environment, informal relations and an organizational subculture among members of that institution (Selznick 1948; Hatch 2018). Since the organized crime groups in Kyrgyzstan have become a “shadow state” alongside the official government, they comply with the corporate approach criteria specified by Selznick in his organizational theory (1948). For instance, in the beginning of the 2000s there were a bulk of cases where victims of police brutality applied to organized crime for the protection and safety in the hope of justice. On top of it, criminal organizations, such as rail-road station gangs, Osh bazaar gangs and small groups that control and blackmail business owners in the cities throughout the country became so powerful due to the lack of laws and law enforcement that they could not be stopped. Today, these groups are interested in the continuous growth of their financial benefits and desire to ensure their personal security which is possible only by legalizing their status and taking an active part in local politics (Krasinskij 2008). For instance, every local administration council is controlled or engaged with two or more members of local organized crime groups. During a summer eve in August 2014 in Bishkek, a member of the city council of the city of Kara-Kol, Altynbek Arzymbaev, was shot dead. Arzymbaev himself was allegedly a member of the Rysbek Akmatvbaev’s gang and elected member to the city council with the Ata-Meken political party. It is assumed that he was killed because of his criminal frictions and unresolved issues with Kara-Kol mayor Ilyas Erkeev (Beishenbek 2014).

The lack of effective regulatory legal and political restrictions on the election of members of organized crime to state and local governments is a serious concern. It is important to emphasize that under the current election laws, the availability of significant information about a candidate’s relations to an organized crime group is not a reason for refusing to register him/her to the list of candidates nor for excluding and canceling the registration of a candidate. For instance, Bayaman Erkinbayev, a member of Kyrgyz parliament who had a reputation as a drug baron, he was trafficking drugs from Afghanistan to Russia and Europe, was able to be elected to the parliament with the help of drug money (Marat 2006). One could easily argue that the process of allowing members of OC into parliament and thus politics is the result of liberalization and political support of illegal activities and trade in the late 1990s and the beginning of 2000s (Marat 2008). Having power over state property—that was formerly in the hands of Soviet administrations—opens endless opportunities for political figures with criminal backgrounds, such as taking over control of border guards to traffic drugs, illegal job expansion and social control (Marat 2006). The protests in the aftermath of the 2020 parliamentary elections included the demand for lustration of political candidates rooted in allegations of widespread irregularities and abuse of office by previous candidates and politicians. Because the landslide victory for pro-government parties was seen as yet another attempt by organized crime groups to exert influence over politics and elections.

Despite the principle of separation of authorities, there is little judicial independence in Kyrgyzstan. There were many cases when organized crime leaders were

released from the courthouses because of pressure from high-level state clerks and politicians. For instance, the head of an OC group, Kamchi Kolbayev, a member of an international criminal group that includes the leaders and members of several Eurasian organized crime groups and one of the most influential drug lords in the world, had his criminal sentence reduced from 25 years of jail to 3 years and 11 months in 2006, referring to all kinds of amnesties and remissions (Zhuk 2011). Kolbaev was charged with and convicted for an attempted murder. Because of the pressure by the people at the top linked to organized crime, the hands of the police usually are tied, and very often courts and the prosecutor's office investigators release organized crime members, despite the robust evidence brought by the police (Marat 2008). Thus, it is safe to claim that criminal groups in Kyrgyzstan have the same power as the state and have become a latent organization which can affect the criminal justice system.

As in the case of Kolbaev, due to the fact that there were no effective criminal charges placed by the law enforcement and corruption in the judicial system, he avoided the punishment. Possible punishments have no deterrent effects due to failure to fulfill execution of the penalties given by the court. Although Marat (2006) claims that the penal code and laws of Kyrgyzstan are sufficient in legal terms to deter criminal organizations, there is no effective enforcement due to the corrupted law enforcement and the legal system. This corruption is caused by the low wages paid to lawyers, judges and police officers. In this context, it is safe to claim that developing strong and active laws will make the fight against criminal organizations more efficient. If there is pressure on a police investigator from another authority, even the best penal code and law will have no chance. Consequently, the legal infrastructure regarding the active fight against organized crime should be revised. Moreover, effective law enforcement measures should be put in place and police officers should be allowed to act independently to override the pressure from the top.

7.4 Combating Organized Crime Groups

That combating organized crime is declared as a top priority at the presidential and government levels has illustrated the seriousness of the issue. Consequently, this should not be limited to only legal measures related to the law on combating organized crime, but also to bringing amendments and changes in criminal law, criminal procedure law, public administration code and judges' directives. For instance, it is vital to complement with an additional statute in the Criminal Code "Financial support for organized crime" (Nochevkin 2011). As a preventive measure, it was offered to punish the members of organized crime and business owners who provide financial support and abet organized crime. And as a deterrence, the sanction was up to 15 years of imprisonment (Nochevkin 2011).

This new draft of the "Fight against organized crime" in the 2011 law was considering a special operational record, which would give a legal base for initiating a special registry for the members of organized crime, and this membership would be

considered as a crime (Gov.kg 2011). Consequently, being an individual related to an organized crime group gains a legal status and corrupt prosecutors and judges would not be able to interfere. Furthermore, it is vital to make changes in the penal correction law. It is not a secret that organized crime turned correctional facilities and prisons into their own training camps. Consequently, it is important to develop amendments in the penal correction law, as keeping members of the organized crime groups in a separate cell to embed restrictive and control statutes. Moreover, most of the income sources of organized crime come from drug smuggling. The city of Osh in the south of Kyrgyzstan is the largest transit zone for Afghan drugs to Russia and further on to Europe (Marat 2006).

There are a bulk of examples that illustrate how countries and governments cope with mafia, clan, gang or other OC structures that take over governmental tasks and responsibilities, such as security. For example, the US authorities were highly affected and undermined by OC structures from the early 1900s to the 1970s. The public was harmed and feared leaders of organized crime groups, such as Al Capone and Benjamin Siegel, that operated in large cities such as Chicago, New York and Boston (Finckenaue 2007). The anti-organized crime law passed through the senate in 1970 as part of the Organized Crime Control Act. This law provided prosecutors with the ease of identifying organized crime, people or businesses cooperating with them and connecting them with the crime because of any illegal act (Finckenaue 2007). In addition, heavy penalties imposed on OC were designed to deter individuals from joining the organized crime groups. But it took joint efforts of all institutions and law enforcement to go against these influential groups.

Consequently, it is very important to adopt laws related to economic crimes such as tax fraud, illicit financial flows, trafficking of goods and people, and hence economic spheres in which OC operates. Therefore, organized crime should be brought into alignment with the laws and regulations of law enforcement in dealing with financial and economic crimes. Similarly to the US Money-Laundering Control Act of 1986, such as the 2005 Money Laundering Directive of the European Union, which has also an outreach to the trade agreements with Kyrgyzstan, prohibits individuals or businesses from performing a financial transaction with revenues from certain major crimes referred to as illegal activities in this law (Cassella 2007). Money Laundering Acts and Directives aim to sanction and penalize members of OC and freeze their assets. Such acts and directives have been a major factor in uncovering illegal economic activities of the shadow economy and organized crime. The economic structure and power of organized crime in Kyrgyzstan, which had reached a very high degree, concerns both law enforcement and citizens. A broader analysis of this topic will be made in the next section.

7.5 Socio-Cultural Changes

The research on the phenomenon indicates that organized crime has an element of social relationships or a social network (Xu and Chen 2004; Smith and Papachristos

2016). Smith and Papachristos (2016) in their research found dependencies between the criminal and personal networks and the criminal and legitimate networks, and claim that this multiplexity glued these worlds of organized crime together above and beyond the personalities of famous gangsters, ethnic homophily, and other endogenous network processes. For Kyrgyzstan that means that clan ties prevail in every aspect of the livelihood of people. If you have network connections it is easier for you to get a good position, political support, and a good status in the criminal world.

Xu and Chen (2005) state that criminal networks can be part of the research, and it is possible to investigate them via several kinds of analytical methods. For instance, the automated Social Network Analysis method and the Priority-First Search (PFS) method can be used to measure the degree of connectivity of the organized criminal organizations. As a theoretical approach, social capital is the most frequently used approach by non-governmental organizations both in the public or private context (Putnam 1995; Adler and Kwon 2002; Cohen and Prusak 2001). Cohen and Prusak (2001) identify social capital as a bundle of active connections between people who are passionate about networking and community collaboration by sharing trust, mutual understanding, and values among people. Social capital is a collection of shared norms, values and understandings among citizens and private actors that trust each other in their doings and hence co-operate among each other according to these norms. The more actors, citizens and groups are apart from these norms, the higher the level of corruption and personal benefits and the lower the social capital. Social capital is thus a way of achieving common goals through social networks, norms and trust, and a way of providing collective participation of all actors more effectively in this process (Putnam 1995).

Lederman et al. (2002) argue that the Social Capital approach is a crime-reducing mechanism. To cement concepts such as participative democracy, civic engagement in state relations and good citizen engagement in order to implement social capital in communities, a strong civil society is essential. However, the dark side of Social Capital is frequently used by organized crime (Putnam 2000; Arnold 2003; Meadowcroft and Pennington 2008). Putzell (1997) criticizes social capital in his own work, and states that the Ku Klux Klan and the Nazi party are a product of social capital. The dark side of social capital is a network that reduces overall productivity because it serves the interests of some segments of organized crime (Ostrom 1997). Moreover, Ostrom (1997) writes that states governed by the command system destroy other types of social capital and establishes their own system.

Arnold (2003) states that social capital consists of weak and strong bonds, and he emphasizes that organized crime and crime unions are among the strong ties. These strong ties are not always used in a good way; an example of it would be it being used by organized crime (Arnold 2003). It is known that often organized crime groups make use of clan and kinship connections to reach their goals (Portes 1998). In the 1990s, during the last days of the Soviet Union, Kofirin warned that the local gang networks organized by youth would, with time, transform into strong organized crime groups, and he had offered to save those youth (Kofirin 2011).

Social capital is an important tool for organized crime to boost both its financial and human capital. Kaputadze states that the 2005 Kyrgyz tulip revolution has failed

and the cooperation between state and organized crime continues (Kaputadze 2008). It is safe to claim that clan and kinship ties have a great influence on the formation of organized crime in Kyrgyzstan (Olcott 2005; Kaputadze 2008). The most important factors, or the nodes in the formation of criminal gangs, were the connections of those groups with state senior managers, kinship and lineage networks and regionalism. Furthermore, Kaputadze (2008) had conducted research in Kyrgyzstan and found that the formation of illegal networks is generally defined by regionalism or brotherhood. An example of clan and kinship ties by organized crime and their leaders was the quick mobilization of relatives of Rysbek Akmatbayev, a key leader of the criminal groups in Kyrgyzstan in 2006. Moreover, the mobilization of relatives and acquaintances has become the most important weapon of all the organized crime leaders (members), prisoners and politicians in Kyrgyzstan. Osmonaliev and Engvall state that in 2005, Rysbek Akmatbaev gathered his relatives, family members and gang members at the main square in Bishkek after the assassination of his brother, an MP, Tynychbek Akmatbaev, in one of the prisons where he went for monitoring and threatened the government (Osmonaliev and Engvall 2007). Olcott (2005), highlighted in her report to the OSCE commission that the clanship is of the main sources of OC in the country. It is evident that since the independence of the Central Asian states, the kinship network is an inevitable process in the formation of an administrative network, and the elites agreed to share the power with the members of these networks to ensure stability in the region (Olcott 2005; Schatz 2005). In this context, social capital approach can have a very robust constructive feature, leading groups or networks to positive or negative consequences (Putnam 1995; Ostrom 1997; Portes 1998; Adler and Kwon 2002). OC groups in Kyrgyzstan use these networks based on force, threats, intimidation and blackmailing to maintain them.

According to Ageeva (2001), some ruling parties are using the resources and networks of organized crime. As gratitude for using these networks, many active organized crime members were released from prison. For instance, Erkin Mambetaliev, a member of an organized crime group, and responsible for various crimes such as murder, robbery, drug trafficking, money laundering, was exempted from prison in November 2010, even though he received a life sentence for murder (Niyazova 2011). Erkin Mambetaliev served in the close protection unit of the former President Askar Akaev, then joined Akmatbaev's gang, committed many crimes, including the assassinations of the Parliament member Surabaldiev and the Police chief Chynybek Aliev (Niyazova 2011). Despite the evidence and the refusal of the Supreme Court to approve his release, Erkin Mambetaliev managed to get out of prison using political and organized crime networks. Hundreds of similar cases can be shown. Of course, such injustices occur because of a failed judicial system, corruption and most importantly, networks of organized crime that use the black side of social capital.

For the implementation of social capital, its main determining factors are essential. In other words, it is very important that the masses are part of the decision-making mechanism and that a participative policy is followed in either political or economic decisions. The state, civil society and all other stakeholders, in order to stop the recruitment process of youth into organized crime gangs, must take bold steps to deal

with the sports clubs and sports schools opened by leaders of organized crime groups. According to Onyx and Bullen (2001), to establish a strong social capital, an active and enthusiastic citizenry and civic engagement is necessary. However, the social capital that is established by the state has been considered very weak, and therefore the state must hand over this function (Onyx and Bullen 2001). Therefore, it is very important to carry out the following process by non-governmental organizations, and of course it is very important that all shareholders are also active participants.

Since independence, political efforts and claims have been endless, but without significant change or success. After 2010, President Roza Otunbayeva declared a persistent fight against organized crime, and the first law, “On Counteracting Organized Crime”, was passed. The document consisted of 19 articles, and such concepts as “organized crime”, “criminal subculture”, “criminal ideology”, “criminal lifestyle” were introduced. This law described the principles, causes and conditions that give rise to organized crime. In addition, parole was prohibited for the members of organized crime groups by law. Almazbek Atambayev, who had been nominated for the presidency in 2011, promised to eliminate organized crime. During his presidency, another law was passed—“On Counteracting Organized Crime”, and the 2011 law was canceled. In the new law, the conceptual apparatus was expanded, and the number of articles increased from 19 to 35. President Sooronbai Jeenbekov immediately after taking office as head of state at a meeting of the Security Council of the Kyrgyz Republic said that the main reason for the unsuccessful fight against organized crime is corruption. Considering the existence of a large flow of money in the criminal environment, it is impossible without the participation of high-ranking officials in law enforcement and the judiciary. The law “On Counteracting Organized Crime” finally passed in 2013 during Sooronbai Jeenbekov’s presidency and was improved and brought in line with all legislation and harmonized the mechanisms within the framework of the judicial and legal reforms of 2019.

The government finally adopted a concept of goodwill for combating organized crime for 2015–2020. According to it, within five years, amendments should have been made to the relevant laws, and an interagency coordination center should be created. However, by 2020 no such measures have been realized.

7.6 Conclusion

Organized Crime groups in Kyrgyzstan are operating in the legal, economic and socio-cultural sphere. Throughout the history of Kyrgyzstan, these clan-driven groups are closely connected to the former Soviet organized criminal groups, operating along-aside, in collaboration or beyond state institutions. Today the Russian mafia operates in 47 countries of the world and in close collaboration with Kyrgyz groups (Kofirin 2011). Fighting against these transnationally operating groups only by adopting new national laws, acts or directives, or by freezing assets promises little success. It is important to take complex measures whilst looking at the subculture and structure of organized crime that have existed for such a long time. Consequently,

breaking the organized crime network and destroying the nationwide functions will be a very important step.

By 2020, the organized crime networks in Kyrgyzstan, and the post-election turmoil and rise of OC crimes in the presidential elections had shown that there is little fear vis-a-vis law enforcement mechanisms such as court trials or imprisonment. It is important to involve in this fight the civil society and awareness-raising programs which could be a measure against the expansion of OC. They build the foundation for social capital, and also formally collaborate with informal decision-makers and law enforcement mechanisms such as the elders (*aksakal*) committee, local families, business and other informal and formal actors.

References

- Adler P, Kwon SW (2002) Social capital: prospects for a new concept. *Acad Manag Rev* 27(1):17–40
- Ageeva E (2001) Sobaka, Kusayushaya Svoy Hvost. mk.kg. http://www.mk.kg/index.php?option=com_content&task=view&id=3585&Itemid=9999. Accessed 20 May 2011
- Albanese JS (2000) The causes of organized crime: do criminals organize around opportunities for crime or do criminal opportunities create new offenders? *J Contemp Crim Justice* 16(4):409–423
- Arnold M (2003) Intranets, community, and social capital: the case of Williams Bay. *Bull Sci Technol Soc* 23(2):78–87
- Beishenbek KE (2014) Arzymbayev's murder – Organized Crime disassembly? <https://rus.azattyk.org/a/26554055.html>. Accessed 03 November 2020
- Berman HJ (1947) Principles of Soviet Criminal Law. *Yale Law J* 56:803–836
- BMGP (2006) The shadow economy in the Kyrgyz Republic: trends, estimates and policy options. Report, Bishkek, Kyrgyzstan
- Bordieu P (1986) The forms of capital. In: Richardson JG (ed), *Handbook of Theory and Research*
- Bouchard M (2020) Collaboration and boundaries in organized crime: a network perspective. *Crime Justice* 49(1)
- Braga AA, Weisburd D, Turchan B (2018) Focused deterrence strategies and crime control: an updated systematic review and meta-analysis of the empirical evidence. *Criminol Public Policy* 17(1):205–250
- Cassella S (2007) The money laundering statutes (18 U.S.C. §§ 1956 and 1957). *Money Laund* 55(5):1–72
- Chernik D (1999) *Osnovi Nologovoy Sistemi: Uchebnik Dlya Vuzov* (Moskva)
- Cohen D, Prusak L (2001) In good company. How social capital makes organizations work. Harvard Business School Press, Boston
- Coleman JS (1990) Commentary: social institutions and social theory. *Am Socio Rev* 55(3):333–339
- Demirtepe T (2006) Kırgızistan'da 'Görünmeyen' Politik Aktör: Organize Suç Örgütleri. <http://www.usakgundem.com/yazar/284/kyrgyzstan'da-gorunmeyen-politik-aktor-organize-suc-orgutleri.html>. Accessed 20 December 2010
- Donis I (2011) Glava Gosudarstva Priznala Chto Nekotoriye Predstaviteli Kriminalnih Struktur Popali v Spisok Jogorku Kenesa, KP.ru. Retrieved from <http://www.kp.ru/daily/24595/762914/> on 15.01.2011
- Finckenauer JO (2007) *Mafia and organized crime: a beginner's guide*. Oneworld Publications, Oxford, England
- Gov.kg (2011) Law draft on organized crime. http://www.gov.kg/index.php?option=com_content&task=view&id=921&Itemid=1. Accessed 25 February 2011
- Hanks RR (2011) Crisis in Kyrgyzstan: conundrums of ethnic conflict, national identity and state cohesion. *J Balkan near East Stud* 13(2):177–187

- Hatch MJ (2018) *Organization theory: modern, symbolic, and postmodern perspectives*. Oxford University Press
- Ibraimov A (2011) Kriminal Prihodit k Vlasti, Avtoriteti stanovatsya Chinivnikami. <http://www.paruskg.info/2010/11/24/35843>. Accessed 15 May 2011
- Kaputadze A (2007) *Political-criminal-business nexus in Georgia and Kyrgyzstan comparative analysis*. Research Fellows New
- Kaputadze A (2008) Organized crime before and after the tulip revolution: the changing dynamics of underworld-underworld networks. *Central Asian Survey* 27(3–4):279–299
- Kofirin N (2011) Organizovannaya Prestupnost v Rossii: Kto Kogo. Gaydпарк. <http://gidepark.ru/community/8/article/372957>. Accessed 15 May 2011
- Kopitin Y (2010) Poymat Ubiytsu Pomoĝla Videokamera. Delo Nomer. http://delo.kg/index.php?option=com_content&task=view&id=1809&Itemid=43. Accessed 02 January 2011
- Krasinskij VV (2008) Participation of organized criminal groups in election campaigns. *Polit Soc (политика и Общество)* 4:7–13
- Kudayarov B (2020) Vovremya zasedaniya parlamenta Aida Kasymalieva zayavila ob ugrozah iznasilovaniya. https://kaktus.media/doc/423482_vo_vremia_zasedaniia_parlamenta_aida_kasymalieva_zaiavila_ob_ygrozah_iznasilovaniia.html. Accessed 15 November 2020
- Lederman D, Loayza N, Menéndez AM (2002) Violent crime: does social capital matter? *Econ Dev Cult Change* 50(3):509–539
- Lyman MD, Potter GW (2004) *Organized crime*. Upper Saddle River, New Jersey, Pearson Education, Inc.
- Maltz M (2000) On defining organized crime. In: Alexander H, Gaiden G (eds) *The politics and economics of organized crime*, pp 82–95, Lexington, MA, Lexington Books
- Marat E (2006) *The state-crime nexus in Central Asia*. Uppsala Silk Road Studies Programme
- Marat E (2006) Impact of drug trade and organized crime on state functioning in Kyrgyzstan and Tajikistan. *China Eurasia Forum Quart* 4(1):93–111
- Marat E (2008) Criminalization of the Kyrgyz State before and after the Tulip Revolution. *China Eurasia Forum Quart* 6(2):15–22
- McIlwain SJ (1999) Organized crime: a social network approach. *Crime Law Soc Chang* 32:301–323
- Meadowcroft J, Pennington M (2008) Bonding and bridging: social capital and the communitarian critique of liberal markets. *Rev Aust Econ* 21:119–133
- Morselli C, Giguere C, Petit K (2007) The efficiency/security trade-off in criminal networks. *Soc Netw* 29(1):143–153
- Mostovshikov S (1999) Konets Banditizma v Rossii, Ekspert, 26, June, p 55
- Nagin DS (2013) Deterrence in the twenty-first century. *Crime Justice* 42(1):199–263
- Niyazova M (2011) Vehovniy Sud Rassmotrit Delo Erkina Mambetaliyeva. 24.kg. <http://www.24kg.org/community/94500-verxovnyj-sud-kyrgyzstana-assmotrit-delo-yerkina.html>. Accessed 10 May 2011
- Nochevkin V (2011) Borba s Organizovonnoy Prestupnostyu Okajetsya Vozney Mishinoy (Aktualnoye intervyyu). Delo Nomer. http://delo.kg/index.php?option=com_content&task=view&id=2191&Itemid=43. Accessed 25 February 2011
- Onyx J, Bullen P (2001) The different faces of social capital in NSW Australia. In: Onyx J, Bullen P (eds) *Social capital and participation in everyday life*. Routledge, London
- Olcott MB (2005) Lessons of ‘The Tulip Revolution’ testimony prepared for the commission of security and cooperation in Europe hearing on Kyrgyzstan’s revolution: causes and consequences. <http://www.carnegieendowment.org/files/olcotttestimony-April7-05.pdf>. Accessed 10 March 2011
- Osmonaliev K (2013) Kyrgyzstan: where law is not written for criminal leaders. <https://russian.eurasianet.org/node/60125>. Accessed 10 December 2013
- Osmonaliev K, Engvall J (2007) The dismissal of Minister Suvanaliev and the struggle against organized crime in Kyrgyzstan. *Central Asia Caucasus Analyst*. <http://www.cacianalyst.org/resources/pdf/issues/20070221Analyst.pdf>. Accessed 15 May 2011

- Ostrom E (1997) Investing in capital, institutions, and incentives. In: Clague C (ed) *Institutions and economic development: growth and governance in less-developed and post-socialist countries*. Johns Hopkins University Press, Baltimore
- Panichi J (2011) Still bowling alone? Healthy, wealthy and happy. <https://socialcapital.wordpress.com/tag/still-bowling-alone/>. Accessed 20 May 2011
- Portes A (1998) Social capital: its origins and applications in modern sociology. *Ann Rev Sociol* 24(1):1–25
- Putnam R (2000) *Bowling alone: the collapse and revival of American community*. Simon and Schuster, New York
- Putnam R (1995) Bowling alone: America's declining social capital. *J Democr* 6(1):65–78
- Putzell J (1997) Accounting for the 'Dark Side' of social capital: reading Robert Putnam on democracy. *J Int Dev* 9(7):939–949
- Rezvani B (2013) Understanding and explaining the Kyrgyz-Uzbek interethnic conflict in Southern Kyrgyzstan. *Anthropol Middle East* 8(2):60–81
- Saralaeva L (2006) Kyrgyzstan recalls the day Justice Triumphed, Institute for War & Peace Reporting. Report Central Asia, 439
- Schatz E (2005) Reconceptualizing clans: kinship networks and statehood in Kazakhstan. *Nationalities Paper* 33(2):231–254
- Schloenhardt A (1999) Organized crime and the business of migrant trafficking. *Crime Law Soc Chang* 32(3):203–233
- Selznick P (1948) Foundations of the theory of organization. *Am Sociol Rev* 13(1):25–35
- Smith CM, Papachristos AV (2016) Trust thy crooked neighbor: multiplexity in Chicago organized crime networks. *Am Sociol Rev* 81(4):644–667
- Sokolov-Mitric D (2007) Povest o Realnom Cheloveke. *Russkiy Reporter* 3(6). http://expert.ru/russian_reporter/2007/06/bratstvo_okrain/. Accessed 10 February 2011
- Tugut M (2008) Transition economy and its implications on the Kyrgyz business environment: analysis and recommendations. *J Int Manag* 177
- UN Report (2006) Analysis of the scale and nature of the Shadow economy in the Kyrgyz Republic. Bishkek
- Valieva N (2006) Black market shaping trends in transition economies. Dissertation. Bishkek, Kyrgyzstan
- Van der Hulst RC (2009) Introduction to social network analysis (SNA) as an investigative tool. *Trends Organ Crime* 12(2):101–121
- Xu J, Chen H (2005) Criminal network analysis and visualization. *Commun ACM* 48(6):1–16
- Xu J, Chen H (2004) Fighting organized crimes: using shortest-path algorithms to identify associations in criminal networks. *Decis Support Syst* 38:473–487
- Zhuk O (2011) Kamchi Kolbayev-Snova v Podpolye. <https://delo.kg/?p=2837>. Accessed 15 May 2011
- Zinring FE, Hawkins GJ (1973) *Deterrence—the legal threat in crime control*. University of Chicago Press, Chicago

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 8

The 2020 Violent Change in Government in Kyrgyzstan Amid the Covid-19 Pandemic: Three Distinct Stories in One



Asel Doolotkeldieva

Abstract The day after the election night, on October 5th of 2020, several thousand Kyrgyz citizens poured in the direction of the main square of the capital Bishkek to denounce fraudulent elections. An estimated 1,250 people were injured, and one young person died. This third violent change of government in Kyrgyzstan's short history of independence can be best understood as a combination of three distinct stories coming together under an unprecedented external shock produced by the coronavirus. First, a genuine citizen mobilization was triggered by the pandemic-related economic decline and rigged elections. Second, the initial peaceful protest was hijacked, to the surprise of the many, by a populist leader capitalizing on long-existing societal polarization. Third, the spectacular unfolding of the intra-opposition struggle downplays an important process of oligarchization, underlying the shaky grounds of patronal presidentialism in pluralist systems.

Keywords Revolution 2020 · Regime change · Populism · Kyrgyzstan

8.1 Introduction

The day after the parliamentary election night, on October 5, 2020, several thousand Kyrgyz citizens poured in the direction of the main square of the capital Bishkek to denounce fraudulent elections. After nightfall, this large peaceful protest grew into an unexpected dramatic storming of the White House¹ as police used rubber bullets and tear gas to attempt to disperse the crowds. An estimated 1,250 people were injured, and one young person died. In the night between the October 5 and 6, several politicians who were illegally freed from prison joined the protesters to take advantage of the public discontent. During the week after the storming of the White House, these forces competed among each other while President Sooronbay Jeenbekov went missing for a few days, leaving the ruling elite in complete disarray.

¹ The White House is a seat of the president and parliament of Kyrgyzstan.

A. Doolotkeldieva (✉)
OSCE Academy in Bishkek, Bishkek, Kyrgyzstan

It is in these days that the former politician, Sadyr Japarov, released from prison where he was serving a sentence since 2017 for “forcible seizure of power and alleged kidnapping,” made forceful attempts to get the outgoing parliament to vote for him as Prime Minister. Fearing further clashes between Japarov’s supporters and those of the competing camp, the resuscitated President Jeenbekov decided to back Japarov’s candidacy for Prime Minister while hoping to continue through with his own mandate. However, on October 13th, in another unexpected turn, Jeenbekov resigned, leaving power entirely in Japarov’s hands. This third violent change of government in Kyrgyzstan’s short history of independence conceals more stories than the surface suggests.

In this chapter, I will provide three distinct accounts that can best explain both the unexpected eruption and the outcomes of the mass uprising in the fall of 2020. First, the economic crisis provoked by the Covid-19 pandemic on the one hand, and the dynamics of patronal politics in the dominant political machine on the other, have generated a negative public opinion towards the ruling elite, which was palpable prior to the parliamentary elections in October of that year. These two crucial factors formed a combustible background against which the perceived rigged elections served as a trigger to spark an initially peaceful mobilization. Yet, the subsequent rise of the mid-ranked populist leader Japarov amidst other wealthier and more established competing politicians cannot be explained fully by the immediate context leading to the uprising. As the second account unfolds, the rise of Japarov as an unexpected outcome of the intra-opposition struggle for power is a result of long-fostered popular anti-establishment sentiments that have played against not only the regime but also the established opposition. Lastly, the mass uprising and a spectacular rise of a populist leader conceals a salient regime-oligarchy dynamic that would destabilize Jeenbekov’s political machine in the future, independent from the above societal and opposition developments. As this final story suggests, patronal presidentialism was facing major challenges from within as a powerful oligarchic group rose to contest the established sources of power thanks to money. These three separate stories, combined in a historical conjuncture of long-rising anti-elite sentiments, boosted by an unprecedented external shock produced by the coronavirus, and the rise of the power of money as an alternative to the traditional power of the “administrative machine,” can best explain this unexpected violent change of government.

The following analysis rests on privileged access to political actors and elites prior, during, and after the October events. Based on the ethnographic methodology, I collected 30 in-depth semi-structured interviews with ordinary participants of peaceful demonstrations and 5 members of the People’s Defence Groups; 14 elite interviews including 4 MPs, 4 members of political parties, 2 officers of the Special Security and National Guard, 2 government officials, 2 members of the business elite; and 3 interviews with independent journalists. Second, I have conducted non-participant and participant observation of various protests and civil society meetings during the October events. Third, I have also conducted mass media and social media analysis of electoral campaigns and online groups supporting various political

forces.² The present chapter follows the method of process-tracing that is helpful to construct a chain of events and processes that led to and formed the October uprising (Alexander and Bennett 2005).

8.2 Kyrgyzstan's Mass Mobilizations and the Limits of Patronal Presidentialism

The “October” or “Youth” Revolution³ is the third mass mobilization that resulted in a regime's ouster. In all of Kyrgyzstan's uprisings, the system of “patronal presidentialism” has been at the center of societal critique and opposition contestations. Hale (2005, 2013) interpreted Kyrgyzstan's first “Tulip Revolution” of 2005, as other preceding “color revolutions” such as in Ukraine and Georgia, and subsequent revolutions in post-Soviet countries as results of the dynamics within patronal presidentialism. In his reading, revolutions are swings within the regime-elite relationships, in which elites tend to challenge the patron if the latter is perceived as a lame duck. Usually, patronal presidents face an intra-elite challenge in times of succession or a significant drop in popularity.

I draw on the concept of patronal presidentialism as it offers a valid description of political machines and one of the important sources of change located within elite contestations in Eurasia. Indeed, despite regular changes in formal rules of the game, patronal presidentialism remains the main logic ordering power and decision-making. In Kyrgyzstan, despite the formally enlarged powers of political parties and the parliament since 2010,⁴ political actors, inside and outside the political machine, orient their strategies and tactics around the signals emanating from presidency.

However, if we follow Hale's explanation of the political change, we need to concentrate on the dynamics of elite contestations only. The model ends up overlooking factors lying outside of the political machine, thus reducing contingency and uncertainty inherent to any polity. Dynamics within the patronal presidentialism prior to the October uprising do not fully fit the mechanisms of change, described in Hale's model. In fact, the dynamics of patronal politics were not connected to a president's succession phase since President Jeenbekov was only halfway through his term and most elites had vested interests in his continuation in connection to their own re-election into the new parliament. His removal would jeopardize significant financial investments they made in the parliamentary election. That is why the

² I am thankful to my colleagues—Nargiza Muratalieva, Elmira Nogoibaeva, Nurgul Esenamanova, Amanda Wooden, Erica Marat, and Eugene Huskey—for thought provoking discussions and correspondence.

³ In this chapter, I refer to revolution as a category of practice, not a category of analysis, in order to put forward local understandings of events and usages of the term.

⁴ For the analysis of constitutional changes, see Fumagalli, M. (2016). *Semi-presidentialism in Kyrgyzstan*. In *Semi-presidentialism in the Caucasus and Central Asia*. Palgrave Macmillan: London; Huskey, E. (2007). *Eurasian semi-presidentialism: The development of Kyrgyzstan's model of government*. In *Semi-presidentialism outside Europe: a comparative study*. Routledge: London.

uprising against patronal presidentialism was unexpected to political actors, both inside and outside the political machine.⁵

Also, Hale's model is not operational as it does not allow to know when exactly the public perception of president's unpopularity will tip towards the negative end. In such highly informal systems, the presidency constantly engages in all sorts of manipulations to retain its power. To the public and opposition, these developments do not automatically send clear-cut messages leading to the formulation of a unanimous public opinion. For example, the situation in which in 2017 the former president Almazbek Atambaev sought to appoint his political heir Sooronbai Jeenbekov was presenting an opportunity for elite contestations. The successor enjoyed only 3% of popularity against his main contender Omurbek Babanov with 35% of popularity prior to elections, while Atambaev himself earned quite a controversial reputation by the end of his term with 31% only (IRI 2017). Yet, this perfect constellation did not produce a strong public opinion that would serve the interests of the opposition although Atambaev was later sacked by his heir. In other words, perceptions of lame-duck syndrome can be articulated outside of the dynamics of patronal presidentialism, in connection to a wider context, unexpected events, latent societal processes, and elite strategies whose outcomes might be far from intended.

In my preliminary analysis of the recent regime ouster, I seek to highlight contingency and uncertainty of events as the key element of mass mobilizations in the absence of regime repression. This approach emanates directly from the empirical phenomenon that informs the necessity to conceptualize the elite strategies and public opinion nexus more accurately. Such dramatic events open the door to a multitude of public perceptions, fears, concerns, hopes and opinions, whose magnitude and diversity are beyond the reach of elite strategies. For instance, one could hardly anticipate that a widely popular rich businessman Omurbek Babanov would lose his popularity under the street pressure within days. The rise of a mid-ranked former MP, Sadyr Japarov, as a winner of the struggle, was also a complete surprise to the many. Finally, no one expected that the regime of President Jeenbekov would fail so quickly, just a weak after the unrest. Neither the elites nor the public could keep up with the rapidly developing political arena of those days and weeks. Elites could only partially adjust their strategies to a multitude of public opinions forming at different levels of society and producing outcomes that no one had a full control of. Thus, my account is purposefully empirical; new data keeps emerging, and the application of standard models of explanation tends to risk closing the discussion of unfolding dynamics at a premature stage.⁶ I will now turn to the discussion of these dynamics in the following sections.

⁵ Interviews with members of elites, Bishkek, 2020–2021.

⁶ I did not, for example, include the possibility of foreign influences as they manifested themselves in various forms and degrees in the previous revolutions. On the foreign influences in previous revolutions, see Ó Beacháin, D., & Polese, A. (2008). American boots and Russian vodka: external factors in the colour revolutions of Georgia, Ukraine and Kyrgyzstan. *Totalitarismus und Demokratie*, 5(1), 87–113.

8.3 Citizen Mobilization Against Rigged Elections Amid the Covid-19 Pandemic and Patronal Presidentialism

Two significant factors can best explain popular indignation with Jeenbekov's rule which was ultimately expressed in the uprising on October 5, 2020. These include a sharp economic decline and a negative perception of governmental management of the Covid-19 pandemic on the one hand, and the perceived usurpation of power by the presidential political machine in relation to the parliamentary election on the other hand. Citizen mobilization was triggered by the incoming election results according to which only 'parties of power' were accessing the parliament. In Kyrgyzstan's recent history, such socio-economic situations have already generated mass uprisings in the past. The "Tulip Revolution" of 2005 was partly due to neoliberal reforms which created economic inequalities for the rural poor (Pelkmans 2005) and were triggered by electoral fraud (Tucker 2007). The "April Revolution" was triggered by the energy crisis and increased electricity tariffs, a situation that was used by ordinary people to overthrow Bakiev's dictatorship in April 2010 (Wooden 2014; Reeves 2010).

Although more research is needed into understanding the short and long-term effects of the Covid-19 pandemic on Kyrgyzstan's economy and the well-being of ordinary families, the existing data and my fieldwork suggest that the governmental management of the pandemic led to a negative public opinion of the authorities. The existing data shows that the pandemic had a significant effect on people's socio-economic situations and consequently in the drop in confidence in the authorities and the president. According to a recent national survey, 22% of households had at least one member losing her job in the country or being forced to come back from abroad due to the loss of a job there. Labor income was reduced by 37%, income from sales of products from private plots by 16%, and remittances—by 16%.⁷ Another study reveals that the levels of unemployment and labor uncertainty among labor migrants were as high as 49% and 11%, respectively (Vesterbye et al. 2020). Every third citizen is at the brink of poverty by the end of the first year of the pandemic (World Bank 2021). Prior to the lockdown, the economic situation was already listed high in people's preoccupations. In 2019, unemployment (67%) and corruption (54%) were highlighted by respondents as top challenges that the country faced (IRI 2019). The economic decline has produced a significant drop of confidence in authorities. As a social survey conducted in June 2020 (at the beginning of the Covid-19 summer peak) demonstrates, only 40% of respondents cumulatively had "a lot of confidence" or

⁷ See results of the national survey "Ob itogah vyborochnogo obsledovania "Vlianie pandemii Covid-19 na domashnie hozyastva" [Results of sample survey "The effects of Covid-19 pandemic on households"], conducted by the National Statistics Committee in cooperation with UNICEF during the period between 15 October and 15 November 2020. 4954 households participated in the survey.

“some confidence” in President Jeenbekov. Whereas in 2019, the same survey found that 87.5% of respondents had “moderate” and “high confidence” in him.⁸

Grievances related to human losses and economic insecurities featured prominently in my interviews with ordinary citizens who took part in the October 2020 uprising. In the interviews with the author, they reported that the pandemic has exposed the “real nature of politicians, their corruption, irresponsibility and incompetence.” The pandemic mismanagement was especially highlighted by rural residents, whose economic activities depend on the openness of borders, as one source of their indignation in the run-up to the election day: “Since March there is no work in the village; people cannot go to Russia for work. People have nothing to occupy themselves. Politicians left people to die but got active again before the elections. But we saw how dirty the electoral campaign was. Since my propiska [voter registration] is in the village, I was there during the vote. But after voting, I took a trip to Bishkek on the same evening and was following news from here. The next day I went to the main plaza, I knew that there would be a revolution.”⁹

While the Covid-19 pandemic has worsened individuals’ economic situations, abuse of power by the ruling elite in connection to the elections and corruption was another source of people’s anger and motivation to protest. In a 2019 survey, 92% of respondents believed that corruption was either a “big” or “very big” problem in the country. 72% assessed the government’s performance regarding this issue as insufficient. Corruption perceptions have been on the rise showing 93% and 73% respectively for the same questions in 2015; 68% thought the levels of corruption were “high” in 2009, and 61%—in 2006 (IRI 2019). These growing perceptions are partly linked to the increased exposure of corruption cases thanks to journalistic investigations which focused in recent years on the highest echelons of power, including President Jeenbekov himself. The case of massive corruption inside the State Customs became the most scandalous example of these public scandals and a ticking bomb for the past and present presidents. This case and the lack of response from the authorities were mentioned repeatedly by participants of the October uprising.

In 2019, a consortium of independent mass media published a series of investigations unraveling massive corruption schemes that involved the then head of the State Customs Service, Raimbek Matraimov, whose illegal business helped him to allegedly move \$700 million out of the country (OCCRP 2019, Radio Azattyk

⁸ See the results of the social survey “Social and Political Impact of COVID-19 in Central Asia” conducted by Pauline Jones, Center for Russian, East European, and Eurasian Studies at the University of Michigan, forthcoming.

⁹ Interview with a local entrepreneur that runs a small guesthouse for tourists in Issik-Kul area, Bishkek, 2020.

2019a, Azattyk 2019b, 2020).¹⁰ These investigations did not only expose the involvement of state bodies in transnational corruption schemes, but also stressed the connection between Matraimov and President Jeenbekov himself. Journalistic reports revealed strong ties between Matraimov's "customs empire" and members of the elite, suggesting that corruption was covered up at the top. These publications spurred a series of citizen protests called "ReAksia!" (Russian: ReAction) calling on authorities to launch an official investigation into the case and bring Matraimov to justice (Kloop.kg 2019, 24.kg 2019). Despite pressure coming from liberal civil society, the president kept denying Matraimov's involvement in corruption and even went as far as "authorizing" his newly established party "Mekenim Kyrgyzstan" to run in the parliamentary election. Following the election outcomes, three parties of power including "Mekenim Kyrgyzstan" won 107 out of 120 places thanks to massive electoral fraud involving the use of "administrative resources," vote buying, and other means (Kaktus media 2020c). The forged victory of three parties of power left popular opposition parties such as "Butun Kyrgyzstan," "Mekenchil," "Chon Kazat," and "Ata-Meken" outside of the system. For the protesters it meant that not only their demands were ignored but that the most controversial figure was going to receive a mandate and most likely continue his illegal business under a newly received immunity from prosecution.

Abuse of power by the ruling regime-oligarchy tandem and flagrant electoral fraud featured prominently as the reasons why ordinary citizens took to the streets on October 5th. In a national poll, conducted in August 2020, only 1% of respondents stated they would vote for Matraimov's party, 5% for the President's party and 2% for another party of power—"Kyrgyzstan," if elections were held today (IRI 2020). However, the official election results demonstrated almost 57% cumulatively for the three parties, raising questions about the possibility of use of vote-buying prior to the election and other electoral fraud. Many protesters expressed their distrust towards the official election results. In interviews with the author, peaceful protesters also stressed a continuity between this mass uprising and earlier protests of "ReAction," thus highlighting a year-long public struggle against corrupt patronal presidentialism: "I took part in previous protests of "ReAction" and this time came out to protest again. Participation in the "ReAction" was helpful as I saw how the President covered up for Matraimov's corruption, how the elections were dirty and that only parties of power got elected. These outraged me deeply in my heart."¹¹

By the end of the summer peak of the pandemic and prior to the election, 53% of the Kyrgyz population thought that the country was heading in the wrong direction, whereas 41% saw it going in the right direction. The poll shows that since 2017, the year of Jeenbekov's election, a decline of the positive outlook on the country's

¹⁰ On December 9, 2020, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) designated Raim Matraimov under the Global Magnitsky Human Rights Accountability Act "for being a foreign person who is a current or former government official responsible for or complicit in, or directly or indirectly engaged in, corruption, including the misappropriation of state assets, the expropriation of private assets for personal gain, corruption related to government contracts or the extraction of natural resources, or bribery".

¹¹ Interview with a protest participant, Bishkek, 2020.

development from 66 to 41% took place, whereas the negative outlook went up from 23 to 53%. A similar trend in the decline of the positive outlook from 63 to 28% was observable in 2010, the year of the “April Revolution” (IRI 2020).

8.4 The “Revolutionary Situation”: Salience of Political Ideas and Public Perceptions Amid the Mundane Struggle for Power

While the contextualization of popular discontent clarifies the situation in which the dominant political machine was challenged, it can hardly explain the unexpected rise of populist Sadyr Japarov as a new national leader and his subsequent winning of the presidential elections in January 2021. The immediate dynamics of the struggle for power, which unfolded among numerous opposition leaders following the mass uprising, are one element to understanding why other opposition leaders lost to Japarov. But most importantly, the struggle outcomes were shaped, to the surprise of competing elites, by the underlying societal cleavages manifested through protest politics. In recent years, in the absence of genuine party programs, social protests became important expressions of cleavages existing in Kyrgyz society. In public discourses, these cleavages were hyperbolically framed as “liberal pro-western urban middle class” versus the “conservative pious poor class.” Although these frames were constructed through years by both social and political actors, they nevertheless reflect the growing polarization of society due to long-existing problems. Consequently, the initial contestation of the patronal presidentialism ceased to be a mere struggle for power and acquired a salient ideational dimension about the ways the country should develop after Jeenbekov’s demise. Japarov’s victory and the loss of “liberal” opposition forces were due to these cleavage politics in which conservative nationalist and religious values prevailed. Below I dissect these ideational and power struggles that unfolded in Bishkek’s main public squares.

Labeling the October uprising as a “Youth Revolution,” foreign and domestic media put forward young people who were angry with the results of rigged election and corruption. The initial peaceful protest attracted citizens from all sectors of society: liberal Bishkek urbanites, as well as the suburban poor and rural residents who traveled from the countryside. It was a largely spontaneous, leaderless, and chaotic mobilization comprised of either solitary individuals or groups of people based on neighborhood and friendship.¹² Protesters began assembling at the Ala-Too plaza by noon, waiting for more news about the election outcomes and the authorities’ response. Representatives among youth activists, celebrity figures and youth wings of political parties were politicizing the crowd. No major opposition leader had yet made an appearance. Closer to the evening, when opposition politicians began galvanizing

¹² I discuss these dynamics more in detail in Doolotkeldieva, A. (2021a). Power and space in social mobilizations: Preliminary thoughts about protests that led to a change of government in Kyrgyzstan in October 2020. *Central Asian Program Papers*, 251.

the crowds, a sudden call to storm the White House provoked a split in the peaceful movement. Part of the protest crowd left the main square, disagreeing with this violent development, while others moved toward the White House, which is only a hundred meters away, and began clashing with the police. Still, more protesters were joining the evening developments, freshly arrived from the suburbs and the countryside. Cut off from any Internet connection, their individual and group movements around the White House and Ala-Too square were chaotic and participants reported to the author that they were not fully understanding the course of actions.

Taking advantage of this major development, supporters of opposition politicians went to storm the Special Security's remand prison and other prisons to illegally free their leaders. The release of prisoners and mobilization of their supporters in the night between October 5 and 6 might suggest that the uprising was pre-meditated, and not spontaneous.¹³ Indeed, both Japarov and former president Atambaev were known as President Jeenbekov's opponents and both displayed in the past their potential to deploy supporters to fight. Moreover, among the visiting protesters, Issik-Kul residents dominated due to the geographic origins of several opposition leaders such as the heads of "Mekenchil" and "Chon Kazat" parties. This geographic domination might also imply the uprising's pre-organized character. However, not all Issik-Kul residents were supportive of these parties¹⁴ and residents from other regions were present as well. Also, there were reports in mass media that Japarov's supporters were bused to, lodged at, and fed at one of the capital's hotels (Kaktus media 2020b).¹⁵ This raised questions about the authenticity of his fellowship that came in masses in the subsequent days after the initial uprising to rally on his side. Finally, the involvement of the so-called "sportsmen" on the side of politicians during the October events also challenged the original image of peaceful citizen mobilization. Peaceful protesters among ordinary citizens reported to the author that groups of "provocateurs" were operating in the crowds, shouting out calls to storm the White House and support different politicians. Some urban dwellers were repulsed by these fast developments, they felt betrayed as if their democratic impulse was hijacked by "regressive forces," and many retracted from the protest: "I came to the protest because I thought it would be peaceful. I support only peaceful means because I do not want to become a tool in someone's hands like in the previous revolutions. I thought that the new generation of citizens grew up to this conscious level. But our initial movement was stolen. We lost control over the revolution...I withdrew from it when I saw the unfolding dirty struggle."¹⁶

¹³ Russian experts on Kyrgyzstan's uprising "Protesty v Kyrgyzstane priveli k smene vlasti v strane" [Protests in Kyrgyzstan led to the change of government in the country], October 7, 2020, <https://www.golosameriki.com/a/protests-in-kyrgyzstan-led-to-a-change-of-government-in-the-country/5611953.html>, accessed 24.02.21.

¹⁴ Interviews with Issik-kul residents who have participated in the October uprising, Bishkek, 2020.

¹⁵ Sportsmen refer to young people, usually members of martial arts clubs who are frequently mobilized by politicians in power contestations.

¹⁶ Interview with a protester, 28, Bishkek resident, program manager at an international organization, Bishkek, 2020.

From this moment on, the line between the initial genuine popular mobilization and organized manpower became blurred. The release of various regime opponents, which was outside of the regime's calculus,¹⁷ put a beginning to a fierce struggle for power in the absence of a strong position from President Jeenbekov. The latter was missing for several days and his press secretary stated that he was working online (Fergana.ru 2020b). Two opposing groups formed around a nationalist coalition under Japarov's leadership and a "liberal" coalition including the former Prime Minister and oligarch Omurbek Babanov, respectively (Fergana.ru 2020a). The latter coalition was a heterogeneous group comprised of politicians and parties who were compelled to cooperate in the face of their main competitor, Japarov. The coalition involved liberal right-wing parties "Bir-Bol," "Reforma," and "Respublica" on the one hand, the oldest political parties claiming a socialist leaning—"Ata-Meken" and "SDPK," and nationalist parties "Butun Kyrgyzstan" and "Zamandash" on the other hand. Both Japarov and Babanov were competing to become Prime Minister, but Japarov was also torpedoing the president's mandate and pushing for a constitutional reversal towards strong presidentialism. Babanov's group, heterogeneous as it is, nevertheless was united around, and differed from Japarov on, the semi-parliamentary constitutional design, thus earning the public label "liberal." While Japarov was calling his supporters to grab power and give it, in a populist move, to the people, Babanov's group urged protesters to go back to legality and constitutionality. Yet, these calls did not resonate with the majority as that very constitution failed to protect the rights of the poor and benefited the rich only.

The temporary union of liberals proved to be too unnatural, also for the reasons of generational splits. Youth activists from "Reforma," "Bir-Bol" and "Ata-Meken" parties, who were the driving force on the streets and who were seeking to represent "new politics," were against cooperation with the old guard. The latter were denied access to speak up, humiliated by the youth crowds, and ousted from the public stage. Several youth leaders launched an internal competition, leading even Tilek Toktogaziev from "Ata-Meken" party to self-pronounce as Prime Minister and others to take over state ministries. The final blow to the union came when an indecisive Babanov decided to coalesce with former president Almazbek Atambaev, by now a highly controversial figure.¹⁸ This strategy was thought as the only viable option to offset the rising Japarov. Disagreeing with this move, the youth wing of the coalition condemned the union with Atambaev and launched street resistance under the slogan "Out with the oldies!" It was their attempt to not let the old guard appropriate the protest movement as it happened in previous revolutions of 2005 and 2010. As members of these youth wings reported to the author: "We did not launch this revolution to go back to old politics, to old corrupt politicians! These party bosses carried out strategies that were contrary to our visions and ideals. If we backed them up, we would prove that we are no better than them and that nothing changes in our

¹⁷ Interviews with members of elites, Bishkek, 2020–2021.

¹⁸ Actually, some members of this coalition personally suffered in Atambaev's hands. Leadership of "Ata-Meken" party, MP Omurbek Tekebaev, had been imprisoned whereas Babanov himself was prosecuted under late Atambaev's rule.

country. We also risked losing our followers among the young generation. So, we wanted to elect our own leader, among the youth, as a Prime Minister.”¹⁹

While the liberals were sending mixed signals to the public, exposing a severe lack of integrity, Japarov’s group had quickly and skillfully moved to consolidate protesters around their claims for power by framing the uprising as anti-regime and anti-elite. A combustible mass aggregated the suburban poor, nationalist youth, and religious conservatives, long ignored by the establishment, in his support. Japarov’s nationalist language against the corrupt establishment has attracted multiple grass-roots activists and associations who had been fighting against “irresponsive state” and corrupt elites through these years.²⁰ During these days, he managed to attract followers with the help of populist ideas of nationalizing natural resources, giving power to the people, punishing the rich, reaching territorial sovereignty, etc. His identity as an “ordinary guy,” a martyr, a “patriot” with a record of fighting for national interests against global corporations distinguished him as a “true Kyrgyz” against the liberal coalition which was associated with the rest of the corrupt establishment. It is via his populist reference to “the people’s power” that he succeeded to pressure on the parliament to vote him as a Prime Minister after a third attempt, to appoint his friend to the steer the security apparatus, and to point another friend as a new Speaker of the parliament. His meteoric rise to power would be impossible without this early mass support which he skillfully exploited when capturing one bastion of power after the next. As his supporters, participating in daily rallies that I observed on the “old square,” stated: “Japarov listens to us, he is with the people. Let’s give him a chance, let’s give him the power. He promised to clamp down on bloodsuckers who have been stealing our money and he promised to bring natural resources to the people’s control. I support these ideas.”²¹

During the week between October 6 and 13, the public squares of the capital turned into the battle grounds of two opposing camps rallying to gain supporters and showing strength in their attempts to grab power. The struggle grew out of control when representatives of the liberal camp were ousted from Ala-Too square, some of them were attacked and people allegedly close to Japarov shot at Atambaev’s departing car (Kommersant 2020b). Facing the risk of destabilization, President Jeenbekov sought to negotiate his own stay in power by granting legitimacy to one of these camps. The choice was not complicated: his lasting rivalry with Atambaev, whom he sacked and imprisoned after being brought to power by him, determined his option for Sadyr Japarov.²² Russian President Vladimir Putin’s deputy head of administration, Dimitry Kosak, flew personally to Bishkek in order to seal the deal

¹⁹ Interview with a youth activist close to “Ata-Meken” party, Bishkek, 2020.

²⁰ I discuss the rise of nationalist populism amid violent change of government in October 2020 more in detail in Doolotkeldieva, A. (2021b). Populism à la Kyrgyz: Sadyr Japarov, nationalism, and anti-elite sentiment in Kyrgyzstan. *Illiberalism Studies Program Working Papers*, 4.

²¹ Short discussions with a dozen ordinary citizens who participated in rallies in support of Japarov during the October events, Bishkek, 2020.

²² What is interesting is that the liberals did not seek Jeenbekov’s ouster as they saw in him a counterbalance to Jaaparov. It was feared that his removal could lead to a major destabilization along the North/South cleavage and ethnic clashes like in the aftermath of the ‘April Revolution’

between the president and the newcomer Japarov (Kommersant 2020a). However, neither the president nor the Russians expected that the group they had helped to legitimize would breach the agreement soon after and force him to resign.

While initially, the protesters had only demanded the annulment of election results, Jeenbekov's removal was unexpected and suspicious. This development plunged the country into uncertainty about the future and possible worrisome involvement of organized crime as several members of parliament, journalists, and public figures hinted at pressure exerted by criminals (Kaktus media 2020a).²³ Having the majority of elite loyalty and international backing, President Jeenbekov could have, perhaps, avoided his deposing by swiftly conceding to protesters' initial demands and acknowledging the electoral fraud. Without popular mobilization, the street opposition would not have been able to contest the regime.

The week in which the liberals and the populist Japarov fought for power was decisive for the outcome of the uprising and, if not for the strategic mistakes committed by the liberals, Omurbek Babanov stood a real chance to take over as he was twice as popular (16%) as Sadyr Japarov (8%) in August 2020.²⁴ Babanov's alliance with the old guard and the lack of a political vision repulsed the young generation who sought to depart from old politics. The latter's withdrawal demonstrated the strength of anti-elite moods in society across classes and the urban/rural divide. Yet while united in anti-establishment sentiments, the initial cross-class and cross-cleavage movement got quickly splintered into divergent visions of politics that formed along more nationalist and more liberal values. Gabdulkhakov (2020) interpreted this confrontation as a civilizational clash between "the progressives and the orcs" following public discourses in Kyrgyzstan's social media and Ismailbekova (2020) saw in them a generational split. During this week, societal polarization indeed took on the following divides: language (Russophone vs. Kyrgyz), liberal versus conservative values, secular versus religious beliefs, cosmopolitan versus nationalist views, and poor versus middle-class division. Thus, the minority Russophone urbanites rallied around the liberal forces and the conservative majority of the working class and the poor—around Japarov. This polarization was decisive for Sadyr Japarov's victory.

Once President Jeenbekov was removed, the Kyrgyz establishment closed ranks behind the future President Sadyr Japarov, allowing him a fast capture of the state in the run-up to the presidential elections. This story is a culmination of increasing societal inequalities and rising nationalism as a response to the former, which in the absence of true political representation and left-wing programs became manifested via protest-making. It also shows that money did not guarantee the country's

of 2010. Interviews with representatives of "Reforma" and "Ata-Meken" political parties, Bishkek, 2020.

²³ On the role of mafia in previous revolutions see Kapatadze, A. (2015). Political corruption in Eurasia: Understanding collusion between states, organized crime and business. *Theoretical Criminology*, 19 (2), 198–215; Marat, E. (2006). The state-crime nexus in Central Asia: State weakness, organized crime, and corruption in Kyrgyzstan and Tajikistan. Central Asia-Caucasus Institute & Silk Road Studies Program.

²⁴ His popularity fell to 3% in contrast to Japarov's 51% in December 2020. See https://www.iri.org/sites/default/files/iri_kyrgyzstan_poll_dec_2020_eng.pdf, accessed 31.01.21.

richest and well-established politicians Atambaev and Babanov popular support and following. Their dramatic fallout with protesters exposed an acute crisis of authentic figures to an extent that the population was ready to entrust a former inmate with more credit than the old guard. However, what this spectacular street struggle hides is the third story of an internal regime-oligarchy dynamic which in all probability would have shaken the regime stability in the near future.

8.5 Parliamentary Coup in the Making: Regime Versus Oligarchy?

Kyrgyzstan's political system has been an oligarchy to the extent that family-type kleptocracies exercised minority power with a varying degree of inclusion of regime cronies. With the shift to an emerging party system in 2010, it can be assumed that this minority power became accessible to wider circles of the country's richest citizens. Research in Eurasia accounts for changing regime-oligarchy relationships as an important dynamic for regime stability (Guriev and Rachinsky 2005; Junisbai 2010). I contend that this critical dynamic was present in the last year of Jeenbekov's rule, but the disruption of his political machine by the mass uprising prevented its full unfolding. In this section, I return to the changing nature of the patronal presidentialism under increased pluralism, which includes further oligarchic power. It seems worth expanding on the ways the co-existence of a pluralistic system with an oligarchy can shift the balance towards the latter's bigger influence.²⁵

Oligarchization of Kyrgyz politics began in the 1990s and was part of the state-building processes (Radnitz 2010) leading further to the rise of a rentier class (Sanghera and Satybaldieva 2020). Previous research indicates how family kleptocracies and their cronies tapped into the state resources to enrich themselves (Cooley and Heathershaw 2017; Nakaya 2009; Doolotkeldieva and Heathershaw 2015), and how the state served as an "investment market" to generate direct rents (Engvall 2016). Further research is required to investigate the ongoing oligarchization of politics, but a preliminary observation suggests that the emergent party system added new possibilities for the richest class to influence policies and informal decisions favorable to their interests. This observation accounts for the ways political parties used their constitutionally increased powers to form the government and potentially tap into the state ministries as a resource. However, to participate in highly competitive parliamentary elections, parties faced an acute problem of funding. Sponsorship by businessmen/oligarchs became the sine qua non to managing electoral campaigns. This was practically done by selling seats in closed electoral party lists, with the first top ten to twenty seats worth between 500 thousand and a million dollars in a country with only an \$8.5 billion GDP (Current time 2019). The monetization of the electoral party lists led to an increased number of rich people either directly elected to

²⁵ For an account of oligarchy as a global historical norm see Winters, J. (2012). *Oligarchy*. Cambridge University Press.

the parliament (Ukushov 2017) or informally exerting influence on party bosses via funding. For example, the notorious Matraimov brothers, one of whom was elected to the parliament in 2015 inside the then-President Atambaev's party, allegedly financed the electoral campaigns of several political parties (Gezitter.org 2019; Vb.kg 2019), the presidential campaign of Jeenbekov in 2017, and even Japarov's recent presidential campaign (Kloop.kg 2020b). These insights were covered in the press but also claimed in the interviews with members of the elite.²⁶

Employing their new constitutional powers, the parliamentary groups appointed their ministers and, in this way, "divided" the state among themselves (Engvall 2013). Oligarchs who had entered this system began employing their access to the state to return their prior investments in the elections. However, Jeenbekov's regime had allowed for a degree of incorporation of oligarchs into the state system that became a risk for regime stability. Elite interviews suggest that he was in a much more dependent position vis-à-vis oligarchy than the previous presidents. Because Matraimov, also known as "Raim-million," allegedly financed his electoral campaign in 2017, Jeenbekov could not succumb to public pressures and look into Matraimov's corruption case. Due to this relationship of dependency, he also allowed Matraimov's party to run in the parliamentary election and win.

However, Matraimov's great potential to buy off votes²⁷ in the run-up to elections and their rising authority among members of parliament provoked fears in Jeenbekov's entourage. The president's brother, MP Asylbek Jeenbekov, was particularly wary that Matraimov's party would outbid the presidential party "Birimdik" and be granted the right to form the government. Enjoying the loyalty of a comfortable majority of MPs, this situation could lead to a parliamentary coup.²⁸ Asylbek Jeenbekov's concerns were attached to Matraimov's rising authority among the elites. By relying on the power of money, they succeeded in placing their people inside the state security apparatus, law enforcement, and the courts. They used access to the state to also disburse resources to their clients among the elites. By getting things done for them, they earned the reputation of effective doers in contrast to the "undecisive" and "slow" president Jeenbekov. As one MP claimed, "President Jeenbekov's favourite method was deception. He would promise to fix your issue but would never do it in reality. Matraimovs, on the contrary, have always fulfilled their promises. They had loyal people placed everywhere: in the police, courts, regulatory bodies. Our deputies realized that Matraimovs' power was far-reaching and more efficient. Turning to them, rather than to the president, was a guarantee of a successful resolution of your business."²⁹

²⁶ Interviews with four MPs, Bishkek, 2020.

²⁷ According to the Central Election Commission, Matraimov's "Mekenim Kyrgyzstan" party has officially spent \$1,659,000 for its electoral campaign making it the richest runner. Figures in U.S. dollars are approximate due to dramatic fluctuations in the exchange rate. See Kloop.kg (2020). *Odnim grafikom: Skol'ko partii potratili na Vybory-2020* [online]. Available at: <https://kloop.kg/blog/2020/10/04/odnim-grafikom-skolko-partii-potratili-na-vybory-2020/>. Accessed February 17, 2021.

²⁸ Informal interviews with members of parliament, Bishkek, 2020.

²⁹ Interview with a member of parliament, Bishkek, 2020.

By summer 2020, the Matraimov brothers succeeded in co-opting a significant part of the elites by incorporating them into their electoral party list. According to an informant inside the government, MPs were competing among each other for a seat on the list due to the high chances of this party's electoral success. Although the electoral lists of all "parties of power," including the Matraimov's, was initially coordinated by the president, the growing competition between the president's brother and the Matraimovs led to a more chaotic electoral technology than traditionally. The competition caused confusion among the elites about the locus of decision-making. As one MP claims, "In spring 2020, deputies were confused about which party to join. Joining Matraimov's party was lucrative but that would entail a risk of falling out with the president. Deputies were confused as to who takes a decision about the future composition of elites and were afraid of making wrong movements. Everyone was expecting the election day to see the culmination of this internal fight."³⁰

Indeed, as the electoral outcomes of the October elections show, the Matraimov's party was just 0.71% behind the presidential party "Birimdik," if one can trust at all these official results after reported frauds.³¹ This electoral outcome, perhaps, validates Jeenbekov's concerns about the rising challenge from the oligarchy. It is, of course, in the domain of speculation to ask what would happen to regime stability with Matraimovs coming just under 1% behind the presidential party. But this case is useful in showing how the emergent party system has provided additional avenues for the rich people to influence politics in the absence of a robust system of checks and balances and weak state institutions. Time will show whether the suspicions hinting at Matraimov's possible financing of the new president's presidential campaign are false or true, as it would mean the continuous influence of oligarchy on Japarov's patronal presidentialism.

8.6 Conclusion

The violent change of government in Kyrgyzstan in October 2020 can be best understood as a combination of three distinct stories coming together under an unprecedented external shock produced by the coronavirus. First, a genuine citizen mobilization was triggered by the pandemic-related economic decline and rigged elections. Second, the initial peaceful protest was hijacked, to the surprise of the many, by a populist leader capitalizing on long-existing societal polarization. Third, the spectacular unfolding of the intra-opposition struggle downplays an important process of oligarchization, underlying the shaky grounds of patronal presidentialism in pluralist systems. This last development has exactly led Sadyr Japarov to initiate, in a populist move, a constitutional reversal to strong presidentialism and away from pluralism. At the time of writing this paper, a referendum was scheduled to vote for a new

³⁰ Interview with a member of parliament, Bishkek.

³¹ Official website of the State Commission for Elections: https://newess.shailoo.gov.kg/ru/election/11098/ballot-count?type=NW_ROOT.

constitution in which the president becomes the head of the executive, with no rules governing the electoral system publicly available and a reduced role of the parliament.

References

- Alexander LG, Bennett A (2005) Case studies and theory development in the social sciences. MIT Press, Cambridge Massachusetts
- Cooley A, Heathershaw J (2017) Dictators without borders. Power and money in Central Asia. New Haven and London, Yale University Press
- Current time (2019) V deputaty za \$ 500 tysyach. Kto pokupaet mesta v parlamente Kyrgyzstana [online]. <https://www.currenttime.tv/a/parliament-seats-on-sale/30219729.html>. Accessed February 2, 2021.
- Doolotkeldieva A, Heathershaw J (2015) State as resource, mediator and performer: understanding the local and global politics of gold mining in Kyrgyzstan. *Central Asian Survey* 34(1):93–109
- Doolotkeldieva A, Wolters A (2017) Uncertainty perpetuated? The pitfalls of a weakly institutionalized party system in Kyrgyzstan. *Central Asian Affairs* 4(1):26–50
- Doolotkeldieva A (2021a) Power and space in social mobilizations: Preliminary thoughts about protests that led to a change of government in Kyrgyzstan in October 2020. In: *Central Asian Program Papers*, 251
- Doolotkeldieva A (2021b) Populism à la Kyrgyz: Sadyr Japarov, nationalism, and anti-elite sentiment in Kyrgyzstan. In: *Illiberalism Studies Program Working Papers*, 4.
- Engvall J (2013) The political sources of Kyrgyzstan's recent unrest [online]. <https://www.cacianalyst.org/publications/analytical-articles/item/12766-the-political-sources-of-kyrgyzstans-rec-ent-unrest.html?tmpl=component&print=1>. Accessed 20 Feb 2021
- Engvall J (2016) The state as investment market. In: *Kyrgyzstan in comparative perspective*. University of Pittsburgh Press.
- Fergana.ru. (2020a). Chetyre politicheskie partii Kyrgyzstana vydvinuli Omurbeka Babanova na post premiera [online]. <https://fergana.site/news/121111/>. Accessed 2 Feb 2021
- Fergana. Ru. (2020b). Jeenbekov vyshel na svyaz i gotov podpisat ukazy o novyh naznacheniiah. <https://fergana.site/news/121103/>. Accessed 2 Feb 2021
- Fumagalli M (2016) Semi-presidentialism in Kyrgyzstan. In *Semi-presidentialism in the Caucasus and Central Asia*. London, Palgrave Macmillan
- Gabdulhakov R (2020) The avengers vs the Orcs: social media nuances in Kyrgyzstan's (almost) third revolution. <https://ru.plovism.com/post/the-avengers-vs-the-orcs-social-media-nuances-in-kyrgyzstan-s-almost-third-revolution>. Accessed 23 Feb 2021
- Gezitter.org (2019) Partiu Zamandash finansiruet Matraimov? https://www.gezitter.org/ushaktar/79374_partiyu_zamandash_finansiruet_matraimov/. Accessed 2 Feb 2021
- Golos Ameriki (2020) Protesty v Kyrgyzstane priveli k smene vlasti v strane. <https://www.golosaameriki.com/a/protests-in-kyrgyzstan-led-to-a-change-of-government-in-the-country/5611953.html>. Accessed 2 Feb 2021
- Gurieva S, Rachinsky A (2005) The role of oligarchs in Russian capitalism. *J Econ Perspect* 19(1):131–150
- Hale HE (2005) Regime cycles: democracy, autocracy, and revolution in post-Soviet Eurasia. *World Politics* 58(1):133–165
- Hale HE (2013) Did the Internet break the political machine? Moldova's 'Twitter Revolution' that wasn't. *Demokr: J Post-Sov Democr* 21(3):481–505
- Huskey E (2007) Eurasian semi-presidentialism: The development of Kyrgyzstan's model of government. In: *Semi-presidentialism outside Europe: a comparative study*. Routledge, London
- IRI (2017) Public opinion poll: residents of Kyrgyzstan. February 15–March 2, 2017

- IRI (2019) Public opinion poll: residents of Kyrgyzstan. https://www.iri.org/sites/default/files/final_kyrgyzstan_slides.pdf. Accessed 2 Feb 2021
- IRI (2020) Public opinion poll: residents of Kyrgyzstan. August 6–August 15. https://www.iri.org/sites/default/files/kyrgyzstan_august_2020_slides_public_release.pdf. Accessed 20 Feb 2021
- Jones P (Forthcoming) Social and political impact of COVID-19 in Central Asia. NSF and the Center for Russian, East European, and Eurasian Studies at the University of Michigan
- Junisbai B (2010) A tale of two Kazakhstans: sources of political cleavage and conflict in the post-Soviet period. *Eur Asia Stud* 62(2):235–269
- Kaktus media (2020a) Aida Kasymalieva o tom chto proishodilo v gosrezidencii I kto davai komandy deputatam. https://kaktus.media/doc/423280_aida_kasymalieva_o_tom_chto_proishodilo_v_gosrezidencii_i_kto_davai_komandy_depytatam.html. Accessed 2 Feb 2021
- Kaktus Media (2020b) Kto predostavil gostinitsu ‘Ak-Keme’ mitingiyushchim? Gosorgany svalivaiut drug na druga. https://kaktus.media/doc/423787_kto_predostavil_gostinicy_ak_keme_mitingiyushchim_gosorgany_svalivaiut_dryg_na_dryga.html. Accessed 2 Feb 2021
- Kaktus media (2020c). Predvaritelny spisok deputatov VII sozyva Jogorku Kenesha. https://kaktus.media/doc/422474_predvaritelnyy_spisok_depytatov_vii_sozyva_jogorku_kenesha.html. Accessed 2 Feb 2021
- Kloop.kg (2019) V Bishkeke i ne tolko. “Re:Aktcia” Kyrgyzstancsev v drugih gorodah mira. <https://kloop.kg/blog/2019/11/25/v-bishkeke-i-ne-tolko-re-aktsiya-kyrgyzstancsev-v-drugih-gorodah-mira/>. Accessed 2 Feb 2021
- Kloop.kg (2020a) Odnim grafikom: Skol’ko partii potratili na vybory-2020. <https://kloop.kg/blog/2020/10/04/odnim-grafikom-skolko-partii-potratili-na-vybory-2020>. Accessed 2 Mar 2021
- Kloop.kg (2020b) 12 druzei Sadyra: kto financiruet izbiratelnuu kampaniu Japarova? <https://kloop.kg/blog/2020/12/23/12-druzej-sadyra-kto-finansiruet-izbiratelnyu-kampaniyu-zhaparova/>. Accessed 10 Feb, 2021
- Kommersant.ru (2020a) Kosak vstretitsa v Bishkeke s prezidentom Kirgizii. <https://www.kommersant.ru/doc/4530007>. Accessed 2 Feb 2021
- Kommersant.ru (2020b) V Bishkeke strelyali v mashinu ex-presidenta Atambaeva. <https://www.kommersant.ru/doc/4528272>. Accessed 2 Feb 2021
- Kupatadze A (2015) Political corruption in Eurasia: understanding collusion between states, organized crime and business. *Theor Criminol* 19(2):198–215
- Marat E (2006) The state-crime nexus in Central Asia: state weakness, organized crime, and corruption in Kyrgyzstan and Tajikistan. Central Asia-Caucasus Institute & Silk Road Studies Program.
- Nakaya S (2009) Aid and transition from a war economy to an oligarchy in post-war in Tajikistan. *Central Asian Survey* 28(3):259–273
- Ó Beacháin D, Polese A (2008) American boots and Russian vodka: external factors in the colour revolutions of Georgia, Ukraine and Kyrgyzstan. *Totalitarismus und Demokratie* 5(1):87–113
- Ob itogah vyborochnogo obsledovania. Vlianie pandemii Covid-19 na domashnie hozyastva. 15 October and 15 November 2020.
- OCCRP (2019) The 700-million-dollar man. <https://www.occrp.org/en/plunder-and-patronage/the-700-million-dollar-man>. Accessed 2 Feb 2021
- Pelkmans M (2005) On transition and revolution in Kyrgyzstan. *Focaal: J Glob Hist Anthropol* 46:147–157
- Radio Azattyk (2019a) Istorija Aierkena Saimati, otmvyshego 700 millionov dollarov cherez Kyrgyzstan. <https://rus.azattyk.org/a/kyrgyzstan-azattyk-occrp-kloop-joint-investigation/30286844.html>. Accessed 2 Feb 2021
- Radio Azattyk (2019b) Kak iz Kyrgyzstana vyveli sotni millionov dollarov. <https://rus.azattyk.org/a/30285881.html>. Accessed 2 Feb 2021
- Radio Azattyk (2020) ReAction 3:0: Obchestvennost v ojidanii reshenia vlastei. <https://rus.azattyk.org/a/30699889.html>. Accessed 2 Feb 2021
- Radnitz S (2010) The color of money: Privatization, economic dispersion, and the post-Soviet “revolutions.” *Comp Polit* 42(2):127–146

- Reeves M (2010) Breaking point: why the Kyrgyz lost their patience. <https://www.opendemocracy.net/en/odr/breaking-point-why-kyrgyz-lost-their-patience/>. Accessed 13 Feb 2021
- Sanghera B, Satybaldieva E (2020) The other road to serfdom: The rise of the rentier class in post-Soviet economies. *Soc Sci Inf* 59(3):505–536
- Tucker JA (2007) Enough! electoral fraud, collective action problems, and post-communist colored revolutions. *Perspect Polit* 5(3):535–551
- Ukushov M (2017) Kyrgyzstan i parlamentskaia forma pravlenia: Opyt razocharovania. <http://www.center.kg/article/99>. Accessed 2 Feb 2021
- Vb.kg (2019) Raimbek Matraimov finansiruet partiu Ata-Meken? https://www.vb.kg/doc/383420_rayymbek_matraimov_profinansiruet_partiu_ata_meken.html. Accessed 10 Feb 2021
- Vesterbye SD, Dzhuraev Sh, Marazis A (2020) Socio-economic impact of COVID-19 and media consumption among vulnerable communities in Central Asia. *European Neighborhood Council*
- Winters J (2012) *Oligarchy*. Cambridge University Press, Cambridge
- Wooden AE (2014) Kyrgyzstan's dark ages: Framing and the 2010 hydroelectric revolution. *Central Asian Survey* 33(4):463–481
- World Bank (2021) One year later in the Kyrgyz Republic's battle against Covid-19. https://www.worldbank.org/en/news/feature/2021/03/17/one-year-later-in-the-kyrgyz-republic-s-battle-aga-inst-covid-19?fbclid=IwAR11CFcOu2dOV6bxTOU39Q9iKTfYkB99IsU77hV7UG063o_fSzU9KpSYtI. Accessed 2 Feb 2021
- 24.kg (2019) Miting #ReAction 2:0 v Bishkeke. Kak etp bylo. https://24.kg/obschestvo/138362_miting_REaktsiya_20v_bishkeke_kak_eto_byilo/. Accessed February 2, 2021. Abdyrakhmanov T.A., Kurbanova N.U. Problems of ethno-confessional relations in modern Kyrgyzstan: search for solutions/Islam in CIS. 03.11.2010. http://www.islamsng.com/kgz/opinion/404#_ftn2

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 9

Identity and Power—The Discursive Transformation of the Former Islamic Revival Party of Tajikistan



Dastan Aleef

Abstract The former Islamic Revival Party of Tajikistan (IRPT) underwent a political transformation from an Islamist organization, partly responsible for armed mobilizations during the Civil War in Tajikistan (1992–1997), to a moderate and arguably democratic party from the early 2000s until 2015. The party defined and redefined its identity to fit both Islamic and secular democratic narratives. This research traced the evolution of the IRPT’s identity in light of critical events such as the change in leadership in 2006, and the Arab Spring. A discourse analysis of the IRPT’s main communication channel, *Najot*, from 2008 to 2015 has been conducted, which found three themes where strong articulations about identity were made: secularism, the Civil War, and the Islamic World. First, they challenged the core legislation regulating the triangular relationship of state, society, and religion; they justified political Islam; and they criticized what they called “secular extremism.” Second, the party produced a counter-narrative of Civil War actors and actions to that of the state. Third, they expressed solidarity with legal and controversial Islamic parties elsewhere, such as the Egyptian Muslim Brotherhood, or the Palestinian Hamas. This paper has found that the IRPT’s *ideological* transformation was limited due to the remaining Islamist elements in their discourse and the lack of clarity on the compatibility between Islamic and secular democratic programs.

Keywords Islam · Secularism · Democracy · IRPT · Tajikistan · Political opposition

9.1 Introduction

The former Islamic Revival Party of Tajikistan (IRPT) was the only legal Islamic party in Central Asia. Its origins, historical development, and banishment in 2015 have marked a number of conflicting ideas and events which drew the attention of regional and international policy experts and academics. Born in 1973 as a small-circle “puritan” movement of religious Tajiks, it underwent stages of identity reconstruction.

D. Aleef (✉)
Peshawar, Pakistan

The movement entered a stage of explicit politicization in the 1980s, opposing the Soviet regime's policies on Islamic grounds, and had a decisive part in the creation of an All-Union Islamic Party in June 1990. At these three critical junctures, the movement was neither violent nor democratic. They were officially recognized as a political party in 1991 and re-excluded in 1993, which was the beginning of the party's radicalization in rhetoric and practice. From re-inclusion in 1997 until 2015, the party embarked on its path towards constructing a democratic identity "based on an Islamic ideology" [*dar zaminai aqidai Islomī*].¹

Furthermore, the IRPT is often reported in English-language academic discourses to have been a non-violent, democratic, and even liberal party (Freedman 1996, 221; Karagiannis 2006, 13; Heathershaw 2007, 200–201; Khalid 2007, 99–152; Yilmaz 2009, 142; Atkin 2012, 263; Epkenhans 2015; Lemon 2016, 268). This chapter explores such taken-for-granted assumptions, which in my view are informed by common disapproval of the Tajik state's authoritarian ways which makes any oppositional voice seem benign. The research question of the chapter is about whether the IRPT moderation was merely *tactical*, that is, moderation in the means of implementing an Islamist agenda, or *ideological*, that is, moderation in the values and ends pursued, namely democratic governance. The argument is that the Islamic Revival Party of Tajikistan transformed from an Islamist party into a moderate party only as a political strategy, rather than an ideological commitment, as evident from their political discourse.

9.2 Formation and Politicization in Late Soviet Era: 1973–1990

The proto-IRP was born in the rural areas of Qarotegin and the Vakhsh Valley of Tajikistan, among people rejecting the mainstream Soviet lifestyle who sought to reestablish the normative and practical appeal of Islam within Tajik society starting from the mid-1970s. The founders of what was later called "Revival of Islamic Youth of Tajikistan" (*Nahzati Javononi Islomii Tojikiston*) articulated the following three central concerns of the movement: (1) the reintroduction of Islamic culture and teachings to people; (2) the fight against novelties and superstition gaining popularity; and (3) Commanding Right and Forbidding Wrong in public (Epkenhans 2015, 324–327). Domestic religious upbringing, underground religious instruction, and observance of religious rites are considered *apolitical* expressions of Islam in Tajik society by scholars like Muriel Atkin (1989: 609–12).

Indeed, almost all the members of the party, especially the older generation, recall networking in underground religious circles led by the prominent unofficial *mullahs* and teachers [*ustodon*] of the time (Orzu 2013). The discourse of contention at the beginning was between the then-young activists and established *ulamo* (scholars)

¹ *Fišorhoi afzoyanda boloi nahzatiho* (Increasing pressure over Nahzat members), *Najot*, 36 (753), 5 September, 2013, p. 9.

and mullahs and revolved around the “correct” practice of religion. More specifically, Said Abdullohi Nuri (1947–2006)—one of the Muslim activists at the time and later the founder of the current Islamic Revival Party—and some other activists spoke against rituals they called “innovations” (*bid'atho*) like costly funerals and shrine visitations, which “traditionally minded” Muslim clerks, ironically one might say, were accused of embracing and promoting among ordinary followers (Epkenhans 2016, 188–189). A seemingly apolitical issue quickly escalated into “hot” disputes which later came to be associated with the Salafiyya movement.²

The politicization of the movement was especially visible in the 1985–1990 period, when the government authorities, particularly and critically the KGB, media, and generally the public discourse began to dub such increasingly vocal activists as “extremist,” “fundamentalist,” “Wahhabi” and so on (Bennigsen 1988, 780). The concern was that they were instigating “Muslim nationalism” (Ibid). S. Nuri had “his public preaching centered on one idea: the creation on the territory of Tajikistan of an independent Islamic republic” (as quoted in Bennigsen 1988, 779).

The politicization was also associated with increased exposure of Soviet Central Asian Muslims to their “Afghan brethren” [*barodaroni afghon*] either through under-surveilled information exchange or through the direct Soviet invasion in Afghanistan, whereby some defected to the neighboring country (Orzu 2013, 63; Bennigsen and Broxup 2011, 112–114, Yemelianova and Salmorbekova 2010, 217). More importantly, in fact, the first members of the Revival Movement acknowledge that the use of literature authored by (in)famous Islamists such as Hasan al-Bannā, Sayyed Qotb, al-Ghazali, Abu'l-ʿAlā Mawdudi, Muhammad Iqbal, etc., contributed to the politicization of Islam and the Muslim awakening in Central Asia (Orzu 2013, 207).

Except Rahmatulla Alloma—one of the two widest renowned Islamic teachers in the USSR and the author of the tract describing an ideal Muslim country entitled *Musulmonobod* (“Muslimland”)—it was the disciples who had shown the first signs of active involvement in politics and political activism (Khalid 2014, 146). Interestingly, Revival activists referred to one another as “ikhwan,” in imitation of the Egyptian Ikhwanʿul Muslimin (Muslim Brotherhood), whose political influence was particularly noted (Orzu 2013, 207). Thus, in a raid campaign of 22 June 1986 in Dushanbe and districts of the Vakhsh valley, 40 Islamic Revival activists were detained (TajInfo, n.d.). The leader of the movement and a fellow disciple—Said Nuri—was imprisoned in 1986 for opposing the Soviet system (Epkenhans 2011, 85). Moreover, some Tajik Muslim leaders and their followers were arrested for advocating hostile attitudes, even “a holy war,” against the Moscow center for their “oppressive rule” (Haghayeghi 1994, 250).

However, after decades of extreme repression, the relative increase in religious freedom associated with *glasnost* and *perestroika* policies of Gorbachev enabled the like-minded Muslims (revivalists) of the Soviet Union to finally hold a conference

² Followers of the *Salafiyya* (which was banned in Tajikistan in January 2009) want to return to an idealized early-Islamic community (umma) of the era of the Prophet Muhammad and his companions (the *salaf salih*) and therefore consider only Koran and hadith as relevant sources. Reports suggest that the *Salafiyya* is a network of like-minded Muslim activists without a distinct organizational structure.

in Astrakhan in June 1990 to institutionalize an all-Union Islamic Party, despite opposition by official clerics like Turajonzoda who did not favor the politicization of Islam (Akiner 2001, 8). The All-Union IRP was mainly made up of North Chechens, Ingush, Tatars, and Central Asians. The Charter of the All-Union IRP set Muslim awakening “with the purpose of implementing Qur’anic and Sunnah precepts in life” as its founding goal (Orzu 2013, 439). In sum, the Tajik Islamic Revival Movement of the late 1970s and 1980s was an exclusive club of religious individuals who mainly concerned themselves with Muslim emancipation. They did not have a clear strategy, but they did have a political Other—the “godless,” “anti-Muslim” Soviet state.

9.3 Independence and Civil War: 1990–1997

Upon return from Astrakhan, the Tajik revivalists asked for permission from the government to officially establish the IRPT in October 1990. The application was rejected on the grounds of its religious orientation. They nonetheless held an unofficial local congress in Chortut near Dushanbe, with the attendance of 500 local members, which is said to have been the determining factor in the party’s official recognition in October 1991 (Shapoatov 2004, 53–54). In those years, the party led a base of over 10,000 active, and over 20,000 passive followers, with a subsequent engagement in armed conflicts against government forces who mainly represented Kulyab and Leninabad provinces of Tajikistan (Yemelianova and Salmorbekova 2010, 220–21). In the early 1990s, the IRPT leaders would enter the struggle for power by accusing their opponents of being the “old Communist *apparatchiks* with a new democratic façade,” while declaring their own commitment to the “electoral route to power” (Haghayeghi 1994, 254). On 26 October 1991, the first official IRPT congress was held, where 650 delegates and 310 guests took part and the IRPT program and charter were adopted (Bushkov and Mikulski 1996).

As early as in 1990–1991, anti-Soviet, revisionist, and nationalist sentiments swept across Tajikistan, demanding the dissolution of the nomenklatura government.³ The coalesced opposition (UTO) comprised of the Democratic Party of Tajikistan, the IRPT, Rastokhez (Renaissance), and La’li Badakhshon (Ruby of Badakhshan) first proposed for the country’s *first Islamic authority*, Hojiakbar Turajonzoda, to run for presidency, which he refused. They then nominated a Pamir-born cinematographer and human rights activist Davlat Khudonazarov in the November 1991 presidential elections, which he lost (Akbarzadeh 1996, 1110–11). The opposition forces suffered from several irreconcilable ideological elements: the minority Ismailis vis-à-vis majority Sunnis; self-styled *mullos* in favor of a *Shari’a*-based Islamic state vis-à-vis proponents of “church-state separation” with the maintenance of the “Islamic character of Tajik society” like Turajonzoda; nationalist members like DPT and

³ *Nomenklatura* refers to the Soviet ruling elites, who belonged to the Communist Party. Here—the informal political elites-successors of the Soviet government. For examples of usage, see: Fredholm 2006, 17; Foster 2015, 353–54; Epenkhans 2018, 200.

Rastokhez vis-à-vis “Islamists” like the IRPT itself (Akbarzadeh 1996, 1119–21). However, the view that the party was a “powerful fundamentalist militant group,” that attempted to Islamize the Tajik state and society prevailed anyway (Epkenhans 2010, 329).

In May 1992, members of the opposition forces—Islamists and pro-democratic activists—managed to board the first coalition government, which formed after the period of protests and lasted until two months after the ousting of President Rahmon Nabiev on September 7, 1992 (Zainiddinov 2012, 460). In December 1992, Popular Front forces defeated the coalition government, brought President Rahmon to power, and banned the IRPT in 1993 (Ibid, 460). Excluded, more radicalized Islamist military leaders declared Gharm Valley, where the majority of Islamists came from, an “Islamic Republic” (Rahnamo 2008, 123). Some commanders enforced an Islamic order in their narrow districts, prohibiting weddings, music and dance, alcohol drinking, and punishing acts of disobedience, such as not wearing *hijab* (Seifert 2005, 20–22).

After the ban on the IRPT in early 1993, the majority of opposition forces fled to neighboring Afghanistan where they established the Movement for Islamic Revival in Tajikistan (MIRT) headed by Said Abdullah Nuri and his deputies—Turajonzoda and Himmatzoda, as well as the United Tajik Opposition (UTO) which included the non-religious opposition groups, also chaired by Nuri (Shapoatov 2004, 55). The intra-Tajik war was reinterpreted by Tajik Islamists, primarily by Nuri, to be a war between Muslims in *Dor-ul-Islam* (Land of Islam—Afghanistan), who sought to establish an Islamic state, and non-Muslims in *Dor-ul-Kufr* (Land of Unbelief—Tajikistan) (Kalonov 2020, 79–80). Among the atrocities committed by IRPT commanders in Tajikistan, *mavlati* Abdurahim Karim’s 1993 attack on Border Post 13, which resulted in the deaths of 25 Russian border guards, is an example (Epkenhans 2018, 213).

Since the movement was not a homogenous movement, there were atrocities committed by its affiliates in the name of Islam, alongside moderate declarations by the leadership in Afghanistan. Rahmon Sanginov, a self-styled “Hitler,” was one of the UTO warlords leading a force of around 150 fighters, with a record of over 400 serious crimes, including 270 murders perpetrated by his followers (Nourzhanov 2005, 127). He was also reported to have banned alcohol, enforced gender-segregated schooling, and introduced corporal punishment. Furthermore, the Islamists had an 8000-strong militia force outside Dushanbe, some of whom were armed by Afghanistan’s Gulbuddin Hikmatyar and Ahmad Shah Masoud and who facilitated the use of the north of Afghanistan as a launchpad for incursions (Rashid 1994, 159, 167, 177; Heathershaw 2009, 30). The leaders of the IRPT at the time—Himmatzoda and Nuri—however, sought to diminish the responsibility of the party leadership for the violent atrocities committed by its affiliate field commanders by conceding that they did not have control over those militias, while the party identity was tainted ever after due to its cooperation with Afghan Islamists (Epkenhans 2018, 207–8).

9.4 Post-Conflict IRPT: 1997–2015

The third stage in the discursive evolution of the IRPT began after the signing of the General Agreement on the Establishment of Peace and National Unity Accord in Tajikistan in 1997. Under the provisions of the agreement, The United Tajik Opposition, comprised mainly of IRPT members, was allocated a third of the Parliament seats and government positions (Heathershaw 2009, 33). Its leadership, including Nuri himself, became more moderate, advocating a nonviolent Islamism that was compatible with democracy, and participating in the elections of the country as any other “worldly” political party.

The party was again officially registered in 1999, and its new charter no longer suggested that Tajikistan should move in the direction of becoming an Islamic state, instead of aiming at the “development of Islamic, national and human values in the Tajik society” and loosely mentioning that the “application of Islamic philosophy...can become the basis for the strengthening of state foundation and maintenance of peace and unity” (as quoted in Karagiannis 2006, 12). Kabiri—deputy chairman at the time—proclaimed that their ultimate goal was “to create a free, democratic, and secular state” (as quoted in Collins 2007, 88).

Already in 1999, the party lost considerable popular support. According to the independent surveys of the time, only 6% of the populace trusted S. Nuri, and a mere 0.6%—his deputy, M. Himmatzoda (Collins 2007, 85–86). In the presidential elections of 1999, the IRPT nominee received 2% of the vote due both to popular mistrust and electoral fraud. In the parliamentary elections of 2000 and 2005, it won two seats respectively, while withdrawing from running in the presidential elections of 2006 altogether (Ibid, 86).

In 2006, Said A. Nuri passed away, leaving space for internal rifts in the party between conservative, “old-generation” members and young, pro-democracy politicians like Muhiddin Kabiri (Karagiannis 2006, 14–16). According to IRPT reports, Kabiri was *elected* by the majority in the party, even though the late Nuri had already vouched for his candidacy. The new leader differed from traditional high-ranking members in his interpretation of religion and his politics. He was moderately disposed, pragmatic above all, with a secular education and good knowledge of Russian and English.

Since then, the IRPT has expanded both territorially and demographically. It opened branches all over the country and attracted youth aged below 30, and reached 25,221 members by 2007 (Rahnamo 2008, 74–75). There has been no registered violence on the part of the IRPT, especially having faced electoral fraud, since the signing of the peace accord in 1997—a conscious development referred to by Kabiri as “the path of tolerance and restraint” (Khamidova 2016). For example, the party took part in the elections of 1999, 2000, 2005, 2010, and 2015, boycotted the 2006 presidential elections, and supported the candidacy of a female secularist human rights lawyer, Oynihol Bobonazarova, for president in 2013 (Lenz-Raymann 2014, 94–95). In none of these did they resort to violence in response to the rigging of results in favor of the ruling People’s Democratic Party of Tajikistan.

The aftermath of the parliamentary elections of 2010 was a turning point in the IRPT's identity building. The party apparently expected to receive at least 20–25% of the vote, only to be “shocked” by being granted merely 8.2% (Kabiri 2016, 9–10). With a mass of IRPT followers gathered at its headquarters demanding public protests, it was Kabiri's call. Having received threats of military retaliation by security authorities in case of a protest, he had to call off any public demonstrations and effectively make peace with the results, in an effort to prevent a violent outcome (Roche 2019, 75–76).

Following the 2011–2012 events of the Arab Spring, the rise of radicalization in the Muslim World, and the emergence of ISIS, the Tajik government became more wary of the presence of an Islamic party in the country. Thus, they introduced stricter control over the religious sphere and embarked on a discreditation campaign against the party, linking it to terrorist cells elsewhere. In March 2012, a classified, allegedly government security document, “Protocol 32–20,” was leaked, which contained strict law enforcement measures against the IRPT. Among others, in paragraph 2, it instructed security officers (Committee of National Security, Ministry of Interior, Committee of Religious Affairs and local governments) to keep watch over the party members, particularly the leaders; determine its “propaganda methods”; and divert members and potential members away from it (TajInfo 2012). Paragraph 3 calls attention to the concerning increase in membership rates of women in the party. In paragraph 6, an order is issued to “prepare and publish materials exposing IRPT leaders' and activists' illegal activities in mass media” (Ibid).

On the eve of the 2013 presidential elections, the IRPT came up with the initiative of proposing a mutual candidate on their own and social-democrats' behalf, and Oynihol Bobonazarova was chosen to be the one. According to the Central Electoral Committee, she received 201,236 signatures out of 210,000 necessary to pass the 5% threshold, while the “little-known, pocket parties” managed to pass and ballot (BBC 2013). The IRPT and independent observers still managed to criticize the electoral proceedings, namely the disproportion between the number of *actual* voters and the minimum threshold, the scarcity of polling stations for the roughly 1.5 million Tajik population in Russia at the time (labor migrants and otherwise), the lack of time for signature collections (50 days) and other bureaucratic obstacles (Ibid).

In the March 2015 parliamentary elections, the results showed that the party failed to pass the 5% threshold to gain any seats in the Lower House of the Parliament [*Majlisi Namoyandagon*] (Epkenhans 2015, 321). Thus, the party was finally banned as a terrorist-extremist organization, with its leading members either jailed or in exile. Now, what remains of the party is some of its leading members dispersed abroad as political refugees. They have been formally aligned with other foreign-based opposition groups like “Group 24” (Guruhi 24), in what culminated in the establishment of the National Alliance of Tajikistan (PMT) in Warsaw in 2018, chaired by Muhiddin Kabiri (RFE/RL's Tajik Service 2019). As for the IRPT agenda post-2015, Kabiri's response was the following: “Whatever plans, ideas, and views we had prior to 2015 remained there. The crackdown on the party, migration and all the events of the past 5 years, despite all their tragedy, have a positive side. We can

[now] propose to our nation and country a new plan that takes into account the past experience without being chained to it (Payom.net 2020).”

9.5 The IRPT Discourse on Secularism

The IRPT members of Parliament (MPs)—Muhiddin Kabiri and Muhammadsharif Himmatzoda, later replaced by Sayidumar Husayni—were active in debating the legislature on religion and religious associations. They had proposed the law “On the Freedom of Faith and Religious Associations” in February 2008 for Parliament review and in the annulment of the December 1994 law “On Religion and Religious Associations” (Epkenhans 2009, 98).⁴ However, it was rejected in favor of the government-proposed law “On Freedom of Conscience and Religious Associations,” which was adopted on 26 March 2009. The party members had particular issues with the bureaucratic obstacles created by the force of law such as officially registered religious institutions having the sole permission for public preaching (paragraph 9, article 4).⁵ Article 5 stipulates that the state does not interfere “into the activities of religious associations, except as provided by the legislation,” which raised concerns in the IRPT ranks.⁶ By now, we can infer that the party’s definition of secularism involved ideological autonomy for religious institutions, including madrasas (Islamic schools). The party draft was also more liberal than its government counterpart on matters of religious minorities and public worship. It had a separate article (10) devoted to churches, monasteries, synagogues, and missionaries, granting them the freedom to establish religious associations if they had at least 50 followers.⁷ As for worship in public institutions, the IRPT proposal leaves it up to citizens [*šahrvandon*] to establish worship sites in any institution, including military units and universities. In contrast, article 20, paragraph 4 of the adopted law states that “religious *associations* have the right to make suggestions” for worship in hospitals, dispensaries, nursery houses, places of detention and imprisonment (emphasis added).⁸ In other words, the party proposal would reduce the role of the government in administering religion.

In IRPT’s definition, the core assumption of secularism—the separation of church and state—is false. The publication repeatedly discussed the inherence of politics in Islam, calling it a “religion of politics” that represents “a complete system to

⁴ *Loihai Qonuni Ğumhurii Toġikiston «Dar Borai Ozodii E’tiqod va Ittihodiyahoi Dinī»* (Proposal of the Law of the Republic of Tajikistan “On the Freedom of Faith and Religious Associations), *Najot*, 7 (464), 14 February, 2008, pp. 2–3.

⁵ *Qonuni Navi Din ba Talaboti E’tiqodii Mardum Ğavobgū Nest?!* (The New Religion Law Not Suitable to People’s Spiritual Demands?!), *Najot*, 16 (525), 16 April 2009, pp. 4–5.

⁶ Emphasis added.

⁷ *Law Proposal, Najot*, 14 February 2008, p. 2.

⁸ Law on Freedom of Conscience, 26 March 2009.

govern social, cultural, and economic life.”⁹ As such, they saw Hanafi Islam as containing political principles closest to the Tajik culture, [durust va sozgorand], and thus publicly supported the alignment of Tajik politics with Hanafi teachings.¹⁰ In another interview with Hikmatullo Sayfullohoda, a member of the IRPT board and editor of *Najot*, the question of public promotion of Islam was raised. It was often assumed by pro-government critics that the party’s role was merely promoting Islam as a cultural legacy in the public space, so when the government declared 2009 as a commemorative year of Abu Hanifa (the founder of Hanafi law school in Sunni Islam) along with a series of events, it was meant as a counter-hegemonic move against the IRPT (Nozimova and Epkenhans 2019, 138). In response, Sayfullohoda rejected such a “reductionist” view of the party by reminding that it was primarily a political organization with an Islamic ideology [aqidai Islomī].¹¹ On a related note, the IRPT used to consider proselytization of other faiths as a “threat to national unity,” as stated in a newspaper report from 2008.¹² So, in some ways, the IRPT’s secular project was a polar opposite of “assertive secularism” (removal of religion from public space) practiced by the state, while in others, it strangely resembled the state in its *monocultural* Islamic narrative.

The party’s vision of secularism did not include *moral neutrality*. In fact, on various occasions the party members and its close affiliates were quick to employ “judgmental” language regarding female clothing, public expressions of impropriety, the media and so on. For example, in an article about public morality, the author regretfully states that “it would be better if the police were active in preventing young women’s night walks [šabgardii duxtaron]...,” complaining about alleged double standards in the government’s defense of democracy and freedom in that respect, and the shortage of the same democratic standards when prohibiting teenage religious activities.¹³ In a different article of the same year, the author reflects on the Islamic notion of “Commanding Right and Forbidding Wrong” [*amri ba ma’ruf va nah’yi az munkar*] as a principle of political accountability.¹⁴ Throughout the article, one can trace a repeated juxtaposition of Sharia and (secular) law [*šar’i va qonunī*], as though the two do not pose any mutual conflict. It also invites increased

⁹ *Mardi nakūnom Namirad Hargiz* (Good Man’s Legacy Never Dies), *Najot*, 10 (467), 6 March, 2008, p. 3.

¹⁰ *Din va Siyosat* (Religion and Politics), *Najot*, 40 (549), 1 October, 2009, p. 13; *M. Kabiri: HNIT Ba Fiina Kashida Nameshavad* (IRPT Will Not Succumb In Affliction), *Najot*, 48 (610), 1 December, 2010 p. 3.

¹¹ *H. Sayfullohoda: Agar Tamomi Rohhoi Fa’oliyat Basta Shavand Ham...* (Even If All Avenues For Action Are Blocked...), *Najot*, 14 (628), 6 April, 2011, p. 9.

¹² *Paygiri Az Siyosati Payvandi Aqidatī* (Follow-up On the Policy of Ideological Bonding), 30 (487), 24 July, 2008, p. 12; *A. Collin Young: “Bo Islom qanoat kardam”* (“Satisfied through Islam”), 16 (525), p. 12.

¹³ *Islom—Rohi Najot Az Ğinoyat* (Islam—The Solution To Crime), *Najot*, 24 (741), 13 June, 2013, p. 11.

¹⁴ “*Amri ba ma’ruf va nah’yi az munkar*”—*farizai faromuššuda* (“Commanding right and forbidding wrong”—a forsaken precept), *Najot*, 45 (762), 6 November, 2013, p. 14.

public oversight over officials' conduct to ensure their conformity to Sharia and law requirements.

The IRPT members' secular project, in other words, was based on two premises. First, *religious* values inform *national* values. This premise derived from their peculiar, and in my opinion honest, view of Islam—namely that it is not solely a private affair, but one that, at least in theory, claims to regulate worldly and social affairs of a Muslim society. As such, national values should pass a “religious filtration” [*poksozii dini*] to be legitimate.¹⁵ For example, in a 2011 article disputing a government law proposal “On Parents’ Responsibility for Children’s Upbringing and Education” (2 August 2011), the author states that “in the Islamic East, there is no need for [this] law because Islamic upbringing and Muslim duty render such a law unnecessary.”¹⁶ Second, they had to decide if they supported democracy in “substance” [*muhtavo*], or in form [*šakli*] only.¹⁷ The first has an ideological base to it—secularism, humanism, individualism and other -isms, so it should ideally lead to a fairly homogenous outcome across cultures, while for the second—freedom, elections, rule of law, equality and other minimal principles of democracy would suffice. The party clearly chose the second as they advocated for an authentic “democratic” model of Tajik-Islamic civilization.¹⁸ This minimalist conception of democracy is reminiscent of a viral quote of Turkey’s Erdogan saying “Is democracy a means or an end?... We say that democracy is a means, not an end.” (Mecham 2004, 347). In sum, for the IRPT there were not and could not have been any conflicts between democracy and political Islam.

Lastly, the IRPT articulated its version of secularism in opposition to its radical Other—“radical secularism” [*ifrotgaroi duniyavi*], allegedly practiced by the Tajik government.¹⁹ The party constructed an equivalence between the government and its Soviet counterpart in its discourse. More specifically, they repeatedly criticized government policies targeting religion and religious institutions, such as impeding the public promotion of Islamic values and symbols, strict surveillance over mosque activities, as resembling the Soviet anti-religious, atheist secularism. Being the target of Islamic radicalism charges, the IRPT articulated the “reverse discourse” of secular radicalism (Lemon 2016, 218–19). Originally termed “assertive secularism” by Charles Taylor, it refers to the state’s role as the “agent of a social engineering project that confines religion to the private domain.” (Kuru 2007, 571). The increasing state-induced bureaucratic obstacles before religious organizations, tight

¹⁵ *Din, arzišhoi millī va demokratiya* (Religion, national values, and democracy), *Najot*, 1 (770), 2 January, 2014, p. 11.

¹⁶ *Mas’uliyat Yo Mahrumiyat?* (Responsibility or Deprivation?), *Najot*, 5 (619), 2 February 2011, p. 13.

¹⁷ [Religion, national values, and democracy], *Najot*, 2014; These are analogous to the ‘procedural’ and ‘liberal’ conceptions of democracy mentioned in the Conceptual Framework, i.e. the IRPT endorsed the first but rejected the second.

¹⁸ *M. Kabiri: Rušdi Demokratiya—Ĝilavgirii Tundgaroi* [Development of Democracy—Prevention of Extremism], *Najot*, 1 (615), 5 January, 2011, p. 9.

¹⁹ *Mukolama Az Rohi Amal* (Dialogue About The Course of Action), *Najot*, 6 (515), 5 February, 2009, p. 9, 12.

control of religious practices, the ban on hijab and beard in public institutions, and other policies fueled grievances addressed by the party (Thibault 2013, 180). In doing so, the party promoted the thesis that moderate Muslims are the victim of both Islamic radicals and secular radicals.²⁰ Their discontent was that instead of rooting out socio-economic and political problems leading to increased public religiosity, the government suppressed the “symptom” itself. The potential outcome, as envisaged in party statements, was a positive correlation between secular radicalism and Islamic radicalism.²¹ However, this assumption was proven false by surveys that found insignificant correlations between poverty and authoritarianism on the one hand, and radicalization on the other (Montgomery and Heathershaw 2016, 17–18, 50). Furthermore, the party inadvertently admitted that there were pro-theocracy members in its ranks, who found the statement “in Islam nobody has the right to rule people in the name of God” controversial.²² In a genuine exploration of Islamic politics, however, one can find Islamic rule under different pretexts, be that the Islamic Republic of Iran for whose politics the IRPT nurtured respect or the Ottoman Empire, leading to the conclusion that theocracy is a legitimate system in Islam, and that these *silenced* members were honest about it.

9.6 The IRPT Discourse on the Civil War

The IRPT were invested in articulating a counter-narrative to the hegemonic narrative of the government about the events and actors of the Civil War. They did so by providing their story of the “struggle for freedom,” “Islamic awakening,” “opposition,” and “violence.” In the process, they drew chains of equivalence among otherwise diverse “subject positions”—Islamists and their democratic (DPT) and nationalist (Rastokhez) allies, and even the very government at some point, and they reduced their political “Other” (Popular Front) down to “armed criminals” and “communists” (Laclau and Mouffe 2001, 21).

To start with, the IRPT defined their identity through the goal they claimed to have pursued: political independence and freedom [*istiqloliyattalabi va ozodixohi*].²³ From the two “maydans” of protester congregations, *Ozodī* (Freedom) and *Šahidon* (Martyrs), the first belonged to the proponents of the communist successor-government made of Kulobis and Soghdīs, while the second was 70% made up of supporters of the IRPT and Qaziyyat.²⁴ The latter was organized on March 26,

²⁰ M. Kabiri: *Tolibon Ba Osiyoi Miyona Demokratiya “Meorand”* (Taliban Will „Bring “Democracy to Central Asia), *Najot*, 36 (649), 7 September: 2011, pp. 8–9.

²¹ *Hamai Kadrhoi Millī Kadrhoi Nahzatand* (All National Experts Are IRPT’s Experts), *Najot*, 36 (701), 5 September, 2012, p. 10.

²² *Širkat Dar Intixobot Ba Manfiati Hizb Ast* (Participation In Elections Is To The Benefit Of The Party), *Najot*, 49 (714), 6 December, 2012, p. 12.

²³ *Mardi nakūnom Namirad Hargiz* (Good Man’s Legacy Never Dies), *Najot*, 6 March, 10 (467), 2008, p. 2.

²⁴ *HNIT Dar Masiri Ta’rix* (IRPT On The Path Of History), *Najot*, 30 (487), 24 July, 2008, p. 6.

1992, in Dushanbe, and allegedly attracted more than 1 million people, including an insignificant portion of Uzbek minorities, in the span of 46 days, before getting dispersed at gunfire (Epenhans 2018, 211).²⁵ So when describing the “invasion” of Safarali Kenjaev—one of the Popular Front’s field commanders—into the capital and his “victory” speech, the author of the narrative refers to the enraged and ready-for-action supporters of the opposition as “liberation forces” who were composed of “free-thinking youth of Dushanbe, with Islamic and national dignity.”²⁶ Quite tellingly, the protesters of Šahidon were chanting Muhammad Iqbal’s revolutionary poetry intended to “awaken” the Muslim Ummah from “slumber sleep.”²⁷ However, they still identified with the “nation” as far as their *raison d’être* was concerned. For example, in a one-page article titled “Islamic Revival and National Dreams,” the editor describes the movement along the lines of “reformist” [*islohotī*], and uses a configuration of the phrases “national” or “national-religious” interests and values as being the driving force behind the party ideology 16 times.²⁸

Najot is full of “responses” to accusations of hardline Islamism. One of these is a common “strawman” attack against the IRPT, namely that “Islamists would seize power and murder their opponents, force hijab and home arrest on women, ban education and other nonsense...”²⁹ The party newspaper repeatedly emphasized efforts of the leadership of the Islamic opposition, especially Nuri, Himmatzoda, Davlat Usmon, and Mahmadalii Hayit, to “suppress” militant and *jihadi* field commanders.³⁰ For instance, after the signing of the decisive Khostdeh ceasefire agreement in Afghanistan in the winter of 1996, many field commanders of the Islamic opposition felt disenfranchised. Concerned about the potential futility of their jihad and lost blood, “God’s wrath against retreat,” and the fate of mujahids in the upcoming regime, these field commanders confronted the IRPT leaders.³¹ The leadership response allegedly drew both on “scriptural evidence” (Qur’an and Hadeeth) for abstinence from violent jihad, and legal basis against politically motivated persecution.

Another jihadist group that did not welcome the ceasefire news was that of the Sadirov brothers (Rizvon and Bahrom). Their group was known for numerous terrorist acts during the Civil War, involving the kidnapping of French aid workers, taking UN and foreign media personnel hostage, and other armed attacks across Dushanbe and the south of the country (CNN 1996; Reuters 1997). The IRPT were

²⁵ Panfilov, Oleg. *Tojikiston: Inqilobi Noma’lum* (Tajikistan: Undefined Revolution), *Najot*, 49 (819), 4 December, 2014, p. 4.

²⁶ *HNIT Dar Masiri Ta’rix* (IRPT On The Path Of History), *Najot*, 45 (502), 6 November, 2008, p. 6.

²⁷ *Az Yak Gurūhi Pinhonkor To Hizbi Parlumonī* (From A Clandestine Group To A Parliamentary Party), *Najot*, 18 (735), 2 May, 2013, p. 13.

²⁸ *Nahzati Islomī va Ormonhoi Millī* (Islamic Revival and National Dreams), *Najot*, 31 (593), 5 August, 2010, p. 6.

²⁹ *HNIT Dar Masiri Ta’rix* (IRPT On The Path Of History), *Najot*, 40 (497), 2 October, 2008, p. 6, emphasis added.

³⁰ *Ustod Nurī Siyosatmadori Durandešu Voqe’bin Bud* (Doctor Nuri Was A Shrewd and Realistic Politician), *Najot*, 35 (597), 2 September, 2010, p. 8.

³¹ *Sulh Hadyai Xudo Bud* (Peace Was A Gift From God), *Najot*, 44 (657), 2 November, 2011, p. 12.

careful to avoid any discursive association with his group, and so were vocal in denouncing his group's acts, such as devoting an article of the "Peace Was a Gift from God" series to "bloody atrocities of Rizvon" and the fact that he was rightly destroyed.³² In fact, a battle was planned and executed between the Islamic Revival troops (who constituted approximately 10,000 "mujahids" in total) and government forces on the one hand, and Sadirov's band on the other, on 25 February 1997 in Romit Valley.³³ This is an ironic illustration of articulated *equivalence* between the government and the opposition, and the *difference* between Islamic opposition and an armed "jihadist" group at play. Interestingly, the party comfortably used the subject positions of *mujahid* and *šahid*, but in reference to "noble defenders of Islam by political means," so rebels like the Sadirovs would not qualify.

9.7 The IRPT and the Islamic World

The IRPT's post-Islamist discourse was indeed inspired by their counterparts in Turkey (Justice and Development Party), Malaysia (Malaysian Islamic Party), Egypt (Muslim Brotherhood), and Tunisia (Renaissance Movement). Throughout the newspaper issues, one can notice the language of admiration for these "Muslim democratic" parties. At the same time, accounts of Islamist violence on the part of groups such as the Muslim Brotherhood and *Hamas* are deliberately silenced.

First, the party emphasized the democratic *means* by which Islamic groups competed for, and came to, power. One of these was *Hamas*—an analytically contradictory case—since it had a long record of political violence against Israel and *Fatah*, its political rival, while it managed to win the 2006 legislative elections fairly; it campaigned for *Sharia law* while its leaders were mostly secular professionals, and other contradictions (Gunning 2007, 1). The IRPT discourse placed *Hamas* in the category of "grievances-driven" anti-colonialist organizations, as they "fought for the independence and freedom" of the Palestinians, thereby using apologetic language.³⁴ The West is accused of wrongly classifying this "resistance political group" as terrorist, while the political Other of *Hamas*—the "Zionist regime" is abundantly mentioned for its atrocities against the Palestinians.³⁵ In honor of the 21st anniversary of *Hamas*, the newspaper describes it as a "popular and national... jihad movement" [*ğunbiši mardumī va millī*], which performed "some remarkable military operations" [*amaliyoti nizomii bargastaye*], such as the two Intifadas.³⁶

³² *Xunxorihoi Rizvon va Rohzani Askaroni Labi Ğar* (Rizvon's Bloody Atrocities And The Ambush of Labi Ğar Soldiers), *Najot*, 1 (666), 4 January 2012, p. 10.

³³ *Muzokiroti Sulh Dar Maskav* (Peace Negotiations In Moscow), *Najot*, 14 (679), 4 April, 2012, p. 11.

³⁴ *Bahori Xunini Falastin* (Palestine's Bloody Spring), *Najot*, 10 (467), 6 March, 2008, p. 10.

³⁵ *Falastiniyoni Charo Ba Sulh Narasidand?* (Why Did Palestinians Not Achieve Peace?), *Najot*, 49 (506), 4 December, 2008, p. 10.

³⁶ "*Hamos*" 21-Sola Šud (Hamas Turned 21), *Najot*, 1 (510), 1 January, 2009, p. 10.

Sections devoted to the Palestinian plight contain anti-Semitic discourse and words of praise for the Islamist Hamas and its leaders, Sheikh Ahmed Yassin—the spiritual leader of the movement, and Khaled Meshaal—its international representative (Encyclopaedia Britannica). For example, in an introduction to Sheikh’s achievements, the editor says “he stood up against the Jew(s)...”³⁷ Not only did the IRPT wholeheartedly support Hamas with unambiguous rhetoric, but it also provided “humanitarian aid” to it. In an interview with “Ozodi” (RFE/RL), Muhiddin Kabiri confirmed a leading question about 32,000 USD “collected by Nahzat brothers and sisters” in a humanitarian initiative for Hamas in the 2007 Gaza strip war.³⁸

Another Islamist current for which the IRPT had special admiration was the Egyptian Muslim Brotherhood (Ikhwan’ul Muslimin). A leading member of this group in the 1950s and 1960s, Sayyid Qutb, who was the radical Islamist ideologue behind the theological justification for violent (offensive) jihad, receives unequivocal respect in *Najot* articles. The IRPT articles describe him in fairly positive terms, as a model of a courageous and devout Muslim, who resisted tyranny.³⁹ The newspaper also spoke of Umar al-Tilmisani, Muslim Brotherhood’s 3rd General Guide (1972–1986), known for his relatively moderate stance on electoral politics. Unlike his predecessors, Al-Tilmisani believed in a non-violent implementation of Sharia law, through political means. As such, he initiated the first political alliance of the group on the eve of 1984 parliamentary elections, between the Muslim Brothers and the nationalist liberal Wafd Party, winning 8 seats for Ikhwan candidates.⁴⁰ He is described in the IRPT publication as having “healthy and constructive thoughts...invested in spreading the truth and guiding people towards unity.”⁴¹ The party paid homage to yet a third Muslim Brotherhood scholar, Sheikh Yusuf Al-Qaradawi, for his contribution to *da’wah* (proselytization) and politicization of Islam.

However, such *Najot* articles and public statements, that set these otherwise controversial figures in an unequivocally positive light, either seem unaware of the barely concealable implications of their radical ideas and/or the active encouragement of religious violence, or are deliberately *silencing* these inconvenient realities. For instance, Sheikh Qaradawi supported *Hamas* financially through charity organizations in the latter’s military endeavors against the Palestinian Authority (Bartal 2015, 586). He was an outspoken critic of all leaders of the Islamic world who did not take a public stance against the Israeli state and was openly calling for a joint and “uncompromising *jihad*” against Israel (Ibid, 595–96). Another is the leader of the Malaysian Islamic Party Abdul Hadi Nawang who spoke, upon his visit to the IRPT’s

³⁷ *Mağrūhi Muboriz* (Injured Fighter), *Najot*, 31 (593), 5 August, 2010, p. 7., emphasis added.

³⁸ *Intixoboti oyanda oson naxohad bud* (The upcoming elections will not be easy), *Najot*, 36 (806), 4 September, 2014, p. 12.

³⁹ *Sayyid Qutb—islohotxoh va muborizi rohi Xudo* (Sayyid Qutb—reformer and fighter on the path of God), *Najot*, 24 (586), 17 June, 2010, pp. 7, 13.

⁴⁰ *Al Jazeera English*, “The Brotherhood and Mubarak | Al Jazeera World.” May 23, 2012. YouTube video, 47:36, <https://www.youtube.com/watch?v=VwBEzxXs0cI>, min. 8:15–10:39, Accessed 18 Nov, 2020.

⁴¹ *Umari Tilmisonī—Do’ī va Murabbī* (Umar Tilmisani—Missionary and Mentor), *Najot*, 31 (635), 3 August, 2011, p. 10.

9th Congress in 2011, about his party proudly implementing Islamic law and justice in regions they won, banning “alcoholic, obscene places” as well as “gambling sites,” allegedly to non-Muslims’ content.⁴² Seen from this angle, the fact that the IRPT upheld such figures may have been a worrisome prospect for the secular segment of the Tajik public who took their time to read through the newspaper and for the government which was notoriously irritable at any sign of support for political Islam.

9.8 Conclusion

In this chapter, it was aimed to empirically illustrate to what extent and in which context the IRPT transformed to a moderate party. This transformation was part of a *political strategy*, informed by the incentives and disincentives of democratic politics. However, one ought to be skeptical about the IRPT’s *ideological* transformation, that is, the acceptance of democratic norms and standards as an end. The party members’ acceptance of the democratic procedure and the selective use of democratic rhetoric were to signal to observers inside and outside the country that they would conform to their expectations, be they from the “Islamic World” or from the so-called West, or from the Tajik government. That is where the problem lies. In an attempt to suit all audiences, the IRPT failed to present a coherent ideological program. Instead, it was an incomplete mix of (liberal) democratic and Islamist elements. The IRPT’s democratic identity depended on reiterating the *importance* of concepts like human rights and equality but failed on providing a theoretical substance to them. To be fair, political parties are not typically demanded to give a detailed account of how they conceptualize universal democratic values—as these should be universal and *uniform*—except if the political party was founded on an undemocratic past and has been associated with violence. In that case, the public should have the right to “interrogate” the party’s purported commitment to democracy and secularism. The interrogation shows that only the leadership from the mid-2000s until 2015 partly nurtured an ideological endorsement of democratic and secular standards, though even they did not elaborate on controversial issues like (non)religious minorities, secular education, and polygamy.

The party did not hesitate to acknowledge their “past mistakes,” namely aggression in the Civil War. However, instead of qualifying it as violent Islamism, they attribute it to a “situation out of control” scenario, wherein most atrocities from rebels opposing the government, including fundamentalist militias like Rizvan Sadirov’s, were “falsely” attributed to the “moderate” IRPT leadership. Second, most democratic discourses can interchangeably be called “post-Islamist,” as they signaled a commitment to democracy as an acceptable and even preferred system for Islam,

⁴² Abdul Hadi Awang: *Demokratiyai Malaysia Az Demokratiyai Tojikiston Farq Dorad* (Malaysian Democracy Is Different from Tajikistan’s), *Najot*, 40 (653), 6 October, 2011, pp. 5–6.

while some Islamist discourses could also be called “illiberal.” This strategy also ensured *consistency* in the IRPT’s transformation path, as they did not uphold democracy in its own terms, but as a system compatible with the Islamic narrative. Third, they assumed that their Islamic identity should not have been an “anomaly” but an anticipated rule, as their oft-quoted “97–98% Muslim population” statistic was supposed to eliminate all questions as to the popular desirability of an Islamic party, even though that has not been proven so far. Fourth, their discourse on violence, particularly perpetrated in the name of Islam, sometimes reminds of the “No True Scotsman Fallacy” in that they assumed the authority to decide, in an unfalsifiable manner, what it took to be a proper Muslim so that an individual claiming to be a Muslim would not suffice, hence the “No True *Muslim* Fallacy” (Manninen 2019, 374–77). At last, a reservation has to be made about the level of the bar for determining secular, moderate religious organizations. Calling ISIS a terrorist group is too low of a bar to be content. For what it’s worth, even al-Qaeda denounced ISIS (Dearden 2017). So, positive and even neutral language in remarks about Islamist groups like Hamas and leaders like Qutb and Qaradawi should not be overlooked and remain unquestioned.

To be clear, this is not to suggest that the IRPT would in fact Islamize the Tajik social structure, especially given the preponderance of the few pragmatic voices in the leadership—like Muhiddin Kabiri and Mahmadali Hayit. But the IRPT was supposedly *more* than these figures. Their avoidance from these topics in favor of “mundane” problems like elections and political freedom meant that they were either not ideologically prime to provide a definitive answer on those issues, or they simply harbored intentions of “bottom-up Islamization,” rephrased into “Islamic society.” In either case, this should suffice to question the limits of the IRPT’s ideological moderation.

References

- Akbarzadeh S (1996) Why did nationalism fail in Tajikistan? *Eur—Asia Stud* 48(7):1105–1129. <https://doi.org/10.1080/09668139608412402>
- Akiner S (2001) *Islamic fundamentalism in central Asia: historical background and contemporary context*. School of Oriental and African Studies, London
- Atkin M (1989) The survival of Islam in Soviet Tajikistan. *Middle East J* 43(4):605–618
- Atkin M (2012) Token constitutionalism and Islamic opposition in Tajikistan. *J Persianate Stud* 5(2):244–272. <https://doi.org/10.1163/18747167-12341245>
- Bartal S (2015) Sheikh Qaradawi and the Internal Palestinian struggle: issues preventing reconciliation between Fatah and Hamas and the influence of the Qaradāwi era over the struggle between the organizations. *Middle East Stud* 51(4):585–599. <https://doi.org/10.1080/00263206.2014.989998>
- BBC Russian Service (2013) Tadjikistan: Kandidat Ot Oppozitsii Ne Dopushena k Vyboram (Tajikistan: The Opposition Candidate Not Allowed to Run). https://www.bbc.com/russian/international/2013/10/131011_tajik_election_candidates.amp. Accessed 24 Nov 2020
- Bennigsen A (1988) Unrest in the world of Soviet Islam. *Third World Q* 10(2):770–786. <https://doi.org/10.1080/01436598808420081>

- Bennigsen A, Broxup M (2011) *The Islamic threat to the Soviet state*, 2nd edn. Routledge Revivals, New York
- Bushkov VI, Mikulskiy DV (1996) *Islamskiye Politicheskiye Dvizheniya i Struktury. Musulmanskaya Pechat, Propaganda. [Islamic Political Movements and Structures. Muslim Press, Propaganda. In: Gubareva LG (ed) Anatomiya Grazhdanskoy Voyny v Tadjikistane (Ethno-Sotsialnyie Protssessy i Politicheskaya Borba, 1992–1995) [Anatomy of Tajik Civil War (Ethno-Social Processes and Political Struggles, 1992–1995)]. Moscow. https://www.ca-c.org/datarus/st_08_bush_11.shtml*
- CNN (1996) U.N. Observers Taken Hostage in Tajikistan. <http://edition.cnn.com/WORLD/9612/20/tajikistan.hostage/>. Accessed 16 Nov 2020
- Collins K (2007) Ideas, networks, and Islamist movements: evidence from Central Asia and the Caucasus. *World Politics* 60(1):64–96
- Dearden L (2017) Al-Qaeda Leader Denounces ISIS ‘madness and Lies’ as Two Terrorist Groups Compete for Dominance. Independent. <https://www.independent.co.uk/news/world/middle-east/al-qaeda-leader-ayman-al-zawahiri-isis-madness-lies-extremism-islamic-state-terrorist-groups-compete-middle-east-islamic-jhadis-a7526271.html?amp>
- Epkenhans T (2010) Muslims without learning, clergy without faith: institutions of Islamic learning in the Republic of Tajikistan. In: Kemper M, Motika R, Reichmuth S (eds) *Islamic education in the Soviet Union and its successor states*. Routledge, New York, pp 313–348
- Epkenhans T (2011) Defining normative Islam: some remarks on contemporary Islamic thought in Tajikistan—Hoji Akbar Turajonzoda’s sharia and society. *Central Asian Surv* 30(1):81–96. <https://doi.org/10.1080/02634937.2011.554056>
- Epkenhans T (2015) The Islamic revival party of Tajikistan: episodes of Islamic activism, postconflict accommodation, and political marginalization. *Central Asian Affairs* 2(4):321–346. <https://doi.org/10.1163/22142290-00204001>
- Epkenhans T (2016) *The origins of the civil war in Tajikistan: nationalism, Islamism and violent conflict in Post-Soviet space*. Lexington Books, London. <https://doi.org/10.1093/fh/2.2.187>
- Epkenhans T (2018) Oblivion, ambivalence and historical erasure: remembering the civil war in Tajikistan. In: Laruelle M (ed) *Tajikistan on the move: statebuilding and societal transformations*. Lexington Books, Lanham, Maryland, pp 195–221
- Epkenhans T (2009) Regulating religion in Post-Soviet Central Asia: some remarks on religious association law and ‘Official’ Islamic Institutions in Tajikistan. *Secur Human Rights* 20(1):94–99. <https://doi.org/10.1163/187502309787858183>
- Foster D (2015) Cleansing violence in the Tajik civil war: framing from the dark side of democracy. *Natl Identities* 17(4):353–370. <https://doi.org/10.1080/14608944.2015.1083967>
- Fredholm M (2006) *Asian cultures and modernity*. Stockholm
- Freedman RO (1996) Radical Islam and the struggle for influence in Central Asia. *Terrorism Polit Violence* 8(2):216–238. <https://doi.org/10.1080/09546559608427355>
- Gunning J (2007) *Hamas in politics: democracy, religion, violence*. Hurst & Company, London
- Haghaveghi M (1994) Islamic revival in the Central Asian republics. *Central Asian Surv* 13(2):249–266. <https://doi.org/10.1080/02634939408400858>
- Heathershaw J (2007) *Peace as complex legitimacy: politics, space and discourse in Tajikistan’s peacebuilding process*. University of London
- Heathershaw J (2009) *Post-conflict Tajikistan: the politics of peacebuilding and the emergence of a legitimate order*. Routledge, London and New York
- Kabiri M (2016) *Birth and death of democracy in Tajikistan: memories and reflections about elections from 1990 until 2016*, vol 174. CAP Papers
- Kalonov A (2020) *Political Islam and democracy: moderation and the Islamic revival party of Tajikistan? Otto von Guericke University Magdeburg*
- Karagiannis E (2006) The challenge of radical Islam in Tajikistan: Hizb Ut-Tahrir Al Islami. *Nationalities Papers: the J Nationalism Ethn* 34(1):1–20. <https://doi.org/10.1080/00905990500504806>

- Khalid A (2014) *Islam after communism: religion and politics in Central Asia*, 2nd edn. University of California Press, London
- Khamidova P (2016) Interview with Muhiddin Kabiri, Leader of the Islamic Renaissance Party of Tajikistan in-Exile. *Central Asia Policy Brief* 33:1–5
- Kuru AT (2007) Passive and assertive secularism: historical conditions, ideological struggles, and state policies toward religion. *World Politics* 59(4):568–594. <https://doi.org/10.1353/wp.2008.0005>
- Laclau E, Mouffe C (2001) *Hegemony and socialist strategy: towards a radical democratic politics*, 2nd edn. Verso, London and New York
- Lemon EJ (2016) *Governing Islam and security in Tajikistan and beyond: the emergence of transnational authoritarian security governance*. University of Exeter
- Lenz-Raymann K (2014) Securitization of Islam: a vicious circle. counter-terrorism and freedom of religion in Central Asia. University of Zurich. <https://doi.org/10.1093/jis/etx035>
- Manninen TW (2019) No True Scotsman. In: Arp R, Barbone S, Bruce M (eds) *Bad arguments: 100 of the most important fallacies in western philosophy*. Wiley, pp 374–377.
- Mecham RQ (2004) From the ashes of virtue, a promise of light: the transformation of political Islam in Turkey. *Third World Q* 25(2):339–358
- Montgomery DW, Heathershaw J (2016) Islam, secularism & danger. *Religion, State Soc* 44(3):1–56
- Nourzhanov K (2005) Saviours of the nation or robber barons? Warlord politics in Tajikistan. *Central Asian Surv* 24(2):109–30. <https://doi.org/10.1080/02634930500154867>
- Nozimova S, Epkenhans T (2019) The transformation of Tajikistan's religious field: from religious pluralism to authoritarian inertia. *Central Asian Affairs* 6. <https://doi.org/10.1163/22142290-00602004>
- Orzu M (2013) 40 Soli Nahzat. Xotira, Andeşa, Didgoh [Revival's 40th Anniversary: Memory, Thought, Vision]. Muattar, Dushanbe
- O Partii [On the Party]. n.d. TajInfo.Org. <http://tajinfo.org/pivt/page/%D0%9E-%D0%BF%D0%B0%D1%80%D1%82%D0%B8%D0%B8>
- Payom.Net (2020) Taammule Bar Usul va Ruykardhoi 'Islomgaroyona'-i Hizbi Nahzati Islomi (A Reflection on the Principles and 'Islamist' Approach of the Islamic Revival Party). <https://payom.net/taammule-bar-usul-va-ruykardhoi-islo/>. Accessed 11 Feb 2021
- Rahnamo A (2008) *Hizbi Dini va Davlati Dunyavi [Religious Party and Secular State]*. Irfon, Dushanbe
- Rashid A (1994) *The resurgence of Central Asia: Islam or nationalism?* Zed Books, London & New Jersey
- Reuters (1997) Tajikistan: Rizvon Sadirov, leader of armed group which kidnapped two french aid workers, killed in an armed operation. <https://reuters.screenocean.com/record/1003157>. Accessed 16 Nov 2020
- RFE/RL's Tajik Service (2019) *Tajikistan Labels EU-Based Opposition Alliance as Terrorist Group*. <https://www.rferl.org/a/national-alliance-tajikistan/30215881.html>. Accessed 11 Feb 2021
- Roche S (2019) *The faceless terrorist: a study of critical events in Tajikistan*. Springer, Cham
- Seifert A (2005) On the benefits of confidence-building between Islamists and secularists. In: Bitter J, Guérin F, Seifert A, Rahmonova-Schwarz D (eds) *From confidence-building towards cooperative co-existence: the Tajik experiment of Islamic-secular dialogue*. Nomos, Baden-Baden
- Shapoatov S (2004) *The Tajik civil war: 1992–1997*. Middle East Technical University
- Tajinfo (2012) Protocol 32–20. <https://www.tajinfo.org/pivt/page/635787048302941224>
- Tesch, Noah. n.d. Khaled Meshaal. In: *Encyclopaedia Britannica*. <https://www.britannica.com/biography/Khaled-Meshaal>
- Thibault H (2013) The secular and the religious in Tajikistan: contested political spaces. *Stud Religion/sciences Religieuses* 42(2):173–189. <https://doi.org/10.1177/0008429813479297>
- Yemelianova G, Salmorbekova Z (2010) Islam and Islamism in the Ferghana Valley. In: Yemelianova G (ed) *Radical Islam in the Former Soviet Union*. Routledge, New York, pp 211–243
- Yilmaz I (2009) An Islamist party, constraints, opportunities and transformation to Post-Islamism: The Tajik Case. *Uluslararası Hukukve Politika* 5(18):133–147

Zainiddinov H (2012) The changing relationship of the secularized state to religion in Tajikistan. *J Church State* 55(3):456–477

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 10

From Landlocked to Land-Linked? Central Asia's Place in the Eurasian Economy



Richard Pomfret

Abstract The Organization for Security and Co-operation in Europe (OSCE), while primarily a security organisation, has always included economic and human baskets or dimensions. Currently, the Office of the Co-ordinator of OSCE Economic and Environmental Activities operates in four main areas: (1) good governance and anti-corruption, (2) money laundering and financing of terrorism, (3) transport, trade and border-crossing facilitation, and (4) labour migration. This chapter addresses developments in Central Asia since the dissolution of the Soviet Union that are relevant to the third area of OSCE operations. The chapter's focus is on the potential for the landlocked Central Asian countries to become land-linked, using improved transport connections between East Asia and Europe to promote economic development through export diversification and growth. Rail services across Central Asia improved considerably during the 2010s. They have been resilient, despite strained political relations between Russia and the EU since 2014, and rail traffic between Europe and China continued to increase in 2020 despite the shock of COVID-19. Further infrastructure improvements are promised under China's Belt and Road Initiative. However, the expanded network has been little used by Central Asian producers to create new international trade, and the improved infrastructure represents a potential opportunity rather than a past benefit. If the Central Asian economies are successful in taking advantage of the opportunity, it will stimulate their trade across the Eurasian region and help economic diversification. The main determinant of success will be national policies and national economic development. The chapter concludes with a discussion of the role of multilateral institutions and, in particular, the prospects for OSCE collaboration with existing fora to promote cooperation and economic development in Central Asia.

Keywords Eurasia · transport · trade facilitation · Belt and road initiative

R. Pomfret (✉)

Professor of Economics and John Monnet Chair on the Economics of European Integration,
University of Adelaide, Adelaide, Australia
e-mail: richard.pomfret@adelaide.edu.au

Adjunct Professor in International Economics, Johns Hopkins Bologna Center, Bologna, Italy

© The Author(s) 2021

A. Mıhr (ed.), *Between Peace and Conflict in the East and the West*,
https://doi.org/10.1007/978-3-030-77489-9_10

195

10.1 Introduction

Until 1991 the Central Asian republics had open economies integrated into the Soviet economic space but with no connection to the global economy.¹ Their role in the Soviet economy was as suppliers of natural resources, primarily cotton, minerals, and natural gas. Transport networks reflected this focus, with effective rail and pipeline links running north to the Russian republic but no rail links to the south or east, until the first rail line between the Kazakhstan and China opened in 1990 and the first rail line between Turkmenistan and Iran opened in 1997.

With the dissolution of the Soviet Union in 1991, demand and supply links collapsed. During the 1990s, the new independent Central Asian countries established customs posts at their borders. As exporters of raw materials, they entered global markets for cotton, minerals, and energy products, but they failed to diversify exports. The Kyrgyz economy became open and developed as an entrepôt for imported goods (Kaminski and Mitra 2012), and Kazakhstan had a fairly liberal import regime. The other countries became more autarchic and largely closed to direct imports; Uzbekistan and Turkmenistan maintained state control over key exports (cotton, gold, and gas) as well as foreign exchange controls.²

During the 1990s, the Central Asian countries signed many economic cooperation agreements, all of whose impact was minimal (Pomfret 2006, 183–95; Laruelle and Peyrouse 2012). The principal regional arrangements had secretariats outside the region: the Eurasian Economic Community (Union of Five) in Moscow, the Shanghai Cooperation Organization in Beijing, and the Economic Cooperation Organization in Tehran. Other fora for cooperation included the regional development banks (Asian Development Bank in Manila and European Bank for Reconstruction and Development in London) and the UN regional commissions in Bangkok and Geneva. The lack of regional cooperation and difficulties for trade, transport, and transit were highlighted in reports by the UNDP (2005) and ADB (2006).

10.2 Landlockedness and Trade in Central Asia

Explanation of Central Asian countries' inability to diversify their exports beyond natural resource products was often ascribed to the countries' landlockedness.³ This disadvantage was highlighted in a paper based on a PhD thesis by Raballand (2003) and in work at the World Bank (Cadot et al. 2006; Grigoriou 2007). The difficulties

¹ IMF estimates showed that, measured by trade/GDP, the Central Asian republics were roughly as open as Canadian provinces in the 1980s but whereas Canadian provinces' trade was divided about equally between trade within Canada and trade with other countries, 85–90% of the Central Asian republics' trade was within the USSR (Pomfret 1995, 37).

² Tajikistan was wracked by civil war until 1997 and the central government did not fully control the national territory until after the turn of the century.

³ Uzbekistan has the distinction of being double-landlocked, i.e. all its neighbours are landlocked. The only other double-landlocked country is Liechtenstein, which like its landlocked neighbours

facing landlocked countries were acknowledged in the establishment of the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLLS) in 2001 and adoption by the UN General Assembly of the “Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries in 2003. Neither the office nor the programme had much impact.”

Measures of the costs of doing international trade, such as in the World Bank's *Doing Business* reports, indicated that trade costs were higher in Central Asia than anywhere else in the world. The World Bank reported that in June 2014 for Ease of Trading across International Borders, the Kyrgyz Republic ranked 183rd, Kazakhstan 185th, Tajikistan 188th, and Uzbekistan 189th of the 189 countries surveyed (World Bank *Doing Business* 2015); Turkmenistan was not included but would have scored more poorly than the other four.⁴ Other evidence reinforces the impression that the costs of international trade in Central Asia were high, with long delays and often arbitrary fees at borders and restrictions on transit such as requirements for trucks to travel in convoy or variations in maximum axle size (Pomfret 2019, 215–23).

Especially during the 1999–2014 resource boom, high trade costs did not hamper exports of oil, gas, gold, and other minerals, but they did discourage export diversification. In those years, there was little incentive to lower trade barriers or to pursue economic cooperation to reduce trade costs. The energy exporters Kazakhstan and Turkmenistan benefited directly from high prices for their exports, Uzbekistan to a lesser extent, while the poorer countries received large remittance flows from migrant workers in Russia and Kazakhstan.⁵ While the Central Asian countries generally upgraded their domestic infrastructure, little attention was paid to international connectivity, apart from oil and gas pipelines.⁶

Austria and Switzerland does not appear to have suffered from geography, suggesting that landlockedness per se is not the problem. It depends on which countries you are locked next to and how open your country is to trade.

⁴ Behar (2010) and Sourdin and Pomfret (2012, 26–28) have criticized the *Doing Business* methodology for relying on opinions of people who do not trade and for referring to laws and regulations rather than actual conditions on the ground or at the border. Sharafeyeva and Shepherd (2020) have questioned the *Doing Business* indicators' applicability to Central Asia.

⁵ In 2013, Tajikistan had the world's highest ratio of remittances to GDP and the Kyrgyz Republic had the third highest ratio.

⁶ Kazakhstan enjoyed a perfect storm after 1999 as its Tengiz oilfield started to produce large amounts just as oil prices began their rise from under \$20 a barrel to over \$140 and discovery of the offshore Kashagan oilfield in 2000, the world's biggest new oilfield in thirty years, led to high levels of investment. Under such conditions, new pipelines to the Black Sea, from Baku to the Mediterranean and from Kazakhstan's Caspian oilfields to China profitably reduced transport costs and diversified markets. However, these infrastructure projects did not impact on the other four Central Asian countries' connectivity. The gas pipeline from Turkmenistan to China via Uzbekistan and Kazakhstan completed in 2009 was the other major pipeline.

10.3 Coming Together Again After 2006

An early indicator of the benefits of cooperation was the pipeline constructed from Turkmenistan to China via Uzbekistan and Kazakhstan between 2006 and 2009, which had win–win outcomes for all four countries. The Northern Distribution Network, by which the USA provisioned its troops in Afghanistan after 2009, also encouraged cooperation among the Central Asian countries (Yuldasheva 2013).⁷ However beyond these ad hoc cooperation initiatives, cooperation remained limited, and personal relations among the autocratic presidents were rarely warm.

The only economic cooperation initiative with any success in the first decade of the twenty-first century was the Central Asia Regional Economic Cooperation Program (CAREC). CAREC had its origins in 1997 as a joint initiative of Central Asian countries and six multilateral institutions.⁸ The secretariat was established at the Asian Development Bank in Manila in 2000, but progress was slow and cautious; the Transport and Trade Facilitation Strategy was not endorsed until 2007. Nevertheless, with a focus on meetings of senior officials, CAREC proved more useful than the regional organisations that were initiated at a higher level in the 1990s. CAREC identified major transport corridors in Central Asia and focussed on improving the hard and soft infrastructure in order to reduce travel times and money costs along those corridors.⁹ It also played an important role in gathering information about trade costs through the Corridor Performance Measurement and Monitoring program (ADB 2014).

In 2010 Belarus, Kazakhstan and Russia formed a customs union, which moved to deeper integration in 2015 as the Eurasian Economic Union (EAEU); Armenia and the Kyrgyz Republic joined the EAEU in 2015. Although a web of bilateral trade agreements continued to exist among Soviet successor states within the Commonwealth of Independent States, the EAEU was the first effective regional trading

⁷ The Manas Transit Center near Bishkek was the main air facility used by the USA for troops until 2014. Freight mainly came through Baltic Sea ports and via various combinations of Central Asian countries, especially after transiting Pakistan became less convenient in 2009. By late 2011 most non-lethal shipments to Afghanistan went by rail from Latvia through Russia, Kazakhstan and Uzbekistan or from Kazakhstan by road through the Kyrgyz Republic and Tajikistan.

⁸ The Asian Development Bank (ADB), European Bank for Reconstruction and Development (EBRD), International Monetary Fund (IMF), Islamic Development Bank (IsDB), United Nations Development Programme (UNDP) and World Bank. The broad division of labour saw ADB responsible for the secretariat and transport, trade and trade facilitation, IMF for macroeconomic, trade and financial policy coordination, the World Bank for energy sector, the EBRD and IFC for private sector engagement, and the UNDP for overall assessments and coordination with other UN agencies. Cooperation issues were raised in a review of CAREC by Linn and Pidufala (2008).

⁹ The original intent was to bring together the six multilateral development institutions, Central Asian countries and Xinjiang Autonomous Region of China. By 2020, they had been joined by Afghanistan, Azerbaijan, Georgia, Mongolia, Pakistan and Inner Mongolia Autonomous Region of China. The *CAREC 2030* long-term strategic framework endorsed in 2017 invited any multilateral or bilateral agency to join CAREC if it has the capacity to engage in a constructive way.

arrangement. Operation of the EAEU became associated with competition for potential future members who might also be seeking deeper integration with the European Union under the EU's Eastern Partnership (EaP) program; Armenia withdrew from EaP negotiations in 2013 in order to negotiate EAEU membership and, when Ukraine appeared to have shifted closer to the EU in 2014, Ukraine's relations with Russia deteriorated. The conflict in Ukraine led to sanctions by the EU and others on Russia, followed by Russian counter-sanctions, which cast a shadow over the EAEU's operation as sanction-busters routed trade through Belarus or Kazakhstan.

10.4 The Eurasian Landbridge and the Belt and Road Initiative

During the 2010s, political relations across Eurasia often seemed fraught. At the same time, economic connectivity improved as overland transport links that had stagnated for centuries were revived. Starting in 2011, the expansion of the Eurasian Landbridge rail services between China and Europe benefited Kazakhstan, which earned substantial transit fees, and encouraged future rail construction (e.g. between Kazakhstan and Turkmenistan and Iran) and a denser long-distance rail network with the potential to reduce transport costs for international traders in Central Asia. This development has become associated with China's Belt and Road Initiative and the promise of external infrastructure funding.

Trade between Europe and East Asia has been dominated since 1500 by maritime transport. At the start of the twenty-first century, several rail lines physically connected China and Europe, but none was considered competitive to sea freight. The most prominent, the TransSiberian Railway, was little used for international traffic after the 1960 Sino-Soviet split. A rail line between Kazakhstan and Xinjiang, completed in 1990, mainly took Kazakh coal, steel, iron ore and other minerals to China in return for Chinese manufactured goods. After a Turkmenistan-Iran railway opened in 1997, a line south of the Caspian Sea from Turkmenistan through Iran and Turkey to Europe featured on UN maps as a TransAsian main line but was unused as a China-Europe link; indeed, the line operated at far below capacity due to cumbersome change of gauge operations at the Turkmen-Iran border, excessive regulations for transiting Turkmenistan and Uzbekistan, and poor track maintenance in western Iran and eastern Turkey. As its flagship aid programme to Central Asia during the 1990s, the EU promoted the route from Central Asia across the Caspian Sea to Baku and then across the Black Sea from Georgia to Europe, but changes of mode (rail-sea-rail-sea-rail) made this route commercially unattractive.

In 2008–9, block trains were commissioned by German car companies to carry components via the TransSiberian Railway to their joint venture assembly operations in northeast China (VW/Audi in Jilin and BMW in Shenyang). Similar bespoke rail

services were provided from Lianyungang to car assembly operations in Uzbekistan.¹⁰ These trips showed that overland rail transport was feasible, but they were not useful for other potential customers because they were not run to a schedule, and overland freight was still believed to be uncompetitive with sea transport apart from these special cases. The situation changed dramatically between 2011 and 2016.

The stimulus for change was China's *Go West* policy that had been launched in 2001 but whose impact was only felt after a bonded train link between Shenzhen and Chongqing opened in 2010. This facility, providing imported components with minimum delay and cost, encouraged Foxconn, HP, Acer, and others to build large assembly facilities in Chongqing for laptops, printers, and other electronic equipment. The initial intention was to export the products via the Yangtze River and Shanghai, but the Yangtze River route soon became congested, especially with delays at the locks in the Three Gorges. An alternative was to send the goods by train to Europe. In 2011 and 2012, individual trains connected Sichuan Province and Chongqing Municipality with Europe, much like the block trains on the TransSiberian Railway. The important additional development was the establishment of regular rail service between Chongqing and Duisburg in 2013, with increased frequency to three times a week in 2016 and daily in 2018.

The rail companies of China, Kazakhstan, Russia, Belarus, Poland, and Germany combined to offer a faster transport service than sea and lower cost than airfreight. It was attractive to electronics firms in Western China supplying EU markets and to EU firms shipping components to their operations in Western China. Cars and electronics have been the two principal industries producing along international value chains that were often referred to as global value chains (GVCs) but were, in fact, regional (i.e., European or East Asian value chains); the rail Landbridge linked the Eurasian value chains.

The Chongqing-Duisburg route was so successful that other cities in China and Europe trialled rail connections. In 2012–15, routes from Yiwu, Chengdu, Zhengzhou, Wuhan, and other Chinese cities to Europe were offered. Some routes would be successful with regular services established (e.g. Yiwu-Madrid), and some termini would become hubs, for example Łódź (Poland) became an Eastern European hub and Klaipėda (Lithuania) a hub for southern Sweden, while other routes would be unprofitable. By May 2017, China Railway Express trains were connecting 37 cities in China to destinations in eleven EU countries. China Railway reported over 6,000 trips in 2018.¹¹

¹⁰ Although the Daewoo joint venture became GM-Uzbekistan after the bankruptcy of the Korean company, the factory was still using Korean components which were sent by sea to Lianyungang in Jiangsu Province of China and then by rail to Andijan.

¹¹ Global Times *China sees expanding China-Europe freight rail services* posted 15 September 2019 at <http://www.globaltimes.cn/content/1164438.shtml>. The Eurasian Rail Alliance (UTLC), founded by Belarus, Kazakhstan and Russia in 2014 to provide services for container trains running between China and Europe Traffic on the China-Kazakhstan-Belarus route, reported growth in the number of containers shipped by rail from 46,000 TEUs in 2015, to 100,500 TEUs in 2016, and 175,800 in 2017 (Table 10.1).

The creation of the Eurasian Landbridge was market-driven as rail companies responded to demand by coordinating service and agreeing on transit procedures (Pomfret 2019b). Little investment in physical capital was required. The revenues to Deutsche Bahn and China Railway Express and transit fees to Kazakhstan, Russia, Belarus, and Poland were substantial. Freight forwarders and courier services responded by offering more services, for example, arranging multimodal connections and improved tracking, consolidating part-container loads, organising clearance for goods subject to EU-Russia mutual sanctions, and including refrigerated containers in trains. It is through such service provision that hubs such as Duisburg, Łódź, and Yiwu have become popular termini. The added services appeal to GVCs, such as agribusiness, where goods may be perishable and require refrigeration, or to non-GVC traffic, while the original drivers (car and electronics GVCs) remain important as the lead firms transform what have been regional value chains in Asia or in Europe into Eurasian value chains.

In an October 2013 speech in Astana, President Xi Jinping announced the Silk Road Economic Belt, an overland connection that would be supported by funding from the Asian Infrastructure Investment Bank which was established shortly afterwards. Chinese maps showed the Belt following a route south of the Caspian Sea through Iran and Turkey, in contrast to the Landbridge routes through Russia.¹² Together with the Maritime Road announced soon afterwards, this would become the Belt and Road Initiative (BRI). In May 2017, representatives of over 130 countries attended the Belt and Road Forum in Beijing for the formal launch of the BRI.

Although the BRI is often presented as a grand overarching plan, China's actions can be opportunistic. One week after UN sanctions on Iran were lifted in January 2016; President Xi visited Tehran.¹³ On 28 January, the first train left Yiwu for Tehran with 32 containers; the train bypassed Uzbekistan by crossing Kazakhstan before following the Caspian coastal line from Kazakhstan to Turkmenistan and Iran that had been opened in 2013. Yinchuan-Tehran train service was initiated in September 2017, and by the end of 2017, two trains per month were running to a regular schedule. Reports circulated that China, Iran and Turkey were discussing an extension to a Tehran-Europe service.

A rail link between Kashi (Kashgar), the most western point on China's rail network, and Andijan via the Kyrgyz Republic is under active discussion. That would complete a continuous line from China via Uzbekistan, Turkmenistan, Iran

¹² The contrasting routes have important differences beyond linking China to western Europe: the route through Russia is important for Scandinavia and Poland, while the southern route is easily linked to the Arab world. One interpretation of Chinese aims is that the second route may reduce hold-up possibilities; with a single route crossing several countries, one of the countries may raise its transit fees in the belief that the service will not be discontinued as a result of their cost increase. Alternatively, the two routes may be mutually exclusive as China-EU mainlines, especially if the intention is to construct a high-speed rail line which would be too expensive a project to support multiple routes. Whatever China's motivation, the multiplication of routes is important for Eurasian connectivity.

¹³ China's \$1.5 billion loan for electrification of the Meshed-Tehran rail line was the first loan to Iran after the lifting of sanctions, although the contract to start work on electrifying the line was not signed until August 2019.

and Turkey to Europe, cutting out Kazakhstan and hence entirely independent of the current main Landbridge route. This southern route is actively supported by Uzbekistan, which is no longer seen as a transit-unfriendly bottleneck since the election of President Mirziyoyev in December 2016.¹⁴ Turkey's rail tunnel under the Bosphorus that opened in 2013 added an important piece to the southern route to Europe as transfer to a ferry across the Bosphorus is no longer required.¹⁵

However, the Kyrgyz Republic is wary of contracting debt, even on concessional terms from China; the proposed line passes through sparsely populated regions and would be unlikely to generate sufficient transit revenue to service a loan.¹⁶ Potential debt dependence became a major criticism of the BRI in 2018, largely based on Sri Lanka's experience with Chinese loans for uneconomic infrastructure projects and highlighted in Hurley et al. (2018). At the Second BRI Forum in April 2019, China promised to address concerns about the original concept by establishing a BRI Debt Sustainability Framework and a panel of international mediators from BRI countries to resolve disputes arising from BRI projects.

The Belt portion of the BRI builds on the already successful market-driven Eurasian Landbridge. However, the BRI still matters because it publicises the new Eurasian connectivity, and China is offering finance to improve the infrastructure on existing routes and to create alternative routes. Both the Landbridge and the BRI emphasise efficient cross-border services and exclude countries that cannot guarantee such efficiency, for example, Uzbekistan when the China-Iran link was pioneered in 2016. Current traffic along these routes transits Central Asia without stopping, but with the hard infrastructure in place and in regular use, there is an opportunity for Central Asian countries to use the rail system to increase exports.

The biggest recipient of funding under the BRI has been for projects along the China Pakistan Economic Corridor (CPEC) that runs from Kashi to the Indian Ocean port of Gwadar.¹⁷ This is a potentially important route not only for western China but also for the Kyrgyz Republic and Tajikistan, some of whose exports already travel by road over the Karakoram Highway in order to avoid transiting Afghanistan, even though the Karakoram Highway is a difficult road, especially in winter. However, the CPEC faces strong opposition from India for passing through disputed territory in Jammu and Kashmir and security threats from Balochistan Liberation Army fighters, who killed ten Chinese construction workers in May 2017, and completion of the

¹⁴ The Economic Cooperation Organization (ECO) had sponsored a daily Almaty-Tashkent-Tehran rail service in 2002, but it was abandoned within a few weeks due to difficulties transiting Uzbekistan (Peyrouse and Raballand, 2015, 415).

¹⁵ In October 2019, a 42-container train from Xian crossed the Caspian Sea to Baku and then ran via the Marmaray Tunnel to Prague. The need to transfer the train to a boat for the Caspian crossing reduces the attractiveness of the Middle Corridor, while the choice of that route reflected the poor condition of the Tehran-Turkey railway line. However, the pieces of a competitive Southern Corridor are apparent.

¹⁶ The Kyrgyz position is confused by the political uncertainty following the October 2020 parliamentary elections and resignation of President Jeenbekov.

¹⁷ Joy-Pérez and Scissors (2018, 3) reported that, up to mid-2018, Pakistan had received \$31.8 billion for BRI construction expenditure while no other country had received \$20 billion.

rail link is a distant project. Even when the rail link is completed, Gwadar is not convenient to major trade routes, for example, the Kyaukpyu-Colombo route is a more convenient Indian Ocean crossing from most of China.

The important point about the BRI projects is that, even if only a fraction are implemented, China is on the cusp of greatly improved rail connectivity to the west and south, and these routes will benefit other Eurasian countries.¹⁸ The economics literature, although subject to many methodological caveats, consistently supports the hypothesis that improved infrastructure is positively related to increased trade, diversification and growth. The strongest evidence is for a market integration link facilitating greater specialisation and gains from trading by comparative advantage; in the Central Asian context, that could mean diversification into a wider range of exports. Recent studies also identify an infrastructure-growth link via agglomeration benefits and related labour movements which have the potential to create losers as well as winners; the losers tend to be people stranded in depressed geographical regions, while the winners will be not only internal migrants to the big cities, but also international migrants whose journeys are eased.¹⁹

10.5 Will Central Asia Jump Through the Window of Opportunity?

Whether Central Asian countries take advantage of the improved transport infrastructure or not will depend upon whether governments improve the soft infrastructure of international trade and the conditions of doing business in general. Since the end of the resource boom, there have been signs of increased desire to integrate into global trade networks, reflected in the WTO accession of Tajikistan in 2012 and Kazakhstan in 2015 (and increased WTO interest of Uzbekistan and Turkmenistan) and by the participation of Kazakhstan and the Kyrgyz Republic in the Eurasian Economic Union.²⁰ The EAEU offers smoother travel between the China-Kazakhstan border and the Belarus-Poland border and into Schengenland, while the BRI could speed up travel along a rail route south of the Caspian Sea and other spurs from and links

¹⁸ It should be noted that the optimism is not universally shared. India strongly opposes the BRI as a threat to the strategic balance in the Indian Ocean. The USA switched from benevolent neutrality under President Obama to open hostility since 2017; in October 2018 Vice President Pence warned countries participating in the BRI of the “constricting belt” and “road to obscurity.”

¹⁹ A World Bank project to assess winners and losers from BRI projects at the subnational level found that Kyrgyz provinces would be the biggest winners (de Soyres et al. 2019; Bird et al. 2020). However, this estimation of benefits assumed completion of all China's official BRI projects and did not assess the likelihood of projects' completion or include the cost, which is a major obstacle to completion of the rail link through the southern part of the Kyrgyz Republic.

²⁰ Uzbekistan applied for WTO membership in 1994 but after the introduction of foreign exchange controls the application languished until it was revived after the election of President Mirziyoyev in December 2016; a WTO working party meeting in July 2020 was the first since 2005. Turkmenistan was the only former Soviet republic to have shown no interest in the WTO, until July 2020 when the country applied for observer status, the first step to membership.

between the main lines. Presidential change in the two largest economies, Uzbekistan in 2016 and Kazakhstan in 2019, may also facilitate economic reform.

Many studies have found a significant positive relationship between infrastructure and international trade, typically using fairly general indicators of infrastructure, such as perceptions of port quality or the length of railways or paved roads. In this tradition, Portugal-Perez and Wilson (2012) used a gravity model to identify the impact on trade of indicators of hard infrastructure (physical infrastructure, and information and communications technology networks) and soft infrastructure (border and transport efficiency, and the business environment) in 101 countries over the period 2004–7. Physical infrastructure and the business environment had the largest positive impact on bilateral trade flows; border efficiency and the business environment were more important at lower per capita GDP levels, and ICT and physical infrastructure increasingly important as per capita GDP increased. Portugal Perez and Wilson (2012) also found less robust evidence of complementarity between hard and soft infrastructure.

More recent literature emphasises the complementarity between hard and soft infrastructure and their impact on the intensive and extensive margins of trade (i.e., whether infrastructure improvements stimulate greater levels of existing trade or trade diversification into new products) and on the nature of growth (e.g. whether favouring the rich or inclusive of poorer people). This is relevant to Central Asia and other landlocked Asian countries. High trade costs have hampered diversification beyond primary product exports with a strong comparative advantage, such as cotton, oil and gas, or minerals, and have been prohibitive for small and medium-sized enterprises. Reducing trade costs by the improved hard and soft infrastructure can promote trade at the extensive margin and stimulate inclusive growth.

As long as the better hard infrastructure is supported by appropriate soft infrastructure, improved rail connectivity will stimulate economic growth through market integration and agglomeration effects across Eurasia. The rapid growth of rail freight between China and Europe since 2011 implies that it is economically viable. Non-transparent subsidies offered by different levels of government in China cloud assessment, but it seems probable that the Landbridge is sustainable and China's BRI commitment reinforces that conclusion.²¹ Despite the disruption to trade due to COVID-19, the volume of traffic continued to increase in 2019, and especially in 2020, when it was almost double the 2018 level (Table 10.1).²²

The pattern of costs of rail, sea and air transport across Eurasia suggests that there may be opportunities for rail transport to gain market share as speed, reliability and associated services improve. The relative attractiveness of rail vis-à-vis sea transport between China and Europe increased substantially during the 2010s as better services

²¹ The non-transparent subsidies are offered by sub-national authorities. China's Ministry of Finance has mandated that all block train subsidies must end by 2022 (CAREC 2020, 39).

²² According to the Maersk CEO for Eastern Europe, China-Europe maritime trade fell by 10% in the first half of 2020, while trade by rail increased by 25% (reported 12 November 2020 at <https://www.utlc.com/en/news/rates-are-oriented-towards-overland-routes/>).

Table 10.1 Volume of traffic on China-EU-China container trains, 2015–20

Year	Number of twenty-foot equivalent containers (TEUs)
2015	46,000
2016	100,500
2017	175,800
2018	280,500
2019	333,000
2020	552,000

Source Eurasian Rail Alliance at www.utlc.com (accessed 7 January 2020)

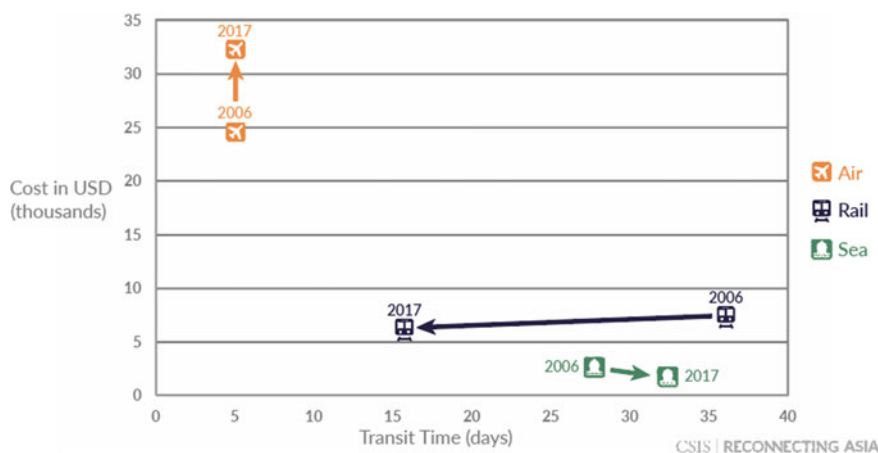


Fig. 10.1 Time and cost of shipping a 40-foot container from China to Europe by Air, Rail and Sea, 2006 and 2017. Source Hillman (2018), reproduced from Zhang (2017). Note: based on data in Land Transport Options between Europe and Asia: Commercial Feasibility Study, U.S. Chamber of Commerce, Washington DC, 2006, and in Zhang (2017—reported in Schramm and Zhang 2018)

were offered, journey times were reduced, and efficiency improvements pushed down rail freight rates (Fig. 10.1).²³

Meanwhile, sea freight rates fell by less and shipping times increased due to slow steaming.²⁴ Schramm and Zhang (2018) estimated the price in 2017 in US dollars of sending a full 40-foot container from Shanghai to Hamburg: by sea the cost was \$2,410 and time 32 days, by rail \$6,350 and 16 days and by air \$32,490 and

²³ The current market share of rail is still small, no more than five percent of containers between Europe and East Asia. Ultra large container ships have a capacity over 20,000 TEU and the entire load transported by rail in 2020 could be carried on 25–30 ships. However, freight travelling by rail has higher value/weight ratios, and market share by value is much larger.

²⁴ Container ships operate at less than their maximum speed to save money on fuel and to reduce emissions. Costs may increase over the coming decades as environmental regulations require use of more expensive low-sulphur fuel.

four days. From inland cities, the rail advantage would be greater with lower price and shorter time, for example Chongqing-Duisburg 12 days and \$3,700–4,500. Ship times between China and Europe are also much more variable than train times due to weather, delays at chokepoints like the Suez Canal and the possibility of piracy.

More reliable delivery time adds to the attractiveness of rail transport, especially for firms operating complex supply chains and aiming to minimise inventory costs.²⁵ If Eurasian value chains displace regional value chains in East Asia and Europe, potential GVC participants in Central Asia could find niches in new Eurasian GVCs. The COVID-19 pandemic may have been a catalyst for accelerated change. Traders reported that difficulties with maritime transport as ships became stranded and crews quarantined forced them to use more expensive rail services in the first half of 2020, to the extent that May 2020 was the busiest month to date for Landbridge traffic (Walton 2020). Once accustomed to reliable delivery times, many traders were reluctant to return to sea transport.

As with most economic changes, there are potential losers from reduced transport costs as well as gainers. Reduced trade costs subject import-competing firms to greater competition. Locations off the main rail lines may decline as economic activity flourishes in better-connected locations and workers migrate. The policy challenge for Central Asian governments is to implement economic reforms to increase the ease of doing business and to improve the soft infrastructure of international trading without being distracted and obstructed by beneficiaries from the status quo.

In sum, it is hard to forecast the economic impact of the BRI rail projects with any precision, but the international evidence suggests that improved hard and soft infrastructure could promote desired economic diversification and generate inclusive growth. At the same time, the BRI could exacerbate some less-desirable long-term economic development trends through migration, agglomeration and path-dependence effects. While soft infrastructure improvements tend to be low-cost and win-win, hard infrastructure projects can be expensive, and many projects have become symbols of poorly managed public spending. The potential for debt-dependency due to misguided spending is particularly acute for the smaller economies, and in the BRI context is especially relevant to the Kyrgyz Republic.

10.6 Conclusion

In the 2020s, the Central Asian countries could seize the opportunity to be land-linked through an expanding Eurasian rail network. The promise is that lower trade costs will encourage export diversification as agricultural and manufacturing producers exploit their comparative advantage to establish new export markets. For this to

²⁵ Relevant inventory costs vary. For the car firms sending components to their Chinese assembly plant, reliable delivery times reduce the need to keep stocks of components in the factories. For electronics companies sending finished products from China to marketing centres in Europe, the time spent in transit is the important inventory cost.

be realised, the many obstacles to doing business in Central Asia and to trading across international borders in the region will need to be reduced. Improved transport infrastructure can kickstart the process, but the hard infrastructure will have to be accompanied by improved soft infrastructure, that is, transport, trade and border-crossing facilitation.

This chapter's positive view of the Landbridge and, by extension, of the overland part of the BRI contrasts with the view of many political analysts who see the BRI as essentially a zero-sum game. Ishnazarov (2020, 79), for example, concludes that the BRI "will give significant strategic dominance to China" and even if other countries do receive some economic benefits, that will be at the cost of increased dependence on China. However, the history of the Landbridge as a forerunner of the "Belt" part of the BRI suggests that cooperation in operating infrastructure can be beneficial to all participants; the rail companies of China, Kazakhstan, Russia, Belarus and Poland have profited, as have the freight forwarders and other service companies, and the customers, including firms sourcing inputs internationally, have benefited from increased choice on price, speed and reliability. Looking forward, there is no reason why Central Asian participants should not benefit from future improved connectivity if they implement appropriate facilitating policies.

Given the regional geography, improvement of soft infrastructure should include international cooperation as currently fostered by CAREC and potentially including further multilateral institutions, such as the OSCE. As highlighted in the Introduction to this chapter, transport, trade and border-crossing facilitation is one of the four main areas of operations of the Office of the Co-ordinator of OSCE Economic and Environmental Activities. At the December 2016 OSCE Ministerial Council Meeting in Hamburg, *Decision No. 4/16 Strengthening Good Governance and Promoting Connectivity* encouraged OSCE members to cooperate in creating "a conducive environment for promoting connectivity within the OSCE area" and specifically called on states "to further promote transparency, integrity and the fight against corruption in customs, cross-border operations and infrastructure development, including by improving border-crossing procedures and processes." Such measures are at the heart of the soft infrastructure improvements emphasised in this chapter.

There is, of course, a potential gap between aspirations and achievements. The OSCE has limited funds. This impediment can be overcome through collaboration with other institutions, such as the CAREC partners. Mayer (2020) highlights potential benefits from closer collaboration on Central Asia between the OSCE and the European Union, whose 27 members are OSCE participating states; the EU has deeper pockets, but the OSCE has the advantage of being a member-driven organisation and the Central Asian countries are themselves all OSCE participating states. This advantage may be especially useful in addressing sensitive issues such as corruption at border posts and the vulnerability of foreign traders. Placing emphasis on economic as well as security matters could also help to reverse a twenty-first century pattern, identified by Mayer, of more confident Central Asian host governments exerting increasing pressure on OSCE field missions to curtail activities based on human rights, democratisation and civil society empowerment mandates. The focus would continue to be on good governance, but the emphasis on a link through trade

facilitation to economic diversification and higher living standards is likely to be perceived as less confrontational.

This chapter has focussed on economic cooperation and the link to security is more tenuous. However, the Landbridge has provided an ongoing example of positive cooperation even as political relationships between the EU and Russia and China have deteriorated. For the Central Asian countries, a denser network of international economic connections is likely to improve the often-frosty bilateral relations within the region and reinforce strategies of multivector diplomacy vis-à-vis external partners.

References

- ADB (2006) Central Asia: increasing gains from trade through regional cooperation in trade policy. Transport and Customs Transit, Asian Development Bank, Manila
- ADB (2014) Central Asia regional economic cooperation corridor performance measurement and monitoring: a forward-looking perspective. Asian Development Bank, Manila
- Behar A (2010) Do managers and experts agree? A comparison of alternative sources of trade facilitation data. In: Economics series working papers 503. Department of Economics, University of Oxford
- Bird J, Lebrand M, Venables AJ (2020) The belt and road initiative: reshaping economic geography in Central Asia? *J Dev Econ* 144
- Cadot O, Carrère C, Grigoriou C (2006) Landlockedness, infrastructure and trade in central Asia—in two-volumes. World Bank, Washington, DC
- CAREC (2020) Corridor performance measurement and monitoring annual report 2019. Central Asia Regional Economic Cooperation Secretariat, Asian Development Bank, Manila
- Soyres D, François AM, Murray S, Rocha N, Ruta M (2019) How much will the belt and road initiative reduce trade costs? *Int Econ* 159:151–164
- Grigoriou C (2007) Landlockedness, infrastructure and trade: new estimates for central Asian countries. In: World bank policy research working paper 4335. World Bank, Washington, DC
- Hillman J (2018) The rise of China-Europe railways. Center for Strategic and International Studies, Washington, DC. <https://www.csis.org/analysis/rise-china-europe-railways>
- Hurley J, Morris S, Portelance G (2018) Examining the debt implications of the belt and road initiative from a policy perspective, CGD policy paper 121. Center for Global Development, Washington, DC
- Ishnazarov D (2020) China's development objectives and its belt and road initiative in the OSCE region. In: Mihr A (ed) Transformation and Development: Studies in the Organization for Security and Development (OSCE) member states. Springer, Cham, Switzerland, pp 67–82
- Joy-Pérez C, Scissors D (2018) Be wary of spending on the belt and road. American Enterprise Institute. <https://www.aei.org/research-products/report/be-wary-of-spending-on-the-belt-and-road/>
- Kaminski B, Mitra S (2012) Borderless Bazaars and regional integration in Central Asia: emerging patterns of trade and cross-border cooperation. World Bank, Washington, DC
- Laruelle M, Peyrouse S (2012) Regional organisations in Central Asia: patterns of interaction, dilemmas of efficiency. In: University of Central Asia Institute of Public Policy and Administration Working Paper No. 10, Bishkek
- Linn J, Pidufala O (2008) The experience with regional economic cooperation organizations: lessons for Central Asia. In: Working paper 4, Wolfensohn Center for Development, The Brookings Institution, Washington, DC

- Mayer S (2020) Walking alone, Walking Together? OSCE-EU Relations in Central Asia, Policy Brief #62, OSCE Academy in Bishkek
- Peyrouse S, Raballand G (2015) Central Asia: the new silk road initiative's questionable economic rationality. *Eurasian Geogr Econ* 56(4):405–420
- Pomfret R (1995) *The economies of Central Asia*. Princeton University Press, Princeton, NJ
- Pomfret R (2006) *The Central Asian economies since independence*. Princeton University Press, Princeton, NJ
- Pomfret R (2019a) *The Central Asian economies in the twenty-first century: paving a new silk road*. Princeton University Press, Princeton, NJ
- Pomfret R (2019b) The Eurasian Landbridge and China's belt and road initiative: demand, supply of services, and public policy. *World Econ* 42(6):1642–1653
- Portugal-Perez A, Wilson J (2012) Export performance and trade facilitation reform: hard and soft infrastructure. *World Dev* 40(7):1295–1307
- Raballand G (2003) Determinants of the negative impact of being landlocked on trade: an empirical investigation through the Central Asian case. *Comp Econ Stud* 45(4):520–536
- Schramm H-J, Zhang S (2018) Eurasian rail freight in the one belt one road Era. In: J Stentoft (ed) 30th annual NOFOMA conference: relevant logistics and supply chain management research. Syddansk Universitet Institut for Entreprenørskab og Relationsledelse, Kolding, Denmark), pp 769–98
- Sharafeyeva A, Shepherd B (2020) What does “doing business” really measure? Evidence from trade times. *Econ Lett* 192
- Sourdin P, Pomfret R (2012) *Trade facilitation defining, measuring, explaining and reducing the cost of international trade*. Edward Elgar, Cheltenham, UK
- UNDP (2005) *Central Asia human development report: bringing down barriers: regional cooperation for human development*. UNDP Regional Bureau for Europe and the CIS, Bratislava
- Walton S (2020) New silk road work practices are a success story, Railfreight.com Newsletter, posted on 20 August at <https://www.railfreight.com/business/2020/08/20/new-silk-road-work-practices-are-a-success-story/>
- Yuldasheva G (2013) The Northern distribution network and Central Asia. In: Sprūds A, Potjomkina D (eds) *Northern distribution network: redefining partnerships within NATO and beyond*. Latvian Institute of International Affairs, Riga, pp 93–113
- Zhang X (2017) *Eurasian rail freight in the one belt one road Era*, MSc thesis, Cranfield University, Bedford, UK

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 11

Gender Difference in Households' Expenditure on Higher Education: Evidence from Mongolia



Tansaya Khajikhan

Abstract The existing evidence suggests that there is a reverse gender gap in higher education in Mongolia. Prior studies on the reverse gender gap in education were based on the gross enrolment rates and did not delve deeper in terms of using empirical data analyzed over an extended time-period. This paper investigates gender bias in the households' expenditure on higher education and tracks changes over the ten-year period from 2008 to 2018 using empirical data. In this regard, this study examines the factors and determinants responsible for the gender bias in the households' expenditure on higher education. To address these questions, the study employs the Engel Curve approach (unconditional educational expenditure) and Hurdle model, which estimates bias in the enrolment decisions and bias in the conditional educational expenditure, both at the household and individual level in 2008 and 2018, using the Household Socio-Economic Survey of Mongolia. Its findings illustrate that gender bias in households' expenditure on higher education does exist, and it favors girls over boys at the household and individual levels in 2008 and 2018. The findings show that households allocate a greater share of education expenditure to females aged 16–18 and 19–24 than to their male counterparts. Statistical analysis suggests that households' residence and the occupation of household heads are two important factors affecting this gender bias. Thus, if a household resides in the countryside and its head is employed in the agricultural sector, female offspring are more likely to receive higher education than male offspring. Traditional gender roles and the Mongolian way of life, which centers around attending to livestock and requiring a male labor force and the wage gap, are contextual factors that help explain this gender bias.

Keywords Gender bias · Household's expenditure on education · Hurdle model · Engel's curve · Mongolia

T. Khajikhan (✉)
OSCE Academy in Bishkek, Bishkek, Kyrgyzstan

© The Author(s) 2021
A. Mihr (ed.), *Between Peace and Conflict in the East and the West*,
https://doi.org/10.1007/978-3-030-77489-9_11

211

11.1 Introduction

Intra-household gender bias exists in different forms regarding the household decision-making process, asset ownership, allocation of food, health, education expenditure, etc. One such bias that is particularly applicable to Mongolia is the gender bias in higher education. According to the OECD's Centre for Educational Research and Innovation, trends in gender inequality in higher education is defined as "examining the changes in the composition of the student population in higher education, the relative share of degrees awarded to women each year, the levels of education attained by men and women and lastly, the differences between the subjects studied by men and women" (Lancrin 2008). Female participation in all levels of education was discriminated against to some degree in almost all countries in the past centuries. Therefore, until the 1990s men's participation in higher education was more common than females in the OECD countries (Lancrin 2008).

However, the trend has changed over the years, and it has become a "reversal of the gender gap in higher education" in recent decades (Riphahn and Schwientek 2015). For instance, in 2005, there were more female students than men in higher education in the 16 OECD countries than in the 1990s (Lancrin 2008). Moreover, the increasing number of students entering higher education has been one of the important factors contributing to the country's development (Woolhouse and Cramphorn 1999). Although education plays an important role in any country's economic and sustainable development, the gender imbalance of all types of educational levels is becoming a phenomenon in many countries. This also applies to Mongolia, in terms of the higher composition of female students in higher education.

The evidence for the inequality in higher education enrolment rates within the country shows that males are less favored than females to receive higher education. The "Gender Profile Mongolia Report," which is prepared by the Swiss Development Corporation, concluded that the government should impose quotas for male students in higher education (SDC 2014). "The Gender Profile Report" also indicated that reverse gender gap exists in higher education in Mongolia and noted that "the gender imbalance in favor of girls persists at the tertiary level" (SDC 2014). In light of these findings, however, the Government of Mongolia has not undertaken any measures to address the gender misbalance in higher education.

Moreover, even though there are more highly educated women in the country, it does not promise to convert their higher level of education into the highest social position or higher level of income. In addition, Japan International Cooperation Agency considered the wage gap and unemployment rates between the two genders and concluded that girls are expected to have a higher education than boys in order to be employed in better workplaces. However, the educational advantage for girls does not hold the promise of stable work or a better salary (Guillén Soto 2011).

According to the "Institute of Labor Economics Report" about the gender gap in careers in Mongolia, women have better access to education. The young men in the countryside tend to look after the animals while living at home, whereas girls have an advantage to pursue higher education (Pastore 2008). It might be one of

the rational explanations for the widening gender gap. Stereotypes of employment opportunity for both genders, family decisions for withdrawing boys from school and low quality of vocational education quality might be the contributing factors to this gender imbalance. However, there are not approved statistical results or findings for these assumptions and plausible explanations at the household-level.

Pastore (2008) studies the returns to education of young people in Mongolia using the School to Work Transition Survey in Mongolia which is carried out in 2016. He found that there is a sizeable gender pay gap in which the median wage of women is about 25% lower than men with the same characteristics. However, in general, women have much higher levels of education than men; therefore, on the whole, they should have higher income. Moreover, estimation results demonstrate that females' average return to education is much higher than for males with secondary level education (11% vs. 20.6) and almost the same at the university level (Pastore 2010). These findings suggest that females have a higher rate of return to education than men.

There were many programs aimed at decreasing the inequality in gross enrolment rates in higher education in Mongolia. However, up to now, very little has been done to examine the gender differences in higher education in Mongolia. Considering the research gaps, understanding and finding the household influences on higher education, attendance is very important to develop further policy recommendations to the Government of Mongolia. Trends in the higher education reverse gender gap are expressed in terms of raw numbers of the gender gap in related articles about Mongolia. In order to find more plausible explanations and differences in enrolment rates for this reverse gender gap, it is important to choose household-level data and do more quantitative and alternative econometric analyses.

Gender inequalities are not only reflected in the number of highly educated men and women. In the long term, they hinder efforts to develop the country in many aspects, such as inclusive economic growth and equal opportunities for both genders and equity. Furthermore, it will lead to inequalities in the labor market and in society, such as single-parent homes (headed by women), more single women and less qualified men for jobs. Moreover, it will affect life expectancy and mortality. In other words, men who have less education than women might find themselves socially excluded. Therefore, decision makers and governmental actors should consider the promotion of equal higher education for both genders.

The purpose of the present study is to examine gender differences in higher education expenditures within Mongolian household's decision-making about investing in higher education. Identifying gender differences in the allocation of households for investment in higher education in Mongolia is important to understand what policy measures should be taken to reduce gender inequality in the country. This study identifies two main research questions. Are there gender differences in the allocation of higher education expenditures within Mongolian households? What factors explain households' educational expenditure and gender difference?

11.2 Background on Mongolia's Educational Policy

The importance of education in the overall development of a nation is now recognized on the global stage (Forum 2016). Furthermore, the quality of education determines labor productivity and economic growth (Hanushek and Woessmann 2008). Therefore, since the education index is considered a part of the “Human Development Index” in most countries, public education is strongly emphasized. Public education is compulsory up to the basic educational level in many countries, and governments have committed themselves to guaranteeing opportunities for all students who want to pursue their education. Thus, to understand the Mongolian context, it is important to discuss the education system in Mongolia. This will allow for showcasing how the education system works in the country, how it shows its neutrality in terms of being universal, and how it does not favor the enrolment of any particular gender, eliminating any notions that gender bias is a structural issue that stems from the education system.

Looking back at the history of education, since gaining its independence in 1921, Mongolia has provided free and universal access to primary, secondary and higher education to its citizens (Banzragch and Bayanjargal 2018). Meantime, while developing higher education, Mongolia adopted the Soviet style education system and “shared a number of cultural characteristics with Central Asia countries” (Weidman and Chapman 2004). The language of instruction was mainly Mongolian and partially Russian during the socialist period of the history of Mongolia (Worden and Savada 1991). The first university was established in 1942, and since then, the country has developed its own unique education system with a mixture of the Russian style education system.

The transition to a market economic system during the early 1990s brought dramatic changes to the economic and social sphere of the country overall. After the transition, the higher educational framework, including funding, tuition fees, academic curriculum and ownership of universities, has been reshaped again by the Government of Mongolia (IMF 2003). Prior to the transition, “The government owned, financed and operated all higher education institutions in Mongolia” (Weidman and Bat-Erdene 2002). Since the adoption of the new Constitution in 1992, the private sector provision of higher education in Mongolia increased rapidly and tuition fees for public and private universities increased year by year. As a result, currently, there are currently 71 private and 21 public and 3 international universities (NSO 2020a). The introduction of tuition and fees brought considerable financial burden to families that have many children and thus may lead to gender preference decisions. Especially poor households are faced with decisions regarding whom to enroll to tertiary education, boys or girls.

A new Law of Education was introduced after the peaceful democratic revolution in 1990 and dramatic political shifts in 1991, and in light of constitutional reforms, and passed with several amendments in 1995 (Banzragch and Bayanjargal 2018). In Mongolia, kindergarten, elementary, secondary, high school and vocational education are fully funded by the government and free of charge. Moreover, the Mongolian

education system was a 10-year system (4 + 4 + 2) up to 2004, and shifted to an 11-year system (5 + 4 + 2), then to a 12-year system (5 + 4 + 3) in 2015. This was in compliance with international standards (ADB 2017). At the same time, the official general education age shifted from 7 to 17 years old to 6 to 18 years old. On the other hand, Mongolian people have the right to free high school education for 12 years. Note that compulsory education is up to secondary education, which is nine years, and almost all primary, secondary and high schools in Mongolia are co-ed, and they enroll both boys and girls together.

After high school graduation, students have two choices to continue their education. One is enrolling in technical-vocational schools, and the other is enrolling in colleges and universities within the country or abroad. The academic length of time for vocational school is two years, while colleges and universities take from four to seven years, depending on majors. Vocational schools are also funded by the government and students received monthly stipends. However, higher education in the country is financed by students' households, and partially by the government. The tuition fee was introduced in 1993, and higher education financing started to be covered by the tuition payment (Bat-Erdene et al. 2010).

Statistics of gross secondary enrolment rates starting from 2005 to 2018 show that both genders are almost equally enrolled in basic education (NSO 2020b). It indicates that parents can send their children without any gender preferences up to secondary education. Figure 11.1 shows official statistics of enrolment in higher education institutions by gender between 2002 and 2019 period. In 2002, the numbers of female students were at 62% of the total number of students. Up to now, in 2019, the share of female students is 61% (NSO 2020c). In other words, in 2002, there were 1.66 (female-to-male ratio) females for every male graduating from the higher educational institutions in Mongolia. After 2002, to the present, relatively small changes have occurred in higher education enrolment by gender, and the female-to-male ratio decreased by 0.1. As a result, in 2019, there were 1.56 females for every male graduating from the higher educational institutions in Mongolia.

The enrolment among the two genders is different for each academic year, showing more women obtaining higher education than men. From the available statistical data starting from 2002 and continuing until the present in an almost unbroken trend, male

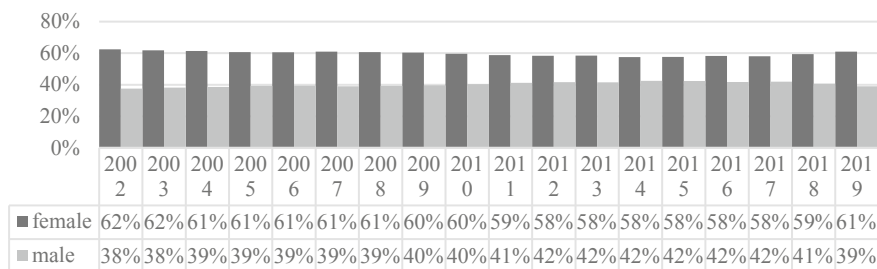


Fig. 11.1 Share of students in tertiary educational institutions, by gender, 2002–2019 year. *Source* 1212.mn (Mongolian Statistical Information Service)

students' enrolment rates have hardly increased. It also shows there is a big gender discrepancy in terms of educational attainments and differences between the levels of education among males and females. Although the fact is not widely known, the ratio of female-to-male students in higher education is not balanced in Mongolia. Therefore, it is worth drawing attention to educational policies to aim at closing the gap between the level of education between female and male students.

11.3 “Engel and Hurdle Curves” in the Mongolian Education Sector

An Engel Curve describes a household's expenditure on a particular good as a function of the household's total expenditure and other household characteristics, assuming that prices are fixed. This model was taken from (Deaton 1997). This study uses the Working-Leser model for the linear budget share specification, to test for gender biases within households. The Working-Leser specification is as follows:

$$s_i = \alpha + \beta \log(x_i/n_i) + \gamma \log(n_i) + \left[\sum_{j=1}^{j-1} \theta_j \left(\frac{n_{ij}}{n_i} \right) \right] + \eta' z_j + u_i \quad (11.1)$$

where: s_i is the budget share of the education expenditure of i th household (education expenditure/total expenditure), $\log(x_i/n_i)$ is the log of per capita monthly household expenditures, x_i is the total monthly household expenditures; n_i is the household size, $\frac{n_{ij}}{n_i}$. The household age-gender composition variables (n_{ij} is the number of household members in age-sex category j , for instance: females aged 16–25 as a proportion of all household members), z_j a vector of other household head's characteristics including household head's education in years, gender and age, a dummy variable for location and household's occupation, and u_i is the error term.

The household age-gender composition variables $\frac{n_{ij}}{n_i}$ can be used to test for gender biases within the household, where n_{ij} is the number of members in household i in the j th age-gender category. There are 14 age-gender compositions that are used in previous studies (such as Subramanian and Deaton 1991; Wongmonta and Glewwe 2017; Datta and Kingdon 2019), which are 0–4 years, 5–9 years, 10–14 years, 15–19 years, 20–24 years, 25–60 years, and 61 years and more for both males and females. This study uses 10 age-gender groups: males and females aged 0–5 years, 6–15 years, 16–18 years, 19–25 years, and 25 years and above for both males and females. Since the $\frac{n_{ij}}{n_i}$ add up to one, 25 years and above is omitted from the estimation. The categories of most interest are males and females aged 16–18 (high school age) and 19–25 (higher education age), as this paper is concentrated on students who study at a higher level of education. Thus, the age group under focus mostly belongs to the 16–25 bracket. The age-gender category is based on children who are going to join university and studying at the university. And after that age, this paper

assumes that many people complete their education and start a professional life or start a family life. The marriage and gender roles in the family might have an impact on a household's education expenditure pattern.

The θ_j coefficients measure the impact of household age-gender composition on the share of the household's budget allocated to education expenditure. One would expect that the θ_j coefficients for age groups 16–18 and 19–25 will be positive, and that gender biases are likely to exist (Datta and Kingdon 2019). In a separate model, the gender difference is tested using an F test to see whether (2): $(\theta_{j,m} = \theta_{j,f})$.

In this study, $\theta_{j,m}$ stands for male age groups 16–18 and 19–25. $\theta_{j,f}$ for female age groups 16–18 and 19–25. Testing, for example, whether males aged 16–18 are treated differently from females aged 16–18, the paper simply seeks whether the coefficient on m16_18, that is, the proportion of males aged 16–18 years in the household. It is significantly different from the coefficient on m16 to 18, that is, the proportion of females aged 16–18 years in the household.

For further analysis, this study adopts the methodology utilized by Datta and Kingdon (2019) and employs the Hurdle model to explain households' educational expenditure patterns. Datta and Kingdon (2019) apply a Hurdle model to Indian data on education expenditures and compares the results of those obtained with an OLS estimation. They used the Tobit model as a standard solution for the above-mentioned problem. However, a Tobit suffers from the problem of heteroskedasticity and it also assumes that a single mechanism determines the decision whether to spend anything at all ($s = 0$ vs. $s > 0$), and the decision of how much to spend, given positive spending ($s | s > 0$). Alternative to the Tobit model is the Hurdle model, which is widely used as a two-part model. The first part of the Hurdle model is to estimate the probability of positive educational expenditures. The second part of the model uses OLS regression of educational expenditure for households with positive levels of expenditures, mentioned as conditional OLS (Wooldridge 2010).

In particular, the marginal effects $\partial P(s > 0|x)/\partial x_j$ and $\partial E(s|x, s > 0)/\partial x_j$ are constrained to have the same sign.

An alternative to censored Tobit that allows the initial decision of $s = 0$ versus $s > 0$ to be separate from the decision of how much s is, given that $s > 0$, is the "Hurdle model" (Wooldridge 2010). These models allow the effect of a variable to differently affect the decision $s = 0$ versus $s > 0$, and the conditional decision of how much to spend ($s | s > 0$). A simple Hurdle model can be written down as (from Datta and Kingdon 2019):

$$P(s = 0|x) = 1 - \Phi(x\gamma) \quad (11.2)$$

$$\log(s)|x, s > 0 \sim \text{Normal}(x\beta, \sigma^2) \quad (11.3)$$

where s is the budget share of education, x a vector of household characteristics, β and γ are parameters to be estimated, and σ is the deviation of s . Equation (11.3) estimates the probability that s is a zero or positive. Equation (11.4) presents—a conditional—positive education expenditure and follows a lognormal distribution.

Note that Eq. (11.2) is simply a probit regression, while Eq. (11.3) is the conditional OLS.

The conditional expectation of $E(s|x, s > 0)$ and the unconditional expectation of $E(s|x)$ are easy to obtain using properties of the lognormal distribution (from Datta and Kingdon 2019). This is shown below:

$$E(s|x, s > 0) = \exp\left(x\beta + \frac{\sigma^2}{2}\right) \tag{11.4}$$

$$E(s|x) = \Phi(x\gamma)\left(x\beta + \frac{\sigma^2}{2}\right) \tag{11.5}$$

Therefore, the marginal effect of x on s can be obtained by transforming the marginal effect of x on $\log(s)$ using the exponent. Thus, the marginal effect of x on s in the OLS regression can be obtained by transforming the marginal effect of x on $\log(s)$ using the exponent. Thus, the marginal effect of x on s in the OLS regression of $\log(s)$ conditional on $s > 0$ is obtained by taking the derivative of the conditional expectation of s with respect to x (from Kingdon 2005). This is shown below:

$$\frac{\partial E(s|x, s > 0)}{\partial x} = \beta \cdot \exp(x\beta + \sigma^2/2) \tag{11.6}$$

Using the product rule and taking the derivative of the unconditional expectation Eq. (11.4), the combined marginal effects can be obtained as follows (from Kingdon 2005):

$$\frac{\partial E(s|x)}{\partial x} = \Phi(x\gamma)\left(x\beta + \frac{\sigma^2}{2}\right) = \left\{ (x\gamma) + \Phi(x\gamma)\left(x\beta + \frac{\sigma^2}{2}\right) \right\} \cdot \exp(x\beta + \sigma^2/2) \tag{11.7}$$

where $\Phi(\cdot)$ is the standard normal density function, and $\Phi(\cdot)$ is the cumulative normal distribution function.

Equation (11.7) refers to the combined marginal effect of an independent variable. Estimates of γ , β and σ^2 are obtained from the Hurdle model.

The main question of this study is the presence of gender differences in households. Thus, the presence of the gender difference will be tested using the difference in marginal effects and combined marginal effects of selected age-gender categories. These calculations will provide the answer for gender bias in a more nuanced manner. The standard errors of the coefficients and the combined marginal effect standard error are estimated by bootstrapping in STATA (from Kingdon 2005).

In many other studies, researchers used regional dummy and ethnicity. However, in Mongolia, regional cluster and ethnicity do not have much significance, as the country is quite homogeneous ethnically, with the majority of the population comprised of the same social and ethnic groups. The Mongolian language is spoken by more than

95% of the population, and the second largest ethnic group is Kazakh, consisting 4% of the total population. In this regression estimation, I used herder for occupation and a rural dummy for the location since 31.4% of the population lives in rural areas (NSO 2021). Moreover, 26% of households from total households account for herder households (NSO 2021). Thus being a herder and this occupation plays a significant role in this country. Moreover, people who live in the countryside tend to spend less on their male children's education (Diffendal and Weidman 2011). As a result, dropping out of high school is more common in male students.

In addition to estimating the Engel Curve and Hurdle model using household-level data, this paper will use individual level data to test for gender bias. The dependent variable of the individual model is "total higher education expenditure" in absolute terms rather than the budget share of the household's expenditure on higher education. The difference between the individual level model and the household-level model is that the gender dummy variable "female" is used instead of age-gender categories. However, the remaining variables of the individual level model are identical with household-level variables. The methodology presented above allows one to examine the effects of child gender on higher education expenditure, controlling for other relevant characteristics. Since the pattern of the allocation of educational resources within a household would depend on the child's level of education, the equation for each education expenditure category is estimated separately for the three age groups of interest.

The data used in this analysis is extracted from the Household Socio-Economic Survey (HSES) conducted in 2008 and 2018. The data was obtained from the Mongolian National Statistics Office (NSO) from the publicly available platform 1212.mn. The NSO conducts the survey every year, and data collection covers a 12-month period to capture seasonal variations. The HSES 2008 and 2018 is a nationally representative survey that intends to evaluate and monitor households' income and expenditure and measure poverty and consumer price index analysis. The survey has the following components: basic socio-economic information about household members, education, health, migration, employment, payment of jobs and other income, savings and loans, housing and energy, durable goods, non-food expenditures and food consumption (30 days' daily food diary for urban households and 7 days' food diary for rural households and eating out).

For the 2008 HSES, data was collected from 11,172 households, which consists of 44,510 individual level data. The analysis of the 2008 HSES was limited to households that have at least one child aged 16–24, which decreases the data size to 4,518. For the 2018 HSES, data was collected from 16,454 households, which consists of 59,820 individual level data. The sample size was reduced from the 16,454-household data size, the sample size was reduced to 5,183 households that have at least one child aged 16–24. Education expenditure was available at the individual level for the past 12 months. It consists of the following subparts: tuition fees, accommodation, books and other stationary supplies, transportation, and other expenses such as private tutoring.

Since this paper is aimed at estimating the higher educational expenditure, data is limited to households with male and female children aged 16 to 24. The age group

16 to 24 years old was selected based on the Mongolian education system year and official age of education. Moreover, Pastore, professor of Economics at Seconda Università di Napoli, classified the age groups as teenagers (aged 15–19 years), young adults (aged 20–24 years), and the oldest segment of young people (aged 25–29 years). The breakdown of the age group 20–24 belonged to mostly students studying at higher educational institutions. Based on this information, this study refers to an age group of 16–18 old pupils. In this age group, it is critical for parents to decide whether to invest extra resources in their children's education, in order for them to continue their studies. In this regard, it is at this age that parents have to decide whether to arrange private tutoring for general entrance exams or motivate their children to keep growing by sending them to private schools. Therefore, the age group of 19–24 by gender is considered to be the most essential part of this paper. Each age group will be explained separately after the estimated results to give more of an understanding of the gender bias issue.

Before estimating the factors impacting household higher educational expenditure in Mongolia, it is useful to present some descriptive statistics. Thus, Table 11.2 presents the variable names and their definition and also the mean, the standard deviation of variables used in the analysis data from the 2008 and 2018 HSES.

The dependent variable in the Engel Curve analysis is the share of educational expenditure in total household expenditure. The key variables of interest are the age and gender category of 16–18 years and 19–24 years above for both males and females. The share of male and female children aged between 16 and 18 years old and 19 to 24 years old are comparable from Table 11.2. In the 2008 HSES data, male and females aged 16–18 are shown to have the same mean equal to 8.1% and quite similar mean for the 19–24 age groups. Furthermore, in the 2018 HSES data, 6.4% for males and 5.8% for female 16–18, whereas 10% for males and 9.3% for female 19–24 age group.

The proportion of females aged 19–24 years old in the household was used to investigate whether budget shares for education increase with the addition of a female aged 19–24 years to a household. Education expenditure as a share of total expenditure for all households with at least one child aged 16–24 is reasonable at approximately 9% in 2008 and was lowered to 6.4% in 2018. Because higher education is not free, and we expect that the expenditure on higher education will increase. Moreover, the Table 11.1 shows that almost half of the households live in rural areas for the two years of study. It means that people who live in rural areas significantly affect the nationwide interpretation of the current estimation result. In addition, urban households' decision also matters most. As mentioned above, the rural areas' households tend to invest more in their daughters' education than their sons (Mongolian Education Alliance 2005). This is due to the labor force deficiency in the agriculture sector for the men. In addition, child labor could explain the education gender gap in higher education since in rural areas, the dropout rate is high for male students compared to females.

Male and female responsibilities within the household can be a reflection of social norms that determine—often for the rest of their lives—the future of many women and men. It should be noted that most rural families tend to participate in livestock or

Table 11.1 Description of variables and summary statistics at the household-level

Variable	Definition of variables	2008		2018	
		Mean	SD	Mean	SD
<i>Dependent</i>					
Educshare	Budget share of education = Household education expenditure/total household expenditure*100	9.0	10.2	6.484	9.446
<i>Independent</i>					
lnpcexp	Log of household expenditure per capita	12.11	0.615	15.11	0.717
lnhhsz	Natural logarithm of household size	1.52	0.35	1.478	0.349
<i>Age-gender category</i>					
m16 18	Share of male children 16–18	0.081	0.123	0.064	0.115
m19 24	Share of male children 19–24	0.109	0.146	0.109	0.147
m25	Share of male children 25 and above	0.198	0.121	0.208	0.129
f16 18	Share of female children 16–18	0.081	0.121	0.058	0.109
f19 24	Share of female children 19–24	0.106	0.142	0.093	0.133
f25	Share of female children 25 and above	0.251	0.112	0.259	0.115
<i>Household Head's characteristics</i>					
hheadage	Household head's age in years	49.138	8.952	49.148	8.636
sqhheadage	Square of household head's age in years	2494.06	978.66	2490.10	941.74
headgender	Gender of the household head, dummy (male = 1)	0.772	0.42	0.771	0.42
marital	Household head's marital status, dummy	0.739	0.42	0.753	0.431
sec higher	Household head's level of education, dummy (if secondary and high education = 1, 0 otherwise)	0.612	0.487	0.669	0.471
livestock	A dummy variable = 1 where household's head being in engage in livestock			0.563	1.024

(continued)

Table 11.1 (continued)

Variable	Definition of variables	2008		2018	
		Mean	SD	Mean	SD
Rural	Location, dummy (1 if rural, 0 if urban)	0.413	0.492	0.481	0.5

Table 11.2 Descriptive statistics for education expenditure per child aged 16–24, by gender, (Mongolian tugrug) 2008 and 2018

Education expenditure category	2018			2008		
	Male	Female	Total	Male	Female	Total
Tuition and school fees	217,327	222,650	220,283	1,136,513	1,249,069	1,196,257
Accommodation	30,188	37,615	34,314	208,856	225,915	217,911
Books and stationary	46,487	49,358	48,081	105,919	116,598	111,588
Uniforms	9521	9502	9510	32,250	24,830	28,311
Expense on transportation	43,442	47,342	45,608	86,491	84,790	85,588
Other education expenditures	104,090	108,713	106,658	72,963	66,078	69,309
Total education expenditure	451,055	475,181	464,457	1,642,992	1,767,280	1,708,963

Source Compiled by the author from the 2008 and 2018 HSES data

Notes These figures include children aged 16–24 within the household, respectively

animal husbandry. For this reason, the number of men in the household matters for raising and maintaining the livestock numbers and are typically most affected when it comes to rural areas. On the other hand, it is likely that rural areas' households, which have a higher poverty level, may need to use their sons to earn money for their families, while young female members can attend to school due to their lack of capability to work as herders (Diffendal and Weidman 2011).

Table 11.2 presents descriptive statistics on detailed education expenditure categories, calculated from the 2008 and 2018 HSES at the individual level. Since the data is at the individual level, the present paper divided expenditure categories by gender. The survey results show that the total education expenditure per child aged 16–24 is about 464,457 MNT in 2008 and 1,708,963 MNT in 2018. The mean education expenditure per child aged 16–24 shows tuition fee, dormitory, books, and equipment, which is higher for female students than for male students. Table 11.1 suggests that male students have less total education expenditure by 24,126 tugrug/year (one percent) than females in 2008. Moreover, in 2018, this figure shows that male students have less total education expenditure of 1,642,992 tugrug/year comparing to female students 1,767,280 tugrug/year. In terms of tuition fee, in 2008, it was 220,283 tugrug total in 2008 and increased by 5.5 times in 2018. In the meantime from 2008 to 2018, the tuition fee of tertiary education had increased around

five times in the report prepared by NSO of Mongolia (NSO 2019). Hence, the tuition fee results were consistent with the NSO report about tuition fee information from 2000 to 2018.

However, the budget share of the education expenditure decreased by 2.5% from 2008 to 2018. Therefore, tuition fees account for around 48% of the total education expenditure, and female students have higher total education expenditure than male students in 2008. However, it soared by 70% of the total education expenditure as of 2018.

School uniforms had the least share at 2% of total education expenditure. It shows most students do not wear special uniforms during the academic year, except for some majors (nurses, doctors). Unfortunately, on the questionnaire, the clothing expenditure question does not distinguish between adults and children clothes. Hence, this paper could not include clothing inside the individual level expenditure. In addition, other education expenditures show less amount comparing to the other expenses. It might be the reason students at that age do not need additional schooling or private tutoring since they are enrolling at paid universities. Furthermore, there is no need to enroll in extra activities, whereas high school students mostly prepare for the General Entrance Examination, to gain enrolment in universities and often prefer to get extra schooling, which is paid in general.

11.4 The Household-Level

More than 80% of the households with children aged 16–24 in the HSES 2008 and 2018 had positive total education expenditure; for this reason, ordinary least squares (OLS) were applied for the household-level of higher education expenditure. Table 11.3 represents the Engel Curve of higher educational expenditure for households with at least one child aged 16–24 (those with either positive or non-educational expenditure). From the estimation results, the log of total household monthly expenditure per capita is not significant and negative in 2008, whereas it was both positive and significant in 2018. In 2018, per capita monthly expenditure indicates that when per capita expenditure increases, the education budget share also increases because the higher educational expenditures are usually costly when households have children to pay for their tuition fee.

In other words, the coefficients of the higher education elasticity are positive, which states that it is treated as a luxury good. The log of number of household members is significant and positive in both years, which indicates that larger households are certain to have extra educational expenditures compared to smaller households. It suggests that the larger households will have more resources or money as the demand for higher education increases. This matches that theoretical explanation, which argues that larger households are better off due to per capita resources (Press 2010). However, note that household heads with higher education levels are more likely to have smaller families and extra educational expenditure.

Table 11.3 OLS estimation results of Engel’s Curve estimation, educational budget share, 2008 and 2018

Variables	2008		2018	
	Coeff × 100	Robust SE × 100	Coeff × 100	Robust SE × 100
Log of total household monthly expenditure per capita	−0.265	0.192	8.342 ^b	1.997
Log of household members	2.079 ^b	0.588	1.583 ^b	0.548
f16_18	15.23 ^b	1.702	12.84 ^b	1.721
f19_24	20.32 ^b	1.563	14.78 ^b	1.571
f25_	1.400	2.034	−0.662	1.571
m16_18	10.73 ^b	1.589	7.04 ^b	1.715
m19_24	13.47 ^b	1.469	9.14 ^b	1.472
m25_	−3.946 ^a	1.769	−3.80 ^a	1.568
sec_higher	2.385 ^b	0.353	0.83 ^a	0.307
Maritalstatus	1.973 ^b	0.671	−0.377	1.155
Headgender	0.649	0.807	0.809	0.441
Household head’s age in years	0.151	0.149	−0.1241	0.115
Square of household head’s age in years	−0.00155	0.00140	0.000893	0.00104
Livestock	0.464	0.446	−0.578 ^a	0.347
Rural	0.115	0.397	−0.968 ^a	0.304
Constant	−3.754	4.651	−5.293	4.249
Observations	4,084		5,183	

Robust standard errors in parentheses (Significant at 10%, ^aSignificant at 5% or better, ^bHighly Significant at 1% or better percent)

The most crucial result for this paper was to observe the age-gender categorical variables and compare these coefficients with females and males of the same age group. As expected, the coefficients for the female aged 16–18, and 19–24 is statistically significant and positive in both years. The same goes for the males’ coefficients aged between 16 and 18 and 19–24. Another interesting finding is that the coefficient of females aged 25 and above turned out to be not statistically significant and negative signs, which means after reaching 25, females are less likely to spend on higher education. This can also explain that after the age 25, females are more likely to get married and do not continue pursuing a higher level of education. On the other hand, males aged 25 and above have negative significant higher education expenditure and are less likely to spend on education compared to the other age groups.

Having an education level higher than the secondary level for the head of the household is also positively significant for both years. This indicates that household

heads with a higher level of education tend to invest more in their children's education expenditure and suggest a higher preference for children's education among educated heads of households. This result is consistent with past studies that show that the head of the household's years of education is a significant determinant of demand for children's education (Datta and Kingdon 2019; Kenayathulla 2016; Wongmonta and Glewwe 2017).

Moreover, the gender, age, and age squared of the household head have no effect and non-significant on the budget share of household higher education in both years. These are consistent with the results of the studies consulted (Datta and Kingdon 2019; Himaz 2010; Kenayathulla 2016; Wongmonta and Glewwe 2017).

The occupation of herder was not statistically significant and positive in 2008. However, the occupation of a herder was negatively significant in 2018. It indicates that if a person is a herder and household head, there will be a decrease in the budget share of education rather than an increase. Therefore, the location dummy, which is rural areas, is negatively significant, and it goes in line with the occupation of the herder. This suggests that rural households, which are mostly involved in animal husbandry, are more likely to spend less on a household's higher educational expenditure.

Coming to the point of whether there is a gender bias in the household higher educational expenditure, the coefficients on the proportion of males and females demonstrates that: (1) households are more likely to allocate higher educational expenditure for females than males, (2) the gender discrepancy exists in age groups 16–18 and 19–24.

According to the estimation results in Table 11.4. Table 11.5 gives an outline of the bias in gender coefficients for a budget share of higher educational expenditure. From Table 11.4, the differences in gender coefficients for ages 16–18 and 19–24 are

Table 11.4 The difference in coefficients of gender variables for a budget share of education, by higher education-age groups

Age group	2008			2018		
	Female coeff	Male coeff	Female-male diff	Female coeff	Male coeff	Female-male diff
16–18	15.23 ^b (1.702)	10.73 ^b (1.589)	4.5 ^b	12.84 ^b (1.721)	7.03 ^b (1.715)	5.81 ^b
19–24	20.32 ^b (1.563)	13.47 ^b (1.469)	6.85 ^b	14.78 ^b (1.571)	9.14 ^b (1.472)	5.64 ^b

Robust standard errors presented in parentheses (Significant at 10%, **Significant at 5% or better, ^bHighly Significant at 1% or better percent)

Table 11.5 F tests

Age groups	2008	2018
16–18	9.17 (0.0025)	16.06 (0.0001)
19–24	19.37 (0.000)	18.07 (0.000)

Notes The F-tests refer to a testing for the equality of coefficients, for instance, f16_18 and m16_18

statistically highly significant and positive in 2008 and 2018, respectively. Moreover, it means if a child had been a female rather than male in the age group 16–18 within the same household, families would have spent 4.5% more on her higher education expenditure in 2008 and 5.8% more in 2018, respectively.

In addition, if a child had been a female rather than male in the age group 19–24 within the same household, families would have allocated 6.85% more on her higher education expenditure in 2008 and 5.64% more in 2018, respectively. It should be pointed out that the scales of the differences in the age group 16–18 became larger in 2008 than in 2018. It seems, on the contrary, the magnitude in the age group 19–24 coefficient decreased by 1.21 in 2018. These results show that there is a significant gender bias in the allocation of household higher education expenditure in Mongolia in both years. These findings are consistent with previous findings that reveal that gender bias favoring females in intra-household education expenditure allocation for Thailand and Sri Lanka (Himaz 2010; Wongmonta and Glewwe 2017).

Another important approach to detect gender bias in household higher educational expenditure is the method using the F test. The F test compares the difference of the coefficients in males and females of the same group. If there is no gender bias, then coefficients of male and female age groups would be equal to each other. Table 11.6 shows F tests the equality of the coefficients, which computes F-statistics and p-value presented in brackets.

The F tests are shown in Table 11.5 suggests that the female age group 16–18 coefficient is not equal to the male age group coefficient 16–18 in both years. Hence, the statistical significance reveals a gender bias favoring females aged 16–18 and 19–24 in 2008 and 2018. These estimation results from Tables 11.4 and 11.5 provide evidence for gender bias favoring females aged 16–24 over males aged 16–24, especially in the allocation of higher educational expenditure within the households. These estimates of F tests are consistent with those of Himaz (2010) for Sri Lanka; her estimates ranged from 4.23 to 12.15 in school-age groups (Himaz 2010).

In summary, the Engel Curve Method is able to pick up the gender bias within the household's higher educational expenditure in 2008 and 2018. Moreover, over the ten-year period from 2008 to 2018, the gender bias in household higher education expenditure has not disappeared; it still exists. Before jumping to conclusions, it is important to note that the Engel Curve cannot explain the gender bias itself alone. As the Engel Curve is mainly interested in education expenditure once children are enrolled in a higher education institute or university. Hence, it is better to explore the other approaches to offer more plausible explanations.

Another way to detect gender bias at the household-level is by using the Hurdle model by dividing a household's education expenditure into two parts. Many researchers have used this approach, such as Kingdon, who applied this model first in 2005 for estimating gender differences in household's education expenditure (Kingdon 2005). The main technique of this model is to have two parts: (1) a binary probit of whether the budget share of a household's higher education expenditure is positive or zero; (2) linear regression of the natural log of higher education budget share and incurred conditional on positive higher education expenditure. In

Table 11.6 Hurdle model for 2008 and 2018 at household-level

Variables	2008		2018	
	Probit (anyexpend) ME	Conditional OLS (logedushare) Coefficient	Probit (anyexpend) ME	Conditional OLS (logedushare) Coefficient
lnpmonthly_hh_exp	0.0813 ^c (0.00798)	-0.265 ^c (0.0269)	1.145 ^c (0.111)	-1.771 ^c (0.397)
Lnhsiz	0.167 ^c (0.0198)	-0.173 ^b (0.0818)	0.179 ^c (0.0224)	-0.214 ^b (0.0951)
f16_18	0.205 ^c (0.0604)	0.942 ^c (0.202)	0.152 ^b (0.0725)	1.707 ^c (0.262)
f19_24	-0.309 ^c (0.0482)	2.917 ^c (0.179)	-0.655 ^c (0.0610)	3.375 ^c (0.239)
f25_	-0.489 ^c (0.0631)	0.799 ^c (0.273)	-0.755 ^c (0.0659)	1.171 ^c (0.300)
m16_18	0.0342 ^c (0.0561)	0.697 ^c (0.203)	-0.0249 ^b (0.0686)	0.674 ^c (0.261)
m19_24	-0.405 ^c (0.0456)	2.157 ^c (0.176)	-0.635 ^c (0.0578)	2.348 ^c (0.233)
m25_	-0.657 ^c (0.0577)	0.452 ^a (0.261)	-0.901 ^c (0.0620)	0.428 (0.284)
sec_higher	0.0439 ^c (0.0122)	0.0254 ^c (0.0437)	0.0277 ^b (0.0136)	0.0369 ^b (0.0520)
Headmarried	0.0482 ^a (0.0260)	0.0604 (0.0967)	0.0741 (0.0462)	0.0268 (0.174)
Gender	0.0471 (0.0306)	0.0920 (0.110)	0.0727 ^c (0.0214)	0.127 (0.0809)
Hheadage	-0.00378 (0.00472)	0.00825 (0.0195)	-0.0294 ^c (0.00554)	-0.0201 (0.0210)
Sqheadage	1.89e-05 (4.22e-05)	-8.83e-05 (0.000183)	0.000226 ^c (4.90e-05)	0.000160 (0.000192)
Herder	-0.0265 ^a (0.0151)	-0.175 ^c (0.0542)	-0.0534 ^c (0.0128)	-0.0732 (0.0502)
Rural	-0.0231 ^a (0.0132)	0.0161 (0.0470)	-0.0446 ^c (0.0166)	-0.0420 (0.0606)
Constant		3.705 ^c (0.625)		-1.259 (0.780)
Observations	4,084	3,388	5,183	3,933
R-squared		0.133		0.084

Robust standard errors in parentheses (^aSignificant at 10%, ^bSignificant at 5% or better, ^cHighly Significant at 1% or better percent)

addition, this model is fitted for households with at least one child aged 16–24 years. Table 11.6 represents the first and the second part of the Hurdle model.

From Table 11.6, the probit model estimates “anyexpend,” and explains the first decision about enrolment and whether any positive education expenditure was incurred or not. Therefore, conditional OLS estimates “logedushare,” about how much to spend on education and shows the natural logarithm of budget share of education. The Table 11.6 columns show that the log of per capita monthly household expenditure ($\ln\text{pcmonthly_hh_exp}$) have a significant positive impact on budget share of education in the probit of *anyexpend* in 2008 and 2018. However, in the conditional OLS model, it is negative and significant for both years.

This shows that the tertiary education tuition fee is not free and that higher education enrolment might depend on a household’s economic status, as better off households allocate a bigger share to education. The effect of the number of household members on the higher education budget share is significant and positive in the probit estimates in both years. It suggests that the larger households have more children to send to higher educational institutes, which is in line with the theoretical consideration about per capita resources. These are consistent with estimates from the Engel Curve Model presented in Table 11.3 and previous studies (Aslam and Kingdon 2008; Kingdon 2005; Malik et al. 2018).

In the probit and the conditional OLS model, the household head’s education dummy variable “sec_higher,” whether the education level is above secondary level or not, is positive and statistically significant in 2008 and 2018. It demonstrates that the household head’s level of education significantly increases the budget share of household’s higher education expenditure in the both models. For instance, in the conditional model the household’s level of education increases the budget share of the household’s higher education expenditure by 2.5 in 2008 and by 3.6 in 2018, respectively. It reveals the higher demand for the education of children among more educated parents. These findings are consistent with the Engel Curve estimation results and also with past studies (Aslam and Kingdon 2008; Datta and Kingdon 2019; Himaz 2010; Kenayathulla 2016).

For the household head’s occupation, the “herder” variable is chosen to explain the household’s main activity, whether they are involved in animal husbandry or not. In other words, it stands for herders who live in rural areas. In both models, the effect of being a herder is negative and significant for both years. Also, it suggests that being a herder decreases the budget share of higher education expenditure and tends to lead to less spending on higher education in 2008 and 2018. This finding is consistent with the result from the Engel Curve Model in the previous section at the household-level. Therefore, the finding from Ghana in 2018 suggests that households whose heads work in the agricultural sector have a lower budget share of education as compared to other sectors. Moreover, it was significant, too, as it indicates that households whose heads have agriculture-related jobs tend to spend less on education than others (Malik et al. 2018). This is also applicable to Mongolia, where most people are engaged in the agricultural sector.

Turning to the point of gender bias in the household higher education expenditure, the coefficients of the age-gender category variables are presented in Table 11.8 with

Table 11.7 The difference in marginal effects (DME) \times 100 of gender variables by age group (household-level data), 2008 and 2018

	2008			2018		
	Probit (a)	Conditional OLS (b)	Combined (c) = f(a, b)	Probit (a)	Conditional OLS (b)	Combined (c) = f(a, b)
Females 16–18 and males 16–18	17.08 ^c	3.23 ^c	4.64 ^c	17.7 ^a	11.64 ^c	8.58 ^c
Females 19–24 and males 19–24	9.6 ^c	9.98 ^c	8.33 ^c	2 ^c	11.57 ^c	6.59 ^c

Notes In Col.3 Combined means Probit + Conditional OLS (^aSignificant at 10%, ^bSignificant at 5% or better, ^cHighly Significant at 1% or better percent)

their significance level. The variable “f16_18” is the proportion of females aged 16–18 compared with the variable “m16_18,” the proportion of males aged 16–18. All these demographic variables, which show the gender bias, are statistically significant in 2008 and 2018. The impact of these variables' marginal effect help to detect the gender bias within the household education expenditure. This paper computes the difference in marginal effects from Table 11.6 and presents separately in Table 11.7 for further interpretation. The DME of the combined marginal effects, or the Hurdle model results, are reported in Table 11.7.

Since the main focus of this paper is gender bias, the analysis in this section focuses on the difference of the age-gender categorical variables f16_18 and m16_18 (share of female and male children ages 16–18), and f19_24 and m19_24 (share of female and male children ages 19–24). Table 11.7 presents the difference in marginal effects (DME) of these variables for the ages 16–18 and ages 19–24 for 2008 and 2018.

The method used to calculate the DME is based on the approach by (Datta and Kingdon 2019). Table 11.7 presents the Probit Model in the marginal effects form in both years. First, in order to calculate the DME of the Probit Model, the marginal effect of m16_18 (0.0342) was subtracted from f16_18 (0.205), and then the result was multiplied by 100 to obtain the 17.08 (0.1708×100). A positive DME demonstrates a favor of female bias, whereas a negative DME demonstrates a favor of male bias in the budget share of higher education. The associated p-value is presented of the t-test of the DME.

The DME of conditional OLS required a different approach than the Probit Model. The dependent variable of the model is presented in the logarithm form as the log of educational shares. First, retransformation of the log of educational shares was needed before calculating differences between the marginal effects of the two variables (for instance, f16_18 to m16_18). So, the DME of the conditional OLS can be compared with the difference in gender coefficient of the Engel model and also with the Probit Model. For 2008, the coefficient on the variable f16_18 in the conditional OLS equation of log of educational shares in column 2 is 0.942 and the coefficient

Table 11.8 Regressions of the log of monthly wages on years of education and other variable 2018

Variables	OLS		OLS 2		IV		OLS		OLS 2		IV	
	GasFE Robust SE	Robust SE	Casfi Robust SE	Robust SE	M	Robust fir	ChiSff Robust SE	GasS Robust SE	Robust SE	Robust SE		
Years of education	0.082 ^c (0.002)		0-079 ^c (0.0024)		0.092 ^c (0.0024)	(0-004) (0.0004)	0065 ^c (0.003)	0-059 ^c (0.003)		0.087 ^c (0.004)		
Years of work experience	0.024 ^c (0.00201)		0.025 ^c (0.00201)		0.025 ^c (0.00201)	(0-002) (0.0002)	0.035 ^c (0.002)	0-033 ^c (0.002)		0.003 ^c (0.002)		
Square of years of work experience	-0.0005 ^c (0.00005)		-0.0005 ^c (0.00004)		-0.0005 ^c (0.00004)	(0.000 s) (0.0005)	-0.0008 ^c (0.0005)	-0.0008 ^c (0.0005)		-0.0009 ^c (0.001)		
Rural areas	-0.00? ^c (0.012)		-0.005 ^c (0.012)		-0.00788 ^c (0.012)	(0.012) (0.012)	-0.070 ^c (0.017)	-0.054 ^c (0.017)		-0.056 ^c (0.017)		
West	-0.075 ^c (0.0183)		-0.078 ^c (0.018)		-0.0795 ^c (0.018)	(0.018) (0.018)	-0.208 ^c (0.024)	-0.199 ^c (0.024)		-0.215 ^c (0.025)		
East	-0.041 ^b (0.0188)		-0.044 ^b (0.018)		-0.0389 ^b (0.018)	(0.019) (0.019)	-0.130 ^c (0.027)	-0.091 ^c (0.027)		-0.120 ^c (0.027)		
Central	0.002 ^c (0.0158)		0.058 ^c (0.015)		0.0625 ^c (0.015)	(0.016) (0.016)	0.114 ^c (0.022)	0.116 ^c (0.022)		0.117 ^c (0.022)		
Laanbaatar	0.159 ^c (0.0170)		0.156 ^c (0.017)		0.156 ^c (0.017)	(0.017) (0.017)	0.154 ^c (0.021)	0.153 ^c (0.021)		0.145 ^c (0.021)		
<i>Professional choice</i>												
Industry			-0.014 (0.0030)					0.00,903 (0.019)				
Livestock			0.403 ^c (0.0977)					-0.487 ^c (0.040)				
Constant	11.82 ^c (0.0 + 03)		11.85 ^c (0.040)		11.68 ^c (0.0621)	(0.0621) (0.0621)	12.30 ^c (0.045)	12.37 ^c (0.047)		11.99 ^c (0.061)		
Observations	5,879		5,879		5,879		6,045	6,045		6,045		

Robust standard errors in parentheses

^aSignificant at the 0.1 level

^bSignificant at the 0.05 level

^cSignificant at the 0.01 level

on the $m16_18$ is 0.697. Applying the method of retransformation, the log transformation is estimated using the property of the log normal distribution expectation of $E(w|x, w > 0) = \exp(x\beta + \sigma^2/2)$ and the marginal effect of x on the conditional education expenditure, $\frac{\partial E(w|x, w > 0)}{\partial x} = \beta \cdot \exp\left(\frac{x\beta + \sigma^2}{2}\right)$ (Datta and Kingdon 2019).

Moreover, the calculation command on the STATA is taken from Cameron and Trivedi estimation example (Cameron 2009). The $\exp(.)$ for this sample is 0.131472. Second, the transformed marginal effect for the $f16_18$ is calculated $f16_18 * \exp(.) = 0.9424901 * 0.131472 = 0.123911$. For the males, $m16_18 * \exp(.) = 0.6970488 * 0.131472 = 0.091642$. Hence, the difference of the marginal effect between $f16_18$ (share of female children aged 16–18) and $m16_18$ (share of male children aged 16–18) is 0.0322. In Table 11.10, the DME is multiplied by 100, and the DME, in this case, is 3.23. These computing procedures were repeated for the age group 19 to 24 and for both years.

The DME of the combined marginal effects from the probit and conditional OLS model is calculated differently from the above-mentioned DMEs. The estimation is calculated in the way shown in Eq. (11.7) and used STATA command for the combined marginal effect. For the coefficient on the variable $f16_18$ combined marginal effect is 11.5336 and for the male $m16_18$ is 6.892937. The DME of the combined marginal effect of the age group 16–18 is 4.641 in 2008. The same procedures were repeated for the age group 19–24 and also for both years.

From the DME results reported in Table 11.7, a comparison of 2008 and 2018 results for the 16 to 18 age group shows that in 2008 the DME of the Probit Model was 17.08. There was statistically significant pro-female bias in positive education expenditure and enrolling a child in higher education. Furthermore, in 2018, the DME of the Probit Model coefficient was 17.7, which is similar to the result of 2008. Overall, it indicates that having an additional female child aged 16–18 increased the probability of the household having “positive education expenditure,” significantly more than having an additional male child aged 16–18.

In addition, the conditional OLS is significantly positive in both years for the age group 16–18. It suggests that the households spend 3.23% less for males aged 16–18 than for females of similar age, once the decision on “how much” to spend has been made in 2008. By 2018, the coefficient of the DME was 11.64, which increased by 8.41 after ten years in the age group 16–18. Thus, the DME of the combined probit and the conditional OLS or “the Hurdle model” for the age group 16–18 also detects gender bias in 2008. Moreover, the DME of the combined model was positive and highly significant in 2018 in the age group 16–18 too. It leads to the conclusion that both the Engel Curve approach and Hurdle model detect the existence of gender bias in both years.

Moving to the 19–24 age group in 2008, the coefficient of the DME in the Probit Model is positive and highly significant. However, in 2018 the DME of age group 19–24 shows different signs than 2008. It suggests that a pro-male bias exists in 2018 for the age group 19–24 in the Probit Model. Nevertheless, it is important to draw a conclusion after the combined marginal effects of the probit and the conditional OLS model. Furthermore, the DME in the conditional OLS model shows significantly

positive signs in both years. This result has increased by 1.59% over a ten-year period. It illustrates the decision on how much was spent per household's on education. Similar to the DME of the age group 16–18, the gender bias favoring a female child was also detected in both reported years. Additionally, it indicates that after enrolling the male and female children alike, households may spend or allocate more expenditure on the female children's education than on male children's.

The DME of the combined marginal effects or the Hurdle model results reported in Table 11.7, column 3 and 6 for the year 2008 and 2018, respectively. In the age group 19–24 in 2008, unsurprisingly, this paper detects a pattern of gender difference and reports significantly positive results. It also has been reduced over ten years' period by 1.74. This finding is consistent with the result of Engel Curve Method's difference in the coefficients of age group 19–24, which is also reduced by 1.21 over time. Therefore, the Hurdle model is expected to detect the gender bias better than Engel Curve in many resources (Aslam and Kingdon 2008; Datta and Kingdon 2019; Himaz 2010).

In summary, the estimation results of using the household-level data suggest that the gender bias in households' higher education expenditure in the age groups 16–18 and 19–24 have remained over the ten years from 2008 to 2018. Therefore, in the age group 16–18 in both years, the gender difference is high in the enrolment decision or in the Probit Model. It indicates that the most important decisions have been made about whether to enroll children or not at this particular age. Besides that, the DME for the age group 16–18 is positive and highly significant in the Probit Model in both years. It indicates that the probability of having positive budget shares for education increases 17% more with the addition of a female child aged 16–18 than with the addition of a male child aged 16–18 in 2008 and 2018, respectively.

11.5 Gender Bias and Individuality

Marginal effects of the individual and household-level estimation results cannot be compared because age-gender categorical variables in the household-level data do not exist in the individual level data. Moreover, the dependent variable of the individual level is estimated in absolute terms in conditional and unconditional OLS methods rather than the budget share of the education from the total household expenditure. For this reason, this paper cannot compare the estimated results of the household-level data (Table 11.6) with individual level estimated results (Table 11.9). However, since the main interest of this paper is to investigate the gender difference of the households education expenditure, the individual level data analysis included the gender dummy variable "female" to detect gender bias. Thus, the individual level data estimation results are presented with the statistical significance on the Hurdle model and Engel Curve.

On the individual level analysis, the age groups are divided into 16–18 and 19–24 groups to get more rigorous results and to capture gender bias at different age groups. Thus, the estimation results of the year 2008 and 2018 are presented in separate tables

Table 11.9 Hurdle model and Engel Curve for 2008 at the individual level

Variables	Children aged 16–18				Children aged 19–24			
	Probit		Unconditional		Probit		Unconditional	
	anyexp margin	loggedu1 coeff	Highedul coeff	loggedu1 coeff	anyexp margins	loggedu2 coeff	highedu2 coeff	
Female	0.0268*** (0.00791)	0.0637 (0.0420)	38,777 (28,144)	0.159*** (0.0389)	0.0307*** (0.0119)	0.159*** (0.0389)	80,606*** (21,969)	
lnpmonthly_hh_exp	0.0405*** (0.00629)	0.766*** (0.0293)	446,529*** (19,686)	0.860*** (0.0301)	0.108*** (0.00977)	0.860*** (0.0301)	504,579*** (16,763)	
Lnhsiz	0.134*** (0.0137)	1.071*** (0.0747)	525,596*** (48,728)	0.297*** (0.0702)	0.377*** (0.0207)	0.297*** (0.0702)	490,777*** (36,665)	
sec_higher	0.0313*** (0.00966)	0.247*** (0.0485)	116,793*** (32,376)	0.336*** (0.0453)	0.00652 (0.0138)	0.336*** (0.0453)	131,275*** (25,513)	
Maritalstatus	-0.0136 (0.0147)	-0.0426 (0.105)	-21,375 (67,808)	0.189** (0.0958)	-0.0119 (0.0251)	0.189** (0.0958)	70,403 (51,042)	
Gender	0.00464 (0.0178)	-0.00258 (0.107)	29,777 (68,977)	-0.0640 (0.0983)	0.0441 (0.0287)	-0.0640 (0.0983)	13,495 (52,031)	
Hheadage	-0.000746 (0.00354)	0.135*** (0.0226)	58,255*** (13,930)	0.0526** (0.0231)	-0.032*** (0.00709)	0.0526** (0.0231)	8,449 (12,522)	
Sqheadage	-1.70e-05 (3.28e-05)	-0.0128*** (0.000219)	-536.8*** (133.0)	-0.000415* (0.000213)	0.0217*** (6.31e-05)	-0.000415* (0.000213)	-111.1 (113.5)	
Rural	-0.0217** (0.0102)	-0.00315 (0.0519)	-13,688 (34,973)	0.0368 (0.0502)	-0.0283* (0.0156)	0.0368 (0.0502)	43,616 (28,481)	
Herder	-0.031*** (0.012)	0.172*** (0.0591)	24,598 (39,069)	0.135** (0.0575)	-0.0173 (0.0173)	0.135** (0.0575)	10,837 (31,941)	
Constant		-1.466** (0.689)	-6.95106*** (436,921)	0.755 (0.736)		0.755 (0.736)	-6.19206*** (402,647)	

(continued)

Table 11.9 (continued)

Variables	Children aged 16–18			Children aged 19–24		
	Probit	Conditional	Unconditional	Probit	Conditional	Unconditional
	anyexp	logedu1	Higgedu1	anyexp	logedu2	highedu2
	margin	coeff	coeff	margins	coeff	coeff
Observations	3,104	2,858	3,104	4,085	3,274	4,085

Standard errors in parentheses
 *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$

Table 11.10 Hurdle model and Engel Curve for 2018 at the individual level

Variables	Children aged 16-18				Children aged 19-24							
	Probit		Conditional		Unconditional		Probit		Conditional		Unconditional	
	anyexp	Margin	Logedu	Coeff	higgedu1	Coeff	anyexp	Margins	logedu	Coeff	higgedu2	Coeff
Female	0.00301*** (0.00213)	0.0505** (0.0225)	0.250*** (0.0605)	202,671 (71,037)	0.00233*** (0.00250)	0.0126 (0.0171)	0.00368*** (0.0523)	5.402*** (0.503)	0.00368*** (0.0523)	5.402*** (0.503)	1.002e + 07*** (912,246)	-51,298 (94,984)
lnpmonthly_hh_exp			10.46*** (0.545)	9.933*** (638,826)								
Inhsize	0.00242 (0.00318)	0.258** (0.106)	183,533 (124,131)	9.29e-05 (0.00212)	-0.0597 (0.0876)	0.121* (0.0671)	0.189 (0.131)	162,536 (121,910)				
sec_higher	-0.00276 (0.00192)	0.0248 (0.0725)	12,473 (85,171)	-0.000195 (0.00148)	-0.000703 (0.00231)							
headmarried	-0.00421* (0.00220)	0.0261 (0.128)	46,098 (150,062)									
Gender	0.00449 (0.00587)	0.0170 (0.126)	40,706 (146,947)	0.00223 (0.00795)	-0.0362 (0.131)							
hheadage	-0.000595 (0.00141)	0.0198 (0.0261)	15,646 (30,686)	-0.00226 (0.00173)	-0.0183 (0.0300)							
sqheadage	6.97e-06 (1.46e-05)	-0.000128 (0.000242)	-127.6 (284.8)	2.21e-05 (1.72e-05)	0.000200 (0.000278)							
Rural	0.000978 (0.00213)	-0.0406 (0.0722)	-93,458 (84,860)	-0.000249 (0.00140)	0.188*** (0.0594)							
livestock	0.000520 (0.00135)	-0.0628 (0.0392)	-54,024 (46,149)	-4.31e-05 (0.000799)	0.0287 (0.0343)							
Constant		-1.657 (1.015)	-1.234*** (1.192e + 06)									

(continued)

Table 11.10 (continued)

Variables	Children aged 16–18			Children aged 19–24		
	Probit anyexp Margin	Conditional Logedu Coeff	Unconditional highedu1 Coeff	Probit anyexp Margins	Conditional logedu Coeff	Unconditional highedu2 Coeff
Observations	2804	2,071	2804	1407	1,403	1407

Standard errors in parentheses
 *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$

for space reasons (see Tables 11.9 and 11.10). Moreover, descriptive statistics for each year at the individual level are also presented in Tables 11.13 and 11.14.

The individual level analysis results suggest some important perceptions about the gender bias in household education expenditure. In 2008, the probit estimation on the enrolment decision (anyexp) in the age group 16–18 and 19–24 was statistically significant and positive. It suggests that gender bias in the enrolment decision at the individual level still exists, which favors female children. Moreover, it goes in line with household-level findings which showed pro-female bias. In other words, it means that having an additional female child aged 16–18 and 19–24 increased the probability of the household having “positive education expenditure” significantly more than having an additional male child aged 16–18 and 19–24.

Comparing the 2008 results with the 2018 findings at the individual level also shows a similar gender bias trend, which is pro-female. It is also positive and highly statistically significant. However, the marginal effect of the “female” dummy variable has decreased by 0.02379 in the age group 16–18 and by 0.02837 in the age group 19–24, respectively, from 2008 to 2018. In the conditional OLS model the “female” dummy variable is insignificant in the age group 16–18 in 2008. However, it is highly significant in other age groups of 2008 and 2018. It shows that once the decision is made on “how much to spend,” the pro-female bias exists in the age group 19–24 in 2008, and 16–18 and 19–24 in 2018.

In the unconditional OLS method or Engel Curve approach, the “female” dummy variable is insignificant in the age group 16–18 in 2008 and age groups 16–18, 19–24 in 2018. From these findings, it can be stated that the Engel Curve approach fails to detect gender bias at the individual level in some ways. The failure of the Engel Curve approach was also presented in the household and individual level in India (Datta and Kingdon 2019).

The present paper has shown strong empirical evidence of gender bias in household's higher education expenditure in favor of females in Mongolia. Other empirical studies have found gender bias in higher education at a national level, reflecting raw numbers (Nozaki et al. 2009). This section tries to explain the factors responsible for gender bias in higher education in Mongolia.

There is no single answer that can explain the above-mentioned gender bias. In traditional Mongolian society, the dowry or bride payment has little importance among the Mongolian people. Therefore, the national study on gender-based violence in Mongolia survey (2018) conducted by the UNFPA in Mongolia included the questions about the dowry and concluded that there is not much evidence that marriage involves a dowry (Nations and Fund 2018). However, in other countries such as Thailand and Sri Lanka, which have a female preference in education, there is an evidence that dowry plays an important role in this gender bias (Wongmonta and Glewwe 2017). Because for the better-educated girls, the payment will be higher compared to the less-educated girls.

Historically, Mongolian households were patriarchal, so that a bride moved to her husband's parents' home and lived with them. The youngest son and his wife are expected to take care of his parents (Rogers 2020). In addition, there was no obligation for married women in Mongolia to support their parents and live with them. This

also applies to current Mongolian society. In this case, there is no evidence that girls were favored in terms of inheritance. However, because the male workforce is more needed in the livestock sector, parents prefer to send their daughters to higher education institutes rather than boys (Diffendal and Weidman 2011).

Another important aspect of this factor could be the different returns to education for men and women in the labor market in Mongolia. Because there is a wage gap between men and women, in order to get paid equally with men, women are required to have more education and more competence (Pastore 2010).

The 2018 HSES used the Mincerian wage equations for men and women separately for estimations to address this possibility. The analysis is limited to men and women who work full time because the Mincerian wage equation captures the male–female wage gaps (Heckman et al. 2003). There are 12,206 individuals who work full time and received a salary in the HSES 2018, 5,879 (48%) women.

The descriptive statistics of the main variables for men and women used in estimating the Mincerian wage equation are presented in Tables 11.11 and 11.12, respectively. Note that women have more years of schooling or education than men; however, the monthly wage is less than men. This indicates that women need to be more educated than men to get paid equally.

To examine the returns to education for men and women, the Mincer’s earning regression is used (Heckman et al. 2003). This is shown below:

$$\log(y_i) = \alpha + \rho_1 s_i + \beta_1 \text{exp}_i + \beta_2 \text{exp}_i^2 + n' Z_i + u_i \tag{11.8}$$

where y_i is the monthly wage earnings, α measures the returns to education, s_i is years of education (schooling), exp_i is years of work experience, exp_i^2 is the square of work experience, and Z_i is an additional control variable (rural, region, occupation).

Table 11.11 Descriptive Statistics of returns to education for male, 2018

Variable	Obs	Mean	Std. Dev	Min	Max
lnmonthllysalary	6260	13.248	0.598	9.903	15.895
education	21,013	8.168	4.864	0	22
exp	21,013	15.977	16.237	−6	84
expsq	21,013	518.897	763.678	0	7056
rural	29,283	0.458	0.498	0	1
West	29,283	0.215	0.411	0	1
East	29,283	0.106	0.308	0	1
Central	29,283	0.231	0.421	0	1
Ulaanbaatar	29,283	0.223	0.416	0	1
Industry	29,283	0.053	0.225	0	1
livestock	29,283	0.132	0.338	0	1

Table 11.12 Descriptive Statistics of returns to education for female, 2018

Variable	Obs	Mean	Std. Dev	Min	Max
lnmonthsalary	5946	13.093	0.479	9.903	16.604
education	22,750	8.978	4.933	0	22
exp	22,750	16.944	16.796	-6	98
expsq	22,750	569.18	851.707	0	9604
rural	30,537	0.439	0.496	0	1
west	30,537	0.206	0.405	0	1
east	30,537	0.11	0.312	0	1
central	30,537	0.228	0.42	0	1
Ulaanbaatar	30,537	0.233	0.423	0	1
industry	30,537	0.019	0.138	0	1
livestock	30,537	0.091	0.287	0	1

Table 11.13 Descriptive statistics at the individual level, 2008

Variable	Obs	Mean	Std. Dev	Min	Max
highedu1	2084	998,865.35	1,722,080.7	0	30,800,000
highedu2	1407	2,760,735.5	1,841,906.3	0	30,460,000
female	59,820	0.51	0.5	0	1
lnpmonthly hh exp	24,094	1.253	0.06	1.04	1.634
lnhhsz	24,094	1.594	0.332	0.693	2.773
sec higher	24,094	0.662	0.473	0	1
maritalstatus	24,094	0.799	0.401	0	1
headgender	24,094	0.808	0.394	0	1
hheadage	24,094	48.7	8.511	29	93
sqhheadage	24,094	2444.107	925.791	841	8649
rural	24,094	0.48	0.5	0	1
herder	24,094	0.601	1.069	0	6

Two separate OLS regressions are estimated: (1) a logarithm of monthly salary as dependent variable and education, work experience, region and rural dummy variables and (2) adds additional control variables such as certain professions' dummy variables (indicating whether a person works at industry or livestock sector) to the first OLS, separately, for each gender.

The estimation results are presented in Table 11.9. Without adding the control variables to the OLS estimation, the return to an additional year of education is 8.2% for women and 6.5% for men and is statistically significant. For comparison, the difference in the return to an additional year of education for men is lower by 1.7 percentage points. One more year of schooling raises the wage rate by about 10%. After the additional control variables, the returns to an additional year of education

Table 11.14 Descriptive Statistics at the individual level, 2018

Variable	Obs	Mean	Std. Dev	Min	Max
highedu1	2084	998,865.35	1,722,080.7	0	30,800,000
highedu2	1407	2,760,735.5	1,841,906.3	0	30,460,000
female	59,820	0.51	0.5	0	1
lnpcmonthly hh exp	24,094	1.253	0.06	1.04	1.634
lnhhsz	24,094	1.594	0.332	0.693	2.773
sec higher	24,094	0.662	0.473	0	1
maritalstatus	24,094	0.799	0.401	0	1
headgender	24,094	0.808	0.394	0	1
hheadage	24,094	48.7	8.511	29	93
sqhheadage	24,094	2444.107	925.791	841	8649
rural	24,094	0.48	0.5	0	1
herder	24,094	0.601	1.069	0	6

decrease from 8.2 to 7.9% for women and from 6.5 to 5.9% for men. These findings are consistent with the study on returns to education in Mongolia, showing that women have higher rates of return than men (Pastore 2010).

Since the professional choice dummy variables are exogenous and correlated with the error terms, it is recommended to use the instrument variable (IV) methodology to deal with the endogeneity problem of education. The IV methodology can be used to get more precise estimates of the returns to education. In this regard, following Gong (2018), the father's and mother's education are chosen as instruments (Gong 2018). The IV estimates for the returns to education is higher than the OLS estimates results and for women is higher than men. This finding is consistent with Gong (2018).

These results suggest that Mongolian males have more opportunities to earn a higher salary with a lower level of education compared to women. Therefore, Mongolian females use higher education as an instrument to decrease the wage gap. Because of the wage gap, parents are likely to spend more on their daughters' education.

11.6 Conclusion

This study illustrates the gender differences in households' expenditure on higher education in Mongolia. It addressed two specific questions related to the household allocation of educational expenditure. (1) Are there gender differences in the allocation of higher education expenditures within Mongolian households? (2) What factors explain household educational expenditure and gender difference? To answer these questions, this study used the Household Socio-Economic Survey (2008 and 2018) for regression analysis.

This study has detected and showcased the gender bias at the household and individual levels for both 2008 and 2018 using the Engel Curve approach and the Hurdle model method.

First, in the Engel Curve approach at the household-level, the study has shown that the gender bias does exist in both years. The main finding has been that if a child was a female rather than male in the age group 16–18 within the same household, families would have spent 4.5% more on her higher education expenditure in 2008 and 5.8% more in 2018, respectively.

Moreover, in the Hurdle model, the results reported two distinct processes by which gender bias occurs (the probit or enrolment decision and the conditional OLS or the conditional educational expenditure decision) in both years. The combined marginal effects of these two regressions in both years have shown that the gender bias exists in the age group 16–18 and 19–24, at the household and individual levels.

The difference in coefficient at the household-level by the Engel method revealed that the gender gap has not changed over the years. Positive difference in marginal effects at the household-level by the Hurdle model showed a favor of female bias in 2008 and 2018. Moreover, the gender bias in households' higher education expenditure in the age groups 16–18 and 19–24 have remained over the ten years from 2008 to 2018 in the Hurdle model.

The most plausible explanation for the gender bias in the allocation of higher education expenditure at the household-level might be related to the household head's profession and residence. The fact that household heads worked in live-stock/agricultural sector and resided in rural areas had a negative and significant result on the education of male children. Since the herder households need more labor power that could be provided only by a man, they tend to allocate more household resources to their daughters' education than to sons' education. Supporting the male students from rural areas with financial support and allocating greater resources in their education budget is likely to improve the educational outcomes and gross enrolment rate.

At the general level, per capita monthly expenditure was highly significant in all findings and in both urban and rural areas. It suggests that the number of members in the household and income is the most consistent predictor of education expenditure. It is fair to conclude that any policy that aims to increase the income of households is likely to positively impact a household's education expenditure on higher education.

Apart from the household analysis, the individual level analysis also assessed the research question, and the findings were consistent with the Hurdle model estimates at the household-level in 2008 and 2018. However, the Engel Curve approach failed to detect the gender bias at the individual level in some ways. Because the "female" dummy variable is insignificant in the age group 16–18 in 2008, and age groups 16–18 and 19–24 in 2018. The "female" variable here is the variable of the interest which takes the value of one for female and zero for the male child. However, the Hurdle model estimation results showed the gender bias in enrolment decision at the age groups 16–18 and 19–24, and in "how much to spend" on a child for both years.

Therefore, this study concludes that being female is more favored than male when it comes to intra-household higher education expenditure. It could be linked

to parents' tendency to invest less in the education of a male child. Since the reverse gender gap trend has not changed over the ten-year period (2008–2018), Mongolian parents are likely to continue their propensity to give better education to their daughters than to their sons.

One of the contributing factors to this gender bias in higher education could be the female-male wage gap. More specifically, the fact that women are expected to obtain higher education in order to stake their claim for equal pay. Put differently, whereas men can get away with lower-level education at the workplace, women in Mongolia must have higher education in order to be compensated at the level of their less-educated male counterparts. However, it needs further investigation with more in-depth analysis.

Another implication of increased education of women is that it may positively impact health and education of their own children and life expectancy and is likely to decrease child mortality. There are many research projects done in this field. Furthermore, considering gender bias in the households' expenditure on higher education, the policies aimed at maintaining equality in education should aim to change the household's attitude toward the importance of male education. This is perhaps the most important implication of this research in terms of developing education policies and eradicating inequality in education.

References

- ADB (2017) Mongolia: education sector fact sheet. <http://www.eri.mn/download/4dmm0trl>
- Aslam M, Kingdon GG (2008) Gender and household education expenditure in Pakistan. *Appl Econ* 40(20):2573–2591. <https://doi.org/10.1080/00036840600970252>
- Banzragch O, Bayanjargal M (2018) Investing in education and equality in Mongolia, pp 72–73. https://doi.org/10.1007/978-3-319-90388-0_5
- Bat-Erdene R, Amarzaya A, Chuluuntsetseg D (2010) Current state of higher education in Mongolia
- Cameron AC, Trivedi PK (2009) *Microeconometrics using stata*. A Stata Press Publication
- Datta S, Kingdon G (2019) Gender bias in intra-household allocation of education in India: has it fallen over time? IZA Discussion Papers, 12671
- Deaton A (1997) The analysis of household surveys. In: *A microeconomic approach to development policy*. Johns Hopkins University Press for the World Bank. <https://doi.org/10.1596/0-8018-5254-4>
- Diffendal EA, Weidman JC (2011) Gender equity in access to higher education in Mongolia1. In: *Beyond the comparative*. SensePublishers, pp 333–353. https://doi.org/10.1007/978-94-6091-722-6_18
- Forum WE (2016) *Global Competitiveness Report 2015–2016—Reports—World Economic Forum*. <https://reports.weforum.org/global-competitiveness-report-2015-2016/education/>
- Gong B (2018) Like father like son? Revisiting the role of parental education in estimating returns to education in China. 1–18. <https://doi.org/10.1111/rode.12538>
- Guillén Soto M (2011) *Country gender profile: Japan International Cooperation Agency (JICA)*. Policy, March
- Hanushek EA, Woessmann L (2008) The role of cognitive skills in economic development. *J Econ Lit* 46(3):607–668. <https://doi.org/10.1257/jel.46.3.607>
- Heckman JJ, Lochner LJ, Todd PE (2003) Fifty years of mincer earning regressions. NBER Worki. https://www.nber.org/system/files/working_papers/w9732/w9732.pdf

- Himaz R (2010) Intrahousehold allocation of education expenditure: the case of Sri Lanka. *Econ Dev Cult Change* 58(2):231–258. <https://doi.org/10.1086/648187>
- IMF (2003) Mongolia: poverty reduction strategy paper. <https://www.imf.org/external/pubs/ft/scr/2003/cr03277.pdf>
- Kenayathulla HB (2016) Gender differences in intra-household educational expenditures in Malaysia. *Int J Educ Dev* 46(2016):59–73. <https://doi.org/10.1016/j.ijedudev.2015.10.007>
- Kingdon GG (2005) Where has all the bias gone? Detecting gender bias in the intrahousehold allocation of educational expenditure. *Econ Dev Cult Change* 53(2):409–451. <https://doi.org/10.1086/425379>
- Lancrin SV (2008) The reversal of gender inequalities in higher education: an on-going trend. In: *OECD higher education to 2030*, vol 1
- Malik A, Danquah M, Quartey P, Ohemeng W (2018) Gender bias in households' educational expenditures: does the stage of schooling matter? *World Dev Perspect* 10–12(September):15–23. <https://doi.org/10.1016/j.wdp.2018.09.001>
- Mongolian Education Alliance (2005) The Mongolian drop out study
- Nations U, Fund P. (2018) Breaking the silence for 2017 National study on gender-based violence National Statistics Office of Mongolia, Household Socio Economic Survey, 2008, <http://web.nso.mn/nada/index.php/catalog/75>
- National Statistics Office of Mongolia, Household Socio-Economic Survey, 2018, <http://web.nso.mn/nada/index.php/catalog/122/study-description>
- National Statistics Office of Mongolia, “Number of students in universities, institutes and colleges in Mongolia” 2020a, 1212.mn (Mongolian Statistical Information Service). https://www.1212.mn/tables.aspx?TBL_ID=DT_NSO_2001_013V1,2020.
- National Statistics Office of Mongolia, “Gross primary graduation ratio” 2020b, 1212.mn (Mongolian Statistical Information Service), https://www.1212.mn/tables.aspx?TBL_ID=DT_NSO_2002_065V2,2020.
- National Statistics Office of Mongolia, “Students in tertiary educational institutions” 2020c, 1212.mn (Mongolian Statistical Information Service), https://www.1212.mn/tables.aspx?TBL_ID=DT_NSO_2001_015V2,2020
- National Statistics Office of Mongolia, “Population of Mongolia” 2021, 1212.mn (Mongolian Statistical Information Service), https://www.1212.mn/tables.aspx?TBL_ID=DT_NSO_0300_027V1,2021
- Nozaki Y, Aranha R, Dominguez RF, Nakajima Y (2009) Gender gap and women's participation in higher education: views from Japan, Mongolia, and India. *Int Perspect Educ Soc* 10:217–254. [https://doi.org/10.1108/s1479-3679\(2009\)0000010010](https://doi.org/10.1108/s1479-3679(2009)0000010010)
- Pastore F (2008) School-to-work transitions in Mongolia. *Eur J Comp Econ* 6(2):245–264
- Pastore F (2010) Returns to education of young people in Mongolia. *Post-Communist Econ* 22(2):247–265. <https://doi.org/10.1080/14631371003740753>
- Press C (2010) Economies of scale, household size, and the demand for food Angus deaton and Christina paxson. *J Polit Econ* 106(5):897–930
- Riphahn RT, Schwientek C (2015) What drives the reversal of the gender education gap? Evidence from Germany
- Rogers LL (2020) Property relations of mongolian women during the qing period 22:320–338. <https://doi.org/10.1163/22105018-12340153>
- SDC (2014) Gender overview-Mongolia a desk study 90. <https://www.eda.admin.ch/dam/countries/countries-content/mongolia/en/SDC-Gender-Overview-Mongolia-2014EN.pdf>
- Subramanian S, Deaton A (1991) Gender effects in indian consumption patterns. *Sarvekshana* 14(4). <https://scholar.princeton.edu/deaton/publications/gender-effects-indian-consumption-patterns>
- Undesnii Statistikiin Horoo, “Deed Bolovsrolyn Undsen Uzuuleltuudiin Tolov Baidal, Tuund Noolooloh Huchin Zuiliin Shinjilgee,” 2019, 0-30, Ulaanbaatar (National Statistics Office, “Analysis and Main Indicators of Higher Education”, 2019, 0-30), Ulaanbaatar

- Weidman JC, Bat-Erdene R (2002) Higher education and the state in Mongolia: dilemmas of democratic transition. *Higher education in the developing world: changing contexts and institutional responses*, 132
- Weidman JC, Chapman DW (2004) Access to education in five newly independent states of Central Asia and in five newly independent
- Wongmonta S, Glewwe P (2017) An analysis of gender differences in household education expenditure: the case of Thailand. *Educ Econ* 25(2):183–204. <https://doi.org/10.1080/09645292.2016.1168363>
- Wooldridge JM (2010) *Econometric analysis of cross section and panel data*. The MIT Press
- Woolhouse J, Cramphorn J (1999) The role of education in economic development. *Ind High Educ* 13(3):169–175. <https://doi.org/10.5367/00000099101294492>
- Worden RL, Savada AM, Library of Congress. Federal Research Division & Historical Evaluation and Research Organization (1991) *Mongolia: a country study*. Washington, D.C.: Federal Research Division, Library of Congress: For sale by the Supt. of Docs., U.S. G.P.O. [Pdf] Retrieved from the Library of Congress, <https://www.loc.gov/item/90006289/>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Part II
Further Research and Debates

Chapter 12

Transitional Justice in Post-communist Societies—The Case Study of Albania



Ines Stasa

12.1 Background

Post-communist and post-totalitarian Albania is an interesting case study in the framework of Transitional Justice (TJ) modelling, due to widespread “amnesia” since the start of regime change in the 1990s. Forgetting and covering over what happened during the totalitarian dictatorship of 1944–1990 under the communist dictator Enver Hoxha has left political shadows until the present day. The lack of implementation of TJ measures can be linked to the fact that Albania has a high level of political corruption and scores low on international democracy indices.

One of the outcomes of a weak democratisation process in the 1990s is what scholars underline when it comes to the application of any TJ measure, the rule of law. This chapter seeks to explain whether there is any causal link between the TJ measures and substantive legal reforms that could have strengthened the rule of law in this post-totalitarian country. Studies of the impact of TJ measures on Albania are rare, so this case study will summarize some of the TJ measures before 2020 that led to any significant legal reforms within the new political regime since 1990.

Rule of Law and Transitional Justice (TJ) measures are not copy-cat formulas that every society should follow in order to achieve a certain status. The timeline of events and political decisions taken during the past 30 years of transitioning in Albania reflect the one size fits all approach to creating institutions of the “under-democratisation” process to which TJ can contribute in terms of enhancing transparency, accountability and hence also to the rule of law.

Transitional Justice measures in Albania are part of the whole transitioning path towards a more accountable, fair, reconciled society. That is a particular reality that political actors, international organizations, such as the OSCE or Council of Europe, and civil society have neglected to mention or include as part of a national agenda. The

I. Stasa (✉)
Epoka University, Tirana, Albania
e-mail: istasa17@epoka.edu.al

2015 OSCE Survey “Citizens understanding and perceptions of the Communist past in Albania and expectations for the future,” highlights the low concern of Albanian respondents about the Communist past (Project “Supporting a Platform for national dialogue about the human rights violations of Albania’s former Communist regime,” OSCE 2016). The first finding reflects one of the most important concerns that every society in transition should have: the one that condemns past wrongdoings. This is especially the case in a country like Albania where the regime was considered totalitarian.

The lack of interest expressed by the survey respondents in past human rights violations gives impetus to a feeling and a thought that part of the failure of TJ in Albania is both public indifference as well as a failure of political leadership in Albania since 1991. Another interesting finding of this survey is that almost half of the population considered the role of the former communist dictator and totalitarian leader Enver Hoxha in the history of Albania as positive (ibid: 75). Main findings have shown that respondents have labelled order/security as less problematic when compared with past communist Albania but still is more significant as a problem than facing legacies of the past. The communist past is not highly ranked as “big problem” issues, while on the other hand, corruption, bad governance, economy and impunity hold the gross weight of the problem. Given this finding, it is shown that transitional waves in Albania have been crashed after the same rocks for thirty years, without dealing with the roots of the storm in the political environment. What is surprisingly reflected in this survey, is the fact that 53% of respondents were aware of the law passed in 2015 on Opening the Files of Former Secret Service, but that did not make any difference among persecuted people and other respondents. In other words, persecuted people were not significantly more informed on the law than other respondents. Another interesting finding is that over 2/3 of respondents or 69% of them, stated that the opening of files was more significant for Albania than for themselves. It is a sign of awareness that there is no winner or single loser from dictatorships, thus, respondents have directed the benefits of this process to the whole country, not to their individual trauma. On the other hand, it might be a sign of reconciliation with the past showing that the personal suffering is no longer more important than dealing with the whole legacy as a society. Even though survey results show that 90% of people that had read the law on Opening Files of former Secret Service in Albania support it, there is a string mistrust for the process. This mistrust is also an attribute to the failure of these 30 years to develop trustworthy institutions and rule of law. The lack of trust to conduct a fair and transparent process of dealing with the past is as a result of the perception that 64% of respondents have on former secret service files; that is, either they are damaged or destroyed by interested people of the regime, or there will be people and institutions trying to stop the activities of the Authority of Former Secret Service Files.

According to the findings, I will focus on two theoretical approaches and transition paradigms. One can argue, of course, that TJ does not automatically lead to strengthening the rule of law in a country, despite its efforts to reform the legal system. Scholars such as McAuliffe (2013), Mendelski (2015), Teitel (2000), and Carothers (2002) argue that transitional justice itself is conflated often with the rule

of law. Although transitional justice and the rule of law are defined as two contested concepts when it comes to defining them properly and targeting respective outcomes, both of them have evolved during contexts of political changes, thus should not be taken as a causal link in analysis. This part will explore these concerns and be put into the analysis context of Albania, even though there is a fundamental research gap in this respect. Proper analytic and academic research lacks both in reflecting on any transitional justice reality and in rule of law development.

12.2 Transition Paradigm

The “transition paradigm” mindset, which was enhanced after the Cold War, was reliant on theoretical assumptions that, according to Carothers, “constitutes a dangerous habit of trying to impose a simplistic and often incorrect conceptual order on an empirical tableau of considerable complexity” (2002:15). In order to understand this statement, I will draw comparisons on those assumptions which, for the sake of “context,” were aligned to global changes that occurred in other regions of the world.¹ In the 2020 Nations in Transit report, Albania’s overall score was 47.02 out of 100 and its score on democracy was 3.82 out of 7. Albania was given the status of being a transitional/hybrid regime (Nations in Transit 2020). Hence, even 30 years after regime change the level of democracy, let alone rule of law, is low.

There are several attempts aiming to explain this. For example, according to Skaar et al. (2015), there were reasons for a growing criticism in Albania in terms of the application of successful Transitional Justice mechanisms and initiatives, such as “the lack of theorizing, the passing of unverified claims as universal truths, the muddled and inconsistent use of terms and variables” (Skaar et al. 2015: 1). Contrary to the transition paradigm, Lundy and McGovern (2008: 273) on other ideas of transitional societies, imply that even in “circumstances where, in theory at least, the norms of liberal democratic accountability prevail” transitional justice measures may be taken. This statement demolishes one of the points of the transition paradigm, apart from the set-up of democratic institutions and the separation of powers, and broadens the way for the conceptualisation of transitional justice in the field of human rights.² Transition paradigms are manifold, and Mihr (2018), for example, advanced the analytical research on regime change in relation to democratic or autocratic

¹ For example: The fall of right-wing authoritarian regimes in Southern Europe in the mid-1970s; The replacement of military dictatorships by elected civilian governments across Latin America from the late 1970s through to the late 1980s; The decline of authoritarian rule in parts of East and South Asia starting in the mid-1980s; The collapse of communist regimes in Eastern Europe at the end of 1980s; The breakup of the Soviet Union and the establishment of 15 post-Soviet Republics in 1991; The decline of one-party regimes in many parts of Sub-Saharan Africa in the first half of the 1990s; A weak but recognizable liberalizing trend in some Middle Eastern countries in the 1990s, as outlined in: Carothers 2002: 5.

² Carothers defines five core assumptions of the ‘transition paradigm’, such as, any country moving away from dictatorial rule can be considered a country in transition toward democracy; Democratization tends to unfold in a set sequence of stages (the opening, the breakthrough, consolidation); The

regime consolidation, defining the respectively transitional and transformative eras of a political landscape. As such democratisation is not a process that can be taken for granted and which is automatically established once a regime changes, nor is it a process that passes steps of development. She argues that “the difference is grounded in the way powers and institutions use TJ measures for their political goals” (Mihir 2018: 8). Evidence shows that none of these explicit assumptions correlate with the state of Albania’s transition during the period from 1990 until 2020. Albania is a country which still has been scored as a transitional or hybrid regime, with features of an autocratic system where the polarisation of political parties and of society is at the highest point, sometimes followed by a compliant policy towards international standards and in other times with no point of orientation (Nations in Transit, 2020). The evaluation of Albania as a transitional/hybrid regime in this report strengthens the case for there being “grey zone” countries that Carothers (2002) saw as a category of states which are seen to have “feckless” pluralism. She considered the symptoms of this political syndrome to be an “elite-dominated domain, stale and corrupt politics, with a permanent weak state” (2002: 11).

Political transitions and transformations after dictatorship have drawn a lot of attention over the past decades, and Albania is just one of many cases that fit in many of these schemes. One of them is the paradigm that Fletcher et al. (2009) outline, when they state that contrary to the transition paradigm that had been applied after the Cold War, there are other assumptions and theoretical reference points. They highlight the “dynamic relationship among the racial, ethnic, and religious identity of those persecuted, their political power, and the social values to which political leaders could appeal in crafting the state’s response to the violence” (2009: 207). Within the basket of this conceptual framework, we come to terms of significant differences of TJ processes in developed and less developed countries. Given this, TJ mechanisms applied in these societies are influenced by the nature of conflict and its length; reflect the legacy of the regime type and its leadership modus operating in particular for the post-communist countries. The political and societal culture and traditional norms of a given country have to be taken into account (2009: 166).

The most challenging part of politics and political leadership is to commit to addressing past wrongdoings by choosing a contextualized approach that would lead to a national consensus to allow for any TJ and reconciliation process to start in the first place. There is a huge political and societal responsibility to protect one’s own society from the many skeletons of the past. It is necessary to be able to control and manage this delicate process in order to achieve trust, a stable society, local ownership and a turning point in the history of politics. A point to consider when

belief in the determinative importance of elections; The underlying conditions in transitional countries—their economic level, political history, institutional legacies, ethnic make-up, sociocultural traditions, or other structural features—will not be major factors in either the onset or the outcome of the transition process; The democratic transitions make-up the third wave are being built on coherent, functioning states. The process of democratization is assumed to include some redesign of state institutions—such as the creation of new electoral institutions, parliamentary reform, and judicial reform—but as a modification of already functioning states”, see in: Carothers 2002: 8.

analysing the TJ process in Albania is to question whether justice reforms and tools are conceptualised as transitional justice or not.

Over the past three decades, the bonds of legitimacy have been eroded in Albania by the state of political discourse, by political boycotts and the non-recognition of elections by all political parties, by the fragile state of institutions, by massive waves of emigration, by tendencies, actions and/or initiatives that enforce an authoritarian attitude, by regional instability and by inconsistent policies which sometimes are not in the national interest. The question which should be asked is “transitioning to what political regime?”.

Democratic institution-building does not lead automatically to democracy, and its transitioning paths taken by political and civil stakeholders in society alike should not be taken for granted. These paths require willingness and commitment as well as functioning political parties and leadership. Transition and transformation of the institutions and society are often speculated about in Albanian political circles and seen as the finish of a glorious marathon. Many eminent scholars have emphasised the role and place communities have as a condition to transformative change. Both public interest and public participation influence the direction of the transition, whether it is towards an accountable and stable society, or towards a political façade of democracy and rule of law. Transitional justice measures are merely tools to balance public interests after times of conflict and violence (Mihir 2018:102); and the tendency to exclude local communities as active participants in transitional justice measures is a primary flaw, raising fundamental questions of legitimacy, local ownership, and participation (Lundy and McGovern 2008: 266). Fletcher et al. highlight that the “goal of transitional justice is to initiate a process that allows for a dynamic interaction between the society’s culture and practices to develop responses that reflect what is unique in that society (Fletcher et al. 2009: 210); and the increased participation of the public is necessary to ameliorate the alienation in the relationship of the individual to governance and government” (Fraseri 2011: 63).

12.3 The Rule of Law in Context of Transitional Justice

The relationship between transitional justice and the rule of law is their “transitional” path in the same context and during the same time period (McAuliffe 2013). In the case of Albania this is to better and properly understand the interconnection and/or cross-cutting issues of both concepts in a country that lacks TJ measures and where the rule of law has been scored lower during the last five years. Information on the status of the rule of law in Albania is largely missing, apart from the findings and scores of the well-known Indexes for the Rule of Law, which provide data annually on the performance level of issues, studies and policy briefs on this subject. Teitel (2000) highlighted that the rule of law is shaped by political circumstances, law here is not mere product but itself structures the transition” (2000: 6). This claim helps to better understand the rhythm of the transitional waves in Albania when considering the noisy, partisan, politicised legal initiatives, driven by the usual business for electoral

interests. It has happened so since the inception of the post-communist Constitution and so on and so forth. In the same context, McAuliffe tried to establish comparative grounds on these two concepts, in order to bring innovative thinking that it should not be taken as a fact that this relationship is “mutually beneficial” (McAuliffe 2013: 4). The key issues in McAuliffe’s transitional justice versus rule of law debate rest for example on the differences in focus and the different scales of implications in society. Transitional justice, as opposed to the rule of law, does not raise concerns about the ends of any mechanism, while the rule of law considers the effects “beyond the vague intuition that accountability is necessarily useful” (*ibid.*).

Ekiert and Hanson (2003) have deconstructed the communist legacy of former socialist state regimes in different East European countries. They concluded that political developments and transformations occurred differently in different countries, and this happened due to the “initial conditions, timing and sequencing of reforms, quality of policies, institutional choices, the extent of external support” (Ekiert and Hanson 2003:104). The same conclusion can be drawn for the Balkans region, where there were different patterns of political developments in the former Yugoslav Federation with its dissolution into independent countries. The domestic political environment in these states showed signs of having different logic of consequences, and there were disparities among them which were fuelled by conflicts and ethnic disputes. The modes of relationship between the state and society frame what we simply put as the rule of law.

The state of the Rule of Law in Albania today can be extracted from the data of the Bertelsmann Transformation Index (BTI) 2020 and the World Justice Project (WJP) Rule of Law Index 2020. According to these indices the rule of law in Albania, which is part of the same regional picture, is still under construction. The latest BTI report on Albania published in 2020 states that “the country has short experience of independent statehood, lack of democratic experience, socioeconomic underdevelopment, the prevalence of authoritarian leadership and lack of autonomous civil society—are often cited as explanations for Albania’s difficult transition to democracy” (BTI 2020: 4).

Albania has faced a difficult path transitioning to a rule of law-abiding country because of the compromising relationship between the executive and the judiciary, where the executive takes advantage of the judiciary, and secondly due to the lack of legal certainty due to high levels of judiciary corruption (Elezi 2017). Thus, Albanians are left to think that the reconstruction of the rule of law in Albania started in 2016 with judiciary reform with the vetting process as its mechanism. This is to say that for the first 25 years after the regime changed, Albania failed to engage with legal transformation.

The Institute for Democracy and Mediation (IDM) in Albania presented its opinion poll findings on trust in institutions in 2020 by stating that in 2019, Albanian citizens continued to trust religious institutions (65.6%) and the army (59.4%) the most, followed by educational institutions (57.3%), civil society organisations (56.3%), state police (54.6%), healthcare institutions (51.4%), and the media (50.7%). Central and local government, parliament, prosecution, the President, and the courts continue to receive low trust ratings with political parties receiving the lowest rating (22.5%).

The executive, as compared to the legislative and judicial branches, maintains a higher level of trust” (IDM 2020:28). The overall results of this opinion poll show that the rule of law in Albania is still transitioning despite deep reforms to its judicial institutions, fundamental changes to the Constitution and foreign technical assistance which has provided legal experience. There is also no mentioning of TJ in the context of legal reforms, trials of former communist leaders, vetting or lustration. It also shows that any reforms based on compliance and not on their contextual parameters, and the lack of a leadership style that takes responsibilities and commitments, are part of the reason transitional justice in Albania has been delayed so long. According to the WJP Rule of Law Index, another international index measures adherence to the rule of law by examining eight factors. The four factors that are of interest to Albanians are “constraints on government powers,” “absence of corruption,” “civic justice,” “criminal justice” (WJP Rule of Law Index 2020). In Albania, the factors which scored low points and are most concerning are: “government powers are effectively limited by the judiciary” which scored 0.30 out of 1; and “government officials are sanctioned for misconduct” which scored 0.39 out of 1. The “constraints on government powers” factor highlights issues such as the lack of accountability, the intervention of the executive in the judiciary, and the authoritarian tendency of the government.

The scoring on the “absence of corruption” factor highlights a highly corrupt judicial branch, as does the “legislative officials that use public office for their own private gain” factor which scored 0.23 out of 1, and the “government officials in the executive branch that use public office for their own private gains” factor which scored 0.39 out of 1. This data proves the claim that “officeholders who break the law and engage in corruption are generally not prosecuted. The political patronage networks within the judiciary have helped to cover up and even facilitate widespread abuses of public office, including within judicial ranks” (WJP 2020: 11).

12.4 Politicization of Legal and Judicial Reforms in the Context of Transitional Justice

One of the many concerns on the legality and legitimacy of the Albanian way of doing politics is the doubt felt about what the relationship between the judiciary and politics has on reforms and other processes in terms of the rule of law. Of course, a country in transition cannot stay in transition for an indefinite time, it has to transform and consolidate rules within its own society. In the case of Albania, uniquely, there is too much transitioning into legalisation without transformation. Shifting from the legal does not mean that laws do not possess the power of transformation, but it varies from country to country, depending on the nature of the process and of the actors involved in the transformation process (Fraseri 2011: 70). According to Fraseri (2011: 72), the exact definition of the rule of law in countries in transition is constantly shifting according to the exclusive function of what an organisation needs to do to

justify legal reform projects. He explains the Albanian case through the “inflation of legislation” which from the very first sight might seem to have a very positive and transformative impact on the legal domain, but are actually “devoided from any significant impact on how society functions” (2011: 63). I claim here that this tendency to produce as many laws as possible is superficial, ostensibly to look good in the international community. It has created a large distance between the citizens and representative politics. In my opinion, it has created a dictatorship of laws that emphasise “technical procedure rather than political or social nature of expertise” (2011: 65) and where citizens are treated like recipients rather than participants and agents in the law-making process.

It is a widely accepted fact that the legacy of the very atypical communist regime in Albania has had an excessively and enduring influence on the leadership style and on the whole legal and institutional system in the country. The last attempt to reintroduce lustration legislation was rejected by the governing Socialist Party due to it not be distinct enough from the previous lustration law which had been ruled unconstitutional by the Constitutional Court in 2010.

There are two ways to interpret this failure to successfully reintroduce lustration legislation. The first interpretation is the fact that the previous lustration law had become highly politicised and had been misused by political parties; a reflection of unwillingness by the political leadership of main parties to align the Constitution with measures of a transitional justice mechanism which would put first dignity and fairness for the people who had suffered under the communist regime. The second interpretation of this failure is that since the early days of a pluralist regime, there has not been a force for transitional justice in Albania—one that would bring into politics another narrative about unity, national reconciliation and the culture of compromise. Against this backdrop, Frashëri points out that in contrast to other post-communist countries, the case of Albania is worth studying due to its complexities and the “experiments done and still being done today in reforming the political landscape, economy, society and the legal system; associated with differing political wills and legacies of the multitude of domestic and international actors” (2011: 65).

12.5 External International Actors

Evidently, in international comparison, not all former communist countries drove with the same speed and vehicle through liberalization, democracy or into a relapse into authoritarianism (Mendelski 2018), in particular when we look at former communist countries in Central Europe or the Baltic countries. Among a group of states called “laggard,” Albania within the Western Balkan countries, “deal with a weak separation of powers, presence of judicial corruption, politicised judicial system” (2018: 116). The road that would have led to the rule of law is under expensive construction both in terms of social costs and legitimacy. Hence the “notion of the rule of law is reduced to the empowerment of the judicialization of politics, a worrying trend towards juristocracy” (2018: 117). External factors such as the European Union, the

Council of Europe and the OSCE play a not to be underestimated role when it comes to TJ measures and legal reforms and law enforcement.

12.5.1 The European Union

The European Union (EU) has considered the lack of rule of law in Albania since the country sought closer partnership with the EU. Since 2012 the EU has allocated around 100 million euro to rule of law sectors and pledged around 34 million euro for justice reforms in the period 2019 to 2021” (BTI 2020: 35). The international “investment” in legal reform processes and other initiatives which aim to embrace the norms, values and standards of liberal democracy has been hindered by several factors, which Mendelski (2018) has related to, for example, the lack of a well-elaborated methodology to allow objective evaluation of the rule of law, and the fact that more reforms do not mean more progress in the rule of law. According to Mendelski “legal reforms have failed due to their disempowerment by politicians and the legal incoherence which means contradictory and incoherent legislation” (Mendelski 2018: 118–119, 334–339). For Frashëri, the EU is key if Albania ever escapes the vicious cycle of corruption. The desire for closer integration with the international community and for greater Europeanization has provided a powerful incentive to adopt more laws according to EU norms and standards than the country is able to absorb and enforce (2011: 68). This political style on “compliance” for their political purposes has ignored the context and capacities that Albania provides. This stance is not only hypocritical to both the international community and citizens, but it further illustrates an unaccountable political attitude, which escalates the political crisis and society division. Yet, authoritarian legacies, one-man style of political leadership, hierarchical political organisations, weak civil society, post-authoritarian political culture, and a dominant system of patronage and corruption continue to hinder the country’s progress (BTI 2020: 32).

But the most symbolic way of how the rule of law is mirrored over years is the constitution-making process, from its inception after the fall of the communist regime, until the most recent changes of July 2020. At the height of the pandemic the parliament in Tirana passed constitutional amendments related to the electoral system which aims to eliminate clientelism. Previous reforms had failed to leverage the rule of law.³

³ 1992: Establishment of the first Constitutional Court in Albania., May 1991: Law on the Major Constitutional Provisions. The initiative of President Berisha to draft the new Constitution of the Republic of Albania was contested. The opposition Socialist Party did not participate in the special commission. 1994: The popular referendum failed to ratify the draft Constitution which led to highly divided and partisan decision-making leadership. November 1998: The new Constitution of the Republic of Albania was officially ratified after being developed with much international assistance and civil society participation. The new Constitution was considered as a new beginning that would have marked the rule of law ‘territory’. 2007, 2008, 2012: There was no consensus between the political parties for constitutional amendments. International actors insisted upon most of these constitutional amendments, which imposed new rules and strategies on the judiciary, the

12.5.2 *The OSCE*

In 1997 at its 108th Plenary Meeting, the Permanent Council of the Organisation for Security and Co-operation in Europe (OSCE) took *Decision Nr 106* to establish an OSCE Presence in Albania. The Albanian authorities made this request as it was felt necessary to have international assistance due to the civil conflict in 1997. Initially the two main tasks of the OSCE Presence were democratization, the media and human rights. These aims fit with the context of the internal situation in Albania at the time, and its primary initial efforts were principally responding to unexpected situations and challenges (Everts 1999: 271). The OSCE Presence in Albania was actively involved during these difficult times in the country, seeking to promote democracy, to facilitate and mediate conflicting political discourse and to reconstruct the post-communist country with rule of law reforms. The OSCE Presence in Albania has developed its programmes of intervention in several ways as Albania has evolved, due to the different liberalising and democratisation processes being implemented and its transitioning to democracy. It is worth mentioning that the OSCE Presence has made great efforts to put the issue of transitional justice at the centre of the national agenda. It has transformed its mission into a more accomplished and transformative one. In terms of initiatives of dealing with the past and of the communist legacy in Albania, the OSCE Presence has remarkably accomplished significant steps that other international and/or local actors have not been aware of before. To give the full perspective on this, the latest project was the establishment of the Transitional Justice Centre within the premises and faculties of the University of Tirana, which marks the first academic effort to institutionalize Transitional Justice in its kind as a proper academic tool to navigate thoroughly into the past.

12.6 Further Research

Despite a number of legal and constitutional reforms and attempts to launch TJ measures, Albania scores low in rule of law and democratic performance. For the sake of European integration and compliance with OSCE standards, the country aims to meet the demands made by other international stakeholders. This compliance does not make Albania different from the other post-communist states in the region, but Albania is different and unique to them when it comes to deliberating

administrative division of the country and the electoral system on the local political domain. The Constitution changed in 2008 in an unusual political environment that is often considered as a turning point in the feckless pluralism of Albania. The electoral changes altered the democratization process and put it in the hands of political leadership. July 2016: Major constitutional amendments were necessary to align the Constitution to the new package of legal reform legislation. These amendments introduced the Vetting Process for the judiciary in Albania and were financially supported by the international community through its donors, actors, and representatives. The amendment process was characterized by intense lobbying by the EU and the US embassies and other political actors. They were finally adopted with a joint vote in Parliament.

on introducing any TJ mechanism—to which there is still widespread reluctance. The ongoing government propaganda on the rule of law does not make up for the lack of political responsibility and willingness to address past massive human rights violations.

Attempts to design a contextualized transitional justice programme have been undermined and its scope has been limited due to lack of interest by civil society to advance the transitional justice discourse on the political agenda and lack of a national strategy on ways the nation can come to terms with its communist past.

References

- Bertelsmann Stiftung, BTI (2020) Country Report—Albania. Gütersloh: Bertelsmann Stiftung, 2020. <https://bti-project.org/en/reports/country-dashboard-ALB.html>
- Carothers T (2002) The end of the Transition Paradigm. *J Democracy* 13(1):5–21. <https://www.journalofdemocracy.org/articles/the-end-of-the-transition-paradigm/>
- Ekiert G, Hanson S (2003) *Capitalism and democracy in central and Eastern Europe: assessing the legacy of communist rule*. Cambridge University Press, Cambridge
- Elezi G (2017) Establishing the rule of law after communism: a comparative approach. *Polis* 16:65–89
- Everts D (2000) OSCE yearbook 1999. Baden-Baden
- Fletcher L, Weinstein H, Rowen J (2009) Context, timing and the dynamics of transitional justice: a historical perspective. *Hum Rights Q* 31(1):163–220
- Fraseri E (2011) Transition without transformation: legal reform in the democratization and development process. *J Civil Law Stud* 4:60–112
- Lundy P, McGovern M (2008) Whose justice? Rethinking transitional justice from the bottom up. *J Law Soc* 35(2):265–292
- McAuliffe P (2013) *Transitional justice and rule of law reconstruction: a contentious relationship*. Routledge, Abingdon and New York
- Mendelski M (2015) The EU's pathological power: the failure of external rule of law promotion in South Eastern Europe. *Southeastern Europe* (39):318–346
- Mendelski M (2018) The rule of law. In: Fagan A, Kopecky P (eds) *The Routledge handbook of East European politics*. Routledge, Abingdon and New York, pp 113–126
- Mihr A (2018) *Regime consolidation and transitional justice*. Cambridge University Press. <https://doi.org/10.1017/9781108394895>
- Nations in Transit 2020 (2020) Washington, DC. <https://freedomhouse.org/report/nations-transit>
- Skaar E, Malca C, Eide T (2015) *After violence: transitional justice, peace and democracy*. Routledge, Abingdon and New York
- Teitel R (2000) *Transitional justice*. Oxford University Press, Oxford
- WJP (2020) World justice project rule of law index, country report of Albania. World Justice Project. <https://www.worldjusticeproject.org/rule-of-law-index/country/2020/Albania/>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 13

Covid-19-Pandemic Measures in Conflict Zones in 2020 and 2021—The Case of the OSCE and South Ossetia in Georgia



Irakli Javakhishvili

13.1 Background

The impact of the Covid-19 pandemic on ongoing political and societal transformations deserves closer attention in all areas of social science research. In this short entry, I will highlight the impact that the pandemic had in the conflict zone and occupied territory of South Ossetia in Georgia in 2020 and to what extent the absence of international organizations, such as the OSCE and the WHO, had an impact on the level of vulnerability of people living there.

The systematic interlinkage between international organizations and people living in occupied but non-recognized territories and conflict zone deserves more attention and needs more in-depth and comparative research.

In the following paragraphs, I will illustrate the case of South Ossetia, a conflict zone and a territory that has regularly claimed independence from Georgia since 1992. Despite the fact that Georgia is a country in which governmental authorities responded quickly to the needs of the people, there are regions in this small country that are being especially harmed by Covid-19. In this spirit, the main target of this research is the people who live near the administrative border in South Ossetia, a region on the border between the Russian Federation and Georgia. South Ossetia is only one of the two breakaway regions of the country. People living there have either Georgian or Russian citizenship and often perceive themselves as abandoned by the Georgian government. For example, locally, there is a lack of hygienic products, sanitation, primary care clinics, medicines and so on. People are often obliged to walk several kilometers in order to find a doctor or medicines, which during the pandemic has become a major challenge. Their social conditions had been bad and became worse in the midst of Covid-19. Such a state of affairs increases the perception of the vulnerability of the people living in the fragile and conflict torn region. In sum,

I. Javakhishvili (✉)
Sulkhan-Saba Orbeliani University, Tbilisi, Georgia
e-mail: ir.javakhishvili@sabauni.edu.ge

it affects not only these people themselves but also the security of this region and of Georgia in general. Therefore, during the 2020 Pandemic people in South Ossetia were more affected than people in other regions. But how can both the impacts be measured?

13.2 Case Study

The first case of Covid-19 in Georgia was attested to on February 26, 2020. The new coronavirus is a serious threat to the economic development of Georgia, directly affecting the most vulnerable population in the country. Like other countries, Georgia faces a choice between economy and health care. Social distancing and a global lockdown, on the one hand, can help the country to tackle the pandemic and, on the other hand, limit economic activity and hinder the economic growth of Georgia.¹ All of these factors are especially sensitive for Georgian citizens living near the administrative border with South Ossetia, which is not officially recognized as a separate or independent state. The matter includes not only the actual context, composed of security issues, public policies and local problems, but also the background of the conflict situation in which the OSCE actively engaged until 2009.

Taking into account the developments in the conflict areas of Georgia, in both Abkhazia and South Ossetia, especially after the OSCE mission and its observers left the occupied territories in May 2020, we have been testing the following hypotheses. First, I argue that during the Covid-19 pandemic, without the support of a neutral international organization such as the OSCE, the Georgian government was less able to handle the pandemic alongside the administrative borderline with South Ossetia. The OSCE monitoring mission in Tbilisi has no mandate and access to the Russian-occupied region and the staff was evacuated in May 2020 from South Ossetia, leaving a security vacuum. Second, I argue that collaboration with the OSCE mission would have been an important tool to handle the pandemic in order to gain access to the vulnerable and non-state protected population in that zone, namely those who do not see themselves as Georgian or who are non-Georgian citizens.

In order to understand the context and the essence of this research, one must ask the question, what has so far been the main role of the OSCE observer mission in South Ossetia and how did the withdrawal of the Mission staff worsen the situation of the local population along the occupation line?

The OSCE mission has been in the region for over 28 years since its launch in 1992, and was one of the first established by the newly founded OSCE in 1992. Thus, to test the impact and effects of the pandemic on the conflict situation without having OSCE observers and staff in the region, we apply qualitative methods, such as qualitative content analysis, and the case study method, in particular the segment of the

¹ Georgian Parliament Research Center (2020). "Possible impact of covid-19 on economy of Georgia". Accessed August 19, 2020. http://www.parliament.ge/ge/ajax/downloadFile/136520/08_Vie wpoint_2020-05-04_Covid_19_and_Georgian_economy.

population living along the administrative borderline that has no Georgian citizenship. I will also look into the OSCE OM mandates such as the political and military dimension of security, including conflict resolution, destruction of surplus stockpiles, assisting police reform and enhancing anti-terrorism capacities, strengthening border management capacities and security. Furthermore, the OSCE mandate includes the protection of human rights and fundamental freedoms, which are embedded in the human dimension policies of ODIHR, as well as the economic and environmental dimension of security and co-operation with other international organizations—even if the latter are also absent in the region.²

The research is principally conducted in an empirical way using facts, personal experiences, official and media reports, and context analysis. Certainly, especially regarding the situation of people living along the borderline with separatist South Ossetia, the present research outline has its significant limitations and constraints because of the certainty of analysis of the actual conditions during the Covid-19 pandemic. Also, this is due to the fact that all the data are not available at this moment—making it an important matter for future research papers.

13.3 Background

By the end of December 1990, Ossetian separatists backed by the Russian authorities decided to hold elections for the Supreme Council, centering around the arrangement of the Soviet Republic of South Ossetia. Naturally, the Georgian authorities considered this illegal and condemned such an aspiration because it was a serious threat to the territorial integrity of Georgia. On December 11, 1990, the Supreme Council of the Georgian Republic adopted the 363th law Regarding Abolishing the Autonomous District of South Ossetia, declaring that “the separatist forces in the Autonomous District of South Ossetia try to commit usurpation of the state authority by means of creating the so-called ‘Soviet Republic of South Ossetia’.”³ Shortly after, in 1992, the situation in the area of Georgian Ossetia became seriously strained. In May 1992, the so-called Supreme Council of South Ossetia adopted an act of state independence for South Ossetia. In the Russian parliament in Moscow, the Kremlin was aware of the need to make an immediate decision to search for a possible cease-fire and stop military actions in the conflict area. Following brief discussions, the Sochi Agreement was reached between the Russian Federation and Georgia in June of that year. The agreement became a certain guarantee for the further regulation of tensions between Georgian and Ossetian parties; many of the latter wanted to become a part of Russia or an independent country. The agreement was a cease-fire

² OSCE (2008). “Overview”. Accessed November 20, 2020. <https://www.osce.org/georgia-closed/43383>.

³ Konrad Adenauer Stiftung (2009). “Georgian Foreign Policy: The Quest for Sustainable Security”. Accessed August 20, 2020. <http://gip.ge/georgian-foreign-policy-the-quest-for-sustainable-security/>.

and did not mean that the conflict would be settled in favor of Georgia's territorial integrity. Rather, the situation deteriorated through the years and in 2008 the August War between Russian and Georgia was a culmination of Russia's foreign policies and for Georgia's further disintegration.

13.4 OSCE Mission in Georgia

The OSCE has worked in Georgia for almost 17 years, but its mission was suspended on January 1, 2009 because the 56 member states did not achieve a consensus to continue the mission mandate. Indeed, it was the result of a Russian endeavor—and a consequence of the August 2008 war—to not allow the OSCE representatives in the conflict zones of Abkhazia and South Ossetia. Instead, the Russian government asked the OSCE to recognize the two breakaway regions as independent states after the Russia-Georgia August War in 2008. Russian deputy foreign minister Grigori Karasin stated that “What happened with the OSCE mission to [Georgia] and the UN Security Council resolution on the UN mission in the region is a supreme act of diplomatic cynicism... Our impression is that Tbilisi—and perhaps some other capitals—have decided to seek a solution to the problem in the waters of instability.”⁴ It seemed that the suspension of the OSCE mission in that part of Georgia was in the vital interests of Russian foreign policy in the region. The Georgian government responded and claimed that in August 2008 military observers of the OSCE had to suddenly leave the capital city of the autonomous district of South Ossetia, Tskhinvali, and that this leave was very harmful to any peaceful resolution of the Georgian-Ossetian conflict. And up to now, they have not been able to return there. It was seen as a failure of conflict resolution on all sides because, as journalist Silvia Stöber stated, “all the OSCE's efforts over the years to build confidence between Ossetians and Georgians, to work together with international organizations to build up the economy and infrastructure, and to develop civil society were negated.”⁵ But the suspension of OSCE confidence-building efforts was the greatest loss for both Georgians and Ossetians. The then OSCE Chairman-in-Office at the time, Alexander Stubb, condemned Russia's policies and stated that “Russia should follow OSCE principles by respecting the territorial integrity and sovereignty of Georgia. Russia should immediately withdraw all troops from Georgia and implement the cease-fire agreement, including the modalities defined in the 16 August letter of French President Nicolas Sarkozy. The international community cannot accept unilaterally established buffer zones.”⁶ It was aggravated by the fact that “the South Ossetian

⁴ EurasiaNet (2009). “Georgia: OSCE terminates its 17-year Georgian mission”. Accessed August 21, 2020. <https://www.refworld.org/docid/4a532cc419.html> [accessed 21 August 2020].

⁵ Stöber (2011). “The Failure of the OSCE Mission to Georgia—What Remains?” OSCE Yearbook, 204. Accessed August 21, 2020. <https://ifsh.de/file-CORE/documents/yearbook/english/10/Stoeber-en.pdf>.

⁶ OSCE (2008) (August 26). “OSCE chairman condemns Russia's recognition of South Ossetia, Abkhazia independence”. Accessed August 28, 2020. <https://www.osce.org/cio/50011>.

conflict, more than the Abkhazian conflict, was treated in Western capitals as a local problem and its potentially explosive nature underestimated.”⁷ The government in Tiflis however, considered Abkhazia and South Ossetia as two separatist regions that are part of the territory of Georgia. The cease-fire agreement adopted as of September 2008 was a supplementary document of an earlier Six-Point Agreement and provided for the continuation of the OSCE observers’ activity within the territory of South Ossetia like before August 2008, taking into account further corrections in their mandate. As a consequence, the Russian government blocked any possibility of continuation of the OSCE Mission mandate and aimed for “new realities” to be reflected in a new mandate, namely the recognition of the separatist regions’ as independent ones. Georgia, on the other hand, has stated ever since that it would be the equivalent to crossing the “red lines.”

13.5 Covid-19 and People Living Near the Administrative Border with So-Called South Ossetia

The Covid-19 pandemic hit strongly the people living in the capital city Tskhinvali. On May 10, 2020, two months after the first Covid-19 cases in Georgia, the self-declared authorities of South Ossetia closed their border with the Russian Federation and to Georgia. From the outset, the Georgian authorities did not trust coronavirus statistics both in Abkhazia and in so-called South Ossetia but had no access to the region. At the same time, in social media, many people from Tskhinvali reported on the deficiencies of the local health care system and did not trust doctors’ professionalism.⁸ It was assumed that several thousand had been infected and many people died.⁹ The International Crisis Group (ICG) published a report reviewing the coronavirus situation in these occupied territories of Georgia. As for Tskhinvali, the ICG mentioned that “South Ossetian authorities have even been reluctant to work with the WHO and other international organizations. Because these organizations are accused of collaborating with the Georgian government, the de facto leadership in Tskhinvali and elsewhere sees collaboration with the WHO as undermining their own demand for international recognition of the region’s independent status. Hence, South Ossetia arguably is at greatest risk and, as elsewhere, a significant part of the population, namely up to 20 per cent, is elderly. Hospitals are severely under-equipped. One of the few doctors in the region refused to work due to a lack of basic protective gear at the hospital. A local official said disinfectant was in short supply,

⁷ Eiff (2009). “The OSCE Mission to Georgia and the Status of South Ossetia”. OSCE Yearbook, 43. Accessed August 21, 2020. <https://ifsh.de/file-CORE/documents/yearbook/english/08/Eiff-en.pdf>.

⁸ Radio Liberty (2020) (May 7). “11 infected in Tskhinvali, de facto Republic totally closes so-called border with Russia”. Accessed August 22, 2020.

⁹ Gukemukhovi (2020) (November 5). “Tskhinvali in terms of Russian Restrictions”. Accessed November 20, 2020. <https://netgazeti.ge/news/495540/>.

and de facto authorities have asked local clothing makers to sew masks and protective gowns for medics.”¹⁰ The issue is complicated due to political considerations because the de facto authorities worry that co-operation with officials arriving from government-controlled Georgia would undermine their claim to independence.”¹¹ Only in September 2020 did the Russian Federation provide supplies and medical aid to South Ossetia, but this step could not replace proper state policies to deal with the pandemic.¹² Officials from South Ossetia received help from Russia in October 2020 after the first wave of the pandemic, according to media agencies.¹³ There are no official data about infected people that could be investigated by international observers.

At the same time, one could also argue that the security vacuum and the ‘moderating role of the OSCE’ that was left behind since its withdrawal in March 2020 especially made it harder to respond to the needs of people during the pandemic despite the fact that some international organizations are actively engaged in the process.¹⁴ This may have increased the casualties and death rate of those affected by Covid-19 during the pandemic in the region.

In this way, the response of local authorities in Tskhinvali was very destructive and did not go in line with Georgian governmental policies. There has been no access to the sick and vulnerable people by international organizations, except for the International Red Cross that could irregularly distribute hygiene items and food. An especially vulnerable population was in the community of Akhagori, an adjacent municipality of the conflict zone between Georgia and South Ossetia. The place was in total isolation, and they did not have access to basic health care services.

The day-to-day conditions of people have dramatically worsened during the pandemic, and both improvement efforts by international organizations such as the OSCE or the Georgian government are far from being seen. In many villages, there is no pharmacy and food store. People walk several kilometers in order to buy products and necessities.¹⁵ In this matter, there are two examples of the villages of Tvaurebi and Odzisi. The Democracy Research Institute (DRI) reported that in Tvaurebi, there is no school or kindergarten in the village. The village has an outpatient clinic but does not have a pharmacy or a grocery store. People have to walk about four kilometers

¹⁰ International Crisis Group (2020) (May 7). “The Covid-19 challenge in post-Soviet breakaway statelets”. Accessed August 22, 2020. <https://www.crisisgroup.org/europe-central-asia/b89-covid-19-challenge-post-soviet-breakaway-statelets>.

¹¹ Ibid.

¹² Russian News Agency TASS’ Russian medics arrive in South Ossetia to help it fight coronavirus ‘ <https://tass.com/society/1202381> 28 September 2020.

¹³ Jam News ‘S. Ossetian officials turn to Russia for help following coronavirus outbreak’ <https://jam-news.net/coronavirus-south-ossetia-outbreak-russia/>, 29 October 2020.

¹⁴ Lomsadze (2020) (July 2). “UNICEF Helps Vulnerable Families Affected by Covid-19 Pandemic”. Accessed February 13, 2020. <https://www.unicef.org/georgia/stories/unicef-helps-vulnerable-families-affected-covid-19-pandemic>.

¹⁵ Democracy Research Institute (2020) (June 26). “The needs of people living along the occupation line (Tvaurebi, Odzisi)”. Accessed August 23, 2020. <http://www.democracyresearch.org/eng/330>.

to buy essential products in another village of Lamiskana.¹⁶ The situation deteriorated during the pandemic when the administrative borders to Russia and Georgia were closed for months. As for the village of Odzisi, for example, it is reported that there is no pharmacy or shop, although it is possible to buy bread in several private houses. Locals have to go to a nearby village to buy food and other essentials.¹⁷ The 2020 pandemic worsened the situation in South Ossetia. Hence this case study only illustrates the failures and shortcomings of domestic vis-à-vis international politics in similar regions.

13.6 Consequences of Covid-19

To test the hypotheses on the interconnection or causal links between the absence of an OSCE mission (independent variable) since 2008 and the higher vulnerability of non-Georgian citizens (dependent variable) in South Ossetia, especially since 2019, during the Covid-19 pandemic, led to a higher number of people in risk near the administrative border with so-called South Ossetia. The pandemic has led to the evacuation of the OSCE mission due to health risks, and hence left a moderating vacuum that could have provided access to people in need during the pandemic.

The impact of the pandemic can be measured by the absence of the OSCE and the rise of cases of Covid-19 affected people, and the day-to-day public needs, such as health and human security for people living near the occupation line. Security conditions deteriorated for the population near the so-called border with South Ossetia after the OSCE observers left the region, after Russia's recognition of South Ossetia, after Abkhazia's independence, and recently with the hardships of living along the occupation line during the Covid-19 pandemic. All of these lead to a cause-effect relationship in the conflict area situations before and after the OSCE mission evacuation.

13.7 Further Research

This case study illustrates how the Covid-19 pandemic has affected Georgian citizens and, in particular, those living in regions that are not internationally recognized, and to which international humanitarian aid either has no access or is totally absent there—it can be evidenced among people living along the occupation line with South Ossetia. Such a state of affairs is particularly harmful to those vulnerable people affected by conflict tension for years.

The effects of the pandemic are tangible in ordinary people's daily life even today. Responsibility for this situation can be found on all sides of the spectrum, including the governments involved, the de facto leadership, the international organizations and

¹⁶ Ibid.

¹⁷ Ibid.

so on, not to mention the lack of attention from the central government of Georgia. It is the most vulnerable part of the population that suffers the consequence of not having access, in many cases, to water, food, health and other needs. There is no doubt that in 2008 the suspension of the OSCE mission to Georgia, and the evacuation in 2002 from the mission office in Tbilisi, largely influenced the conditions of people living along the occupation line, in a negative way of course. Other missions in the region, such as the European Union Monitoring Mission was not able to take these specific functions due to similar policies as the OSCE and because Russia is not a member of the EU.

References

- Democracy Research Institute (2020) The needs of people living along the occupation line. Tvaurebi, Odzisi
- Eiff H (2009) The OSCE mission to Georgia and the status of South Ossetia. OSCE yearbook 2008. Baden-Baden 2009:35–43
- EurasiaNet (2009) Georgia: OSCE terminates its 17-year Georgian mission
- Georgian Parliament Research Center (2020) Possible impact of covid-19 on economy of Georgia
- Gukemukhovi M (2020) Tskhinvali in terms of Russian restrictions. <https://netgazeti.ge/news/495540/>. Accessed 20 Nov 2020
- International Crisis Group (2020) The Covid-19 challenge in post-Soviet breakaway statelets. <https://www.crisisgroup.org/europe-central-asia/b89-covid-19-challenge-post-soviet-breakaway-statelets>. Accessed 22 Aug 2020
- Konrad Adenauer Stiftung (2009) Georgian foreign policy: the quest for sustainable security. <https://gip.ge/georgian-foreign-policy-the-quest-for-sustainable-security/>. Accessed 20 Aug 2020
- Lomsadze G (2020) UNICEF helps vulnerable families affected by Covid-19 pandemic. <https://www.unicef.org/georgia/stories/unicef-helps-vulnerable-families-affected-covid-19-pandemic>. Accessed 13 Feb 2020
- OSCE (2008) Overview. <https://www.osce.org/georgia-closed/43383>. Accessed 20 Nov 2020
- Radio Liberty (2020) 11 infected in Tskhinvali, de facto Republic totally closes so-called border with Russia
- Stöber S (2011) The failure of the OSCE mission to Georgia—what remains? OSCE Yearbook 2010. Baden-Baden 2011:203–220

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 14

American Classified Paper of 1988 and the Case of Nagorno-Karabakh Conflict



Michael Lambert

14.1 Background

In 1988, the US Central Intelligence Agency (CIA) declassified a research paper with the title, “Unrest in the Caucasus and the challenge of Nationalism” on the Nagorno-Karabakh autonomous oblast time when the conflict between Armenia and Azerbaijan was emerging. It lasted until 1994.

The 44-page document from 1988 provided insights into the US intelligence knowledge of this region at the heart of Armenian-Azeri tensions. Over 30 years ago, the paper underlined the difficulties for the Soviet leaders to keep the *status quo* of peace and stability established during the Soviet period. This strategic intelligence paper from 1988 is an important piece of the puzzle in understanding contemporary politics and peace-building in the Caucasus. It highlights the ethnic and religious tensions that existed across the Soviet Union and continue to be one of the main reasons for outbreaks of violence.

Therefore, it is instructive to look back to the 1980s and the strategic choices made at that time by the United States and the USSR to understand the current context in the region.

The Nagorno-Karabakh war of 2020 highlighted the growing disparities between Armenia and Azerbaijan in the post-Soviet order, resulting in a modern Azerbaijan capable of conducting advanced military operations while Armenia relied on Soviet equipment. Moreover, Azerbaijan had a strategic advantage over Armenia and Nagorno-Karabakh, due to the support by other emerging powers in the region, such as Turkey.

Since the collapse of the USSR, Baku has managed to develop its economy through the sale of oil and gas on the international market and develop partnerships with countries such as Israel, a supplier of unmanned aerial vehicles (UAVs), into action

M. Lambert (✉)

OSCE Academy in Bishkek, 30 rue Croix fontaine, 77240 Seine-Port, France

e-mail: michael.lambert@insead.edu

© The Author(s) 2021

A. Mihr (ed.), *Between Peace and Conflict in the East and the West*,
https://doi.org/10.1007/978-3-030-77489-9_14

267

during the conflict in 2020. On 9 November 2020, the Azeri attack on a Russian Mi-24 helicopter on Armenian territory prompted Moscow to provide some peacekeepers, in total 1,960 soldiers and 90 armoured personnel carriers. The aim is to remain for at least 5 years, which reverses earlier Russian government decisions not to send soldiers during and after the 1988 to 1994 war between these two countries.

The 2020 pro-active approach by Moscow changes the dynamics in Nagorno-Karabakh. That this would happen was already mentioned by the CIA in 1988.¹ Nevertheless, and contrary to the Soviet era, in 2020, the Russian government could have an economic advantage in intervening in the region because it will push both countries to purchase more Russian equipment in an attempt to develop relations with Moscow. Furthermore, it confirms Russia's return as a major power on the international scene and changes relations within the OSCE. As such, Russia is now the only co-chair in the Minsk Group to have troops in Nagorno-Karabakh, unlike other members, such as France and the United States. Thirty years after the collapse of the USSR, the US administration does not officially recognise Nagorno-Karabakh as a territory independent from Azerbaijan. There are nevertheless nine American states, namely California (2014), Georgia (2016), Hawaii (2016), Louisiana (2013), Maine (2013), Massachusetts (2012), Michigan (2017), Rhode Island (2012) and Colorado (2019) that passed separate bills on the state level recognising the "Republic of Artsakh," another name given to Nagorno-Karabakh as an independent country on the basis of the Montevideo Convention.² This discrepancy between the diplomatic position of the US administration versus its federal states has already been highlighted in the 1988 CIA research paper and helps to understand contemporary American diplomacy with regard to Nagorno-Karabakh.

The events of 27 September to 10 October 2020 have changed the dynamic between Baku and Yerevan in Nagorno-Karabakh with the return of certain occupied territories to the control of Azerbaijan. Russian peacekeepers are also developing an option presented already by the CIA in 1988. The CIA already had documents, namely the "Who's Who—Political, Military," 1949, that was declassified in 2011, and the "Indication of Psychological Vulnerabilities," 1952, declassified in 2003, and the "History of Animosity between Armenians and Azeris," 1988, declassified in 2012, as well as "Unrest in the Caucasus and the Challenge of Nationalists," 1988, declassified in 1999, published in order to understand what the CIA knew and how this continues to influence the US Department of State's policy in international organisations, including the OSCE.

¹ Central Intelligence Agency (1988) *Unrest in the Caucasus and the Challenge of Nationalist* (declassified in 1999) <https://www.cia.gov/readingroom/docs/CIA-RDP91B00776R000600150001-9.pdf>

² This recognition was supported by members of the Democratic Party in each of the U.S. states mentioned above, without any evidence of a common strategy within the Democratic Party.

14.2 Territorial Conflict Over Nagorno-Karabakh and US Position

A policy brief written by William Webster³ for the American Vice President dating back to 16 June 1988⁴ on the “History of Armenian-Azeri Animosity” attempts to explain the reasons for the conflict between Armenians and Azeris over control of the region. According to the document, the ethnic and religious differences between Azeris, that are an ethnic group of Turkic origin, mainly following Shiite Islam, and Armenians, followers of Orthodox Christianity and the Armenian Church, have always existed but with even greater intensity in Nagorno-Karabakh. Armenia and Azerbaijan became two independent states after World War I from 1917 to 1920. But the animosity, which was also related to ethnicity and religion, culminating in the Armenian Genocide during WWI in 1915 by the Turkish Sultanate, played into the favour of the Red Army. The Soviet government took advantage of this division to increase its hegemony and integrate both countries into the Soviet Union.

In 1920, the Bolsheviks wished to incorporate Karabakh into the Azerbaijan Soviet Socialist Republic of Azerbaijan (Azerbaijan SSR), before deciding in favour of the Armenian Soviet Socialist Republic (Armenian SSR) on the basis of the ethnic composition of Karabakh. According to the CIA,⁵ the decision to incorporate Nagorno-Karabakh, a predominantly ethnic Armenian territory, into Azerbaijan is linked to the apprehension of Turkish leaders who did not wish to witness the birth of a Greater Armenia.⁶ Moscow’s choice to separate Karabakh from Armenia by turning it into the Autonomous Oblast of Nagorno-Karabakh in 1923 would therefore be the result of Turkish influence in the USSR rather than a Stalinist policy aimed at bringing together antagonistic groups. At that time, Webster’s brief to the American vice-president did not fail to add to the apprehension of the inhabitants of the South Caucasus. Despite Moscow’s choice to attach Karabakh to Azerbaijan instead of Armenia, the Azeris consider that Moscow nevertheless exercises a form of favouritism towards the Armenians because the latter are Orthodox Christians like most of the Russian elite.

14.3 Multi-Lateral Favouritism in the Region

In addition to territorial conflicts, the 1988 CIA paper, “Unrest in the Caucasus and the Challenge of Nationalism,” mentions the faster population growth of the

³ Ronald Reagan chose him to be Director of the CIA from 1987 to 1991.

⁴ Declassified in 2012.

⁵ Central Intelligence Agency (1988) Unrest in the Caucasus and the Challenge of Nationalist (declassified in 1999) <https://www.cia.gov/readingroom/docs/CIA-RDP91B00776R000600150001-9.pdf>.

⁶ A Greater Armenia might lead to more territorial claims, including former Armenian territories located in post-First World War Turkey.

Azerbaijani SSR compared to the Armenian SSR. That would, according to the authors, make it difficult for young Azerbaijanis to find adequate employment and housing in an economically troubled USSR in the 1980s. The USSR has not been able to invest in new infrastructure for young people in Azerbaijan, and this would increase resentment towards Armenians who enjoy a better quality of life. It further states, that the “Economic dissatisfactions further aggravated by dramatic population growth particularly in the age group seeking employment. In the last decade Azerbaijan has experienced a youth bulge (20 percent or more of the population in the 15–24 years old age group) which could not be easily absorbed. This problem was compounded by the general lack of labour minority. Azeri youth, even when well trained, showed little inclination to move to labour short Slavic regions. According to Soviet media, there are 250,000 people in Azerbaijan who are ‘not employed in social production’ one-fourth of these live in the city of Baku.” Central Intelligence Agency (CIA), *Unrest in the Caucasus and the Challenge of Nationalist*, 1988 and declassified in 1999.⁷

In order to reduce tensions between Armenians and Azeris and to maintain the *status quo* in the South Caucasus, conservative Soviet leaders, including Ligachev and KGB Director Chebrikov, adopted a strict line to restore order with the intelligence services and a constant military presence, which is fuelling the debate on the future of Nagorno-Karabakh in Azerbaijan in 1988.⁸

The CIA report mentions the beginning of discussions between Azeris and Armenians in Moscow, and the possibility of bringing the whole of Nagorno-Karabakh under direct Moscow control instead of giving it to one side or the other. This would have been a solution that would not satisfy either Azeris or Armenians, but could have avoided the outbreak of a conflict, according to the authors. It all came to be evident, when, in 2020, the arrival of the Russian peacekeeping forces was not welcome to the Armenians even though the latter were losing the whole of Nagorno-Karabakh. Russian military intervention came at a time when Baku had regained control of the emblematic city of Susha/Sishi. And in accordance with the agreements signed on November 9, 2020, a large part of the territories occupied by the Armenians will return to Azerbaijan’s control, which therefore amounts to a territorial loss without fighting.

14.4 The Role of the Armenian Diaspora in the US

Back in 1988 the CIA paper portrays *glasnost* and *perestroika* as an attempt to satisfy the Russian people’s growing need for freedom in the USSR. However, the

⁷ Central Intelligence Agency (1988) *Unrest in the Caucasus and the Challenge of Nationalist* (declassified in 1999) <https://www.cia.gov/readingroom/docs/CIA-RDP91B00776R000600150001-9.pdf>.

⁸ Central Intelligence Agency (1988) *Unrest in the Caucasus and the Challenge of Nationalist* (declassified in 1999) <https://www.cia.gov/readingroom/docs/CIA-RDP91B00776R000600150001-9.pdf>.

same report points out that this freedom of expression could have unintended consequences for non-Russian ethnic groups such as Armenians and Azeris. While Soviet leaders attribute the sudden rise in violence and nationalism in Nagorno-Karabakh to foreign influence, the CIA has also noted the *laissez-faire* attitude of local actors such as Azeri and Armenian police who provided assistance to people of the same ethnic background. In October 1987, for example, a rally in the Armenian capital of Yerevan in Opera Square for the “Return of Artsakh” to the Armenian SSR underlined the growing tensions over Nagorno-Karabakh’s membership, and the resurgence of identity tensions in the context of *glasnost*. And later, in February 1988, a vote was held in the Autonomous Oblast of Nagorno-Karabakh, which resulted in a majority in favour of a transfer from the Azerbaijani SSR to the Armenian SSR. A month later, in March 1988, the former head of the Russian State and leader of the communist party, Mikhail Gorbachev, received in Moscow the Armenian and Azeri representatives Karen Demirchyan and Kamran Baghirova to discuss Nagorno-Karabakh and its future.⁹

The then classified CIA report was drawn up in this context, aware of the possibility of Moscow’s military intervention in an ethnically troubled Soviet Caucasus, which could have consequences for stability on the border with Turkey—a NATO member and US ally. The US intelligence agency compared the context of the Soviet Autonomous Oblast of Nagorno-Karabakh with what was happening in the Abkhazia SSR. In contrast to the Abkhazia SSR, relations between the Azerbaijan SSR and Turkey suggest that Turkey might support Baku (Azerbaijan SSR) in the Nagorno-Karabakh conflict lead to the first post-cold war between USSR and NATO in the Caucasus. Consequently, the CIA had a direct interest in focusing its attention on this part of the USSR—unlike the Soviet Baltic states which soon became independent states and later joined the European Union—in order to avoid a direct conflict between Turkey and the newly established Russian Federation. During the war of 2020, Turkey, to no surprise, adopted a pro-Azeri attitude and Western allies like France criticised this choice, which led to further degraded relations between Paris and Ankara that had already existed due to French anti-terrorism policies in respect to Islamist groups.

Not surprisingly, the Armenian Diaspora around the world in Russia, France and the US, with an estimate of between 500,000 and 800,000 in the US alone, became nervous. The CIA analysis mentions elements to be taken into account and directly related to political stability in the United States, including the influence of the Armenian diaspora in California, above all.¹⁰ According to the report, members

⁹ Central Intelligence Agency (1988) Unrest in the Caucasus and the Challenge of Nationalist (declassified in 1999) <https://www.cia.gov/readingroom/docs/CIA-RDP91B00776R000600150001-9.pdf>.

¹⁰ The first major wave of Armenian immigration to America took place in the late nineteenth and early twentieth centuries. Thousands of Armenians settled in the United States - mostly in California—following the Hamidian massacres of the mid-1890s, the Adana Massacre of 1909, and the massacres of 1915 in the Ottoman Empire. Since the 1950s many Armenians from the Middle East migrated to America as a result of political instability in the Middle East. It accelerated in the late 1980s and has continued after the collapse of the USSR in 1991. Armenians have an emotional

of the Armenian diaspora could have an influence on the position of certain American states on the diplomatic line to adopt regarding Nagorno-Karabakh. US citizens of Armenian origin could interfere with relations between Washington and Ankara if Washington, and above all the Democratic Party, decided to assume a pro-Armenian diplomatic position to satisfy voters of Armenian origin in the two American federal states which later recognised Nagorno-Karabakh as independent. Consequently, the two NATO members US and Turkey disagree on the support to be given to Nagorno-Karabakh. Consequently, the CIA report anticipated the conflict within the USSR in the late 1980s and its repercussions on relations within NATO. Turkey is also presented as a power that does not wish to become involved in the Nagorno-Karabakh conflict. Turkey supported and has continued to do so also in 2020, Azerbaijan. In the CIA report it was stated that “Turkey no doubt especially feared that transferring Nagorno-Karabakh to Armenia would whet Armenian appetites and lead to increased pressure to change the status of Nakhichevan and to acquire former Armenian regions in Turkey.” Concluding ‘... Turkish officials are not unduly alarmed by events in the Caucasus and may even derive some pleasure from seeing the Soviet wrestle with their Armenian problem.’¹¹”

In light of the war in 2020, Turkey now has a more pro-active approach in Nagorno-Karabakh, supporting Baku diplomatically, and offering Azerbaijan the possibility of asking for direct military assistance. Turkey announced that it would respond favourably. We are thus witnessing the emergence of a Turkey which is displaying its ambitions on the periphery and does not hesitate to disturb the balance within NATO by opposing France rather than the United States.¹²

14.5 The Allies Turkey and Azerbaijan

As illustrated above, the heated tensions between these conflicting parties date back to the Soviet era. The official recognition of the Armenian Genocide by the Supreme Council of the Armenian SSR on 20 November 1988 fuelled new emerging tensions with Turkey that had been kept under control during the Cold War. This partly explains the support of Turkey that the latter gave to Azerbaijan. It also explains the CIA’s interest in Nagorno-Karabakh in the 1980s to understand Turkey’s diplomatic position in the region.

attachment to their homeland. The Armenian American community is the most politically influential community of the Armenian diaspora. The Armenian National Committee of America (ANCA) and Armenian Assembly of America advocate for the recognition of the Armenian Genocide by the American government and support stronger bilateral relations. The Armenian General Benevolent Union (AGBU) is providing financial support and advertising Armenian culture worldwide.

¹¹ Central Intelligence Agency (CIA), *Unrest in the Caucasus and the Challenge of Nationalist*, 1988 (declassified in 1999).

¹² This situation could not have been foreseen by the CIA in 1988 because Sarkozy announced France’s return to NATO’s military command in 2009.

In the 1990s, the Turkish government in Ankara took a more pro-active approach and provided economic and military assistance to Baku, as the return of an independent Armenia allowed it to take a position on the conflict without offending Moscow. Turkish intelligence and armed forces crossed the border with 350 officers and volunteers who joined Azerbaijan's armed forces in the fight against post-Soviet Armenia in Nagorno-Karabakh during the 1988–1994 war.¹³ A two-sided conflict emerged with Armenia supported by Russia and Greece against Azerbaijan, supported by Turkey, the Chechens of Itchkeria and the Afghans of Hezb-e-Islami Gulbuddin.¹⁴

It was assumed then by the US administration that Ankara's diplomatic choice to engage in moderation, even after the collapse of the USSR, is partly due to its ambiguous relations with post-Soviet Russia—also bearing in mind that today all the countries involved are members of the OSCE.

Supporting Azerbaijan would be tantamount to inciting Moscow to increase its military presence in Armenia to counterbalance that of Turkey in Azerbaijan in order to restore a balance of power and preserve the *status quo* in Nagorno-Karabakh and the South Caucasus in general. Moreover, Russia's military presence in Transnistria (1992) in Moldavia and in Abkhazia and South Ossetia (1992) in Georgia attests to Moscow's ability to carry out military actions to ensure stability in the post-Soviet space. A large-scale conflict in Nagorno-Karabakh could threaten bilateral relations between Moscow and Ankara in the post-Soviet world order.

Although Turkey gave its rhetorical support to Azerbaijan in 2020, thus disrupting relations among NATO member states and at the OSCE, Ankara nonetheless did not object to the announcement of Russia's choice to send peacekeeping troops. In this respect, as described by the CIA in 1988, Turkey is more active diplomatically but is still fearful of Russia, which remains the main military power in the South Caucasus.

14.6 Role of Kin State: Moscow's Ambiguous Presence in Nagorno-Karabakh

In the Caucasus, the presence a kin-state like the Russian Federation is exogenous and perceived by the peoples there as a form of interference in regional conflicts. Consequently, forging an alliance with Moscow makes it possible to implement a *status quo* and prepare for the next conflict, in particular by strengthening the demographic situation in a country. The 1988 CIA paper already highlights this dynamic with the statistics on demography in Nagorno-Karabakh. The latter attests to a decrease in the Russian presence in favour of Azeris and Armenians.

Yet, previous Soviet policies directed at the Caucasus under communist dictator Josef Stalin, he himself Caucasian, from the 1920s till his death in 1953, took into

¹³ Flanagan Stephen, Brannen Samuel (2018). Turkey's Shifting Dynamics: Implications for U.S.-Turkey Relations, United-States, *Center for Strategic and International Studies*, page 17.

¹⁴ Hunter Shireen (2004). Russia and the Transcaucasus: The Impact of the Islamic Factor. *Islam in Russia: The Politics of Identity and Security*, M.E. Sharpe, page 349.

account the ethnic, religious and linguistic divisions within the Caucasus peoples to push them against each other and impose Moscow's presence other than by the use of force.¹⁵ Stalin knew how to play on the oppositions between peoples and stemmed the emergence of a Soviet State on the basis of a single ethnic group, language, or religion, namely Russian and Russian language and Orthodox Christian—although any religion was kept low to be slowly replaced by communist ideology.

Alongside the integration of Abkhazia into the Georgian SSR or Transnistria into the Moldovan SSR, the choice of integrating Karabakh into the Azerbaijan SSR made it possible to stem the emergence of an overly autonomous Armenia and Azerbaijan. During the Soviet period, the fear that Nagorno-Karabakh would lose its autonomous oblast status led the Armenian SSR to accept demands from Moscow. Similarly, the Azerbaijan SSR, fearing the loss of Nagorno-Karabakh, was ready to accept Moscow's demands and move away from Turkey, and Iran with which it shares the same religion of Shiite Islam.

Yet since the mid-1980s, Mikhail Gorbachev's policies challenged the balance of power established by Stalin in the USSR, including in Nagorno-Karabakh. The opening and changing of the Soviet Union under Glasnost and Perestroika led to a dialogue on nationalism and identity, and eventually to a debate on whether Nagorno-Karabakh should belong to Azerbaijan or Armenia.

The return of the debate on national identity at the end of the 1980s revived ethnic and religious conflicts, leading to violence that Moscow was unable to contain with the local police, the only solution being the permanent presence of a peacekeeping force. Permanent troops stationed in Nagorno-Karabakh would be similar to the USSR's approach in Afghanistan (1979–1989) and would be expensive¹⁶ and not approved by Soviet citizens. Hence, it was stated in the CIA paper, that “in retrospect, Gorbachev may have miscalculated the impact of glasnost. His actions and speeches during the past years suggest he may have been unduly optimistic that diverse interests of national groups can be accommodated and reconciled within the framework of the Soviet unitary state. Glasnost has led to an expanded discussion by minorities of legal, economic, and cultural rights, as well as greater public discourse on the past ‘wrongs’ perpetrated against them. Since the beginning of the year there have been major national demonstrations in nine of the 15 republics and numerous smaller incidents elsewhere.” Central Intelligence Agency (CIA), *Unrest in the Caucasus and the Challenge of Nationalist*, 1988 (declassified in 1999).

In 2020, Russia came back to this decision and sent peacekeepers. For Moscow, this choice is not an easy one, both financially and diplomatically, and announces multiple upheavals on an international scale. To begin with, the government in Moscow will henceforth be responsible for the protection of civilians in Nagorno-Karabakh on both sides. The withdrawal of Russian troops would lead to a return of hostilities which will target inhabitants on both sides.

¹⁵ Madel William (1985). *Soviet but not Russian: The other peoples of the Soviet Union*. University of Alberta Press.

¹⁶ The USSR was already struggling with Chernobyl's nuclear disaster and other economic difficulties after 1986.

Furthermore, the Russian government will once again appear to be a disruptive force in the eyes of the West and in particular the Minsk Group at the OSCE. Russia, the United States and France are co-chairmen of the Minsk Group, and the presence of Russian troops means that the Kremlin is, therefore, the only country able to decide the future of the conflict, giving the Kremlin an undeniable advantage that France and the United States are unlikely to appreciate. Finally, on a financial level, ensuring a permanent military presence comes at a financial cost. Moscow is going to have to invest in a force on the ground, without being able to withdraw it and not gaining any benefit from it as the two countries will continue to hate each other. This is why the USSR was reluctant to send troops to Nagorno-Karabakh during and after the 1988–1994 war.

In the end, the Russian government would notably benefit indirectly from a military presence in a region of the world where it was otherwise absent, but also through the export of arms to the two protagonists. Armenia has all the interest in aligning itself with Moscow's diplomatic position and continuing to purchase Russian equipment in order to win the Kremlin's favour and avoid a withdrawal of peacekeepers. Azerbaijan might have a diplomatic interest in doing the same to obtain Russia's endorsement and request the return of more occupied territories during future negotiations with Moscow.

14.7 Further Research

One could argue that the causal link between the frozen conflicts in the 1980s and silencing of the past, and the unresolved ethnic and religious discrepancies, including the Armenian Genocide, will lead to the re-emergence of the conflict over Nagorno-Karabakh.

Interestingly, back in 1988, the CIA research paper posited the options available to Moscow to alleviate tensions between Yerevan and Baku, namely to first maintain the *status quo*, which required questioning Gorbachev's policies (*glasnost* and *perestroika*), and secondly, to grant economic benefits to the conflicting parties in order to ease tensions, similar to what was done in the Abkhazian SSR.

This strategy did not seem to have been efficient because Armenians and Azeris are fighting for land almost as a proxy for unresolved religious and ethnic issue, making this conflict more complex than in Abkhazia or Transnistria. But to simply increase the autonomy of Nagorno-Karabakh within Azerbaijan, which seems temporary as it does not satisfy anyone in the capital cities of Yerevan, Baku, or Stepanakert in Nagorno-Karabakh.

Hence, it is worth looking back to the prediction in the 1980s to better understand current and ongoing conflicts in the region, its key actors and geopolitics, beyond the 2020 war.

Numerous solutions have been mentioned, even the possibility of bringing the territory of Nagorno-Karabakh under the direct control of the Russian government. Back in 1988 it was even proposed that the government of Azerbaijan could adopt the “Extraterritorial Native Cultural Institutions,” which proposed more autonomy in the linguistic and cultural field for the Armenian minority of Nagorno-Karabakh without changing its level of autonomy within Azerbaijan. The authors of the paper recommended attaching Nagorno-Karabakh to the Armenian Republic. This option was perceived as too “radical” according to the CIA, and difficult because it creates tensions with Azerbaijan. Already in 1988, giving more autonomy to Nagorno-Karabakh within Azerbaijan would require direct military interference by Moscow and would stir up tensions between Armenians and Azerbaijanis, but to a lesser extent than the transfer of the territory to one of the protagonists. It could only bring temporary stability to Nagorno-Karabakh, but would remain costly and would require going against Gorbachev’s policy of glasnost and perestroika in order to put an end to the debate on national identity in Armenia and Azerbaijan.

The developments and the war until 1994 showed that post-Soviet Russia and the Western Allies, let alone members of the OSCE Minsk Group have failed to find a permanent solution satisfying Armenia and Azerbaijan. In 2020 Russia refused to send peacekeeping troops to Nagorno-Karabakh, unlike to the other partially and unrecognised states in the post-Soviet space, namely Transnistria, Abkhazia, South Ossetia, Eastern Ukraine, which are monitored or observed by the OSCE.

The CIA research paper remains relevant to the US Department of State today for understanding the conflict and in particular the complexity of the relationship between Azerbaijan and Turkey, as well as that between Armenia and Russia. Overall, the CIA research paper shows continuity between Soviet and Russian policy in Nagorno-Karabakh, with difficulties in supporting either side, in contrast to Turkey’s indirect involvement in the region in the post-Soviet order, which was not the case before the collapse of the USSR.

The contemporary context confirms the CIA’s analysis but requires more in-depth research on today’s situation and the causes for the ongoing conflict. Some 30 years later, Russia remains an ambiguous exogenous power in the Caucasus. Moscow does not wish to interfere militarily in Nagorno-Karabakh, in contrast to Abkhazia, South Ossetia and Transnistria, because it would push Azerbaijan to turn towards Turkey and the Euro-Atlantic community to recover control over the territory. Nowadays, it is difficult to understand the disputes in the South Caucasus without looking at other regional actors, such as Turkey and Iran.

However, Moscow is not in a position to leave Armenia alone to defend Nagorno-Karabakh because Yerevan lacks military capabilities compared to Azerbaijan.¹⁷ This attitude of the Russian government highlights a discrepancy between the rhetoric in the OSCE seeking a compromise between Armenia and Azerbaijan, and Russia’s

¹⁷ Baku is enjoying some income due to gas and oil industries making it able to modernise its Armed Forces, which is not the case of Armenia. Murad Ismayilov (2014) Power, knowledge, and pipelines: understanding the politics of Azerbaijan’s foreign policy, *Caucasus Survey*, 2:1–2, 79–129, <https://doi.org/10.1080/23761199.2014.11417304>

pragmatic attitude in the South Caucasus of not expecting the conflict to end. Russia is not in a position to unilaterally send peacekeepers to Nagorno-Karabakh because it would not satisfy Armenia, Azerbaijan or Nagorno-Karabakh to establish a temporary *status quo*. The CIA's analysis and the notion of "unrest" mentioned in the title of the research paper remains accurate in 2020.

Russia will have to stay close to Nagorno-Karabakh with its military installation in Armenia to ensure that Azerbaijan and Turkey remain cautious when it comes to military intervention in the region.

For the US Department of State, the recognition of Nagorno-Karabakh by ten American states also shows the relevance of the CIA's analysis to evaluate the influence of the Armenian diaspora in the United States and how it could weaken American diplomacy within NATO and in other international organisations such as the United Nations and the OSCE.

The CIA's analysis was relevant until the outbreak of the conflict in September 2020, and seems to be less relevant since the arrival of Russian troops in Nagorno-Karabakh on 10 November 2020. Russia has therefore decided to adopt a more pro-active approach in the region in response to the attack on its Mi-24 helicopter by Azerbaijan, and because it will enable it to reaffirm its status as a great power while at the same time reaping economic benefits from the sale of arms to the two protagonists who wish to attract Moscow's favours. Contrary to the Soviet era when Soviet peacekeeping troops would have been expensive, the contemporary context makes Russia an arms supplier, and Azerbaijan and Armenia two potential buyers.

With this strategic choice, Moscow ensures that it will be the main player within the OSCE Minsk Group, since France and the United States do not have troops on the ground and are not in a position to determine directly whether or not hostilities will resume, unlike Russia.

American diplomacy seems to remain similar to that of 1988, with an Armenian diaspora influencing US national policy with more than ten states that have recognised Nagorno-Karabakh. The 2020 conflict occurred during the American election period, with Republicans and Democrats preferring to keep their attention on other issues, making it difficult to know to what extent Washington would have reacted outside of the election period.

The main opposition that emerged in 2020 was not between Washington and Ankara but between France and Turkey, two NATO and OSCE member countries. This situation could not have been foreseen by the CIA in 1988, because Sarkozy announced France's return to NATO's military command in 2009.

The CIA's analysis and the report "Unrest in the Caucasus and the Challenge of Nationalist" were relevant before September 2020, which seems to be only partially the case today as Russia has reversed its decision not to send peacekeeping troops.

References

- Central Intelligence Agency (1949) Who's Who - Political, Military (declassified in 2011) <https://www.cia.gov/library/readingroom/document/cia-rdp80-00809a000600210518-4>
- Central Intelligence Agency (1952) Indication of Psychological Vulnerabilities (declassified in 2003) <https://www.cia.gov/library/readingroom/document/cia-rdp80-00809a000500740051-1>
- Central Intelligence Agency (1988) Unrest in the Caucasus and the Challenge of Nationalist (declassified in 1999) <https://www.cia.gov/readingroom/docs/CIA-RDP91B00776R000600150001-9.pdf>
- Flanagan S, Brannen S (2008) Turkey's shifting dynamics: implications for U.S.-Turkey relations. United-States, Center for Strategic and International Studies
- Hedenskog J, Holmquist E, Norberg J (2018) Security in the Caucasus: Russian policy and military posture. Försvarsdepartementet
- Hunter S (2004) Russia and the transcaucasus: the impact of the Islamic factor, Islam in Russia: the politics of identity and security. M.E. Sharpe
- Kasapoglu C (2017) Russian forward military basing in Armenia and Moscow's influence in the South Caucasus. Research Paper No. 143, Nato Defense College
- Labarre F, Niculescu G (2017) Harnessing regional stability in the South Caucasus: the role and prospects of defence institution building in the current strategic context. Bundesheer Band 10/2017
- Mandel W (1985) Soviet but not Russian. University of Alberta Press
- Murad I (2014) Power, knowledge, and pipelines: understanding the politics of Azerbaijan's foreign policy. *Caucasus Survey* 2(1–2):79–129. <https://doi.org/10.1080/23761199.2014.11417304>
- Service de Presse de l'Otan, Déclaration du conseil de l'Atlantique Nord concernant la crise centrée sur le Haut-Karabakh (1992) https://archives.nato.int/uploads/r/null/1/4/142002/PRESS_RELEASE__92_48_FRE.pdf
- Webster W (1988) History of Armenian-Azeri Animosity, Central Intelligence Agency (declassified in 2012) <https://www.cia.gov/library/readingroom/document/cia-rdp90g01353r001500220005-1>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 15

The Corona Pandemic in Central Asia



Shairbek Dzhuraev

15.1 Background¹

The Covid-19 pandemic has proved to be a stress test in nearly all policy areas in Central Asian states since 2020. While healthcare, education and economics were some of the early targets, the novel coronavirus also upended nations' international agendas. Leaders' summits, now in an online format, focused on the pandemic. More broadly, Covid-19 has turned into a major variable in debates on globalisation, institutions or global inequality that can also be illustrated by looking at cases in Central Asian countries. The pandemic has exposed the pre-existing conditions of international relations in the region, hampering regional cooperation and significantly impacting Central Asia's relations with key extra-regional powers.

Although there is no right time for a pandemic, Covid-19 spread at a time when the world seemed best prepared to tackle it. Being a global problem by definition, a pandemic requires a global response. The proliferation of international institutions and cooperation regimes since the end of the Cold War, in this respect, should have prepared the world to effectively cope with problems such as Covid-19. However, the year 2020 demonstrated the above was not the case. The novel coronavirus quickly spotted and exposed significant "pre-existing conditions" in the current international system. The biggest of ills included competitive relations between major powers of the world and growing isolationism.

Covid-19 struck when the "global village" mode of international cooperation was under pressure. In 2016, the United Kingdom voted to leave the European Union, the role model of international cooperation. A few months after Brexit, the US elected a

¹ The paper evolved from a presentation at a conference "The COVID-19 Crisis and Its Impact on Post-Soviet Central Asia" hosted online by the OSCE Academy in Bishkek on 18–20 November 2020.

S. Dzhuraev (✉)
OSCE-Academy, Bishkek, Kyrgyzstan
e-mail: shairbek@crossroads-ca.org

new president who championed an American exit from its international engagements. The events revealed the resurgence of nationalism and the crisis of international institutions that many took for granted. Thus, the populist-nationalist isolationism of the world's chief enabler of globalisation marked a consequential "pre-existing condition" of the international system, preceding the news from Wuhan.

Once a pandemic, Covid-19 quickly tilted the balance. If globalisation was about international trade and travel, both got hit early and badly. Stay at home rules swiftly came to also imply staying in the home country. The US, already sceptical about its international engagements, pulled out of the World Health Organization, questioning its credibility and accusing it of being Beijing's puppet. Covid-19 also exposed "deeper fractures, both within Europe and between Europe and the United States," as Dominique Moisi argued.² More recently, "vaccine nationalism" has grown prominent as nations rushed to book jabs for their population.

15.2 Regional cooperation in Central Asia

International (non-)cooperation has long been one of Central Asia's most severe "health conditions." Despite much talk of regional integration in the 1990s, the five post-Soviet states, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, have never managed to institutionalise regional cooperation. Spoilers included both Central Asian states sceptical of regionalism and extra-regional powers too eager to be part of anything Central Asian. National leaders' power posturing also contributed to recurring disputes over borders, water resources, or energy supplies.

In 2016, when the West got Brexit and Trump, Central Asia received a boost for greater regional cooperation. The change came following the power transition in Uzbekistan, a geographically central state of Central Asia. The new president, Shavkat Mirziyoyev, declared Central Asian cooperation was the top priority for Tashkent, a dramatic departure from his predecessor's policy. Border checkpoints, closed for many years, were reopened in Ferghana valley. In 2018, the region's leaders resumed annual "consultative meetings."

The pandemic in 2020 and 2021 halted the just emerging positive trend. The third consultative meeting of Central Asian leaders, scheduled in Bishkek, was postponed due to Covid-19.³ Strict travel restrictions were imposed within the region. At an early phase, countries also resorted to unilateral trade restrictions in a bid to redress the food panic among the population.

However, at a broader level, the damage from the pandemic to regional cooperation among the Central Asia governments was relatively small. First, the starting point was low. Occasional restrictions on travel or trade are anything but novel in the region.

² Moisi, Dominique. 'The West's Pandemic of Fear | by Dominique Moisi'. Project Syndicate, 30 March 2020. <https://www.project-syndicate.org/commentary/covid19-could-halt-western-decline-by-dominique-moisi-2020-03>.

³ Later, it was postponed again, this time due to political turbulence in Kyrgyzstan.

Central Asian states do not have functioning regional cooperation platforms. In other words, there was little substance in regional cooperation that the pandemic could have tested. Second, and on a more optimistic side, Central Asian states maintained a positive spirit in their communication. The Uzbek president led by reaching out on the phone to each counterpart in the pandemic's early stage. Furthermore, Kazakhstan and Uzbekistan joined a larger group of "supporters" of Kyrgyzstan and Tajikistan, sending medications, food and construction materials.

15.3 Less Competition—Less Free-Riding

Competition between nations is another significant "feature" of international relations, inevitable for some and unfortunate for others. In the past, pandemics could significantly affect power competition by depopulating empires or weakening armies.⁴ For all the statistics, Covid-19 does not appear to pose an existential threat to troops, and international power rivalry is less about manpower anyway. What was, then, the Covid-19 impact for international competition, and particularly in Central Asia, a beloved spot of great-gamers?

In 2015, well before the Covid-19 pandemic, Graham Allison wrote that the biggest geopolitical question of the day was the impact of "China's ascendance [...] on the U.S.-led international order."⁵ The pandemic might have turned the question more urgent for the US, not less. Instead of forcing collaboration, the pandemic "added fuel to the simmering U.S.-China rivalry."⁶ The pre-Covid trade war between the two had little impact on trade, while the pandemic reminded everyone that half of the world's masks were produced in China.⁷

Central Asia is not one of the battlegrounds of the above power transition. Following the pullout of most troops from Afghanistan, the US left the region to two other powers, China and Russia, as authoritative American experts argued back in 2016.⁸ In other words, there was little of a great game in Central Asia before

⁴ Drezner, Daniel W. 'The Song Remains the Same: International Relations After COVID-19'. *International Organization* 74, no. S1 (December 2020): E18–35. <https://doi.org/10.1017/S0020818320000351>.

⁵ Allison, Graham. 'Destined for War: Can China and the United States Escape Thucydides's Trap?' *The Atlantic*, 24 September 2015. <https://www.theatlantic.com/international/archive/2015/09/united-states-china-war-thucydides-trap/406756/>.

⁶ Hill, Fiona et al. 'Balancing Act: Major Powers and the Global Response to US-China Great Power Competition'. The Brookings Institution, July 2020. <https://www.brookings.edu/research/balancing-act-major-powers-and-the-global-response-to-us-china-great-power-competition/>.

⁷ 'How China Won Trump's Trade War and Got Americans to Foot the Bill'. *Bloomberg.Com*, 11 January 2021. <https://www.bloomberg.com/news/articles/2021-01-11/how-china-won-trump-s-good-and-easy-to-win-trade-war>; Bradsher, Keith, and Liz Alderman. 'The World Needs Masks. China Makes Them, but Has Been Hoarding Them.' *The New York Times*, 13 March 2020, sec. Business. <https://www.nytimes.com/2020/03/13/business/masks-china-coronavirus.html>.

⁸ Rumer, Eugene, Richard Sokolsky, and Paul Stronski. 'US. Policy toward Central Asia 3.0'. Carnegie Endowment for International Peace, January 2016.

the Covid-19. What was, then, the Covid-19 impact on the state of Central Asia's relations with its big extra-regional partners?

Covid-19 demonstrated that less geopolitical competition meant less free-riding for Central Asian states, particularly the smaller and poorer ones. Finding easy and quick external solutions to domestic problems proved to be problematic during the pandemic. The most notable "cold shower" was China's silence on Kyrgyzstan's repeated, if false-started, pleas for debt relief in view of Covid's economic damage throughout 2020.⁹ Since 2010, Beijing became Kyrgyzstan's biggest lender, with its loans praised as quick and flexible. However, the loud silence on debt relief appeals meant Central Asia now saw China's other side, not as benign and generous as known in the past.

On the one hand, the above change was a direct implication of the current crisis. The pandemic has severely affected Central Asia's external partners, too. Thus, in the recent past, following some domestic upheavals, Kyrgyzstan's leaders could summon large "donor conferences" for emergency fund-raising.¹⁰ Now, the pandemic has hit all, and the world's richest and most ambitious actors have their own wounds to heal first. On the other hand, the global health crisis highlighted the already evident decrease in the "competition index" in Central Asia that left little reason for the extra-regional patrons to keep playing softly.

15.4 Widening Gap Within the Region

The third "health condition" in international relations that Covid-19 exposed was the gulf between richer and poorer parts of the world. The coronavirus hit first and worst the older and weaker people. Similarly, the pandemic highlighted how vulnerable were the developing countries of the world. The Economist's calculations on Covid-19 vaccination progress suggested that Central Asian states, except Kazakhstan, were at the bottom of the four-tier hierarchy.¹¹ This group would vaccinate the population no earlier than 2023, while the first group (the US and most of Europe) would complete the task by the end of 2021.

Covid-19 has also amply demonstrated the widening gap within Central Asia. Several factors illustrate the case. First, the pandemic exposed the unhealthy

⁹ Kyrgyzstan's president, Soornbay Jeenbekov appealed for debt deferral in April and September 2020. See Asanov, Bakyt. 'Kyrgyzstan poprosil u Kitaya otsrochki po dolgam. Chto otvetit Pekin? (Kyrgyzstan asked China for a debt deferral. What will Beijing answer?)'. Azattyk, 15 April 2020. <https://rus.azattyk.org/a/kyrgyzstan-kitay-kredit-otsrochka/30557585.html>, and Torogeldi uulu, Bakyt. 'Kyrgyzstan prosit Kitay otsrochit' vyplatu dolgov (Kyrgyzstan asks China to delay payment of debts)'. Azattyk, 14 September 2020. <https://rus.azattyk.org/a/30838154.html>.

¹⁰ Pannier, Bruce. 'Donors Pledge \$1.1 Billion For Kyrgyzstan'. Radio Free Europe/Radio Liberty, 27 July 2010. https://www.rferl.org/a/Kyrgyzstan_Seeks_1_Billion_In_Aid/2110729.html.

¹¹ Economist Intelligence Unit. 'More than 85 Poor Countries Will Not Have Widespread Access to Coronavirus Vaccines before 2023', 27 January 2021. <https://www.eiu.com/n/85-poor-countries-will-not-have-access-to-coronavirus-vaccines/>.

economies of Kyrgyzstan and Tajikistan. These two are among the top countries of the world in terms of the share of remittances in the country's GDP. When Covid-19 closed businesses worldwide, labour migrants suffered badly, leading to a significant drop in Central Asia-bound remittances. Also, Kyrgyzstan and Tajikistan stood out for their massive debts to China and were listed among a few countries facing the risk of debt distress.¹² Pandemic-related business closures shrank already miserable government revenues, pushing the leaders to seek debt relief.

Second, Covid-19 has marked a deepening gap between the richer and poorer states in the region. In 2020, Kazakhstan and Uzbekistan took proactive measures to assist cash-strapped neighbours, Kyrgyzstan and Tajikistan. A helping hand was offered on more than one occasion, including medications, protective gear, and grain. Uzbekistan also funded the construction of several mobile medical facilities in Kyrgyzstan and Tajikistan to support fighting Covid-19. The divide between richer and poorer parts of Central Asia is not a novelty. However, for most of the past decades, the region's countries managed to have transactional relations while aid mostly came from outside the region. Covid-19 contributed to a more visible hierarchy in the region.

15.5 Concluding Remarks

The Covid-19 pandemic has exposed several vulnerabilities in Central Asia's international relations. The first was a lack of any regional cooperation framework. Ad hoc meetings of state leaders aside, Central Asia lacked effective instruments to coordinate the response to crises, such as Covid-19, whether in medical, economic or political aspects. Second, the pandemic demonstrated the limits of free-riding that some Central Asian states enjoyed for most of the past decades. Covid-19, combined with dwindling great power competition in the region, reminded that benign and generous "big friends" could not be taken for granted. Finally, the pandemic vividly reminded about the precariousness of smaller and weaker Central Asian economies. Simultaneous drops in remittances, external aid and domestic revenues, compounded by colossal debt repayments might look an unusual combination. However, the pandemic demonstrated that it was not an impossible one.

On a positive side, Covid-19 had not exacerbated relations between Central Asian states. Although leaders' face-to-face meetings were put off, high-level communication maintained the spirit of mutual support. Obviously, the starting point of regional cooperation was very low, and it would take an effort to generate a negative trend.

¹² Fernholz, Tim. 'Eight Countries in Danger of Falling into China's "Debt Trap"'. Quartz. 8 March 2018. <https://qz.com/1223768/china-debt-trap-these-eight-countries-are-in-danger-of-debt-overloads-from-chinas-belt-and-road-plans/>.

Nevertheless, the pandemic reminded us that Central Asia's priority must be on building resilience through deeper cooperation, healthier economies and smarter policymaking.

References

- Allison G (2015) Destined for war: can China and the United States escape Thucydides's trap? The Atlantic, 24 September 2015. <https://www.theatlantic.com/international/archive/2015/09/usa-china-war-thucydides-trap/406756/>
- Asanov B (2020) Kyrgyzstan poprosil u Kitaya otsrochki po dolgam. Chto otvetit Pekin? (Kyrgyzstan asked China for a debt deferral. What will Beijing answer?). Azattyk, 15 April 2020. <https://rus.azattyk.org/a/kyrgyzstan-kitay-kredit-otsrochka/30557585.html>
- Bradsher K, Alderman L (2020) The world needs masks. China makes them, but has been hoarding them. The New York Times, 13 March 2020, sec. Business. <https://www.nytimes.com/2020/03/13/business/masks-china-coronavirus.html>
- Drezner DW (2020) The song remains the same: international relations after COVID-19. *Int Organ* 74(S1):E18–35. <https://doi.org/10.1017/S0020818320000351>
- Economist Intelligence Unit (2021) More than 85 poor countries will not have widespread access to coronavirus vaccines before 2023. 27 January 2021. <https://www.eiu.com/n/85-poor-countries-will-not-have-access-to-coronavirus-vaccines/>
- Fernholz T (2018) Eight countries in danger of falling into China's "Debt Trap". Quartz, 8 March 2018. <https://qz.com/1223768/china-debt-trap-these-eight-countries-are-in-danger-of-debt-overloads-from-chinas-belt-and-road-plans/>
- Gold D (2021) "Vaccine Nationalism" echoes the disastrous mistakes made with HIV. The Guardian, 2 February 2021. <http://www.theguardian.com/commentisfree/2021/feb/02/vaccine-nationalism-hiv-covid>
- Hill F, Madan T, Sloat A, Solis M, Stelzenmüller C, Jones B, Kimball E, Kornbluth JI, Reinert T (2020) Balancing act: major powers and the global response to US-China great power competition. The Brookings Institution, July 2020. <https://www.brookings.edu/research/balancing-act-major-powers-and-the-global-response-to-us-china-great-power-competition/>
- How China won Trump's trade war and got Americans to foot the Bill. Bloomberg.Com, 11 January 2021. <https://www.bloomberg.com/news/articles/2021-01-11/how-china-won-trump-s-good-and-easy-to-win-trade-war>
- Moisi D (2020) The west's pandemic of fear | by Dominique Moisi. Project Syndicate, 30 March 2020. <https://www.project-syndicate.org/commentary/covid19-could-halt-western-decline-by-dominique-moisi-2020-03>
- Pannier B (2010) Donors Pledge \$1.1 Billion for Kyrgyzstan. Radio Free Europe/Radio Liberty, 27 July 2010. https://www.rferl.org/a/Kyrgyzstan_Seeks_1_Billion_In_Aid/2110729.html
- Rumer E, Sokolsky R, Stronski P (2016) U.S. Policy toward Central Asia 3.0. Carnegie Endowment for International Peace, January 2016
- Torogeldi uulu B (2020) Kyrgyzstan prosit Kitay otsrochit' vyplatu dolgov (Kyrgyzstan asks China to delay payment of debts). Azattyk, 14 September 2020. <https://rus.azattyk.org/a/30838154.html>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.



Chapter 16

“Glocal” Governance in the OSCE Region: A Research Proposal



Anja Mihr

16.1 Background

“Think global, act locally,” is the essence of glocalization and of glocal governance. Glocal governance means that local stakeholders, such as business, civil society, city councils, authorities and activists actively participate in decision-making processes. Different stakeholders, local, international and domestic ones, make decisions on common rules and regulations while operating, controlling, implementing and enforcing them locally—and wherever needed. Many of these decisions are taken in light of and in accordance with global or international standards. Such standards can be universal UN human rights norms that are, for example, enshrined in international human rights treaties and agreements, and WTO trade norms on tax regulation or copyrights and laws. Global norms can be international customary law, such as humanitarian law or the law of the sea, general guidelines, recommendations or rules and standards on security and elections as set by the OSCE.

But for these universal and global norms and standards—often manifested in international treaties—to become locally accepted and implemented, they need also to be shaped, proposed, and suggested by local actors and different stakeholders. Glocal governance, hence, defines a decision-making process in which local and global actors collaborate, often without including national authorities or only when using them as mediators between local and international levels of governance and organizations.

Editor in Chief for the OSCE Academy Book Series: Transformation and Development in the OSCE Region, and DAAD Associate Professor at the OSCE Academy.

A. Mihr (✉)
OSCE Academy in Bishkek, Bishkek, Kyrgyzstan
e-mail: a.mihr@osce-academy.net

© The Author(s) 2021
A. Mihr (ed.), *Between Peace and Conflict in the East and the West*,
https://doi.org/10.1007/978-3-030-77489-9_16

During the 2020–2021 world pandemic, city mayors around the world, not only in corrupt and dysfunctional autocratic states in the OSCE region—often took independent and quick decisions according to global WHO health standards and recommendations. City mayors, hospital directors and CEOs of companies bypassed or simply ignored national authorities that were not willing or capable of adapting to the pandemic and making effective decisions. Stakeholders and local actors directly took global advice, copied them from other countries and enacted them locally in their own community. Glocal actions and governance saved people’s lives. Local volunteers and CSOs provided aid and support for vulnerable groups and elderly people, and local businesses became innovative in maintaining basic infrastructure during that period. And it has been the city councils and CSOs who reported back to the WHO via ICT channels and a glocal reporting system. National ministries of health were not even aware of what happened in their communities or hospitals. This is not the first time that we see in countries in the OSCE region that the state was absent, incapable, unwilling or not interested to intervene and solve problems, State authorities were often not visible in some regions, and governments do not even have *de facto* authority. During and after the 44-days war over Karabakh between Azerbaijan and Armenia in fall 2020, it was Facebook who offered special services to find and identify POWs and missing persons with the help of the local population in the conflict zone. In the so-called independent republic of Abkhazia in Georgia, authorities refused to take any help from the Georgian government in light of the pandemic and instead called upon the International Red Cross and other external actors, including Russian aid services. Examples of these kinds are multiple not only in conflict torn societies. When governments are incapable of dialogue with their counterparts on a local or international level, and to respond to the basic rules of international humanitarian law, private stakeholders jump in to fill the gap.

For decades now we see how glocal agreements and collaboration create new forms of governance. Private enterprises, businesses, CSOs and ICT companies are seen as steady collaborators and stakeholders to realize global norms, as last seen with the UN Sustainable Development Goals (2015). They become glocal actors that engage, help and often benefit from operationalizing international agreements, such as the UN Global Migration Compact (2018), and the New Green Deal by the European Union (EU) from 2019. All these agreements can only work in collaboration with local stakeholders. Without the engagement and active participation of city mayors, refugee organizations, environmental movements, business and private enterprises, international organizations and agencies, and governments, none of these glocal agreements could ever work. Glocal governance hence is not a vision, and glocalism not a mere ideology, but a reality.

Yet, the slogan “think globally, act locally,” first emerged in the 1980s along the rise of Civil Society Organizations (CSOs) around the world, and the demise of nation-states. The end of the Cold War in 1990 gave the notion a new meaning, often in light of the rise of globalization (Robertson, 1994) and turned glocalization into an analytical conceptual framework (Routometof 2016). Before Routometof summarized and conceptualize glocalization, which he paraphrased as a flow of ideas, products, events or technologies that “refraction” our individual glocal identity and actions, he drew

on the 1993 argument by Ritzer (2000). He argues that not only Western democracy and desire for rule of law and social mobility were the intriguing idea and desire of millions of young people around the world to adhere to human rights norms or western life styles. These life styles and standards fueled the *globalized* and capitalist world and coined the term McDonaldization of the world. Robertson, who himself took glocalization a step further, contradicts Ritzer and called the glocalization of societies a temporarily, yet always permanent, diffusion between local-global-local and hence the process of diffusion of global ideas into local cultures and vice versa. But Ritzer’s *globalization* has given us all the vision of an almost homogeneous way of life when we listen to music, go to coffee shops, wear fashion and aim to enjoy similar lifestyles. *Globalization* is gaining momentum through global trade and mobility as well as technology. Similar, Ulrich Becks’ observation of cosmopolitization of the world since the 1990s, and Francis Fukuyama’s assumption in his bestseller “The End of History” (2002), assumed that after the end of the Cold War, democracy prevails as the most successful and intriguing concept by which people choose to be governed. These views were widely shared in the 1990s because after the defeat of totalitarian regimes, it was the desire for freedom, self-determination, democracy and modernization that united people around the globe. This motion simultaneously emerged in the light of the World Society Theory by John Meyer which dates back even earlier into the 1980s (Krueken and Drori 2010). World Society Theory is closely intertwined with the idea of glocalization and global citizenship, going all the way back to Immanuel Kant’s concept of “Perpetual Peace” and the idea of a World Republic from 1795. Needless to say, the World Society enthusiasm as propagated by Meyer and others has not been shared by everyone, let alone in social science research. The numerous and atrocious civil wars, genocides, mass atrocities, expulsions, and re-autocratizations and reemergence of totalitarian states and state leaders, anocratic regime types as well as land-sliding election outcomes for ethno-nationalist populist leaders around the world since the turn of the millennium, seem to tell the exact opposite story. Namely that democracy, the striving for freedom and independence, and human rights are not the most convincing model to live by. But these conflicts and apparent backslides of freedoms should not be confused with the cry for more individual safety and social justice and security. Both can mutually reinforce themselves and do not need to contradict each other. Yet it also does not necessarily contradict glocalization as a concept, which only aims to describe a process of governance paradigm shifts. Glocalization does not propagate automatically democracy, albeit, if glocal governance is applied in a human rights and good governance manner, democracy might be the logical outcome.

For example, Jan Arant Scholte in his essay on “Whiter Global Theory” (2016) defines glocalization as a process that leaves organizational levels of governmental governance and hierarchies as we know them behind. He calls glocalization as a transscalar process. Transscularity conveys the notion that social relations involve spatial complexity by abandoning the idea of “levels” and hierarchies between state institutions, countries, regions, federal or local versus national, private versus public actors, etc. The borders of exchange, decision making, groups, authorities and ideas are fluid. Postmodern “liquid modernity,” as Bauman (2000) calls our era, shows that

the increasing privatization of the economy spills over to the private sector and civil society. Business and enterprises, ICT companies, CSOs and public sectors such as the security, education or health sector become as an integral part of decision making and governance on all levels of governance.

Another way of looking at these paradigm shifts in governance is Multi-level governance. It resembles the way the European Union (EU) works has scales and operates on hierarchies and local, federal, regional, national and international levels of governance. By dissolving levels, especially those that are dysfunctional, governance becomes “transscalar,” which is also often assessed through the Multi-Stakeholder Approach (MSA). The MSA aims to include all relevant private, public, local, national or international stakeholders and actors that are necessary to resolve a specific problem or issue, and hence aims to govern or fill a governance gap, wherever needed. Against this backdrop, transscularity is the case when glocalization is replacing separate concrete domains and makes them closer connected and intertwined. With this premise, the “transscalar” methodology does not distribute causality between discrete spaces, such as the global. For example, WTO or EU decisions do not alone determine national trade policies, but rather a mutually interrelated and collaborative decision-making process in which all sides—local, private and public—take their share of implementation and enforcement. Indeed transscularity, as Scholte argues, does not stipulate in advance what geographical or multi-level dimensions or actors dominate in a given situation (Scholte 2016).

One of the research questions to follow would be whether any type of localization, globalization and *g*lobalization (Ritzer 2000) and subsequently glocalization (Routometof 2016) has formed new glocal identities among people (Fukuyama 2018)? Furthermore, one may ask the question of whether and to what extent this global identity has led to a transscalar way (Scholte 2016) of governance?

16.2 Glocalization as a conceptual analytical framework

The analytical concept of glocalization can be used as a scientific research tool in social science research and humanities, aiming to better illustrate, understand and even explain paradigms shifts and changing ways of political decision making. This concept can show how decision-making and implementing decisions have changed, and whether or not this is only the case when governments fail to deliver, or whether this is a more permanent shift in the way things will be governed in the future.

Implementing the UN FCCC decision on carbon reduction and combating global warming, for example, can best work on local levels when city councils take actions in cooperation with local energy providers, fossil fuel plants, automobile and local mobility policies and others. Reducing global warming is a local and joint—and hence glocal—endeavor to realize global goals. How are cities and communities responding to it? How do different industrial sectors, the health sector and civil society, respond to and participate in decision making? Are citizen-dialogues, the idea of sanctuary cities or other forms of direct consultation and democracy alternative

models to glocal governance? Who is excluded, and who is included and at what stage in the MSA, fluid, glocal and transscalar decision-making process?

There is a plethora of research questions to be answered in the context of glocality and glocalization, and social science research is still at the beginning of it. To investigate how decisions are made, implemented and enforced can best be done on community and national levels and by using quantitative process tracing methods over a longer period of time, decades ideally. Using social and critical theories as well as governance theories gives guidance of direction to triangulate the method. Process tracing and triangulation, hence mixed methods, are a way to assess and measure changes, differences and similarities among manners of governance on local, domestic and international levels.

To see whether glocal governance takes place, who are the actors, when did they get engaged or excluded, ignored or involved? In order to assess or evaluate institutions and mechanism that are used by the different stakeholders and actors to take a decision and respond to citizens’ needs, a researcher needs to compare various forms and units of glocal governance, for example, in cities and villages, among faith-based communities, private sector or on federal-state levels. Key stakeholders are those who deliver the basic needs of people: income, health, education and security.

The question is to what extent trans-national, local, virtual and global movements, and the exchange of ideas and values, norms and standards have changed the way societies and communities live today. One observation commonly shared is that global norms, such as human rights and fundamental freedoms, have diffused into our day-to-day thinking, attitudes and behavior and hence mark the way we make decisions. Because norms such as freedom of conscience and movement, right to health, to be entitled to choose your work and education and to be free from want and slavery, are easy to identify with for everyone. At the same time, a growing mode of anti-Western sentiments is rising around the world, often targeting exactly the norms that are identified as “western and global norms” and not only in the OSCE region. One of the consequences is that “freedom” and human rights are seen as a danger to stability and safety and not as a solution to threats and instability. In some way this rapidly anti-Westernization contradicts Fukuyama’s assumption of the intriguing power that freedom and human rights and self-determination have for people globally, no matter their faith or ideology (1992). I would argue, that the strife for more security, safety and predictability in today’s rapidly changing world is understandable and does not automatically contradict our desire for freedom.

Furthermore, one could argue, that the difference of opinions towards the same universal values, such as friendship, justice, peace, love or trust and dignity, have always existed and so have their multitudes of ways of interpretation and articulation. People may share the same value of freedom and dignity but live them differently in their communities. They also choose, elect or determine their leaders differently, leaders who use the same values to govern in very different manners (Morlino 2004). Hence, another open question remains, in what manner of glocal leadership, and hence governance, are people currently drifting? And is this fundamentally different from what we have seen over the history of mankind (North et al 2009)?

A region that provides an excellent ground for research is the countries, societies, political regimes, and hence member states of the OSCE. The 57-member states together face similar challenges such as climate change, migration and Internet security. Among the members states are those that range from some of the most democratic countries, like Norway, Finland or Canada, to some of the most autocratic ones such as Tajikistan or Turkmenistan, and conflict torn regions such as Kosovo and Chechnya and the Fergana Valley in Central Asia; and therefore, pose one of the most intriguing laboratories of research for glocal governance. The OSCE states show different stages of development and economic regimes, some are highly industrial and capitalistic countries, and some are resource-dependent, subsidiary and agricultural economies. But all state governments adhere to a set of universal and UN principles and standards such as human rights and fundamental freedoms, as well as OSCE standards in terms of good governance principles, rule of law, human rights, elections and security.

Many OSCE countries including Ukraine, France, Estonia, Serbia, Kyrgyzstan, Mongolia and Armenia and the USA have experienced the dramatic rise and shifts that civil society can pose. CSOs and private enterprises have often become the new “bosses in town,” as have capitalistic industry and enterprises, and autocratic and populist leaders strike back. But in order to solve common problems, these actors and stakeholders often form alliances and comply with international norms and standards, including UN environmental and health standards, EU standards for trade and logistics, and OSCE standards of anti-corruption, participation, and rule of law.

Exchange of ideas, values, norms, products, fashion, beauty styles, pop art and our understanding of violence, harm and wrongdoings are truly globally and instant. We may agree on the big notions of these values and norms, but often have differing views on how to implement them in our day-to-day lives, which leads us again to the question how glocalization is materialized?

Thanks to ICTs everyone can be a reporter today on domestic violence and child abuse, on forced evictions and suffering patients in hospitals; and thanks to open borders and cheap airline carriers, global mobility allows us to share our experience directly. As a consequence the nation-state has become a hollow ground, providing a power gap that is filled with populist-nationalist and organized crime leaders who call upon imaginary—and often never existing—traditions and values for those who feel lost in this rapidly and dramatically changing globalized and mobile world. On the other hand, city mayors and community leaders, including religious ones, have filled governance gaps on local levels, providing minimal standards of social security, income, education and health. They govern with much success, often using coercion, intimidation and keeping the population ignorant to a certain degree, but in the end, they enjoy more trust by citizens than state authorities or foreign aid workers.

The call for glocal solutions to universally shared challenges and problems and effective responses to our basic human needs, such as security, health, education/empowerment and decent income in order to live a dignified life, is what is the motor for glocal governance. Immanuel Wallerstein (2004), in his World System Analysis, described the modern democratic state as one that has to deliver three

services that frame basic needs, since antiquity, namely (1) public education, (2) access to health and a (3) guarantee of livelong solid income (Wallerstein 2004, p. 94). They compose, today, what we describe as the public sector.

Anyone who provides these deliverables, no matter whether this is a warlord or a human rights defender, an oligarch or democratically elected parliamentarian, can for some time or longer establish a stable governance regime. Most of the time, those leaders, not legitimized by democratic elections as they are members of organized crime and warlords or autocrats, will fail to keep the regime running without the need to use force, intimidation or coercion over a longer period of time. Nevertheless, they ought to be taken into consideration when we aim to understand how glocal governance works. Generally speaking, we need to look at who delivers to the needs, and what methods are used to do it? Parliamentary and liberal democracies generally speaking are the most successful in delivering over longer timeframes but have also often failed in parts and sectors that have been dysfunctionality and corrupt (Morlino 2004). Good Governance (GG) principle hence adds to the assessment scheme when investigating how glocal governance works. GG today often replaces the big wording of democracy but means the same, namely to make public decisions and elections transparent, hold stakeholders accountable and allow for private and public participation of citizens and enterprises. Those stakeholders who deliver the three basic needs according to GG principles have a good chance to replace corrupt state authorities—if basic liberal freedoms are guaranteed. Often that is not the case where organized crime groups and mafia-style regimes have infiltrated governments and turned the state into a farce. But what does this glocal paradigm shift mean for governance?

16.3 Glocal Governance

Conceptualizing research in the area of glocal governance means to work with the notion and idea of glocalism. Glocalism is a generic idea and Routometof names it a “blueprint” that can serve as an ideology (2016). Glocalism aims to illustrate or show-case how ICTs and the global economy, including Ritzer’s example of *g*lobalization, have been shaping our glocally different ways of life in all sectors of society and on all levels. Glocalization, instead is the process, the different steps and the stages to reach a level or condition of “glocality.” Glocality describes the state of the art and hence the situation or condition we live in.

Glocalism does not have the characteristics of a theory, yet it serves for some as an ideology or blueprint for framing an ideal scenario by which society can enjoy a higher quality of basic needs fulfillment. This can be, for example, lead to a higher level of and free education for all, a social security regime and a decent income and a good health care regime for all based on accountable, transparent and participatory decision making, and hence GG principles and human rights norms. Many annually published value and governance barometers such as the Bertelsmann Transformation Index, the Polity V Index, Democracy Index or World Value Survey and Varieties

of Democracy Index, measure global trends and shifts based on these indicators and criteria. Their data has well illustrated over the past decades, how global values and norms, diffuse locally and become part of day-to-day decision making on local levels.

But against this backdrop, Roudometof denies any theoretical claim that the concept glocalization may have because glocalization only describes the stages and paradigm shifts we currently observe. Glocalization or glocality cannot theoretically explain or justify (yet) why we would live better or more sustainably, more peacefully and prosperously under a glocal governance system? Glocalization is simply an analytical concept to better understand governance paradigm shifts.

Thus far, glocalism describes what can be seen, and hence it is a conceptual framework that helps us to analyze and understand the dramatic shifts, triggered by migration, climate change and population growth paired with the rapid pace that ICT provides in exchanging ideas, norms, values and goods. Glocalism is the blueprint and glocalization is a fluid process. It is an ever-changing concept that shows and illustrates how we solve local or domestic or global problems. To become glocal consequently changes the way we make decisions, consult, advise, participate and determine hierarchies. Last but not least, glocalization has changed the way in how we want to be governed, namely in a respectful, equal and participatory way.

Local action and engagement by civil society and private actors, but also local councils and individual engagement, is the essence of glocalization, namely connecting local actors with global norms, standards and best practices—and vice versa. Such norms can be universal human rights norms, quality assurances or good governance principles. Local actors can be representatives of cities or community councils, youth groups, human rights defenders, non-governmental and civil society organizations, teachers, lawyers, volunteers, health care or communication technology providers and business owners. They are private, civil or corporate organized groups or individuals, engaging with the formal and informal sectors of public policy alike. Most prominently we find local engagement in the education and health sector, in small and medium enterprises and in the health sector (North et al. 2009).

Glocal actors and stakeholders are the basis of MSA, in which private and corporate actors interact with domestic, national or other transnational actors and institutions, such as state governments and authorities as well as with international governmental organizations (IGOs) such as the EU, UN or OSCE. Their numbers are growing. Today, the International Labor Organization (ILO) estimates that over 2 billion people work in the informal economic sector alone, which is predominantly local, that is approximately 60% of all work forces globally. If at all, they are organized in glocal communities and associations in their labor sectors. People who work in the informal sector are below the radar of state authorities, often pay no income taxes and do not enjoy national and domestic labor or employment rights, pension funds, insurances or other ways of protection given by state governments—and hence no safety net. They have to organize themselves individually as a group and family or clan and patronage regime and often depend on corrupt, exploitative and abusive leaders. Local small and medium enterprises, local markets, and farmers, make up to 40% of the GDP in Sub-Sahara Africa and up to 10% of the GDP in North America. In

many countries, most of the GDP comes from the informal sector and from transnational corporates that exploit natural resources. Both sectors are not sustainable and less resilient to the economic or environmental crisis, let alone to a pandemic.

Furthermore, CSOs, international and local relief and aid organizations and donors make up 60% of public policy engagement in solving problems locally and globally. For example, providing primary education across the planet, first aid and health, filing claims for environmental damages and cleaning up polluted areas. The power of individual engagement and group activism in the area of climate change, education and in the health sector can be witnessed around the world. In sum, over 60% of our public goods and basic needs are in the hands of informal and non-formal actors and institutions, and so are our safety and security. One may conclude that it is without much surprise that people more and more mistrust their governments and that populist leaders can fill this governance gap by fueling the fears of people living without a safety net, and promising them a better and safer live.

Most prominently, the power of CSOs and private stakeholders has been striking during the Arab Revolution beginning in 2011, the same year that “We are the 99%” and Occupy Wall Street movement triggered worldwide protests against economic and financial inequality and corruption. Euromaidan protesters in Ukraine in 2014 brought down a regime and yearlong protests occurred from Hong Kong, to Minsk, to Tel Aviv, Bangkok and Santiago de Chile against state corruption and the failure to deliver. The global movement “MeToo” (2017) fighting for equal gender equality, and the “Fridays for Future” youth protest to end climate change since 2018, all of which have reached the remote corners of the OSCE region and beyond. CSOs and local movements today enjoy many millions of followers and supporters, who help them via online petitions, civil disobedience and active opposition. They trigger glocal governance, but they are only one part of the decision-making process.

The list of stakeholders and actors who bypass or surpass governments is long, almost endless, and today there are several millions of local and domestic, as well as internationally organized groups, using the lingua francas English or Arabic or Russian. A common language—even when it is translated by apps on smartphones—helps to mobilize stakeholders to make changes on the ground (UN Department for Economic and Social Affairs 2020). The different actors and stakeholders have, however, one thing in common, they often refer to global norms and standards, such as human rights or a healthy environment, the fundamental freedom to migrate, and the right to education or health, to solve their local problems and organize their day-to-day living. Claims for law and norms compliance, for fair elections and public health care, come from the local, not from national governments. Why? Because people even in the most remote corners of the world, as we can view from the Tian Shan Mountains in Central Asia to the Karabakh in the Caucasus, the Pyrenees in Europe and the Saint Elias mountain range in North America have—thanks partly to the Internet—have learned and seen elsewhere in the world that getting fair trials or equal treatment and health care and giving their children education is possible. Both universal human rights norms and standards, as well as good governance dimensions, are the two guiding sets of principles that lead to a “blend of the local and the global” as Roudometof phrases it (2016, p. 79).

16.4 Further Research

Glocal governance means consensus-building among all relevant stakeholders and joint implementation and enforcement mechanism. It is decision-making based on consensus during the planning, implementing and enforcing stage of governance. By this, glocal governance is different from multi-level governance, which is based on consultative procedures between stakeholders. Albeit different stakeholders hold the different tasks and enjoy different autonomy, multi-level governance is predominantly a procedure by which governmental authorities consult with external or other governmental stakeholders and actors on different levels.

To study and investigate cases and initiatives of glocal governance the analytical concept of glocalization can help us to better understand current paradigm shifts of government and nation-state building or demise in the OSCE region. The so-called weakness, end, decline, failure, crisis or hypocrisy of Western democratic concepts have been under much scrutiny over the past two decades—and discussed extensively elsewhere (Merkel and Kneip 2018). Glocal governance research does not aim to add to this debate but rather to look at side effects and alternative avenues of governance that have been emerging since the 1990s. Merkel et al highlight that democracy is not in crisis, but that some systems and regime types are. It is up to them how they reform and adapt to the needs of people, including the way to be governed, that will determine whether they survive. Fueled by the rise of populist and ethno-nationalistic leaders, regional conflict and high levels of state corruption, the parliamentary democratic regimes are much disputed. Whether glocal governance can turn into a new regime type or an entirely new governance system is yet to be seen. Personally, I doubt it. But to answer this question, we need more research, case studies and data allocation on how glocalization has actually led to a replacement of nation-state governmental regimes, brought to light modes of Mafia states or whether it simply complements and completes and adds values to existing governance regimes of whatever type.

This chapter aims to encourage more research in this subject matter in the OSCE region. The region provides a unique, diverse and yet under similar norms and standards operating cities, states and communities. Special attention deserves the new democracies and member states in the Balkans, as well as Central and Eastern Europe and Central Asia, including Mongolia. Comparing new democracies with older and consolidated ones in Western and Northern European and North America would illustrate some results that might show more similarities when measuring glocality than expected.

Lastly, the debate about glocal governance adds to the current democracy versus autocracy debates and in the decades to come.

References

- Bauman Z (2000) *Liquid modernity*. Oxford University Press
 Beck U (2002) The cosmopolitan society and its enemies, in theory. *Cult Soc* 19:17–44

- Fukuyama F (1992) *End of history and the last men*. Free Press
- Fukuyama F (2018) *Identity: Contemporary identity politics and the struggle for recognition*. Profile books
- Krueken G, Drori GS (eds) (2010) *World society, the writing of John. W. Meyer*. Oxford University Press
- Merkel W, Kneip S (2018) (eds) *Democracy and Crisis, Challenges in Turbulent Times*. Springer Publisher
- Morlino L (ed) (2004). *Democratisations. consolidated or defective democracy? Problems of regime change*. *A Frank Cass J Spec Issue V 11(5):10–32*
- North Douglas C, Wallis John J, Weingast Barry R (2009) *Violence and social orders, a conceptual framework for interpreting recorded human history*. Cambridge University Press
- Ritzer G (2000) *The McDonaldization of society*, 3rd edn. London, Sage Publisher, (first published 1993)
- Robertson R (1994) *Globalization or gLocalization*. *J Int Commun 1:33–52*
- Routometof V (2016) *Glocalization, a critical introduction*, Routledge studies in global and transnational politics. RoutledgeRoutledge, London and New York
- Scholte JA (2016) *Whither global theory*. In: Barrie Axford (ed) *Proto sociology, and international journal of interdisciplinary research ‘borders of global theory—reflections from within and without*, vol 33, pp 217–218
- UN Department for Economic and Social Affairs (2020) <https://www.un.org/development/desa/publications/world-social-report-2020.html>
- UN Global Migration Compact (2018) <https://refugeesmigrants.un.org/migration-compact>
- UN Sustainable Development Goals (2015) <https://sdgs.un.org/goals>
- Wallerstein I (2004) *Welt-system analyse, 1stedn. Eine Einführung*. Springer VS

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter’s Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter’s Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

