

EU-KYRGYZSTAN COOPERATION: A COMPREHENSIVE APPROACH?

A thesis submitted in fulfillment of the requirements for the degree of Bachelor of Arts in European Studies at the American University in Central Asia

by

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May, 2010

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ABSTRACT

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The presented paper gives an overview of the EU-Kyrgyzstan cooperation for the last almost twenty years. The research question of the paper is why the comprehensive approach has failed. To answer it, the discussion starts from the main points of the collaboration under the TACIS program. Then, it shifts to the EU Strategy to Central Asia, defines the comprehensive approach, and gives the vision of the Strategy by the EU officials and the Kyrgyz intellectuals. The discussion concludes by the critique of the Strategy, from which the research question was derived.

The comprehensive approach does not completely fail because there are some successful programs that are still going on. It is the democratic component of the Strategy that has come to grief. The reason of it is the absence of preconditions for the bilateral cooperation in the field of democracy. There was no such a background under the TACIS, so the democracy was not a hot point of the cooperation under the Strategy. The existing successful programs are about establishment and maintain of security.

The statement of the paper coincides with the critique of the Strategy provided by the intellectuals of the European Union Central Asia Monitoring Project as they argue that the Strategy is more about security and energy issues. However, it is different in a sense that the EU is not an initiator of this kind of policy – this policy is a feedback to the behaviour of the Kyrgyz government. It is the Kyrgyz government that determines the way of EU policy implementation. Thus, if democracy, human rights, good governance and rule of law are not the priority for the Kyrgyz government, then the EU can do almost nothing to promote such things in Kyrgyzstan.

The conclusion of the paper implies the potential problem that the notion about democracy fades away outside of Europe. It is the priority neither in Central Asia nor in South Caucasus, where the EU policy about the promotion of democratic standards is supposed to be more intensive. The states of these regions put the security and energy issues at the top of the political agenda for the EU. So, the Union agrees to conduct the policy that is convenient for the recipient states. At the same time, this kind of policy corresponds to the EU interests in the regions that are security and energy. So, security and energy have become the point of collaboration, not democracy.

The structure of the paper allows to compare the EU activity from both sides – the viewpoint of the EU officials and the vision of the Kyrgyz government and intellectuals. It also gives a full overview of the documents about the bilateral cooperation like treaty, strategies, legislature, newspaper and journal articles.

Introduction

There was a brief opinion poll conducted by the Delegation of EU Commission in Bishkek, 2008, about people's opinion about the European Union. They were asked what they associated with the EU. The answers were very diverse: some of the respondents managed to recall Brussels as one of the capitals of the EU institutions. However, the majority had a dim perception about the EU. In fact, the population of Kyrgyzstan knows Europe as a set of separated states. For example, the activity of Germany is well presented in the country by business sector and educational programs. The European Union as a political actor was unknown for the indigenous people. Traditionally, Kyrgyzstan was the subject of Russia, China and USA policies, not the European one.

Starting from 2007, the EU has initiated its Strategy for Central Asia for 2007-2013 that aims at improvement and development of human rights, rule of law, good governance and democracy, education, economy, trade and investments, energy and transport, environmental policies, common threats and inter-cultural dialogue.¹ The aims of the Strategy are not new as other political actors have them in their agenda to the region on the whole and to Kyrgyzstan in particular. What is new is that the EU has come here as a normative power that has a fever adherence to the establishment and following of norms in politics.

However, Central Asia region turns out to be deaf to the democratic aims of Strategy, so the program is getting more focused on cooperation in the energy and security field. This state of affairs raises the question why the comprehensive approach of the Strategy failed.

This shift of interests in EU policy to CA region is highly criticized by the European think-tanks as for them, the inclination from the fundamental principles of Common Foreign and Security Policy and Treaty of the EU means the staining of reputation of the EU and creation of precedent for other policies towards the developing countries.

¹ Joint Progress Report by the Council and the European Commission to the European Council on the Implementation of the EU Central Asia Strategy. (European Commission, External Relations, 24.06.2008)

Neil Melvin and Jos Boonstra put a serious critic of implementation of EU Strategy in Central Asia region. They state that “EU has largely abandoned its normal comprehensive approach to security issues in favour of a policy of *realpolitik*.”² and express doubts about the ways the Strategy is implemented. Their conclusion is that EU bends on energy and security sectors that makes the policy more pragmatic and goes far away from the principles of CFSP (Article 11(1) TEU) and the EU on the whole. The inclination occurred to achieve any essential results in the region.

On the contrary, the Progress Report emphasizes the ongoing process of policy and presents the numerous bilateral meetings and visits of the Heads of Ministries and States as results of the EU work in the region. The message of the Report is that cooperation is going on and the bilateral meetings show the willingness of Central Asia states to collaborate. It keeps silent about the impediments in the implementation of democratic issues. The authors of the Report recognize that more efforts should be put in the development of democratic component of the Strategy, though the belief in that is fading. So, the critics say that “it’s unrealistic to expect these countries to become like Europe.”³

The overview of bilateral relations presented in the paper starting from the TACIS till now has shown that the comprehensive approach does not completely fail, but the relations have a real overbalance towards security. The reason is that the preconditions for democratic development are absent. The TACIS has already defined the path of the relations: humanitarian aid, political cooperation that is successful in the security issues and provision of the equipment. The promotion of democracy within the relation is a highly implicit goal that is not seen. The Strategy keeps on the same direction as the TACIS has established.

Methodology

The research design of the paper is qualitative analysis, in particular, the content analysis of primary documents like reports, agreement, supplementary for the

² Neil Melvin & Jos Boonstra, “The EU Strategy for Central Asia @ Year One,” EUCAM:EU-CENTRAL ASIA MONITORING No. 1 (October 2008):1-10.

³ Philippa Runner, “Human rights take back seat at EU-Central Asia talks”, Euobserver.com, 19 September 2008. 1 Oct. 2009, <http://euobserver.com/24/26778> in Neil Melvin & Jos Boonstra, “The EU Strategy for Central Asia @ Year One,” p. 3.

agreement, national strategy, laws and EU brochures; secondary sources such as articles of different authors and books of Kyrgyz intellectuals. The principle of content analysis involves: first, finding and counting the word “democracy”, “TACIS” or “Strategy”; second, understanding the aim, tools, reason and results of a document. For every particular chapter where the analysis of documents takes place, I describe in detail the tools and aims of the research in the first paragraphs of the chapter.

1. What Is A Comprehensive Approach?

The approach means “the summary of common challenges including democratic, economic and social issues; mapping out the context for assistance provision; and setting up the EU response, objects and priorities for Central Asia at regional and country level.”⁴ This kind of policy differs from the previous EU tactic by its scope. First, it determines the goals in three fields on the local level – a concrete policy towards every country with the taking into account the peculiarities of the countries. Second, it specifies its assistance. Third, it extends its policy from the country level to the regional one. So, the approach allows to envelop several sectors and levels of the cooperation.

The difference of the Strategy with its comprehensive approach is the paying attention to the democratic component of the cooperation. It is the Strategy that raises the voice for the promotion of human rights, good governance and democracy in the region. The paper contains these values while the Partnership and Cooperation Agreement, a legal base for TACIS, says almost nothing about it.

At the same time, these values have a high priority for the Union because they found the ground of this international entity. The Art., 6 (2), (1), TEU states that the Union is founded on the principles of liberty, democracy, respect of human rights and fundamental freedoms and the rule of law.⁵ The Art., 11 (1) TEU says that the objectives of the CFSP are “to develop and consolidate democracy and rule of law, and respect for human rights and fundamental freedoms.”⁶ Moreover, the Treaty of

⁴ European Community Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013 (European Commission) 3.

⁵ Piet Eeckhout, External Relations of the European Union: Legal and Constitutional Foundations, (Oxford University Press, 2004) 465.

⁶ *Ibid*, 468.

Nice, Atr., 181 a stipulates that all cooperation agreements with the third countries should contribute to the mentioned above values.⁷ Thus, the Strategy is done in a democratic spirit of the fundamental documents of the Union.

In reality, the things turn out to be more complicated because it has become difficult to promote the democratic component in the region. The critique of the Strategy is focused on the accusation the EU of failing to promote this component. Neil Melvin, Jos Boonstra and Cornelius Graubner claim that the comprehensive approach fails as it has not reached its democratic objective. In its turn, it implies serious doubts about the EU intentions towards the region and its ability to follow its fundamental values abroad. Rico Isaac expresses his concerns about the reputation of the EU as a normative power.

This work is going to discuss the numerous reasons of the failure to follow the democratic standards in the region. However, I argue that the comprehensive approach does not fail because it has some successful projects and the non-fulfillment of one component does not necessary mean the collapse of the whole approach. In fact, there is an overbalance of the approach towards the security issues as these items of the agenda get more feedback from the recipient countries, in particular Kyrgyzstan. So, the recipient states have fitted the approach to their needs, that is why the overbalance in the cooperation exists and the democracy is absent.

The Strategy defines its approach to the region, however, democracy turns out to be a weak ring in the chain.

2. EU-Kyrgyzstan Cooperation

The European Union is a newcomer in Central Asia region; however, it made its first step not in 2007 but in 1991. The EU came here with the Technical Assistance to the Commonwealth of Independent States program (TACIS), which provided the grants to 12 newly independent states of the Eastern Europe and Central Asia.⁸ This chapter

⁷ Piet Eeckhout, External Relations of the European Union: Legal and Constitutional Foundations, (Oxford University Press, 2004) 472.

⁸ European Commission - Technical Assistance to the Commonwealth of Independent States program (TACIS), Euroresources.org, 1 Oct. 2009
http://www.euroresources.org/fileadmin/user_upload/PDF_country_and_Programme_profiles/ec4.pdf

aims at tracing the origin of the EU-Kyrgyzstan cooperation starting from the TACIS, development of the relations into the Partnership and Cooperation Agreement (PCA) and concluding the chapter by the results of the TACIS. Originating from the humanitarian and food aid programs, the TACIS extended to the political and economical programs that were also cemented in the PCA. That development gave TACIS more room for maneuvers and diversification of relations. So, new programs like BOMCA/CADAP, INOGATE and TRACECA gave a new stream for the relations.

These projects became an essential part of next document about EU-Kyrgyzstan cooperation. For example, the Strategy for a New Partnership contains the INOGATE and TRACECA programs in its chapter V – A Strengthened EU Approach. The EU keeps on promoting the regional infrastructure to get the economic benefits for the union and provide more opportunities for the region itself to trade with. So, these TACIS programs underpin the EU encouragement for regional cooperation in Central Asia that is one of its principles in the foreign policy. BOMCA/CADAP was another remainder from the TACIS that became the essential component in the new frameworks of cooperation. In addition, this component came to be the heart of mutual cooperation as it was more successful to implement.

While providing the border forces with equipment and trainings, the EU targeted its efforts at legal reforms. However, the physical assistance was easy to give and take but it was an impracticable task for the Kyrgyz government to make the implementation of reforms more transparent and accountable. So, the adjustment of legislation to the standards of free market economy and transparency failed.

The value of these three programs aimed at security, stability and infrastructure development is that they are positive outcomes of TACIS. They have also defined the path of the further cooperation: it has got more practicable approach where the concrete aid in terms of equipment provision and building of infrastructure is more visible.

The practice of TACIS has showed that the Kyrgyz government is welcome to technical aid and funds, however, the conduction of reforms has a long way to come

true. The reason of it, in a small scale, is the lack of mechanisms for implementation the discussed arrangements; in a big scale, the shortfall of political will influences much on the readiness to defeat the bundle of problems. The results of the TACIS are the provision of humanitarian, foodstuff and equipment aid during the 90s that has not demanded the institutional changes. The outcomes of the mid 2000s are the security, stability and infrastructure development projects that have an implicit meaning of democracy.

The EU Strategy has kept the same tendency: it implements the successful TACIS projects and is very cautious about promoting democracy. Thus, the democratic component has become so implicit that it is not seen.

As for comprehensive approach, there are several opinions about its meaning. First, the Strategy gives its meaning as the summary of challenges with the democratic issue on the top; determination of the context for assistance; and setting up the EU response at different levels. Second, the EU official understands the approach as an attempt to target all levels – the government and civil sector.⁹ And third, the Kyrgyz think tanks disregard the approach at all.

The discrepancy in opinions creates the dichotomy of understanding of democratic component in the EU policy to Kyrgyzstan. From the one hand, this component contributes to the EU values and has the right to be in the policy. From another one, the EU-Kyrgyz relations have an overbalance towards the strengthening of security and control of borders. This activity is much far from the promotion of democratic standards.

In reality, the EU-Kyrgyz relations have a real overbalance towards security; moreover, there is no place for democracy there. The preconditions for democratic development are absent. The TACIS has already defined the path of the relations, so the Strategy only keeps it on.

⁹ Evaluation of the interview with Dr. Olaf Heidelberg, Attaché of Delegation of the European Union to the Kyrgyz Republic, Bishkek, Feb, 19, 2010.

2.1. TACIS

The TACIS program had the multi-dimension goals and was mainly aimed at assisting the independent countries in a smooth transition to the democratic form of government. The legal base for the program is the Regulation (EC) No 99/2000 and the amending act Regulation (EC) No 2112/2005.¹⁰ Generally, the funding priorities of the program worked towards four fields - political, economical, social and environmental development. The political aspect of the program strove for the institutional, legal and administrative reforms.¹¹ The economic element was directed at the support of private sector, assistance for economic development and development of the rural economy.¹² The social component was about the assistance in addressing the social consequences of transition and development of infrastructure networks.¹³ The environmental aspect of the program aimed at better environmental protection and management of the natural resources.¹⁴ The program was implemented during 15 years and was replaced by the European Neighbourhood and Partnership Instrument in 2007.

The essential point of this program was that it has already contained the Community's basic democratic clause, so it was not only about the technical assistance but this plan of action has implied the cultivation of democratic standards in the independent states. So, the TACIS is very similar to the succeeding program of the EU – the Strategy for Central Asia for 2007-2013. Moreover, the Strategy is another instrument of the EU to keep its presence in the region.

The overview of the Commission evaluation and the Kyrgyz government evaluation of the TACIS, reforms under the TACIS and the political development of the country from 1991 to 2006 shows that the program, first of all, has provided the humanitarian and food aid. Then, the Partnership and Cooperation Agreement (PCA) has widened the scope of activity, so the EU dealt with the development programs by specific

¹⁰ [Tacis programme \(2000-2006\), Europa.eu, Dec., 21, 2007. 1 Oct. 2009, http://europa.eu/legislation_summaries/external_relations/relations_with_third_countries/eastern_europe_and_central_asia/r17003_en.htm](http://europa.eu/legislation_summaries/external_relations/relations_with_third_countries/eastern_europe_and_central_asia/r17003_en.htm)

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

sectors. Finally, from the early 2000s, the modification of Kyrgyz legislation under the PCA has started but had poor results. Again, the same principle worked: only equipment provision programs were successful, others did not have the logical end. Moreover, no one program was aimed at the promotion of democracy – neither the PCA nor the reformation of the laws. It implies that the democratic clause that the EU has included in the PCA is only a decoration. Hence, the answer of this chapter for the research question is that there has been no the precondition from any side for the democratic development of the relations.

2.2. Commission Evaluation of the TACIS

It seems to be reasonable to evaluate the TACIS from two sides – the European one and the Kyrgyz one. The expected result of this kind of evaluation is to track the positive and negative experience, and especially, the description of the causes for the failures.

The Commission evaluation is presented by four reports where Kyrgyzstan is included: Tacis Interim Evaluation Synthesis Report, July 1997; Final Report Evaluation of the PHARE and TACIS Democracy Programme, 1992-97; Synthesis Report, Volume 1, January 2006; and Synthesis Report, Volume 3 – Annexes 6 – 7, January 2006.

The first report gives an explanation of the EU activity and impediments in agricultural field. The Regional Agricultural Reform Project 2 was designed for Kyrgyzstan and Tajikistan and aimed at strengthening the agricultural sectors; water management; commercial seed industry; and rural credits.¹⁵ By the report, the obstacle was the allocation of credits as “the credit line was established using an existing Ministry of Agriculture line and not, which would have been far better, new revolving credit centres at local level using existing NGOs or structures set up by Tacis projects.”¹⁶

¹⁵ Tacis Interim Evaluation Synthesis Report (European Commission, 1997) 44.

¹⁶ Ibid, 45.

The fields where the project was more successful were energy, human resource development. The medium effect was reached in agriculture and food and social welfare. The low effect was made in the public sector and technology transfer.¹⁷

The probable reason for these positive and negative effects is the coincidence of interests of the state and the donor – the projects where they meet are much more productive. The strengthening of agriculture is of a high importance for Kyrgyzstan as it has become the leading sector of economy after the independence. However, the allocation of credits happened together with the privatization that was not beneficial for the majority of population. The kolhozs were reorganized and people got small parts of what was common for several years. That small part was not enough to work with or mortgage for credits. So, a general aggravated economic situation impacted the project.

As for the low effects in the public sector and technology transfer, these fields deal with the legislation changes. The revision of the laws is a long way process, so the reason of failure here can be the lack of time and zeal, with which the legislation is adopted.¹⁸

The second report presents a certain interest as it is devoted to the promotion of democracy program in the region. Here, the talk is only about Kazakhstan's steps in democracy that are recognized as insufficient. There is no a word about Kyrgyzstan. This is another argument contra democratic aspiration of the EU in Kyrgyzstan. There was no talk about it in the 90s, no actions towards it, and as a result, no preconditions for a real implementation of democratic clause.

The structure of the third report allows to track almost every field of cooperation as the report design puts a certain question and gives a precise answer to it. The question #1 is about the relevance of the planned actions to the country needs. The answer says that the TACIS has the “underestimation of the poverty issue; tendency to have little differentiation between country strategies; focus on very ambitious objectives which have then required lengthy adjustment during the course of implementation to buy in

¹⁷ Tacis Interim Evaluation Synthesis Report (European Commission, 1997) 53.

¹⁸ The talk about the efficiency of legislation under TACIS will be in 2.4. chapter.

counterparts and to increase relevance of the actions.”¹⁹ It also indicates that the degree of dialogue is reduced, so the TACIS intervention is little.

The answer reveals the problems of the program that will be taken into account later on in the EU Strategy. The Central Asia countries are poor, so the emphasis was made on the reduction of poverty level. However, the poverty is not an isolated problem and needs the corrections in other fields of economy and legislation to be solved. Hence, the conclusion of the question #1 perceives the poverty issue as an underestimation. Further on, the EU Strategy will have a bigger spectrum of tools to resolve the same question.

The lesson of the TACIS has shown that every country of the region needs a separate approach as the reasons of the common obstacles are different from country to country. This conclusion of the question #1 will be elaborated thoroughly in the Strategy. The practice has also shown that the time of project implementation plays a crucial role. Since the aims of the TACIS are high enough, they need much more time in order to have any positive result. So, there is a continuity of the EU policy in the region – the TACIS projects have their extension under the Strategy.

The question #2 is about the level of efficiency of actions aimed at supporting the governmental institutions. In general, the governments accepted the actions, however, it was hard to track the level of efficiency as the identification of needs and prioritization of actions were not documented and the internal monitoring was absent.²⁰ The answer appeals to the bureaucracy of the states when several agencies deal the same problem. Their duties are not clear and the cooperation between them is not regulated. Moreover, the agencies use an old system of communication when documents are sent by post mail. Also, in the 90s, a rare employee had a computer to type and the public access to the documents was rather limited. The closeness of the system impeded the monitoring much.

The question #3 is about the contribution of actions to the strength of the civil society. The conclusion of the report is that the actions were “highly appreciated by

¹⁹ Synthesis Report, Volume 1 (Evaluation Unit, 2006) 30.

²⁰ *Ibid*, 36.

beneficiaries, despite the potential risk from changes in government policies.”²¹ The civil society is very responsive to the foreign aid as it does not have the domestic financing. Moreover, the civil sector shelters high level specialists who do not find an appropriate state position. Owing to the specialists and donors’ aid, the sector is alive. Though due to the same things, this part of society faces the hostility of the government. The result of the civil society and donor relations is the continuation of sponsorship to have a backup in the country and building of dialogue between the three actors in the policy.

The response to the question #4 says that the TACIS has contributed much to the development of the private sector and economic governance due to the construction the platform for transition to the market economy.²² The conclusion is relevant to the reality as Kyrgyzstan is a member of the WTO and it has completely refused from the planned economy. However, whether the private sector is prosperous is another question.

The question #5 touches upon the TACIS contribution to the reforms in the social sphere such as pensions, insurance and health protection. Despite the right chosen direction, the implementation of the reforms had serious problems in legislation as well as social sector itself.²³ According the report, the cause of the failure was the limited contextual analysis and dialogue with the beneficiaries. As a result, the reforms did not achieve their aim – they did not protect the vulnerable group of people.

Ministry of Medicare says that in spite of having some positive changes in the infant rate and duration of life, the systematic problems still persist in the health protection sphere. First of all, it is the reduction of state financing from 140,5 som in 1995 to 108,9 som in 2000.²⁴ The outcome of bad financing is a low level of medical services. The Ministry stresses that the donor aid is essential; however, the existence of foreign sponsorship does not have to mean the reduction of the state presence. But this is what has happened in fact.

²¹ Synthesis Report, Volume 1 (Evaluation Unit, 2006) 40.

²² Ibid, 44.

²³ Ibid, 48.

²⁴ Основные показатели деятельности системы здравоохранения за 2003 (Министерство здравоохранения)

The assessment of the question #7 says that the projects for development of rural area are ongoing. It implies that the results of the previous Interim Report, 1997 have been taken into consideration.

The answer for the question #8 states that the programs for the cross-border cooperation meet a warm welcome by the states as this type of cooperation is in the interests of the states.²⁵ This field of cooperation will get the support of the states and be an example of good cooperation.

The ninth question aims at evaluation of the organisational and implementation structures and procedures and implementation mechanisms. The answer to the question reveals the criticism of the program. It says that the TACIS is “complicated, inflexible bureaucratic institution focused on rules and not on achievement.”²⁶ This is one of the causes of finishing the program. The TACIS needed the modifications to meet the new demands and adjust its instruments to the countries.

The evaluation question #10 appeals to the human rights and the answer is that “there is no evidence... that dialogue with the beneficiaries in relation to them has taken place at the programming phase.”²⁷ This is one more argument for the failure of comprehensive approach of the Strategy. There was no talk about human rights during the TACIS, so there was no basis for the democratic dimension in the Strategy.

The answer for the question #11 states that the donor cooperation was rather successful in the defined areas of work.²⁸ It implies that the EU stood on the policies of the partners to reach better results. So, it incorporated the conclusions of other donors of Kyrgyzstan to shape its own policies. And the activity of the donors is more about pragmatic programs and not about the democracy which is a mirage.

The fourth report gives a specific overview of the TACIS programs by countries. Two chapters reflect Central Asia – Case Study 5: Aral Sea (ASREWAM) and Case Study

²⁵ Synthesis Report, Volume 1 (Evaluation Unit, 2006) 60.

²⁶ Ibid, 68.

²⁷ Ibid, 70.

²⁸ Ibid, 75.

6: BOMCA & CADAP. Kyrgyzstan refers to the last chapter. The report says that the state officials are very positive about these TACIS programs because they “assist the countries in meeting international obligations both between the countries in the region and of achieving international best-practice.”²⁹ BOMCA & CADAP has also unified the interests of different member states towards the region.³⁰ The program is really beneficial for both sides and this is one of the programs that have its continuation by the end of the 2000s.

The overview of the Commission reports on the TACIS shows: first, positive and negative experience and the reasons for it that is a lack of monitoring, documentation and a wrong choice of tools. Second, the reports discover the drawbacks of the approach to the region – it should be more specific to each country. Third, the reports bring to the light the successful initiatives that are going to be developed further on. Fourth, the overview proves that the talk about the democratic dimension is a décor in the PCA and has no the evidences in the reality.

2.3. Kyrgyz Government Assessment of the TACIS

The assessment involves the overview of the Brief Guidelines for PCA. This document was issued as a supplementary for the Agreement and covered the review of Kyrgyz-EU relations starting from 1989 when the Soviet Union signed the PCA with European Community. Kyrgyzstan, as an independent state, took the obligations under that treaty, and then entered into the TACIS. The Brief Guidelines present the whole story of the bilateral relations enriched by the numbers and results of the first steps of cooperation. The document also gives the reason why some intentions have rested unimplemented – this is the acknowledgement of the lack of mechanisms for regulation and monitoring of reformation process by Kyrgyz side. In general, the document is the only official paper that gives some opinion about the bilateral cooperation.

The efforts of the EU toward Kyrgyzstan can be divided into two steps: the first stage is the provision of humanitarian and food aid programs; and the second one is the inclusion of political, legal and economical aims in the program. The content analysis

²⁹ Synthesis Report, Volume 3 (Evaluation Unit, 2006) 88.

³⁰ *Ibid*, 89.

of the Brief Guidelines for the PCA shows that there is the stress on the size and objects of aid during the 90s. There is no such emphasis on institutional changes in the same period.

During the first stage, in 1994, three food programs were implemented by the EU under FEOGA. The sum of the program was 29 million of ecu.³¹ In 1993, the European Commission Humanitarian Office (ECHO) provided 24.5 million of EURO for purchasing of medicines and foodstuff.³² By 1999, the EU granted 53 million of EURO to Kyrgyzstan to support its deteriorating situation in food provisions, medicine scarcities and overcoming of outcomes of the financial crisis in Russian Federation in 1998.³³

The second stage of program began in October, 2000 with the initiation of the indicative program for 2000-2003.³⁴ The program was focused on three fields to be developed: the promotion of institutional, judicial and administrative reform; the support for private sector and economic development; and development of infrastructure.³⁵ The idea of assistance was to provide the funds in exchange of reforms, so the money was directed at the budget to spur the government to the reforms and intensify the cooperation with the legislative organ.

A bit earlier, in 1995, the EU formalized its relationships with Kyrgyzstan by offering the Partnership and Cooperation Agreement to sign. That agreement became the legal basis for the further cooperation. The PCA was signed on 9, October, 1995 and came into force on the 1st July, 1999.³⁶ The term of Agreement is ten years with the right of automatic prolongation if the termination of the Agreement occurred. The aims of PCA are codified in the Art., 1 that stipulates:

- the establishment an appropriate framework for political dialogue;
- the support Kyrgyzstan in its efforts to consolidate its democracy and develop its economy;

³¹ КРАТКОЕ РУКОВОДСТВО к Соглашению о партнерстве и сотрудничестве между Европейским союзом, 31 марта 2005 года

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

- the promotion of trade and investment and harmonious economic relations to foster Kyrgyzstan sustainable economic development;
- the provision of a basis for legislative, economic, social, financial, civil scientific, technological and cultural cooperation.³⁷

The agreement puts the bilateral relations on the new way. The innovation is the inclusion of political and legal frameworks as well as democratic clause in the relations. It goes without saying that that agreement prepared a stable basis for the further EU projects. The aims of the paper include almost every sphere of life and devote a separate title to it. The paper has nine titles: General Principles, Political Dialogue, Trade in Goods, Provisions Affecting Business and Investments, Legislative Cooperation, Economic Cooperation, Cultural Cooperation, Financial Cooperation in the Field of Technical Assistant, Institutional, General and Final Provisions. Interesting, the words “democracy and human rights” are mentioned in the Art., 1 and 2 and there is no a separate title devoted to these items. However, the titles “Cooperation on Matters Relating to Democracy and Human Rights” and “Cooperation on Prevention of Illegal Activities and the Prevention and Control of Illegal Immigration” are listed in the Treaties Official Database site of the EU External Relations Commissioner. It is possible to conclude that democracy and human rights are only in two articles and do not have the special titles.

The establishment of political dialogue is reflected in the second and ninth titles, which stipulate the setting up of the executive bodies to facilitate the relations. In the frameworks of the PCA, the Cooperation Council, Cooperation Committee and Parliamentary Cooperation Committee are established under the Article 5 and 7. The Cooperation Council is the primary organ that is responsible for putting the PCA into practice. It provides the political dialogue that is mentioned in the Articles 5-7, 75, 80 (PCA) and discusses the urgent issues. It consists of the representatives of the Council of EU, EU Commission and the officials of Kyrgyz Parliament. The meetings of Cooperation Council are annual at the ministerial level. The Cooperation Committee is in charge of preparation of Cooperation Council meetings and consists of civil employees from both sides. The Parliamentary Cooperation Committee contains the

³⁷ [Partnership and Cooperation Agreement](http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0&redirect=true&treatyId=723&back=2461) (Official Journal of European Communities) 1 Oct 2009

members of both parliaments and is in charge of request of information about the execution of the PCA and provision of recommendations for better cooperation. The leadership of all committees is by-turn, so it has to stream up the execution of agreement.

The Cooperation Committee met tree times and the last meeting mentioned in the Report was on 23, April, 2002, Bishkek.³⁸ Among the discussed questions were the political and economical situations in Kyrgyz Republic and EU; barriers for Kyrgyzstan in WTO; and investments in intellectual property and technical assistance under the TACIS.³⁹ Lots of attention was paid to the discussion of Aksai events in Kyrgyzstan. In spite of noticing some progress in promotion of human rights, the EU expressed its denouncement about the member's of parliament arrest.⁴⁰ The records in promotion of human rights and democracy play an important role for setting up the security and political stability for investments. And the investments are the main incentive for Kyrgyzstan to deal with foreign donors. The establishment of subcommittee is the proof of that aspiration.⁴¹

There are three titles that put the frameworks for the promotion of economy and sustainable development. The title of the Legislative Cooperation exactly indicates the fields of collaboration, Art., 44 p. 2 and describes the scope of EU assistance in p. 3 of the same article. It seems that the democracy and human rights wording is to be in this title but the legal cooperation is defined by economic, social and environmental sectors. So, the content analysis of the wording of agreement shows that there is more priority to political design and economical development of relations. The explicit goal of the agreement is to promote economy and politics first, the democracy is the implicit goal that is the second. The agreement gives an impression that the economic prosperity and good relations with the West will contribute somehow to the democratic development in the state.

³⁸ Торговые комиссии со странами дальнего зарубежья, Toktom.kg, 1 Oct. 2009
http://student.toktom.kg/document.phtml?st=doc&code=47685&lang=rus&ctx=%C5%C2%D0%CE%CF%C5%C9%D1%CA*%20%D1%CE%DE%C7*%20%CF%D0%CE%C5%CA%D2*#r7

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ КРАТКОЕ РУКОВОДСТВО к Соглашению о партнерстве и сотрудничестве между Европейским союзом, 31 марта 2005 года

The agreement needs the adoption of special and directed laws to come a particular goal into true. The adoption itself demands lots of discussion and pushing, the result of which is unpredictable. What I'd like to say is that the promotion of economic cooperation has unclear results. If this type of cooperation is unclear, so how to define the democratic development? The practice has shown that the pushing forward of the reforms in economic and legislative sector faced a common problem – bureaucracy – that spoiled the results. The bureaucratic barriers are mentioned in the Brief Guideline for the PCA as stumbling blocks in the relations. In addition, the evaluation of law implementation shows that these barriers become a decisive factor in the relations.

Two partners, the Union and the Kyrgyz state, modernized their relations and found more suitable way of cooperation – the establishment of the executive bodies under the PCA. That productive change gave a real cooperation character to the bilateral relations. However, the new frameworks did not solve the old problems. The Brief Guideline for the PCA says that the cooperation has had a lack of mechanisms to coordinate the execution of agreement. To understand the shortage of mechanisms that impeded the implementation, it is necessary to examine what steps were made to spur the cooperation. By the results of the next chapter, the impediment is a highly bureaucratized government system and unwillingness of the officials to push the legislation and its execution forward. At some stage, the zeal is over and then the initiative is forgotten.

2.4. Reforms under TACIS

Since the time passed away and it was impossible to refresh all the information about the TACIS reforms in Kyrgyzstan, the best resource of laws remained the Toktom Legislation Database. This database accumulates the Soviet and modern pieces of the Kyrgyz laws and reflection materials as newspaper and journal articles about the enforcement of the laws. The Kyrgyz Parliament library turned out to be an inconvenient source of information as the public access is not provided and it does not have the materials with the direct reference to the foreign backup of laws.⁴² So, this database is a tool for searching the materials for the diploma work.

⁴² From the telephone conversation with J. Kamchibekova, Chief Deputy of Constitutional Committee of Kyrgyz Parliament.

The sampling of the search involved: first, the laws that coincided with the Art., 44, p. 2 of PCA; and second, the laws that had a direct reference to the TACIS, so the mention of the TACIS word was important. Then, the particular documents were arranged so that to get a trace from the initiation to enforcement. Finally, the touchstone for checking the implementation of the law was the opinions of specialists derived from the newspapers and journals. The overall findings were one national strategy that gave birth to three directions of reforms and one law.

The basic document that reflected the backup of the TACIS was The National Strategy for Poverty Reduction, 2003-2005.⁴³ The TACIS aims were to provide technical and financial aid for the central and local governments reform; increase of the state services efficiency; and transition of the state management to the “electronic government” principle.⁴⁴

The National Strategy talks about the increase of efficiency of local governments work with the donor support. The activity of these bodies is regulated by the law “On Local Governments and Local State Administration,” 2002. The law and the work of the local organs have had a notorious opinion of the specialists⁴⁵, so the reformation is needed. During the implementation of the Strategy, the situation has not been changed: the law is getting a negative opinion of specialists. According to Korkmazov O., a Senior Instructor of the State Judicial Academy, the democratic idea of the law and existence of local governments themselves are undermined.⁴⁶ He states that the content of law is full of judicial mistakes, mismatching with the existing legislation and serious contradictions between them. His conclusion is that the law is strengthening the presidential power, makes the local governments a décor of people’s will and shifts the responsibility for its implementation de facto to nobody. It is possible to conclude that the good intentions of the National Strategy have passed into silence and the donor support was ineffective.

⁴³ НАЦИОНАЛЬНАЯ СТРАТЕГИЯ сокращения бедности на 2003-2005 годы. Комплексная основа развития Кыргызской Республики до 2010 года. (Правительство Кыргызской Республики, 8 мая 2003 года N 269) Утратила силу в соответствии с постановлением Правительства КР от 20 апреля 2007 года N 140

⁴⁴ Ibid, 26, 35, 38.

⁴⁵ А.Н., Адилов, “Организационное совершенствование органов местного самоуправления - неизбежная необходимость реформы государственного управления,” Демократ, #17, 14 (сентября 2004)

⁴⁶ О., Кормазов, “Реформировать или... тасовать?” Слово Кыргызстана, #113, 15 (ноября 2005)

The idea of increasing of the state services efficiency is more sufficient. The discussion about the necessity of reformation of the state service started in 1999. In the same year, the law “On Civil Service” was adopted but it got the critic of the Civil Service Working Group, so it was modified in 2004. The Working Group defined the drawbacks that impeded the execution of the law such as the lack of clear understanding of the state position and state officials and their legal status.⁴⁷ The recommendations were taken into account, so a new edition of the same law appeared in 2004.

The law stipulates the basic norms for the state service; regulates the legal status of officials and the conditions for hiring and encouragement of the officials.⁴⁸ One of the innovations of the law is the creation of competition to be hired for a state position. This idea works quite well according to the Director of Civil Service Agency, Nurmambet Toktomatov.⁴⁹ The result of reformation is the reduction of kinship hiring to 84% in April, 2005; introduction of application system; and employment of new, young people in the state agencies. Moreover, one can find the updated vacancies on the Civil State Agency site. Summing up, the achievement of progress by this reform is obvious: the process of hiring has become more transparent and the efforts of the working group have been put into practice.

The law “On Civil Service” is a part of a big reform of state management system. And if the law is successful by the opinion of specialists, the reformation of the system is an ongoing project that has its prolongation after 2006 and huge debates about the way of its carrying out.

Probably, not all recommendations of the Working Group, or it does not cover everything, were put into practice as there is a critique of the reform on the whole. Melis Junushaliev, a Head of Analytical Service of the Presidential Secretariat, recognizes that the new state management system has not been formed; “we still don’t

⁴⁷ Civil Service Reform: Experience of Transition Countries (Civil Service Agency of Kazah Republic & UNDP & Regional Bureau for Europe and CIS, 2002) 14.

⁴⁸ ЗАКОН КР О государственной службе, от 11 августа 2004 года N 114

⁴⁹ Р., Байгубатов, Кыргыз Туусу # 51 (2006-жылдын 23-26-июну)

have the staff to make decisions and no system to prepare such staff.”⁵⁰ Toleskan Ismailova, a Leader of Citizens Against Corruption NGO, supports his opinion and adds that this reform is a decision made by a narrow group of people. “Nobody saw and heard what would be changed and how, a narrow group of people decided what would be better. They changed the chessmen on the chessboard. There is no the balance between the branches of power. And while we don’t have it, there is no sense to talk about the progress that the authority makes.”⁵¹

The evaluation of the particular law and the reform itself in a further prospective says that the first steps towards the changes have been done in a right way and brought some results. And Nurmambet Toktomatov confirms it. However, by some reasons, the law and reform do not achieve the wanted results. So, Melis Junushaliev states a fact of it. It means that the intention of reform was a half-hearted.

As for the transition of the state management to the “electronic government” principle, this initiative is carrying out quite well thanks to the donor support. Almost all state agencies and ministries have their own site with the updated information. The interface of the sites is trilingual, contains the legislative basis for every agency, references between the state bodies, publications and vacancies. Interestingly, the electronic facilities that provide the ongoing records of parliament sessions and their publication on the web site, www.kenesh.kg, was contributed by European Union, even the furniture had its label.⁵² In addition, the parliament site is so popular that the employees of the parliament including the deputies themselves use it to know the recent news rather than contact with each other by phone.

Although the transit to the electronic face of the government is successful, it has two small drawbacks. First, the archive folder is empty or limited in the provision of documents. Second, the publication folder does not have the critic statements about the work of the state bodies. These factors limit the public access to the documents

⁵⁰ Д., КАРИМОВ, “В Кыргызстане сложились условия, когда можно начать реальную реформу системы госуправления,” 24.kg, Sept., 2009. 12 March 2010, <http://24.kg/politic/62636-melis-dzhunushaliev-v-kyrgyzstane-slozhilis.html>

⁵¹ Э., БОТАЛИЕВА, “Реформа государственного управления в Кыргызстане – это решение узкого круга лиц, рассчитывающих на положительные результаты,” 24.kg, Oct., 20, 2009. 12 March 2010, <http://www.24.kg/politic/64424-tolekan-ismailova-reforma-gosudarstvennogo.html>

⁵² From the excursion to the Kyrgyz Parliament, 13 Nov., 2009.

and leave no place for the critic. So, the dissidents have to find another place to express their opinion.

However, these drawbacks do not spoil the picture of a successful carrying out of the law in general. The importance is that the first step towards transparency has been done and now the preoccupation is to keep the electronic government updated and increase the public access to this resource via Internet.

One reform under the legal cooperation of the EU and Kyrgyzstan is the Technical Regulation in Kyrgyz Republic Reform. This reform coincides with the Art., 44, p. 2 “the approximation of laws shall extend to the following areas in particular... technical rules and standards...”⁵³ and has got the support of the TACIS project. The System of Technical Regulation Reform Commission was formed by the Presidential regulation in September, 2002.⁵⁴ Then the urgency of reformation of this sector of economy and legislation was put in open discussion with the backup of the USAID and NGO in October, 2003.⁵⁵ The Commission elaborated and offered to adopt a new law “On the basis of technical regulation in Kyrgyz Republic” that would solve many problems of importing and exporting of production. The participants of the forum, including Askar Akayev, liked the proposal and wished a successful adoption in the Parliament. The first and the second feedback about the adoption and implementation of the law were in January⁵⁶ and June⁵⁷, 2004 – the law was not adopted still. Finally, on 1st of December, 2004, the law entered into force.

Two years passed from the point of initiation to the adoption of law. It seemed that the problem of technical regulation in Kyrgyzstan was solved, the TACIS aim was achieved and the economic bridge between the West and Asia was built. In 2005, the

⁵³ Partnership and Cooperation Agreement (Official Journal of European Communities) 1 Oct. 2009 <http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0&redirect=true&treatyId=723&back=2461>

⁵⁴ Экспертная группа Комиссии по реформе системы технического регулирования, “Реформа в области технического регулирования,” Право и предпринимательство # 3, 2003.

⁵⁵ Комиссия по реформе системы технического регулирования в Кыргызской Республике, “Национальный форум “Реформа технического регулирования в Кыргызской Республике”, Право и предпринимательство” #6, 2003.

⁵⁶ Комиссия по реформе системы технического регулирования в Кыргызской Республике, “Реформа технического регулирования в Кыргызской Республике: вопросы и ответы,” Право и предпринимательство # 1, 2004

⁵⁷ Б., Токсобаева, “Актуальные проблемы реформирования системы технического регулирования,” Право и предпринимательство # 3, июнь 2004

government adopted the Plan for Implementation of the Law⁵⁸, according to which every state ministry⁵⁹ and agency was going to take the responsibilities for achieving a particular goal. The Plan also contained the deadlines for the result performance. Nevertheless, the task was impossible to achieve. By the opinion of the head of Kyrgyzpatent, Patidin Atahanov, the ministries reshuffle led to the absence of control over the technical regulation and standards.⁶⁰ He stated the law suffered the same fate as the rest of legislation – the failure to implement. The state bodies were confused in their competences; moreover, the shortage of specialists in the field of technical regulation echoed at the same time. As a result, the long way of implementation of the law sank in the bureaucracy.

The results of the content research of Kyrgyz legislation where the financing under the TACIS was made prove the statement of the Brief Guideline to PCA – the cooperation has had a lack of mechanisms to coordinate the execution of agreement. The carrying out of reform was successful where it touched upon the material things like software facilities for the creation of electronic government. Though, the creation of conditions for transparency did not imply the transparency itself as the Kyrgyz state bodies were up to decide about the content and updating of the electronic government system. Other laws and reforms under the National Strategy were unsuccessful as their results that they were supposed to achieve were unclear. It is rightful to say that the reforms in economic and legislative sector faced a bureaucratic problem that gets the efforts into null. So, even the reforms that had an implicit meaning about democracy were not successful.

2.5. Political Turn of mid 90s and 2000s as a Step Back from the Democratic Development

It is reasonable to assume that the TACIS has achieved its goals in developing the market economy and democratic rule in the former authoritarian states with the

⁵⁸ План мероприятий по реализации Закона Кыргызской Республики "Об основах технического регулирования в Кыргызской Республике" и Указа исполняющего обязанности Президента Кыргызской Республики "Об институциональных и структурных преобразованиях в области технического регулирования в Кыргызской Республике" от 30 апреля 2005 года N 149 на 2005-2006 годы

⁵⁹ Eight ministries in overall plus several local authorities. The involvement of so much state bodies impeded the achievement of goal itself.

⁶⁰ В., Тимирбаев, "Техническое регулирование: зачем и для кого?" Моя столица – новости (МСН), #19, 22 февраля 2006 года

planned economy in Central and Eastern Europe since the first step of cooperation was extended to the next phase later on. In Central Asia, the EU assistance did not impress the governments, particular the Kyrgyz one, and did not spur them to the drastic political changes like it was with Eastern Europe.

In the eve of introduction of the EU Strategy with its human rights and democracy clause, the political situation in Kyrgyzstan had a drastic change quite opposite to the liberal development. This change is the outcome of the previous presidential policy, his ups and downs that have occurred in the mid 90s. So, a new president has had nothing to do as to make one more step back from the democratic development aimed in the early evolution of the Kyrgyz state. The EU Strategy was late with its innovation in the relations: the authoritarian way of government had already prevailed in the state since the mid 90s. It means that the previous way of relationship development is going to keep on regardless the EU intentions about democracy. Democracy has left the country long time ago.

Askar Akayev, the first Kyrgyz president, was brave enough to choose a democratic development and adherence to the Western values to follow for a new born state. Kyrgyzstan was a real island of democracy with a prosperous future. However, the miracle ended in 1993-94 with the shrinking of freedom of speech and enhance of the presidential power. There were multiple reasons for it starting from domestic ones.⁶¹ First, the president had to struggle with the communists and nationalists: the first ones wanted to hold the power in their hands; the second ones wanted to obtain it. Second, the deteriorating economic situation did not contribute to the democracy in any sense. The primer question was what to eat regardless the political mottos. Third, the neighbour countries, Uzbekistan and Kazakhstan, were very skeptical about the policy of their new mate. So, the president had to turn another way under the pressure of those multiple factors. Interestingly, Akayev still believed in the democratic rebirth of the state by the early of the 2000s.

“I am an ardent supporter of democracy at the bottom of my heard... I am strongly convinced that there is no a universal formula of democracy that is the same in any time, for all countries and peoples. Every state according to its specific development

⁶¹ Charles Undeland & Nicholas Platt, The Central Asian Republics: Fragments of Empire – Magnets of Wealth, (The Asia Society: NY, 1994) 41-52.

has worked out a concrete approach to this key problem. In many prosperous states that did not have the revolutionary cataclysms, the present understanding of democracy has come as a result of a long positive evolution. This predetermines the durability and stability of their political systems...The concrete efforts plus time is needed for democratic convictions to be a daily bread of people and become a norm of conduct.”⁶²

Nur Omarov, a prominent Kyrgyz politician, divides the Akayev’s rule into two steps – the early period and the late one.⁶³ A strong belief in democracy and full acceptance of liberal values characterizes the early period of Akayev’s rule. The privatization, freedom of media and adoption of the Constitution occurred during that time. The expectation and trust of the international society, specially the IMF, were high, so the grants were available for the country. It was a really good start for a young democratic state.

Nevertheless, a good start did not have a happy end. The president faced with a strong opposition of communists and nationalists who demanded a share in the power.⁶⁴ They were against the establishment of private property, land ownership and special provisions for Russians and other minorities.⁶⁵ At the same time, the opposition presented a strong force – a stumbling block for the presidential policy. They accused the president of betrayal of Kyrgyz nation. So, that problem needed to be tackled. By the referendum and amendments in the legislation, the president initiated the dissolution of the Parliament and took a direct rule by the presidential decrees.⁶⁶

One of the main features of democracy is the privatization and creation of middle class. As a young democratic state, Kyrgyzstan experienced the privatization process starting from the Law “On Privatization,” 1991. The campaign was aimed at a shift to the market economy, creation of competition and general enrichment of the society. In reality, the things were more complicated: the way of privatization was unclear and

⁶² А., Акаев, *Памятное десятилетие*, (Бишкек, 2001) 462-64.

⁶³ Н., Омаров, “Эволюция политической системы Кыргызстана в 90-е - годы XX-го - начале XXI- го веков: итоги и перспективы демократического строительства,” *Политический класс*, # 6, 2005.

⁶⁴ *Ibid*, 5.

⁶⁵ Paul Kubicek, “Authoritarianism in Central Asia: Curse or Cure?” *Third World Quarterly*, Vol. 19, No. 1 (Mar., 1998): 37.

⁶⁶ *Ibid*, 37-38.

left the room for cheating and falsifications. Every third object of state property was privatized without the auction and reassessment of funds.⁶⁷ As a result, almost 57% of population was below the poverty level and the level of economy decreased to the level of the 1950s.⁶⁸ The privatization turned out to be bribarization.

Moreover, the neighbours did not approve a new way of development in Kyrgyzstan because the state gave a shelter to the dissident from Uzbekistan.⁶⁹ Kazakhstan was displeased by the introduction of the Kyrgyz national currency as it was an independent decision of the Kyrgyz state.⁷⁰ So, it was one drop of poison that infected the whole tun of wine on the democratic way of Kyrgyzstan.

Overall, the political and economic development did not bring an expected democratic result. The late period of Akayev's rule was evaluated as "a step back to move forward"... "to 'save' democracy by resorting to undemocratic methods."⁷¹ He justified his rule by stating that a quick establishment of democracy was impossible; moreover, the strict maintenance of democratic norms was counterproductive as it did not reflect the reality in Kyrgyzstan.⁷² Thus, the probable solution of the crisis was to fill the vacuum of power by enhance of president rule. The good intentions that were at the beginning faded by the end of the 90s, and finally sank in the mid 2000s. Only did his belief in the necessity of time remain as a justification for democracy.

The political situation of the mid 2000s was accompanied by the same problems as the situation in the 90s. By the mid 2000s, the accumulation of power in the hands of one man reached its peak. So, it became the source of unrest in all strata of society. It was clear that the previous state of affairs was impossible to stand, though the question remained – what to change. Finally, the political tension was resolved on the 24th of March, 2005.

⁶⁷ Usenaly Chotonov, Kyrgyzstan on the Way of Sovereignty: Historical and Politological analysis, (Bishkek, 2007) 203.

⁶⁸ Ibid, 215.

⁶⁹ Charles Undeland & Nicholas Platt, The Central Asian Republics: Fragments of Empire – Magnets of Wealth, (The Asia Society: NY, 1994) 51.

⁷⁰ Ibid, 49.

⁷¹ Paul Kubicek, "Authoritarianism in Central Asia: Curse or Cure?" Third World Quarterly, Vol. 19, No. 1 (Mar., 1998): 37-38.

⁷² Ibid, 37.

There are two viewpoints on this event: pro-presidential and contra-presidential. Interestingly, the president himself presents the pro-revolutional opinion. He states that the March events have revealed the people's will and the newly elected government has come it into true. That is why this day is an official holiday and is called the Revolution Day.

The contra-presidential view point is presented by the Western newspapers and agencies⁷³ and several Kyrgyz intellectuals. Erika Marat classifies the March events as a coup d'état and formulates its results in two questions:

- What has changed? – the shift between the state and criminal world. This world actively took part in the shaping of policy.
- What did not change? – corruption and poor economic performance.⁷⁴

Vladimir Knyazev also determines the events as a coup d'état and expresses his highly concerns about the future of the state.⁷⁵ He states that the event is a part of a range of orange revolutions in Europe that have been highly organized and influenced by the United States. The point of Knyazev is similar to Erika Marat's one in terms of the outcomes of the revolution – it has brought nothing new to solve the existing problems of Kyrgyz society. But it has confirmed once more a false understanding of democracy that means an impunity and permissiveness for Kyrgyzstan.⁷⁶

Nur Omarov also argues that the so called revolution is a way to change one ruling group of people to another one without any changes in content.⁷⁷ He supports the idea that this coup d'état is useless in terms of tackling the multiple problems of the state. His conclusion is that the new power has a declarative agenda for the development of the country and this can lead to the phenomena of failed state of Kyrgyzstan.

All these intellectuals share the idea that the Revolution Day is the day of people's shame and is rightfully called a Looting Day. The so called revolution evidenced the

⁷³ Despite the recognition of presidential elections in 2006, OSCE has a negative opinion about the legitimacy and transparency of the election process.

⁷⁴ Erika Marat, The Tulip Revolution: Kyrgyzstan – One Year After (Jamestown Foundation, 2006) 121-122.

⁷⁵ А. Князев, Государственный переворот 25 марта 2005 года в Киргизии (Бишкек, 2007)

⁷⁶ Ibid, 151.

⁷⁷ Н. Омаров, “Дилеммы современного Кыргызстана: «за» и «против» политической стабильности,” Независимая газета - Дипломатический курьер, 26 сентября 2005 г

pogroms and people's unrests. The aftertaste of the unrests was: the broken businessmen, huge number of internal migrants who were promised to have a piece of land in Bishkek and ongoing political crisis that lasted for next two years. The democracy left the country in the mid 90s, and in 2000s, it only confirmed its departure. So, the democratic phrases of the PCA have a decorative character.

So, the TACIS program was the first European project in Central Asia. It goes without saying that the program was fruitful for Kyrgyzstan as it offered the humanitarian and foodstuff aid that was so much needed during the first years of independence. Then, the program grew up in its second stage of development and founded the legal ground for the EU-Kyrgyz relations. The PCA was signed that gave legal explanation and overview of the relations. The agreement is interested in terms of establishing the bilateral institutions to work on. The evolution of relations revealed the impediments in promotion of institutional reforms that was mainly the reluctance of the Kyrgyz government by many reasons to put the reforms to the end. Although some reforms were successful, they did not eradicate the clan system that always presented in the politics. The political turmoil had no a directly influence on the execution of the reforms. However, the struggle for power left no chances for cooperation in human rights and democracy fields.

2.6. The TACIS Successful Projects

Despite a ding-dong battle of Kyrgyz legislation reforms, the TACIS has some successful programs that present a fruitful cooperation between the countries within the region and outside of it. The programs aim at collaboration in security and transport fields: TRACECA and INOGATE as well as BOMCA/CADAP.⁷⁸

The secret of success is the coincidence of mutual interests of the states. From the 2000s, the EU puts more stress on energy and security, so it initiates the policy on it. The Central Asia states are willing to accept this policy as it reflects their interests. It is also possible to say that the first decade of the TACIS in the region is a test lesson. It has started from the scratch, tested different approaches and then found the mutual

⁷⁸ The results of these programs are published in the EU brochures and presented as a real work of the Union in the region.

points. The programs also allow the EU to have a stake in the political arena of the region.⁷⁹

The overview of the successful programs one more time proves the bind of the EU in favour of security and energy as it is beneficial for every partner. The democracy is out of question here.

TRACECA was formulated in 1993 by the European Commission and Caucasus and Central Asia governments.⁸⁰ The aim of the program is to support the political and economic development by means of improvement of the international transport system in the related regions.⁸¹ Thank to this program, the states could get the access to the European markets that implies the attraction of investments and obtaining the benefits by the regions. In Kyrgyzstan, the trace of TRACECA activity is the Bishkek-Osh road that was financed by the European Bank for Reconstruction and Development, World Bank and Asian Development Bank.

In 2004, the Baku initiative (the decision of the Ministerial Conference in Baku) renewed the Interstate Oil and Gas Pipeline Management completed in 1997 by reorganizing the project in INOGATE, Interstate Oil and Gas Transport to Europe. The program aims at liberalization of Kyrgyz hydro energy sector to make it attractive for foreign investments and supply the surplus of energy to Afghanistan and Pakistan.

BOMCA/CADAP was formulated in 2002 by the European Commission and aimed at struggling of drug trafficking, extremism and clandestine migration in Central Asia.⁸² The program appears to be the most obvious EU intention for strengthening the security to save its borders; and at the same time, it is the most bilateral benefit cooperation program. Under the BOMCA, the check points on the Kyrgyz-Kazakh border (Ak-Jol Avtodorozhny) have been reconstructed and equipped. The program also sponsored the restoration of Multi Agency Dog Centre and dormitory wing in the

⁷⁹ Alexander Frenz, "The European Commission's Tacis Programme 1991 – 2006: A Success Story," [Europa.eu](http://ec.europa.eu/europeaid/where/asia/countrycooperation/kyrgyzstan/kyrgyzstan_en.htm), 20 Oct. 2009

⁸⁰ [TRACECA Programme in brief](http://ec.europa.eu/europeaid/where/asia/countrycooperation/kyrgyzstan/kyrgyzstan_en.htm) 20 Oct. 2009, <http://www.traceca-org.org/default.php?l=en>

⁸¹ Ibid.

⁸² George Gavrilis, "Beyond the Border Management Programme for Central Asia (BOMCA)," [EUCAM:EU-CENTRAL ASIA MONITORING](http://www.eucam.eu), No. 11 - November 2009

National Border Guard Training Centre of Kyrgyzstan in Novopokrovka; several seminars and work-shops targeted at the inter regional cooperation were conducted.⁸³

In addition, the program has succeeded in promotion of a proper border management in Kyrgyzstan. So, the amendments in legislation were adopted: the President's Decree "On establishment of The Interagency Commission on Development of Integrated Border Management in Kyrgyzstan," February 4, 2008 and the Government Resolution "On Creation of the National Coordination Center," June 4, 2008.⁸⁴

The secret of fruitful cooperation was the provision of technical aid that included the attraction of investments for building of roads, backing the political discussion of energy policy and equipment of check points. That kind of approach is more comfortable for Kyrgyzstan and the EU as it is about material things that are important for Kyrgyzstan; and it satisfies the EU security demands.

Overall, these programs have proved the coincidence of the EU and Kyrgyzstan interests in the security field. So, this way of cooperation dominates over the democratic aspirations of the EU.

2.7. Conclusion

The outcomes of the EU previous cooperation are positively evaluated in the document. The TACIS is considered to be "relevant and responsive"⁸⁵ to the needs of the recipient governments. This long-life program established the political dialogue between the EU and the region, that's why the TACIS is a success story. The programs of the TACIS like INOGATE, TRACECA and BOMCA are the good examples of promotion of economic development and security in the region. The food supply programs in Kyrgyzstan and Tajikistan got a low assessment by the EU, however, it was recognized that time and further EU assistance were needed to see the

⁸³ Scott Pilkington, "Border Management in Central Asia. Phase 6. Progress Report, [Eu-bomca.kg](http://eu-bomca.kg), Sept. 2008," 15 Oct. 2009 <http://bomca.eu-bomca.kg/en/fareas>

⁸⁴ Ibid.

⁸⁵ European Community. Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013 (European Commission) 23.

positive results. Overall, the results-oriented monitoring (ROM) of all TACIS projects for 2003-2005 evaluates the project performance in Kyrgyzstan on 95%.⁸⁶

This evaluation of the program entails that the test lesson of the EU in the new region has been passed. The practice has selected the projects that turned out to be more viable and the tactics of the Union that became directed and specific. For example, the EU Delegation works closely with the Ministry of Agriculture and SCME. The drawbacks of the program have been taken into account, and now, the successful BOMCA project has its prolongation till 8 and 9 phases. The achievements of the TACIS are the setting up the frameworks and legal basis for cooperation.

The results of the chapter coincide with Nur Omarov's opinion about the EU-Kyrgyzstan relations. He states that both partners have mutual interests in response to common security challenges.⁸⁷ As for the legal and human rights cooperation, the judicial conflicts impede the collaboration and following of Kyrgyz model of democracy also contradicts to the universal values and may find Kyrgyzstan in a blind alley.⁸⁸ Moreover, there is a sharp remark about Kyrgyzstan and its donor relations: "the Kyrgyz government just says "yes - thank you" to programmes planned in Brussels or Washington, without reflecting on whether Kyrgyzstan actually needs these kinds of programmes or not."⁸⁹

The overbalance of the EU policy has already existed in the TACIS programs. The European idea about democracy sank immediately as there was no interest in that. The country needed the material aid like investments and products. Then, it needed the facilities to provide security of its borders. So, the EU responded well to the needs of the state. This relation has given the further way of cooperation. The reason why the democratic clause appeared in the PCA is the EU experience with the Eastern Europe

⁸⁶ European Community. Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013 (European Commission) 23.

⁸⁷ Н. Омаров, «Кыргызстан - Европейский Союз: эволюция и приоритеты сотрудничества в конце XX-го - начале XXI-го веков» Центральная Азия во внешней политике Европейского Союза, 2004.

⁸⁸ Ibid.

⁸⁹ Christian Boehm, "Democracy in Kyrgyzstan: Reforms, Rhetorics and Realities," Paper presented at the conference "Postkommunismens Antropologi", 12-14 April 1996, Department of Anthropology, University of Copenhagen, [Anthrobase.com](http://www.anthrobase.com), 14 Feb. 2010
http://www.anthrobase.com/Txt/B/Boehm_C_01.htm

states and PHARE.⁹⁰ For these states, democracy, good governance and human rights were important to follow as they were the preconditions for the accession to the Union. For Kyrgyzstan it was not a goal, so nobody cared of that.

The comprehensive approach is not completely failed as there are some positive results in reforms. However, there is a clear overbalance to the security and pragmatic actions that is justified by the history of bilateral relations. The EU-Kyrgyzstan relations are about strengthening of security but not the democracy and human rights. They are the faraway goals that are only on the paper.

3. Regional Strategy Paper for Central Asia for 2007-2013

This chapter examines the next phase of the EU-Kyrgyzstan cooperation that is presented by the EU Strategy towards Central Asia. The Strategy has got lots of critique about its way of implementation. The reason of it is the dual character of the document itself. From the one hand, it aims at strengthening democracy and human rights. From the other one, the purpose of the document is to enhance the cooperation in energy and security to diversify the energy supplies for the Union and prevent the flow of migrants, weapons and narco traffic. The target of the critique is the democratic component of the paper. The critics argue that it has failed because of the overbalance to the security and difficulty in holding the dialogue on democratic component.

The analysis of the intellectuals' opinions and Kyrgyz mass media about the Strategy shows that it is obvious from the moment of declaration of the Strategy that it will be about practicable policy of the Union in Central Asia. The EU was perceived as one of the geopolitical player in the region and not as a proponent of democratic values. In reality, there were no preconditions for those values to be incorporated in the state policy. So, the Strategy only proceeds with the successful projects of the TACIS. It has achieved nothing new.

The Strategy for 2007-13 is a logic continuation of the EU previous programs towards the region: TACIS and the Strategy for 2002-2006. If the reason for the initiation of

⁹⁰ From the talk with Joomart Ormonbekov, European Integration Instructor, AUCA.

the TACIS was to overcome the transition period in the post-Soviet states, the causes for the Strategy were the new challenges of the millennium. First, the European Security Strategy (ESS) of 12 December 2003 defined new threats for the EU to face with: terrorism, proliferation of WMDs, regional conflicts, state failure, organised crime.⁹¹ It was acknowledged that the threats were not purely military, so it meant that the combination of instruments was needed to confront the threats. This is possible to do only in case of multifaceted cooperation.

The EU defines the CA region as a neighbour to EU neighbourhood.⁹² The question of neighbourhood became more urgent after the enlargement of 2004-2007. So, the EU is primarily interested in the stability in the region and ready to facilitate all the democratic beginnings to enforce the democratic government that will be able to support its citizens.

Second, the Strategy also recognizes the EU dependence on the supply of energy resources and perceives Central Asia as a region with rich energy possessions and suitable geographic location for transport routes to the European market. So, it reaffirms the importance of INOGATE and TRACECA programs.

The goals of the Strategy are: promotion Central Asian regional cooperation and good neighbourly relations; reduction poverty and increase living standards; promotion democratisation, human rights, good governance and economic reform.⁹³ On the one side, the aims are closely coincide with the values of EU and its legal ground: TEU, Art. 6, 11; TEC, Art. 177. On the other one, all five states have the similar objectives in their national strategies. So, there is a bridge between the EU and national interests in the economic development, reduction of poverty and provision of stability in the region.⁹⁴

The innovation of the Strategy is an introduction of the comprehensive approach to the recipient states. The approach means “the summary of common challenges including democratic, economic and social issues; mapping out the context for

⁹¹ European Community. Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013 (European Commission) 5.

⁹² *Ibid*, 7.

⁹³ *Ibid*, 27.

⁹⁴ *Ibid*, 8.

assistant provision; and setting up the EU response, objects and priorities for Central Asia at regional and country level.”⁹⁵ The approach allows to envelop several sectors and levels of the cooperation.

The implementation of the program is planned through the Development Cooperation Instruments (DCI) with help of OSCE and UN. The DCI includes the Democratisation and Human Rights (IDHR), Nuclear Safety Instrument, Stability Instrument and Humanitarian instrument. In addition, the instruments of ENPI Regional Programs are also available for the region and presented by two programs: Food Security (ex-EC FSP) and Migration and Asylum” (ex-Aeneas).⁹⁶

Overall, the Strategy sounds good because it offers the remedy almost for all problems of the region. The document is well developed and gives an overview of the current events in all five states. It gives the impression that the EU is aware of the capacities of the countries to fulfill the Strategy goals.

3.1. The Vision of the Strategy from Inside

The EU presents the Strategy as a document of high importance. However, this document has received quite a limited response from the Kyrgyz side. The EU is considered to be a main actor of the great game in Central Asia together with other great powers such as Russia and USA. The existing vision of the EU implies, first, that it is perceived with no difference from other players with their geopolitical interests. Second, the Kyrgyz media supports the idea that the EU activity in Kyrgyzstan is more about practicable projects rather than unclear aspirations about democracy.

Several intellectuals express their vision of the Strategy. Actually, there are only two articles devoted to the EU-Kyrgyzstan relations: “The Central Asia states in the foreign policy of Russia, USA and EU” by The Omarovs ;“The Kyrgyz-EU relations in the context of EU Strategy for Central Asia” by Joomart Ormonbekov. One more article was published in the Kyrgyz Internet newspaper. The article by Erkin Bakyt

⁹⁵ European Community Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013 (European Commission) 3.

⁹⁶ Ibid, 8.

deserves the attention as it represents the opinion of Kyrgyz media about the EU; and it appears right after the declaration of the Strategy, so it is an immediate response.

Nur and Mels Omarovs give an overview of the Strategy and come to the conclusion that the main interest of Europe in the region is a free access to the hydrocarbon resources.⁹⁷ The EU is presented as one of the great players on the Central Asia stage that is interested more in the energy supplies. There is no talk about some other activities of the Union in the region.

Joomart Ormonbekov is more specific with the scope of the EU relations, so he concentrates on the EU-Kyrgyz relations in particular. He describes the relation as a donor-client one; points out at the shortage of the Strategy – the absence of necessity to provide the practical results. The conclusion is that the EU activity is ineffective as it has not bring serious changes in economic and institutional reforms, narco trafficking and management of border control.⁹⁸ Ormonbekov states that the reason of ineffectiveness is a heavy decision making process in the Union and the lack of national instruments to carry out the goals of the Strategy.

Erkin Bakyt argues that the EU Strategy towards Central Asia is not an action plan but a declaration about intentions.⁹⁹ He states that the Union has to define its priority in the region- democracy or energy - otherwise, the cooperation will lead to the conflict of interests.

The authors talk about practical interests of the Union in Kyrgyzstan or failure of cooperation. Neither of them mentions the comprehensive approach. Moreover, there is no talk about the democratic values at all. So, it implies that the EU is perceived as one more geopolitical player with the particular reasonable and practicable interests. The Kyrgyz intellectuals simply disregarded the democratic component as it was unimpressive.

⁹⁷ М.Омаров, Н. Омаров, “Государства Центральной Азии во внешней политики России, США и Европейского Союза,” ЦЕНТРАЛЬНАЯ АЗИЯ И КАВКАЗ, # 3 (63) 2009 г. 12 March, 2010, http://www.ca-c.org/online/2009/journal_rus/cac-03/06.shtml

⁹⁸ Ж. Ормонбеков, “Кыргызско-европейские отношения в контексте Стратегии ЕС по Центральной Азии” Bishkek Publication Club.kg 8 Oct. 2008. 1 Oct. 2009, <http://bpc.kg/news/4388-08-10-08>

⁹⁹ Э. БАКЫТ, “Европейский Союз и Центральная Азия: энергетика или демократия?” 24.kg, 20 Oct. 2007. 12 March, 2010, <http://24.kg/politic/26087-2007/10/20/65823.html>

In fact, the opinion of intellectuals is not ungrounded. The EU officials themselves become more silent about democracy. It is easy to see in the Kyrgyz media in the time perspective.

The sampling of media included the media that had their web sites with an open access to the archives; and the articles about the EU Strategy. There are eight notes about the Strategy in the media and most of them presented by www.24.kg because it has a good archive database.

From the very first days of the Strategy the Representative of the EU Commission, Jorg Ketelsen, pointed out at several activities that the EU was going to be involved. First, it was the support of the civil sector and NGOs. For this purpose, the Union allocated 1,1 milliard of euro.¹⁰⁰ Second, 5 million of euro was directed at the development of business associations in Kyrgyzstan and Central Asia.¹⁰¹ Third, the Union was eager to support the veterinary service to prevent the spread of anthrax.¹⁰² The beginning of a new phase of cooperation sounded to be promising.

With time, the EU officials became more silent about democracy. In 2009, Elizabet Jeggle did not mention it when giving the speech to the Kyrgyz media about the evaluation of the EU Commission Report.¹⁰³ Pierre Morel also recognizes the raise and fall of the Strategy by the end of the third year of its implementation.¹⁰⁴ He states that the most difficult part is the construction of human rights and democracy dialogue; though, he says that the efforts have been put to correct the situation. Pierre Morel stresses that other aims of the Strategy get more welcome response of the Central Asia states.

¹⁰⁰ Ж.ИБРАЛИЕВ, “Европейская комиссия выделяет Кыргызстану 1,2 миллиона евро на развитие демократических ценностей,” 24.kg, 29 Nov. 2007. 12 March, 2010, <http://24.kg/community/28049-2007/11/29/69749.html>

¹⁰¹ Ж. ИБРАЛИЕВ, “Европейский союз выделяет на развитие бизнес-ассоциаций Кыргызстана 5 миллионов евро” 24.kg, 14 Dec. 2007. 12 March, 2010, <http://24.kg/economics/28824-2007/12/14/71299.html>

¹⁰² Ж. ИБРАЛИЕВ, “Европейский союз намерен оказать помощь ветеринарной службе Кыргызстана,” 24.kg, 2 Nov. 2007. 12 March, 2010, <http://24.kg/community/26831-2007/11/02/67309.html>

¹⁰³ Ю.ЛИПОВИЧ, “Элизабет Йегглэ: Стратегия ЕС в Центральной Азии вывела отношения между Европой и странами региона на новый уровень,” 24.kg, 15 Apr. 2009. 12 March, 2010, <http://24.kg/politic/49249-2009/04/15/112161.html>

¹⁰⁴ П.Морель, “Стратегия ЕС в Центральной Азии успешна,” 24.kg, 11 Feb. 2010, 12 March, 2010, <http://24.kg/bigtiraj/69195-per-morel-strategiya-es-v-centralnoj-azii.html>

In spite of assuring in making the efforts towards democracy, the practical step of the Union is only the expression of concerns about the deteriorating situation on democracy and human rights issue. The Union called Kyrgyzstan to assume the complex measures urgently during the 11th session of the Cooperation Council to solve such kind of problems.¹⁰⁵ In reality, it is a well known fact that the Kyrgyz government is unable to assume the complex measures.

Thus, the meaning of comprehensive approach with the importance of democracy was ignored by the Kyrgyz intellectuals. They perceived the EU Strategy as a declaration of intentions and a presentation paper of another geopolitical player. The EU officials themselves were very active in promoting the democratic component together with the support programs in the other fields. However, with time, a democratic zeal was getting over. The vision of the Strategy by the Kyrgyz intellectuals turned out to be true: the EU is one more geopolitical player with energy interests in Central Asia.

3.2. The EU Commission Progress Report and the Critique of the EU Strategy

The critique of the Strategy appeared after the issue of the EU Commission Progress Report. The group of intellectuals under the leadership of Michael Emerson, a former EU Ambassador to Moscow, formed the monitoring unit to trace the results of the EU policy in Central Asia and give an expert opinion in form of publications. The project is called the EU Central Asia Monitoring¹⁰⁶, sponsored by the Soros Foundation and will run until February 2010. The project is jointly managed by FRIDE and CEPS that are the fundamental organizations watching for carrying out of European policy.

The Commission issued the report in June of 2008. The Progress Report maintains the idea of comprehensive approach noticing that the Human Rights dialogue with Central Asia is ongoing. The statement is supported by the bilateral project – EU Initiative for Rule of Law.

¹⁰⁵ А. ЛЫМАРЬ, “Европейский союз выразил беспокойство относительно вопросов ухудшения прав человека и фундаментальных свобод в Кыргызстане,” [24.kg](http://24.kg/politic/69759-evropejskij-soyuz-vyrazil-bespokojstvo.html), 24 Feb. 2010. 12 March, 2010, <http://24.kg/politic/69759-evropejskij-soyuz-vyrazil-bespokojstvo.html>

¹⁰⁶ Official web site is www.eucentralasia.eu. The site is weekly updated and contains a multi-field information about social, economical and political issues on Central Asia.

The report gives an overview of the EU activity in every field. For example, the Youth and Education part marks the increased number of students who are receiving the scholarships from the European Commission to study abroad. The Economic Development, Trade and Investment part pays attention to the launch of Central Asia Invest Program to develop small and medium enterprises in the region.

As for energy and transport, water and common threats, these parts are more vivid as they show the concrete results. The Baku Initiative is intensified by the participation of Kazakhstan and Turkmenistan. INOGATE and TRACECA are considered the successful programs in the region. EU Water Initiative EECCA has got the support of Kyrgyzstan. BOMCA and CADAP remain to be the most fruitful programs of the EU in the region. Although the report recognizes that the Strategy is under way, it concludes that the EU has to “engage in concrete cooperation on Central Asia, especially in the fields of border and water management, as well as the fight against drug trafficking and trans-border crime.”¹⁰⁷ It seems that the report has chosen the way of cooperation.

In reality, neither the dialogue nor the initiative does not bring any evidences for the turning to the democratic values. In general, the Human Rights, Rule of Law, Good Governance and Democratisation part of the report is focused on the future that is also unclear. The report is deprived from the critics of the governments for not following the human rights.

This overbalance of the EU politics expressed in the Report conclusion has become a subject of critic by the EU-Central Asia Monitoring office. Neil Melvin and Jos Boonstra states that the EU has disclaimed its normal comprehensive approach, which involves the development of democratic standards in the region, in favour of the promotion of security and realpolitik¹⁰⁸ that has turned out to be more important issue

¹⁰⁷ Joint Progress Report by the Council and the European Commission to the European Council Central Asia (European Commission, External Relations, 24. 06.2008) 14.

¹⁰⁸ Realpolitik – is a foreign policy based on calculations of power and the national interests brought about the unification of Germany. Realpolitik to turn on itself, accomplishing the opposite of what it was meant to achieve. For the practice of Realpolitik avoids armaments races and war only if the major players of an international system are free to adjust their relations in accordance with changing circumstances or are restrained by a system of shared values or both. Henry Kissinger, Diplomacy (Simon & Schuster Rockefeller Centre: NY, 1994) 137.

in the bilateral relations.¹⁰⁹ They claim that the reason of such approach is a narrow understanding of security and stability in the region by the EU.

In addition, Michael Emerson and Jos Boonstra draw the conclusion of the EU activity in the region in their book “Intro EurAsia: Monitoring the EU’s Central Asia Strategy” that the political dialogue that the EU is so proud of does not have the concrete achievements.¹¹⁰ The same is true with regards of human rights: the results of human rights dialogue are invisible.¹¹¹ The reason of this is the lack of transparency in monitoring reports and unclear role of human rights in the agenda of the Central Asia states.

Another contributor of EUCAM, Rico Isaacs, claims that the EU Rule of Law Initiative under EIDHR has failed to accomplish its democratic goals and bended to commercial benefits of legal reforms.¹¹² He states that the reasons of it are the normative limitations. First, the judicial systems of all five states are highly corrupted and personalized. Second, the judges are unable and unwilling to use the obtained knowledge during the seminars into practice if it contradicts the president’s will. So, the democratic standards are not endured in the region.

The last intellectual who criticizes the EU for the realpolitik in Central Asia is Cornelius Graubner, a Research Associate at the Otto-Suhr-Institute for Political Science of the Free University in Berlin. He states that the opinion of the proponents of the realpolitik prevails while implementing the Strategy.¹¹³ He defines several reasons for that: first, the democratic progress is difficult to achieve and the EU officials acknowledge that. Second, the initiation of the Strategy went without the consultations with the local governments and civil sectors of the recipient states, so their interests and capacities were not taken into account. Third, the EU officials

¹⁰⁹ Neil Melvin & Jos Boonstra, “The EU Strategy for Central Asia @ Year One,” EUCAM:EU-CENTRAL ASIA MONITORING No. 1 (October 2008):3.

¹¹⁰ Michael Emerson, et al., Intro EurAsia: Monitoring the EU’s Central Asia Strategy (Centre for European Policy Studies (CEPS), Brussels, and Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE), Madrid, 2010) 65.

¹¹¹ *Ibid*, 71.

¹¹² Rico Isaacs, “The EU’s Rule of Law Initiative in Central Asia,” EUCAM:EU-CENTRAL ASIA MONITORING No. 9 (August 2009): 5.

¹¹³ Cornelius Graubner, “EU Strategy on Central Asia: Realpolitik After All,” Central Asia-Caucasus Institute & Silk Road Studies Program Joint Center, 14 May 2008. 12 March 2010, <http://www.cacianalyst.org/?q=node/4859>

themselves put the priority for the Strategy regardless the human rights and democracy: “Pierre Morel named as most pressing issues terrorism, extremism, water distribution and climate change in a recent interview with a Kazakh newspaper.”¹¹⁴ And fourth, too much pressure on the democratic component put the EU presence in the region at risk because the states have always the alternative such as China and Russia to the EU.

In fact, all the critique about Central Asia states directly concerns Kyrgyzstan. The overbalance in the relations has persisted since the TACIS. As the TACIS, the Strategy has faced the same problems: the lack of transparency in monitoring and unwillingness of the state to promote the democratic standards. And as the TACIS, the Strategy continues the programs that have had the success before: programs about energy, security and transport.

Dr. Olaf Heidelberg, an Attaché of Delegation of the European Union to the Kyrgyz Republic, also recognizes that the conclusion of the Report defines the path for the relations development so, the BOMCA project has its prolongation.¹¹⁵ The Report conclusion and interview result confirm the chosen way of cooperation: it is more productive in the programs aimed at security and stability because there is a mutual understanding of aims and acceptance of tools for implementation. As for rule of law, this part of cooperation demands not only funding but also wiliness and capability to follow these initiatives.

It means that the Strategy only develops more successful program of the past. Besides, the Kyrgyz government has defined the character of cooperation with the EU at the mid of the 1990s, and now it spills them over. So, the reason of unbalance in the Strategy is the response actions of the recipient government that is not interested in the real promotion of democracy. The EU-Kyrgyzstan relation is a boat that needs the efforts of both passengers. To save the boat from rocking up, the EU has led its policy in a way that is suitable for both – the promotion of security with help of technical assistance.

¹¹⁴ Cornelius Graubner, “EU Strategy on Central Asia: Realpolitik After All,” Central Asia-Caucasus Institute & Silk Road Studies Program Joint Center, 14 May 2008. 12 March 2010, <http://www.cacianalyst.org/?q=node/4859>

¹¹⁵ The interview with Dr. Olaf Heidelberg, Attaché of Delegation of the European Union to the Kyrgyz Republic, Bishkek, Feb, 19, 2010.

I argue that this overbalance does not come from the European side, but from the Kyrgyz side. The chapters of present paper about the reforms under the TACIS and political turmoil state that the important part of reforms – their execution – has been in the competence of the Kyrgyz government. It was the government and president who decided what to implement and how to do that. So, it was them who called the tune to the liberalization in economy, legislation and politics.

Later on, the same situation was in case of the Strategy: the Kyrgyz government was the final beneficiary of the financial aid and held the responsibility of carrying out the programs. The reason of the EU comprehensive approach is not exactly the narrow understanding of security issues in the region. It is the historical development of the relations that have been formed under the TACIS and had their continuation in the Strategy. The relations have no the alternative as there is no evidence of the desire to change them from the Kyrgyz part. I am strongly convinced that by the results of program implementation in the frameworks of the Strategy and the TACIS, the EU shaped its approach to the country. In another word, everyone got what he wanted: if the Kyrgyz authorities were ready to deal more with security issues, the EU was welcome to meet that demand.

The new challenges of the EU spurred it to prolong its presence in the region. Moreover, the previous experience in cooperation with the CA states prompted the way of dealing with the governments. The democratic standards that the EU is based on and tries to promote are the implicit idea of the European presence in the region. It can be clearly seen by the instruments that it uses: the programs that are firstly about the technical aid (provision of equipment, seminars or reconstruction) are more successful in reality. So, they have become the explicit goals. As for good governance and other elements of democratisation, it has nothing to say as it has no evidence for them. The successful programs remain the ones that are focused on something material, for example, the reconstruction of border cross points.

3.3. Conclusion

The overbalance of the TACIS programs repeated in the Strategy. The Commission Report and the EU officials acknowledged that fact. The critics of the EU policy rightfully noticed that there was an overbalance towards the realpolitik that was more security and energy. The Kyrgyz intellectuals did not expect any fundamental changes of the EU priorities in the Strategy from the priorities of the TACIS. Moreover, the statements of the EU officials about the establishing the democracy became more rare fact by the end of the 2000s in the Kyrgyz mass media. Besides, the Kyrgyz intellectuals did not notice the comprehensive approach at all.

The democratic component of the comprehensive approach was only a declaration of intentions with no concrete actions. The Kyrgyz state and politicians did not expect the EU to promote the democracy, so it was not done.

4. Is the EU Reputation As a Normative Power At Danger?

Rico Isaacs also mentions the problem of the EU compliance to the idea of the normative power. He states that “the focus of the Rule of Law Initiative is on the commercial and trade rewards... rather than the good governments and human rights benefits.”¹¹⁶ So, this fact weakens the EU adherence to the norms.

In this chapter, I will argue that the failure of democracy promotion in the developing countries does not mean that the EU spoils its reputation: the establishment of democratic standards is the prerogative of the state, not a foreign donor. Having seen this kind of policy in Central Asia, it is reasonable to extend the borders and trace the EU policy in South Caucasus to be convinced that the Union is a normative power, though it has no competence to force other states its example. This competence is undermined by the wiliness of the states to promote democracy. So, the EU can declare whatever democratic policy towards Central Asia and South Caucasus. The recipient states define the ultimate result of this policy and they incline in favour of the non-democratic approach.

¹¹⁶ Rico Isaacs, “The EU’s Rule of Law Initiative in Central Asia,” EUCAM:EU-CENTRAL ASIA MONITORING No. 9 (August 2009):1.

It is a well known fact that the EU is exposed itself as a normative power that establishes the norms and follows them. The EU is based on and has a commitment to proliferate the following norms: peace, liberty, democracy, human rights and rule of law (TEU, Art. 6, 11; TEC, Art. 177). Ian Manners calls these the core five norms and adds other four minor norms such as social solidarity (Art. 2 TEU, TEC), anti-discrimination (Art. 13 and Title XI of the TEC), sustainable development (Art. 2 TEU, TEC), good governance (Commission papers on 'EU election assistance and observation' (COM(2000) 191final) and the 'White Paper on European governance' (COM(2001) 428 final)).¹¹⁷ The Strategy also contains these norms to be implemented.

An implicit meaning of promoting democracy exists in the EU-South Caucasus relations. This region is important as it is linked with Central Asia by several EU projects. It is also a good example of showing the European zeal in promoting the democratic standards in the neighbour states. There, the EU also abandons its idea of democracy and follows the concrete security and energy interests. The comprehensive approach that is also a part of the EU Strategy towards every South Caucasus country has a lack of democratic component, though it does not spoil the reputation of a normative power. The same principle of the state prerogative in establishing the democracy works in South Caucasus states: they do not insist on democracy, so it is abandoned.

4.1. EU Policy in South Caucasus

The region of South Caucasus covers three countries: Georgia, Azerbaijan and Armenia. These states were the part of USSR long time ago, so they inherited pluses and minuses of the integrated system. The states also received the technical aid under the TACIS. The countries concluded the Partnership and Cooperation Agreements in 1995 that came into force in 1999. As in Central Asia, the EU also prolonged its presence, though under different program.

The region is geographically closer to Europe, so it seems that the interests in mutual cooperation should be high. Nevertheless, this is not the case. In spite of being close to Europe and having a different status than the Asian region, these three states also

¹¹⁷ Ian Manners, "Normative Power Europe: A Contradiction in Terms?" *JCMS*, Volume 40. (2002): 242.

build their relations with the EU on the interest basis. Moreover, the position of the EU is more about provision of security for its pipelines than the promotion of democracy in the region. So, the politics of the EU in the two regions has much in common. This political actor builds its relations with the developing states only in the fields which are allowed by these states to come in: energy, transport and border security. A comprehensive approach that the EU strives for is no more than hand wringing but little action. The *realpolitik* gives the concrete results, not the comprehensive approach.

The standard PCAs were enough for the cooperation with South Caucasus till 2003. The Communication of the European Commission “Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours” gave a marginal role to the region saying that “given their location, the Southern Caucasus therefore also falls outside the geographic scope of this initiative for the time being.”¹¹⁸ Despite the geographic proximity, the EU was not much interested in the region. Southern Caucasus was considered as a periphery of Europe in economic and security relations.¹¹⁹ Its internal conflicts, like Nagorno-Garabah, did not present a significant threat to Europe. Moreover, it perceived the region as these three states without mentioning North Caucasus. That was done in order to not irritate the Russian Federation and the southern neighbours of the region: Iran and Turkey.

Gradually, due to the external and internal factors, the perception of the region was being changed. The events of 11/9, enlargement of 2004 and importance of diversification of energy resources urged the EU to look at its neighbours in a different way. In 2003, Javier Solana initiated the European Security Strategy (ESS) where he defined the threats and challenges for Europe. The ESS supported the appointment of EURS to South Caucasus at the same year by the Greek Presidency. The relations with South Caucasus repeated the same scenario as with Central Asia. The EU offered the region the strategies first for 2002-2006 and then for 2007-2013, though it included them in the first ring of friends ENP where Moldova, Ukraine and

¹¹⁸ Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours (Commission Communication COM(2003) 104 final, 2003).

¹¹⁹ Bruno Coppieters, “An EU Special Representative to a New Periphery,” in “The South Caucasus: A Challenge for the EU,” (Institute for Security Studies, Dec., 2003): 164.

Belarus were also presented. Now, the status of the region is changed – it is a crossroad between Europe and Asia.¹²⁰ So, the security element is a priority.

4.2. Georgia

Before signing the Strategies with every particular country, the experience of the TACIS was well analyzed. Georgia received EUR 505 million in grants during 1992-2005 under the foodstuff and humanitarian aid.¹²¹ The cooperation with this country was indicated by numerous hampers like inadequate delivery mechanism, though the TACIS evaluation report said that the situation became better after the Rose Revolution.¹²² So, it is considered that this event has spurred the EU-Georgia cooperation towards the democratic development. In this context, the aims of the Strategy seem to be relevant and promising:

- Political dialogue and reform;
- Cooperation for the settlement of Georgia's internal conflicts;
- Cooperation on justice, freedom and security;
- Economic and social reform, poverty reduction and sustainable development;
- Trade-related issues, market and regulatory reforms;
- Cooperation in specific sectors: transport, energy, environment, Information Society and Media;
- People-to-people contacts.¹²³

If the TACIS marks the progress in several spheres, then the proponents of security approach states that this program has created the filter system against drugs trafficking and organized crime.¹²⁴ The rings of friends are no more than the stages of security belt, where the first step is Central Asia; second one - South Caucasus; and the third one – Ukraine, Moldova and Belarus. So, the Strategy is a continuation of EU intentions for guarding of stability and security in the region. In this case, the

¹²⁰ Bruno Coppieters, “An EU Special Representative to a New Periphery,” in “The South Caucasus: A Challenge for the EU,” (Institute for Security Studies, Dec., 2003): 168.

¹²¹ [Georgia: Country Strategy Paper 2007-2013](http://ec.europa.eu/world/enp/pdf/country/enpi_csp_georgia_en.pdf). 1 Oct. 2009

¹²² Ibid, 17.

¹²³ Ibid, 20-24.

¹²⁴ Bruno Coppieters, “An EU Special Representative to a New Periphery,” in “The South Caucasus: A Challenge for the EU,” (Institute for Security Studies, Dec., 2003): 166.

establishment of democracy in a country is a private desire of a government. The EU will welcome any shift to the European values, but at the same time, if these values are not the priority of the government, the EU will wash its hands of the problem.

Looking at the conclusions of the Progress Report 2008 on Georgia, one can say that this state has made a significant progress in setting up democracy. The Political Dialogue section says that the presidential elections of 2008 are “in essence consistent with most international standards for democratic elections.”¹²⁵ This section keeps positive track on the democratic reforms in the fields of justice, civil service and struggle against corruption, although media freedoms and pluralism are the points of concern. The Cooperation for the Settlement of Georgia’s Internal Conflicts section indicates the internal war conflict that has spoiled a bit the positive beginnings. The EU presented as a mediator and played the human aid role. The Cooperation on Justice, Freedom and Security section is evidence of the Georgian participation in the Southern Caucasus Integrated Border Management (SCIBM) and Southern Caucasus Anti-Drugs (SCAD V) regional programs, which are analogues to BOMCA and CADAP in Central Asia. However, the results of this section are poor: Georgia does not demark its borders with the neighbours, but for Turkey.¹²⁶ As for energy, the state is a transit territory of two main pipelines to Europe: Baku-Tbilisi-Ceyhan and Baku-Tbilisi-Erzurum. Furthermore, the government has launched the study on the extension of the Odessa-Brody oil pipeline to Gdansk.¹²⁷ It goes without saying that this project will enhance Georgian weight in the relations with the EU. The Economic and Social Reform and Trade-related Issues sections reflect the Georgian government positive intentions to the reduction of poverty and promotion of economic development in spite of financial crisis.

Georgia takes its status of the EU neighbour very seriously and does not exclude the membership somewhere in the future. As the professor of European Law at the American University in Bulgaria, Mr. Jean Crombois, says “nobody forbids Georgia to hang European flags everywhere, they cost cheaply.” Though, the intention to Europe and NATO spurs the government to promote the reforms and cooperation in

¹²⁵ Progress Report: Georgia (Commission Communication, COM(2009) 188, Brussels, 2009) 3. Europa.eu, 1 Oct. 2009 http://ec.europa.eu/world/enp/pdf/progress2009/sec09_513_en.pdf

¹²⁶ Ibid, 15.

¹²⁷ Ibid, 17.

energy field with the EU. As for security, Georgia drags the EU in its internal conflict showing that this small war can spoil big business and shake the supplies of oil. When talking about democracy, it is important to know the ground for it. In Georgia, this ground is the security and stability of oil supplies to Europe.

4.3. Azerbaijan

Azerbaijan is a country of highly importance for the EU as it has rich oil and gas deposits. The cooperation with this state under the TACIS was considered as relevant and responsive to its needs as well.¹²⁸ So, the EU continued its relationships in the new frameworks of the Strategy. The goals of the Strategy are the same as with Georgia and Armenia: they include the democratic and energy component. However, the Progress Report of 2008 is more specific about the relations with this state. It clearly draws a line between positive results in energy field and negative ones in human rights sphere. The report also detects Azerbaijan welcome for the Tenth Anniversary conference of the TRACECA in December 2008 and its beneficial participation in SCIBM and SCAD V.

”Like last year, overall, there was no or limited progress in the implementation of the ENP Action Plan, particularly in the areas of political dialogue and reform, including protection of human rights and fundamental freedoms, many areas of cooperation in justice, security and freedom, a number of aspects of market and regulatory issues, as well as sectoral issues... Good progress was made in the context of the 2006 Memorandum of Understanding on a strategic partnership in the field of energy and in strengthening Azerbaijan's role as energy producer.”¹²⁹

An interesting point of the EU-Azerbaijan relations gives Elkhan Nuriyev who states that the EU has engaged well in the energy relations but less in democratic one and almost not in the settlement of Nagorno-Karabakh conflict.¹³⁰ He recognizes that

¹²⁸ Azerbaijan: Country Strategy Paper 2007-2013 (European Commission)17. Europa.eu, 1 Oct. 2009, http://ec.europa.eu/world/enp/pdf/country/enpi_csp_azerbaijan_en.pdf

¹²⁹ Progress Report: Azerbaijan (Commission Communication, COM(2009) 188, Brussels, 2009) 2. Europa.eu, 1 Oct. 2009, http://ec.europa.eu/world/enp/pdf/progress2009/sec09_512_en.pdf

¹³⁰ Elkhan Nuriyev, “EU Policy in the South Caucasus: A view from Azerbaijan,” CEPS Working Document # 272 (July 2007): 22.

democracy is a far reaching goal in Azerbaijan; however, the society is ready for the democratic reforms. So, the EU's maintain of this beginning would be fruitful. Pr. Nuriyev also states that since South Caucasus is a transit corridor of energy supplies to Europe, the EU has to be interested in the supporting of stability in the region.¹³¹ So, he invites the EU to facilitate the internal conflict.

Will the EU do that? Actually, it has already does it in 2003 when appointing its representative and offering the Country Strategies. However, it hesitates to do the step further as the driving deep into the region implies huge financial spending on the problems of others; new level of relations with Russia; clarification of Turkey's status in the EU; and one more time confirmation of the EU status as a normative and civilian power. The matter is that the EU neighbours are not the democratic states, though they possess huge natural resources. So, the EU will have to either abandon its democratic intentions as they do not work out of Europe or lead the same dubious policy as the USA do.

Does the EU need to do a deep drive in the region? According to the opinion of contributors of the Institute for Security Studies, South Caucasus wants the EU presence only if it meets the interests of the region.¹³² The states use the EU as the area for discussing their own claims and needs.¹³³ In this situation, hardly does the EU need a deep diving in the muddy water. Moreover, the Union follows the same politics in its another important initiative – the Black Sea Synergy.¹³⁴ The institutional structure of the BSEC is about the "Darwinian processes - to sort out the functions that prove themselves in practice from those that fail to take off."¹³⁵ It looks like that the EU takes its time to see what its partners want and what they are capable of. Then it offers them the frameworks for cooperation.

¹³¹ Elkhan Nuriyev, "EU Policy in the South Caucasus: A view from Azerbaijan," CEPS Working Document # 272 (July 2007): 3.

¹³² Dov Lynch, "The EU: Towards the Strategy," in "The South Caucasus: A Challenge for the EU," (Institute for Security Studies, Dec., 2003):177.

¹³³ Ibid, 177.

¹³⁴ "The Black Sea Synergy – A New Regional Cooperation Initiative" Commission Communication was adopted by Council in 2007. The Initiative is targeted on democratic and economic reforms of the surrounding countries and support of stability in the region. The participant countries are Greece, Bulgaria, Romania and Moldova, Ukraine, Russia, Georgia, Armenia, Azerbaijan, Turkey. In June 2007, the Commission obtained observer status in the Black Sea Economic Cooperation (BSEC).

¹³⁵ Michael Emerson, "The EU's New Black Sea Policy What kind of regionalism is this?" CEPS Working Document # 297 (July 2008): 3.

The Union holds the same position in the relations with Azerbaijan: if the government is reluctant to conduct the democratic reforms, then, the balance in the relations is overweighed to the following of mutual interests. The readiness of the Azeri society for the democratic reforms remains in the competence of Azeri government and nobody else.

4.4. Armenia

The cooperation with Armenia under the TACIS is also evaluated as positive and relevant one, so it has created the ground for the Country Strategy. Armenia is a landlock country and does not have such prerogatives as its South Caucasus neighbours. The form of government is evaluated as a semi-authoritarian with a weak support for democracy.¹³⁶ In spite of inner political crisis and introduction the state of emergence, the Union considers the political dialogue to be intensified.¹³⁷ The progress is also observed in the tax and customs reforms, financial services and competition policy.¹³⁸ As for energy, Armenia does not play a significant role in the European energy supply map. This country has a nuclear plant that produces the energy for inner consumption and needs financing from the European part. Nevertheless, Armenia participates in the Black Sea Synergy and TRACECA.

The country has the tangible relations with its neighbours, so the partnership with Russia seems to be more attractive. Recently, Turkey has made the first step to conciliation and renewal of the economic, political and cultural relations. Now, Armenia is preoccupied with the establishment of diplomatic links with a new partner. It is a good contribution in the future as Turkey is a candidate country for the EU membership and now more then ever it has all chances to enter the EU club. So, Armenia will have a solicitor of its interests at the European stage.

¹³⁶ Life in Transition: A Survey of People's Experiences and Attitudes (European Bank for Reconstruction and Development, 2007) 30.

¹³⁷ Progress Report: Armenia (Commission Communication, COM(2009) 188, Brussels, 2009) 3. Europa.eu, 1 Oct. 2009, http://ec.europa.eu/world/enp/pdf/progress2009/sec09_511_en.pdf

¹³⁸ Ibid, 2.

In case of Armenia, the EU stands the line of not applauding the democratic development too loud. It welcomes the changes, however, it is prudent in too much encouragement. This is a common European approach in its neighbourhood policy. It is especially obvious if the country expresses its claims for membership in the future as Armenia did. In this case, “the EU has tended to be a little behind the game, welcoming the [democratic] results but being studiously cautious in not promoting them.”¹³⁹

4.5. Outcomes of EU Policy in South Caucasus

Starting from the scratch, the EU was making the small steps in the understanding of the region. Declaring itself as a flagman of democracy in Europe, the Union was promoting this policy in the terra incognita. Probably, the democratic approach is about not forcing the values to others. The states of terra incognita made their first steps in the political arena where democracy was a sign of good manners.

The EU cooled down its commitment to democracy out of its borders after the Kosovo conflict. Before that, the idea of the intervention in any country where the individuals were threatened by tyranny was justified and supported by the Union. The example of it is Tony Blair’s speech in Chicago.¹⁴⁰ So, the Union approved the NATO intervention. That was a positive perception of democracy stated by Isaiah Berlin.¹⁴¹ He says that the positive liberty is the transformation of people into the rational beings. Only the leaders know what kind of transformation should be and what type of people they need. The masses don’t know that. This type of liberty ultimately leads to tyranny. So, that took place in Kosovo.

Understanding that this conflict has a long end, the Union has revised its position on democracy commitment and become to keep aside of any internal or outside conflict. It is willing to provide the non-military aid but not to engage in others’ business. That is why the Union is very prudent in dealing with South Caucasus that suffers from its inner wounds.

¹³⁹ Michael Emerson, et al., “The Reluctant Debutante – The EU as Promoter of Democracy in its Neighbourhood,” in *Democratisation in the European Neighbourhood*, ed. Michael Emerson (Centre for European Policy Studies, 2005) 215.

¹⁴⁰ Arthur Curtis. *The Trap*. CD-ROM, UK: BBC

¹⁴¹ Ibid.

This approach is slightly similar to the European policy in the region. However, it is bounded on the one side by the EU reluctance to drive deep in the region affairs; and on the other one, by the governments' desire to let Europe in the internal affairs. The common point between the neighbours is the energy sector: Europe is able to pay for and the region is ready to supply. So, the politics of the Union in South Caucasus is the same as in Central Asia. Energy and security are the link between the different sides of the world.

At the first sight, the EU seemed to be a mentor in democratic reforms. At the second one, it is not a safeguard of it, so the states have chosen their own way to this value. It was up to the states of the region to define the policy with the EU: they have what the Union so much needs, other things are formalities. The energy resources determined much the sense of relations and one had nothing to say about that. The European neighbours are undemocratic states and Europe has got used to it. Though, it does not mean that the EU completely abandons this idea. It keeps on welcoming the civil rights forums and democratic reforms but not too much. Otherwise, the neighbours will claim something more than neighbour status.

5. Understanding Democracy Outside of Europe

Democracy has another face or it does not work at all out of Europe. The sense of the wave of liberation in 1989 did not reach the periphery of Europe and former USSR in 1991. By getting to the outskirts of the Soviet empire, the ardour of democracy chilled out and those states got only remains of liberty. The people were allowed to vote but nothing more and nothing more was changed. Samuel Huntington called it a modest form of democracy.¹⁴²

The aim of the chapter is to show that democracy has almost none chances to survive outside of Europe as the newly born states have lack of instruments to promote the democracy in their internal policy. However, there is a glimmer of hope for liberty because the statement that there is no a defined way to democracy is also true. The

¹⁴² Samuel Huntington, "Will More Countries Become Democratic?" *Political Science Quarterly*, Vol. 99, No. 2 (Summer, 1984) 193-218.

undemocratic states have to find zeal and efforts to be really in a democratic way of development. By now, the evidences for such a choice are scare.

Francis Fukuyama's belief in democracy triumph after the collapse of the Soviet Union also faded away. The states of South Caucasus as well as Central Asia ones pulled out of boxes the national dresses and pre-Soviet norms.¹⁴³ So, western way of development was not the priority. Fareed Zakaria sees the core of the problem in bad designed institutions that do not limit the power of rulers, so they do what they what.¹⁴⁴ He states that the first thing that is important to do in a newly independent state is to build a stable institutional infrastructure sometimes under the authoritarian regimes. Based on this statement, the best way to build the relations with the developing countries is to invest in the state institutions, and at the same time, support the civil society.¹⁴⁵

The theory of Zakaia well describes the reasons and results of the political turmoil in Kyrgyzstan in 1990s and 2000s. There, the possibility to change the fundamental law of the state defined the further development of the country. Once the fitting of the law to one's needs happens, it becomes a precedent. It took Akayev to change the legislation once and his successor also used that opportunity to enforce his power even more than the previous president. That was undemocratic gesture in the internal policy, so the external policy only reflected the same development. The state institutions turned out to be flexible to challenges, so a democratic zeal of the early 1990s passed away.

Nevertheless, a democratic policy of the early 1990s was not forgotten and gave its results in next century. Melissa Burin, a PhD Candidate from the Institute for Conflict Analysis & Resolution, George Mason University, Virginia, conducted a survey for her doctoral dissertation in 2005 about the understanding of democracy by people in

¹⁴³ In Kyrgyzstan, the kyrgyzchylyk is practiced. This is a set of rules, by which it is normal to be late for some minutes or more. The conduction of regional seminars and meetings late of appointed time is considered to be a norm. Бактыхан Торогельдиева, «Факторы формирования и характер политической культуры в современном Кыргызстане», *Центральная Азия и Кавказ*, # 1 (61) 2009. 12 March, 2010, http://www.cac.org/online/2009/journal_rus/cac-01/14.shtml

¹⁴⁴ Fareed Zakaria, "The Rise of Illiberal Democracy," *Foreign Affairs*, Nov., 1997.

¹⁴⁵ Svante Cornell & Anna Jonsson, "Expanding the European Area of Stability and Democracy to the Wider Black Sea Region," in *The Wider Black Sea Region in the 21st Century: Strategic, Economic and Energy Perspectives*, eds. Daniel Hamilton & Gerhard Mangott (Washington, D.C.: Center for Transatlantic Relations, 2008) 242.

Kyrgyzstan. The results of the survey show that the Kyrgyz people highly appreciate democracy, but with stability.¹⁴⁶ According to the survey, people support the limitation of presidential power; however, they are uncertain about the choice of the governmental system. Despite the value of tribalism, 95% of respondents will prefer to vote for a candidate from different district if he is well-qualified for a position. Burn argues that Kyrgyz people base their choice on merit when voting, so the value of merit prevails in the society and tribalism is highly stigmatized.¹⁴⁷ She also concludes that there is a high value of free speech rights of citizens (rather than mass media), belief in a president with limited power and strong execution and judicial branches.

This survey gives a glimmer of hope for democracy in Kyrgyzstan. However, everything depends on the wiliness of the officials to meet people's demands. By now, Bakiyev's policy is far from this goal. The social, economic and political problems remain unsolved in spite of making attempts to do that. In stead of giving an overview of his policy, I present the piece of attitude of the officials towards the pensioners:

“Nobody needs us, said a Chair of Public Association of Labour Veterans “Union of Good Wills”, Valentina Zhiteneva. “I understand, we have nothing to take away and the state has to pay pensions, allowance and benefits. During one session of budget hearings I suggested to collect all old people, bring them to Chon-Aryk and throw them down in a big trench to solve the problem with us. And I got the answer from an official that they also needed money, which the budget did not have to bring us in a common grave.”¹⁴⁸

Melissa Burn's survey raises the expectations of democracy; however, in reality the things are more complicated. The civil society is constantly humiliated and ignore by

¹⁴⁶ Melissa Burn, “Who in Kyrgyzstan Supports Liberal Democracy?” Institute for Public Policy, 12 March, 2010, <http://www.ipp.kg/en/analysis/156/>

¹⁴⁷ Ibid.

¹⁴⁸ Ч. Джакшылыкова, “Госпрограмма уничтожения стариков?” Лица, # 8 (182) 12 марта 2009. Tazar.kg, 1 Apr. 2009, <http://tazar.kg/news.php?i=10126>

the state¹⁴⁹ and it is divided.¹⁵⁰ By now, there is no evidence of choosing a democratic way of development by the state.

6. Conclusion

The comprehensive approach firstly mentioned by Jos Boonstra, Neil Melvin and Cornelius Graubner does not fail as they claim for. The Strategy that incorporates this approach has the positive results as well as the previous cooperation under the TACIS. However, the EU policy was unlucky in promoting the democracy and it has an overbalance towards the security issues. This overbalance is the result of almost 20 years of the bilateral cooperation. To be more specific, firstly, there were the programs under the TACIS that were more fruitful, so they had their continuation in the Strategy. The programs concerned the security issues. Secondly, the internal policy of the Kyrgyz government did not have the democracy as its aim. So, it was reluctant to promote this part of cooperation in legislation and economy. Thirdly, the Kyrgyz intellectuals missed the democratic component of the EU policy. They saw the Union as one more geopolitical actor who had its practical interests in the region. Fourthly, the undermining of the EU reputation as a normative power turned out to be irrelevant to the Union's policy in Central Asia and South Caucasus. The governments of those states chose their way of cooperation and internal development by their own. The states were not democratic and their cooperation with the Union was more about security and energy rather than promotion of democracy. Fifthly, the idea of democracy is abandoned outside of Europe because there is no infrastructure to build and maintain it. Although this view is wide spread, there is an understanding of democracy in the Kyrgyz society. So, it gives a glimmer of hope for some changes inside the society and its external relations.

¹⁴⁹ Nookatbek Idrisov, "Taxation of Non-for-Profit Organizations in the Kyrgyz Republic: Recommendations to New Draft Tax Code," [Social Research Centre.kg](http://www.src.auca.kg), www.src.auca.kg

¹⁵⁰ Yulia Schulte, "Benchmarking the Process of Democratization in Kyrgyzstan by Defining the Role and Functions of NGOs," in [Kyrgyzstan Today: Policy Briefs on Civil Society, Migration, Islam and Corruption](#), (2008): 4-11.

7. Afterword

While making the preparations and collecting the material for this paper, my statement was much in favour of democratic development of Kyrgyzstan. The belief that the EU, as a foreign donor, aimed at the democracy promotion was high. And I wanted to conclude the paper by leaving more space for better future. But by getting the first results from the TACIS reforms and the Kyrgyz responses to the Strategy, the statement was reshaped. So, democracy got only the final smallest chapter of the work. That chapter expressed a negative attitude of the state towards democracy. There was a feeling that that state of affairs would leave forever.

Nevertheless, the events of 6-8 of April, 2010 made me reassume my expectations towards democracy. Kyrgyzstan suffered one more revolution that symbolically matched with the orange revolution in Moldova at the same time last year. The Kyrgyz second revolution was accompanied with the mass shooting of demonstrators organized by Janysh Bakieyv, a brother of the president and Head of National Security Service, during the attack of the White House. As a result, 82 people died and more than a thousand was injured according to the Ministry of Health Care. 9 and 10 of April were announced by the Provisional Government as the Memorial Days. The people were united by common grief and hate of Bakieyv at the same time. That was the first time in our history when people suffered from their political convictions and openly and clearly expressed their attitude to the president.

One more thing was unique for the revolution: the leaders of different NGOs, prominent sportsmen and sport organizations, entrepreneurs and common people united in mobile groups to repulse the marauders' attacks. The mass media provided the audience with urgent information and gave the floor to exchange it, for example, NBT SMS chart. The Republic Blood Center got 280 liters of donor blood for the injured people, the amount which it did not have for ages. Russia, UN Organization and the EU were the first who offered the humanitarian aid to Kyrgyzstan. The level of solidarity among the citizens of the city and country on the whole was very high.

Moreover, the opposition leaders Roza Otumbaeva, Almazbek Atambaev, Temir Sariyev, Azimbek Beknazarov who came to power declared a democratic way of

development for the state. “We will make it impossible to create an authoritarian regime in Kyrgyzstan,” said Almazbek Atambayev.¹⁵¹ Roza Otumbaeva said that the intention of the Provisional Government was to establish the parliamentary republic, so the constitutional changes were unavoidable.

Do not count your chickens before they are hatched, but the expectations of democracy, liberty and justice are very high among people now. Maybe, the democratic component will prevail in the EU-Kyrgyzstan relations as, now, the state seems to be ready to promote it in its internal policy.

¹⁵¹ А. Атамбаев, “Мы сделаем так, чтобы в Кыргызстане больше невозможно было создать авторитарный режим,” Central Asia News.kg, 9 апреля 2010. 10 Apr., 2010, www.ca-news.kg

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Appendix I

Interview Questions

Diploma: EU-Kyrgyzstan cooperation: A Comprehensive Approach?

Anna Gerk, AUCA, ES-106

Goal of interview:

- To clarify the positions EU officials on EU-Kyrgyzstan relations.

Leading q-ns	Aspects to cover	Maintenance q-ns	Additional q-ns
- 1.How would you characterize TACIS program in Kyrgyzstan?	- Evaluation of TACIS	- 1.1What are the achievements, problems?	1.2Did it set up the frameworks for EU-Kyrgyzstan relations? -
- 2.Why was PCA needed to conclude?	- PCA	2.1Why not to leave the relations with the Kyrgyz state on the humanitarian aid provision basis? -	- 2.2What new did it bring to the relations?
- 3.How did the activity of other donors influence the content of EU policy?	- Donors of Kyrgyzstan	- 3.1Did the activity of already existing international organizations impact on the EU policy?	-
- 4.How can you define the EU Strategy for CA?	- EU Strategy	- 4.1What is the latent motive? - 4.2What does it give to Kyrgyzstan?	- 4.3Was it in time? - 4.4How do you understand “the common approach” term? - 4.5Why not to leave the region by closing the TACIS?
- 5.By having worked in Kyrgyzstan for several years (2 years), what is your impression from the implementation of the Strategy for CA in this country?	- Implementation of EU Strategy	- 5.1How does state react on the Strategy? - 5.2What is the reaction of civil and business sectors on it? - 5.4What positive & negative results did the Strategy inherit?	- Did the state welcome the Strategy? - What are the obstacles & achievements?

- 5.3 Did the Strategy inherit TACIS experience? In what sense?			
- 6. How do you evaluate the EU Commission Report on the Strategy implementation ?	- EU Commission Progress Report	-6.1 Is it obvious and fair? -	- 6.2 What does it miss?
- 7. Do you think that the conclusion of the report has already chosen the way of cooperation as it says that the EU has to engage in concrete cooperation on Central Asia, especially in the fields of border and water management, as well as the fight against drug trafficking and trans-border crime? -	- Stance of EU policy in Kyrgyzstan	- 7.1 Is there a bent on realistic policy that includes only security interests?	- 7.2 Could the Strategy contribute to the promotion of democracy? - 7.3 Were there any pre-conditions for that?
- 8. Would you agree with the critics of the Strategy expressed by Neil Melvin and Jos Boonstra? -	- Critics of EU Commission Progress Report	-8.1 Has the Strategy inclined more in the favour of security? -	-
- 9. What is your evaluation of EU Rule of Law Initiative? -	- EU Rule of Law Initiative	- 9.1 What are the obstacles/achievements ? - 9.2 Was the critique of it obvious?	- 9.3 Was it possible to launch that initiative? - 9.4 What were the pre-

			conditions?
<ul style="list-style-type: none"> - 10. What is the place of democracy and rule of law in the relations of the EU with CIS states, for example CA region & S. Caucasus states? - What is the core of EU-S. Caucasus relations? - 	<ul style="list-style-type: none"> - EU –S. Caucasus 	<ul style="list-style-type: none"> - 10.1 Did the states become more democratic? - 10.3 Is it security and stability of natural resources supplies? 	<ul style="list-style-type: none"> - 10.2 Are these states interested in being democratic? - 10.4 What are the priorities of these states?
<ul style="list-style-type: none"> -11. What is the role of EU in promotion of democracy in CIS states? 	<ul style="list-style-type: none"> - Democracy in CIS 	<ul style="list-style-type: none"> - 11.1 What is the role of state in it? 	<ul style="list-style-type: none"> - 11.2 Will it endure?

Appendix II

Evaluation of the interview with Dr. Olaf Heidelbach, Attaché of Delegation of the European Union to the Kyrgyz Republic

By Anna Gerk, European Studies Department, AUCA

Place: Delegation of the European Union to the Kyrgyz Republic, Bishkek

Date: Feb, 19, 2010

Time: 16.30 pm

This interview is one of three interviews that are going to be made with the official representative and independent expert. The interview is not unanimous, the names of persons will be indicated in the diploma paper, "EU-Kyrgyzstan Relations: A Comprehensive Approach?"

The evaluation of interview is based on five categories - TACIS, EU Strategy for CA, EU Commission Progress Report, Critique of the Report, Democracy - that are incorporated into the question list.

1. According to the interview, TACIS program can be characterized as a triumphant project as it has the main positive result – the ongoing projects that have been launched under TACIS and are successfully implemented till today. The program has also set up the frameworks for the EU-Kyrgyz relations in terms of social protection, food aid and budget support. The PCA that was concluded during TACIS has given the legal frameworks to the bilateral relations and included the rule of law and human rights component that are supposed to bring political stability. However, as any program, TACIS has the shortcomings: the technical assistant was short-termed and the time for project implementation was not enough.

This evaluation of the program entails that the test lesson of the EU in the new region has been passed. The practice has selected the projects that turned out to be more viable and the tactics of the Union that became directed and specific. For example, the EU Delegation works closely with the Ministry of Agriculture and SCME. The drawbacks of the program have been taken into account, and now, the successful BOMCA project has its prolongation till 8 and 9 phases. The achievements of TACIS are the setting up the frameworks and legal basis for cooperation.

2. The EU Strategy for CA has come in place of TACIS involved the priorities of previous program and extended the scope of cooperation. The Strategy uses the comprehensive approach that means the attempt to target all levels - the government as well as civil sector. The Strategy clearly states its reasons in the paragraph 1.1. of the Strategy paper. For Kyrgyzstan, the new policy establishes the political platform for different level of cooperation and increases the budget support. On its side, the Kyrgyz government shows its interest in implementing of the policy.

The presence of the EU in Kyrgyzstan shows that the partners are interested in mutual cooperation and make steps towards it. The Strategy sets clear reasons to come and goals to achieve, so it makes the relations transparent and stable. The priorities that the new policy involves from the previous experience allow to presume that the relations are framed and defined by existing ongoing programs.

3. The Commission Progress Report is obvious and fair; however, more room and funding are needed for the improvement in education and rule of law. The conclusion of the Report defines the path for the relations development. As a result, BOMCA project has its prolongation.

The Report conclusion and interview result confirm the chosen way of cooperation: it is more productive in the programs aimed at security and stability because there is a mutual understanding of aims and acceptance of tools for implementation. As for rule of law and education, these parts of cooperation demand not only funding but also wiliness and capability to follow these initiatives.

4. The existence of critique is natural, though the critique of the Report itself has a lack of objectivity. The Parliament cooperation can be a good example of democracy promotion. The EU efforts in this promotion also include the organization of study tours and trainings. These can make some changes.

It is possible to agree that the setting of example to follow is important when introducing a new way of politics – democratic development. And the trainings fit much to show the innovation in practice. The Parliament cooperation is also good for establishing the connection and sharing the experience. However, the question is to what extent it is productive and applicable into practice. The Toktom Legal Database is full of government regulations about sending the parliament members to the EP, though there is none about the results of the trip. Probably, the critique of the Report is too hard-hitting and general but it concerns the productivity of efforts aimed at democracy development.

I agree with the EU tools for democracy component implementation, though there is a doubt in their productivity. Actually, the productivity falls within the competence of Kyrgyz state and society. So, this component depends not only on the EU funding but also on the ability of beneficiary to give it further way.

5. Democracy takes an important place in the EU policy towards the region. Nevertheless, the international presence did not impact much on democracy and human rights as the state are interested in stability. The further democratic development depends on support of more democratic states and views of politicians. These states should convince Kyrgyzstan in the democratic way development.

Although the democracy component will not disappear from the EU agenda to the region, it will not get much support among the concerning states. Here, the policy of small steps is going to take place. The process of conviction may take a long way because it depends on many factors where the desire of Kyrgyz state is important. If it has the grounds to be convinced, the component will flourish, if not – the small step policy will prevail.

In general, the interview describes the evolution of EU-Kyrgyz relations starting from TACIS. It also gives the developmental milestones of the relations: PCA, ongoing projects and EU Strategy for Central Asia. The evaluation of relations by the EU Commission Progress Report is considered to be objective though the room for improvement exists. The response to the critique of the Report is the example of Parliament cooperation that promotes the democracy. The role of democracy in the

regional and states relations is highly evaluated by the EU, although the Central Asia states do not become more democratic.

The interview has attained its goal – to clarify the position of the EU official on EU-Kyrgyzstan relations.