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Cavan, Susan

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Boston University
Russian Federation: Executive Branch

By Susan Cavan

PRESIDENCY

Life, loyalty and legacy?

Thousands of mourners passed through the cathedral of Christ the Savior to pay their respects to Russia's first president, Boris Yel'tsin, who passed away Monday, April 23. President Putin declared April 25 a day of mourning for Yel'tsin, and in a speech to mark his passing described his predecessor as, "a brave and a warm-hearted, spiritual person. He was an upstanding and courageous national leader. And he was always very honest and frank while defending his position." (1)

Yel'tsin earned his place in history by taking a decisive stance, at just the right moment, and for pursuing the reforms that broke Russia free from the Soviet Union and from its ideological and economic chokehold, and Yel'tsin has been remembered across the world this week as a reformer, populist leader, and colorful character.

Yel'tsin's positive contributions to Russian history, along with his successor's determination to lionize the wisdom of his decisions (particularly his choice of successor), is likely to ensure his place in the pantheon of Russian leaders. There is more, however, to Yel'tsin's legacy than just the events that produced an independent Russia.

During his tenure as President of Russia, Boris Yel'tsin had an unfortunate habit of secluding himself at critical moments. His first notable and truly disconcerting disappearing act came in September 1991, not long after the failed putsch that
harbingered the demise of the Soviet Union. Yel'tsin, riding a wave of euphoria after his brave stance (atop a tank) against the putschists, asserted himself politically by brushing aside Gorbachev, the Soviet president in whose defense Yel'tsin had marshaled forces to defeat the GKChP. Not long after Yel'tsin made clear that he had managed to make Gorbachev irrelevant (quickly and publicly accomplished at televised Russian parliamentary sessions days after the coup), (2) plans for a two week vacation were announced. (3)

With so many vital issues awaiting decisions from the Russian president, Yel'tsin's absence in 1991 was an early sign of the instability of his rule; whether his absences were caused by illness or alcohol, the chaos of transition from Soviet rule in Russia was exacerbated by the weaknesses of its first president.

The selection of Vladimir Putin as Yel'tsin's successor marked a clear departure from the previous regime. First, the new president was young, robust and not given to public displays of enthusiasm, except in the pursuit of those who threatened the Russian state (a label and definition with the unfortunate potential to broaden and deepen as necessary).

The first post-Soviet Russian administration faced a string of transitions: from Soviet rule; to "the market"; from superpower adversary; to IMF recipient state, and etc. Advice on the order and pace of transitions was in generous supply, unfortunately, experience was not. Even the existence of precise guidelines might not have buffered the impact of these upheavals on the Russian population. Political, social, economic and military changes all tumbled together to create an extremely unstable environment.

No wonder then, that the touchstone of the Putin era has been "order." The need for and ability to create order from the chaos of the 1990s have been used to justify a number of repressive measures to rein in oligarchic power (or perhaps to bridle uncooperative oligarchs and teach others the new rules of the influence
game); to manage media resources and curtail the independence of journalists; to whittle away at political party structures (in fairness, many parties and factions have assisted in their own disruption); and, of course, to restrict regional and local self-government in the name of a power vertical.

Initially, the efforts of the Putin administration to assert itself met with some resistance—the free speech rallies in defense of Andrei Babitsky and later Media-MOST were early examples—but the need for order trumped the small sacrifices of independence, especially as the earliest targets were linked to the hated oligarchs. The kompromat and oligarch wars of the late 1990s, as debasing as they were at the time, also deepened the skepticism with which complaints by the oligarchs, often through the media outlets they owned, were received when state interference began in earnest.

Recently, a prominent member of the Yeltsin administration, former Press Spokesman Vyacheslav Kostikov, wrote a commentary examining the "state of the state" created by Vladimir Putin. With frank acknowledgement of the difficulties left unresolved at the end of the Yeltsin years, Kostikov sees the inevitability in the "security and law enforcement component" introduced by Putin. As for the future, Kostikov's appeal to Putin to "reduce the tension in Russia's siloviki networks" before he leaves office" is both pitiful and naïve – it is highly improbable that a president who has defined his rule by the restoration of order is going to bind the hands of his security agents before exiting the Kremlin. (4)

Succession watch
Lest the comparative status of Russia's leading contenders to replace Vladimir Putin in the presidency (should he decide to follow the constitutionally-designated path) wander to the back of the mind, we will be providing a new segment of the Analyst devoted to the scrutiny of potential presidential successors.
In the wake of the appointment of Sergei Ivanov to the co-First Deputy Prime Minister Post in February, a lesser-known figure, Sergei Naryshkin, also received a boost. Naryshkin was named Deputy Prime Minister of the Government and remains Chief of the Government Staff. At the time, his elevation appeared to please Prime Minister Fradkov, and Naryshkin’s security services connection, coupled with the promotion, thrust him into the succession spotlight. (5)

Recently, Naryshkin has added some key sectors to his portfolio: it was announced this month that Naryshkin would chair the governmental Commission on Economic Integration (CEI), and would take part in the work of the CIS Economic Council. (6) While Fradkov previously headed the CEI, it was the Minister of Industry and Energy, Viktor Khristenko, who apparently lost out to Naryshkin, as he has been "recalled from both these agencies." (7)

Naryshkin, who has oversight of the foreign economic relations sphere, reportedly has requested that President Putin extend his jurisdiction to supervise both "state support for machinery exports" and the new development bank that would be created to sustain the project. No word on the president’s response as yet. (8)

Naryshkin may be attempting to establish both economic and foreign relations credentials. If the next Russian presidential election campaign were likely to be won on the merits, this would be a worthwhile endeavor. Of course, overseeing state exports and running a development bank also can provide a lucrative and influential platform for a quieter type of campaign. Now, if Naryshkin only had the opportunity to prove his loyalty to the president, what a bump that could give his succession status.

Source Notes:
Russian Federation: Domestic Issues and Legislative Branch

By Robyn Angley

Protests in Moscow and Saint Petersburg

April 14 was a busy day in Moscow, with at least five different political gatherings taking place throughout the city. The event sponsored by the Young Guards (a name reminiscent of the Soviet era), United Russia's youth wing, was by far the
best attended with around 14,000 individuals present. (Although it should be noted that an article in Novye izvestia suggested that the majority of "protesters" were there more for the money that had been promised them than for the pro-Putin and pro-government slogans.) (1) The Communist Party and Duma Deputy (and former leader of Rodina) Dmitri Rogozin also held rallies. Rogozin's gathering protested "a Russia run by Abramoviches." (2) Depending on the source, the Union of Right Forces (SPS), led by Nikita Belykh, either held a demonstration in favor of free and fair elections or else Nikita Belykh was merely a private citizen in the vicinity of the last (and most publicized) protest, the Dissenters March. (3) Estimates of attendance at the Dissenters March range from several hundred to 7,000. (4) The most reasonable estimates place the number of participants at between 2,000 and 3,000. (5)

The Dissenters March was sponsored by Other Russia, a movement led by Garry Kasparov, Mikhail Kasyanov, and Eduard Limonov, head of the National Bolshevik Party, which was disbanded by the state. Other Russia also includes Irina Khakamada's People's Democratic Union.

The march received a surprising amount of coverage in the week it took place. According to one survey, the protest was mentioned 1,843 times in Russian media, including 48 mentions on television. (6) That amount of coverage of dissent in the self-censored Russian press is highly unusual and allows several interpretations. First, perhaps the attention given the protest in the press was a means of depicting the march as a threat to stability, therefore justifying the crackdown that took place. Second, perhaps the growing prevalence of these marches has emboldened the press to cover them in a less censored way. Finally, perhaps the Kremlin's control of the media is not as tight as it once was. In any event, none of these interpretations appears to fully explain the media's focus on the Dissenters March.
Authorities began cracking down on the protesters even before the actual event took place. Stanislav Dmitrievskiy and Oksana Chelysheva, leaders of the Russian-Chechen Friendship Society were detained in Moscow on 13 April as they arrived from Nizhni Novgorod, in order to participate in the march. (7) Other hopeful participants were detained in other cities as they tried to make their way to Moscow. (8)

On the day of the march, OMON troops were out in force, beating and detaining more than 100 people, including Garry Kasparov. (9) Kasparov was released after being charged a nominal fine. (10)

It was not merely protesters who fell into the hands of security forces, but journalists, as well. One correspondent for Ekho Moskvy, Andrei Gavrilov, was detained as he was reporting to the radio station. He was subsequently released. (11) It is the treatment of journalists in this instance that has elicited calls for a special investigation by presidential aide Sergei Yastrzhembsky. (12)

Somewhat surprisingly, Ella Pamfilova, head of the President's Human Rights Council, called for the resignation of Interior Minister Rashid Nurgaliyev over the handling of the protests. (13) Although her call certainly will not be heeded, it is unusual because she often toes the line in supporting Kremlin policy.

Valeri Grimalkin, chief of the Interior Ministry's public relations department, claimed at a press conference that "people from other regions, even from other countries," participated in the protests and alleged that protesters came prepared to instigate provocations with the police. Gribakin also said that some participants posed as journalists using false identification documents. (14) One can't help but wonder if that will be the excuse to place increased restrictions on journalists in the case of future protests.
A second Dissenters March was held in Saint Petersburg on 15 April with similar results. OMON troops beat protesters as well as passers-by who were not involved in the demonstrations; some protesters were detained.

The response by authorities seems out of proportion to the "threat" presented by several thousand protesters. Given that Putin genuinely appears remarkably popular across Russia, Kremlin concerns over the protest may reflect the instability already presenting itself in the run up to the 2008 elections. In addition to the Putin regime's intolerance of dissent, the precariousness of a presidential succession could result in a heavy-handed resolution to any perceived threats.

**NGO raid**
The Educated Media Foundation is temporarily suspending its activities following a raid by the Interior Ministry on 18 April. The raid ostensibly was linked to the detention of Executive Director Manana Aslamazian at the Moscow Airport in January for attempting to enter Russia with undeclared currency in excess of the legal limit. Aslamazian, however, has claimed that the raid was actually a result of the organization's activities. The Educated Media Foundation is the Russian branch of the American NGO Internews, an organization that supports independent media and has worked with NTV. Internews receives funding from USAID and the Open Society Institute and supported independent media stations in Georgia and Ukraine during their respective "revolutions."

The raid also comes in the wake of general Russian outcry over the US State Department publication, "Supporting Human Rights and Democracy." The report stated the US intends to continue funding NGOs in Russia as part of its support of democracy. The Duma and Federation Council responded by denouncing the report and declaring that it was "entirely unfounded." The Duma also urged the relevant authorities to "take the necessary measures to ensure strict observance of laws pertaining to NGO activities." (15) Given the general reaction to the State Department's report, such measures as those taken against the Educated Media
Foundation are not at all unexpected and, indeed, probably will increase as 2008 approaches.

Source Notes:

(1) Yevgenia Zubchenko, Mariam Magomedova, Alexander Naumov, "Professional crowds; Attending loyalist demonstrations is becoming a form of employment for young people," 18 Apr 07, Novye izvestia; What the Papers Say via Lexis-Nexis.

(2) Gennady Petrov, "Soldiers in the streets," 16 Apr 07, Gazeta; RusData Dialine/Russian Press Digest via Lexis-Nexis.

(3) Gennady Petrov, ibid; Kira Latukhina, Elena Ragozina, "Dissenters disagree with Yavlinsky," 16 Apr 07, Vedomosti; What the Papers Say via Lexis-Nexis.

(4) Gennady Petrov, ibid.

(5) "Ministry condones police response," 23 Apr 07, Moscow Times via Lexis-Nexis.

(6) "Russia's image efforts 'nullified' by crackdown on Dissenters' March," 18 Apr 07, Nezavisimaya gazeta; BBC Monitoring via Lexis-Nexis.

(7) "Opposition march participants detained at Moscow railway station," 13 Apr 07, Ekho Moskvy; BBC Monitoring via Lexis-Nexis.

(8) "Russian police intercepts regional protesters on way to Moscow," 14 Apr 07, Ekho Moskvy; BBC Monitoring via Lexis-Nexis.

(9) See Security Services, below.

(10) Gennady Petrov, ibid.

(11) "Over 30 opposition activists, radio correspondent detained in Moscow," 14 Apr 07, Ekho Moskvy; BBC Monitoring via Lexis-Nexis.

(12) "Russian leader's aide calls for probe into police abuse during opposition march," 17 Apr 07, RIA Novosti; BBC Monitoring via Lexis-Nexis.

(13) "Russian Interior Minister should resign over marches," 22 Apr 07; Ekho Moskvy; BBC Monitoring via Lexis-Nexis.
Russian Federation: Security Services

By Fabian Adami

Hoist on his own petard: Berezovsky extradition?

On 13 April, Boris Berezovsky, the exiled opponent of President Vladimir Putin used an interview with The Guardian effectively to call for a coup in Russia. Berezovsky claimed that regime change was not possible through “democratic means,” (1) and stated that he was in direct contact with like-minded members of Russia’s political elites. He was offering them significant financial support, as well as his “experience and ideology” of how such a coup might “be done.” (2)

Berezovsky’s comments did not pass unnoticed in Moscow. Within hours of the interview’s publication, Kremlin spokesman Dmitri Peskov noted that “our Prosecutor General’s office has got lots of questions for Mr. Berezovsky.” (3) This was confirmed when Berezovsky’s lawyers were summoned by Prosecutor Yuri Chaika, to be informed that new charges were being brought against their client. (4) Although President Putin apparently has not commented, Foreign Minister Sergei Lavrov noted that Berezovsky was “crudely abusing” his refugee status, and argued that Berezovsky’s comments provided sufficient motive to “undertake the relevant measures,” (5) namely a renewed extradition request and a formal diplomatic complaint filed through the Russian embassy in London. (6) Lavrov’s comments appear to have struck close to the mark, with an Op-Ed in the left-leaning Guardian arguing that Berezovsky had “broken the bargain” of asylum seekers with their host country, and “abused” Britain’s trust. (7)
Reaction from the authorities in Britain was also noteworthy, with Foreign Secretary Margaret Beckett stating that she had nothing to add to then-Foreign Secretary Jack Straw’s 2006 comments (namely that Berezovsky could face legal action for inciting a revolt), (8) but that she “deplored” Berezovsky’s sentiments, insisting that anyone living in the UK was “expected” to observe the law of the land. (9) Scotland Yard meanwhile stated that it was “assessing” Berezovsky’s remarks, “to determine if any offences may have been disclosed.” (10)

Berezovsky sought to repair the damage to his own cause, claiming that he supported “direct action,” but did not “advocate or support violence.” (11) Yet, it is possible, that the oligarch’s latest remarks are a “bridge too far.” Yuri Fedotov, Russia’s ambassador in London noted that “absence of a reaction would have some impact on bilateral relations,” creating a “new situation,” (12) especially on matters such as Kosovo’s independence and Iran.

Economic damage apparently already has been done due to "l'affaire Berezovsky": a conference on British-Russian trade relations held on 23 April in London has been boycotted by a number of prominent officials, including President Putin’s Special Economic Advisor Arkadi Dvorkovich and Minister of Economic Trade and Development Kirill Androsov. At the same time, British Petroleum is under renewed and increased pressure to “cede power” in a Siberian exploration project. (13) Coming on top of Shell’s agreement to return 50% of its Sakhalin stake to Gazprom, such a surrender could seriously damage Britain’s economic interests. It is safe to conclude that economics is the Kremlin’s chosen weapon against Whitehall, in its attempt to get Berezovsky. Moscow clearly hopes that the diplomatic and economic cost of refusing extradition becomes too expensive to bear.

**Police violence in Moscow: reaction to Berezovsky?**
On April 14 and 15, days after Berezovsky’s interview with The Guardian, anti-Putin protest marches took place in Moscow and St. Petersburg. The demonstrators, led by (amongst others) former chess champion Garry Kasparov, were attempting to march from Turgenev Square to Pushkin Square, where historic anti-government actions took place during Mikhail Gorbachev’s tenure as Soviet President. (14)

The authorities responded to the marches both in St. Petersburg and Moscow with a severe crackdown; opposition leaders Sergei Gulyaev and Yabloko’s Olga Tsepilova were hospitalized with a broken arm and “facial injuries,” respectively. A further 54 persons required medical assistance. (15) If press reports are to be believed, the authorities were so concerned about the demonstration that extra OMON riot police were drafted in from as far a field as Ryazan, Kaluga, Voronezh, Bashkortostan and the Marii El Republic. In total, close to 10,000 police officers were present – totally disproportionate to the tiny number of demonstrators. (16) Kasparov, the demonstration’s putative leader and organizer, was arrested and released by the FSB but was due to be “quizzed” at the agency’s Moscow headquarters on 20 April over his role in “inciting extremism.” (17)

The Kremlin’s reaction to the demonstrations has continued in the days since the violence. On 19 April, Moscow’s City Court passed a ruling declaring the National Bolshevik Party (one of the key participants in the marches) to be an extremist organization, making it illegal to publicly declare membership. The pro-Kremlin youth movement "Nashi" welcomed the ruling and stated that it would now campaign for a similar ruling against the remaining members of the "Other Russia" coalition. (18) Whilst the NBP may be extremist, a ruling making the party illegal is not to be welcomed, if it is indeed the precursor to a broader anti-opposition ruling from the courts.
Authorities also have moved against prominent human rights activists, with the 22 April arrest of Lev Ponomaryov, head of the “For Human Rights” movement and prominent among the shrinking number of genuinely democratic activists, as well as four of his colleagues. At the time of his detention, Ponomaryov was touring the demonstration sites, possibly gathering evidence for the opposition’s planned legal action against the police for excessive force.

The demonstrations of 14-15 April were planned at least two weeks in advance. Given the nature of the groups involved, but not their sizes, the presence of a large law-enforcement contingent was to be expected. Despite those facts, it is possible that Berezovsky’s comments—coming only a day before the marches—caused an outbreak of paranoia in the Kremlin, which in turn resulted in an overzealous response by law-enforcement bodies to an officially permitted demonstration.

That Berezovsky’s latest intervention (even if unintentionally) has damaged the opposition, is clear. How much damage has occurred remains to be seen.

**FSB archives to be published**

On April 17 the FSB announced that it had declassified some 2 million files in the last 15 years, resulting in the “rehabilitation” of 775,000 people who had been tarred by the Stalinist purges of the 1930s. 300,000 documents relating to the purges were released last year alone. Family members of those cleared are to receive compensation. The FSB has emphasized that certain files—those pertaining to its operatives and methods—will never be opened. A collection of documents that will demonstrate the “real truth” of the famine is to be published in the near future. While this declassification is to be welcomed from a historical perspective, it should also be viewed as part of the FSB’s public relations campaign designed to demonstrate its "human face."

Source Notes:
(2) Ibid.
(3) Ibid.
(4) “Russian Prosecutors Summon Berezovsky’s Lawyers,” ITAR-TASS, 13 Apr 07 via Lexis-Nexis.
(7) “Boris Berezovsky Abuses Our Hospitality And Our Trust. And There’s Nothing We Can Do To Stop Him,” The Guardian, 18 Apr 07 via www.guardian.co.uk/russia/article/0,,2059556,00.html.
(9) Ibid.
(10) “Kremlin Calls For Extradition of Berezovsky,” The Financial Times, 14 Apr 07 via Lexis-Nexis.
(16) Ibid.
Russian Federation: Armed Forces (Internal)

By Monty Perry

First RF submarine hits the water

In an historic ceremony for the Russian Federation, but one eerily reminiscent of the Soviet period, the newest nuclear-powered ballistic missile submarine was floated out of the Sevmash Shipyard in Severodvinsk on 15 April. The ceremony, attended by hundreds of senior military and defense industry representatives, was officiated by First Deputy Prime Minister Sergei Ivanov. In establishing the significance of the event, Ivanov commented that “For the first
time in 17 years we are launching such a vessel – in essence this is the first Russian strategic submarine, a submarine of the new generation.” (1)

As has been typical of most recent Russian military projects, construction of the Yuri Dolgoruky was plagued by severe delays. Despite wretched economic conditions when the keel was initially laid on 2 November 1996, the project still was expected to be finished in 2002. (2) Nonetheless, even deeper financial difficulties further slowed progress. The twelve-year construction period likely would have been even longer if not for an embarrassing event that occurred in 2004. During a naval submarine demonstration witnessed by President Putin, not one, but both submarines taking part in the event were unable to launch their ballistic missiles. (3) This event marked a turning point in the funding of military, and more specifically, naval weapons projects. According to Ivanov, 25% of the 4.9 trillion ruble military rearming budget now is being allocated to the Navy. (4)

Despite the launch of a new nuclear submarine, the Russian Navy still remains a hollow shell of its once powerful Soviet ancestor. Over the last 15 years, its total number of warships has decreased 37% from 428 to 273. More significantly, the number of at-sea vessels has fallen 87% from 210 to just 28 today. (5) However, with major budget boosts, the current program calls for a 50% increase in warship construction by 2010. (6) Interestingly, despite all the setbacks and limitations of the Russian Navy, their submarine fleet is still considered second only to the US submarine fleet.

Deputy Defense Minister and Armaments Chief, General of the Army Alexei Moskovsky claims that the Yuri Dolgoruky is just the first of 8 new Borei class subs, which will replace the older Delta IV class subs by 2017. Construction of the next two in the series is already underway. Currently the Alexander Nevsky and the Vladimir Monomakh are respectively 54% and 12% completed with delivery dates set for 2009 and 2011. (7)
The Borei class submarine is 580 feet long with a maximum diameter of 42 feet. The crew of 107 sailors can cruise submerged at 29 knots and remain below the surface for 100 days at a time. (8) The sub is expected to be equipped with as many as 16 Bulava ballistic missiles, with multiple independent warheads on each. This missile, a variant of the Topol-M (SS-27), has an advertised range of 5,000 miles, but has been plagued by dismal results in test launches. In fact, four of the last five launch attempts have been failures. (9) Despite the optimism associated with the submarine's first exposure to water, delays in the 2008 operational readiness target date are likely, as major questions remain about the Bulava missile system.

Not surprisingly, Russian officials announced that the Yuri Dolgoruky will be crewed by only officers and warrant officers. Navy Commander-in-Chief, Admiral Vladimir Masorin explained that “the weapons and equipment on the submarine are so complicated that only professional specialists can handle them.” (10) In actuality, the technology is at least two decades old and despite the positive spin given by Masorin, the officer-only crew more likely is just further evidence of the troubled military personnel situation. Even with the stringent criteria, immediate difficulties were encountered in 2003 as the crew formation process began. Predictably, most of the issues centered on discipline problems and crew members who didn’t want to serve. (11)

In a disturbingly illustrative explanation, as Sergei Ivanov signed a certificate to commemorate the ceremony, he said he felt “much more pleasant signing a document in recognition of a new weapon system than he does signing international treaties or formal papers.” (12) This statement speaks volumes about the recent political tenor. Alexander Nikitin, a former Russian navy engineer who was imprisoned on espionage charges after bringing to light information regarding the Russian nuclear industry for Bellona Foundation, said that “Russian wants to show that she remains a nuclear power and still a great
power…and for them the greatness of that power is measured by its weapons.” (13)

**Missile defense update**

Russia continues to maintain a strong objection to the deployment of a US missile defense system in Eastern Europe. However, the dispute seems to be shifting more to political interests than focusing on any legitimate military concern. Russian military expert Aleksandr Goltz says “the problem is that the issue long ago entered the political sphere. Russia wants to be offended at something. The United States’ unreasonable policy in the area of antimissile defense gives [Russia] a chance to be offended and to point to another country’s hostile plans.” (14)

The United States’ effort to quell Russian concerns seems to have convinced everyone except Russia. Despite the fact that coordination between the US, Poland, and the Czech Republic is on a purely unilateral basis, even NATO and the EU have expressed their unsolicited approval. During recent talks in Brussels, NATO Secretary-General Jaap de Hoop raised no concerns and said “the allies are convinced that there are no implications of the United States system for the strategic balance.” (15) However, Russia’s NATO ambassador, General Konstantin Totsky, vehemently disagreed. He said “We cannot easily accept that now, in Europe, for the first time since the end of the Cold War, there is deployment of a first strategic element. And we are against the fact that such decisions are taken unilaterally.” (16)

In yet another attempt to address Russia’s concerns, the US has taken the extraordinary step of offering to link some American and Russian antimissile systems. “The package includes American offers to cooperate on developing defense technology and to share intelligence about common threats, as well as to permit Russian officials to inspect the future missile bases.” (17) To help “sell”
the idea, US Defense Secretary Robert Gates traveled to Russia and met with his counterpart Anatoli Serdyukov and President Putin on 23 April.

Interestingly, Russian Air Force Chief Vladimir Mikhailov seems to have broken ranks with the Kremlin leadership by downplaying the significance of the missiles and the issue in general. “These systems pose no particular danger to us; they aren’t attack weapons after all, although they can strike the ground too. Their value is higher in politics than in the military sense,” Mikhailov said. (18)

The US claims that the system will be deployed with or without the approval of the Kremlin. That said, the White House and Pentagon continue to bend over backwards to allay Russia’s so-called “concerns.” As the actual deployment date nears, it will be interesting to watch the political spin-doctor gymnastics that are sure to ensue.

Source Notes:

(3) Litovkin, Dmitry, “Noiseless Yasen Will Come to the Navy,” 23 Mar 07, Izvestia via Lexis-Nexis.
(4) Ibid.
(6) Ibid.
(15) “Russia Welcomes ‘Dialog’ on Missile Defense,” 20 Apr 07, RFE/RL Newsline vol. 11, no.73, part I.

Russian Federation: Armed Forces (External)

By Daniel DeBree

Russian response to US missile defense plans
US plans for a missile defense system in Eastern Europe have ignited a firestorm of reaction from the Kremlin in recent months. Seemingly a touchstone for Russian aspirations concerning its former sphere of influence, the idea of ten interceptor missiles in Poland and a space surveillance radar in the Czech republic has elicited a noisy and varied response from the Russian military and political leadership. Throughout, the question has not been whether anything will be done to counter this "threat," but more a question of “what.” Recently, the Russian military declared that the response will be decidedly asymmetric. (1)

So what are the possible counters to this development? One of the more frequently discussed moves includes withdrawal from some or all of the current arms control agreements that currently involve the US and Russia, most notably the Intermediate Nuclear Forces (INF) treaty (2). This move would accomplish a number of aims. First and foremost, from a technical (and seemingly symmetric) standpoint, it would allow Russia to position shorter-range ballistic missiles close to its Western borders as a threat to NATO. This, however, would appear to be relatively ineffective, as it is exactly this type of ballistic missile (albeit from Iran) that the US system is designed to counter. More important, though, is the wedge that would be driven between Europe and the US, when Europe is made to confront, once again (as in the early 1980s) the specter of a Russian nuclear attack. Plausibly, the Europeans would not view this as a Russian provocation, but more as an indication that the US is unconcerned about their interests, in its pursuit of its own defense. Perhaps, this is already occurring, with German Prime Minister Angela Merkel publicly chastising Warsaw for its “separatist” views. (3)

Even if Russia’s view of US missiles in Eastern Europe were acceptable, the Russians also have significant military-technical counters to a US missile defense shield, some of them already in their inventory. Most notably, the air-launched cruise missile is an effective weapon that Europe is almost powerless to counter, even with the deployment of the US system. Specifically, the Russian military successfully tested the Kh-555 cruise missile, more than two years ago.
With an accuracy and range equaling that of an intermediate-ranged ballistic missile, it provides a much less costly solution to the problem. In the case of the Kh-555, it has a very high speed (although it is not nearly as fast as a ballistic missile) and low altitude capability that would allow it to penetrate even a very sophisticated air defense system. (4) Thus, this weapon furnishes a relatively simple and elegant solution to the US missile defense “threat.”

The US, for its part, points out that its system does not present a threat to Russia, but is directed primarily at the threat from the Middle East. On a number of occasions, US officials—including President Bush—have offered openly to discuss the technical details of the system with Moscow. (5) Although it appears that the Russian leadership does not choose to view these claims and offers as sincere, even some notable Russian scientists back the American view. Yuri Solomonov, the chief Russian designer of the TOPOL-M missile, said in an interview earlier this month that the proposed US system “posed no significant threat to Russia.” He went on to call for a “sober and calm” response, recalling that billions of rubles were spent in the 1980s to counter US President Ronald Reagan’s “Star Wars” initiative, with very little effect. He pointed out that the proposed radar added little to current US surveillance capability and that the small number of missiles scheduled to be deployed in Poland would not pose a significant threat, although he admitted that they would set a precedent. (6)

Even President Putin, who initially pledged that Russia would take “retaliatory measures,” has tempered his criticism lately, especially after the personal offer from President Bush in the interest of mutual national security. Although more measured in his response, Putin is sure not to let the issue fade into obscurity, for a number of reasons. First and foremost, he may wish to maintain the posture that Russia feels genuinely threatened by the system - even if erroneously. Until technical specifications become available to the Russian military experts for analysis, it is deemed prudent that they remain skeptical of American assurances that the system is not directed against their nuclear forces.
(7) The most effective remaining strategic deterrent for Russia is its nuclear missile force and Russian leaders wish to show their willingness to do everything in their power to ensure that it is not effectively negated.

On a more visceral level, however, is the issue of the supposed Russian "sphere of influence." The US missile defense shield more than anything else—except maybe Georgian accession to NATO—serves as a lightning rod, reminding the Russian political and military leadership how much ground has been “lost.” The farther east NATO is perceived to tread, the hotter the reaction becomes. General Vladimir Mikhailov’s threat that the Russian Air Force would not hesitate to destroy any US missile defense sites in Georgia is indicative of this raw nerve.

(8) A vigorous opposition to the missile defense shield, asymmetrical or not, seems intended to fracture Western alliances a bit and delay, obstruct, or prevent further encroachment to the east.

Finally, opposition to US missile defense plans may have nothing at all to do with Russian national security, per se. The advent of a new “Cool” War with the west might be a good way to galvanize support for a president with possible aspirations for a third term.

Source Notes:

(1) “The TOPOL is Better than the Pioneer: How Russia Will Respond to the American Anti-Missile Umbrella,” Izvestia, 13 April 07, p. 4; WPS via Lexis-Nexis Academic Universe.
(2) See ISCIIP Analyst #9, 8 March 07, Armed Forces (External).
(4) “The TOPOL is Better than the Pioneer: How Russia Will Respond to the American Anti-Missile Umbrella,” Izvestia, 13 April 07, p. 4; WPS via Lexis-Nexis Academic Universe.
Iranian Revolutionary Guards general visits Moscow

On April 9, “Gazeta.Ru” reported that General Muhamed Bakr Zolqadr of the Iranian Revolutionary Guards Corps had just returned from a five-day visit to Russia, which the general publicized only following his return to Tehran. (1) Zolqadr—known in Israel for having threatened to bomb the alleged nuclear facility in Dimona (2)—said that he had met with officials of the Border Patrol and the Emergency Ministry to discuss cooperation between Russia and Iran on issues of border security and disaster management, noting that he hoped Russia would “share its valuable experience” in those fields with Iran. (Zolqadr also happens to be the deputy interior minister of Iran). (3) For their part, the Russian authorities had kept the visit as low-profile as possible, but, when questioned about it by correspondents, the visit eventually was confirmed. Gazeta.Ru reported that “…the Ministry of Foreign Affairs thought about an answer for nearly the whole day. Toward evening it finally confirmed that Zolqadr at the head of an Iranian delegation was in Moscow from April 4 to 8.” (4) According to Mikhail Kamynin, spokesman for the ministry, “this theme [border security] is of significant interest to Russia, especially considering the importance given on the regional and international levels to the fight against cross-border crime, including
terrorism and narco-trafficking." (5) Neither Zolqadr nor Kamynin mentioned any discussion of issues related to either the Bushehr nuclear power plant or nuclear proliferation.

UN Resolution No. 1747 calls upon "all states to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran’s proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein “the Committee”) of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006) or Annex I to this resolution."

(6) General Zolqadr is seventh on the list in Annex I in the category of officials of the Revolutionary Guards Corps. This means that if the Russian government did not notify the sanctions committee established by the Security Council of Zolqadr’s visit, Russia acted in direct violation of a UN resolution which it had just approved.

Responding to questions regarding the UN resolution, Kamynin assured reporters that the committee had been informed of the visit in advance. (7) Whether this actually happened is rather doubtful. Alexandr Gorelik, director of the UN information center in Moscow, neither confirmed nor denied that the committee had been notified, but suggested instead that “…the resolution is barely two weeks old, and right now the whole procedure is passing through its test phase. Taking into account the specific ways in which bureaucracies function, not just in Russia but all over the world, it could have been a simple misunderstanding. If this is the case, the committee might chide Russia a bit.”(8) In fact, no official mention was made by the Security Council concerning the visit – before or after. If any “chiding” took place, it was certainly not public. Neither was there any audible reaction to the visit from any of the governments of the
other members of the Security Council. Leaders of Western countries, it seems, either simply did not notice Zolqadr’s visit, or pretended not to.

The fact of the visit, combined with the subsequent failure of the UN Security Council to do anything about it, was undoubtedly an encouraging sign for the Iranian leadership. Iranian officials and media touted the visit as proof of the ineffectiveness of Resolution 1747. Foreign Minister Manucher Mottaki said on April 10 that the resolution "has not stopped us," and Iranian officials will continue to travel "openly and freely," while the conservative newspaper Keyhan said Zolqadr's trip showed that Security Council resolutions against Iran are "violated even by members of the Council" and are "empty words" that have only accelerated Iran's progress. (9) Zolqadr himself emphasized that he had made the visit, despite the fact that Russia was among the first members of the Security Council to endorse the resolution against Iran (10) – a gratuitous swipe at Russia, while mocking the UN. Additionally—though this was not stated explicitly—Zolqadr’s visit may have been partly calculated to send a message (particularly to the United States) that the ongoing dispute between Russia and Iran regarding construction of the nuclear power plant at Bushehr should not be taken as a sign that Russia is no longer willing to give political and military support to Iran. Even if the desired effect was not achieved as far as the United States is concerned (given the lack of response, a definite possibility), the visit reassured the Iranians themselves – some of whom may have begun to feel uneasy, in light of the increasing international pressure.

From the Russian perspective, the implications of Zolqadr's visit are much more mixed. On one hand, the fact that Russia was able to act with such impunity in violation of a resolution it had just passed underscores the utter unwillingness on the part of the UN Security Council to confront Russia in its dealings with Iran. The lack of response from the UN may prove to be a dangerous precedent, because it implies that in the future, Russia will be able to go along with whatever further resolutions may be passed against Iran, knowing that they subsequently
can be ignored, with no consequences for Russia. On the other hand, if the Security Council is one of the primary instruments through which Russia projects its power throughout the world (not just in Iran, but elsewhere, such as Kosovo), it does not make much sense to reduce the Council’s credibility by making it appear weak and ineffective. By reducing, through its own actions, the effectiveness of the UN, Russia by default increases the possibility that the Iranian crisis will be settled through other means – that is, by armed conflict. Even if such a scenario is—as sometimes has been suggested—part of some grand Russian plan to encourage worldwide instability, for the purpose of driving up oil prices and turning Russia into an energy-superpower, one must still question the long-term wisdom of undermining the one institution in which Russia is still an equal to the United States – or for that matter China. Such action is somewhat akin to a person sawing off the branch on which he is sitting—a recurring theme in the history of Russian leadership. Unfortunately, when the branch finally falls, it destroys whatever happens to be below it, along with the person sitting on top.

Source Notes:

(2) “Blacklisted Iranian general brags about his Russia trip.” By Alex Kogan, Jerusalem Post, 13 Apr 07 via Lexis-Nexis.
(3) Ibid.
(4) Ibid.
(5) Text of response of official representative of the Russian Ministry of Foreign Affairs M.L. Kamynin to questions regarding Zolqadr’s visit. 09 Apr 07 via http://www.mid.ru/brp_4.nsf/sps/36D1A65CFF1AB095C32572B800521E9B.
Newly Independent States: Caucasus
By Creelea Henderson

Armenian elections: free and fair...or else
The most earnest appeals for free and fair parliamentary elections on May 12 are coming not from a candidate in the race, but from the Armenian Minister of Foreign Affairs, Vartan Oskanian, the man who probably has the most to lose if the OSCE judges the elections to be marred by fraud. That Armenia’s parliamentary elections are emerging as an international relations issue as much as they constitute a domestic contest has been made clear by recent statements issued by the US State Department, OSCE Minsk Group and the EU, calling the elections a "litmus test" that will define future relations between the Western powers and Armenia. (1) Western authorities have much to offer Armenia, should the country prove capable of upholding democratic standards, both financially, through $235 million promised by the US Millennium Challenge Account, and politically, thanks to the role of the OSCE as mediator in the frozen conflict in Nagorno-Karabakh. (2) After the US State Department filed a report referring to Armenian control over Nagorno-Karabakh as an "occupation," (3) Oskanian made a plea to his government that upcoming elections be conducted properly, in the hope of regaining credibility for the Armenian cause in the conflicted zone. “Rigging the vote is equal to national treachery, the betrayal of the movement on

Western governments have been sending signals to endorse the foreign minister’s stance by equating Armenia’s good standing in the international arena with the country’s democratic process. A decision by the Council of Europe Parliamentary Assembly (PACE) to defer consideration of a report on missing persons in the South Caucasus until May 24, following the parliamentary elections, is one indication. (5) Another is the announcement by the OSCE Minsk Group that representatives will resume negotiations toward resolution of the Nagorno-Karabakh conflict only after the results of the May 12 elections are published. (6) International support for Armenia consistently has been made contingent upon the country’s free and fair election conduct, as was spelled out by US Secretary of State Condoleezza Rice in a 2006 speech marking the release of Millennium Challenge funds. Commenting on democratic reforms, she stressed that “these are important commitments and the United States stands ready to help Armenia to ensure that its upcoming elections are free and fair.” (7) Foreign commitment, however, has proved to be of only middling concern to Armenian politicians jostling for office along a blood-stained campaign trail.

Just how little influence foreign governments actually have in the elections has been exposed by a recent rash of shenanigans on the part of Armenia’s leading parties. The president’s ruling Republican Party (HHK) has elbowed foreign players out the electoral process altogether by abolishing out-of-country voting in an amended election code, thereby effectively eliminating the power of the Armenian Diaspora communities. (8) In a country occupied by a mere one-fifth of the world's Armenians, this move has eliminated an enormous constituency, a move that has caused some alarm in European political circles. In its report on the upcoming elections, PACE singled out the amendment for censure, stating that “the fact that out-of-country voting has been abolished in the amended
The election code is of concern to the delegation, as, in practice, it will disenfranchise a sizeable part of the Armenian population that is living abroad.” (9)

The PACE report also expressed concern over unequal provision of media access allotted to candidates, noting that the “exorbitant costs for paid political advertising demanded by broadcasters are deeply regretted.” (10) While the text of the new election code ostensibly allows each registered party 60 minutes of free airtime on television and 120 minutes of free airtime on the state-run radio, in practice the two-minute time slots devoted to each political brief are insufficient to deliver a substantive message, and all additional access to the airwaves has been cut off by a $225-280 per-minute price tag that quickly exceeds the cap of $160,000 set for campaign spending. Of Armenia’s 29 television stations, 18 have opted not to air any campaign advertisement at all. (11)

At stake are 131 seats in the National Assembly, 90 of which will be allocated under the proportional representation system, with the remaining 41 to be filled on the basis of single-member constituencies. (12) Although 24 parties have succeeded in registering for the contest, 20 of these are opposition parties that stand little to no chance of garnering the 5% of the proportional representation vote necessary to win a seat in parliament. The failure of opposition parties to unite and rally around a single platform bears a large portion of blame for their weak prognosis. With only four pro-government parties in the running, it appeared for a time that elections would take a civil course. Left to their own devices, however, Armenia’s leading party candidates have resorted to terror, media monopoly and bribery to gain an edge over fellow contenders.

A spate of violence that erupted with the April 8 onset of Armenia’s campaign season has not spared leading candidates, who have been made targets by rival members within their own party. The official opening day of the campaign was marred by an assassin’s attempt to kill Hakob Hakobian, an HHK candidate running for office in Echmiadzin, by firing into his vehicle at close range. A fellow
candidate running on an independent ticket, Susanna Harutiunian, also was made the target of terror tactics, when her headquarters were engulfed in flames just hours after the shooting incident. Both victims point to retired General Seyran Saroian, the HHK candidate favored to win the Echmiadzin regional seat, as the author of a campaign of intimidation against his rivals. As General, Saroian served under former Defense Minister Serzh Sakisian, who, as current prime minister and acting HHK party leader, is Armenia’s political kingmaker. Emboldened by support in Armenia’s highest echelon, Saroian headquarters denied all culpability in the terror tactics and turned blame for the crimes on the victims themselves: “they simply feel that they will lose in the elections and are in a panic now,” said a spokesman for Saroian, “they themselves staged the shooting and arson attacks.” (14)

On April 12, two bombs exploded at the Yerevan offices of Prosperous Armenia, a leading pro-government party. No one was killed in the blasts and President Robert Kocharyan, who recently has tilted his support in favor of Prosperous Armenia, to the detriment of his own HHK party, immediately ordered a criminal investigation into the incident. Although it is broadly assumed that the HHK was responsible for the explosions, spokespersons from the Prosperous Armenia party refuse to name a suspect in the matter, describing the bombs as “an attempt to destabilize the situation and shift the political struggle onto another field.” (15) In response to the campaign of terror, PACE issued a strongly-worded condemnation of the attacks and reiterated its position that violence and intimidation have no place in a democratic society. (16) Armenia’s chances to secure free and fair elections have been gravely imperiled by the recent tumult on the campaign trail.

Free and fair elections are an indisputably vital component in a democratic system of government. However, a preoccupation with election propriety on the part of Western observers has obscured an even more critical question—who will win? It already has become evident that an absolute parliamentary majority will
be split between the HHK, supported by Prime Minster Sarkisian, and the Prosperous Armenia party, supported by President Kocharyan. In spite of Western pressure for free and fair elections, Armenian voters have been left with no viable option for change, regardless of whether elections are judged fair or fraudulent by international observers. No doubt the static power base is one of the leading causes of voter apathy and cynicism lamented by PACE delegates. The election report noted ruefully that European delegates were left with the impression that “the upcoming elections are regarded by many as a struggle between political elites and not between concepts and ideas.” (17) The Armenian foreign minister echoed their reservations with his sage observation that “democracy is more than elections.” (18)

Source Notes:

(10) Ibid.
(12) Ibid.
(17) Ibid.
(18) “Decision 2007: Will “free and fair” make a difference?,” ArmeniaNow.com, 20 Apr 07 via
Protests in Kyrgyzstan end with both a bang and a whimper

The opposition-led protests in Bishkek ended abruptly on 19 April, when a group of demonstrators began throwing rocks and bottles at law enforcement officials who were guarding Government House (also known as the “White House”), and then attacked Interior Minister Bolotbek Nogoibaev, beating him with sticks when he attempted to address the crowd, at which point the police took action, firing tear gas and flash grenades to disperse the crowd. Opposition leaders Feliks Kulov (head of the “United Front For A Worthy Future for Kyrgyzstan”) and Melis Eshimkhanov (parliament deputy and co-chair of the “For Reforms!” movement) have blamed the violence on “provocateurs,” who were deliberately trying to provoke the police, presumably in order to discredit the opposition. According to Nogoibaev, none of the roughly 30-35 people arrested for assaulting the police on 19 April are members of the United Front, but rather were paid to cause a disturbance; some of them were armed with metal bars wrapped in newspaper. The Interior Minister further stated that he has sufficient evidence to prove who paid the protesters and how much, but he would not disclose this information to the press. Director of the Association of NGO’s Toktoayym Umetaliyeva, on the other hand, told AKIPress that she had witnessed police detaining people, regardless of whether or not they had participated in the violence.

The protests, which began 11 April primarily at Kulov’s impetus, were remarkably unsuccessful, failing to achieve their political aims (President Kurmanbek Bakiev’s resignation, constitutional reform, and early presidential elections) and
receiving only a lukewarm response from the residents of Bishkek. The majority of news reports cite the number of demonstrators at anywhere from 3,500-7,000, a far cry from the 50,000 participants expected by Kulov. (6) Furthermore, many of the protestors were not residents of Bishkek, but were young “toughs” bussed in from other parts of the country. It is these young men who allegedly are responsible for instigating the violence in front of Government House on 19 April. (7) Omurbek Tekebaev, one of the “For Reforms!” leaders, is thus far one of the few opposition members to acknowledge that the protest organizers underestimated the risk associated with keeping so many people out on the streets for 9 days and lost control of their supporters. In a statement to the Jogorku Kengesh (parliament) on 20 April, Tekebaev conceded: “We gave the police grounds to use force against us.” (8) Kulov, on the other hand, places the blame for the violence squarely on government authorities, stating “The organizers of the demonstration have no connection to the disturbances and they have told investigators about this. Moreover, the authorities themselves are involved in the disturbances, who feared that the organizers of the demonstration would succeed, as the number of protesters was increasing day by day.” (9)

On 20 April, the opposition officially declared an end to the demonstrations: “For Reforms!” member and parliamentarian Kubatbek Baibolov announced that his movement had decided to suspend the protest rallies, due to the “inappropriately brutal and cynical actions of the authorities,” but that opposition leaders were not surrendering the right to organize more protests in the future. Fellow MP and opposition supporter Kanybek Imanaliev told journalists that “For Reforms!” leaders would continue to support the United Front’s demand for early presidential elections. (10) Government authorities have already opened a criminal investigation into the protesters’ attack on the police and the Interior Minister and those charged with organizing the attacks could face 3-7 years in prison. (11) The Prosecutor-General ordered that the offices of the United Front and Ar-Namys (“Dignity,” Kulov’s original opposition party, established during Askar Akaev’s tenure) be searched and their property seized. The 20 April issues
of independent newspapers “Agym” (12) and “Ruhu” also were confiscated by authorities. (13) All members of the United Front who are not members of parliament were called in for questioning, including Feliks Kulov. (14) Approximately 100 people have been arrested for looting and vandalizing cars and shops, following the clash between protesters and the police on 19 April. (15) Thus far, only 2 leading members of the opposition have been detained: Omurbek Abdrakhmanov, who is a member of both the United Front and “For Reforms!” and one of Kulov’s close aides (16) and Omurbek Suvanaliev, head of the United Front headquarters (and, until recently, Interior Minister). State National Security Committee officials have stated that they will hold Suvanaliev for 3 days. (17)

Kulov responded to the authorities’ actions by issuing a new list of demands and also promised that opposition members would be staging various acts of “peaceful resistance” over the coming days (but no demonstrations). His demands include: the immediate release of Omurbek Suvanaliev and other United Front members from detention; an objective review of the 19 April events by the government; and the settlement of property claims by protesters whose belongings were removed from Alatoo Square by the police on 19 April. Kulov also reassured his supporters, “No doubt, I will take action to put an end to this regime. The method of the fight will be amendments to the Constitution.” (18)

The question now, is how the government will respond to Kulov’s continuing challenges and whether or not he will be able to maintain the support of fellow opposition activists. The opposition, in particular the United Front, does not seem to enjoy a great deal of support from among the population and undoubtedly has lost the goodwill of more moderate opposition activists in parliament and in the government, due to the events of 19 April. Prime Minister Almaz Atambaev, a member of the moderate opposition himself, has condemned Kulov harshly for permitting the situation at Government House to run out of control: “The commander of the front [presumably Kulov] takes out young people,
some aged 14-15. He takes them onto the square, warms them up for 15 minute and he himself quietly disappears. He quietly disappears, leaving those whom he took out. Is this not called provocation? This is called provocation. If you take people onto the street, be kind and stand in front of them. Stand in front of them and be responsible for them, and do not act as an agent provocateur who takes people out and runs away.” (19) At the same time, Atambaev has struck a conciliatory note and admitted that the Bakiev government bears some responsibility for the way in which the situation developed: “But the authorities are also to blame. They should not feed people with promises for two years to begin reforms, they should have begun to carry them out.” (20) The Prime Minister has stated that he hopes the government will be able to reach a compromise with the more moderate members of the opposition, in particular with the “For Reforms!” activists. (21)

Based on Atambaev’s recent statements, it seems as though the government may be trying to isolate Kulov and his supporters from the rest of the opposition, thereby marginalizing the United Front and Ar-Namys factions and perhaps even gaining the goodwill of the remaining opposition groups. It is far too early to predict whether or not such a tactic can succeed – Kulov is a very well-known figure, who has many influential contacts and has been in politics long enough to make scores of friends, as well as enemies. If the Bakiev government places too much pressure on him and his associates, it could result in another explosion; on the other hand, if Kulov is given too much leeway, he will certainly continue challenging the regime, a prospect that the president is not likely to relish. From the very beginning, Kulov’s battle against the government has had a very personal tone, focusing heavily on ousting Bakiev. Even the United Front’s demands for constitutional reform seemed to be mainly a vehicle for regime change – reduce the president’s powers and give parliament a more independent role, in order to force early elections and remove Bakiev from his post. Unfortunately, this tactic did not mobilize enough of Kyrgyzstan’s, or even Bishkek’s population and now Feliks Kulov must decide whether or not he can
set aside his personal animosity toward Bakiev and make amends with the moderate opposition and/or with the government. If not, the United Front may become marginalized and relegated to the very radical fringe of Kyrgyzstan’s political arena.

Source Notes:

(2) Author interview with representative of Bishkek-based branch of an international NGO.
(6) “Kyrgyz Opposition supporters are putting up tents in central square,” 10 Apr 07, ITAR-TASS via Lexis-Nexis Academic Universe.
(7) Author interview with representative of Bishkek-based branch of an international NGO.
(8) “Kyrgyz president orders police to enforce law and order,” 20 Apr 07, ITAR-TASS via Lexis-Nexis Academic Universe.
(11) “Organizers of Bishkek mass disturbances face 3 to 7 years in jail,” 20 Apr 07, ITAR-TASS via Lexis-Nexis Academic Universe.
(14) “Kyrgyz opposition leaders questioned after protests,” 20 Apr 07, Deutsche Presse-Agentur via Lexis-Nexis Academic Universe.
(15) “Kyrgyz Minister Reports Arrest Of Some 100 People For Attempts To Loot,” 20 Apr 07, Interfax-Kazakhstan; BBC Monitoring International Reports via Lexis-Nexis Academic Universe.
(18) “Kyrgyz opposition leader vows to ‘put an end to regime’,” 23 Apr 07, AKIPress; BBC Monitoring International Reports via Lexis-Nexis Academic Universe.
(19) “Kyrgyz Premier Says Opposition Responsible For Unrest In Capital,” 20 Apr 07, Kyrgyz Television 1; BBC Monitoring International Reports via Lexis-Nexis Academic Universe.

Newly Independent States: Western Region
By Tammy Lynch

UKRAINE
President Yushchenko sets new election, again

On 25 April, President Yushchenko announced, “I am signing a decree to call an early election for June 24, 2007.” (1) The announcement comes less than one month after the president signed a decree dismissing parliament and called a new election for 27 May.

Yushchenko’s dissolution of parliament came on 2 April, for what he called the “unconstitutional process in the formation of the parliamentary majority coalition.” (2) He suggested this process violated the mechanisms, articulated in Article 83 of the Constitution, regarding majority formation. Specifically, the president suggested that inclusion of individual deputies in the majority coalition violated the Article’s requirement that majorities only include full factions and that the majority be created within one month after the election.

Of most concern to Yushchenko, the parliamentary majority had grown quickly from 232 members to at least 250. The President faced the real possibility that the majority would enlarge to 301 (based on member defections from factions), the number needed for overrides and constitutional amendments.

Additionally, Yushchenko and opposition activists had become concerned at what they viewed as a return to some of the tactics used prior to the Orange Revolution. These included police investigations of political opponents, legal and physical pressure on the media, and alleged intimidation of parliamentary deputies to either change their factions or their vote. (Please see The IScip Analyst, 29 March 2007, (http://www.bu.edu/iscip/news.html), for further details.)

The parliament dismissal was, says US Court of Federal Claims Judge Bohdan A. Futey, “the president’s only option.” Further, “Quite simply, it appeared that the Cabinet’s and Rada’s aims were to curtail the powers of the presidency and change or ignore the Constitution when it was not to their liking” using “unconstitutional means.”
Futey, who served as an advisor to the Working Group on Ukraine’s Constitution, adopted 28 June 1986, disturbingly suggests, “Democracy is in serious danger in Ukraine right now….“ (3)

The dismissed parliamentary majority, backed by Prime Minister Viktor Yanukovych, refused to recognize the President’s decree, appealed to the constitutional court, and said they would not participate in the new elections. They also mobilized protests against the President’s actions. The President’s supporters responded by protesting on his behalf.

The two sides have settled into an impasse, as parliament continues to meet, Yushchenko continues to call the body illegitimate, constitutional court judges are accused of succumbing to intimidation or bribery, negotiations produce no result, and daily protests are held on both sides.

The actual text of the new 25 April decree was not immediately available. However, the wording of the president’s address is interesting and leads to numerous questions – not the least of which is the legal basis for the new election date.

Article 77 of Ukraine’s constitution says, “Extraordinary elections to the Supreme Soviet of Ukraine are fixed by the President of Ukraine and conducted within sixty days from the day of the publication of his decision …” May 27 is the 55th day after publication of Yushchenko’s initial decision. The constitution does not allow any opportunity for delaying a “snap” or extraordinary election past 60 days.

Much of Yushchenko’s latest statement dealt with supporting his original decision to dissolve parliament. But the President also noted concerns expressed by the Central Election Commission that elections cannot be organized by 27 May. The
CEC, filled with political appointees, saw numerous members curiously fall ill with various maladies, shortly after Yushchenko’s decree. The Cabinet of Ministers also refused to fund the election preparations.

Therefore, Yushchenko said that “in order to conduct [the election] without problems,” he was signing the decree to hold the election on 24 June. Significantly, Yushchenko did not use the word “delay” when speaking of the election. Instead, he suggested that he had found new grounds to dissolve parliament, using Article 90, since “one month has passed since the Verkhovna Rada re-formatted the coalition unconstitutionally.” (4)

The official decree, published on 26 April, also says, “There are pre-conditions for the realization of the right for the President of Ukraine before the appointed time to halt the powers of the Supreme Soviet of Ukraine on the basis of point 1 of the second part of article 90 of the Constitution of Ukraine in connection with the fact that a coalition of deputy factions in the Supreme Soviet of Ukraine was formed not in accordance with article 83 Constitutions of Ukraine.” (5) Article 83 states that coalitions are comprised of factions, and does not mention individual deputies.

Point one of article 90 suggests that Yushchenko can dissolve parliament if “there is a failure to form within one month a coalition of parliamentary factions ....” Clearly, Yushchenko is attempting to create a new justification for dissolution of the parliament. In essence, with his decree, he dissolved parliament again, since this is the only legal way to set a new election date. He said, “The president of Ukraine can fully exercise his right to dissolve parliament according to article 90 of Ukraine’s constitution.” (6)

The basis of this argument is generally the same one that he has made all along – individual deputies from opposition blocs took part in the formation of the majority coalition and therefore the majority was illegitimate. He also has
suggested that the coalition reformatted itself in March 2007, going so far as to change its name. Since this coalition was not formed within one month of the first day of the session, it is illegitimate. In the latest decree, however, this point is made far more clearly and, unlike the first, refers in detail to Article 90.

No matter the justification, Ukraine currently has two decrees in effect (they remain in effect by default unless termed unconstitutional by the court or rescinded) dissolving parliament and setting new elections. The first decree was not rescinded, since to do so would possibly legalize all measures taken by the parliament since the decree. Yushchenko is instead essentially asking officials and the public to ignore the section of the first decree setting a new election and follow the second – but to remember that parliament was first dissolved on 2 April in the first decree.

Yanukovych and his allies at first didn’t seem to know what to make of the sudden decree. Just hours before his announcement, Yushchenko chaired the first session of a working group to try to solve the impasse. Participants seemed to have no indication that the new decree was coming. (7)

Yushchenko’s opponents have quickly regrouped, however, and vowed to challenge this decree in court if necessary. "Both the previous decree to dissolve parliament and the decree issued by the Ukrainian president are unconstitutional," the prime minister’s aide said. (8)

The new date likely is intended partly as gesture of compromise to Yanukovych and his parliamentary majority. Some members of Yanukovych’s party reportedly had expressed a willingness in private to participate in the election, but asked that it be delayed until the Fall. In response, Yushchenko’s allies, in particular Yulia Tymoshenko, the leader of the largest parliamentary opposition bloc, insisted that the election not be held later than June if it must be delayed, and that the date be fixed before any further negotiations. This decree responds
to those concerns and puts a figurative line in the sand – assuming it isn’t overturned by a court.

Furthermore, should the Constitutional Court rule against Yushchenko’s first decree, parliament’s dissolution may remain, thanks to the second decree.

Regardless, the new date guarantees two more months of political tussling in Ukraine, and two more months to try to understand just what is happening.

Source Notes:

(2) Press office of President Victor Yushchenko, 21:18 CET, 2 Apr 07 via www.president.gov.ua
(5) Ibid.
(6) Ibid.
(8) BBC, 09:54 GMT, 26 Apr 2007 via www.news.bbc.co.uk.