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Russian Federation: Executive Branch

By Susan Cavan

PRESIDENCY

Litvinenko's words reverberate

The death in London of former KGB/FSB officer Aleksandr Litvinenko, apparently murdered by exposure to Polonium-210, has focused attention on both the activities of Russia's security services and the administration of President Vladimir Putin.

The radioactive murder weapon suggests that a controversial, public and lingering death were anticipated and thus, the list of suspects and motives is focused on political enemies and former security services colleagues. In the letter he dictated from his deathbed, however, Litvinenko clearly and colorfully accuses President Putin: "You may succeed in silencing one man but the howl of protest from around the world will reverberate, Mr. Putin, in your ears for the rest of your life." (1)

While international media outlets investigate the details of Litvinenko's death, from the transportation route of the Polonium, to Litvinenko's mysterious luncheon companion prior to the onset of the effects of the poisoning, Russian media play down the incident and focus attention on an alternate suspect, another Russian exile in London, Boris Berezovsky.

Nonetheless, President Putin was forced to respond to Litvinenko's posthumous denunciation, choosing an odd brush-off. In addition to rebuking those who turned "tragic events like death" into "political provocation," Putin questioned the nature of Litvinenko's death, "British doctors did not indicate…that it was a violent
death." (2) Lest his other attempts to divert the conversation from Kremlin or GRU or SVR, etc. involvement fail, Putin raised doubts about the authenticity of Litvinenko's deathbed letter, accusing the victim's friends of concocting the note.

(3) Unfortunately for Putin, the headline-grabbing use of radiation in this assassination will ensure the survival of the story, at the very least. (Please see Security Services below for a more detailed discussion of the Aleksandr Litvinenko case.)

**Gaidar illness suspicious?**

As if the poisoning of a former KGB officer wasn't enough, former Russian Prime Minister, Yegor Timurovich Gaidar fell ill during a conference in Ireland, and doctors suspect he may have been poisoned, as well.

Gaidar, who became quite seriously ill while speaking at a conference entitled "Collective Memory: Russia and Ireland" at the National University of Ireland at Maynooth, was admitted to hospital in Dublin, but discharged himself and headed back to Russia. His treatment apparently continues in a clinic near Moscow. (4)

Gaidar's illness, and his odd decision to fly back to Moscow while apparently still suffering the effects of whatever afflicted him, is a contrary indicator for those who formed a link from Litvinenko's assassination to Gaidar's possible poisoning. If Gaidar was made ill deliberately (and the Irish hospital where he was initially admitted has no evidence of toxin or other radiation, but is fuelling speculation), then why would he leave hospital in the West for a clinic in Russia? (5) Was he more at risk abroad than in Moscow, and if so, what does that say about the possible responsible parties?

While numerous reports have listed Gaidar as a "critic" of the Russian president, he has done little to justify that moniker and remains better described as an
economist and politician whose ideas, at times, conflict with those of the current regime. His connection to Litvinenko is yet more tenuous and thus presents a better case that the incidents were separate acts.

Anatoli Chubais, perhaps the ultimate Kremlin insider, was quick to link the Gaidar's mysterious illness to murder: "It seems fairly clear, at least to me, that the deadly sequence involving Politkovskaya, Litvinenko, and Gaidar - which failed to work out as planned - would have played into the hands of those who seek to pursue unconstitutional means of regime change in Russia." (6)

Again, more questions than answers present themselves: Are these forces, which seek unconstitutional regime change in Russia, working in opposition to the Putin Kremlin or with them? Is Chubais setting up an argument that highlights the strength of ugly, anti-western forces, then posits a strong Putin third term to counteract the more malevolent forces boiling beneath the surface? (This argument has been trotted out in the run up to nearly every election campaign in the post-Soviet era, most notably in the 1996 election, where Chubais himself announced he had stopped a coup that would have halted the onward march of democracy and elections.) (7)

The murder of Aleksandr Litvinenko and illness of Yegor Gaidar are unlikely to be resolved to anyone's true satisfaction—both the shock of the episodes, as well as the conspiracy theories surrounding each, have contributed to the creation of a well of suspicion about the activity of Russia's security services, the motives of Kremlin apparatchiki and President Putin, as well as the safety of Russia's fissile material.

Source Notes:

(1) Full text of former spy's posthumous letter, Agence France Presse, 24 Nov 06 12:17 GMT via Lexis-Nexis Academic.
(2) "Ex-spy's death should not be used for provocation," RIA-Novosti, 24 Nov 06 via Lexis-Nexis Academic.
(3) Ibid.
(4) "Russian ex-premier’s acute illness investigated," by Kim Murphy, 1 Dec 06, Los Angeles Times via Lexis-Nexis Academic Search.
(5) Doctors insist Russian politician was poisoned but find no toxic substance, Associated Press, 5 Dec 06, 9:12 GMT via Lexis-Nexis Academic Search.

Russian Federation: Domestic Issues and Legislative Branch
By Robyn Angley

NGO re-registration
Last year, the Duma passed a law mandating the re-registration of noncommercial organizations (also known as non-governmental organizations or NGOs). There was widespread concern that this law would have a restrictive effect on foreign-funded NGOs operating within Russia. However, despite the largely Western reactions against the forced registration, the deadline of 18 October 2006 has come and gone with relatively few foreign or foreign-funded NGOs being denied the right to re-register.

The opening volley for control over NGOs took place in July when, after an extensive audit, the Center for the Promotion of International Defense received a
bills from the government for 4.6 million rubles (approximately $175,000 at the current exchange rate) in back taxes. (1) The Center is headed by Karina Moskalenko, a prominent lawyer who in 2000 was awarded a medal for “For Defending Human Rights” by then human rights ombudsman Oleg Mironov. The Center has received several grants for the defense of human rights from the John D. and Catherine T. MacArthur Foundation, including a three-year grant in 2004 for $180,000. The purpose of the program supported by this grant was to train human rights lawyers. One of the goals of the program was to “ensure better selection and preparation of cases to be brought to the European Court.” (2)

It is perhaps the Center’s activity in bringing cases to the European Court, coupled with Karina Moskalenko’s role as lawyer to imprisoned oligarch Mikhail Khodorkovsky, which has brought the organization under the increased scrutiny of the state. Moskalenko was instrumental in submitting a case filed by Khodorkovsky to the European Court of Human Rights. Additionally, her scathing indictments of the Russian legal system, especially when the Prosecutor General’s office threatened to revoke Khodorkovsky’s lawyers’ rights to practice law, (3) have undoubtedly done little to endear her or her organization to the Kremlin.

Following the delivery of the hefty tax bill to the Center for the Promotion of International Defense, the NGO re-registration process was off to a slow start. As of 19 September, a month before the 18 October re-registration deadline, only 26 foreign NGOs had re-registered out of several hundred. (4)

The cumbersome process of re-registration was the source of considerable complaint from the affected NGOs. Re-registration involved the presentation of several sets of documents (some of them difficult to obtain), which ranged from the laws according to which the NGO had been established as a non-profit in its home country, to information about the NGO’s founders, to documentation of the
decision of the original NGO to create a branch in Russia. The documents had to be submitted in Russian and in the language of the NGO’s home country. (5)

Just five days before the deadline, on 13 October, a Nizhnii Novgorod court announced its ruling to shut down the Russian-Chechen Friendship Society on the basis of anti-extremist legislation. The Russian-Chechen Friendship Society has worked extensively on cases of human rights abuse in Chechnya, including through the publication of information about abuses in Chechnya and the North Caucasus in its newspaper “Rights Defense.” It also refers human rights abuse cases in Chechnya to the United Nations.

The basis of the ruling to close down the NGO was that its leader, Stanislav Dmitrievsky, was convicted in February 2006 on charges of extremism. Russian anti-extremist legislation dictates that organizations whose leaders have been convicted of extremism can be shut down. Dmitrievsky was charged because he published a statement by Akhmed Zakayev as well as Aslan Maskhadov’s appeal to the European Parliament in 2005. The Russian-Chechen Friendship Society has two months in which to appeal the decision. The organization intends to try to take the case to the Russian Supreme Court.

Although the decision to close the Russian-Chechen Friendship Society hardly boded well for NGOs, the re-registration process actually proceeded with surprisingly few hiccups. Several organizations had to resubmit their paperwork because of errors in documentation—the majority of which were characterized by Justice Ministry representative Natalia Veshnyakova as grammar problems or typos (6)—most Western organizations have been able to re-register successfully. Among them are Amnesty International, Doctors without Borders, the National Democratic Institute, and the Danish Refugee Council.

Source Notes:
(1) “Non-commercial profits,” Vedemosti, 25 Jul 06; WPS via Lexis-Nexis.
(3) “Legal expert outraged at Khodorkovsky’s foreign lawyer expulsion,” Ekho Moskvy, 23 Sep 05; BBC Monitoring via Lexis-Nexis.
(4) “Russian watchdog, foreign NGOs trade accusations as registration deadline looms,” Ekho Moskvy, 19 Sep 06; BBC Monitoring via Lexis-Nexis.
(5) “Foreign NGOs required to re-register,” Kommersant, 20 Sep 06; Current Digest of the Post-Soviet Press via Lexis-Nexis. “Only three organizations have been denied registration,” Kommersant-Vlast, 30 Oct 06; What the Papers via Lexis-Nexis.
(6) “Only three organizations have been denied registration,” Kommersant-Vlast, 30 Oct 06; What the Papers via Lexis-Nexis.

Russian Federation: Security Services

By Fabian Adami

Death Of A Spy: Who killed Aleksandr Litvinenko?

Six years ago, Lieutenant Colonel Aleksandr Litvinenko—until then an FSB officer—defected to Britain. In the six years following his arrival, Litvinenko worked for Boris Berezovsky, the exiled Russian oligarch, and self-professed enemy of President Vladimir Putin.

In 2001, with financial backing from Berezovsky, Litvinenko published a book, “Blowing Up Russia: Terror From Within,” in which he alleged that the FSB ran a highly secret "black" team, dedicated to “eliminating those deemed dangerous to the Russian state.” (1) This claim, given the litany of assassinations carried out by Soviet or other Warsaw Pact Security Services during the Cold War (including the Georgi Markov case), was hardly a revelation. Yet the book contained a
further allegation, which, if true, implicated the Russian government at its highest levels in a serious crime against its own population. Specifically, Litvinenko alleged that the 1999 Moscow apartment bombings, apparently carried out by Chechens, and used as the catalyst for launching the second Chechen war, were carried out as an internal Provokatsia by the FSB. (2) While this allegation is not new, Litvinenko, along with his sponsor, claimed to possess hard evidence proving Putin’s and the FSB’s guilt.

On November 1, Aleksandr Litvinenko met with an Italian “contact,” Mario Scaramella—a “security expert”—at Itsu, a popular London Sushi restaurant. The purpose of the meeting apparently was to discuss Anna Politkovskaya's murder, which the ex-FSB officer was investigating. Litvinenko claimed, after the fact, that he had been provided documents “naming” those responsible for the journalist’s death. (3) Apparently, Scaramella also requested the meeting in order to show Litvinenko a “hit list of Kremlin targets,” that contained both of their names. (4) The same day, Litvinenko also met with Andrei Lugovoi, a former KGB and FSB agent, now a security consultant in Moscow, as well as a third individual “known only as Vladimir” at the Millennium Hotel in Piccadilly. (5) It is not clear which meeting took place first. Scaramella has claimed that the meeting with Lugovoi took place after his own discussion with Litvinenko, whilst Lugovoi claims the opposite. (6) On November 3, Litvinenko was checked into Barnet General Hospital and after eight days, he was transferred to University College Hospital. (7) Three weeks later, on the night of November 23, Litvinenko died with his wife and son at his bedside.

Initial tests during his treatment had led to the conclusion that thallium, a highly toxic, “tasteless, colorless, odorless” substance (one gram of which can be fatal) had been ingested by Litvinenko. (8) That diagnosis was amended within a few days, when authorities claimed that the thallium might have been radioactive. Medical opinion was revised once more when doctors discovered traces of Polonium 210 in Litvinenko’s urine. (9) Litvinenko’s condition: failed internal
organs and failed bone marrow apparently were commensurate with a lethal dose of radiation.

Litvinenko’s illness and subsequent death have brought forth a spate of theories about who was responsible. The first, and probably most ridiculous, is that the CIA was responsible. According to this theory, Mario Scaramella was a consultant for an Italian parliamentary investigation, the “Mitrokhin Panel,” which was analyzing Soviet intelligence activity in Italy during the Cold War. As such, Scaramella allegedly was a double agent for Italian intelligence and the CIA, which decided to “take out” Litvinenko “when he ceased to be an asset,” while being assured that the blame would fall on Moscow. (10) The second theory—and one which seems equally ridiculous—is that Litvinenko committed suicide: he “so detested Putin he was willing to end his life…in a last ditch attempt to discredit him.” (11)

The third theory—and the one being trumpeted by the Kremlin, as well as other press and authority figures in Moscow—is that Boris Berezovsky was responsible for Litvinenko’s death. According to this line of argument, Berezovsky had Litvinenko killed as part of an “anti-Russian PR Campaign,” (12) designed to tarnish President Putin’s reputation even further. Moreover, the voices claiming that Berezovsky masterminded Litvinenko’s death also argue that the oligarch was protecting himself: British and Russian Prosecutors recently signed a cooperation memorandum. Russian justice officials are putting forth renewed efforts to see Berezovsky’s extradition in relation to the Yukos affair: Berezovsky therefore may need to provide new “evidence” that his life would be in danger were he to be extradited, and “the poisoning of an ‘enemy of the FSB’ ought to satisfy” the judge presiding over the hearings for the moment. (13)

Finally, there are allegations that Russian Security Services carried out the assassination. As was to be expected, Litvinenko’s friends and colleagues, as well as the victim himself, in his death-bed final statement, have espoused the
idea of a revenge assassination by the security services. (14) Interestingly, their allegations have found support from Oleg Gordievsky, the most high profile Cold War defector to the United Kingdom. In an interview with The Daily Telegraph, Gordievsky stated that the assassination attempt would not have occurred “without the express approval of the President.” Moreover, he claimed that President Putin was “eliminating his opponents with the same ruthless efficiency displayed by Adolph Hitler in the 1930s…I know that today the KGB has tried to kill my friend.” (15) At the time of writing, only one intelligence agency, the SVR (Foreign Intelligence) has explicitly denied any involvement. (16) All other denials issued by Russian authorities have spoken merely of “Russian Special Services.” (17) It should be noted, that the allegations being made are not against the SVR, but against the FSB. Such an operation is not beyond the FSB’s scope: in July of this year, the Duma passed legislation allowing the FSB to operate abroad in order to hunt down extremists, as well as those who “libelously criticize the regime.” (18)

During the last few days, new evidence has emerged that indicates it may not have been the Security Services themselves who carried out the assassination, but rather a proxy. According to the documents given to Litvinenko by Scaramella, the contents of which were made public only days ago, an agency called "Dignity and Honor" has existed for some time in Russia. Made up of ex-Secret Servicemen, including surveillance experts and “Spetsnaz—trained killers,” the agency is apparently highly regarded by the President, and is viewed widely as an “extension of Putin’s secret services.” (19) It is entirely possible that Putin delegated the assassination to this group, so as to give himself and the “official” agencies of state plausible deniability.

That Aleksandr Litvinenko was murdered is beyond dispute. Yet there is one aspect of this case that has received no attention—but which may hold the key. According to Ekho Moskvy Radio and Moskovski Komsomolets, Litvinenko secretly visited Moscow in early November, to be questioned by the FSB
regarding his knowledge of the Politkovskaya murder. (20) If this is true, Litvinenko may have been poisoned in Moscow, and possibly with two substances at the same time. Indeed evidence so far may support such conjecture: radiation has been discovered on British Airways aircraft flying the Moscow route, (21) as well as at each of the locations frequented by Litvinenko in London, including Berezovsky’s office.

Given the nature of the Litvinenko case, the true answer as to who killed the defector may never be known. However, it seems safe to conclude—given their history, that Litvinenko was killed by the Security Services or a proxy, on orders from the highest levels of government, because of something he knew, probably in regards to the murder of Anna Politkovskaya.

**Addendum**

On Sunday December 3, The Sunday Times (London) carried an article claiming that President Putin had “taken exception” to Aleksandr Litvinenko’s death-bed statement, and had “expressed anger” that British Authorities had not silenced him. (22) Why, if Putin has nothing to fear from an investigation, did he seek to silence the last words of a dying man?

Oleg Gordievsky’s allegations concerning Litvinenko’s death have been supported by Mikhail Trepashkin, a former FSB officer currently imprisoned in Russia. Trepashkin published a letter from prison in which he claimed that the FSB had set up a squad with specific instructions to kill Litvinenko in 2002. The FSB has refused to comment on Trepashkin’s allegations. (23)

**Update: Politkovskaya murder investigation**

Two months ago, Anna Politkovskaya was murdered in her Moscow apartment building. In a remarkable coincidence, her death occurred on President Vladimir Putin’s birthday. (24) Given Politkovskaya’s public profile, and the sensitivity of
the case, it was hardly surprising that the homicide investigation was taken on
directly by the Prosecutor General’s office.

On October 26, Kommersant published a story that indicated several former
OMON officers had carried out the killing at the instigation of Sergei Lapin, a
former comrade, currently serving time in Chechnya on a war crimes conviction.

Two weeks ago, Aleksandr Prilepin—one of Lapin’s former colleagues, and
allegedly one of the killers—gave a brief interview to Rossiiskaya Gazeta from a
secret location, during which he claimed that he was in hiding for fear of being
subjected to a "show trial" at the hands of the authorities. Prilepin admitted that a
number of ex-OMON operatives harbored anger at Politkovskaya for her reports
on Chechnya, because her actions (along with those of other journalists) had
provided “ideological support” for the rebels, (25) but claimed that neither he nor
his colleagues would seek revenge after "so many years." (26)

Prilepin’s fears regarding a "show trial" likely are well-founded. In the aftermath of
Aleksandr Litvinenko’s assassination—apparently connected to his own
investigation into Politkovskaya’s death—the Kremlin needs a rapid resolution to
the case even more urgently. Without a “conviction,” the authorities’ claims that
the Politkovskaya and Litvinenko murders are not connected is built on a
foundation of sand—whereas, if the case is "solved," any new evidence brought
“post-mortem” by Litvinenko can simply be dismissed.

Source Notes:

(1) “Chronicle Of A Murder Bid Foretold: Exiled KGB Chief Fights For Life In
London Hospital,” The Independent, 20 Nov 06.
(2) “How Violence Returned To Blight Moscow-On-Thames,” The Times Of
London, 22 Nov 06.
(3) “Fearful Life And Dangerous Liaisons Of A Russian Agent On The Run,” The Sunday Times, 26 Nov 06.
(4) “Litvinenko Was Told That He Was Marked For Death,” The Times Of London, 22 Nov 06.
(5) “Litvinenko May Have Fallen Foul Of Russian Businessmen,” The Times Of London, 2 December 06.
(6) “Fearful Life And Dangerous Liaisons Of A Russian Agent On The Run,” The Sunday Times, 26 Nov 06.
(7) “Russia’s Secret Service Suspected Of Murder Bid,” The Independent, 20 Nov 06.
(8) “Poisoned Ex-Spy Slightly Worse,” BBC News, 20 Nov 06 via www.news.bbc.co.uk/1/hi/uk/6164284.stm
(9) “Net Tightens On The Amateur Assassins,” The Daily Telegraph, 1 Dec 06.
(11) “Was he Sacrificed To Embarrass Putin?” The Daily Telegraph, 27 Nov 06.
(12) “Litvinenko ‘Poisoning’ Part Of Anti-Russian PR Campaign,” Center TV, Moscow, 24 Nov 06; BBC Monitoring via Lexis Nexis.
(18) “‘Remember Trotsky!’ Then Litvinenko Stared At The Ground: Neil Barnett Recalls His Encounter With The Poisoned Spy Who Has Had The Bearing Of A Marked Man For Years,” The Spectator, 25 Nov 06 via Lexis Nexis.
(19) “Trained Killers Of The Old School,” The Sunday Times, 2 Dec 06 via www.timesonline.co.uk/article/0,,2087-2484254,00.html.
(20) “Russian Security Service Ex-Staffer Quizzed In Politkovskaya Murder Case,” Ekho Moskvy Radio Moscow in Russian, 15 Nov 06; BBC Monitoring via Lexis Nexis.
(21) “Putin Wanted Blair To Gag Poisoned Spy,” The Sunday Times, 3 Dec 06 via www.timesonline.co.uk/article/0,,2087-2484059,00.html
(22) “Former Spy Claims KGB Successor Agency Set Up Death Squad To Target Litvinenko,” Associated Press, 1 Dec 06 via Lexis Nexis.
(23) See The ISCIP Analyst, Volume XIII, Number 3 (19 Oct 06).
(25) Ibid.
(26) Ibid.

Russian Federation: Armed Forces (Internal)
By Monty Perry

Oh, what a tangled web...sanctions update
Significant changes have taken place in the weeks since my last article about sanctions that had been levied against the Sukhoi aircraft manufacturer and the Russian export agency Rosoboronexport. Russian-US relations, which recently have been increasingly strained, curiously have taken an ever-so slight turn. These changes are illustrative examples that international relations occasionally can be reduced to a situation of "you scratch my back, and I’ll scratch yours."
The issues requiring attention recently have been the trade sanctions mentioned above; disagreements regarding the appropriate response to Iran’s nuclear ambitions; and resistance to Russia’s admittance to the World Trade Organization.
Until last week, the veto-wielding nations of the UN Security Council had been at a virtual standstill on the Iranian issue. “The major powers have been debating a draft resolution drawn up by Britain, France and Germany that would impose limited sanctions on Iran’s nuclear and ballistic missile sectors for Tehran’s failure to comply with an earlier UN resolution on halting enrichment.” (1) The Russians, and to a lesser extent, the Chinese, who are both key trading partners with Iran, treated the draft as too harsh. On the other hand, the US didn’t see the proposal as firm enough. Something was needed to break the nearly month-long logjam. On Monday, 21 November, following “bilateral talks [between Presidents Bush and Putin] on the sidelines of the Asia-Pacific Economic Cooperation summit in Hanoi,” an announcement was made that sanctions against Sukhoi would be lifted. (2) State Department spokesman Tom Casey told a press conference that “the sanctions, imposed on 28 July [for a pre-determined two year duration], were lifted in light of ‘additional information' provided by the company and the Russian government” which showed Sukhoi had not broken the law after all. (3) In prompt fashion, on 1 December, “Interfax news quoted Russian Foreign Minster Sergei Lavrov as saying that Russia is ready to back sanctions against Iran.” (4) (It remains to be seen how Russia interprets the term sanctions.) Bingo…logjam broken! One could argue that the connection between these two issues is tenuous. However, Russian United Nations Ambassador Vitali Churkin clarified Russia’s view on these two issues. According to a 20 October Associated Press, “Churkin made it unambiguously clear that until the United States lifts the sanctions it has imposed against Russian companies, Moscow will not cooperate on the Iran resolutions.” (5)

Regarding WTO accession: The United States and Russia have successfully completed bilateral talks, clearing the way for membership in the near future. The primary stumbling block was cleared when Russia changed its previous position and “agreed to shut down Allofmp3.com and other music sites based in that country that the US government says are offering downloads illegally.” (6) According to a press release issued on 19 November by the US Trade
Representative, “Russia will investigate and prosecute companies that illegally distribute copyright works on the internet.” (7) Even though Allofmp3.com is still up and running and their corporate legal teams are fighting the issue, Russia’s stated willingness to crack down has scratched what had been a 13 year itch of grueling negotiations. While consensus must still be reached by the multilateral working party, “Arkady Dvorkovich, head of the Kremlin’s economic staff, said Russia could wrap up a final entry deal within months.” (8)

**Arms sales update**

Russia’s renewed status in world arms sales has not come without some challenges. In one significant deal, Russia agreed to supply China with RD-93 aircraft engines for use in their JF-17 fighter project. However, this has become significantly problematic since Beijing also signed an agreement to supply Pakistan with 150 of these fighters in a deal worth an estimated $2.3B. (9) The problem stems from Russia’s current policy against exporting arms to Pakistan. Consideration has been underway for the last 6 months toward changing this policy. But, such a shift would be sure to upset another of Russia’s key trading partners and Pakistan’s sworn enemy…India.

Rosoboronexport seems stuck between a rock and a hard place. One way or another, they stand to lose billions. In the event Russia stands firm behind their current policy, not only will they lose the profits on the sale of the engines, but they also will risk contracts currently being negotiated with China for fighters (Su-33), amphibious aircraft (Be-200 ASW), helicopters (Ka-29/31), and troop transport hovercraft valued in excess of $3.3B. (10) On the other hand, the impact of accepting Pakistan as a trading partner will be costly, as well. “Russia’s arms sales to India amount to over $1.5 billion a year. Moreover, the MiG Corporation is [currently] competing in India’s tender for 126 [MiG-35] fighter jets, worth a total of $6.5 billion.” (11)
China, expected by Pakistan to deliver the jets, recently has been exerting increased pressure on Russia to make a decision. “In his Independence Day speech…President Musharraf announced the JF-17s would be flying in Pakistani skies by March 2007.” (12) This pressure and the resultant loss of future arms profits well may have contributed to Russia’s recent willingness to float Indonesia a $1B arms export credit. Indonesia plans to use the credit to diversify its military hardware inventory and recover from years of inactivity resulting from a 15 year arms embargo lifted by the United States just this year. The embargo, established 12 November, 1991 following the Santa Cruz cemetery massacre in East Timor, caused much of Indonesia’s US-supplied equipment to become either inoperative or outdated. (13) Indonesian Defense Minister Juwono Sudarsono said the new purchase will consist of “five new cargo helicopters [Mi-17], four combat helicopters [Mi-35], two submarines [Kilo-class] and six fighter jets [Su-27/Su-30].” (14)

The potential loss of arms trade with either China or India also may have played a part in Russia’s decision to go ahead with the sale of Tor-M1 missiles to Iran, despite strong objection from the US and Europe. Russian news agencies, citing an unnamed, high-ranking industry source, have reported that “deliveries of the Tor-M1 have begun. The first systems have already been delivered to Tehran.” (15) Despite defending the sale earlier as legitimate because the missiles are supposedly defensive in nature, Rosoboronexport representative Nikolai Dimidyuk has denied that any deliveries have taken place. (16)

Russian business choices in arms trades lately raise doubt about a cohesive foreign policy. When you look at a list ranging from Algeria to Venezuela, including China, India, Indonesia, Iran, Pakistan, etc., it’s no wonder that political relationships are beginning to pose problems for Russia’s entrepreneurial ways. The decision Russia makes regarding the export of its jet engines to Pakistan likely will be a telling sign of its future in the gunrunning business.
Source Notes:

(1) “US chides Russia, China over slow Iran sanctions talks,” 17 Nov 06, Agence France Press via Yahoo News Canada.
(5) “Russia pushes the United States to lift sanctions from Sukhoi,” 20 Oct 06, Izvestia via Lexis-Nexis.
(7) Ibid
(10) Safronov, Ivan, “Russia chooses between $1.5 billion and $2 billion,” 1 Nov 06, Kommersant via Lexis-Nexis.
(11) Ibid
(12) “China pressing Russia on Pak fighter project,” 13 Nov 06, Indian Express via Lexis-Nexis.
(13) “RI pursues $1 billion arms deal with Russia,” 17 Nov 06, The Jakarta Post via Lexis-Nexis.
(14) “Indonesia pursues $1 bln USD arms deal with Russia,” 17 Nov 06, Xinhua News Agency via Lexis-Nexis.
(15) “Russian rocket deliveries to Iran started,” 24 Nov 06, Agence France Press via Lexis-Nexis.
Cold War II?
The NATO summit was held last month in Riga, marking the first time this event ever had been conducted in a former Soviet republic. Russian-NATO relations were very much on the minds of the participants, with Secretary-General Jaap de Hoop Scheffer stating that the relationship had not yet reached its full potential and that it was “one more important step to creating a truly united Europe.” (1) Even with these optimistic words, the location of this summit is disputed by the Russian leadership as a steady eastward expansion of the NATO inkblot. Although Defense Minister Sergei Ivanov refrained from portraying this year’s choice of location as a “provocation,” he described the relationship between the alliance and the Russian Federation as “far from harmonious.” (2) Some Russian analysts go so far as to depict the current state of affairs as an indication that the West and Russia are in the nascent stages of a new Cold War. (3)

Among the many issues that separate the two camps, the one highlighted by Russia is the continued eastern expansion of NATO. Over the past seven years, NATO has admitted ten new members, all of them East European countries, mostly former Warsaw Pact members. (4) NATO is now considering three more countries for membership, Croatia, Albania, and Macedonia, while several former republics of the USSR, Georgia, and Moldova, remain at an initial stage of consideration for membership, and Ukraine now appears to be reluctant to be considered.
NATO’s role in the world has changed dramatically since the fall of the Soviet Union. Originally designed as a collective defense to the perceived Soviet threat, it has now evolved into an organization that is willing to conduct “out of area” military operations. Notably, NATO’s first true military operation was conducted in 1999 against Serbia, which had very strong ethnic, cultural, and historic ties with Russia.

Russia questions NATO’s intentions, recalling that it was told by the first Bush administration that “NATO would not expand one inch to the east” in 1992. Ivanov has stated that “we were completely deceived” on this issue. (5)

Russia claims that NATO has reneged not only on the US promise to forego expansion to the east, but also to limit the establishment of military infrastructure in the new NATO members once they were accepted into the organization. Russia frequently cites Georgia’s conflict with South Ossetian and Abkhaz separatists as reasons for disqualification from NATO membership and blames NATO for encouraging Georgia to take action in these conflicts by simply “increasing dialogue” with Georgia over membership. (6)

In the words of the Commander in Chief of the Russian Air Force, General Vladimir Mikhailov, the increasing trend of “reaching objectives by use of military force” is reason alone to be wary of a strong military neighbor. In their view, Russia claims that NATO lost its raison d’être with the dissolution of the Soviet Union, and Moscow much prefers that political issues be resolved through organizations with less military presence and more consensus-based decision-making, such as the UN. (7)

Although NATO expansion remains a source of contention with Russia, there is another issue looming on the horizon that could quickly overshadow it: the deployment of US/NATO missile defense systems in Eastern Europe. The US intends to deploy a strategic missile defense system in Poland, Czech Republic,
Romania, and Bulgaria, to defend against ballistic missiles from Iran or other “rogue states” in the Middle East. NATO obviously is involved in this decision, as the umbrella also will serve to shield Europe from the same threat. Russia, for its part, claims that intercontinental missiles from Iran (which it does not yet possess) will not fly over Poland or the Czech Republic on their journey toward targets in the US, and contends that this system is designed to counter Russian missiles. (8) Russia asserts that this situation would practically negate the Russian nuclear missile deterrent and thus cause the redeployment of those assets to positions farther east, where the missiles could not be countered in their most vulnerable boost phase. In fact, Russia already has made some movement of military hardware in response to this proposed missile defense shield, by deploying anti-aircraft missile systems to Belarus. (9) Additionally, NATO's ambiguity on the number of nuclear weapons that it still has in Europe supposedly results in a serious threat to Russian defense planning.

So, does this situation constitute a full-fledged Cold War between the West and Russia, as experienced in the latter half of the 20th century? Some analysts argue that the Cold War never has ended. Only Russia's economic resurgence with petrodollars, it is claimed, has provided the wherewithal to stand up to a post-Cold War US with an allegedly “winner take all” attitude. (10)

The picture is not that bleak, however. There are numerous indicators in NATO, US, and Russian cooperation that point to a relationship, which, while not always harmonious, is at least not hostile. Russia now enjoys an essentially equal vote with other NATO members as part of its position on the NATO-Russia Council (NRC). Unlike the former “19+1” arrangement under the Permanent Joint Council, whereby Russia conferred with NATO members only after they had met together to form a consolidated front, the NRC arrangement has much more transparency. In fact, Ivanov has stated that there is no reason to pursue NATO membership for Russia, since it has as much authority as it needs with the current arrangement. (11) Indeed, Defense Minister Ivanov attends every NATO
summit and the leaders of the two organizations meet annually. This relationship was further solidified in 2004, when both NATO and Russia established permanent military liaison offices in Moscow and Mons, Belgium respectively.

The joint NATO-Russian submarine in distress rescue program is another example of continued cooperation, with a successful rescue of an AS-28 min-submarine crew in 2005. (12) Russia also participates in a number of substantial NATO exercises, although this is a tenuous link, as the cancellation of Torgau 2006 exercises aptly demonstrated. The pilot project for Russian training of Afghan anti-terrorist forces is another example that points to a less than icy East-West relationship. And finally, NATO has a regular column in Krasnaya Zvezda (Red Star), the official newspaper of the Russian Armed Forces, a development that would have been inconceivable 20 years ago. (13)

In a final assessment, NATO and Russia are not in the midst of a new Cold War, but neither is the relationship between them as good as it was in the late 1990s. Although they are not adversarial, neither are they true partners.

Source Notes:

(1) ITAR-TASS, Tuesday, 28 Nov 06 T13:15:14Z; OSC transcribed text via WNC.
(2) Der Spiegel website, 26 Nov 06; BBC monitoring via Lexis-Nexis.
(3) Nezavisimoye Voyennoye Obozreniye, 6 Oct 06 T12:49:43Z; OSC translated text via WNC.
(4) The Czech Republic, Hungary and Poland were admitted to NATO in 1999. Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia were admitted in 2004.
(5) Agentstvo Voyennykh Novostey, 1 Nov 06 T13:32:26Z; OSC transcribed text via WNC.
(6) Interfax, 16 Oct 06 T13:40:30Z; OSC transcribed text via WNC.
(7) ITAR-TASS, 10 Nov 06 T13:29:21Z; OSC transcribed text via WNC.
Russian Federation: Foreign Relations

By Marisa Payne

To CIS or Not to CIS

The Commonwealth of Independent States (CIS), the organization set up in December 1991 that connects most of the countries of the former Soviet Union, may be on its last legs. Although its imminent passing has been lingering for at least a year, this year’s summit held on November 27-28 in Minsk, Belarus, seems to have made official that the CIS, if not declared completely dead, will continue on only as a very different entity.

Since its inception, the CIS has experienced a decline in popularity among its member countries. After its creation by the three founding members (Belarus, Russia, and Ukraine), it stabilized for a time at 12 member states (with the addition of Azerbaijan, Armenia, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, and Uzbekistan); the organization now officially consists of 11 countries (Turkmenistan opted out of full membership in favor of “associate” membership in August 2005). Moreover, Western-led organizations like the North Atlantic Treaty Organization (NATO) and the European Union (EU) from time to time have not discouraged certain CIS countries (Georgia, Ukraine...
and Moldova) to hope for eventual membership, which would weaken their ties to
the CIS.

The CIS began with a dual and somewhat contradictory purpose – to hasten the
disintegration of the USSR, while simultaneously integrating the newly
independent countries into a post-Soviet working partnership.

Aleksandr Dugin, the head of the Center for Geopolitical Studies, predicts that
the CIS cannot continue as it exists today for long: “I am deeply convinced that
we are approaching a critical point, where these two aspects – integrational and
disintegrational – can no longer coexist inside the same organization, the
CIS…[W]e are standing on the threshold of the end of the CIS. But it is not a fact
that this will be the end of all post-Soviet structures. I suppose that the
integrational direction in post-CIS has a future.” (1)

Putin remained more optimistic about the CIS, although he, too, admitted reform
is necessary: “We [CIS members] agreed that the organization is needed but that
its potential has not yet been fully realized. There is a need for this organization
and it has good development prospect.” (2) He continued, “At the same time,
however, significant changes have taken place over recent years in the post-
Soviet area and the organization must adapt to today’s conditions.” (3)

Putin did not elaborate on what those “significant changes” entailed, but some of
the most significant changes were the color revolutions in Georgia, Ukraine and
Kyrgyzstan, as well as Russia’s increasing neo-imperialist identity.

Since the break-up of the USSR, Russia has struggled with its identity. The
question that remains most salient to its neighbors, as well as the rest of the
world: Will the end of the Cold War coax Russia into becoming a Western-style
democracy or will Russia revert to its autocratic roots? In the early-to-mid-
nineties, the answer varied depending on when and to whom the question was
posed. Using comments on NATO as a reflection of openness to the West, Russia increasingly has voiced strong opinions on membership. When Yeltsin first came to power in 1991, his stance on NATO could be considered lukewarm. On December 20, 1991, Yeltsin sent NATO a message that stated: “Today we are raising a question of Russia’s membership in NATO, but we are prepared to regard this as a long-term objective.” (4) Just days later (and after NATO failed to respond to Yeltsin’s letter), the Kremlin revised its statement claiming an error in translation. Moscow maintained that the statement was supposed to read: “today we are not raising a question of Russia’s membership in NATO….” (5) By 1996, after turbulent elections that landed nationalist and neo-communist groups in the parliament, the Kremlin’s statements on NATO had become consistently cool. Russia began to portray NATO as a real threat, as it expanded to include former Warsaw-pact countries. Many Russian politicians began to tout a neo-imperial line of thought: If Russia does not remain strong among the CIS states, NATO may take its place.

In what may be viewed as cruel irony to Russian neo-imperialists, while the CIS summit trudged along in Minsk, the NATO summit took place simultaneously only hundreds of miles away in Riga, Latvia. However, despite NATO members expressing their individual (if vague) support to include Georgia and Ukraine as members, Russian neo-imperialists could relax knowing that the leaders of Georgia and Ukraine traveled to Minsk instead of Riga.

Putin himself nearly made the trip to Riga during the NATO summit, in order to celebrate French President Jacque Chirac’s 74th birthday. The proposition turned into a large and tangled diplomatic mess as Putin first agreed, then declined to attend the dinner, citing a conflict of schedule. (6) If Putin had attended the dinner, not only would he have been the first Russian leader to set foot in a Baltic state since the fall of the USSR, but his attendance would have caused greater strain between Russia, the United States and Latvia. Although most comments were off the record, Latvian and US officials expressed their
disapproval, since Putin's attendance would have violated the summit's no-guest policy (the guest list was to include only the 26 NATO invitees). (7)

The fact that Putin’s dinner invitation caused so much diplomatic consternation is indicative of Western fears of Russia’s neo-imperialist regime. Although Georgia and Ukraine are potential NATO candidates, it was Russia that became the center of attention in Riga.

Meanwhile, NATO dialogue about potential membership for Georgia and Ukraine has remained just that–dialogue. NATO has made clear that the process will be slow, if indeed, it occurs at all.

Polish President Lech Kaczynski, who strongly supports including Georgia in NATO, blamed Western fears of Russia's increased response to the move for NATO's hesitation: “Georgia is treated with a lot of sympathy, but we also have a group of politicians who are, let's say, cautious…This caution results…from the reactions of its [Georgia's] powerful neighbor.” (8)

It is hard not to fear what Russia may do to assure its influence in the face of putative NATO encroachment in the CIS. In recent months, and increasingly so after Georgia charged five Russians with espionage, the Kremlin has all but cut off Georgia completely– politically by closing its embassy; economically by implementing bans on Georgian wine and mineral water and on remittances from Georgians working in Russia; and, physically by closing down border crossings.

Georgia is not the only state in the CIS to complain of Russian interference. Just about every state in the CIS has objected to at least some Russian foreign policy decisions in the CIS. Now, even Russia’s closest ally in the CIS, Belarus, has filed a complaint.
On November 7, Gazprom, Russia’s state-owned natural gas monopoly, announced that it would no longer subsidize energy prices for CIS states. (9) In response, Belarusian President Alyaksandr Lukashenka told Putin during a private meeting that he is considering pursuing stronger bilateral relations with Ukraine to facilitate more affordable gas prices. (10)

With little benefit from Russia in the form of energy breaks, the other countries that make up the CIS have few incentives to remain in the CIS. Likewise, there does not seem to be any real economic benefit for Russia. Russia does, however, have a psychological interest in keeping the CIS alive. Being the biggest and richest nation in the CIS, Russia would continue to remain the most powerful member of the group.

**Let them drink Moldovan Wine…As long as Russia has WTO prospects**

Russia's decision to lift the ban on Moldovan wine was another big story that developed at the CIS summit.

The timing of Russia’s decision suggests that lifting the ban was less the result of a softening on foreign relations with Moldova than an element of WTO negotiation. Just over a week earlier, Putin met with his US counterpart on the sidelines of the Asia-Pacific Economic Cooperation (APEC) summit. After 12 years of negotiations, the United States and Russia finally reached a bilateral agreement that would allow Russia to become a member of the World Trade Organization (WTO). (11)

While many consider the pact with the US to have been Russia’s biggest hurdle, other states have threatened to stand in the Kremlin’s way. One of them was Moldova, until Putin agreed to lift the ban on Moldovan wines and meats.

In a press statement issued after Moldovan President Vladimir Voronin and Putin met in bilateral talks during the CIS summit, Putin announced: “Regarding
agricultural produce, specialists in both countries, Moldovan and Russian experts, have carried out a great amount of work together on quality controls and certifying produce. We have agreed to resume imports of meat and wine from Moldova.” (12)

Yet, considering Russia’s decision to lift the ban as well as Moldova’s prior threats to block Russia’s entry into the WTO because of the ban, it seems less likely that Russia imposed the ban last March because of health reasons. Instead, it seems more likely that Russia used it as a political lever, once again exhibiting neo-imperialistic tendencies in its neighborhood.

Russia, however, has still not made any indication that it would lift the ban on Georgian agricultural imports.

Source Notes:

(1) “Russian pundit Dugin predicts CIS to be disbanded in 18-24 months,” 28 Nov 06, Ekho Moskvy; BBC Monitoring via JRL 2006-#270, 30 Nov 06.
(2) “Meeting with Russian Media following the CIS Summit,” 28 Nov 06, Office of the President of Russia via http://www.kremlin.ru.
(3) Ibid.
(5) Ibid.
An acronym imbroglio: CIS vs. NATO

If the twelve heads of state representing members of the CIS cannot agree on the relevance of their alliance, can the rest of the world safely assume that the Commonwealth of Independent States has slipped into obsolescence? The answer hinges upon the special relationship various member states have with Moscow, and in what estimation members hold that understanding. The organization, designed to buffer the effects of the dissolution of the Soviet Union, to this point has secured special privileges, amounting to economic subsidies, for neighboring countries that agree to toe Moscow’s line. As neighbors stray in their dependency, however, Moscow has seen fit to withdraw its favors, most significantly in the form of discounted rates for natural gas supplies, causing a general dispersal of loyalties toward alliances which have more international prestige, more leverage or more opportunity for nascent democracies with rapidly developing economies to flourish. (1)

Toward the end of November 2006, two winter summits were held simultaneously in two cities of northeastern Europe—while NATO leaders
gathered in Riga, heads of eleven of the twelve countries belonging to the CIS convened in Minsk.

The choice of November 28 as the date of the CIS summit raised some eyebrows and pursed the lips of some analysts, who had been expecting the summit to take place as part of a fifteen year anniversary gala on December 7, the date that the Commonwealth was founded in 1991. Instead, CIS organizers deliberately and, perhaps, perversely, set the summit date as a bold contraposition to their NATO rivals.

If failure is too harsh an appraisal of the gathering which took place on November 28 in Minsk, it is, by any measure, an accurate reflection of the crisis threatening the fundamental causa causans of this loose bond between former Soviet states, whose leaders are unable or unwilling to address the cardinal issue on the summit's agenda—modernizing the CIS to make it more relevant. “These decisions are put off from meeting to meeting, and now they have been put off again,” complained CIS chairman and Kazakh president, Nursultan Nazarbayev, on the day following the summit’s conclusion. (2)

His exasperation is shared fully by fellow members of the CIS. Over the summit’s short course, Minsk proved to be a showcase for signs of irrelevance: the central event lasted just over three hours; the closing press conference was boycotted by the Russian press corps, after it was learned that three of their number were denied access to the summit by Belarusian authorities; Saparmurat Niyazov, the eccentric president of Turkmenistan, chose not to attend, sending his prime minister in his stead. (3) Following a familiar CIS pattern, the states once again failed to agree on a crucial issue. This time it concerned the delimitation of contested borders running between members’ sovereign territories. (4)

The summit's most productive moments took place on the sidelines, in private talks between leaders. In the spare minutes between official proceedings,
Moldova’s President Voronin came to an understanding with Russian President Putin in which the latter agreed to lift the ban on Moldovan wine and meat in exchange for Moldova’s support for Russia’s accession to the WTO; (5) Armenian President Robert Kocharyan and Azerbaijani President Ilham Aliyev made use of their time in Minsk to hold a post-summit tête-à-tête to discuss the resolution of the Nagorno-Karabakh conflict; (6) and perhaps the most intriguing outcome from the summit was a brief meeting between President Putin and Georgian President Saakashvili that underscored the total impasse in the two countries’ relations. According to Kommersant, the two leaders met, exchanged three rounds of mutual reproach, and parted on the same acrimonious terms. “It is time for us, Georgians, to understand that it won’t have any decisive importance for us what Russia will think, say or do in respect to Georgia,” Saakashvili said. (7) Clearly, Georgia chose not to follow the Moldovan model to curry Moscow’s favor.

Two days later in London, President Saakashvili told the Financial Times that he and President Putin had met in the wings of the summit in Minsk for half an hour in “useful” dialogue. “We insisted on it. Georgian-Russian relations dominated the summit. It is a test case and everybody else is watching,” he was quoted as saying. (8) Georgia clearly is keen to take the initiative, or to be seen as taking the initiative, in Georgian-Russian relations. President Saakashvili was rewarded for his optimistic rhetoric by a boon from President Bush. In a speech before the University of Latvia as part of the NATO summit, the American President promised to support Georgia’s bid to join NATO, “as it continues on the path to reform, we will continue to support Georgia's desire to become a NATO ally.” (9) NATO members affirmed Bush’s stance in a summit declaration that welcomed the "Intensified Dialogue" that has been initiated as an initial step toward Georgia’s eventual full membership. (10) That "Dialogue," however, constitutes, at best, a very vague, embryonic move that may, or may not, lead to actual candidacy in the foreseeable future.
In Georgia, optimistically or hopefully, there has been talk of quitting the CIS in anticipation of NATO membership in 2008. In January of this year, Georgia announced its withdrawal from the CIS Council of Defense Ministers on the grounds that “Georgia has taken a course to join NATO and it cannot be part of two military structures simultaneously,” according to a statement posted on the Georgian government website. (11) While it is true that the two organizations are not strictly parallel institutions—NATO being a security alliance and the CIS fulfilling a much more diffuse set of functions that includes coordinating powers in the realm of trade, finance and lawmaking, as well as security—Russia’s abiding mistrust of the western security alliance promotes the perception of the two as rivals locked in a zero sum contest.

Earlier in the year, Moscow portrayed accession to NATO by states belonging to the CIS as nothing less than a casusbelli. The logic ran that the CIS serves as a framework to delimit Moscow’s sphere of influence on the geopolitical landscape, and the overtures to join NATO on the part of Georgia and (at that time) Ukraine were described in Moscow as acts of provocation on the part of client states. There are recent signs, however, that Moscow has come to recognize that these states are drifting away on independent courses, and is moving to moderate its strident, anti-NATO rhetoric. Following the motions of the Riga summit that seemed not to discourage Georgia and Ukraine from pursuing membership, Russian Defense Minister Ivanov admitted that Russia is unable to influence the process of NATO enlargement and issued a statement to the effect that every country is free to decide which bloc to join. “We can take a critical posture and say we disapprove of this or that country’s admission to NATO, but I believe it would be very wrong.” (12)

If NATO is no longer Moscow’s main antagonist, then the role of the CIS on the international stage is suddenly unclear and in need of sober reevaluation by its members. Organizers of the CIS summit in Minsk seized upon the symbolic gesture of a counter-summit as a means of doing what CIS members were
unable to do in the course of the event—demonstrate vis-à-vis NATO that the CIS is still relevant as a geopolitical force.

Source Notes:

(2) “The CIS dysfunctional family gets lost in the fog,” Financial Times, 29 Nov 06.
(3) Turkmenistan downgraded its CIS status to “Associate Member” in August 2005. Member status for each country can be viewed on the CIS website: (http://www.cis.minsk.by/main.aspx?uid=6070).
(5) Ibid.
(8) “Georgia calls for single EU voice on Russia,” Financial Times, 1 Dec 06.
Newly Independent States: Central Asia

By Monika Shepherd

Pie in the sky? Kyrgyzstan’s new constitution to take effect in 2010

On 9 November, Kyrgyz President Kurmanbek Bakiev signed into law a new constitution, which transfers a number of presidential powers to the Jogorku Kengesh (Kyrgyzstan’s parliament), as well as increasing the number of parliamentary seats from 75 to 90 (of these 90, half are to be elected on party slates, based on a system of proportional representation). Under the new constitution, the majority party in parliament will name the country’s prime minister; (1) Kyrgyzstan’s national security agency will report to the government, rather than to the president; (2) and the Jogorku Kengesh will appoint the heads of the national bank and central election commission. (3) The new constitution is the result of months of protests and demonstrations by Kyrgyz opposition groups, the most recent of which lasted from 2-9 November, dispersing only after adoption of the new constitution was announced. (4) Kyrgyz opposition parties have been calling for the constitution to be reformed in favor of a parliamentary system of government since President Bakiev and Prime Minister Feliks Kulov first took power in 2005, and it is a significant achievement that both sides finally were able to come to agreement. However, the new constitution is not scheduled to take effect until 2010, when the next presidential and parliamentary elections are due to take place, has left many opposition activists dissatisfied and may well result in further political and social turmoil. In fact, although Bishkek is no longer the site of daily anti-government protests, the political crisis is far from settled: the president’s supporters are pressing him to dissolve parliament; the prime minister and prosecutor general are considering criminal charges against a number of prominent For Reforms movement activists; and many opposition
leaders have renewed their calls for Prime Minister Kulov’s resignation. The fact that constitutional changes will not go into effect for another two years makes Kyrgyzstan’s political situation even more uncertain—as President Bakiev’s powers remaining unchecked for now, will he simply seek to preserve the status quo until 2010, and if so, will the opposition tolerate his inaction?

The process by which the new constitution was adopted has created new tensions and generated new ammunition for opposition and government supporters to fire at each other, as they continue their power struggle. The first few days of the opposition demonstrations, in particular, witnessed very aggressive tactics on behalf of the government to discredit its opponents and stymie their efforts for reform. Both President Bakiev and Prime Minister Kulov declared that the first draft of the new constitution, which was produced by a small Constituent Assembly of MPs on 6 November, was illegitimate and that the MPs had acted illegally, in an attempt to seize power. The final draft of the constitution was a compromise version based on the Constituent Assembly’s document and President Bakiev’s own draft, which was then approved by a parliamentary majority and signed by the president on 9 November. (5) In order to guarantee the new constitution’s legitimacy on a legal basis, the Jogorku Kengesh first amended its rules of procedure, before voting on it. (6) However, although President Bakiev eventually accepted the revised document, initially he and Prime Minister Kulov attempted to derail the entire process by accusing a group of the For Reforms movement’s leaders of planning a coup against the government. A conversation between the movement’s leaders at MP Omurbek Tekebaev’s office, (7) during which they allegedly discussed the forcible takeover of “important state objects” was secretly recorded (8) and released to the public on 3 November, along with a report on President Bakiev and Prime Minister Kulov’s comments to the Jogorku Kengesh earlier that day, when they presented the recording to the MPs. (9) Mr. Tekebaev responded to the accusations by stating that although most of the recording did correspond to a discussion he and his colleagues had held while planning the opposition demonstrations, certain
words (“seizure [of power], murder, marauding”) had been added to the text and that the recording had been obtained illegally, in any case. (10) The audio recording has been handed over to the Prosecutor General’s office and a criminal investigation has been launched into the For Reforms leaders’ activities, but it is not yet clear how far the matter will be pursued.

Now that President Bakiev has approved the new constitution and the opposition demonstrations have ceased, Prime Minister Kulov seems to have tempered his tactics somewhat and is no longer pursuing his critics so aggressively. He remains very critical of the constitutional reform process, however, stating “I am very much worried about the simplified procedure for adoption and introduction of changes to the new constitution. One can be making changes endlessly in this way and this creates a dangerous precedent” in a 10 November meeting with the head of the OSCE mission in Bishkek. PM Kulov also expressed the opinion that the new constitution does not sufficiently delineate the division of power between parliament and the executive branch, leaving certain issues open to contention, particularly the procedure for appointing administration heads. (11) In the wake of Kulov’s refusal to support constitutional reform, his criticism of the Jogorku Kengesh deputies for taking matters into their own hands and his recent smear tactics against them, opposition leaders once more are calling for his resignation and many have openly accused him of obstructing Kyrgyzstan’s democratic development.

President Bakiev’s supporters, for their part, have been calling on the president to dismiss parliament on the grounds that the MPs tried to stage a coup d’état by taking matters into their own hands and convening a Constituent Assembly. (12) During a pro-Bakiev demonstration in Jalalabad (President Bakiev was born in Kyrgyzstan’s southern Jalalabad Province and was governor there from 1995-1997) (13), the president’s supporters passed a resolution demanding that the Jogorku Kengesh be dissolved, that the text of the new constitution be published and subjected to national approval, and that Kyrgyz authorities “call politicians to
account for an attempted coup d'état.” (14) Opposition leaders themselves have been speculating publicly that the president intends to dismiss the parliament and call for new elections before the end of the year. Parliament speaker and opposition leader Omurbek Tekebaev claimed to have knowledge that the Bakiev-Kulov administration was planning to hold a national referendum on whether or not to dissolve the parliament, based on the premise that the new constitution had been adopted illegally. President Bakiev allegedly summoned Central Election Commission chairman Tuygunalby Abdraimov to his office to discuss the plan, but when Mr. Abdraimov was unable to provide legal substantiation for the government’s accusations against the Jogorku Kengesh deputies, the plan was scuttled. (15)

The fact that President Bakiev lately has confined himself to taking only such action against the opposition as is sanctioned by Kyrgyzstan’s laws is a positive sign and hopefully will help him maintain a relatively civil relationship with his critics, which in turn could help protect the country from further violent upheaval. Unfortunately, the President has been using those legal tactics at his disposal to punish a number of opposition supporters for their actions against his administration. One of the first victims was the governor of Chuy Province (located in northern Kyrgyzstan), Turgunbek Kulmurzaev, who came to Bishkek to support the opposition’s demands for constitutional reform and made a public appearance at one of the demonstrations, in which he called for President Bakiev’s resignation. (16) Mr. Kulmurzaev was fired on 7 November. (17) Since then, other opposition supporters, as well as their family members, have been threatened with arrest, most recently the wife of businessman and For Reforms activist Omurbek Abdrakhmanov, Beyish Aidikeeva, whom the Financial Police Service attempted to arrest for tax evasion on 1 December. (18)

These types of tactics risk undermining the delicate truce that President Bakiev was able to forge with the opposition leaders by working out a compromise version of a new constitution that is reported to reflect both his goals and those of
the opposition leaders who sit in the Jogorku Kengesh. If the President is wise, he will allow his collaboration with the MPs on a new constitution to become the first step in a process of government-wide reform, a reform for which many in Kyrgyzstan have been struggling since before the 2005 “Tulip Revolution.” Contrary to Prime Minister Kulov’s arguments, the process by which constitutional reform finally was achieved was anything but hasty. Parliament began lobbying for constitutional change in 2005, following President Akaev’s ouster, and it is President Bakiev who has been dragging his feet on the matter, making one empty promise after another and postponing the deadline for beginning the discussion on reform multiple times. The president’s recent actions against his critics smack of personal vendettas and constitute a sign that he intends to continue exploiting his executive powers to benefit himself and his close associates, à la Akaev. Unless the president accepts changes to his methods of governing today, his signature on the new constitution will remain merely a symbol of promised future change. If, on the other hand, President Bakiev’s powers stay unchecked until 2010, he may be able to neutralize his opponents, win a second term in office and subsequently repeal the constitutional changes. Another, perhaps even more ominous scenario, is that his opponents will become so frustrated with the lack of political reform that they will attempt to bring about another regime change, which could plunge the country into chaos, if not outright civil war. 9 November was a historic day, marking not only the adoption of a new Kyrgyz constitution, but a successful, collaborative effort between the president and the parliament to reform their government – now the question is whether 9 November marks only the beginning of this process or the end.

Source Notes:


(3) “Kyrgyz president signs new constitution, averting revolution,” 9 Nov 06, Deutsche Presse-Agentur via Lexis-Nexis Academic Universe.


(7) “Kyrgyz Opposition MP Calls For Restarting Legal Action Against Premier,” 17 Nov 06, Kabar news agency; BBC Monitoring International Reports via Lexis-Nexis Academic Universe.


Newly Independent States: Western Region

By Tammy Lynch

UKRAINE

Yanukovych Goes to Washington

On 3 December, Prime Minister Viktor Yanukovych arrived in Washington DC for a short visit, giving US officials “a chance to get to know him,” according to one analyst. (1) In reality, they had the chance to get to know him all over again.

Many Washington officials, of course, first became familiar with Yanukovych in 2004, when he served as President Leonid Kuchma’s prime minister. Then, he was criticized widely for complicity in a semi-authoritarian administration that muzzled the press, harassed political opposition leaders and profited hugely, and
perhaps illegally, from its connection with transnational energy and metallurgical corporations. He was accused of participating in the fraud that marred the first two rounds of the 2004 presidential election, and was admonished in the West during that period for supporting the separatist calls of officials in Eastern Ukraine. Viktor Yushchenko’s victory over Yanukovych in the final round of the presidential election was hailed as a victory for democracy over authoritarianism.

How things have changed.

In the parliamentary elections of 2006, largely thanks to the votes of Eastern Ukrainians, Yanukovych’s party received a plurality of votes. After the parties allied with President Viktor Yushchenko were unable to unite in order to form a majority coalition, Yanukovych’s party joined with the Communists and Socialists to create the majority and return him to the prime minister’s seat.

Since then, Yanukovych has been in a tense battle with Yushchenko for control in Ukraine—in particular over the direction of foreign policy. Yushchenko has made no secret of his wish to see Ukraine become a member of the EU, while Yanukovych has made no secret of his wish to work closely with Russia.

In Washington, the visit was held quietly. “Low key” was the phrase used most often by officials who seemed to be going out of their way to side-step the infighting between Yushchenko and Yanukovych. The prime minister’s meetings with Vice President Dick Cheney and Secretary of State Condoleezza Rice were held away from the media spotlight, and both US officials avoided public comment.

On 5 December, Ukraine’s ICTV bemoaned the lack of concrete progress and the manner in which the visit was downplayed by US representatives. “The visit of Prime Minister Viktor Yanukovych to the USA is not going very smoothly,” the channel reported. “In particular, even Yanukovych’s personal cameraman was
not allowed to attend the meeting (sic) between Yanukovych and Secretary of
State Condoleezza Rice and Vice-President Dick Cheney. … The commentary
regarding the meetings with Rice and Cheney also lacked details.” (2)

Nevertheless, Yanukovych claimed to be happy to be able to deliver his
message. “I said what I had to say,” he announced. “I said that, really, Ukraine
has taken the path of democratic change and this path is irreversible now, that
there is significantly more freedom of speech and democracy in Ukraine now,
that Ukraine is getting prepared to join the WTO, and that it starts global reforms
in 2007.” (3)

But former US Ambassador to Ukraine Steven Pifer said most questions from US
officials to Yanukovych would involve his relations with President Yushchenko.
"There are concerns in the administration about his earlier actions as prime
minister,” Pifer told Kommersant magazine, “but the U.S. has decided not to let
them show, but to invite Yanukovich for a walk and see how serious the
disagreement between him and Yushchenko is.” (4)

It is impossible to know with certainty whether the administration was reassured,
but the lack of any concrete details or statements of support during the visit
suggests that Yanukovych has a long way to go before he is embraced by the
United States.

**Lutsenko Leaves to Return?**

On the morning of 1 December, Yuriy Lutsenko was dismissed from his post as
interior minister by parliament. On the afternoon of that same day, parliament
also voted to remove Foreign Minister Borys Tarasyuk from his position.

The political wrangling that preceded the vote over Lutsenko demonstrates the
divisions that continue to plague the allies of President Viktor Yushchenko.
The vote on Lutsenko provided interesting fodder for conspiracy theorists. When the Yanukovych government took office, the now former interior minister was nominated by Yushchenko to remain in the position he has held since the president took office. He first balked at working with Yanukovych, but then relented, at the president’s insistence, he said.

He has been under siege from the Yanukovych-led parliamentary majority almost since the day he assented to work in the new government. Lutsenko was known to make very public accusations of corruption against members of parliament – and in particular members of Yanukovych’s Party of Regions. Even though, during his tenure, not one parliamentarian was arrested for any crime, his frequent statements were an irritation.

In response, the Party of Regions attempted to suggest that Lutsenko was corrupt. A Kyiv court threw out these accusations – which dealt with improper use of Interior Ministry vehicles – and in fact, Lutsenko is believed by many to be one of the country’s most honest politicians.

His dismissal occurred in stages. On 30 November, in the first of two votes on the issue, parliament voted to ask the prime minister to dismiss the interior minister. The vote tally showed an interesting vote breakdown. The Socialist Party, a member of the Party of Regions-led majority split from their colleagues and voted against the dismissal. This should have kept Lutsenko safe. But 18 of 125 members of The Yulia Tymoshenko Bloc (BYUT) – an ally of President Yushchenko – broke party discipline and voted for the dismissal. These 18, plus two defectors from Yushchenko’s own Our Ukraine, allowed the dismissal vote to pass.

Following the vote, during an angry, animated press conference, Tymoshenko lashed out at her own members, accusing them of making “personal arrangements with the members of Yanukovych’s team.” Although she said the
interior minister “worked ineffectively and did not cope with his job,” she pledged to honor her obligations to the president and Our Ukraine by supporting Lutsenko. (5)

The public statements, combined undoubtedly with some private persuasion, pushed seven of the BYUT members back into line. When Yanukovych decreed Lutsenko’s dismissal and sent it back to parliament for confirmation, the measure failed by three votes. For the day, Lutsenko’s job had been saved.

At that time, several politicians and journalists privately noted surprise that the Socialists had chosen to defend Lutsenko. Although he had originally been a prominent Socialist member, Lutsenko resigned from the party when it joined the parliamentary coalition. Even more, Yanukovych reportedly had agreed to nominate a Socialist—Vasyl Tsushko—to replace him.

The surprise was short-lived. The next day, the Socialists voted for the resubmitted dismissal motion. Thanks to this Socialist switch, despite Tymoshenko corralling all but five members in support of Lutsenko, the motion passed easily, with 248 out of 450 votes.

So, why the switch on the part of the Socialists? What was the point of supporting Lutsenko on 30 November but not 1 December? Of course, it may be that the deal to replace Lutsenko with Tsushko had not been finalized. But, on 30 November, the Ukrainian media carried numerous stories about Tsushko’s impending nomination. Could there have been another reason? Some privately wonder whether the vote could have been intended to trap the Tymoshenko Bloc into being the “fall guy” for Lutsenko’s dismissal. Tymoshenko largely blunted this by corralling enough members on the second vote to save Lutsenko's job.

This theory became especially prominent when video from the parliament showed Tsushko talking and laughing with Our Ukraine members prior to the
vote, and when the head of President Yushchenko’s administration immediately called the dismissal “a normal process.” Viktor Baloha then went on to praise Tsushko as a man who understood how “to maintain calm in society.” (6)

The next day, Lutsenko was named an advisor to the president, and he reportedly has been tapped to head a “new political project” – or party – that will support Yushchenko. The president is aware that Our Ukraine’s popularity is low and falling (around 10% now depending on the poll), and he has stated repeatedly that he will support a “new project.”

On 6 December, Yushchenko met Yulia Tymoshenko—where he chastised her for “destabilizing” the state by supporting the dismissal of Lutsenko. According to his press secretary, “The President said last week’s vote by several deputies from Tymoshenko’s bloc to dismiss Interior Minister Lutsenko was one of such destabilizing moves.” (7)

It was an odd statement—given the fact that 120 out of 125 BYUT members voted against the final vote to dismiss, and two of the five who voted for the measure already have been expelled from the faction. It is especially odd since four members of Our Ukraine disregarded the president and also voted to remove the interior minister. They have not been expelled.

However, it is not odd to mention this point if there is a plan to entrust the popular Lutsenko with building a new pro-presidential political party, and if that party will compete for the electorate of Tymoshenko’s Bloc.

So, it would seem a battle between Tymoshenko and Lutsenko has been foreshadowed. Is the best plan for Ukraine to continue to divide the pro-Western, reformist votes between two parties—in this case those led by Tymoshenko and Lutsenko? Yushchenko seems to believe it is, and the new project appears to have begun.
Source Notes:

(1) Stephen Larrabee of Rand Corporation, in Agence France Presse, 1811 EST, 4 Dec 06 via Yahoo! news.
(2) ICTV, 1645 GMT, 5 Dec 06; BBC Monitoring via Lexis-Nexis.
(3) Ibid.
(4) Kommersant, No 228, p.9, 6 Dec 06 via Lexis-Nexis.
(5) UNIAN, 30 Nov 06 via Lexis Nexis.
(6) Interfax Ukraine, 1131 GMT, 1 Dec 06; BBC Monitoring via Lexis-Nexis.
(7) President Meets Yulia Tymoshenko, Press Office of President Viktor Yushchenko, 6 Dec 06 via www.president.gov.ua.

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