ARMENIA

Sarkisian “suspends” Turkish-Armenian normalization

On 22 April, Armenian president Serzh Sarkisian announced the unilateral suspension of the Turkish-Armenian normalization process that began in 2008 with Turkish President Abdullah Gul’s initiation of “soccer diplomacy.” Sarkisian declared that the “current phase” of the negotiations was “exhausted.” (1) He explained that Yerevan was not withdrawing completely from the process or rescinding its acquiescence to the 2009 protocol; however, it remains unclear when or if the negotiations will resume.

Sarkisian cited Turkey's failure to ratify the protocols in the Turkish parliament and the incorporation of additional stipulations by Turkey (in the form of references to the disputed Azerbaijani territory of Nagorno-Karabakh) as his reasons for halting the process. Though Nagorno-Karabakh does not seem to have been mentioned explicitly in the original protocols signed by Turkish and Armenian representatives, Turkish officials have linked the Karabakh issue with further progress in Turkish-Armenian relations. Turkish Prime Minister Recep Tayyip Erdogan has made this linkage explicit. Just days before Sarkisian's announcement, Erdogan stated, "We have to solve the problem between Azerbaijan and Armenia. Unless we solve this problem, the Turkish Parliament will not say 'yes' to the protocols. We do not wish to see a negative decision by the Turkish Parliament. As such, we are preparing the necessary platform in the parliament." (2)
The timing of Sarkisian’s statement, two days before the 95th commemoration of the beginning of the Armenian genocide on 24 April, gave extra emotional heft to his decision. It should be noted that, while the Armenian Constitutional Court approved the protocols in January, Armenia’s parliament has yet to ratify the protocols.

Turkey responded cautiously to Yerevan’s announcement; Turkish Foreign Minister Ahmet Davutoğlu proposed a process of "parallel ratification," in order to build confidence between the two countries. (3)

Armenia’s decision appears not to have been wholly unanticipated by Turkey or the United States. Turkish Foreign Minister Davutoğlu characterized the step as "not a surprise for us" (4), a sentiment basically echoed by US State Department spokesman Philip J. Crowley (5). These statements may indicate that Sarkisian informed his international counterparts of his decision ahead of time and that his statement was aimed more at sating a domestic and diaspora Armenian audience before the 24 April observance of the genocide, rather than at sending a signal to his international colleagues in Ankara and elsewhere.

Representatives of the three countries that co-chair the OSCE Minsk Group dedicated to addressing the Nagorno-Karabakh conflict—the United States, France and Russia—all have expressed a desire for the negotiations to continue and have applauded the fact that Sarkisian has not permanently suspended the protocol.

Implementation of the protocols has always been fraught with difficulties because of the complex domestic and regional contexts in which both the Turkish and Armenian governments operate. Turkey’s current ruling party, the Justice and Development Party (AKP), has Islamist roots and faces criticism from adherents to Atatürk’s strictly secularist tradition, including the Turkish military, which views itself as the guardian of Atatürk’s legacy. While easing the strained relationship
with Armenia might not seem to threaten Turkey’s laic traditions overtly, Armenia’s consistent pursuit of Turkish recognition of the Armenian genocide is interpreted as undermining Turkish statehood.

An external factor influencing Turkey's negotiations with Armenia is Turkish ally Azerbaijan. Baku has outstanding grievances against Armenia for Yerevan’s actions in the war over Nagorno-Karabakh, during which Azerbaijan lost control of a substantial amount of its territory. Consequently, under Ilham Aliev, the Azerbaijani government has attempted to pressure Turkey into making settlement of the Karabakh issue a precondition for the normalization of Armenian-Turkish relations. Statements like the one cited above from Turkish Prime Minister Erdogan make it appear that Baku’s efforts are meeting with a certain amount of success.

Recent comments by Aliev on the work of the Minsk Group point to Azerbaijan’s stance on the Turkish-Armenian discussions. Aliev claimed that no regional problems would be resolved without addressing the Karabakh issue: "No one can ignore Azerbaijani interests and detach Azerbaijan from regional processes," he said. (6)

In order to pursue the normalization of relations with Armenia, Turkey will have to accommodate the demands of both its Azerbaijani ally and its domestic opposition. It is possible that Ankara could continue with normalization, while making it clear that it has not abandoned Azerbaijani claims to Nagorno-Karabakh and the surrounding regions currently occupied by Armenia, but successful decoupling of the issues will require skilled diplomacy on Turkey’s part. Turkish politicians also will have to avoid appearing to compromise the dignity and trajectory of the Turkish state in order not to give the military a pretext for intervention. Recognition of the genocide has long been equated in Ankara with compromising Turkish statehood. If Armenian politicians continue to raise
this issue with respect to the protocols, they risk further scuttling the process by fueling Ankara’s domestic critics.

Like Turkey, Armenia faces obstacles to a further rapprochement from both internal and external actors. Nationalists within Armenia view the normalization of relations with Turkey as a deadly compromise. Some of Armenia’s staunchest nationalists can be found in the Armenian Revolutionary Federation (ARF) or Dashnak Party. Illustrative of this group’s stance was the response to Sarkisian’s suspension announcement. The ARF used the opportunity to press for the complete dissolution of the protocols, claiming, in the words of one ARF spokesman, “the protocols will be threatening Armenia unless we get rid of them and their possible ratification in future.” (7)

Externally, the Armenian diaspora remains generally opposed to the ongoing negotiations with Turkey because of its dedication to pursuing the goal of Turkish recognition of the genocide. Ankara’s resistance to this recognition represents, for these groups, an insuperable barrier to further dealings with the Turkish government. Yerevan’s rapprochement with Turkey has begun to alienate the diaspora, to the extent that one Armenian politician from the Heritage party recently alleged that “we [the Armenian government] have found ourselves on the verge of losing our Diaspora” because of Sarkisian’s pursuit of improved relations with Turkey. (8) Indeed, Sarkisian’s suspension of the normalization process may be an attempt to win back diaspora support.

It is unclear to what extent the governments in Ankara and Yerevan actually are committed to the normalization process. Whether or not Sarkisian lifts his unilateral “suspension” within the next few months will be a good indication as to how serious Armenia is about improving its relationship with Turkey.

Source Notes:
(1) “Armenian President: The current phase of the Armenian-Turkish normalization process is exhausted,” ARMINFO, 22 Apr 10 via Lexis-Nexis.
(2) “Prime minister of Turkey: Turkish parliament not to say ‘yes’ to Armenian-Turkish Protocols unless Karabakh conflict is solved,” ARMINFO, 19 Apr 10 via Lexis-Nexis.
(3) “Turkish FM offers 'parallel process' to solve Armenia deadlock,” ARMINFO, 24 Apr 10 via Lexis-Nexis.
(4) “Turkish FM offers 'parallel process' to solve Armenia deadlock,” ARMINFO, 24 Apr 10 via Lexis-Nexis.
(5) “US Department of State is not surprised by Armenian president's announcement and hopes for continuation of the process,” ARMINFO, 23 Apr 10 via Lexis-Nexis.
(8) “Armenian-Turkish relations ‘progress’ in prejudice of Armenia's national interests,” ARMINFO, 20 Apr 10 via Lexis-Nexis.

Newly Independent States: Central Asia

By Monika Shepherd

**Kyrgyz government faces myriad challenges**

With ousted President Kurmanbek Bakiev out of the way, exiled to Belarus, Kyrgyzstan’s interim government now can focus its efforts on a number of very significant domestic political challenges: reestablishing rule of law in all of the country’s regions, stabilizing the economy and tracking down funds squirreled away by the Bakiev administration, launching an investigation of corruption and money laundering charges associated with the aviation fuel supply contracts to Manas airbase, investigating the deaths and bloodshed that occurred during the
April 6-8 protests, all while preparing for a June 27 constitutional referendum and national elections in the fall. On the international front, the new administration must continue soliciting foreign aid funds and investment into Kyrgyzstan’s economy, while balancing the often-conflicting interests of its neighbors and other international actors. These are certainly no small tasks, but hopefully will be somewhat easier to achieve now that Bakiev is no longer ensconced at his home base in southern Kyrgyzstan, exhorting his supporters to undermine interim Prime Minister Roza Otunbaeva’s regime.

Bakiev’s presence in Jalal-Abad (his home is in the village of Teyit, near the city of Jalal-Abad) had become a rather large thorn in Otunbaeva’s side, after he began holding public rallies at which he refused to recognize the legitimacy of the interim government and vowed to defy the new regime’s authorities, should they attempt to take him forcibly into custody. The ousted leader appeared ready to dig in his heels and establish his own government, suggesting to his supporters that the capital be moved from Bishkek to either Jalal-Abad or Osh, (1) a move that easily could have plunged the country into civil war. In a brazen endeavor to stoke public anger against Otunbaeva and her colleagues, he blamed the deaths of the 80-90 protesters killed during the April 6-8 events on the opposition, alleging that opposition activists deliberately attacked their own supporters, as a provokatsiya against his administration. (2) The fact that just days earlier, during an interview with RIA Novosti, Bakiev’s brother Janysh, former head of the Public Protection Services (also known as the presidential guard), had admitted giving the order to fire live rounds at the protesters (3) makes the ex-president’s accusations appear especially noxious.

The potential for violent conflict increased the longer Bakiev remained in Kyrgyzstan, as his public appearances began attracting not only thousands of his followers, but supporters of Otunbaeva’s government, as well. Gunfire broke out at an April 15 rally in Osh, where Bakiev was slated to give another speech. A rival gathering to show support for the interim government was taking place
nearby and according to eyewitnesses, Bakiev's bodyguards began firing their weapons into the air, when a number of opposition supporters attempted to keep him from speaking to the crowd. Bakiev himself was immediately hurried into a car and driven back to Jalal-Abad, (4) but tense moments in Osh continued, as police faced off against Bakiev proponents demanding access to the offices of national television and radio network LTR, in order to broadcast their views on air. (5)

In spite of the heightened tensions created by this incident, it also provided Otunbaeva with an iron-clad reason to bring her regime's face-off with Bakiev to an end. That same day, she declared that the ousted president’s time had run out (6) and by early afternoon, he and his wife were being flown to the southern Kazakh city of Taraz via military cargo plane, having left behind a signed resignation letter. (7) Bakiev's seemingly abrupt departure for Kazakhstan was actually the result of OSCE-mediated joint negotiations between Otunbaeva’s government and the Russian, US, and Kazakh presidents, all of whom had repeatedly expressed concerns that if Bakiev were not permitted to leave the country, civil strife might become unavoidable. Kanat Saudabaev, the OSCE Chairman-in-Office and Kazakhstan’s foreign minister called the ex-president’s departure “an important step in settling the situation in the country, in restoring the rule of law and in preventing civil war.” (8)

From Kazakhstan, Bakiev, his wife and two small children (his nieces/nephews?) continued on to Belarus, where they have been offered political asylum, as well as no small amount of sympathy for their plight by President Alexander Lukashenko. Lukashenko has branded Bakiev’s ouster “an anti-constitutional coup d’état” and has publicly chastised the Russian and US governments for failing to condemn the recent Kyrgyz regime change. (9) Since arriving in Minsk, Bakiev has retracted his resignation, but also refuses to return to Bishkek. Otunbaeva has declared that her government has stripped him of his presidential immunity and will seek his extradition to Kyrgyzstan, in order to put him on trial
for his role in the deaths of the 80-90 protesters. As her administration’s investigation into the Bakiev family finances progresses, it is quite possible that additional charges will be filed against the former president.

Arrest warrants have also been issued for Bakiev’s brother, Janysh, for his oldest son, Marat (former deputy chairman of Kyrgyzstan’s National Security Service), and for Murat Sutalinov (former chairman of the National Security Service), based on evidence of their involvement in the shooting deaths of the protesters.

(10) Kyrgyzstan’s former defense minister, Baktybek Kaliev, was arrested on April 15 in southern Kyrgyzstan, where he reportedly had been holed up in the Bakiev family compound in Teyit. Kaliev is also charged in the deaths of the demonstrators. (11)

The former president’s supporters in Jalal-Abad undoubtedly will continue to protest the new regime’s actions, as they attempt to maintain some influence over the direction of the country’s domestic politics. One of the opposition’s beefs with Bakiev was the fact that as time went on, he brought ever more members of southern Kyrgyzstan’s political elite into his administration and in the process marginalized politicians from the country’s northern regions. The interim government currently has members from both the north and the south, but even so, will need to proceed delicately, in order to keep from further alienating Bakiev’s southern allies.

The threat of violence still exists, not only due to the north-south political divide, but simply as a result of the extreme and prolonged poverty to which so many of Kyrgyzstan’s citizens have been subjected. There have already been incidents of mob violence between havevs and have-nots – people desperately hungry for their own plots of land attempted to take over Meskhetian Turk families’ property by force on the outskirts of Bishkek, resulting in beatings and at least one death. This scenario could be played out in other parts of the country, if the current regime and its successor are unable to raise ordinary Kyrgyzstani citizens’
standard of living and convince them that their interests, not those of the political elite, are the government’s first priority.

Source Notes:
(1) “Bakiyev supporters join forces in Kyrgyzstan’s south (WRAPUP),” 12 Apr 10, RIA Novosti via Lexis-Nexis Academic.
(3) “Ousted Kyrgyz leader's brother says 'conscience clear',” 11 Apr 10, Agence France Presse via Lexis-Nexis Academic.
(6) Ibid.
(8) “Bakiyev has left Kyrgyzstan - OSCE (Part 2),” 15 Apr 10, Central Asia General Newswire; Interfax via Lexis-Nexis Academic.
(9) “Belarus president says 'coup' toppled Kyrgyzstan leader,” 14 Apr 10, Agence France Presse via Lexis-Nexis Academic.
UKRAINE

Ukraine’s wobbly democracy

On 27 April, Ukraine’s parliament ratified an agreement that would allow Russia’s Black Sea Fleet to remain on Ukrainian territory for up to an additional 25 years. (1) The agreement and subsequent ratification sparked street protests and violent clashes between lawmakers—all of which made headlines around the world. But, while these public displays provided good video for news outlets, the passage of the lease extension creates far more important questions about Ukraine’s commitment to transparent, democratic processes. Moreover, it appears to have provided the pretext for criminal investigations of political opposition leader Yulia Tymoshenko.

The lease extension itself appears to contradict the spirit, if not the letter, of Article 17 of Ukraine’s constitution. This article prohibits the stationing of foreign troops on Ukrainian soil. “The location of foreign military bases,” it says, “shall not be permitted on the territory of Ukraine.” (2)

However, during tense negotiations between Ukraine and Russia in the 1990s over the status of the former Soviet fleet in Crimea, Ukraine inserted a point into its constitution under the heading “transitional provisions.” This provision allows “the use of existing military bases on the territory of Ukraine for the temporary stationing of foreign military formations” based “on the terms of lease.” Unlike the majority of “transitional provisions” in the constitution, this measure has no time limit. It is vague and open to interpretation. (3)

Originally, “temporary” appeared to be defined by politicians as 20 years—the length of the lease signed by Russia in May 1997 for use of Ukraine’s Black Sea Fleet territory. And until last month, despite occasional heated rhetoric, there was no real indication that any mainstream politician truly intended to reinterpret this definition suddenly without public debate. In fact, during Yanukovych’s recent presidential campaign against Tymoshenko, he refused to say whether he
supported a lease extension. Therefore, his view on this issue remained a mystery until he placed his signature on the document extending Russia’s lease beyond 2017, as provided in the 1997 agreement.

The signatures happened during a 21 April meeting between Yanukovych and Russian President Vladimir Putin. (4) Six quick days later the issue came before Ukraine’s parliament for ratification. It was approved in under an hour amid violent clashes between lawmakers. The outcome was a foregone conclusion, with the opposition provided only a token opportunity to voice its concerns or complaints. Faced with no avenue of legitimate expression, opposition members appeared foolhardy in their response –throwing smoke bombs and pelting the parliamentary speaker with eggs.

Even Ukraine’s Deputy Prime Minister Serhiy Tihipko questioned the process. "What I am against," he said, "is that the agreement has been done under the table and that I, as a citizen of Ukraine, was not consulted. But in the end, it is a price we can afford to pay." (5)

Perhaps. Perhaps not. Although Mr. Tihipko now apparently has all of the information, the public still does not. In fact, the public has very little information about this deal, making it very difficult to know whether the reward is worth the price.

Ukrainian and Russian officials have stated that the extension of the Black Sea Fleet lease was provided in exchange for a deep discount on Russian gas. In his interview, Tihipko stated that the deal would save Ukraine four billion dollars this year. But, because the documents are secret, Ukrainian citizens have no way of confirming how their country’s base gas price will be determined, or whether it will be based on real market costs. At the moment, they’ve been quoted a “discounted” price from Russia ($296 per 100 cubic meters) with no context or supporting documentation for the price provided. (6) Ukrainians may save four
billion dollars in 2009, or they may not. Either way, it is likely that they’ll never be able to prove whether they did. And either way, Ukraine will continue to have a foreign military on its soil, thus contradicting Article 17 of the constitution. With this in mind, former PM and current opposition leader Yulia Tymoshenko has called for all documents to be made public. (7) So far, there has been no response to this request.

That is not to say the government is paying no attention to Tymoshenko, however. The Kyiv prosecutor’s office has opened a criminal case regarding the actions of opposition deputies within parliament during the debate over the Black Sea Fleet lease extension; the majority of these deputies are members of Tymoshenko’s bloc (although she is currently not in parliament). (8)

In addition, the state Prosecutor General’s Office (PGO) launched a criminal case against Tymoshenko for “misuse of state funds” just one day after she and her parliamentary bloc protested against the agreement. (9) While parliamentary deputies have immunity from prosecution, Tymoshenko does not and could be arrested or “detained” at any time. Incidentally, the Prosecutor General is appointed by, and reports to, the president.

In its complaint against Tymoshenko, the PGO alleges misappropriation of $290,000,000 received from selling carbon quotas while she was prime minister. Tymoshenko called the case “impossible,” and sounded almost giddy at the prospect of a legal battle. “I am even happy,” she said. “Come closer and then we’ll see who wins.” (10)

But, those who’ve watched these latest developments will not be giddy. Major legislation forced through with little debate, fistfights and smoke bombs in parliament, and curiously timed criminal charges against the country’s main opposition leader all are troubling in a country already teetering so perilously on the edge of democracy.
Source Notes:
(1) Reuters, 0354 IST, 27 Apr 10 via Google News.
(2) Ukraine Constitution, Chapter I (General Provisions), Article 17.
(3) Ukraine Constitution, Chapter XV (Transitional Provisions), Point 14.
(6) “Gazprom Calculated the Price for Ukraine,” Ukrayinska Pravda, 1936 CET, 28 Apr 10 via www.pravda.com.ua
(10) Ibid.

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